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federal register

Book 1 of 2 Books
Friday, March 14, 1980

Highlights

16932 **Prescribing Amendments to the Manual for Courts-Martial, United States, 1969 (Revised Edition)** Executive order (Part VI of this issue)

16441 **Levels IV and V of the Executive Schedule (Amending EO 12154)** Executive order

16443 **Rates of Pay and Allowances (Amending EO 12165)** Executive order

16453 **Carl Vinson** Presidential proclamation honoring

16485 **Treatment Works** EPA amends rules regarding allotments to States for fiscal year 1980 for municipal wastewater treatment works construction grant program; effective 3–14–80

16928 **Summer Youth Employment Program** Labor/ETA publishes final prime sponsor allocations under Comprehensive Employment and Training Act; effective 3–14–80 (Part V of this issue)

14663 **Privacy Act** VA publishes document affecting the systems of records

16505 **Medicare and Medicaid** HEW/HCFA proposes to amend rules regarding requirements for certification of long term care facilities with repeat deficiencies; comments by 5–13–80

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Highlights

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16493 **Floodplain Management and Wetland Protection** Interior/NPS and USDA/ASCS request comments on proposed guidelines; comments by 4–14–80 and 5–13–80, respectively (2 documents)

16786 **General Wage Determination** Labor/ESA gives notice of minimum wages for Federal and Federally assisted construction (Part II of this issue)

16860 **Animal Welfare** USDA/APHIS issues list of licensed dealers (Part IV of this issue)

16832 **Improving Government Regulations** EPA issues agenda of regulations under review or development (Part III of this issue)

16455 **Alternative Work Schedules Experimental Program** OPM issues final master plan containing guidelines and criteria used for evaluation; effective 4–14–80

16483 **Temporary Income Tax** Treasury/IRS issues temporary rules relating to corporations filing consolidated returns subject to at risk limitations; effective for taxable years which due date for filing returns is after 3–14–80

16518 **Standard Foreign Fare Level** CAB establishes level and adjusts percentage change in actual operating cost per available seat-mile; effective 4–1–80

16463 **Federal Old-Age, Survivors and Disability Benefits** HEW/SSA revises rules regarding wage credits for veterans and members of the uniformed services; effective 3–14–80

16582 **Motor Carrier Finance Proceedings** ICC sets timing and type of information to be presented to satisfy burdens of proof; effective 3–3–80

16493 **Civil Service Retirement** OPM proposes to amend rules to provide coverage to certain persons already receiving CSR annuity; comments by 5–13–80

16492 **Motor Carriers of Passengers** ICC extends comment period on reopened proceeding regarding checked baggage liability provisions; comments served on other parties by 3–19–80, replies by 5–8–80

16664 **Sunshine Act Meetings**

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Presidential Documents

Title 3—

The President

Executive Order 12199 of March 12, 1980

Levels IV and V of the Executive Schedule

By the authority vested in me as President of the United States of America by Section 5317 of Title 5 of the United States Code, it is hereby ordered that Section 1–101(e) of Executive Order No. 12154 of September 4, 1979 (placing certain positions in level IV of the Executive Schedule) is amended by deleting "Deputy Adviser for Labor-Management, Council on Wage and Price Stability" and substituting therefor "Executive Director, White House Conference on Aging, Department of Health, Education, and Welfare.".

Jimmy Carter

THE WHITE HOUSE,
March 12, 1980.

[FR Doc. 80–8107
Filed 3–12–80; 4:41 pm]
Billing code 3195–01–M

Presidential Documents

Executive Order 12200 of March 12, 1980

Rates of Pay and Allowances

By the authority vested in me as President by the Constitution and laws of the United States of America, and in accord with Section 101(c) of Public Law 96–86 approved October 12, 1979, it is hereby ordered as follows:

1–101. In order to provide notice of the effect of appropriations limitations on the payable rates of salary and basic pay, additional footnotes are added to each of the pay schedules attached to Executive Order No. 12165 of October 9, 1979.

1–102. In order to preserve existing comparability in new Senior Executive Service positions for purposes of applying the recent appropriations limitations, comparable pay levels are designated in an additional footnote to Schedule 4 attached to Executive Order No. 12165.

1–103. Schedules 1 through 7 attached to Executive Order No. 12165 are amended by substituting therefor the revised Schedules 1 through 7 which are attached hereto and made a part hereof. These new schedules are identical to the original schedules except for the addition of asterisks and new footnotes which reflect new maximum limitations on payable rates of salary and basic pay. The scheduled rates of pay and allowances have not been altered. These new schedules therefore supersede the original schedules.

1–104. To make a technical correction, the statutory reference "89 Stat. 419, 28 U.S.C 461" in the first clause of Section 1–103 of Executive Order No. 12165 is amended to read "Public Law 94–82, 89 Stat. 419".

1–105. (a) Section 1–103 of Executive Order No. 12165 is further amended by adding a new subsection (c) as follows:

"(c) Judicial Salaries (28 U.S.C. 5, 44(d), 135, 173, 213, 252, 792(b) and 11 U.S.C. 68(a) and Sections 401(a), 404(a), 404(b), and 404(d) of Public Law 95–598) at Schedule 8.".

(b) Schedules 1 through 7 of Executive Order No. 12165 are further amended by adding thereto a new Schedule 8, setting forth Judicial Salaries, which is attached hereto and made a part hereof.

Jimmy Carter

THE WHITE HOUSE,
March 12, 1980.

SCHEDULE 1 - THE GENERAL SCHEDULE

	1	2	3	4	5	6	7	8	9	10
GS-1	$7,210	$7,450	$7,690	$7,930	$8,170	$8,410	$8,650	$8,890	$8,902	$9,126
2	8,128	8,399	8,670	8,902	9,002	9,267	9,532	9,797	10,062	10,327
3	8,952	9,250	9,548	9,846	10,144	10,442	10,740	11,038	11,336	11,634
4	10,049	10,384	10,719	11,054	11,389	11,724	12,059	12,394	12,729	13,064
5	11,243	11,618	11,993	12,368	12,743	13,118	13,493	13,868	14,243	14,618
6	12,531	12,949	13,367	13,785	14,203	14,621	15,039	15,457	15,875	16,293
7	13,925	14,389	14,853	15,317	15,781	16,245	16,709	17,173	17,637	18,101
8	15,423	15,937	16,451	16,965	17,479	17,993	18,507	19,021	19,535	20,049
9	17,035	17,603	18,171	18,739	19,307	19,875	20,443	21,011	21,579	22,147
10	18,760	19,385	20,010	20,635	21,260	21,885	22,510	23,135	23,760	24,385
11	20,611	21,298	21,985	22,672	23,359	24,046	24,733	25,420	26,107	26,794
12	24,703	25,526	26,349	27,172	27,995	28,818	29,641	30,464	31,287	32,110
13	29,375	30,354	31,333	32,312	33,291	34,270	35,249	36,228	37,207	38,186
14	34,713	35,870	37,027	38,184	39,341	40,498	41,655	42,812	43,969	45,126
15	40,832	42,193	43,554	44,915	46,276	47,637	48,998	50,359*	51,720*	53,081*
16	47,889	49,485	51,081*	52,677*	54,273*	55,869*	57,465*	59,061*	60,657*	
17	56,099*	57,969*	59,839*	61,709*	63,579*					
18	65,750*									

*Basic pay is limited by Section 5308 of Title 5 of the United States Code to the rate for level V of the Executive Schedule which is $53,600. See also Note 3.

Note 1. The rates payable under this schedule are subject to further adjustment, limitation, or reduction by the Congress.

Note 2. On October 1, 1979, the limitation in Schedule 1 of Executive Order No. 12087, October 7, 1978, changed and for the period October 1, 1979 to the start of the first applicable pay period in fiscal 1980 the following rates of pay were payable:

GS-15, Step 9	$48,336
GS-15, Step 10	49,608
GS-16, Step 3	47,740
GS-16, Step 4	49,232
GS-16, Steps 5 through 9	50,100
GS-17, Steps 1 through 5	50,100
GS-18	50,100

Note 3. Notwithstanding the above rates, the maximum rate payable in this schedule is $50,112.50. [Section 101(c) of Public Law 96-86 (approved October 12, 1979) provides that funds appropriated for fiscal year 1980 may not be used to pay a salary in this schedule at a rate which exceeds an increase of 5.5 percent over the rate payable for level V of the Executive Schedule in effect on September 30, 1978.]

Schedule 2 - FOREIGN SERVICE SCHEDULES

Part I - The Per Annum Salaries of Foreign Service Officers

	1	2	3	4	5	6	7
FSO-01	$61,903*	$63,966*	$65,750*				
02	47,540	49,125*	50,710*	$52,295*	$53,880*	$55,465*	$57,050*
03	37,067	38,303	39,539	40,775	42,011	43,247	44,483
04	29,375	30,354	31,333	32,312	33,291	34,270	35,249
05	23,687	24,477	25,267	26,057	26,847	27,637	28,427
06	19,451	20,099	20,747	21,395	22,043	22,691	23,339
07	16,283	16,831	17,374	17,917	18,460	19,003	19,546
08	13,925	14,389	14,853	15,317	15,781	16,245	16,709

Part II - The Per Annum Salaries of Foreign Staff Officers and Employees

	1	2	3	4	5	6	7	8	9	10
FSS-01	$37,067	$38,303	$39,539	$40,775	$42,011	$43,247	$44,483	$45,719	$46,955	$48,191
02	29,375	30,354	31,333	32,312	33,291	34,270	35,249	36,228	37,207	38,186
03	23,687	24,477	25,267	26,057	26,847	27,637	28,427	29,217	30,007	30,797
04	19,451	20,099	20,747	21,395	22,043	22,691	23,339	23,987	24,635	25,283
05	17,403	17,983	18,563	19,143	19,723	20,303	20,883	21,463	22,043	22,623
06	15,580	16,099	16,618	17,137	17,656	18,175	18,694	19,213	19,732	20,251
07	13,954	14,419	14,884	15,349	15,814	16,279	16,744	17,209	17,674	18,139
08	12,503	12,920	13,337	13,754	14,171	14,588	15,005	15,422	15,839	16,256
09	11,206	11,580	11,954	12,328	12,702	13,076	13,450	13,824	14,198	14,572
10	10,049	10,384	10,719	11,054	11,389	11,724	12,059	12,394	12,729	13,064

* Basic pay is limited by Section 5308 of Title 5 of the United States Code to the rate for level V of the Executive Schedule which is $53,600. See also Note 3.

Note 1. The rates payable under this schedule are subject to further adjustment, limitation, or reduction by the Congress.

Note 2. On October 1, 1979, the limitation in Schedule 2 of Executive Order No. 12087, October 7, 1978, changed and for the period October 1, 1979 to the start of the first applicable pay period in fiscal 1980 the following rates of pay were payable:

FSO-01, Steps 1 through 3.....$50,100
FSO-02, Step 4..... 48,873
FSO-02, Steps 5 through 7..... 50,100

Note 3. Notwithstanding the above rates, the maximum rate payable in this schedule is $50,112.50. [Section 101 of Public Law 96-86 (approved October 12, 1979) provides that funds appropriated for fiscal year 1980 may not be used to pay a salary in this schedule at a rate which exceeds an increase of 5.5 percent over the rate payable for level V of the Executive Schedule in effect on September 30, 1978.]

Schedule 3 - DEPARTMENT OF MEDICINE AND SURGERY SCHEDULES, VETERANS ADMINISTRATION

	Minimum	Maximum
Section 4103 Schedule		
Chief Medical Director	single rate.....	$73,733***
Deputy Chief Medical Director	single rate.....	70,731**
Associate Deputy Chief Medical Director	single rate.....	67,747*
Assistant Chief Medical Director	single rate.....	65,750*
Medical Director	$56,099*	63,759*
Director of Nursing Service	56,099*	63,759*
Director of Podiatric Service	47,889	60,657*
Director of Chaplain Service	47,889	60,657*
Director of Pharmacy Service	47,889	60,657*
Director of Dietetic Service	47,889	60,657*
Director of Optometric Service	47,889	60,657*
Physician and Dentist Schedule		
Director grade	47,889	60,657*
Executive grade	44,219	57,485*
Chief grade	40,832	53,081*
Senior grade	34,713	45,126
Intermediate grade	29,375	38,186
Full grade	24,703	32,110
Associate grade	20,611	26,794
Nurse Schedule		
Director grade	40,832	53,081*
Assistant Director grade	34,713	45,126
Chief grade	29,375	38,186
Senior grade	24,703	32,110
Intermediate grade	20,611	26,794
Full grade	17,035	22,147
Associate grade	14,659	19,060
Junior grade	12,531	16,293

Clinical Podiatrist and Optometrist Schedule		
Chief grade	$40,832	$53,081*
Senior grade	34,713	45,126
Intermediate grade	29,375	38,186
Full grade	24,703	32,110
Associate grade	20,611	26,794

* Basic pay is limited by Section 4107(d) of Title 38 of the United States Code to the rate for level V of the Executive Schedule which is $53,600. See also Note 3.

** Basic pay is limited by Section 4107(d) of Title 38 of the United States Code to the rate for level IV of the Executive Schedule which is $56,500. See also Note 4.

*** Basic pay is limited by Section 4107(d) of Title 38 of the United States Code to the rate for level III of the Executive Schedule which is $59,300. See also Note 5.

Note 1. The rates payable under this schedule are subject to further adjustment, limitation, or reduction by the Congress.

Note 2. On October 1, 1979, the limitation in Schedule 3 of Executive Order No. 12087, October 7, 1978, changed and for the period October 1, 1979 to the start of the first applicable pay period in fiscal 1980 the following rates of pay were payable:

	Minimum	Maximum
Section 4103 Schedule		
Chief Medical Director	Single rate	$55,400***
Deputy Chief Medical Director	Single rate	52,800**
Associate Deputy Chief Medical Director	Single rate	50,100
Assistant Chief Medical Director	Single rate	50,100
Medical Director	$50,100	50,100
Director of Nursing Service	50,100	50,100
Director of Podiatric Service	44,756	50,100
Director of Chaplain Service	44,756	50,100
Director of Pharmacy Service	44,756	50,100
Director of Dietetic Service	44,756	50,100
Director of Optometric Service	44,756	50,100
Physician and Dentist Schedule		
Director grade	44,756	50,100
Executive grade	41,327	50,100
Chief grade	38,160	49,608
Nurse Schedule		
Director grade	38,160	49,608
Clinical Podiatrist and Optometrist Schedule		
Chief grade	38,160	49,608

Note 3. Notwithstanding the above rate, the maximum rate payable for this position or grade is $50,112.50. [Section 101(c) of Public Law 96-86 (approved October 12, 1979) provides that funds appropriated for fiscal year 1980 may not be used to pay a salary for this position or grade at a rate which exceeds an increase of 5.5 percent over the rate payable for level V of the Executive Schedule in effect on September 30, 1978.]

Note 4. Notwithstanding the above rates, the maximum rate payable for this position is $52,750.00. [Section 101(c) of Public Law 96-86 (approved October 12, 1979) provides that funds appropriated for fiscal year 1980 may not be used to pay a salary for this position at a rate which exceeds an increase of 5.5 percent over the rate payable for level IV of the Executive Schedule in effect on September 30, 1978.]

Note 5. Notwithstanding the above rates, the maximum rate payable for this position is $55,387.50. [Section 101(c) of Public Law 96-86 (approved October 12, 1979) provides that funds appropriated for fiscal year 1980 may not be used to pay a salary for this position at a rate which exceeds an increase of 5.5 percent over the rate payable for level III of the Executive Schedule in effect on September 30, 1978.]

Schedule 4 - SENIOR EXECUTIVE SERVICE SCHEDULE

ES-1	$47,889	ES-4	$52,884*
ES-2	49,499	ES-5	54,662*
ES-3	51,164*	ES-6	56,500**

Note 1. The rates payable under this schedule are subject to further adjustment, limitation, or reduction by the Congress or the President.

Note 2. From October 1, 1979 to the start of the first applicable pay period in fiscal 1980, the rates of pay, which were established in the President's memorandum of March 7, 1979, were payable:

ES-1	$44,756	ES-4	$50,100
ES-2	46,470	ES-5	51,450*
ES-3	48,250	ES-6	52,800**

* Notwithstanding these rates, the maximum rate payable at these levels is $50,112.50. See also Notes 3 and 4.

** Notwithstanding these rates the rate payable at this level is $52,750.00. But see also Notes 3 and 4.

Note 3. Notwithstanding the above rates, the maximum rate payable is subject to the provisions of Section 101(c) of Public Law 96-86 (approved October 12, 1979). As further explained in the Joint Explanatory Statement of the Committee of Conference (125 Cong. Rec. H 9075 to H 9076 of October 12, 1979), those provisions preclude the use of fiscal year 1980 appropriations to pay salary rates which exceed $50,112.50 to individuals who are in positions now designated as SES positions but which were GS-16, GS-17, GS-18, or Executive level V and thus subject to the level V ceiling on September 30, 1978 of $47,500; and, those provisions preclude the use of fiscal year 1980 appropriations to pay salary rates which exceed $52,750.00 to individuals who are in positions now designated as SES positions but which were Executive level IV and thus subject to the Executive level IV ceiling on September 30, 1978 of $50,000.

Note 4. For purposes of Section 101(c) of Public Law 96-86, Section 304(b)(1) of Public Law 95-391, and only for the purpose of applying those limitations on the use of appropriated funds for paying rates of pay, individuals who are serving in newly created SES positions or who are otherwise in a new position within the meaning of Section 304(b) of Public Law 95-391, shall be deemed to be serving in a position comparable to an Executive level V position if paid at the rate of ES-5 or lower; and, shall be deemed to be serving in a position comparable to an Executive level IV position if paid at the rate of ES-6.

Schedule 5 - PAY AND ALLOWANCES OF THE UNIFORMED SERVICES
Part I - Monthly Basic Pay
(Years of service computed under 37 U.S.C. 205)

Commissioned Officers

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
0-10[1]	$3529.80	$3654.00	$3654.00	$3654.00	$3654.00	$3794.10	$3794.10	$4084.80
0-9	3128.40	3210.60	3278.70	3278.70	3278.70	3362.40	3362.40	3501.90
0-8	2833.50	2918.40	2987.70	2987.70	2987.70	3210.60	3210.60	3362.40
0-7	2354.40	2514.60	2514.60	2514.60	2627.10	2627.10	2779.80	2779.80
0-6	1745.10	1917.60	2042.70	2042.70	2042.70	2042.70	2042.70	2042.70
0-5	1395.90	1639.20	1752.30	1752.30	1752.30	1752.30	1805.70	1902.30
0-4	1176.60	1432.20	1528.20	1528.20	1556.10	1625.40	1736.10	1833.90
0-3[2]	1093.50	1222.20	1306.50	1445.70	1514.70	1569.60	1653.90	1736.10
0-2[2]	953.10	1041.30	1250.70	1293.00	1319.70	1319.70	1319.70	1319.70
0-1[2]	827.40	861.30	1041.30	1041.30	1041.30	1041.30	1041.30	1041.30

Pay Grade	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
0-10[1]	$4084.80	$4377.00*	$4377.00*	$4669.80*	$4669.80*	$4961.10*	$4961.10*
0-9	3501.90	3794.10	3794.10	4084.80	4084.80	4377.00*	4377.00*
0-8	3362.40	3501.90	3654.00	3794.10	3946.20	3946.20	3946.20
0-7	2918.40	3210.60	3431.10	3431.10	3431.10	3431.10	3431.10
0-6	2112.00	2446.50	2571.60	2627.10	2779.80	3014.70	3014.70
0-5	2029.50	2181.60	2307.00	2376.60	2459.70	2459.70	2459.70
0-4	1917.60	2001.30	2057.10	2057.10	2057.10	2057.10	2057.10
0-3[2]	1778.70	1778.70	1778.70	1778.70	1778.70	1778.70	1778.70
0-2[2]	1319.70	1319.70	1319.70	1319.70	1319.70	1319.70	1319.70
0-1[2]	1041.30	1041.30	1041.30	1041.30	1041.30	1041.30	1041.30

1. While serving as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, basic pay for this grade is $5473.80* regardless of cumulative years of service computed under Section 205 of Title 37 of the United States Code.

2. Does not apply to commissioned officers who have been credited with over 4 years' active service as enlisted members.

* Basic pay is limited by Section 5308 of Title 5 of the United States Code to the rate for level V of the Executive Schedule which is $4,466.40 per month.

Note. Notwithstanding the above rates, the maximum rate payable in this schedule is $4,176.00 per month. [Section 101(c) of Public Law 96-86 (approved October 12, 1979) provides that funds appropriated for fiscal year 1980 may not be used to pay a salary in this schedule at a rate which exceeds an increase of 5.5 percent over the rate payable for level V of the Executive Schedule in effect on September 30, 1978.]

Commissioned officers who have been credited with over 4 years' active service as enlisted members

(Years of service computed under 37 U.S.C. 205)

Pay Grade	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14
0-3	$1445.70	$1514.70	$1569.60	$1653.90	$1736.10	$1805.70
0-2	1293.00	1319.70	1361.70	1432.20	1487.40	1528.20
0-1	1041.30	1112.10	1153.20	1194.90	1236.60	1293.00

Pay Grade	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
0-3	$1805.70	$1805.70	$1805.70	$1805.70	$1805.70	$1805.70
0-2	1528.20	1528.20	1528.20	1528.20	1528.20	1528.20
0-1	1293.00	1293.00	1293.00	1293.00	1293.00	1293.00

Warrant Officers

(Years of service computed under 37 U.S.C. 205)

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
W-4	$1113.90	$1194.90	$1194.90	$1222.20	$1278.00	$1334.40	$1390.20	$1487.40
W-3	1012.50	1098.30	1098.30	1112.10	1125.30	1207.50	1278.00	1319.70
W-2	886.80	959.10	959.10	987.00	1041.30	1098.30	1139.70	1181.40
W-1	738.90	847.20	847.20	917.70	959.10	1000.50	1041.30	1084.20

Pay Grade	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
W-4	$1556.10	$1611.30	$1653.90	$1707.90	$1765.20	$1902.30	$1902.30
W-3	1361.70	1402.50	1445.70	1501.50	1556.10	1611.30	1611.30
W-2	1222.20	1265.10	1306.50	1347.90	1402.50	1402.50	1402.50
W-1	1125.30	1166.70	1207.50	1250.70	1250.70	1250.70	1250.70

Enlisted Members

(Years of service computed under 37 U.S.C. 205)

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12
E-9[1]	$0	$0	$0	$0	$0	$0	$1265.40	$1294.20
E-8	0	0	0	0	0	1061.70	1091.40	1120.50
E-7	741.30	800.10	829.80	858.60	888.30	916.20	945.60	975.00
E-6	640.20	698.10	727.20	757.80	786.00	814.80	844.90	888.30
E-5	562.20	611.70	641.40	669.30	713.10	742.20	771.90	800.10
E-4	540.30	570.60	603.90	651.00	676.80	676.80	676.80	676.80
E-3	519.60	548.10	570.30	592.80	592.80	592.80	592.80	592.80
E-2	500.10	500.10	500.10	500.10	500.10	500.10	500.10	500.10
E-1	448.80	448.80	448.80	448.80	448.80	448.80	448.80	448.80

Pay Grade	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26	Over 30
E-9[1]	$1323.60	$1354.20	$1384.20	$1411.20	$1485.60	$1629.60	$1629.60
E-8	1149.90	1179.90	1207.20	1236.90	1309.50	1455.60	1455.60
E-7	1019.10	1047.90	1077.60	1091.40	1164.90	1309.50	1309.50
E-6	916.20	945.60	960.00	960.00	960.00	960.00	960.00
E-5	814.80	814.80	814.80	814.80	814.80	814.80	814.80
E-4	676.80	676.80	676.80	676.80	676.80	676.80	676.80
E-3	592.80	592.80	592.80	592.80	592.80	592.80	592.80
E-2	500.10	500.10	500.10	500.10	500.10	500.10	500.10
E-1	448.80	448.80	448.80	448.80	448.80	448.80	448.80

1. While serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is $1990.90 regardless of cumulative years of service computed under Section 205 of Title 37 of the United States Code.

Part II - Basic Allowance for Subsistence Rates

Officers:	$67.21 per month
Enlisted Members:	
When on leave or authorized to mess separately:	$ 3.21 per day
When rations in-kind are not available:	$ 3.62 per day
When assigned to duty under emergency conditions where no messing facilities of the United States are available:	$ 4.79 per day

Part III - Monthly Basic Allowance for Quarters Rates

Pay Grade	Without Dependents		With Dependents
	Full Rate 1	Partial Rate 2	
Commissioned Officers			
O-10	$383.10	$50.70	$479.10
O-9	383.10	50.70	479.10
O-8	383.10	50.70	479.10
O-7	383.10	50.70	479.10
O-6	343.80	39.60	419.40
O-5	316.80	33.00	381.60
O-4	282.30	26.70	340.50
O-3	248.10	22.20	306.30
O-2	215.40	17.70	272.70
O-1	168.00	13.20	219.00
Warrant Officers			
W-4	$271.80	$25.20	$328.20
W-3	242.40	20.70	298.80
W-2	210.90	15.90	268.20
W-1	190.50	13.80	246.60
Enlisted Members			
E-9	$205.20	$18.60	$288.60
E-8	189.00	15.30	266.70
E-7	160.80	12.00	248.10
E-6	146.10	9.90	228.30
E-5	140.40	8.70	209.70
E-4	123.90	8.10	184.50
E-3	110.70	7.80	160.80
E-2	97.80	7.20	160.80
E-1	92.40	6.90	160.80

1. Payment of the full rate of basic allowance for quarters at these rates for members of the uniformed services to personnel without dependents is authorized by 37 U.S.C. 403 and Part IV of Executive Order No. 11157, as amended.

2. Payment of the partial rate of basic allowance for quarters at these rates to members of the uniformed services without dependents who, under 37 U.S.C. 403(b) or 403(c), are not entitled to the full rate of basic allowance for quarters, is authorized by 37 U.S.C. 1009(d) and Part IV of Executive Order No. 11157, as amended.

Part IV - Monthly Rate of Cadet or Midshipman Pay

The rate of monthly cadet or midshipman pay authorized by Section 203(c) of Title 37 of the United States Code is adjusted from $351.00 to $375.60.

Note. The rates payable under this schedule are subject to further adjustment, limitation, or reduction by the Congress.

Schedule 6 - VICE PRESIDENT AND THE EXECUTIVE SCHEDULE

Vice President	$84,700	Level III	$59,300
Level I	74,500	Level IV	56,500
Level II	65,000	Level V	53,600

Note 1. The rates payable under this schedule are subject to further adjustment, limitation, or reduction by the Congress.

Note 2. On October 1, 1979 the limitation in Schedule 5 of Executive Order 12087, October 7, 1978, changed and for the period October 1, 1979 to the start of the first applicable pay period in fiscal 1980 the following rates of pay were payable:

Vice President	$79,100	Level III	$55,400
Level I	69,600	Level IV	52,800
Level II	60,700	Level V	50,100

Note 3. Notwithstanding the above rates, the maximum rates payable in this schedule are set forth below. [Section 101(c) of Public Law 96-86 (approved October 12, 1979) provides that funds appropriated for fiscal year 1980 may not be used to pay a salary in this schedule at a rate which exceeds an increase of 5.5 percent over the applicable rate payable for the Executive Schedule in effect on September 30, 1978.]

Vice President	$79,125.00	Level III	$55,387.50
Level I	69,630.00	Level IV	52,750.00
Level II	60,662.50	Level V	50,112.50

Schedule 7 - CONGRESSIONAL SALARIES

Senator	$65,000
Member of the House of Representatives	65,000
Delegate to the House of Representatives	65,000
Resident Commissioner from Puerto Rico	65,000
President pro tempore of the Senate	73,400
Majority leader and minority leader of the Senate	73,400
Majority leader and minority leader of the House of Representatives	73,400
Speaker of the House of Representatives	84,700

Note 1. The rates under this schedule are subject to further adjustment, limitation, or reduction by the Congress.

Note 2. Notwithstanding the above rates, the maximum rates payable in this schedule are set forth below. [Section 101(c) of Public Law 96-86 (approved October 12, 1979) provides that funds appropriated for fiscal year 1980 may not be used to pay a salary in this schedule at a rate which exceeds an increase of 5.5 percent over the applicable rate payable for such position or office in effect on September 30, 1978.]

Senator	$60,662.50
Member of the House of Representatives	60,662.50
Delegate to the House of Representatives	60,662.50
Resident Commissioner from Puerto Rico	60,662.50
President pro tempore of the Senate	68,575.00
Majority leader and minority leader of the Senate	68,575.00
Majority leader and minority leader of the House of Representatives	68,575.00
Speaker of the House of Representatives	79,125.00

Schedule 8 - JUDICIAL SALARIES

Chief Justice of the United States	$84,700
Associate Justices of the Supreme Court	81,300
Circuit Judges	65,000
District Judges	61,500
Judges of the Court of Claims	65,000
Judges of the Court of Customs and Patent Appeals	65,000
Judges of the Customs Court	61,500
Commissioners of the Court of Claims	54,800
Referees in Bankruptcy (full-time) or Bankruptcy Judges	53,500
Referees in Bankruptcy (part-time) (maximum rate)	26,800

Note 1. The rates payable under this schedule are subject to further adjustment, limitation, or reduction by the Congress.

Note 2. Notwithstanding the above rates, the maximum rates payable in this schedule are set forth below. [Section 101(c) of Public Law 96-86 (approved October 12, 1979) provides that funds appropriated for fiscal year 1980 may not be used to pay a salary in this schedule at a rate which exceeds an increase of 5.5 percent over the applicable rate payable for such position or office in effect on September 30, 1978.]

Chief Justice of the United States	$79,125
Associate Justices of the Supreme Court	75,960
Circuit Judges	60,662.50
District Judges	57,497.50
Judges of the Court of Claims	60,662.50
Judges of the Court of Customs and Patent Appeals	60,662.50
Judges of the Customs Court	57,497.50
Commissioners of the Court of Claims	51,167.50
Referees in Bankruptcy (full-time) or Bankruptcy Judges	51,167.50
Referees in Bankruptcy (part-time) (maximum rate)	25,583.75

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Presidential Documents

Proclamation 4735 of March 13, 1980

Honoring Carl Vinson

By the President of the United States of America

A Proclamation

The nuclear powered aircraft carrier U.S.S. Carl Vinson (CVN 70) will be christened and launched at Newport News, Virginia on March 15, 1980.

The namesake of this, the largest warship ever constructed, the Honorable Carl Vinson, served as a member of the House of Representatives from 1914 to 1965 during which time he served as the Chairman of the old House Naval Affairs Committee for 16 years and as the Chairman of the House Armed Services Committee for 14 years. Carl Vinson played a major role in developing a national defense posture second to none, believing always in a philosophy that "No man should ever place the defense of his nation below any other priority."

Carl Vinson's record of over 50 years of continuous service in the House of Representatives remains unsurpassed, reflecting a lifelong commitment to the security and freedom of all Americans. He served his country with distinction, providing enlightened leadership, and demonstrating an incomparable ability as a legislator.

On March 15, 1980 Carl Vinson will be present in Newport News, Virginia, as the first living American to be present at the launching of a United States Navy warship which bears his name. In recognition of this unique occasion, and in honor of this great American, the 96th Congress, by joint resolution (S.J. Res. 149), has authorized and requested the President to issue a proclamation honoring Carl Vinson.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby extend best wishes to Carl Vinson on this historic occasion, and express deep appreciation on behalf of the United States to Carl Vinson and his unswerving devotion to his beloved nation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of March, 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. 80-8171
Filed 3-13-80; 12:03 pm]
Billing code 3195-01-M

Rules and Regulations

Federal Register
Vol. 45, No. 52
Friday, March 14, 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 Executive Civil Service

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: Positions when filled for up to 2 years by individuals who (1) are placed at a severe disadvantage in obtaining employment because of a psychiatric disability evidenced by hospitalization or outpatient treatment and have had a significant period of substantially disrupted employment because of the disability, and (2) are certified to a specific position by a State vocational rehabilitation counselor or a VA counseling psychologist are excepted under Schedule B because it is impracticable to examine competitively for such positions.

EFFECTIVE DATE: February 27, 1980.

FOR FURTHER INFORMATION CONTACT:
On position authority: William Bohling, Office of Personnel Management, 202–632–6000.
On position content: Hedwig Oswald, Office of Personnel Management, 202–632–5687.
Office of Personnel Management
Beverly M. Jones,
Issuance System Manager.

PART 213—EXCEPTED SERVICE

Accordingly, 5 CFR 213.3202(k) is added as set out below:

§ 213.3202 Entire executive civil service.

* * * * *

(k) Positions at grades GS–15 and below when filled by individuals who: (1) are placed at severe disadvantage in obtaining employment because of a psychiatric disability evidenced by hospitalization or outpatient treatment and have had a significant period of substantially disrupted employment because of the disability; and (2) are certified to a specific position by a State vocational rehabilitation counselor or a Veterans Administration counseling psychologist who indicates that they meet the severe disadvantage criteria stated above, that they are capable of functioning in the positions to which they will be appointed, and that any residual disability is not job-related. Employment of any individual under this authority may not exceed 2 years.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp. p. 218)

[FR Doc. 80–7478 Filed 3–13–80; 8:45 am]
BILLING CODE 6325–01–M

5 CFR Part 620

Alternative Work Schedules Experiment; Master Plan Removed From 5 CFR

AGENCY: Office of Personnel Management.

ACTION: Final Master Plan for the Alternative Work Schedules Experimental Program (AWS).

SUMMARY: The Federal Employees Flexible and Compressed Work Schedules Act of 1978 requires the Office of Personnel Management (OPM) to establish a Master Plan containing the guidelines and criteria by which alternative work schedule experiments in the Federal Government will be evaluated. This document revokes the Master Plan from the OPM regulations, and adopts a new final Master Plan to be incorporated into the Federal Personnel Manual.

EFFECTIVE DATE: April 14, 1980.

FOR FURTHER INFORMATION CONTACT:
Dr. Raymond J. Kirk, Office of Personnel Management, Office of Program Planning and Development, 1900 E Street, NW.—Room 3353, Washington, D.C. 20415, (202) 632–5604.

SUPPLEMENTARY INFORMATION: The Master Plan was published on July 20, 1979, (44 FR 42661), on an interim basis with comments invited for final rulemaking. Section 620.107 of OPM's regulations (5 CFR 620.107) was reserved for the Master Plan. That reserved section is being revoked and the Master Plan will appear as Appendix A, Book 620, Federal Personnel Manual Supplement 990–2. For the information of the user, analysis of comments on the interim Master Plan and the revised Master Plan are printed below.

Three comments were received. One offered an organization's continued support for the experimental program. The other two suggested that the magnitude of the proposed data collection would create significant administrative problems. The large number of organizations that have indicated that they plan to experiment has resulted in a reduction in the magnitude of data collection.

The revision of the Master Plan focuses on the types of data to be collected and the extent of the data collection. The major changes are: to reduce the sample size of the longitudinal study; to replace the special intensive studies (except the energy study which will be retained) with a small number of on-site studies; and to require all experimenting organizations not selected for the longitudinal, on-site, or energy studies to submit a narrative evaluation report on their experiment near the conclusion of the experimental period.

Section Analysis

Section I. Background—No changes.
Section II. Research Questions—The scope of questions A4, E6, and F5 was reduced due to the revised design matrix.
Section III. Conduct of the Evaluation
III–A. Design—Section replaced to reflect the new design outlined above.
III–B. Sample—The discussion of the original design matrix is eliminated. Discussion of the new design matrix for the longitudinal study is in III–E.
III–C. Experimental Control—Reference to control groups in the intensive special studies has been eliminated since those studies have been eliminated.
III–D. Implementation—Reference to local project and research coordinator training has been deleted since it will not be conducted. The "Implementation Guide" and "Supervisors Guide" referred to have been consolidated and are referred to in the section "Educational Materials".
III–E. Data Collection—The heading has been changed to "Data

Collection and Reporting" to reflect the change in approach. The section has been revised to include information on the narrative evaluation reports, the reduced design matrix for the longitudinal study, the on-site studies, and the energy study. The section on "Intensive Special Studies" has been eliminated.

III–F. Analytic Methodology—References to the analysis of the narrative reports and on-site studies have been added. Analysis of variance has replaced regression analysis as the third type of statistical procedure. Analysis of variance is a more appropriate statistical procedure to use with the reduced longitudinal study. References to special studies have been eliminated.

III–G. Reports—No changes have been made.

Master Plan for the Alternative Work Schedules (AWS) Experimental Program; Table of Contents

I. Background

A. General Information
B. Pub. L. 95–390

II. Research Questions

A. Efficiency of Government Operations
B. Mass Transit Facilities and Traffic
C. Levels of Energy Consumption
D. Service to the Public
E. Opportunities for Full-time and Part-time Employment
F. Quality of Life for Individuals and Families

III. Conduct of the Evaluation

A. Design
B. Sample
C. Experimental Control
D. Implementation
E. Data Collection and Reporting
F. Analytic Methodology
G. Reports

Master Plan for the Alternative Work Schedules Experimental Program

The Federal Employees Flexible and Compressed Work Schedules Act of 1978 requires the Office of Personnel Management to establish a program to provide an adequate basis on which to evaluate the effectiveness of alternative work schedules. This Master Plan outlines the research questions, the experimental design, the data collection procedures, and the analytic techniques which will be used for evaluating the impact of alternative work schedules on the Federal work force.

I. Background

A. General Information

The 5-day, 40-hour workweek with fixed starting and ending times has remained the dominant work schedule for the past 40 years. It is only in the past 12 years that organizations have begun to experiment with alternative work schedules, that is, work schedules which allow some flexibility in selection of starting times or which compress the workweek into some period shorter than the traditional 5 days.

The two general categories of alternative work schedules are flexible and compressed workweeks. A flexible schedule allows an employee to vary, within constraints set by the organization, the times he or she reports for duty and departs from work. A compressed workweek is one which compresses the 40-hour workweek into less than 5 days, or alternatively the 80-hour biweekly pay period into less than 10 working days. The most common compressed workweek has four, 10-hour days.

In 1967, Messerschmitt-Boelkow-Blohm, an aerospace company in Munich, West Germany, became the first major industrial plant in the world to adopt a flexible working hours arrangement for its 2,000 employees. The impetus behind this first experiment with flexitime was the severe traffic bottleneck around the factory, caused by several thousand workers all starting and leaving work at the same time.

Within 15 months the experiment was judged a success, and flexitime was made permanent. At first slowly, and then later at an increasing pace, other European business firms began trying a variety of scheduling arrangements involving flexible hours.

Although first introduced in the United States in 1971, by 1977 there were an estimated 2.5 to 3.5 million employees (approximately 6 percent of the working population) on flexible schedules, not counting those professionals, managers, salespeople, and self-employed workers who had long set their own work schedules. Additionally, there were 2.1 million American workers on compressed workweeks in 1977.

In a recent review of the empirical literature on flexible hours, Golembiewski and Proehl (Robert I. Golembiewski and Carl W. Proehl, Jr., "A Survey of the Empirical Literature on Flexible Workhours: Character and Consequences of a Major Innovation," *Academy of Management Review*, October 1978, pp. 837–853) found that there is widespread interest in and enthusiasm for these schedules *even though* an empirical basis for adopting them is, for the most part, lacking. Hitherto, there has not been sufficient study, either in numbers or in rigor, to attribute specific differences in results to various ways of structuring or administering such schedules. Few studies used control or comparison groups; few provided a longtudinal perspective or any sort of statistical treatment. Another deficiency of previous studies is that most of these studies were conducted in clerical, white-collar contexts. Furthermore, these studies tended to overlook the impact of alternative work schedules on performance and productivity. Finally, past studies have not been sophisticated enough to take into account the variability that may result from the differences between union and non-union settings.

In summary, previous studies on alternative work schedules have been narrow and limited. In addition to the deficiencies discussed above, they have tended to focus largely on employees' attitudes about such schedules and on macro-behavioral variables, such as effects on the use of vacation time and on tardiness. Conversely, they have paid little attention to managers' attitudes and changes in these attitudes as affected by such schedules.

B. Pub. L. 95–390

The President and the Congress have found the evidence on alternative work schedules to be sufficiently encouraging to warrant the enactment of the Federal Employees Flexible and Compressed Work Schedules Act of 1978. Pub. L. 95–390 mandates a 3-year period of controlled experimentation with the use of flexible and compressed work schedules for employees of agencies in the executive branch of the United States Government. The purpose of the experimentation is to determine the impacts—both positive and negative—which these alternatives to traditional work schedules may have on: (1) Efficiency of Government operations; (2) service to the public; (3) mass transit facilities; (4) energy consumption; (5) increased job opportunities; and (6) the quality of life for individuals and families.

The experimentation is made possible by the temporary modification of certain premium pay and scheduling provisions of: (1) Title 5, United States Code, and (2) the overtime pay provisions of the Fair Labor Standards Act (FLSA). These modifications are applicable only to those agencies or work units participating in a test program; all permanent provisions of Title 5 and the FLSA remain in effect for nonparticipating agency activities and employees.

Pub. L. 95–390 further requires that the OPM develop and conduct an experimental program of sufficient depth and diversity to:

* * * provide an adequate basis on which to evaluate the effectiveness and desirability of permanently maintaining flexible or compressed work schedules within the executive branch. (Section 4(a)(1) of Pub. L. 95–390).

II. Research Questions

This section presents the research questions which the program will address in order to carry out the required evaluation of the impact of alternative work schedules on the Federal work force.

While few previous studies have systematically examined the effects of alternative work schedules, there have been a sufficient number of studies, and the pattern of results has been consistent enough to suggest a set of variables for the present research project.

General systems theory provides a heuristic model for examining the interrelationships among the variables. Variables may be classified into one of three types: Input, process, and output. A model for the present project is shown in Figure 1. Input variables are those factors which are outside the direct control of the work unit, i.e., they are inputs to the work unit. In the present project, such variables as mission, location and work schedule are examples of inputs. Process variables are those variables which are internal to the work unit and affect the functioning of the work unit, i.e., the organizational climate, the implementation of the alternative work schedule, and the supervisor's behavior. The outputs are the end products, the results of the work unit's activities. In the model presented in Figure 1, the six impact areas specified in Pub. L. 95–390 are conceptualized as the outputs.

Figure 1

Input

Alternative Work Schedule
- Flextime
- Compressed workweek

Organizational Characteristics
- Geographic location
- Size of work unit
- Function and technology of work unit
- Presence or absence of bargaining unit

Transportation facilities
Workers' characteristics
Labor market conditions

Process

Organizational Climate
Supervisor Behavior
Job Satisfaction
Implementation of AWS
Abuses of System
Scheduling

Output

Efficiency of Government Operations
Mass Transit and Traffic
Energy Consumption
Service to Public
Employment Opportunities
Quality of Life

The general systems model suggests that there is no simple single answer to the question, "What is the effect of alternative work schedule *X*?" The variables are all highly interactive, and the effects of a given schedule will be influenced, or moderated, by the specific inputs and processes operating in the system. For this reason, a series of research questions has been formulated for the present evaluation of alternative work schedules in Federal agencies. The specific research questions intended to address the six impact areas are listed below.

A. Efficiency of Government Operations

1. What changes occur in mission accomplishment and work unit costs?
2. How are management tasks affected? What problems develop and how are they solved?
3. What are the effects on organizational climate resulting from AWS?
4. Are efficiency and productivity affected by the type of AWS used?

B. Mass Transit Facilities and Traffic

1. Is there a transportation advantage from AWS for either individuals or public transit authorities?
2. What effects do AWS have on the choice of commuters' transportation and on commuting time?
3. What are the effects on car pools and van pool programs?
4. What is the effect on rush hour congestion?
5. Is there a change in recreational travel?

C. Levels of Energy Consumption

1. Do energy savings result from the effects of AWS on transportation?
2. Is there an increase in energy consumption from building and equipment use as a result of AWS?
3. What is the net energy impact of AWS from transportation and building consumption effects?

D. Service to the Public

1. Is service to the public increased or decreased in quality or quantity?
2. To what extent is the change in service affected by the AWS, work unit's function, size or location?

E. Opportunities for Full-time and Part-time Employment

1. What are the labor supply effects of AWS?
2. Will there be new labor force entrants?
3. Is there a shift from part-time to full-time employment?
4. Does moonlighting increase?
5. What types of jobs are best suited for AWS?
6. How do AWS affect the employment opportunities for women and for the handicapped?

F. Quality of Life for Individuals and Families

1. How is the quality of work life affected?
2. How is the quality of personal and non-work life affected?
3. Do social, educational, or civic activities change?
4. Do family relationships and child care change?
5. Do the effects on quality of life vary with the AWS used?

III. Conduct of the Evaluation

A. Design

The effects of the alternative work schedules on the impact areas will be evaluated by four types of studies. These are: (1) Narrative evaluation reports from each experimenting organizations; (2) a longitudinal and cross-sectional study of a sample of experimenting work units; (3) on-site studies of experimenting organizations; and (4) a special study on the net energy impact of alternative work schedules.

The narrative evaluation reports from each experimenting organization will provide an overview of the effects of AWS. Experimenting organizations will be required to provide basic information about their AWS experiment and report to OPM at the end of the experimental period providing their evaluation in the six impact areas. These reports will not be required for organizations selected to participate in the longitudinal cross-sectional, on-site or energy (see E2, E3, and E4) studies.

The longitudinal cross-sectional study will collect both objective data on the functioning of the work unit and subjective attitudes of employees on their reactions to the AWS. It will be longitudinal in that data will be collected at specified times in the same work units throughout the duration of each experiment. Data will be cross-sectional in that it will encompass a variety of AWS operating in a diverse sampling of Federal activities.

The longitudinal cross-sectional study will collect information in four general areas: (1) Agency characteristics (2) diary of major organizational events (3) additional surveys of employees in experimental work units and (4) objective archival data. The effects upon the various impact areas, as determined

by statistical analysis of the data, will be correlated with the various alternative work schedules used. Some effects may be detectable soon after the onset of the experiment (e.g., job satisfaction, commuting time, leave usage); others may take longer to appear (e.g., turnover, changes in family roles). Some effects may initially appear and then fade away (e.g., increased morale and supervision problems). The longitudinal nature of the study will permit the tracking of these various possibilities.

The on-site studies will focus upon the six impact areas listed under "Output" in Figure 1. They will attempt to determine, in a detailed way, the effects of alternative work schedules upon organizations which are considered representative of certain types of Federal work environments. In addition to gathering information on the six impact areas, these on-site studies will gather information that is pertinent to the successful introduction and administration of an AWS program such as the degree of employee involvement and necessary changes in time and attendance recordkeeping required for a work schedule change.

These studies will be tailored to fit the structure and function of the particular organizations selected and to provide data necessary to answer particular research questions.

The special study on the net energy impact of AWS will provide data both on the effects on transportation and on building operating costs.

The four types of studies will provide a comprehensive evaluation of the AWS program. The narrative reports will provide a comprehensive overview. The longitudinal cross-sectional study will allow a systematic analysis of AWS. The on-site studies will enrich the conclusions of the analytic and narrative studies and provide detail on the major issues in implementing an AWS. Finally, the energy study will provide data in an area of increasing importance. While AWS appear to hold much promise for energy conservation, little is currently known about the specific net impact on energy consumption as a result of their application in the workplace.

Specific details on the four types of studies are provided in the Data Collection and Analytic Methodology sections.

The OPM will provide data collection instruments, assistance to organizations implementing alternative work schedules, and perform data analysis. Each participating organization will be responsible for both the day-to-day management of the experimental program and the collection of required data. Organizations should expect to designate one or more individuals to: (1) Serve as the principal point of contact between the organization and OPM; (2) carry out the coordination, planning, and implementation of the organization's alternative work schedules experiment; and (3) in work units selected for the longitudinal study, distribute OPM data collection forms and instruments, assure adequate collection of baseline and followup data from the organization's records and from employee surveys, and forward the raw data to OPM's research staff for analysis. Ordinarily, one person would have responsibility for all three tasks and functions, but in larger organizations these functions might be accomplished by two or more people.

B. Sample

Any agency that wishes to test an alternative work schedule may do so, as long as it abides by the regulations prescribed by OPM to guide the experimental program. Thus, the sample will essentially be self-selected. However, a sufficient number of diverse organizations must participate in the alternative work schedules experimental program for the report to have any validity. For this reason, Public Law 95–390 gives OPM authority to require selected agencies to experiment with certain work schedules. However, it is not anticipated that this provision will need to be invoked.

C. Experimental Control

Due to the diversity and complexity of organizations that will be part of the research project, it is not possible to conduct a perfectly controlled experiment. However, several procedures will be used to increase confidence in inferences made from the data.

Control will be provided by data from two of the evaluation studies of the Civil Service Reform Act being conducted by the OPM. The first of these is a study of productivity in the Federal sector. The productivity data will be collected on an aggregated basis across organizations. While these data will not allow specific comparisons with the experimental organizations, they will provide a trend line against which changes in productivity in the experimental organizations can be compared. In addition, an attitude survey of 20,000 Federal employees will be conducted annually during the time period of the Alternative Work Schedules Experimental Program. This survey contains organizational climate scales in common with the employee survey which will be used in the Alternative Work Schedules Experimental Program. As with the productivity data, these common scales will provide a trend line of Federal employees' attitudes toward the work place for comparison with the attitudes of employees participating in the experiment. The nature of the longitudinal design makes possible additional control; each work unit will serve as its own control to determine changes over time.

D. Implementation

1. *Technical Assistance*—(a) *Orientation sessions.* The AWS program staff will conduct a series of orientation meetings. The purposes of these meetings will be to confer with agency headquarters officials, as well as others, on plans to implement Pub. L. 95–390; to brief local agency and union representatives on opportunities provided by the legislation and requirements for participation in the experimental program; and to hold planning sessions with representatives of agencies and unions that express an early interest in an AWS experiment.

(b) *Consulting services.* The AWS research and implementation staff will be available throughout the life of the program to provide telephone consulting services and some on-site consultation, if necessary. OPM regional program staff will also be available to provide advice and consulting services.

(c) *Public information services.* Central office staff will be available to speak before national professional gatherings, union meetings, conferences, or similar groups which desire information about the experimental program. They will also contribute to Government or other publications and respond to inquiries from the press, researchers, and others interested in the program.

2. *Educational Materials.* A number of educational materials are available from the OPM.

These include:

(a) A booklet that briefly describes the Alternative Work Schedules Program. It covers the legislative mandate, the research plan, and the steps to be taken to implement the non-research aspects of this mandate.

(b) A slide presentation that explains the requirements of Pub. L. 95–390, the various forms of flexible and compressed work schedules that may be tested under the law and outlines experimental agencies' data collection responsibilities.

(c) An implementation guide that describes a process agencies may follow in planning and implementing an alternative work schedule. This guide

emphasizes joint labor-management planning for the experiment and employee participation in analyzing work requirements in their own units so that they may have input into the process by which systems, designed to ensure the adequacy of the work force at any given time, are formulated.

3. *Regulations and Guidance.* Regulations for the Alternative Work Schedules Experimental Program are in Part 620 of the OPM's regulations (title 5, Code of Federal Regulations). These regulations must be used in conjunction with Pub. L. 95–390. The regulations and additional guidance for the administration of alternative work schedule experimental programs are provided in Book 620 of Federal Personnel Manual Supplement 990–2.

E. Data Collection and Reporting.

1. *Narrative Evaluation Reports.* Organizations not selected to participate in the longitudinal cross-sectional, on-site, or energy studies must conduct an evaluation of their experiments and report the result directly to OPM after 18 months of experimentation, or by May 1, 1981, whichever date occurs first. The narrative evaluation report must include information on the six impact areas identified in Pub. L. 95–390. An outline of the areas to be addressed in this report and the types of information to be covered in the report is furnished below. This outline will be followed in preparing the report to provide maximum compatibility between reports from different organizations. The report will be a nontechnical summary assessment of the experiment. The summary assessment should include the results of any internal evaluation efforts. Both management and local labor unions involved in the experiment should provide input to the development and preparation of the report. More detailed guidance will be provided on the preparation of the narrative reports through the issuance of a Federal Personnel Manual bulletin.

a. *Organizational characteristics.* The number of employees in the experiment; the pre-experimental and alternative work schedules; bargaining unit status; carpool, van pool, and parking facilities; availability of public transportation; description of the major activities or services of the experimenting units (e.g., clerical, produce goods, public service contact, administrative office, or staff function).

b. *Efficiency of Government operations.* Conclusions about changes in productivity, sick leave, annual leave and leave without pay usage, conclusions about changes in employee turnover, number of overtime hours, job satisfaction, and morale.

c. *Mass transit facilities, and traffic.* Any conclusions on changes in commuting habits such as use of mass transit, carpools, and private automobiles.

d. *Levels of energy consumption.* Where available, note changes in the amount of energy used in the building as a function of changed operating hours that may result from changes in work schedules.

e. *Service to the public.* Evaluation of the level and amount of service to the public if the experimenting organization provides direct public service.

f. *Increased opportunities for full-time and part-time employment.* Discerned changes in the number of applicants for jobs, and levels of part-time employees.

g. *Individuals and families generally.* Received effects of AWS on family scheduling of child care and household activities and employee recreational activities.

h. *Special problems.* Special problems which developed during the experiment such as a large number of requests for exclusions due to hardship difficulties administering pay and leave, overtime or manpower problems during peak work load periods, etc.

2. *Longitudinal Cross-Sectional Study.* A sample of 60 work units will be selected by OPM to be part of the longitudinal cross-sectional study. Organizations which have work units selected for this study will not be required to submit the narrative evaluation report.

The selected work units must have a reasonably homogeneous work technology and a single focus of function and activity. Typically, such a work unit will be headed by a supervisor authorized to certify time and attendance cards. For example, a work unit for purposes of this project might be a mail room, a printing plant, a data processing center, a claims group, or a policy group; however, all employees in a work unit must be on the same type of schedule, with the exception of those employees excluded because of personal hardship.

The experimental design for the longitudinal cross-sectional study is a simple one-way classification with four types of schedules.

The four types of schedules are 5–4/9 and 4-day week compressed schedules, flexible schedules that allow variability in the numbers of hours worked per day, and flexible schedules which require employees to work 8 hours per day (i.e., flexitime as allowed under permanent provisions of title 5). Within each of the four types, 15 work units will be selected representing a variety of sizes, locations, and functions. However, for purposes of analysis, these variables will not be included since there will be too few cases to create a complete factorial design.

Data will be collected by each organization, using the forms and surveys provided by OPM. OPM will also provide guidance and advice on establishing data collection procedures. The raw unanalyzed data will be forwarded to OPM for all data reduction and analysis. All data collected will be treated in a confidential manner; no individuals will be identified. The results of the experiment will be reported as scores aggregated across work units and organizations. Organizations which terminate the experiment prior to the end of the experimental period will provide OPM with data on the reasons for termination as well as other data which may be required.

The following types of data will be collected from work units selected for the longitudinal cross-sectional study.

(a) *Organizational/Work Unit Characteristics.* Descriptive information to be collected prior to the onset of an experiment will include:

—Number of employees in experimental work unit by age, sex, grade

—Location of work unit

—Preexperimental work schedule and alternative work schedule planned

—Major activities or services of experimental work units (e.g., clerical, produce goods, customer contact, office or plant function)

—Work technology (e.g., machine-paced vs. worker-paced jobs, autonomous vs. interdependent job, nature of supervision and communication)

—Bargaining unit status

—Car pool programs, van pool programs, parking facilities, availability of public transportation to organization

(b) *Longitudinal Archival Data.* Organizations should obtain as much of the longitudinal data as possible retrospectively from existing records for the 12-month period preceding the start of the experiment. Data collection procedures should be established to record required information during the 18-month experimental period which is not routinely maintained. Data collected will include the following:

—Productivity measures, if any, currently utilized by the organization

—Turnover

—Sick leave, annual leave, and leave without pay usage (total number of hours per month and number of incidents of leave use per month)

—Number of authorized overtime hours
—Part-time/full-time employee ratio
—Accident rates

(c) *Employee Survey.* Some attitudinal data and information can be collected only from surveys of employees in the experimental work units (e.g., commuting habits). Four surveys of employees will be conducted. These surveys will take approximately 45 minutes to complete and will be collected at the start of the experimental period, and 3 months, 12 months, and 18 months into the experimental period. The surveys will collect data on the following areas:

—Organizational climate and quality of working life
—Commuting habits
—Impact on family and personal life
—Job performance
—Job satisfaction
—Time utilization
—AWS utilization
—Perceived abuses of system
—Supervisor's functions
—Scheduling
—Recreational travel habits

(d) *Diary of Significant Events.* The local Project Director will be required to keep a diary of significant events within the organization which might have an impact on the effects of AWS. Examples of such events might include a move to a new building, a flu epidemic, a change in supervisors (including top level management), changes in work flow, major snow storms, reorganization, or a critical energy shortage.

3. *On-site Studies.* Because certain, limited types of data may be difficult to obtain on an overall, cross-sectional basis, and because some results may be manifest only in the presence of special factors, some effects of the use of alternative work schedules can be determined only through on-site studies. The on-site studies will serve to supplement the narrative reports and the longitudinal cross-sectional study and provide additional explanatory detail in the final report. They will have more intensive data collection, and/or they will utilize controlled experimental or quasi-experimental designs. OPM will select 6–10 experimenting organizations for on-site studies. These organizations will not be required to submit the narrative evaluation report. The on-site studies will be conducted by the AWS research staff and will be tailored to the specified organization to provide information on the six impact areas of Pub. L. 95–390 as well as to identify the problems and benefits involved in planning, implementing, and functioning under an AWS. The purpose of the on-site studies is to obtain information on AWS and not to evaulate the effectiveness of a specific organization in conducting its AWS experiment.

Data collection methods for the on-site studies will include interviews of employees, supervisors, and managers; surveys of samples of employees; and collection of some organizational data such as productivity measures, type and number of public service contacts, etc. An initial planning meeting will be held of OPM staff and management of the selected organizations to discuss specific plans for the on-site study. OPM staff will then make three or four on-site visits to conduct interviews and collect data during the 18-month experimental period.

4. *Energy Study.* A special study will be conducted on the net energy impact of AWS. This study will examine changes in usage of public and private transportation for commuting as well as for recreational travel. This will be accomplished by using a survey and travel diary from a sample of employees in experimenting organizations. In addition, data on changes in building energy consumption will be collected using data from specific buildings as well as computer models of building energy utilization. The net energy impact will then be analyzed from data obtained from these two sources—buildings and transportation. Organizations selected for the building and/or transportation segments of the energy study will be notified by OPM.

F. Analytic Methodology

This section provides an overview of the strategies and techniques which will be used for statistical analysis of the data collected. The purpose of any process of data analysis is to condense information contained in the body of data into a form which can be comprehended and interpreted. This is particularly critical to the AWS project, since the purpose of the research is to provide a basis for policy decisions and legislative action.

Sometimes this analytic process is simply used to describe a body of empirical data. In the present project, it is important to go beyond that and search for meaningful patterns of relationships among sets of variables, that is, to build a comprehensive picture of the impact of AWS on the Federal work force.

The narrative evaluation reports and on-site studies will be analyzed to identify general trends in the results of a wide variety of experimenting organizations. While this analysis will not be quantitative in nature, it will allow general conclusions and provide enriching detail to the quantitative analysis of the longitudinal cross-sectional study.

Three types of statistical procedures will be used to analyze the data collected in the longitudinal, cross-sectional study. They are descriptive statistics, trend analysis, and analysis of variance.

The descriptive analysis of the data will examine the characteristics of the distribution of each of the independent and dependent variables under investigation. This will be accomplished by using measures of central tendency (e.g., mean, median) and distributions and frequencies, such as the cross-tabulation of two variables. Proportions will be used to describe the data for discrete category variables.

A second type of analysis, trend analysis, will consist of plotting the data points of relevant variables over the time period of the experiment and identifying patterns in the data. Patterns which might be revealed are effects of experience with AWS, patterns of use which vary by the season of the year, and so on.

The third type of statistical procedure to be used is analysis of variance. Analysis of variance allows the researcher to make inferences about the effects of independent variables on dependent variables. Using analysis of variance, it will be possible to detect differences in the various dependent variables as a result of the different types of schedules.

The analytic method and independent and dependent variables are given below for each of the research questions.

For most analyses, the level of analysis is the work unit, i.e., data will be aggregated within a work unit and that score will be used to represent the work unit. A different level of analysis will be used in dealing with the areas indicated below.

1. *Efficiency of Government Operations.* (a) What changes occur in mission accomplishment and work unit costs?

—Descriptive statistics and trend analysis of productivity measures, turnover rates, leave usage, accident rates and cost data.

(b) How are management tasks affected? What problems develop and how are they solved?

—Descriptive statistics and trend analysis of survey data, analysis of diaries.

(c) What are the effects on organizational climate resulting from AWS?

—Analysis of variance of change scores for organizational climate and job satisfaction.

—Descriptive statistics and trend analysis of organizational climate.

(d) Are efficiency and productivity affected by the type of AWS used?

—Descriptive statistics of efficiency and productivity measures as a function of (1) work schedule, (2) work unit technology, and (3) work force characteristics.

—Analysis of variance of outcome measures by work schedule.

2. *Mass Transit Facilities and Traffic.* (a) Is there a transportation advantage from AWS for either individuals or public transit authorities?

—Analysis of special study on energy.

—Descriptive statistics of survey data on commuting habits. (Level of analysis: Individual)

(b) What effects do AWS have on choice of commuting transportation and on commuting time?

—Descriptive statistics of survey data on commuting habits as a function of AWS and organizational characteristics. (Level of analysis: Individual)

3. *Levels of Energy Consumption.* (a) Are there energy savings from transportation effects of AWS?

—Analysis of variance on amount and frequency of automobile usage.

(b) Is there an increase in energy consumption from building and equipment use as a result of AWS?

—Analysis of special study on energy consumption.

(c) What is the net energy impact of AWS from transportation (a, above) and building (b, above) effects?

—Projections of the energy costs and savings as a function of a particular AWS, and organization characteristics (particularly geographic location and technology).

4. *Service to the Public.* (a) Is service to the public increased or decreased in quality or quantity? How much is the gain or loss worth?

—Analysis of on-site study data on quality of customer service.

(b) How much is the change in service affected by the AWS, work unit's function, size, or location?

—Descriptive statistics of level of customer service as a function of AWS, work unit function, size, and location.

5. *Opportunities for Full-time and Part-time Employment.* (a) What are the labor supply effects of AWS?

—Descriptives statistics of secondary data from Bureau of Labor Statistics.

(b) Will there be new labor force entrants?

—Descriptive statistics of secondary data from Bureau of Labor Statistics.

(c) Is there a shift from part-time to full-time employment?

—Trend analysis of part-time/full-time employee ratio as a function of AWS.

(d) Does moonlighting increase?

—Descriptive statistics of survey data on moonlighting. (Level of analysis: Individual)

—Trend analysis of survey data as a function of AWS.

(e) What types of jobs are best suited for AWS?

—Descriptive statistics of job characteristics by AWS, where outcome measures (e.g., productivity, leave usage, etc.) and employee satisfaction are chief variables.

(f) How do AWS affect the employment opportunities for women and the handicapped?

—Descriptive statistics of employment and turnover rates by sex and by physical and mental handicap.

—Descriptive statistics of survey data on utilization of AWS, and attitudes toward AWS by sex and by physical and mental handicap.

6. *Quality of Life for Individuals and Families.* (a) How is the quality of work life affected? What features of work life are affected?

—Descriptive statistics and trend analysis of survey data on organizational climate, job satisfaction and performance. (Level of analysis: Individual)

(b) How is the quality of personal and non-work life affected?

—Descriptive statistics and trend analysis of survey data on impact on family and personal life.

(c) Do social, educational, or civic activities change?

—Descriptive statistics and trend analysis of survey data on impact on family and personal life.

(d) Do family relationships and child care patterns change?

—Descriptive statistics and trend analysis of survey data on impact on family and personal life.

(e) Do the effects on quality of life vary with the AWS used?

—Analysis of variance with quality of life factors as dependent variables.

G. Reports

As required by Pub. L. 95-390, an interim report containing recommendations pertaining to the legislative or administrative action, if any, which should be taken as a result of the AWS Experimental Program will be completed by September 29, 1981. A final report summarizing the results of the AWS Experimental Program will be prepared by the OPM and submitted to the President, the Speaker of the House, and the President pro tempore of the Senate by March 29, 1982.

Office of Personnel Management.

Beverly M. Jones,

Issuance System Manager.

Accordingly, OPM is amending 5 CFR Part 620 as follows:

(1) The reserved Appendix A is revoked.

(2) The interim Master Plan is revoked.

(Pub. L. 95-390, Titles I and II and Reorganization Plan No. 2 of 1978, Sec. 102)

[FR Doc. 80-7951 Filed 3-13-80; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 910

[Lemon Regulation 243]

Lemons Grown in California and Arizona; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of fresh California-Arizona lemons that may be shipped to market during the period March 16-22, 1980. Such action is needed to provide for orderly marketing of fresh lemons for this period due to the marketing situation confronting the lemon industry.

EFFECTIVE DATE: March 16, 1980.

FOR FURTHER INFORMATION CONTACT: Malvin E. McGaha, 202-447-5975.

SUPPLEMENTARY INFORMATION: *Findings.* This regulation is issued under the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The action is based upon the recommendations and information submitted by the Lemon Administrative Committee, and upon other information. It is hereby found that this action will tend to effectuate the declared policy of the act.

This action is consistent with the marketing policy for 1979-80 which was designated significant under the procedures of Executive Order 12044. The marketing policy was recommended by the committee following discussion at a public meeting on July 31, 1979. A final impact analysis on the marketing policy is available from Malvin E. McGaha, Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone 202-447-5975.

The committee met again publicly on March 11, 1980, at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of lemons deemed advisable to be handled during the specified week. The committee reports the demand for lemons has improved.

It is further found that there is insufficient time between the date when information became available upon which this regulation is based and when the action must be taken to warrant a 60 day comment period as recommended in E.O. 12044, and that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the Federal Register (5 U.S.C. 553). It is necessary to effectuate the declared purposes of the act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

§ 910.543 Lemon Regulation 243.

Order. (a) The quantity of lemons grown in California and Arizona which may be handled during the period March 16, 1980, through March 22, 1980, is established at 240,000 cartons.

(b) As used in this section, "handled" and "carton(s)" mean the same as defined in the marketing order.

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

Dated: March 12, 1980.

D. S. Kuryloski,

Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 80-8162 Filed 3-13-80; 11:38 am]

BILLING CODE 3410-02-M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 235

Elimination of Mandatory Interview Requirement for Certain Applicants for U.S. Citizen Identification Cards

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This final rule amends the regulations of the Immigration and Naturalization Service to delete the mandatory requirement for an interview of an applicant for a U.S. citizen identification card where the application is supported by a Certificate of Naturalization or a Certificate of Citizenship. The rule will be further amended to provide that the requirement for an interview is discretionary with the district director. These amendments are necessary to facilitate the issuance of U.S. citizen identification cards and intended to reduce inconvenience and need to travel by the applicant, and to reduce the amount of work which must be done by the Service to adjudicate these applications.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT:

For General Information

Stanley J. Kieszkiel, Acting Instructions, Officer, Immigration and Naturalization Service, 425 Eye Street, N.W., Washington, DC 20536. Telephone: (202) 633–3048.

For Specific Information

Roger J. Lucas, Immigration Examiner, Immigration and Naturalization Service, 425 Eye Street, N.W., Washington, DC 20536. Telephone: (202) 633–3946.

SUPPLEMENTARY INFORMATION: This final rulemaking order amends 8 CFR 235.10(c) respecting the submission of applications for United States citizen identification cards.

The existing regulation provides that all applicants for U.S. citizen identification cards shall appear in person before an immigration officer in the United States for examination under oath or affirmation upon the application.

The amendment to this regulation will eliminate the *mandatory* interview requirement under certain circumstances. The amended regulation will provide that an interview shall not normally be required where the applicant submits a Certificate of Naturalization or Citizenship in support of his application. The regulation will be further amended to provide that the district director may, in his discretion, require an interview of any applicant for a United States citizen identification card.

These amendments will facilitate the issuance of U.S. citizen identification cards to those applicants whose applications are supported by Certificates of Naturalization or Citizenship because they will not have to travel to the Service office for the interview unless specifically required to do so. Omitting the mandatory interview requirement in these cases will also reduce the workload of the Service in adjudicating these applications because it will generally be possible to adjudicate them on the basis of the application and documents submitted by mail.

In the light of the foregoing, the following amendments are hereby prescribed to Chapter I of Title 8 of the Code of Federal Regulations:

PART 235—INSPECTION OF PERSONS APPLYING FOR ADMISSION

In Part 235, § 235.10(c) is revised by adding two new sentences between the existing first and second sentences and by revising the existing second sentence. As revised, § 235.10(c) reads as follows:

§ 235.10 U.S. Citizen Identification Card.

* * * * *

(c) *Application.* An application for an identification card shall be made on Form I–196, accompanied by the fee required under § 103.7 of this chapter and one photograph 1½ inches by 1½ inches, and evidence of his birth in the United States or, in the case of a United States citizen who was not born in the United States, a certificate of naturalization or citizenship. An interview shall not normally be required of an applicant who submits as evidence of citizenship a certificate of naturalization or citizenship. However, the district director may, in his discretion, require an interview of any applicant for an identification card. When any applicant is notified to do so, such applicant, and his parent or guardian, if one is acting in his behalf, shall appear in person before an immigration officer in the United States for examination under oath or affirmation upon the application.

* * * * *

(Sec. 103 and 235; 8 U.S.C. 1103 and 1225)

These amendments are published pursuant to section 552 of Title 5 of the United States Code (80 Stat. 383), as amended by Pub. L. 93–502 (88 Stat. 1561), and the authority contained in section 103 of the Immigration and Nationality Act (8 U.S.C. 1103), 28 CFR 0.105(b), and 8 CFR 2.1. Compliance with the provisions of section 553 of Title 5 of the United States Code as to notice of proposed rulemaking and delayed effective date is unnecessary in this instance because the amendments contained in this order relate to agency procedure and relax the requirement for a mandatory interview of all applicants for U.S. citizen identification cards.

Effective date: This amendment becomes effective on March 14, 1980.

Dated: March 7, 1980.

David Crosland,

Acting Commissioner, Immigration and Naturalization.

[FR Doc. 80-7887 Filed 3-13-80; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

20 CFR Part 404

Federal Old-Age, Survivors and Disability Insurance Benefits; Wage Credits for Veterans and Members of the Uniformed Services

AGENCY: Social Security Administration, HEW.

ACTION: Final rule.

SUMMARY: These final regulations reorganize and restate the rules in Subpart N of 20 CFR Part 404 to make them clearer and easier for the public to use. Generally, Subpart N contains the rules on wage credits for veterans and members of the uniformed services. We provide wage credits under the old-age, survivors, and disability insurance programs to World War II and post-World War II veterans of active military or naval service of the United States, to certain veterans who served in the armed forces of allied countries during World War II, and to members of the uniformed services who served on active duty after 1956. In addition, this subpart contains the rules under which certain deceased World War II veterans are considered (deemed) fully insured. This results in the veterans' survivors having the same benefit rights as if the veterans were actually fully insured when they died. We have clarified our current rules and provided definitions but made no basic changes in those rules; we have also removed outdated and rarely used provisions.

EFFECTIVE DATE: These regulations are effective on March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Mrs. Vera Schlosser, 4-H-10, West High-Rise Building, 6401 Security Boulevard, Baltimore, Maryland 21235, 301-594-7332.

SUPPLEMENTARY INFORMATION: We have recodified this subpart as part of HEW's "Operation Common Sense," a Department-wide effort to review, simplify, and reduce HEW's rules. We published our proposed recodification of Subpart N as a Notice of Proposed Rulemaking in the **Federal Register** on September 28, 1979 (44 FR 55899) with a 60-day comment period. No comments were received. In the final regulations, we are making only minor editorial and typographical changes in the proposed rules.

General

The final regulations make many changes in the way we state these rules, but they make few changes in the substance of the prior regulations. The regulations explain that we provide noncontributory wage credits to individuals who served in the active military or naval service of the United States during the World War II or post-World War II period. We also provide noncontributory wage credits to certain individuals who served in the active military or naval service of allied countries during World War II. In addition, individuals get wage credits for serving on active duty or active duty for training in the uniformed services of the United States beginning in 1957, when services as members of the uniformed services were first covered for social security purposes on a contributory basis.

Reorganizing Sections

We changed the title of this subpart to more accurately reflect the content and we reorganized the sections so that the sequence is more logical. We added subtitles to highlight important rules and to make them easier to find. We also arranged the rules in outline form for the convenience of the user.

Definitions

We added a new section (§ 404.1302) to define terms that are used in this subpart. We also added definitions to certain sections where they specifically apply.

Wage Credits for World War II Veterans and Veterans of Post-World War II Service

A wage credit is the (deemed) amount of dollars we add for each month or part of a month the veteran was in the active military or naval service of the United States during the World War II or post-World War II period (§ 404.1340). These wage credits are added after an application for monthly benefits or a lump-sum death payment is filed. We use these wage credits when they result in entitlement to a monthly benefit, a higher monthly benefit amount, or a lump-sum death payment. They are also used to establish a period of disability. The wage credits are used instead of the actual amounts earned by the veteran while in the active military or naval service because those earnings were not covered for social security purposes. For purposes of these regulations the "World War II period" is the period September 16, 1940, through July 24, 1947; and the "post-World War II period" is the period July 25, 1947, through December 31, 1956.

We discuss in §§ 404.1310–404.1313 who may qualify as a World War II veteran, how we determine whether the 90-day active service requirement for a World War II veteran is met, what we consider to be World War II active military or naval service, and what we do not consider to be World War II active military or naval service. In §§ 404.1320–404.1323 we discuss similar rules that apply to post-World War II veterans.

There are circumstances when wage credits cannot be granted to World War II or post-World War II veterans. The limits on granting wage credits and the exceptions to the limits are described in §§ 404.1342 and 404.1343.

Wage Credits for Members of the Uniformed Services

We have added provisions explaining that individuals also get wage credits for serving on active duty or active duty for training in the uniformed services of the United States beginning in 1957. We refer to these individuals as members of the uniformed services. We discuss in § 404.1330 who may qualify as a member of a uniformed service.

Service of members of the uniformed services is covered for social security purposes. These individuals get wage credits for each calendar quarter in 1957 through 1977 or for each calendar year beginning in 1978 for active duty or active duty for training in addition to the wages they were paid as a member of a uniformed service. The amount of wage credits they get is based on the wages they are paid for their service. The rules are described in § 404.1341.

We added the rules on members of the uniformed services to this subpart because wage credits for them are in several respects similar to those given World War II veterans and veterans of post-World War II service. There are, however, some differences. For instance, World War II and post-World War II veterans receive wage credits based on the length of active military or naval service, type of separation from active military or naval service, and in some cases whether the veterans are receiving other Federal benefits based on their active military or naval service. However, members of the uniformed services receive wage credits regardless of length of service, type of separation, or receipt of other Federal benefits based on their service as members of the uniformed services.

Deemed Insured Status for World War II Veterans

Section 404.1350 explains that certain deceased World War II veterans are considered (deemed) fully insured. This section also explains how we compute benefits for their survivors. In § 404.1351 we describe when deemed insured status does not apply.

Effect of Other Benefits on Payment of Social Security Benefits and Payments

When social security benefits are based on deemed insured status (§ 404.1350) for a World War II veteran and the veteran's survivor is also eligible for compensation or a pension from the Veterans Administration (VA), this may result in an erroneous social security payment. Similarly, when social security benefits are based on wage credits for a World War II or post-World War II veteran, and the veteran or his or her survivor is eligible for another Federal benefit (other than from the VA), this may result in an erroneous social security payment. Sections 404.1360 and 404.1361 describe how we determine when an erroneous payment is made and §§ 404.1362 and 404.1363 describe how we determine the amount of erroneous payments.

Evidence of Active Service and Membership in a Uniformed Service

Section 404.1370 describes the types of evidence we request when an individual files an application for monthly benefits or a lump-sum death payment based on active military or naval service during the World War II or post-World War II period. Section 404.1371 describes the kinds of evidence we accept to show entitlement to wage credits for membership in a uniformed service during the years 1957 through 1967.

Provisions Deleted or Extensively Modified

1. The terms "World War II veteran" and "veteran of post-World War II service" do not include an individual who died while in the active military or naval service and whose death was inflicted as punishment for a military or naval offense under the laws of the United States or an allied country. We have removed this seldom used provision from the regulations, but the rule will be used in any case where it applies.

2. The limits on granting wage credits to World War II and post-World War II veterans do not apply if using them reduces the veteran's primary insurance amount (§ 404.203(a)) by 50 cents or less. We have removed this rarely applicable provision from the regulations, but the rule will be used when appropriate.

3. We have removed the rules explaining that a parent of a deceased veteran filing for parent's insurance benefits has 2 years from the date of the veteran's death to file evidence of support from the veteran because these rules are contained in Subpart G of Part 404.

4. Individuals who were on active service with the commissioned corps of the United States Public Health Service during the post-World War II period are considered post-World War II veterans regardless of whether they were on detail to a service department. Also, individuals who were on active service in the commissioned corps of the United States Coast and Geodetic Survey during the post-World War II period are considered post-World War II veterans regardless of whether they were on detail to a service department. To avoid confusion, these provisions have been revised to state that individuals who were on active service with the commissioned corps of the United States Public Health Service or the United States Coast and Geodetic Survey during the post-World War II period are considered post-World War II veterans.

Adoption of Final Rules

As previously stated, we published this subpart as a Notice of Proposed Rulemaking in the **Federal Register** on September 28, 1979 (44 FR 55899) with a 60-day comment period. We received no public comments and in the final regulations we are making only editorial and typographical changes. Accordingly, these regulations are adopted as set forth below.

(Catalog of Federal Domestic Assistance program Nos. 13.802 Social Security—Disability Insurance; 13.803 Social Security—Retirement Insurance; 13.805 Social Security—Survivors' Insurance.)

Dated: January 30, 1980.

William J. Driver,

Commissioner of Social Security.

Approved: March 6, 1980.

Nathan J. Stark,

Acting Secretary of Health, Education, and Welfare.

Part 404 of Chapter III of Title 20 of the Code of Federal Regulations is amended by revising Subpart N to read as follows:

Subpart N—Wage Credits for Veterans and Members of the Uniformed Services

General

Sec.

404.1301 Introduction.
404.1302 Definitions.

World War II Veterans

404.1310 Who is a World War II veteran.
404.1311 Ninety-day active service requirement for World War II veterans.
404.1312 World War II service included.
404.1313 World War II service excluded.

Post-World War II Veterans

404.1320 Who is a post-World War II veteran.
404.1321 Ninety-day active service requirement for post-World War II veterans.
404.1322 Post-World War II service included.
404.1323 Post-World War II service excluded.

Separation from Active Service

404.1325 Separation from active service under conditions other than dishonorable.

Members of the Uniformed Services

404.1330 Who is a member of a uniformed service.

Amounts of Wage Credits and Limits on Their Use

404.1340 Wage credits for World War II and post-World War II veterans.
404.1341 Wage credits for a member of a uniformed service.
404.1342 Limits on granting World War II and post-World War II wage credits.
404.1343 When the limits on granting World War II and post-World War II wage credits do not apply.

Deemed Insured Status for World War II Veterans

404.1350 Deemed insured status.
404.1351 When deemed insured status does not apply.
404.1352 Benefits and payments based on deemed insured status.

Effect of Other Benefits on Payment of Social Security Benefits and Payments

404.1360 Veterans Administration pension or compensation payable.
404.1361 Federal benefit payable other than by Veterans Administration.
404.1362 Treatment of social security benefits or payments where Veterans Administration pension or compensation payable.
404.1363 Treatment of social security benefits or payments where Federal benefit payable other than by Veterans Administration.

Evidence of Active Service and Membership in Uniformed Service

404.1370 Evidence of active service and separation from active service.
404.1371 Evidence of membership in a uniformed service during the years 1957 through 1967.

Authority: Secs. 205, 210, 217, 229, and 1102 of the Social Security Act, as amended, 53 Stat. 1368, as amended, 64 Stat. 494, 64 Stat. 512, as amended, 81 Stat. 833 as amended, 49 Stat. 647 as amended; 42 U.S.C. 405, 410, 417, 429, and 1302.

General

§ 404.1301 Introduction.

(a) The Social Security Act (Act), under section 217, provides for noncontributory wage credits to veterans who served in the active military or naval service of the United States from September 16, 1940, through December 31, 1956. These individuals are considered World War II or post-World War II veterans. The Act also provides for noncontributory wage credits to certain individuals who served in the active military or naval service of an allied country during World War II. These individuals are considered World War II veterans. In addition, certain individuals get wage credits, under section 229 of the Act, for service as members of the uniformed services on active duty or active duty for training beginning in 1957 when that service was first covered for social security purposes on a contributory basis. These individuals are considered members of the uniformed services.

(b) World War II or post-World War II veterans receive wage credits based on the length of active military or naval service, type of separation from service and, in some cases, whether the veteran is receiving another Federal benefit. However, a member of a uniformed service receives wage credits regardless of length of service, type of separation, or receipt of another Federal benefit.

(c) The Social Security Administration (SSA) uses these wage credits, along with any covered wages or self-employment income of the veteran or member of a uniformed service, to determine entitlement to, and the amount of, benefits and the lump-sum death payment that may be paid to them, their dependents or survivors under the old-age, survivors', and disability insurance programs. These wage credits can also be used by the veteran or member of the uniformed service to meet the insured status and quarters of coverage requirements for a period of disability.

(d) This subpart tells how veterans or members of the uniformed services obtain wage credits, what evidence of service SSA requires, how SSA uses the wage credits, and how the wage credits are affected by payment of other benefits.

(e) This subpart explains that certain World War II veterans who die are considered (deemed) fully insured. This gives those veterans' survivors the same benefit rights as if the veterans were actually fully insured when they died.

(f) The rules are organized in the following manner:

(1) Sections 404.1310–404.1313 contain the rules on World War II veterans. We discuss who may qualify as a World War II veteran, how we determine whether the 90-day active service requirement for a World War II veteran is met, what we consider to be World War II active military or naval service, and what we do not consider to be World War II active military or naval service.

(2) Sections 404.1320–404.1323 contain the rules on post-World War II veterans. We discuss who may qualify as a post-World War II veteran, how we determine whether the 90-day active service requirement for a post-World War II veteran is met, what we consider to be post-World War II active military or naval service, and what we do not consider to be post-World War II active military or naval service.

(3) In § 404.1325 we discuss what is a "separation under conditions other than dishonorable." The law requires that a World War II or post-World War II veteran's separation from active military or naval service be other than dishonorable for the veteran to get wage credits.

(4) Section 404.1330 contains the rules on members of the uniformed services. We discuss who may qualify as a member of a uniformed service.

(5) In §§ 404.1340–404.1343, we discuss the amount of wage credits for veterans and members of the uniformed services, situations which may limit the use of wage credits for World War II and post-World War II veterans, and situations in which the limits do not apply.

(6) Sections 404.1350–404.1352 contain the rules on deemed insured status for World War II veterans. We discuss when deemed insured status applies, the amount of wage credits used for deemed insured World War II veterans, how the wage credits affect survivors' social security benefits, and when deemed insured status does not apply.

(7) Sections 404.1360–404.1363 contain the rules on the effect of other benefits on the payment of social security benefits and lump-sum death payments based on wage credits for veterans. We discuss what happens when we learn of a determination that a Veterans Administration pension or compensation is payable or that a Federal benefit is payable before or after we determine entitlement to a montly benefit or lump-sum death payment based on the death of the veteran.

(8) Sections 404.1370 and 404.1371 contain the rules on what we accept as evidence of a World War II and post-World War II veteran's active military or naval service, including date and type of separation, and what we accept as evidence of entitlement to wage credits for membership in a uniformed service during the years 1957 through 1967.

§ 404.1302 Definitions.

As used in this subpart—

"Act" means the Social Security Act, as amended.

"Active duty" means periods of time an individual is on full-time duty in the active military or naval service after 1956 and includes active duty for training after 1956.

"Active service" means periods of time prior to 1957 an individual was on full-time duty in the active military or naval service. It does not include totaling periods of active duty for training purposes before 1957 which are less than 90 days.

"Allied country" means a country at war on September 16, 1940, with a country with which the United States was at war during the World War II period. Each of the following countries is considered an allied country: Australia, Belgium, Canada, Czechoslovakia, Denmark, France, India, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Union of South Africa, and the United Kingdom.

"Domiciled in the United States" means an individual has a true, fixed, and permanent home in the United States to which the individual intends to return whenever he or she is absent.

"Federal benefit" means a benefit which is payable by another Federal agency (other than the Veterans Administration) or an instrumentality owned entirely by the United States under any law of the United States or under a program or pension system set up by the agency or instrumentality.

"Post-World War II period" means the time period July 25, 1947, through December 31, 1956.

"Reserve component" means Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve, National Guard of the United States or Air National Guard of the United States.

"Resided in the United States" means an individual had a place where he or she lived, whether permanently or temporarily, in the United States and was bodily present in that place.

"Survivor" means you are a parent, widow, divorced wife, widower, or child of a deceased veteran or member of a uniformed service.

"United States" means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

"Veteran" means an individual who served in the active military or naval service of the United States and was discharged or released from that service under conditions other than dishonorable. For a more detailed definition of the World War II veteran and a post-World War II veteran, see §§ 404.1310 and 404.1320.

"Wage credit" means a dollar amount we add to the earnings record of a veteran of the World War II or the post-World War II period. It is also a dollar amount we add to the earnings record of a member of a uniformed service who was on active duty after 1956. The amount is set out in the Act and is added for each month, calendar quarter, or calendar year of service as required by law.

"We", "us", or "our" means the Social Security Administration.

"World War II period" means the time period September 16, 1940, through July 24, 1947.

"You" or "your" means a veteran, a veteran's survivor or a member of a uniformed service applying for or entitled to a social security benefit or a lump-sum death payment.

World War II Veterans

§ 404.1310 Who is a World War II veteran.

You are a World War II veteran if you were in the active service of the United States during the World War II period and, if no longer in active service, you were separated from that service under conditions other than dishonorable after at least 90 days of active service. The 90-day active service requirement is discussed in § 404.1311.

§ 404.1311 Ninety-day active service requirement for World War II veterans.

(a) The 90 days of active service required for World War II veterans do not have to be consecutive if the 90 days were in the World War II period. The 90-day requirement cannot be met by totaling the periods of active duty for training purposes which were less than 90 days.

(b) If, however, all of the 90 days of active service required for World War II veterans were not in the World War II period, the 90 days must (only in those circumstances) be consecutive if the 90 days began before September 16, 1940, and ended on or after that date, or began before July 25, 1947, and ended on or after that date.

(c) The 90 days of active service is not required if the World War II veteran died in service or was separated from service under conditions other than dishonorable because of a disability or injury which began or worsened while performing service duties.

§ 404.1312 World War II service included.

Your service was in the active service of the United States during the World War II period if you were in the—

(a) Army, Navy, Marine Corps, or Coast Guard, or any part of them;

(b) Commissioned corps of the United States Public Health Service and were—

(1) On active commissioned service during the period beginning September 16, 1940, through July 28, 1945, and the active service was done while on detail to the Army, Navy, Marine Corps, or Coast Guard; or

(2) On active commissioned service during the period beginning July 29, 1945, through July 24, 1947, regardless of whether on detail to the Army, Navy, Marine Corps, or Coast Guard;

(c) Commissioned corps of the United States Coast and Geodetic Survey and were—

(1) During the World War II period—

(i) Transferred to active service with the Army, Navy, Marine Corps, or Coast Guard; or

(ii) Assigned to active service on military projects in areas determined by the Secretary of Defense to be areas of immediate military hazard; or

(2) On active service in the Philippine Islands on December 7, 1941; or

(3) On active service during the period beginning July 29, 1945, through July 24, 1947;

(d) Philippine Scouts and performed active service during the World War II period under the direct supervision of recognized military authority;

(e) Active service of an allied country during the World War II period and—

(1) Had entered into that active service before December 9, 1941;

(2) Were a citizen of the United States throughout that period of active service or lost your United States citizenship solely because of your entrance into that service;

(3) Had resided in the United States for a total of four years during the five-year period ending on the day you entered that active service; and

(4) Were domiciled in the United States on that day; or

(f) Women's Army Auxiliary Corps, during the period May 14, 1942, through September 29, 1943, and performed active service with the Army, Navy, Marine Corps, or Coast Guard after September 29, 1943.

§ 404.1313 World War II service excluded.

Your service was not in the active service of the United States during the World War II period if, for example, you were in the—

(a) Women's Army Auxiliary Corps, except as described in § 404.1312(f);

(b) Coast Guard Auxiliary;

(c) Coast Guard Reserve (Temporary) unless you served on active full-time service with military pay and allowances;

(d) Civil Air Patrol; or

(e) Civilian Auxiliary to the Military Police.

Post-World War II Veterans

§ 404.1320 Who is a post-World War II veteran.

You are a post-World War II veteran if you were in the active service of the United States during the post-World War II period and, if no longer in active service, you were separated from the service under conditions other than dishonorable after at least 90 days of active service. The 90-day active service requirement is discussed in § 404.1321.

§ 404.1321 Ninety-day active service requirement for post-World War II veterans.

(a) The 90 days of active service required for post-World War II veterans do not have to be consecutive if the 90 days were in the post-World War II period. The 90-day requirement cannot be met by totaling the periods of active duty for training purposes before 1957 which were less than 90 days.

(b) If, however, all of the 90 days of active service required for post-World War II veterans were not in the post-World War II period, the 90 days must (only in those circumstances) be consecutive if the 90 days began before July 25, 1947, and ended on or after that date, or began before January 1, 1957, and ended on or after that date.

(c) The 90 days of active service is not required if the post-World War II veteran died in service or was separated from service under conditions other than dishonorable because of a disability or injury which began or worsened while performing service duties.

§ 404.1322 Post-World War II service included.

Your service was in the active service of the United States during the post-World War II period if you were in the—

(a) Air Force, Army, Navy, Marine Corps, Coast Guard, or any part of them;

(b) Commissioned corps of the United States Public Health Service and were on active service during that period;

(c) Commissioned corps of the United States Coast and Geodetic Survey and were on active service during that period; or

(d) Philippine Scouts and performed active service during the post-World War II period under the direct supervision of recognized military authority.

§ 404.1323 Post-World War II service excluded.

Your service was not in the active service of the United States during the post-World War II period if, for example, you were in the—

(a) Coast Guard Auxiliary;

(b) Coast Guard Reserve (Temporary) unless you served on active full-time service with military pay and allowances;

(c) Civil Air Patrol; or

(d) Civilian Auxiliary to the Military Police.

Separation from Active Service

§ 404.1325 Separation from active service under conditions other than dishonorable.

Separation from active service under conditions other than dishonorable means any discharge or release from the active service except—

(a) A discharge or release for desertion, absence without leave, or fraudulent entry;

(b) A dishonorable or bad conduct discharge issued by a general court martial of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States, or by the active service of an allied country during the World War II period;

(c) A dishonorable discharge issued by the United States Public Health Service or the United States Coast and Geodetic Survey;

(d) A resignation by an officer for the good of the service;

(e) A discharge or release because the individual was a conscientious objector; or

(f) A discharge or release because the individual was convicted by a civil court for treason, sabotage, espionage, murder, rape, arson, burglary, robbery, kidnaping assault with intent to kill, assault with a deadly weapon, or because of an attempt to commit any of these crimes.

Members of the Uniformed Services

§ 404.1330 Who is a member of a uniformed service.

A member of a uniformed service is an individual who served on active duty after 1956. You are a member of a uniformed service if you—

(a) Are appointed, enlisted, or inducted into—

(1) The Air Force, Army, Navy, Coast Guard, or Marine Corps; or

(2) A reserve component of the uniformed services in paragraph (a)(1) of this section (except the Coast Guard Reserve as a temporary member);

(b) Served in the Army or Air Force under call or conscription;

(c) Are a commissioned officer of the National Oceanic and Atmospheric Administration or its predecessors, the Environmental Science Services Administration and the Coast and Geodetic Survey;

(d) Are a commissioned officer of the Regular or Reserve Corps of the Public Health Service;

(e) Are a retired member of any of the above services;

(f) Are a member of the Fleet Reserve or Fleet Marine Corps Reserve;

(g) Are a cadet at the United States Military Academy, Air Force Academy, or Coast Guard Academy, or a midshipman at the United States Naval Academy; or

(h) Are a member of the Reserve Officers Training Corps of the Army, Navy or Air Force, when ordered to annual training duty for at least 14 days and while performing official travel to and from that duty.

Amounts of Wage Credits and Limits on Their Use

§ 404.1340 Wage credits for World War II and post-World War II veterans.

In determining your entitlement to, and the amount of, your monthly benefit or lump-sum death payment based on your active service during the World War II period or the post-World War II period, and for establishing a period of disability as discussed in §§ 404.132 and 404.133, we add the (deemed) amount of $160 for each month during a part of which you were in the active service as described in § 404.1312 or § 404.1322. For example, if you were in active service from October 11, 1942, through August 10, 1943, we add the (deemed) amount of $160 for October 1942 and August 1943 as well as November 1942 through July 1943. The amount of wage credits that are added in a calendar year cannot cause the total amount credited to your earnings record to exceed the annual earnings limitation explained in §§ 404.1047 and 404.1096(b).

§ 404.1341 Wage credits for a member of a uniformed service.

(a) *General.* In determining your entitlement to, and the amount of your monthly benefit or a lump-sum death payment based on your wages while on active duty as a member of a uniformed service after 1956 and for establishing a period of disability as discussed in § 404.132, we add wage credits to the wages paid you as a member of that service. The amount of the wage credits and applicable time periods and the limits on the amount of the wage credits are discussed in paragraphs (b) and (c) of this section.

(b) *Amount of wage credits.* The amount of wage credits added is—

(1) $100 for each $300 in wages paid to you for your service in each calender year after 1977; and

(2) $300 for each calendar quarter in 1957 through 1977, regardless of the amount of wages actually paid you during that quarter for your service.

(c) *Limits on wage credits.* The amount of the wage credits we add cannot exceed $1,200 for any calendar year. Also, the total of the wage credits added to wages paid you as a member of a uniformed service for that year cannot cause the total amount credited to your earnings record to exceed the annual earnings limitation explained in §§ 404.1047 and 404.1096(b).

§ 404.1342 Limits on granting World War II and post-World War II wage credits.

(a) You get wage credits for World War II or post-World War II active service only if the use of the wage credits results in entitlement to a monthly benefit, a higher monthly benefit, or a lump-sum death payment.

(b) You may get wage credits for active service in July 1947 for either the World War II period or the post-World War II period but not for both. If your active service is before and on or after July 25, 1947, we add the $160 wage credit to the period which is most advantageous to you.

(c) You do not get wage credits for the World War II period if another Federal benefit (other than one payable by the Veterans Administration) is determined by a Federal agency or an instrumentality owned entirely by the United States to be payable to you, even though the Federal benefit is not actually paid or is paid and then terminated, based in part on your active service during the World War II period except as explained in § 404.1343.

(d) You do not get wage credits for the post-World War II period if another Federal benefit (other than one payable by the Veterans Administration) is determined by a Federal agency or an instrumentality owned entirely by the United States to be payable to you, even though the Federal benefit is not actually paid or is paid and then terminated, based in part on your active service during the post-World War II period except as explained in § 404.1343.

§ 404.1343 When the limits on granting World War II and post-World War II wage credits do not apply.

The limits on granting wage credits described in § 404.1342 (c) and (d) do not apply—

(a) If the wage credits are used solely to meet the insured status and quarters of coverage requirements for a period of

disability as described in §§ 404.132 and 404.133;

(b) If you are the widow or child of a veteran of the World War II period or post-World War II period and you are entitled under the Civil Service Retirement Act of 1930 to a survivor's annuity based on the veteran's active service and—

(1) You give up your right to receive the survivor's annuity;

(2) A benefit under the Civil Service Retirement Act of 1930 based on the veteran's active service was not payable to the veteran; and

(3) Another Federal benefit is not payable to the veteran or his or her survivors except as described in paragraph (c) of this section; or

(c) For the years 1951 through 1956, if another Federal benefit is payable by the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, or the Public Health Service based on post-World War II active service but only if the veteran was also paid wages as a member of a uniformed service after 1956.

Deemed Insured Status for World II Veterans

§ 404.1350 Deemed insured status.

(a) *When deemed insured status applies.* If you are the survivor of a World War II veteran, we consider the veteran to have died fully insured as discussed in § 404.111 and we include wage credits in determining your monthly benefit or lump-sum death payment if—

(1) The veteran was separated from active service of the United States before July 27, 1951; and

(2) The veteran died within 3 years after separation from active service and before July 27, 1954.

(b) *Amount of credit given for deemed insured World War II veterans.*

(1) When we compute a survivor's benefit or lump-sum death payment, we give credit for—

(i) $200 (for increment year purposes) for each calendar year in which the veteran had at least 30 days of active service beginning September 16, 1940, through 1950; and

(ii) An average monthly wage of $160.

(2) If the World War II veteran was fully or currently insured without the wage credits, we add increment years (years after 1936 and prior to 1951 in which the veteran had at least $200 in creditable earnings) to the increment years based on the veteran's wages.

§ 404.1351 When deemed insured status does not apply.

As a survivor of a World War II veteran, you cannot get a monthly benefit or lump-sum death payment based on the veteran's deemed insured status as explained in § 404.1350 if—

(a) Your monthly benefit or lump-sum death payment is larger without using the wage credits;

(b) The Veterans Administration has determined that a pension or compensation is payable to you based on the veteran's death;

(c) The veteran died while in the active service of the United States;

(d) The veteran was first separated from active service after July 26, 1951;

(e) The veteran died after July 26, 1954; or

(f) The veteran's only service during the World War II period was by enlistment in the Philippine Scouts as authorized by the Armed Forces Voluntary Recruitment Act of 1945 (Pub. L. 190 of the 79th Congress).

§ 404.1352 Benefits and payments based on deemed insured status.

(a) *Our determination.* We determine your monthly benefit or lump-sum death payment under the deemed insured status provisions in §§ 404.1350 and 404.1351 regardless of whether the Veterans Administration has determined that any pension or compensation is payable to you.

(b) *Certification for payment.* If we determine that you can be paid a monthly benefit or lump-sum death payment, we certify these benefits for payment. However, the amount of your monthly benefit or lump-sum death payment may be changed if we are informed by the Veterans Administration that a pension or compensation is payable because of the veteran's death as explained in § 404.1360.

(c) *Payments not considered as pension or compensation.* We do not consider as pension or compensation—

(1) National Service Life Insurance payments;

(2) United States Government Life Insurance payments; or

(3) Burial allowance payments made by the Veterans Administration.

Effect of Other Benefits on Payment of Social Security Benefits and Payments

§ 404.1360 Veterans Administration pension or compensation payable.

(a) *Before we determine and certify payment.* If we are informed by the Veterans Administration that a pension or compensation is payable to you before we determine and certify payment of benefits based on deemed insured status, we compute your monthly benefit or lump-sum death payment based on the death of the World War II veteran without using the wage credits discussed in § 404.1350.

(b) *After we determine and certify payment.* If we are informed by the Veterans Administration that a pension or compensation is payable to you after we determine and certify payment of benefits based on deemed insured status, we—

(1) Stop payment of your benefits or recompute the amount of any further benefits that can be paid to you; and

(2) Determine whether you were erroneously paid and the amount of any erroneous payment.

§ 404.1361 Federal benefit payable other than by Veterans Administration.

(a) *Before we determine and certify payment.* If we are informed by another Federal agency or instrumentality of the United States (other than the Veterans Administration) that a Federal benefit is payable to you by that agency or instrumentality based on the veteran's World War II or post-World War II active service before we determine and certify your monthly benefit or lump-sum death payment, we compute your monthly benefit or lump-sum death payment without using the wage credits discussed in § 404.1340.

(b) *After we determine and certify payment.* If we are informed by another Federal agency or instrumentality of the United States (other than the Veterans Administration) that a Federal benefit is payable to you by that agency or instrumentality based on the veteran's World War II or post-World War II active service after we determine and certify payment, we—

(1) Stop payment of your benefits or recompute the amount of any further benefits that can be paid to you; and

(2) Determine whether you were erroneously paid and the amount of any erroneous payment.

§ 404.1362 Treatment of social security benefits or payments where Veterans Administration pension or compensation payable.

(a) *Before we receive notice from the Veterans Administration.* If we certify your monthly benefit or a lump-sum death payment as determined under the deemed insured status provisions in §404.1350 before we receive notice from the Veterans Administration that a pension or compensation is payable to you, our payments to you are erroneous only to the extent that they exceed the amount of the accrued pension of compensation payable.

(b) *After we receive notice from the Veterans Administration.* If we certify your monthly benefit or lump-sum death payment as determined under the

deemed insured status provisions in § 404.1350 after we receive notice from the Veterans Administration that a pension or compensation is payable to you, our payments to you are erroneous whether or not they exceed the amount of the accrued pension or compensation payable.

§ 404.1363 Treatment of social security benefits or payments where Federal benefit payable other than by Veterans Administration.

If we certify your monthly benefit or lump-sum death payment based on World War II or post-World War II wage credits after we receive notice from another Federal agency or instrumentality of the United States (other than the Veterans Administration) that a Federal benefit is payable to you by that agency or instrumentality based on the veteran's World War II or post-World War II active service, our payments to you are erroneous to the extent the payments are based on the World War II or post-World War II wage credits. The payments are erroneous beginning with the first month you are eligible for the Federal benefit.

Evidence of Active Service and Membership in a Uniformed Service

§ 404.1370 Evidence of active service and separation from active service.

(a) *General.* When you file an application for a monthly benefit or lump-sum death payment based on the active service of a World War II or post-World War II veteran, you must submit evidence of—

(1) Your entitlement as required by Subpart H of this part or other evidence that may be expressly required;

(2) The veteran's period in active service of the United States; and

(3) The veteran's type of separation from active service of the United States.

(b) *Evidence we accept.* We accept as proof of a veteran's active service and separation from active service—

(1) An original certificate of discharge, or an original certificate of service, from the appropriate military service, from the United States Public Health Service, or from the United States Coast and Geodetic Survey;

(2) A certified copy of the original certificate of discharge or service made by the State, county, city agency or department in which the original certificate is recorded;

(3) A certification from the appropriate military service, United States Public Health Service, or United States Coast and Geodetic Survey showing the veteran's period of active service and type of separation;

(4) A certification from a local selective service board showing the veteran's period of active service and type of separation; or

(5) Other evidence that proves the veteran's period of active service and type of separation.

§ 404.1371 Evidence of membership in a uniformed service during the years 1957 through 1967.

(a) *General.* When you file an application for a monthly benefit or lump-sum death payment based on the services of a member of a uniformed service during the years 1957 through 1967, you should submit evidence identifying the member's uniformed service and showing the period(s) he or she was on active duty during those years.

(b) *Evidence we accept.* The evidence we will accept includes any official correspondence showing the member's status as an active service member during the appropriate period, a certification of service by the uniformed service, official earnings statements, copies of the member's Form W–2, and military orders, for the appropriate period.

[FR Doc. 80–7912 Filed 3–13–80; 8:45 am]
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Food and Drug Administration

21 CFR Part 184

[Docket No. 78N–0013]

Sulfuric Acid and Ammonium, Calcium, Potassium, and Sodium Sulfates; Affirmation of Gras Status

Correction

In FR Doc. 80–2037, published at page 6084, on Friday, January 25, 1980, on page 6086, in the first column, in the sixth line of § 184.1143(a), "Sulfuric acid and with ammonium" should be corrected to read "sulfuric acid with ammonium".

BILLING CODE 1505–01–M

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21 CFR Part 186

[Docket No. 76G–0108]

Indirect Food Substances Affirmed as Generally Recognized as Safe; Sodium Chlorite

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is affirming that sodium chlorite is generally recognized as safe (GRAS) for use as a slimicide in the manufacture of paper and paperboard that contact food. This action, based on an industry petition requesting such affirmation, lists the substance in the regulations as an indirect food substance affirmed as GRAS.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Corbin I. Miles, Bureau of Foods (HFF–335), Department of Health, Education, and Welfare, 200 C St. SW., Washington, DC 20204, 202–472–4750.

SUPPLEMENTARY INFORMATION: In accordance with the procedures described in § 170.35 (21 CFR 170.35), Olin Chemicals, 120 Long Ridge Rd., Stamford, CT 06904 submitted a petition (GRASP 3G0013) requesting affirmation that sodium chlorite used as a slimicide in the manufacture of paper and paperboard that contact food is generally recognized as safe (GRAS). A notice of filing of the petition was published in the **Federal Register** of April 16, 1976 (41 FR 16194), and interested persons were given an opportunity to review the petition and to submit comments to the Hearing Clerk, Food and Drug Administration. No comments were received in response to this notice.

Sodium chlorite exists as slightly hygroscopic white crystals or flakes. It is manufactured by passing chlorine dioxide into a solution of sodium hydroxide and hydrogen peroxide.

Sodium chlorite has been used as a bleach in the manufacture of paper for more than 40 years, and it has been used as a paper mill slimicide since 1960. The petitioner has proposed that this ingredient be used as a slimicide in the manufacture of paper and paperboard intended for food contact. Information supplied by the petitioner indicates that, at a concentration of 125 parts per million, sodium chlorite kills at least 80 percent of the microorganisms specified in the American Society for Testing and Materials (ASTM) standard method for determining the efficacy of slimicides for the paper industry (Annual Book of ASTM Standards, Part 46 E599–77, E600–77, American Society for Testing and Materials, Philadelphia, PA 19103 (1977)). It is estimated that a maximum of about 8 parts per billion of sodium chlorite could migrate to food from packaging manufactured with 250 parts per million of the slimicide. At this low level of migration, neither sodium chlorite nor its degradation products would present any significant hazard if consumed in food.

After a comprehensive review of all data regarding the use of sodium

chlorite as a slimicide, the agency found that:

1. Sodium chlorite was not eligible for GRAS status as a paper mill slimicide based on its common use in the United States before January 1, 1958.

2. Sodium chlorite is GRAS based on the submission of sufficient safety and functionality data supporting the use requested.

3. This substance is safe for the indirect food use requested.

4. This substance performs the functional effect claimed by the petitioner.

Accordingly, the agency concludes, in accordance with § 186.1(b)(2) (21 CFR 186.1(b)(2)), that the use and level of use of sodium chlorite as set forth in the petition is GRAS.

In the past, FDA routinely adopted food grade specifications for indirect substances that it affirmed as GRAS in Part 186 (21 CFR Part 186). Recently, however, the agency has reconsidered the necessity of imposing food grade specifications on indirect GRAS substances. The agency has concluded that, as a general rule, food grade specifications are not necessary to assure the safety of an indirect GRAS substance, provided the substance is of a purity suitable for its intended use in accordance with § 170.30(h)(1) (21 CFR 170.30(h)(1)). This conclusion is based on the fact that indirect uses generally result in extremely low levels of consumer exposure to the additive and correspondingly low levels of exposure to any impurities that may be present. If food grade specifications are found necessary in a particular case to assure the safety of an indirect GRAS ingredient, the agency will include them in the regulation. The agency intends to publish a proposal in the near future to amend its procedural regulations in Part 186 to reflect this new policy regarding specifications for indirect GRAS substances.

In the case of sodium chlorite, the FDA concludes that specifications are not necessary. Therefore, the regulation governing the use of sodium chlorite as an indirect GRAS ingredient does not include food grade specifications.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784–1788 as amended (21 U.S.C. 321(s), 348, 371(a))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), Part 186 is amended by adding new § 186.1750 to read as follows:

§ 186.1750 Sodium chlorite.

(a) Sodium chlorite ($NaClO_2$, CAS Reg. No. 7758–19–2) exists as slightly hygroscopic white crystals or flakes. It is manufactured by passing chlorine dioxide into a solution of sodium hydroxide and hydrogen peroxide.

(b) The ingredient is used at levels from 125 to 250 parts per million as a slimicide in the manufacture of paper and paperboard that contact food.

Effective date. This order shall be effective March 14, 1980.

(Secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784–1788 as amended (21 U.S.C. 321(s), 348, 371(a)))

Dated: March 6, 1980.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 80–7706 Filed 3–13–80; 8:45 am]

BILLING CODE 4110–03–M

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21 CFR Parts 5, 312

Redelegations of Authority From the Commissioner of Food and Drugs; Investigational New Drugs

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This document amends the regulations for delegations of authority relating to termination of exemptions for investigational new drugs (IND) for human use. The Associate Director for New Drug Evaluation, Bureau of Drugs, is being delegated authority to terminate an IND if a sponsor fails to submit an annual progress report. This action is being taken so that this procedural type of termination can be processed more efficiently. For purposes of clarity, the document also revises the delegation to indicate specifically that the authority delegated includes authority to make initial findings that may lead to termination. To make provisions consistent with other sections involving delegated functions, § 312.1(d) (21 CFR 312.1(d)) is amended by substituting "the Commissioner" for the existing reference to Bureau of Drugs officials.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Robert L. Miller, Office of Management and Operations (HFA–340), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4976.

SUPPLEMENTARY INFORMATION: Under this delegation of authority the Associate Director for New Drug Evaluation, Bureau of Drugs, will be authorized to terminate an IND (investigational new drug exemption) when the sponsor has filed to respond to a request to submit the required annual progress report. In addition, the delegation to Bureau officials to notify sponsors and invite correction is being clarified to state that it includes as well the authority to make initial findings that may lead to termination.

Further redelegation of the authority delegated is not authorized. Authority delegated to a position by title may be exercised by a person officially designated to serve in such position in an acting capacity or on a temporary basis, unless prohibited by a restriction written into the document designating him or her as "acting," or unless exercise of the authority is not legally permissible.

In addition, for purposes of consistency, § 312.1(d) (21 CFR 312.1(d)) is revised by substituting "the Commissioner" for the present reference to officials of the Bureau of Drugs who have been delegated authority to make the findings set forth in that section and to notify sponsors and invite correction. This revision makes the language consistent with that of other provisions concerning delegated authority. The delegations set forth in § 5.71 (21 CFR 5.71) set forth specifically those officials of the Bureau of Drugs who may make the findings set forth in § 312.1(d), notify sponsors of these findings, and invite correction.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), Parts 5 and 312 are amended as follows:

PART 5—DELEGATIONS OF AUTHORITY AND ORGANIZATION

1. In Part 5, by revising § 5.71, to read as follows:

§ 5.71 Termination of exemptions for new drugs for investigational use in human beings or in animals.

(a) The Director and Deputy Director of the Bureau of Drugs are authorized to perform all the functions of the Commissioner of Food and Drugs on the termination of exemptions for new drugs for investigational use in human beings under § 312.1 and in animals under § 312.9 of this chapter, except those for biological products (unless the product is also a radioactive drug), and products under the jurisdiction of the Bureau of Biologics in § 312.1(j) of this chapter for which authority has been delegated in paragraph (b) of this section.

(1) The Associate Director for New Drug Evaluation of the Bureau of Drugs is authorized to terminate exemptions for new drugs for investigational use when sponsors fail to submit an annual

progress report under § 312.1(d)(10) of this chapter.

(2) The Associate Director and Deputy Associate Director for New Drug Evaluation and the Directors of the Divisions of: Anti-Infective Drug Products, Cardio-Renal Drug Products, Surgical-Dental Drug Products, Metabolism and Endocrine Drug Products, Neuropharmacological Drug Products, and Oncology and Radiopharmaceutical Drug Products of the Bureau of Drugs are authorized to make the findings set forth in § 312.1(d) of this chapter and to notify sponsors and invite correction before termination action on such exemptions.

* * * * *

PART 312—NEW DRUGS FOR INVESTIGATIONAL USE

2. In Part 312, by revising the introductory text of paragraph (d) of § 312.1 to read as follows:

§ 312.1 Conditions for exemption of new drugs for investigational use.

* * * * *

(d) If the Commissioner finds that:

* * * * *

Effective date. This regulation is effective March 14, 1980.

(Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)))

Dated: March 6, 1980.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 80-7707 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-03-M

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21 CFR Parts 431, 436, 440, 442, 446, 449

[Docket No. 79N-0173]

Antibiotic Drugs; Updating and Technical Changes

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This document amends the antibiotic regulations by making corrections, noncontroversial technical changes, and revocation to update the regulations providing for the certification of antibiotic and antibiotic-containing drugs for human use. These changes will result in more accurate and usable regulations that reflect current certification practices.

DATES: Effective March 14, 1980. Comments by April 14, 1980.

ADDRESS: Written comments to the Hearing Clerk (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Joan Eckert, Bureau of Drugs (HFD-140), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4290.

SUPPLEMENTARY INFORMATION: The Food and Drug Administration (FDA) is amending the antibiotic drug regulations by making corrections, noncontroversial technical changes, and revocation in several antibiotic drug regulations that provide for certification of antibiotic and antibiotic-containing drugs intended for human use. To aid in understanding the types of changes included in this document, the changes have been grouped into three general classes for discussion in this preamble: monograph corrections, minor noncontroversial technical changes, and revocation.

Monograph Corrections

1. In § 436.305(e), the word "through" is corrected to read "trough" and the word "in" is added to complete the sentence.

2. In § 440.55a, the spelling of the words "moisture" and "absorbance" are corrected, and the reference to § 436.203 is corrected to read § "436.203(a)".

3. In § 440.74a, the word "units" is added following the figure "900" in paragraph (a)(1)(i), and the figure "5" is changed to read "5.0" in paragraph (a)(1)(vi).

4. In § 440.80a, the spelling of "potassium" is corrected in paragraph (a)(1), and the spelling of "pyrogens" is corrected in paragraph (a)(3)(i).

5. In § 442.106, published in the Federal Register of May 16, 1978 (43 FR 20978), the word "into" in (b)(1)(ii) is corrected to read "in".

Technical Changes

1. In the fee schedule appearing in § 431.53(b)(1), one item, "Minocycline content" has been deleted, and one item, "Column chromatography" has been inserted alphabetically. The same test is performed for other antibiotic products in addition to minocycline. Rather than list the test for each specific drug, the general term is used.

2. The dimensions for the cylindrical glass jar described in § 436.308(a)(2) are corrected.

3. In § 442.106, the word "monohydrate" is added to the section heading and to the first sentence in paragraph (a)(1) to correctly identify the drug.

4. In § 442.127c(a)(1), the word "monohydrate" is deleted from the potency statement. Potency is based on actual content of the drug and does not include waters of hydration.

5. In § 446.180c, the content statement in paragraph (a)(1) is revised to specify that the standard of comparison is tetracycline hydrochloride, not tetracycline. The number of containers required in paragraph (a)(3)(ii)(*b*) is changed from "10" to "5" and a misspelled word is corrected. Five containers are sufficient for a sample for all packaged sizes.

6. Section 446.581 is redesignated as § 446.581d, and a new "umbrella phrase" heading is added as § 446.581.

7. In § 449.204, the first sentence is revised to more accurately provide for all products certified under this monograph.

Revocation

Section 446.180d is revoked. The antibiotic drug product certified under this monograph is no longer being marketed. There is only one manufacturer and the firm has agreed to the revocation. (Copy of letter of agreement from firm is on file at the office of the Hearing Clerk, address above.)

The Food and Drug Administration has determined in accordance with § 25.24(b)(22) (21 CFR 25.24(b)(22)), proposed in the Federal Register of December 11, 1979 (44 FR 71742), that this action is of a type that does not have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended (21 U.S.C. 357)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1) Parts 431, 436, 440, 442, 446, and 449 are amended as follows:

PART 431—CERTIFICATION OF ANTIBIOTIC DRUGS

§ 431.53 [Amended]

1. Part 431 is amended in § 431.53 *Fees* by deleting "Minocycline content—121" from, and by alphabetically inserting "Column chromatography—121" in, the table in paragraph (b)(1).

* * * * *

PART 436—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

2. Part 436 is amended as follows:

a. In § 436.305, the second sentence in paragraph (e) is revised to read as follows:

§ 436.305 Thin layer chromatographic identity test for hetacillin.

* * * * *

(e) *Procedure.* * * * Pour developing solvent into the glass trough in the bottom of the chromatography tank.
* * *
* * * * *

b. In § 436.308, paragraph (a)(2) is revised to read as follows:

§ 436.308 Paper chromatography identity test for tetracyclines.

(a) * * *

(2) *Chamber (chromatographic).* Cylindrical glass chromatographic jar, 25 centimeters high by 12 centimeters in diameter, with a ground-glass lid.
* * * * *

PART 440—PENICILLIN ANTIBIOTIC DRUGS

3. Part 440 is amended as follows:

a. In § 440.55a, by revising paragraph (a)(3)(i); the third sentence in paragraph (b)(7); and paragraph (b)(8) to read as follows:

§ 440.55a Sterile penicillin G benzathine.

(a) * * *

(3) * * *

(i) Results of tests and assays on the batch for potency, sterility, pyrogens, safety, moisture, pH, penicillin G content, and crystallinity.
* * * * *

(b) * * *

(7) * * * Using a suitable spectrophotometer equipped with a quartz cell and absolute methy alcohol as the blank, determine the absorbance at 263 nanometers. * * *

(8) *Crystallinity.* Proceed as directed in § 436.203(a) of this chapter.

b. In § 440.74a, by revising paragraph (a)(1) (i) and (vi) to read as follows:

§ 440.74a Sterile penicillin G procaine.

(a) * * *

(1) * * *

(i) Its potency is not less than 900 units and not more than 1,050 units per milligram.
* * * * *

(vi) Its pH in a saturated aqueous solution (about 300 milligrams per milliliter) is not less than 5.0 and not more than 7.5.
* * * * *

c. In § 440.80a, by revising the first sentence in paragraph (a)(1) and by revising paragraph (a)(3)(i) to read as follows:

§ 440.80a Sterile penicillin G potassium.

(a) * * *

(1) *Standards of identity, strength, quality, and purity.* Penicillin G potassium is potassium 3,3-dimethyl-7-oxo-6-(2-phenylacetamido)-4-thia-1-azabicyclo [3.2.0] heptane-2-carboxylate. * * *
* * * * *

(3) * * *

(i) Results of tests and assays on the batch for potency, sterility, pyrogens, safety, loss on drying, pH, penicillin G content, and crystallinity.
* * * * *

PART 442—CEPHA ANTIBIOTIC DRUGS

4. Part 442 is amended as follows:

a. In § 442.106, by revising the section heading; the first sentence in paragraph (a)(1); and the first sentence in paragraph (b)(1)(ii) to read as follows:

§ 442.106 Cefadroxil monohydrate capsules.

(a) * * *

(1) *Standards of identity, strength, quality, and purity.* Cefadroxil monohydrate capsules are composed of cefadroxil monohydrate and one or more suitable and harmless lubricants and diluents enclosed in a gelatin capsule. * * *
* * * * *

(b) * * *

(1) * * *

(ii) *Hydroxylamine colorimetric assay.* Proceed as directed in § 442.40(b)(1)(ii) of this chapter, preparing the sample as follows: Blend a representative number of capsules in a high-speed glass blender jar with sufficient distilled water to give a stock solution of convenient concentration.
* * *
* * * * *

b. In § 442.127c, by revising the third sentence in paragraph (a)(1) to read as follows:

§ 442.127c Cephalexin monohydrate for oral suspension.

(a) * * *

(1) * * * Its potency is satisfactory if it is not less than 90 percent and not more than 120 percent of the number of milligrams of cephalexin that it is represented to contain. * * *
* * * * *

PART 446—TETRACYCLINE ANTIBIOTIC DRUGS

5. Part 446 is amended as follows:

a. In § 446.180c, by revising the second sentence in paragraph (a)(1) and by revising paragraph (a)(3)(ii)(*b*) to read as follows:

§ 446.180c Tetracycline oral suspension.

(a) * * *

(1) * * * Each milliliter contains tetracycline equivalent to 25 milligrams of tetracycline hydrochloride. * * *
* * * * *

(3) * * *

(ii) * * *

(*b*) The batch: A minimum of 5 immediate containers.
* * * * *

§ 446.180d [Revoked]

b. Section 446.180d *Tetracycline for oral suspension* is revoked.

§ 446.581d [Redesignated from § 446.581]

c. Section 446.581 is redesignated as § 446.581d *Tetracycline hydrochloride ointment* and new § 446.581 is added to read as follows:

§ 446.581 Tetracycline hydrochloride dermatologic dosage forms.

PART 449—ANTIFUNGAL ANTIBIOTIC DRUGS

6. Part 449 is amended in § 449.204(a)(1) by revising the first sentence to read as follows:

§ 449.204 Amphotericin B for injection.

(a) * * *

(1) *Standards of identity, strength, quality, and purity.* Amphotericin B for injection is a dry mixture containing in each immediate container 50 milligrams of amphotericin B, 41 milligrams of sodium desoxycholate, and suitable buffering substances. * * *
* * * * *

Because this amendment institutes changes that are either corrective, editorial, or of a minor substantive nature, the Food and Drug Administration finds for good cause that prior notice and public procedure are unnecessary. However interested persons may on or before April 14, 1980, submit to the Hearing Clerk (HFA–305), Food and Drug Administration, Rm. 4–62 5600 Fishers Lane, Rockville, MD 20857, written comments on this proposal. Four copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the Hearing Clerk docket number found in brackets in the heading of this document. Received comments may be seen in the above-named office between 9 a.m. and 4 p.m., Monday through Friday.

Agency regulations for the issuance, amendment or repeal of any regulation under section 507 of the act require that any person who will be adversely affected by the foregoing regulation be given an opportunity to file objections to it, request a hearing, and show reasonable grounds for the hearing. Any person who decides to seek a hearing

must file (1) on or before April 14, 1980 a written notice of participation and request for hearing, and (2) on or before May 13, 1980 the data, information, and analyses on which the person relies to justify a hearing, as specified in § 430.20. The procedures and requirements governing this order are contained in § 430.20. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for hearing that no genuine and substantial issue of fact precludes the action taken by this order, or if a request for hearing is not made in the required format or with the required analyses, the Commissioner of Food and Drugs will enter summary judgment against the person(s) who requests the hearing, making findings and conclusions and denying a hearing.

All hearing requests submitted under this order must be filled in five copies, identifying the docket number appearing in the heading of this order, with the Hearing Clerk, Food and Drug Administration (HFA–305), Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

All submissions under this order, except for data and information prohibited from public disclosure under 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk, between 9 a.m. and 4 p.m., Monday through Friday.

Effective date. This regulation will be effective March 14, 1980.

(Sec. 507, 59 Stat. 463 as amended (21 U.S.C. 357))

Dated: March 5, 1980.

Mary A. McEniry,

Assistant Director for Regulatory Affairs, Bureau of Drugs.

[FR Doc. 80–7578 Filed 3–13–80; 8:45 am]

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21 CFR Parts 436, 440, 442, 444, 446, and 455

[Docket No. 80N–0039]

Antibiotic Drugs; Updating and Technical Changes

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This document amends the antibiotic regulations by making corrections, noncontroversial technical changes, and revocation to update the regulations providing for the certification of antibiotic and antibiotic-containing drugs for human use. These changes will result in more accurate and usable regulations that reflect current certification practices.

DATES: Effective March 14, 1980; comments by April 14, 1980.

ADDRESS: Written comments to the Hearing Clerk (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Joan Eckert, Bureau of Drugs (HFD–140), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4290.

SUPPLEMENTARY INFORMATION: The Food and Drug Administration (FDA) is amending the antibiotic drug regulations by making corrections, noncontroversial technical changes, and revocations in several antibiotic drug regulations that provide for certification of antibiotic and antibiotic-containing drugs intended for human use. To aid in understanding the types of changes included in this document, the changes have been grouped into three general classes for discussion in this preamble: Monograph corrections, minor noncontroversial technical changes, and revocation.

Monograph Corrections

1. In § 436.308(b), the letter "*R*" is corrected to read "R_f" in the last sentence.

2. In § 440.41a, the heading of paragraph (b)(8) is corrected by deleting the words "sodium" and "monohydrate." The test is actually a measure of the active moiety, nafcillin content, not sodium nafcillin monohydrate.

3. In § 440.107e, the words "moisture content" are corrected to "loss on drying" in the fifth sentence of paragraph (a)(1), and the word "moisture" is corrected to "loss on drying" in paragraph (a)(3)(i)(*c*). The test method used is "loss on drying," not "moisture."

4. In § 442.40, the diagram showing the arrangment of the apparatus and flow of samples and reagents in the hydroxylamine calorimetric assay is corrected in paragraph (b)(1)(ii).

5. In § 442.140a, the figure "60.0" is corrected to "6.0" in the fifth sentence in paragraph (a)(1).

6. In §§ 444.80 and 444.81a, the chemical name is corrected in the first sentence in paragraph (a)(1).

7. In § 446.21, the word "monohydrate" is added to the sentence in paragraph (a)(1)(vi). The identity test method detects the water of hydration as well as the drug; therefore, monohydrate should be included in the specification.

8. In § 446.180c, the figure "3.0" is corrected to "5.0" in the fifth sentence in paragraph (a)(1). The established limit as originally published in § 436.309(b)(7) for 4-epianhydrotetracycline was 5.0 percent for oral suspensions. In the updating document of March 17, 1978 (43 FR 11151), the limits were transferred from the test method in § 436.309 to the individual monographs for each drug. The limit for the tetracycline oral suspension, § 440.180c, was incorrectly published as 3.0. It is corrected in this document.

9. In §§ 455.10 and 455.10a, the figure "±3" is corrected to "100±3" in the sentence in paragraph (a)(1)(vi). The figure "100" was inadvertently omitted.

Technical Changes

1. In § 436.205(c), the diluent in the table for Ampicillin sodium has been changed from "Distilled water" to "Buffer." Sodium ampicillin dissolved in distilled water results in a solution with a very alkaline pH, and degradation begins rapidly. To improve the test method, distilled water is replaced by buffer.

2. In § 436.308, the test method has been revised to allow exposure of the developed chromatogram to ammonia vapor. This is a necessary step in the development of the fluorescent spots.

3. In § 446.120b, the second sentence in paragraph (b)(1) has been revised. The diluent for all the other tetracyclines was changed to the updating document published in the **Federal Register** of March 17, 1978 (43 FR 11151). Distilled water should be used for this drug as well.

4. In § 446.166, the word "may" has been added to the second sentence in paragraph (a)(1). The change, which was requested by the manufacturer, allows for a product without *N*-acetyl glucosamine to be certified. (A copy of the manufacturer's letter request is on file at the office of the Hearing Clerk, address above.) It states that the request concerns the sale and manufacture of this product overseas, where certain countries require that the drug meet the specifications of the official compendia but where the manufacturer is unable to obtain this ingredient. Deletion of *N*-acetyl glucosamine will not affect the safety or efficacy of this product, because it is an inactive ingredient.

Revocation

Section 440.157 is revoked. The antibiotic drug product certified under this monograph is no longer being marketed. There is only one manufacturer, and the firm has agreed to the revocation. (A copy of the letter of agreement from the firm is on file at the

office of the Hearing Clerk, address above.)

The agency has determined under 21 CFR 25.24(b)(22) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment, nor an environmental impact statement is required.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended (21 U.S.C. 357)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1), Parts 436, 440, 442, 444, 446, and 455 are amended as follows:

PART 436—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

1. Part 436 is amended as follows:

a. In § 436.205, by amending the table in paragraph (c) by revising the entries for "Ampicillin sodium" and "Ampicillin trihydrate" to read as follows:

§ 436.205 Hydroxylamine colorimetric assay.

* * * * *

(c) * * *

Antibiotic	Diluent (solution number as listed in § 436.101(a))	Final concentration in milligrams per milliliter of sample
* * * * *		
Ampicillin sodium	1	1.25
Ampicillin trihydrate	Distilled water	1.25
* * * * *		

* * * * *

b. In § 436.308, by revising paragraph (c) to read as follows:

§ 436.308 Paper chromatography identity test for tetracyclines.

* * * * *

(c) *Procedure.* Fill the chamber to a depth of 0.6 centimeter with freshly prepared solvent. Draw a starting line about 2.5 centimeters from and parallel to the bottom of the sheet. Wet the sheet thoroughly with the pH 3.5 buffer and blot it firmly between sheets of absorbent paper. Starting about 5 centimeters from the edge of the sheet and at 1.5-centimeter intervals, apply to the starting line 2 microliters each of standard solution, sample solution, and a 1:1 mixture of the standard and sample solutions. Allow a few minutes for the sheet to dry partially, and while still damp place it in the chamber with the bottom edge touching the solvent. When the solvent front has risen about 10 centimeters, remove the sheet from the chamber. Expose the paper to ammonia vapor. Examine the dried sheet under a strong source of ultraviolet light and record the position of any fluorescent spots. Measure the distance the solvent front traveled from the starting line and the distance that the fluorescent spots are from the starting line. Calculate the R_f value by dividing the latter by the former.

PART 440—PENICILLIN ANTIOBIOTIC DRUGS

2. Part 440 is amended as follows:

a. In § 440.41a, by revising paragraph (b)(8) to read as follows:

§ 440.41a Sterile nafcillin sodium monohydrate.

* * * * *

(b) * * *

(8) *Nafcillin content.* Proceed as directed in § 440.41(b)(6).

* * * * *

b. In § 440.107e, by revising the fifth sentence in paragraph (a)(1) and by revising paragraph (a)(3)(i)(*c*) to read as follows:

§ 440.107e Ampicillin trihydrate-probenecid capsules.

(a) * * *

(1) * * * Its loss on drying is not less than 8.5 percent and not more than 13.0 percent. * * *

(2) * * *

(3) * * *

(i) * * *

(*c*) The batch for ampicillin content, probenecid content, and loss on drying.

* * * * *

§ 440.157 [Revoked]

c. Section 440.157 *Penicillin V benzathine oral suspension* is revoked.

PART 442—CEPHA ANTIBIOTIC DRUGS

3. Part 442 is amended:

a. In § 442.40, the diagram in paragraph (b)(1)(ii) showing the arrangement of the apparatus and flow of samples and reagents in the hydroxylamine colorimetric assay was incorrectly drawn. Also, in the 1979 Code of Federal Regulations, the diagram erroneously appears under (b)(1)(ii)(*d*) *Preparation of sample solutions.* It should have been placed under (b)(1)(ii)(*e*) *Procedure.* This amendment, therefore, is editorially revising the text of paragraph (b)(1)(ii)(*e*) to more clearly show the correct placement of the diagram and is printing the corrected diagram, to read as follows:

§ 442.40 Cephradine.

* * * * *

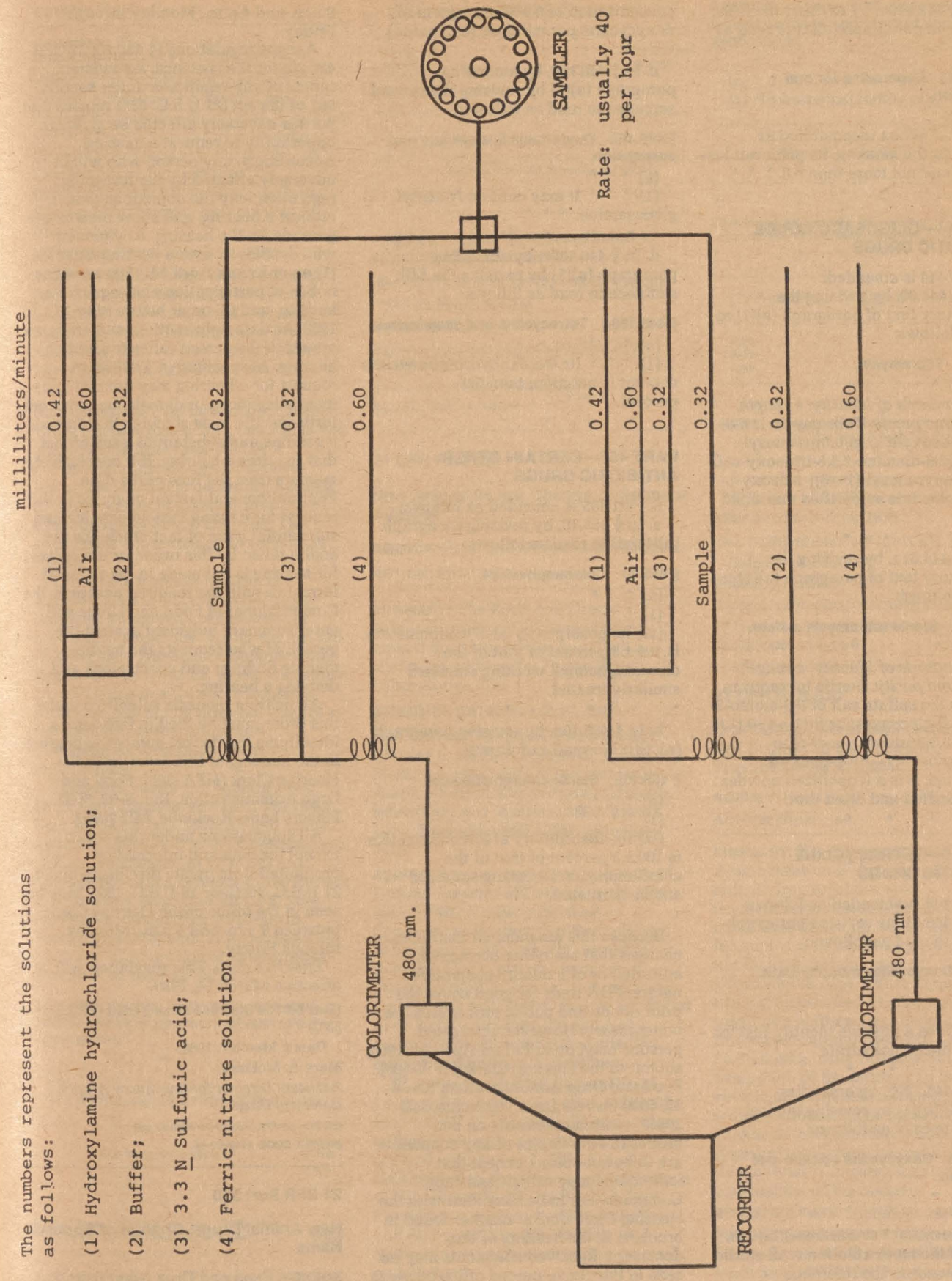
(b) * * *

(1) * * *

(ii) * * *

(*e*) *Procedure.* Use the standard and sample solutions prepared as indicated in paragraph (b)(1)(ii) (*c*) and (*d*) of this section, respectively. The arrangement of the apparatus and flow of samples and reagents are shown in the manifold diagram set forth in this paragraph (b)(1)(ii)(*e*). The sampler rate is usually 40 per hour, but may be varied.

BILLING CODE 4110-03-M



The numbers represent the solutions as follows:

(1) Hydroxylamine hydrochloride solution;

(2) Buffer;

(3) 3.3 N Sulfuric acid;

(4) Ferric nitrate solution.

BILLING CODE 4110-03-C

b. In § 442.140a, by revising the fifth sentence in paragraph (a)(1) to read as follows:

§ 442.140a Cephradine for oral suspension.

(a) * * *

(1) * * * When reconstituted as directed in the labeling, its pH is not less than 3.5 and not more than 6.0. * * *

* * * * *

PART 444—OLIGOSACCHARIDE ANTIBIOTIC DRUGS

4. Part 444 is amended:

a. In § 444.80, by revising the introductory text of paragraph (a)(1) to read as follows:

§ 444.80 Tobramycin.

(a) * * *

(1) *Standards of identity, strength, quality, and purity.* Tobramycin is *0*-3-amino-3-deoxy-α-*D*-glucopyranosyl-(1→4)-*0*-[2,6-diamino-2,3,6-trideoxy-α-*D*-*ribo*-hexopyranosyl-(1→6)]-2-deoxy-L-streptamine. It is so purified and dried that:

* * * * *

b. In § 444.81a, by revising the introductory text of paragraph (a)(1) to read as follows:

§ 444.81a Sterile tobramycin sulfate.

(a) * * *

(1) *Standards of identity, strength, quality, and purity.* Sterile tobramycin sulfate is the sulfate salt of *0*-3-amino-3-deoxy-α-*D*-glucopyranosyl-(1→4)-*0*-[2,6-diamino-2,3,6-trideoxy-α-*D*-*ribo*-hexopyranosyl-(1→6)]-2-deoxy-L-streptamine. It is a lyophilized powder. It is so purified and dried that:

* * * * *

PART 446—TETRACYCLINE ANTIBIOTIC DRUGS

5. Part 446 is amended as follows:

a. In § 446.21, by revising paragraph (a)(1)(vi) to read as follows:

§446.21 Doxycycline monohydrate.

(a) * * *

(1) * * *

(vi) It gives a positive identity test for doxycycline monohydrate.

* * * * *

b. In § 446.120b, by amending paragraph (b)(1) by revising the last sentence to read as follows:

§ 446.120b Doxycycline calcium oral suspension.

* * * * *

(b) * * *

(1) *Potency.* * * * Further dilute an aliquot of the stock solution with sterile distilled water to the reference concentration of 0.100 microgram of doxycycline per milliliter (estimated).

* * * * *

c. In § 446.166, by amending paragraph (a)(1) by revising the second sentence to read as follows:

§ 446.166 Oxytetracycline calcium oral suspension.

(a) * * *

(1) * * * It may contain *N*-acetyl glucosamine. * * *

* * * * *

d. In § 446.180c, by amending paragraph (a)(1) by revising the fifth sentence to read as follows:

§ 446.180c Tetracycline oral suspension.

(a) * * *

(1) * * * Its 4-epianhydrotetracycline content is not more than 5.0 percent. * * *

* * * * *

PART 455—CERTAIN OTHER ANTIBIOTIC DRUGS

6. Part 455 is amended as follows:

a. In § 455.10, by revising paragraph (a)(1)(vi) to read as follows:

§ 455.10 Chloramphenicol.

(a) * * *

(1) * * *

(vi) Its absorptivity at 278 nanometers is 100±3 percent of that of the chloramphenicol working standard similarly treated.

* * * * *

b. In § 455.10a, by revising paragraph (a)(1)(ix) to read as follows:

§ 455.10a Sterile chloramphenicol.

(a) * * *

(1) * * *

(ix) Its absorptivity at 278 nanometers is 100±3 percent of that of the chloramphenicol working standard similarly treated.

* * * * *

Because this amendment institutes changes that are either corrective, editorial, or of a minor substantive nature, FDA finds for good cause that prior notice and public procedures are unnecessary. However, interested persons may, on or before April 14, 1980, submit to the Hearing Clerk (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857, written comments on this proposal. Four copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the Hearing Clerk docket number found in brackets in the heading of this document. Received comments may be seen in the above-named office between 9 a.m. and 4 p.m., Monday through Friday.

Agency regulations (§ 430.20; 21 CFR 430.20) for the issuance, amendment, or repeal of any regulation under section 507 of the act (21 U.S.C. 357) require that parties adversely affected be given an opportunity to request a hearing. Accordingly, any person who will be adversely affected by the foregoing regulation may file objections to it, request a hearing, and show reasonable grounds for the hearing. Any person who decides to seek a hearing must file (1) on or before April 14, 1980 a written notice of participation and request for hearing, and (2) on or before May 13, 1980 the data, information, and analyses on which the person relies to justify a hearing, as specified in § 430.20. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for hearing that no genuine and substantial issue of fact precludes the action taken by this order, or if a request for hearing is not made in the required format or with the required analyses, the Commissioner of Food and Drugs will enter summary judgment against the person(s) who requests the hearing, making findings and conclusions and denying a hearing.

All hearing requests submitted under this order must be filed in five copies, identifying the docket number appearing in the heading of this order, with the Hearing Clerk (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

All submissions under this order, except for data and information prohibited from public disclosure under 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk, between 9 a.m. and 4 p.m., Monday through Friday.

Effective date. This regulation will be effective March 14, 1980.

(Sec. 507, 59 Stat. 463 as amended (21 U.S.C. 357))

Dated: March 7, 1980.

Mary A. McEniry,

Assistant Director for Regulatory Affairs, Bureau of Drugs.

[FR Doc. 80-7716 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-03-M

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21 CFR Part 510

New Animal Drugs; Change of Sponsor Name

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulations to reflect the change of sponsor for several new animal drug applications (NADA's) from Carter-Glogau Laboratories Division, Chromalloy Pharmaceuticals, Inc., to Carter-Glogau Laboratories, Inc. Supplemental NADA's filed by Carter-Glogau Laboratories, Inc., provide for this change.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Jack C. Taylor, Bureau of Veterinary Medicine (HFV–136), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–5247.

SUPPLEMENTARY INFORMATION: Carter-Glogau Laboratories, Inc., has submitted supplements to several NADA's providing for the change of sponsor name. This action is necessary because of the purchase of Carter-Glogau from Chromalloy by Revco D.S., Inc. The regulations are amended to reflect the change.

This intercorporate transfer of NADA's does not involve changes in facilities, equipment, procedures, or production personnel. Under the Bureau of Veterinary Medicine's Supplemental Approval Policy (42 FR 64367, December 23, 1977), this is a Category I change; therefore, this action does not require a reevaluation of the safety and effectiveness data in the parent applications.

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 510 is amended in § 510.600 in paragraph (c) (1) and (2) by revising the entry for "Carter-Glogau Laboratories Division" to read as follows:

§ 510.600 Names, addresses, and drug labeler codes of sponsors of approved applications.

* * * * *

(c) * * *

(1) Alphabetical listing of sponsors.

Firm name and address	Drug labeler code
* * * * *	
Carter-Glogau Laboratories, Inc., 5160 West Bethany Home Rd., Glendale, AZ 85301	000381
* * * * *	

(2) Numerical listing of sponsors

Drug labeler code	Firm name and address
* * * * *	
000381	Carter-Glogau Laboratories, Inc., 5160 West Bethany Home Rd., Glendale, AZ 85301.
* * * * *	

Effective date. This amendment is effective March 14, 1980.

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

Dated: March 5, 1980.

Donald A. Gable,

Deputy Associate Director for Scientific Evaluation.

[FR Doc. 80-7579 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 510

New Animal Drugs; Change of Sponsor Address

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulations to reflect a change of address for Burns-Biotec Laboratories, Inc.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Charles E. Haines, Bureau of Veterinary Medicine (HFV–138), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3410.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of December 18, 1979 (44 FR 74818), FDA published a document indicating that Burns-Biotec Laboratories, Inc., wholly owned by Schering Corp., was the sponsor of several NADA's. The regulations were amended to reflect the change, but failed to reflect the appropriate sponsor address. This document amends the regulation to reflect that address.

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 510 is amended in § 510.600(c)(1) and (2) by revising the address for Burns-Biotec Laboratories, Inc., to read as follows:

§ 510.600 Names, addresses, and drug labeler codes of sponsors of approved applications.

* * * * *

(c) * * *

(1) Alphabetical listing of sponsors.

Firm name and address	Drug labeler code
* * * * *	
Burns-Biotec Laboratories, Inc., 8530-8536 K St., P.O. Box 3113, Omaha, NE 68103	000845
* * * * *	

(2) Numerical listing of sponsors.

Drug labeler code	Firm name and address
* * * * *	
000845	Burns-Biotec Laboratories, Inc., 8530-8536 K St., P.O. Box 3113, Omaha, NE 68103.
* * * * *	

Effective date. This amendment is effective March 14, 1980.

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

Dated: March 7, 1980.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 80-7709 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 520

Oral Dosage Form New Animal Drugs Not Subject to Certification; Triamcinolone Tablets

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulations for triamcinolone tablets to indicate those conditions of use for which applications for approval of identical products need not include certain types of effectiveness data. These conditions of use were classified as effective as a result of a National Academy of Sciences/National Research Council (NAS/NRC), Drug Efficacy Study Group evaluation of the product. In lieu of certain effectiveness data, approval may require submission of bioequivalence or similar data. A previous **Federal Register** publication has reflected that this product is in compliance with the conclusions of the review.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Henry C. Hewitt, Bureau of Veterinary Medicine (HFV–110), Food and Drug

Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3430.

SUPPLEMENTARY INFORMATION: The NAS/NRC review of this product was published in the **Federal Register** of April 12, 1969 (34 FR 6447). In that document, the Academy concluded, and FDA concurred, that the product was effective when used as an anti-inflammatory agent in dogs and cats.

That announcement was issued to inform holders of new animal drug applications (NADA's) of the findings of the Academy and the agency, and to inform all interested persons that such articles could be marketed if they were the subject of approved NADA's and otherwise complied with the requirements of the Federal Food, Drug, and Cosmetic Act.

American Cyanamid Co., P.O. Box 400, Princeton, NJ 08540 responded to the notice by submitting a supplemental NADA (12–103V) providing current information covering manufacturing and controls and revising the labeling for the safe and effective use of the product in dogs and cats for its anti-inflammatory activity. The supplemental application was approved by a regulation published in the **Federal Register** of November 16, 1971 (36 FR 21809). The regulation reflecting this approval established a new section for the drug in 21 CFR 135c.55, recodified at 21 CFR 520.2480. The new section did not specify those conditions of use that were NAS/NRC approved.

This document amends the regulations to indicate those conditions of use for which applications for approval of identical products need not include certain types of effectiveness data required for approval by § 514.111(a)(5(vi) of the new animal drug regulations. In lieu of those data, approval of applications for such products may be obtained if bio-equivalency or similar data are submitted as suggested in the guideline for submitting NADA's for generic drugs reviewed by the NAS/NRC. The guideline is available from the office of the Hearing Clerk (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

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 § 520.2480 by adding after paragraph (c) (1), (2), (3), and (4) the footnote reference "[1]":

§ 520.2480 Triamcinolone tablets.

* * * * *

(c) *Conditions of use.* (1) * * * [1]

(2) * * * [1]

(3) * * * [1]

(4) * * * [1]

and by adding at the end of the section the footnote to read as follows:

[1] These conditions are NAS/NRC reviewed and deemed effective. Applications for these uses need not include effectiveness data as specified by § 514.111 of this chapter, but may require bioequivalency and safety information.

Effective date. This regulation shall be effective March 14, 1980.

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

Dated: March 7, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80–7710 Filed 3–13–80; 8:45 am]

BILLING CODE 4110–03–M

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21 CFR Part 522

Implantation or Injectable Dosage Form New Animal Drugs Not Subject to Certification; Oxytetracycline Injection

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The animal drug regulations are amended to reflect approval of a new animal drug application (NADA) filed by Pfizer, Inc., providing for use of a 200-milligrams-per-milliliter oxytetracycline injection for treating certain infections of cattle and swine.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Richard A. Carnevale, Bureau of Veterinary Medicine (HFV–125), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–1788.

SUPPLEMENTARY INFORMATION: Pfizer, Inc., 235 E. 42d St., New York, NY 10017, filed an NADA (113–232) providing for use of a 200-milligrams-per-milliliter oxytetracycline injection in swine for treating bacterial enteritis, pneumonia, and leptospirosis; in sows as an aid in controlling infectious enteritis in suckling pigs; and in beef cattle and nonlactating dairy cattle for treating pneumonia, shipping fever complex, foot-rot, diphtheria, bacterial enteritis, wooden tongue, leptospirosis, wound infections, and acute metritis. If labeled for use by or on the order of a licensed veterinarian, the drug may also be used in cattle for treating anaplasmosis and anthrax. This drug product is similar to Pfizer's 50-milligrams-per-milliliter oxytetracycline injection (NADA 8–769), which was evaluated by the National Academy of Sciences/National Research Council (NAS/NRC), Drug Efficacy Study Group. The drug was found to be effective at a dosage of 3 to 5 milligrams per pound (mg/lb) of body weight dosage level in cattle and swine for the above-mentioned disease conditions.

Pfizer has submitted crossover blood level studies establishing bioequivalency between the two product formulations. In addition to a greater drug concentration, the product of this approval provides for a single injection at 9 mg/lb of body weight as an alternative to repeated injections at the 5 mg/lb of body weight dosage level when treating anaplasmosis in cattle. Pfizer has established effectiveness for the single injection regimen through submission of the blood serum antibiotic titration studies, clinical, field, and supporting safety studies. Accordingly, the regulations are amended to add provisions for the 200 mg/ml formulation and its 9 mg/lb dosage regimen.

This approval poses no increased human risk from exposure to oxytetracycline residues because (1) the number of food-producing animals receiving medication will not significantly increase, and (2) the formulation does not change the approved dosage (3 to 5 mg/lb of body weight per day) of the drug except for providing a single dose regimen for treating anaplasmosis in cattle where re-treatment is impractical due to husbandry conditions. In addition, the approval enhances conditions for the drug's safe use in the target animals by reducing the number of injection sites from that currently required by the 50 mg/ml formulation. Accordingly, under the Bureau of Veterinary Medicine's supplemental approval policy (42 FR 64367; Dec. 23, 1977) the approval of this NADA has been treated as would an approval of a category II supplement and did not require reevaluation of the safety and effectiveness data in Pfizer's related NADA 8–769.

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) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information supporting approval of this application is available for public examination at the office of the Hearing Clerk (HFA–305), Rm. 4–62, 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))) 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 522 is amended by adding new § 522.1660 to read as follows:

§ 522.1660 Oxytetracycline injection.

(a) *Specifications.* Each milliliter of sterile solution contains 200 milligrams of oxytetracycline base.

(b) *Sponsor.* See 000069 in § 510.600(c) of this chapter.

(c) *Conditions of use*—(1) *Beef cattle and nonlactating dairy cattle*—(i) *Amount.* 3 to 5 milligrams of oxytetracycline per pound of body weight per day; 5 milligrams per pound of body weight per day for treatment of anaplasmosis, severe foot-rot, and advanced cases of other indicated diseases; 9 milligrams per pound of body weight as single dosage where re-treatment for anaplasmosis is impractical.

(ii) *Indications for use.* Treatment of diseases due to oxytetracycline-susceptible organisms as follows: Pneumonia and shipping fever complex associated with *Pasteurella* spp. and *Hemophilus* spp., foot-rot and diphtheria caused by *Fusobacterium necrophorum*, bacterial enteritis (scours) caused by *Escherichia coli*, wooden tongue caused by *Actinobacillus lignieresii*, leptospirosis caused by *Leptospira pomona*, and wound infections and acute metritis caused by *Staphylococcus* spp. and *Streptococcus* spp. If labeled for use by or on the order of a licensed veterinarian, it may also be used for treatment of anaplasmosis caused by *Anaplasma marginale* and anthrax caused by *Bacillus anthracis*.

(iii) *Limitations.* Administer intramuscularly or intravenously at 3 to 5 milligrams level; intramuscularly only at 9 milligrams level. Treatment of all diseases should be instituted early and continued for 24 to 48 hours beyond remission of disease symptoms, but not to exceed a total of 4 consecutive days. Consult your veterinarian if no improvement is noted within 48 hours. Do not inject more than 10 milliliters per site in adult cattle, reducing the volume according to age and body size to 1 to 2 milliliters in small calves. Exceeding the highest recommended dose, administering at recommended levels for more than 4 consecutive days, and/or exceeding 10 milliliters intramuscularly per injection site may result in antibiotic residues beyond the withdrawal time. Discontinue treatment at least 28 days prior to slaughter. Not for use in lactating dairy cattle.

(2) *Swine*—(i) *Amount.* 3 to 5 milligrams of oxytetracycline per pound of body weight per day. Sows: Administer once 3 milligrams of oxytetracycline per pound of body weight, approximately 8 hours before farrowing or immediately after completion of farrowing.

(ii) *Indications for use.* For treatment of bacterial enteritis (scours, colibacillosis) caused by *Escherichia coli*, pneumonia caused by *Pasteurella multocida*, and leptospirosis caused by *Leptospira pomona*. Sows: as an aid in control of infectious enteritis (baby pig scours, colibacillosis) in suckling pigs caused by *Escherichia coli*.

(iii) *Limitations.* Administer intramuscularly. Do not inject more than 5 milliliters per site in adult swine. Discontinue treatment at least 28 days prior to slaughter.

Effective date. March 14, 1980.

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

Dated: March 7, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80-7708 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-03-M

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21 CFR Part 522

Implantation or Injectable Dosage Form New Animal Drugs Not Subject to Certification; Oxytocin Injection

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The animal drug regulations are amended to reflect approval of a new animal drug application (NADA) filed by John D. Copanos, Inc., providing for safe and effective use of oxytocin injection for treatment of horses, cattle, swine, sheep, dogs, and cats.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Richard A. Carnevale, Bureau of Veterinary Medicine (HFV-123), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301-443-1788.

SUPPLEMENTARY INFORMATION: John D. Copanos, Inc., Baltimore, MD 21225, filed a NADA (49-552) providing for use of an injectable oxytocin (containing 20 USP units of the drug per milliliter) in horses, cattle, swine, sheep, dogs, and cats as a uterine contractor and in cattle and swine as a milk-releasing agent.

The product covered by NADA 49-552 is identical to the two oxytocin products that are subjects of the National Academy of Sciences/National Research Council, Drug Efficacy Study Group evaluation that published in the Federal Register of February 13, 1969 (34 FR 2146). In that publication, FDA agreed with the Academy's conclusion that the products are effective provided certain labeling revisions were made. Section 522.1680 *Oxytocin injection* (21 CFR 522.1680) reflects those labeling recommendations and specifies those conditions of use for which approval of identical products may require submission of bioequivalency data in lieu of certain types of efficacy data. The labeling for Copanos' product is in compliance with § 522.1680. Also, the firm has submitted data demonstrating bioequivalency between its product and the USP standard. Therefore, Copanos' application is approved on the basis of generic equivalence.

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 § 514.11(e)(2)(ii) (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. 4-62, 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))) 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 522 is amended in § 522.1680 by revising paragraph (b) to read as follows:

§ 522.1680 Oxytocin injection.

* * * * *

(b) *Sponsors.* See Nos. 000010, 000381, 000845, 000856, 010271, 012481, 015562, and 032420 in § 510.600(c) of this chapter.

* * * * *

Effective date. This amendment is effective March 14, 1980.

(Sec. 512(1), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: March 7, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80-7711 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-03-M

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21 CFR Part 522

Implantation or Injectable Dosage Form New Animal Drugs Not Subject to Certification; Sterile Prednisolone Suspension

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulations for sterile prednisolone suspension to indicate those conditions of use for which applications for approval of identical products need not include certain types of effectiveness data. These conditions of use were classified as effective as a result of a National Academy of Sciences/National Research Council (NAS/NRC), Drug Efficacy Study Group evaluation of the product. In lieu of certain effectiveness data, approval may require submission of bioequivalence or similar data. A previous **Federal Register** publication has reflected that this product is in compliance with the conclusions of the review.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Henry C. Hewitt, Bureau of Veterinary Medicine (HFV–110), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3430.

SUPPLEMENTARY INFORMATION: The NAS/NRC review of this product was published in the **Federal Register** of April 12, 1969 (34 FR 6447). In that document, the Academy concluded, and FDA concurred, that the product was effective as an anti-inflammatory agent for use in certain animals.

That announcement was issued to inform holders of new animal drug applications (NADA's) of the findings of the Academy and the FDA, and to inform all interested persons that such articles could be marketed if they were the subject of approved NADA's and otherwise complied with the requirements of the Federal Food, Drug, and Cosmetic Act.

Maurry Biological Co., Inc., 6109 South Western Avenue, Los Angeles, California 90047, responded to the notice by submitting a supplemental NADA (12–444) providing current information covering manufacturing and controls and revising the labeling for the safe and effective use of the product as an anti-inflammatory agent in dogs, horses, and cats. The supplemental application was approved by a regulation published in the **Federal Register** of May 11, 1973 (38 FR 12399). The regulations reflecting this approval established a new section for the drug in 21 CFR 135b.92, recodified at 21 CFR 522.1880. The new section did not specify those conditions of use that were NAS/NRC approved.

This document amends the regulations to indicate those conditions of use for which applications for approval of identical products need not include certain types of effectiveness data required for approval by § 514.111(a)(5)(vi) of the new animal drug regulations. In lieu of those data, approval of applications for such products may be obtained if bioequivalency or similar data are submitted as suggested in the guideline for submitting NADA's for generic drugs reviewed by the NAS/NRC. The guideline is available from the office of the Hearing Clerk (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville MD 20857.

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 522 is amended in § 522.1880 by adding after paragraph (c) (1), (2), (4), and (5) the footnote reference "[1]":

§ 522.1880 Sterile prednisolone suspension.

* * * * *

(c) *Conditions of use.* (1) * * * [1]
(2) * * * [1]

* * * * *

(4) * * * [1]
(5) * * * [1]

and by adding at the end of the section the footnote to read as follows:

[1] These conditions are NAS/NRC reviewed and deemed effective. Applications for these uses need not include effectiveness data as specified by § 514.111 of this chapter, but may require bioequivalency and safety information.

Effective date. This regulation shall be effective March 14, 1980.

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

Dated: March 7, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80–7713 Filed 3–13–80; 8:45 am]

BILLING CODE 4110–03–M

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21 CFR Part 522

Implantation or Injectable Dosage Form New Animal Drugs Not Subject to Certification; Prednisolone Sodium Succinate

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: This document amends the regulation for prednisolone sodium succinate injection to indicate those conditions of use for which applications for approval of identical products need not include certain types of effectiveness data. These conditions of use were classified as effective as a result of a National Academy of Sciences/National Research Council (NAS/NRC), Drug Efficacy Study Group evaluation of the product. In lieu of certain effectiveness data, approval may require submission of bioequivalence or similar data. A previous **Federal Register** publication has reflected that this product is in compliance with the conclusions of the review.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Henry C. Hewitt, Bureau of Veterinary Medicine (HFV–110), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3430.

SUPPLEMENTARY INFORMATION: The NAS/NRC review of this product was published in the **Federal Register** of April 12, 1969 (34 FR 6447). In that document, the Academy concluded, and FDA concurred, that the product was effective as an anti-inflammatory agent for use in certain animals.

That announcement was issued to inform holders of new animal drug applications (NADA's) of the findings of the Academy and the agency, and to inform all interested persons that such articles could be marketed if they were the subject of approved NADA's and otherwise complied with the requirements of the Federal Food, Drug, and Cosmetic Act. The Upjohn Co., Kalamazoo, MI 49001, responded to the notice by submitting a supplemental NADA (11–593V) providing current information covering manufacturing and controls and revising the labeling for the safe and effective use of the product as an anti-inflammatory agent in dogs, cats, and horses. The supplemental application was approved by a regulation published in the **Federal Register** of January 22, 1973 (38 FR 2174). The regulation reflecting this approval established a new section for the drug in 21 CFR 135b.35, recodified at 21 CFR 522.1884. The new section did not specify those conditions of use that were NAS/NRC approved.

This document amends the regulations to indicate those conditions of use for which applications for approval of identical products need not include certain types of effectiveness data required for approval by § 514.111(a)(5)(vi) of the new animal drug regulations. In lieu of those data, approval of applications for such products may be obtained if bioequivalency or similar data are submitted as suggested in the guideline for submitting NADA's for generic drugs reviewed by the NAS/NRC. The guideline is available from the office of the Hearing Clerk (HFA–305), Food and

Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

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 522 is amended in § 522.1884 by adding after paragraph (d) (1), (2), and (3) the footnote reference [1] and by adding at the end of the section the footnote to read as follows:

§ 522.1884 Prednisolone sodium succinate injection.

* * * * *

(d) *Conditions of use.* (1) [1] * * *

(2) * * * [1]

(3) * * * [1]

[1] These conditions are NAS/NRC reviewed and deemed effective. Applications for these uses need not include effectiveness data as specified by § 514.111 of this chapter, but may require bioequivalency and safety information.

Effective date. This regulation shall be effective March 14, 1980.

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

Dated: March 7, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80–7714 Filed 3–13–80; 8:45 am]

BILLING CODE 4110–03–M

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21 CFR Part 522

Implantation or Injectable Dosage Form New Animal Drugs Not Subject to Certification; Phenylbutazone Injection

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulation for phenylbutazone injection to indicate those conditions of use for which applications for approval of identical products need not include certain types of effectiveness data. These conditions of use were classified as effective as a result of a National Academy of Sciences/National Research Council (NAS/NRC), Drug Efficacy Study Group evaluation of the product. In lieu of certain effectiveness data, approval may require submission of bioequivalence or similar data. An earlier Federal Register publication has reflected that this product is in compliance with the conclusions of the review.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Henry C. Hewitt, Bureau of Veterinary Medicine (HFV–110), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3430.

SUPPLEMENTARY INFORMATION: The NAS/NRC review of this product was published in the Federal Register of August 12, 1970 (35 FR 12790). In that document, the Academy concluded, and FDA concurred, that the product was probably effective as a nonhormonal anti-inflammatory agent for use in horses and dogs.

That announcement was issued to inform holders of new animal drug applications (NADA's) of the findings of the Academy and the agency, and to inform all interested persons that such articles could be marketed if they were the subject of approved NADA's and otherwise complied with the requirements of the Federal Food, Drug, and Cosmetic Act.

Jensen-Salsbery Laboratories, Division of Burroughs Wellcome Co., Kansas City, MO 64141, responded to the notice by submitting a supplemental NADA (11–575V) providing current information covering manufacturing and controls and revising the labeling for the safe and effective use of the product for the relief of inflammatory conditions associated with the musculoskeletal system in dogs and horses. The supplemental application was approved by a regulation published in the Federal Register of May 26, 1972 (37 FR 10662). The regulations reflecting this aproval established a new section for the drug in 21 CFR 135b.47, recodified at 21 CFR 522.1720. The new section did not specify those conditions of use that were NAS/NRC approved.

This document amends the regulations to indicate those conditions of use for which applications for approval of identical products need not include certain types of effectiveness data required for approval by § 514.111(a)(5)(vi) of the new animal drug regulations. In lieu of those data, approval of applications for such products may be obtained if bioequivalency of similar data are submitted as suggested in the guideline for submitting NADA's for generic drugs reviewed by the NAS/NRC. The guideline is available from the office of the Hearing Clerk (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

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 522 is amended in § 522.1720 by adding after paragraph (c) (1), (2), and (3) and (d) (1), (2), (3), and (4) the footnote reference [1]

§ 522.1720 Phenylbutazone injection.

* * * * *

(c) *Conditions of use for dogs.* (1) * * * [1]

(2) * * * [1]

(3) * * * [1]

(d) *Conditions of use for horses.* (1) * * * [1]

(2) * * * [1]

(3) * * * [1]

(4) * * * [1]

and by adding at the end of the section the footnote to read as follows:

[1] These conditions are NAS/NRC reviewed and deemed effective. Applications for these uses need not include effectiveness data as specified by § 514.111 of this chapter, but may require bioequivalency and safety information.

Effective date. This regulation shall be effective March 14, 1980.

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

Dated: March 7, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80–7715 Filed 3–13–80; 8:45 am]

BILLING CODE 4110–03–M

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21 CFR Part 522

Chloral Hydrate, Pentobarbital, and Magnesium Sulfate Injection

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is revoking that portion of the animal drug regulations reflecting approval of a new animal drug application (NADA) providing for use of Equi-Thesin injection as an anesthetic in horses and cattle. The withdrawal of approval has been requested by the sponsor, Jensen-Salsbery Laboratories, Division of Burroughs Wellcome Co.

EFFECTIVE DATE: March 24, 1980.

FOR FURTHER INFORMATION CONTACT: Walter L. Sessions, Bureau of Veterinary Medicine (HFV–216), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4093.

SUPPLEMENTARY INFORMATION: In a notice published elsewhere in this issue of the Federal Register approval of NADA 5–909 is withdrawn. This document amends the regulations to delete that portion which reflects approval of the NADA.

§ 522.380 [Amended]

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345–347 (21 U.S.C. 360b(e))) 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 5.84), Part 522 is amended in § 522.380 *Chloral hydrate, pentobarbital, and magnesium sulfate sterile aqueous solution* by revoking paragraph (a) and reserving it for future use.

Effective date. This regulation shall be effective March 24, 1980.

(Sec. 512(e), 82 Stat. 345–347 (21 U.S.C. 360b(e)).)

Dated: March 7, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80-7718 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 540

Penicillin Antibiotic Drugs for Animal Use; Procaine Penicillin G in Oil

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulation for procaine penicillin G in oil to indicate those conditions of use for which applications for approval of identical products need not include certain types of effectiveness data. These conditions of use were classified as effective as a result of a National Academy of Sciences/National Research Council (NAS/NRC) Drug Efficacy Study Group evaluation of the product. In lieu of certain effectiveness data, approval may require submission of bioequivalence or similar data. An earlier **Federal Register** publication has reflected that this product is in compliance with the conclusions of the review.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Henry C. Hewitt, Bureau of Veterinary Medicine (HFV–110), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3430.

SUPPLEMENTARY INFORMATION: The NAS/NRC review of this product was published in the **Federal Register** of August 25, 1970 (35 FR 13536). In that document, the Academy concluded, and FDA concurred, that the product was probably effective for the treatment of animal diseases when such diseases are caused by pathogens sensitive to penicillin.

That announcement was issued to inform holders of new animal drug applications (NADA's) of the findings of the Academy and the agency, and to inform all interested persons that such articles could be marketed if they were the subject of approved NADA's and otherwise complied with the requirements of the Federal Food, Drug, and Cosmetic Act.

E. R. Squibb & Sons, Inc., P.O. Box 4000, Princeton, NJ 08540, responded to the notice by submitting a supplemental NADA (65–130V) providing current information covering manufacturing and controls and revising the labeling for the safe and effective use of the product for the treatment of infections caused by penicillin-susceptible organisms in dogs, cats, and horses. The supplemental application was approved by a regulation published in the **Federal Register** of October 26, 1973 (38 FR 29578). The regulations reflecting this approval established a new section for the drug in 21 CFR 135b.96, recodifed at 21 CFR 540.274c. The new section did not specify those conditions of use that were NAS/NRC approved.

This document amends the regulations to indicate those conditions of use for which applications for approval of identical products need not include certain types of effectiveness data required for approval by § 514.111(a)(5)(vi) of the new animal drug regulations. In lieu of those data, approval of applications for such products may be obtained if bioequivalency or similar data are submitted as suggested in the guideline for submitting NADA's for generic drugs reviewed by the NAS/NRC. The guideline is available from the office of the Hearing Clerk (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

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 540 is amended in § 540.274c by adding after paragraph (c)(3) (i), (ii), and (iii) the footnote reference "[1]" and by adding at the end of the section the footnote to read as follows:

§ 540.274c Procaine penicillin G in oil.

* * * * *

(c) * * *

(3) * * *

(i) * * * [1]

(ii) * * * [1]

(iii) * * * [1]

[1] These conditions are NAS/NRC reviewed and deemed effective. Applications for these uses need not include effectiveness data as specified by § 514.111 of this chapter, but may require bioequivalency and safety information.

Effective date. This regulation shall be effective March 14, 1980.

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

Dated: March 7, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80-7712 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Lasalocid Sodium

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by Hoffmann-La Roche, Inc., providing for safe and effective use of a 50 percent lasalocid sodium premix, in addition to the currently approved 15 and 20 percent lasalocid premixes, to be used in making complete chicken feeds.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Adriano R. Gabuten, Bureau of Veterinary Medicine (HFV–149), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4313.

SUPPLEMENTARY INFORMATION: Hoffmann-La Roche, Inc., Nutley, NJ 07110, filed a supplemental NADA (96–298) providing for the use of a 50 percent lasalocid sodium premix in addition to the currently approved 15 and 20 percent premixes. In accordance with the current animal drug regulations, these premixes are used to make complete chicken feeds containing 68 to 113 grams per ton of lasalocid for the prevention of certain forms of coccidiosis.

The Bureau of Veterinary Medicine (BVM) concludes that approval of this supplemental NADA poses no increased human risk from exposure to residues of the new animal drug, lasalocid sodium, because the higher concentration premix will be diluted to currently regulated levels in complete chicken feeds. Accordingly, under BVM's supplemental approval policy, published in the **Federal Register** of December 23, 1977

(42 FR 64367), this approval did not require reevaluation of the safety and effectiveness data in the parent application.

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 Director of the Bureau of Veterinary Medicine (21 CFR 5.83), Part 558 is amended in § 558.311 by revising paragraph (b) to read as follows:

§ 558.311 Lasalocid sodium.

* * * * *

(b) *Approvals.* Premix levels of 68, 90.7, and 226.8 grams per pound of lasalocid sodium activity are granted to No. 000004 in § 510.600(c) of this chapter.

* * * * *

Effective date. This regulation is effective March 14, 1980.

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

Dated: March 6, 1980.

Robert A. Baldwin,

Acting Associate Director for Scientific Evaluation.

[FR Doc. 80-7705 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-03-M

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21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Bambermycins

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by American Hoechst Corp. providing for an increased maximum level of bambermycins in feed supplements that are used to make finished growing-finishing swine feeds.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Adriano R. Gabuten, Bureau of Veterinary Medicine (HFV-149), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4913.

SUPPLEMENTARY INFORMATION: American Hoechst Corp., Rt. 202-206 North, Somerville, NJ 08876, filed a supplemental NADA (44-759) providing for an increase in the maximum level of bambermycins in feed supplements from 40 grams per ton to 80 grams per ton. The supplemental feeds are used to make finished growing-finishing swine feeds. The resulting finished feeds are indicated for increased rate of weight gain and improved feed efficiency or solely for the former indication.

The Bureau of Veterinary Medicine concludes that approval of this supplemental application poses no increased human risk from exposure to residues of the new animal drug bambermycins, because the number of food-producing animals receiving medication will not significantly increase as a result of this approval and because the drug dosage level in finished feeds is unchanged. Accordingly, under the Bureau's supplemental NADA approval policy (see the **Federal Register** of December 23, 1977 (42 FR 64367)), this Category II approval did not require a reevaluation of the safety and efficacy data supporting the parent application.

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) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information supporting approval of this application is available for public examination at the office of the Hearing Clerk (HFA-305), Food and Drug Administration, Rm. 4-62, 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))) 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 558 is amended in § 558.95 by revising paragraph (d)(2) to read as follows:

§ 558.95 Bambermycins.

* * * * *

(d) * * *

(2) Feed supplements containing not more than 80 grams of bambermycins per ton used to make finished growing-finishing swine feeds containing bambermycins as the sole drug and conforming to paragraph (e)(2) of this section.

Effective date. This amendment is effective March 14, 1980.

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

Dated: March 5, 1980.

Donald A. Gable,

Deputy Associate Director for Scientific Evaluation.

[FR Doc. 80-7581 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-03-M

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21 CFR Part 1050

[Docket No. 76N-0034]

Ultrasonic Therapy Products; Correction

AGENCY: Food and Drug Administration.

ACTION: Final rule; correction.

SUMMARY: In FR Doc. 78-4367 appearing at page 7166 in the **Federal Register** of Friday, February 17, 1978, on page 7172, Part 1050 is corrected in § 1050.10 *Ultrasonic therapy products* by changing the authority citation at the end of the section to read "(Sec. 358, 82 Stat. 1177-1179 (42 U.S.C. 263f).)"

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Agnes B. Black, Federal Register Writer's Office (HFC-11), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301-443-2994.

Dated: March 6, 1980.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 80-7717 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-03-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 5

[T.D. 7685]

Corporations Filing Consolidated Returns Subject to at Risk Limitiitions Under Section 465

AGENCY: Internal Revenue Service, Treasury.

ACTION: Temporary regulations.

SUMMARY: This document contains temporary regulations relating to the at risk limitations as they affect an affiliated group that files a consolidated return. Changes to the applicable law were made by the Tax Reform Act of 1976 and the Revenue Act of 1978. The regulations would provide the public with the guidance needed to comply with the Acts and would affect certain closely-held corporations that join with their subsidiaries in filing a consolidated return.

DATES: The amendments are effective for taxable years for which the due date (without extensions) for filing returns is after March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Lawrence M. Axelrod of the Legislation and Regulations Division, Office of the

Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, D.C. 20224, Attention CC:LR:T (202–566–3458, not a toll-free call).

SUPPLEMENTARY INFORMATION:

Background

This document contains temporary regulations relating to the at risk limitations under section 465, as amended by section 202 of the Revenue Act of 1978 with respect to the effect of those limitations on corporations that join with their subsidiaries in filing a consolidated return. The temporary regulations provided by this document will remain in effect until superseded by final regulations on this subject.

Under section 465, as amended by the Revenue Act of 1978, a corporation which meets the stock ownership test for a personal holding company may deduct losses attributable to any of its activities (other than the holding of real estate and equipment leasing) only to the extent that it has amounts at risk in the activity. In general, the stock ownership test is met if 50 percent in value of a corporation's outstanding stock is owned, directly or indirectly, by not more than five individuals. Prior to the Revene Act of 1978, section 465, as enacted by the Tax Reform Act of 1976, applied the at risk limitations only to corporations that were either personal holding companies or Subchapter S corporations. Under section 542, a corporation is a personal holding company if it satisfies two requirements, an adjusted ordinary gross income requirement and a stock ownership requirement. Section 202 of the Revenue Act of 1978 amended section 465 to apply the at risk limitations to all corporations that satisfy the stock ownership test, regardless of whether the adjusted gross income test is met. The Report of the House Ways and Means Committee states that, in the case of an affiliated group, revised section 465 is to apply to all corporations in the group if it applies to the common parent. H.R. Rep. No. 95–1445, 95th Cong., 2d Sess. 69 (1978).

The Treasury Department understands that taxpayers are actively considering a transaction or plan to avoid the at risk limitations. Under the plan, a corporation forms a subsidiary with a nominal capital investment, the subsidiary goes at risk in some activity, and the corporation uses losses of the subsidiary through the filing of a consolidated return. It is claimed that since the subsidiary is technically "at risk" in the activity, deductions are not barred by section 465.

If an activity is conducted directly by the parent without risk, section 465 disallows the corporation from deducting any loss from the activity. To permit a corporation to receive the tax benefit of such a loss, in a case in which the activity is conducted by a subsidiary (without any true economic risk) and the corporation and subsidiary file a consolidated return, would frustrate the congressional mandate embodied in section 465.

Under section 1502, the Secretary is delegated broad power to prescribe regulations in order that the tax liability of any affiliated group of corporations making a consolidated return may be clearly reflected and in order to prevent avoidance of such tax liability. Under the temporary regulations, if a parent meets the stock ownership test for a personal holding company, a subsidairy's loss from an activity to which section 465 applies will be allowed as a deduction on a consolidated return only to the extent that the parent is at risk in the activity of a subsidiary, under the principles of section 465, as of the close of the subsidiary's taxable year.

Under section 1503(a), consolidated return regulations must be adopted before the due date of the return for a taxable year, to be effective for that year. Therefore, to be effective for taxable years ending on or after December 31, 1979, it is impracticable to issue the regulations under the usual notice procedures. The temporary regulations will be effective for taxable years for which the due date (without extensions) for filing returns is after March 14, 1980.

Drafting information

The principal author of this regulation is Lawrence M. Axelrod of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulations both on matters of substance and style.

Adoption of amendments to the regulations.

Part 5 of Title 26 of the Code of Federal Regulations is amended by adding a new § 5.1502–45 to read as follows:

PART 5—TEMPORARY INCOME TAX REGULATIONS UNDER THE REVENUE ACT OF 1978

§ 5.1502–45 Limitation on losses to amount at risk.

(a) *In general*—(1) *Scope.* This section applies to a loss of any subsidiary if the common parent's stock meets the stock ownership requirement described in section 465(a)(1)(C).

(2) *Limitation on use of losses.* Except as provided in paragraph (a)(4) of this section, a loss from an activity of a subsidiary during a consolidated return year is includible in the computation of consolidated taxable income (or consolidated net operating loss) and consolidated capital gain net income (or consolidated net capital loss) only to the extent the loss does not exceed the amount that the parent is at risk in the activity at the close of that subsidiary's taxable year. In addition, the sum of a subsidiary's losses from all its activities is includible only to the extent that the parent is at risk in the subsidiary at the close of that year. Any excess may not be taken into account for the consolidated return year but will be treated as a deduction allocable to that activity of the subsidiary in the first succeeding taxable year.

(3) *Amount parent is at risk in subsidiary's activity.* The amount the parent is at risk in an activity of a subsidiary is the lesser of (i) the amount the parent is at risk in the subsidiary or (ii) the amount the subsidiary is at risk in the activity. These amounts are determined under paragraph (b) of this section and the principles of section 465. See section 465 and the regulations thereunder and the examples in paragraph (e) of this section.

(4) *Excluded activities.* The limitation on the use of losses in paragraph (a)(2) of this section does not apply to a loss attributable to an activity described in section 465(c)(3)(D).

(5) *Substance over form.* Any transaction or arrangement between members (or between a member and a person that is not a member) which does not cause the parent to be economically at risk in an activity of a subsidiary will be treated in accordance with the substance of the transaction or arrangement notwithstanding any other provision of this section.

(b) *Rules for determining amount at risk*—(1) *Excluded amounts.* The amount a parent is at risk in an activity of a subsidiary at the close of the subsidiary's taxable year does not include any amount which would not be taken into account under section 465 were the subsidiary not a separate corporation. Thus, for example, if the

amount a parent is at risk in the activity of a subsidiary is attributable to nonrecourse financing, the amount at risk is not more than the fair market value of the property (other than the subsidiary's stock or debt or assets) pledged as security.

(2) *Guarantees.* If a parent guarantees a loan by a person other than a member to a subsidiary, the loan increases the amount the parent is at risk in the activity of the subsidiary.

(c) *Application of section 465.* This section applies in a manner consistent with the provisions of section 465. Thus, for example, the recapture of losses provided in section 465(e) applies if the amount the parent is at risk in the activity of a subsidiary is reduced below zero.

(d) *Other consolidated return provisions unaffected.* This section limits only the extent to which losses of a subsidiary may be used in a consolidated return year. This section does not apply for other purposes, such as § 1.1502–32 and § 1.1502–19, relating to investment in stock of a subsidiary and excess loss accounts, repectively. Thus, a loss which reduces a subsidiary's earnings and profits in a consolidated return year, but is disallowed as a deduction for the year by reason of this section, may nonetheless result in a negative adjustment to the basis of an owning member's stock in the subsidiary or create (or increase) an excess loss account.

(e) *Examples.* The provisions of this section may be illustrated by the examples in this paragraph (e). In each example, the stock ownership requirement of section 465(a)(1)(C) is met for the stock of the parent (P), and each affiliated group files a consolidated return on a calendar year basis and comprises only the members described.

Example (1). In 1979, P forms S with a contribution of $200 in exchange for all of S's stock. During the year, S borrows $400 from a commercial lender and P guarantees $100 of the loan. S uses $500 of its funds to acquire a motion picture film. S incurs a loss of $120 for the year with respect to the film. At the close of 1979, the amount P is at risk in S's activity is $300. If S has no gain or loss in 1980, and there are no contributions from or distributions to P, at the close of 1980 P's amount at risk in S's activity will be $180.

Example (2). P forms S–1 with a capital contribution of $1 on January 1, 1980. On February 1, 1980. S–1 borrows $100 with full recourse and contributes all $101 to its newly formed subsidiary S–2. S–2 uses the proceeds to explore for natural oil and gas resources. S–2 incurs neither gain nor loss from its explorations during the taxable year. As of December 31, 1980, P is at risk in the exploration activity of S–2 only to the extent of $1.

(f) *Effective date.* This section applies to consolidated return years ending on or after December 31, 1979.

There is a need for immediate guidance with respect to the provisions contained in this Treasury decision. For this reason, it is found impracticable to issue it with notice and public procedure under subsection (b) of section 553 of Title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

This Treasury decision is issued under the authority contained in sections 1502 and 7805 of the Internal Revenue Code of 1954 (68A Stat. 637, 917; 26 U.S.C. 1502, 7805).

Jerome Kurtz,

Commissioner of Internal Revenue.

Approved: March 11, 1980.

Donald C. Lubick,

Assistant Secretary of the Treasury.

[FR Doc. 80–8053 Filed 3–12–80; 12:16 pm]

BILLING CODE 4830–01–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 35

[FRL 1430–3]

State and Local Assistance; Grants for Construction of Treatment Works

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: This amendment to the construction grant regulations published on September 27, 1978 (43 FR 44022), allots to the States the $3.4 billion appropriated for fiscal year 1980 by Pub. L. 96–103 for the municipal wastewater treatment works construction grant program. The Senate report on the Appropriations Act includes an allocation implementing Section 205(e) of the Clean Water Act (the Act) which establishes a one-half of one percent allotment floor for all States except American Samoa, Guam, the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Virgin Islands. This allotment is the same as that in the Senate report.

DATES: This rule is effective March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Harold P. Cahill, Jr., Director, Municipal Construction Division (WH–547), Environmental Protection Agency, Room 1219 East Tower, Waterside Mall, 401 M Street SW., Washington, D.C. 20460, phone 202–426–8986.

SUPPLEMENTARY INFORMATION:

Allotment and Implementation of Section 205(e) for Fiscal Year 1980. As required under Section 205(c) of the Clean Water Act, on January 10, 1978, EPA allotted authorizations under Section 207 of the Act for construction grants for Fiscal Years 1978 through 1981. The amounts allotted are shown in § 35.910–8. Under Section 207 of the Act, all such authorizations are subject to the amounts actually appropriated. In Title II of the Department of Housing & Urban Development-Independent Agencies Appropriation Act, 1980 (Pub. L. 96–103, November 5, 1979), Congress appropriated $3.4 billion for Fiscal Year 1980. This amendment to the regulations establishes allotments based on the amount actually appropriated.

The Clean Water Act contains two authorizations for construction grants: an overall authorization in Section 207 to cover allotments of funds among all the States under Section 205(c), and a specific additional authorization in Section 205(e) to provide an allotment floor of one-half of one percent for 12 States whose allotment ratios under Section 205(c) are less than that amount. The Senate report on the Appropriations Act includes a table of allotments which provides for the implementation of Sections 205 (c) and (e) (Senate Report No. 96–258, p. 43).

The figures in the Senate Report were computed as follows: The single appropriation was divided into $3,352,891,869 for basic allotments under Section 205(c), and $47,108,131 to meet the minimum allotments under Section 205(e). Those amounts were determined as follows:

1. Total amount necessary to implement 205(e) based on Clean Water Act authorization of $4,500,000,000 is $63,225,000. This amount was determined by adding the difference between the 205(c) allotments and one-half of one percent of the 205(c) authorization for the 12 States with allotments of less than one-half of one percent. ($4.5 billion) (.005) = $22,400,000.

2. Relationship of total amount necessary to 205(c) authorization.

$$\frac{\$4,563,225,000}{\$4,500,000,000} = 1.01405$$

3. Since the total appropriation was less than $4,563,225,000 a base 205(e) amount must be determined. This can be done by dividing the $3.4 billion appropriated by 1.01405.

$$\frac{\$3,400,000,000}{1.01405} = \$3,352,891,869 \text{ for } 205(c)$$

4. The balance is available for 205(e)

$3,400,000,000
−$3,352,891,869

$47,108,131 for 205(e)

Thus, no State will receive less than one-half of one percent of $3,352,891,869 or $16,764,500 (except for American Samoa, Guam, the Trust Territory of Pacific Islands, the Northern Mariana Islands, and the Virgin Islands, which are authorized a lower amount by law).

Effective Date. This rule allots the FY 1980 construction grant appropriation in accordance with the Appropriation Act and is essentially a technical amendment to the construction grant regulations. Therefore, notice and public comment is unnecessary, and good cause exists to make the regulation effective immediately.

Dated: March 10, 1980.

Douglas M. Costle,

Administrator.

40 CFR, Part 35, Subpart E is amended by adding a new §35.910–11 to read as follows:

§ 35.910–11 Allotment of Fiscal Year 1980 appropriation.

(a) Title II of Pub. L. 96–103 appropriated $3.4 billion. These allotments are available until expended but must be obligated by September 30, 1981. After that date, unobligated balances will be reallotted under Section 205(b) of the Act (see § 35.910–2(b)).

(b) The allotments were computed by applying the percentages in § 35.910–8 (a) and (d) to the funds appropriated for FY 1980 and rounding to the nearest hundred dollars.

(c) The $3.4 billion are alloted as follows:

State	Allotments from funds appropriated under Pub. L. 95–372
Alabama	$43,057,800
Alaska	16,764,500
Arizona	26,008,400
Arkansas	25,190,300
California	266,595,100
Colorado	30,803,000
Connecticut	37,123,200
Delaware	16,764,500
District of Columbia	16,764,500
Florida	128,637,000
Georgia	65,106,400
Hawaii	26,581,700
Idaho	16,764,500
Illinois	174,159,300
Indiana	92,801,300
Iowa	43,430,000
Kansas	29,515,500
Kentucky	49,012,600
Louisiana	42,330,300
Maine	25,129,900
Maryland	93,133,300
Massachusetts	99,051,100
Michigan	138,494,500
Minnesota	62,668,900
Mississippi	32,388,900
Missouri	83,678,100
Montana	16,764,500
Nebraska	18,457,700
Nevada	16,764,500
New Hampshire	29,539,000
New Jersey	119,748,500
New Mexico	16,764,500
New York	356,107,300
North Carolina	66,414,100
North Dakota	16,764,500
Ohio	216,781,200
Oklahoma	31,111,500
Oregon	43,500,400
Pennsylvania	146,239,700
Rhode Island	17,609,400
South Carolina	39,450,100
South Dakota	16,764,500
Tennessee	51,922,900
Texas	146,300,100
Utah	16,764,500
Vermont	16,764,500
Virginia	65,723,400
Washington	59,305,900
West Virginia	60,026,800
Wisconsin	65,391,400
Wyoming	16,764,500
American Samoa	2,065,400
Guam	2,494,500
Puerto Rico	39,342,800
Trust Terr	4,667,200
Virgin Islands	1,267,400
Northern Marianas	462,700
Total	3,400,000,000

[FR Doc. 80-7960 Filed 3-13-80; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Part 52

[FRL 1436-7]

Approval and Promulgation of State Implementation Plans; Final Rulemaking To Disapprove the Colorado State Implementation Plan and Impose Federal Assistance and Stationary Source Construction Limitations

AGENCY: Environmental Protection Agency.

ACTION: Final Rulemaking.

SUMMARY: The purpose of this notice is to disapprove the carbon monoxide and ozone portion of the Colorado State Implementation Plan (SIP) for failure to meet a condition of approval promulgated on October 5, 1979, and February 5, 1980, and to find that the State of Colorado is not making reasonable efforts toward submitting a plan which considers each of the elements required by Section 172 of the Clean Air Act. By this notice, the Administrator is imposing, as of this date, certain limitations on federal assistance normally provided to the State of Colorado under the Clean Air Act (42 USC 7401 *et seq.*), the Clean Water Act (33 USC 1251 *et seq.*) and the Surface Transportation Assistance Act (23 USC 101 *et seq.*). Authority for this action is found in Sections 176(a) and 316 of the Clean Air Act (42 USC 7476(a) and 7516). Disapproval of these portions of the SIP also invokes the ban on construction of major or new or modified stationary sources of carbon monoxide or hydrocarbons in the geographic areas described below, as required by Section 110(a)(2)(I) of the Act (42 USC 7410(a)(2)(I)) and is further explained in 44 FR 38471 (July 2, 1979) and 44 FR 67182 (November 23, 1979).

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Robert R. DeSpain, Chief, Air Programs Branch, Environmental Protection Agency, 1860 Lincoln Street (8AH–A), Denver, Colorado 80295, (303) 837–3471.

SUPPLEMENTAL INFORMATION: This action is being made immediately effective because EPA's intention to do so was previously announced publicly, and because immediate imposition of the funding and construction restrictions is necessary to avoid further degradation of air quality and otherwise carry out the purposes of the Act.

Background

Section 172(b)(11)(B) of the Clean Air Act requires any area which cannot attain primary national ambient air quality standards for carbon monoxide or ozone by 1982 to "establish a specific schedule for implementation of a vehicle emission control inspection and maintenance program." Section 172(b)(10) of the Act requires the State to include in its SIP written evidence of adequate legal authority to implement and enforce the provisions of the plan. Pursuant to these statutory requirements and consistent with the legislative history, EPA determined that the final deadline for submitting assurances of adequate legal authority to carry out a motor vehicle exhaust emissions control program was June 30, 1979 (See 44 FR 20377, April 4, 1979).

In the October 5, 1979, final rulemaking on the Colorado SIP (44 FR 57401), EPA stated that the State of Colorado had satisfied the condition for an extension of the deadline for certification of adequate legal authority for a motor vehicle exhaust emissions control program. During the closing days of the 1979 Legislative Session, some of the legislators misunderstood whether EPA could approve the program established in Senate Bill 1 which included a commitment to study alternative approaches to controlling motor vehicle exhaust emissions and pass appropriate additional legislation by March 1, 1980, to meet requirements in the Clean Air Act. Senate Bill 1 also

established a motor vehicle exhaust emissions control program which would go into effect automatically if the legislature did not adopt additional legislation by March 1, 1980. However, in the October 5, 1979, rulemaking EPA indicated that the program established in Senate Bill 1 was not acceptable and noted specific deficiencies (44 FR 57404–57405). EPA conditionally approved this critical element of the SIP with the provision that the State certify and submit to EPA by March 1, 1980, evidence of adequate legal authority for the required program and corrections to other deficiencies noted in the October 5, 1979, rulemaking.

As of today, the State has not made the necessary certification and no evidence of legal authority has been submitted to EPA as a SIP revision. The State Legislature considered enabling legislation for an I/M Program during the last four sessions. During the 1978 session, Senate Bill 231 was enacted and would have potentially provided adequate legal authority for the required program. However, during the 1979 session, this bill was repealed and replaced with Senate Bill 1 which established an unacceptable program. Thus, EPA believes the State has had ample time and opportunity to adopt the motor vehicle exhaust emissions control program required by Sections 172 (b)(10) and (b)(11)(B) of the Act.

In the October 5, 1979, rulemaking, EPA notified the public of its intention to disapprove the SIP, thereby invoking the stationary source construction moratorium contained in Section 110(a)(2)(I) of the Act and to implement the federal assistance restrictions contained in Sections 176(a) and 316 without delay should the State fail to comply with the conditions and deadlines associated with the October 5, 1979, rulemaking. Comments were received on the proposed deadlines and appropriateness of EPA's intention to impose funding limitations (see 45 FR 7801, February 5, 1980).

Since the State of Colorado has not yet submitted an effective motor vehicle exhaust emissions control program, nor evidence of adequate legal authority for the required program, this final rulemaking withdraws the October 5, 1979, conditional approval and disapproves the carbon monoxide and ozone SIP. This notice also announces EPA's finding that the State is not making reasonable efforts to revise the SIP. As a result, federal assistance and stationary source construction limitations are hereby imposed in the affected nonattainment areas.

Geographic Area

The geographic area to which the limitations apply is coterminous with the nonattainment areas for carbon monoxide and ozone in Colorado, east of the Continental Divide. These areas were initially defined in the March 3, 1978, **Federal Register**, Part II (43 CFR 8977), and the September 11, 1978, **Federal Register**, Part V (43 FR 40422), and subsequently modified in the August 17, 1979, **Federal Register** (44 FR 48285) and the November 6, 1979, **Federal Register** (44 FR 64078).

This area includes the Greeley and Fort Collins AQMA Analysis areas, as defined on maps which were submitted to EPA by the State for approval and were subsequently approved by EPA on March 3, and September 11, 1978, as cited above, the counties of Arapahoe, Adams, Denver, Jefferson, Boulder and Douglas and the Colorado Springs 3–C Urbanized Area as defined by the Pikes Peak Area Council of Governments, the official Colorado Springs Metropolitan Planning Organization (MPO). The Colorado SIP includes a definition (map) of the Colorado Springs 3–C area. This area includes the City of Colorado Springs, and additional areas expected to be urbanized by the year 2000. It occupies roughly one third of El Paso County.

Effect of Rule

Since the State of Colorado SIP is disapproved and does not satisfy the Part D requirements for carbon monoxide and ozone, section 110(a)(2)(I) of the Act prohibits construction of new major or modified stationary sources of CO or hydrocarbons in these areas unless the source applied for a permit prior to the effective date of this rule. (For further explanation of the construction ban *see* 44 FR 38471 (July 2, 1979), and 44 FR 67182 (November 23, 1979).

Since EPA also finds that the State is not making reasonable efforts to submit a SIP which considers each of the elements required by Section 172, the federal assistance limitations authorized by Section 176(a) are effective. Therefore, as of this date, the EPA Regional Administrator may withhold EPA air grants to the affected areas under 40 CFR Part 30. However, since these grants are directly related to air quality improvement, the Regional Administrator has discretion to continue to award grants under the Act to State and local air quality control agencies designated under Section 174 of the Act, if he finds such grants are necessary for immediate air quality benefits or development, implementation or enforcement of SIP revisions. Also, the Regional Administrator may continue to award air grants to prevent substantial endangering of public health or safety.

EPA's finding that the State of Colorado is not making reasonable efforts to submit a SIP revision also affects transportation-related programs and projects eligible for funding under Title 23, United States Codes (Highways). As of the date of publication of this finding in the **Federal Register**, the Federal Highway Administration (FHWA) of the U.S. Department of Transportation will not approve programs or award grants (i.e. issue authorizations to proceed with work on projects) other than for safety, mass transit, and transportation improvement projects related to air quality improvement or maintenance in the geographic areas described above. Definitions for the various categories of exempted projects developed jointly by EPA and the Department of Transportation, were proposed in 44 FR 33473 (June 11, 1979), and should be used to guide determining which projects may be approved or funded. In accordance with the June 11, 1979, **Federal Register** notice, FHWA will provide the EPA Regional Administrator with information on exempted projects advanced in the areas affected by this federal assistance limitation.

In addition, since the SIP is disapproved, Section 316(b) of the Clean Air Act, authorize EPA to withhold, condition, or restrict grants available under Section 201(g) of the Clean Water Act for sewage treatment facilities. Therefore, the EPA Regional Administrator may withhold grants from local general purpose governments, sanitation districts, or other eligible grantees in the geographic areas described above, for construction or modification of capacity related sewage treatment facilities. Projects within the Front Range nonattainment area, which would create new sewage treatment capacity, and are on the State-approved priority list for funding may be affected by this action. Decisions regarding the applicability of the Section 316 restrictions will be made on a case-by-case basis by EPA after grant applications have been submitted. The EPA Regional Administrator may fund a specific project if he finds that it is needed to prevent a significant public health hazard.

The reason for this action is the failure of the State of Colorado to adopt an acceptable program to reduce motor vehicle emissions from in-use vehicles by the deadline established in Senate Bill 1 of March 1, 1980. In the cases of

Denver and Colorado Springs, a program to reduce emissions from in-use vehicles such as inspection/maintenance was required because these areas demonstrated a need for an extension of the attainment date beyond 1982. Adoption of an acceptable program for those geographic areas would allow the State of Colorado to regain approved status for its State Implementation Plan and allow lifting of the federal assistance and stationary source limitations. If there is no such action the Federal Government may promulgate a program under Section 110(c); however, the federal promulgation would only lift the stationary source construction ban. Alternatively, if the State were to adopt additional, more stringent measures which demonstrated attainment prior to December 31, 1982, then no I/M program would be required for Denver and Colorado Springs.

The situation in Greeley and Fort Collins is somewhat different. Both of these urban areas are under two hundred thousand in population. According to EPA guidance, urban areas in that population range are not required to adopt an in-use vehicle emission reduction program as a condition of granting an extension in the attainment date beyond 1982. However, the SIP for these areas included emission reduction credit for the I/M program. Thus, although the Colorado legislature has failed to adopt a suitable program, these areas have the option of developing and submitting a SIP revision which commits to attainment of the carbon monoxide standards and identifies alternative control measures to provide for attainment by 1987.

The removal of this limitation will be by Federal Register notice and could be proposed at the time of proposal to approve additional materials, including the required evidence of legal authority which may be submitted to EPA by the State of Colorado in response to this disapproval. A thirty day public comment period will be provided prior to final action.

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 notice of rulemaking is issued under the authority of Sections 110, 172, 176(a), 301, and 316 of the Clean Air Act, as amended.

Dated: March 12, 1980.

Douglas Costle,

Administrator.

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

Subpart G—Colorado

1. Section 52.324(c) is revised as follows:

§ 52.324 Legal authority.

* * * * *

(c) The requirements of § 51.11 of this chapter and sections 172(b)(10) and (b)(11)(B) of the Clean Air Act are not met since no evidence of legal authority to implement and enforce an inspection and maintenance program for in-use motor vehicles has been submitted.

2. Section 52.327 is revised as follows:

§ 52.327 Control strategy: Ozone.

(a) *Part D Disapproval*—The Denver plan is disapproved since the area does not have adequate legal authority to implement and enforce a vehicle emissions control inspection and maintenance program.

3. Section 52.328 is revised as follows:

§ 52.328 Control strategy: Carbon monoxide.

(a) *Part D Disapproval*—The Denver, Colorado Springs, Fort Collins and Greeley Plans are disapproved since these areas do not have legal authority to implement and enforce a vehicle emissions control inspection and maintenance program.

[FR Doc. 80-8081 Filed 3-13-80; 8:45 am]

BILLING CODE 6560-01-M

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

41 CFR Part 51-4

Workshop Certification; Correction

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Final rule—Correction.

SUMMARY: In 45 FR 10345, February 15, 1980, § 51-4.2 "Procedures for Qualification", paragraph (c) is corrected by adding at the beginning of the first sentence the words "A workshop shall". The sentence, as corrected, reads "A workshop shall submit two completed copies * * * for provision by the workshop."

FOR FURTHER INFORMATION CONTACT:

C. W. Fletcher, (703) 557-1145.

C. W. Fletcher,

Executive Director.

[FR Doc. 80-7985 Filed 3-13-80; 8:45 am]

BILLING CODE 6820-33-M

DEPARTMENT OF ENERGY

41 CFR Parts 109-35, 109-40

Property Management Regulations

CFR Correction

In the July 1, 1979, revision of Title 41 (Chapter 101 to End) of the Code of Federal Regulations, Part 109-35 appearing in Subchapter F—ADP and Telecommunications and Part 109-40 appearing in Subchapter G—Transportation and Motor Vehicles were inadvertently omitted. Parts 109-35 and 109-40 last appeared on pages 881 through 885 of the July 1, 1978, revision of 41 CFR Chapter 101 to End. This material remains in force and effect and will appear in the 1980 revision of Title 41.

Parts 109-35 and 109-40 should read as set forth below.

Subchapter F—ADP and Telecommunications

PART 109-35—TELECOMMUNICATIONS

Sec.

109-35.000 Scope of part.
109-35.000-50 Applicability to contractors.

Subpart 109-35.1—General Provisions

109-35.107 Surveys.
109-35.108 Agency payments to common carriers.

Subpart 109-35.2—Major Changes and New Installations

109-35.202 Definition of major changes.

Subpart 109-35.3—Utilization and Ordering of Telecommunications Services

109-35.304 Changes in telephone listing.
109-35.306 Forms for telegraph messages.

Subpart 109-35.4—Contracting, Negotiation, and Representation Involving Telecommunications Services

109-35.402 Contracting.
109-35.405 Submission of requests.

Authority: Sec. 161, as amended, 68 Stat. 948, sec. 205, 63 Stat. 390, as amended; 42 U.S.C. 2201, 40 U.S.C. 486.

Source: 34 FR 12582, Aug. 1, 1969, unless otherwise noted.

Note: Nomenclature changes affecting this part were published at 40 FR 5364, Feb. 5, 1975.

§ 109-35.000 Scope of part.

This part prescribes ERDA regulations governing telecommunications activities,

which regulations implement Federal Property Management Regulations.

§ 109-35.000-50 Applicability to contractors.

FPMR 101-35, Telecommunications, and ERDA-PMR 109-35, Telecommunications, shall be applied to cost-type contractors' telecommunications activities as follows:

(a) In all respects to cost-type contractors employing telecommunications facilities and services which are wholly owned, leased, or cost reimbursed by the ERDA.

(b) To all other cost-type contractors whose telecommunications costs are directly identifiable and chargeable to ERDA, when such costs are considered significant and to the extent that application of ERDA Manual Chapter 0270 and appendix handbook is practicable.

Subpart 109-35.1—General Provisions

§ 109-35.107 Surveys.

Surveys of ERDA communications facilities requested by GSA will be coordinated through ERDA headquarters.

§ 109-35.108 Agency payments to common carriers.

GSA will advise ERDA Headquarters of its requests for common carrier bills rendered to ERDA.

Subpart 109-35.2—Major Changes and New Installations

§ 109-35.202 Definition of major changes.

For the purpose of this Subpart 109-35.2, the following shall be deemed major changes or new installations of telecommunications facilities:

(a) *Local telephone service.* In connection with § 101-35.202(a)(6), installation or removal of tielines between the gateway PBX and satellite PBX's on the same site shall not be deemed major changes or new installations requiring GSA review. Significant increases or decreases in the number of these lines or other information which could have an effect on the FTS traffic load will be reported to GSA.

(b) *Intercity telephone service.* Applies as written in § 101-35.202.

(c) *Data transmission service.* Installation or removal of local data transmission channels or equipment which are used exclusively for onsite transmission (i.e., in the sense that there can be no direct transmission by the channel or equipment off the site) shall not require GSA approval. This, however, does not preclude compliance with the requirement of Subpart 101-35.202a.(9).

(d) *Telegraph service.* Installation or removal of exclusively onsite (i.e., in the sense that there can be no direct transmission by the equipment off the site) teletype leased lines and associated equipment shall not be deemed major change or new installation.

(e) *Communications security service.* The GSA/ERDA Agreement relating to communications security service provides information for GSA review in this area. No additional information need be provided by ERDA with respect to facilities covered by that Agreement.

(f) *Radio service.* Notification to GSA may be made through the GSA member of the Interdepartment Radio Advisory Committee (IRAC). ERDA need provide additional information with respect to matters reported to IRAC only if specifically requested by GSA. For purposes of radio service, calculation of the 20 regular working days referred to in FPMR 101-35.201 shall begin on the date the GSA member of IRAC is advised of the proposed ERDA action. GSA will review applications filed for "Telephone Action" and will informally advise ERDA of recommendations, if any, within 5 working days from the date of receipt of the application from IRAC.

(g) *Video and audio service.* The requirements of this paragraph shall not apply to exclusively onsite equipment (i.e., in the sense that there can be no direct transmission by the equipment or channels off the site).

Subpart 109-35.3—Utilization and Ordering of Telecommunications Services

§ 109-35.304 Changes in telephone listing.

ERDA is required to use Standard Form 146 only in connection with joint use switchboards not operated by ERDA or its contractors.

§ 109-35.306 Forms for telegraph messages.

ERDA is required to use Standard Form 14 only in connection with ERDA contractors' use of GSA-operated teletypewriter centers.

Subpart 109-35.4—Contracting, Negotiation, and Representation Involving Telecommunications Services

§ 109-35.402 Contracting.

Copies of existing ERDA communications common carrier contracts shall be furnished to GSA for information and analysis.

§ 109-35.405 Submission of requests.

Field office requests for GSA assistance will be submitted through ERDA Headquarters.

SUBCHAPTER G—TRANSPORTATION AND MOTOR VEHICLES

PART 109-40—TRANSPORTATION AND TRAFFIC MANAGEMENT

Sec.

109-40.000 Scope of part.
109-40.000-50 Applicability to contractors.
109-40.1 General provisions.
109-40.102 Representation before regulatory bodies.
109-40.106 Reports.
109-40.109 Utilization of special contracts and agreements.
109-40.3 Freight rates, routes, and services.
109-40.303-2 Cost consideration.
109-40.305-3 Negotiation by other agencies.
109-40.305-5 Reports of agency negotiations.
109-40.305-50 Negotiations involving national security.
109-40.307 Tonnage reports.
109-40.50 Bills of lading.
109-40.5000 Scope of subpart.
109-40.5001 Policy.
109-40.5002 Applicability.
109-40.5003 Commercial bills of lading or commercial express receipts.
109-40.5004 Government bills of lading.
109-40.51 Price-Anderson coverage certifications.
109-40.5100 Scope of subpart.
109-40.5101 Policy.

Authority: Sec. 161, as amended, 68 Stat. 948; 42 U.S.C. 2201; sec. 205, as amended, 63 Stat. 390; 40 U.S.C. 486.

Source: 33 FR 4140, Mar. 5, 1968, unless otherwise noted.

Note: Nomenclature changes affecting this part were published at 40 FR 5364, Feb. 5, 1975.

§ 109-40.000 Scope of part.

This part prescribes ERDA regulations governing transportation and traffic management activities, which regulations implement and supplement Federal Property Management Regulations.

§ 109-40.000-50 Applicability to contractors.

FPMR Part 101-40, Transportation and Traffic Management, and ERDA-PMR 109-40, Transportation and Traffic Management, should be applied to cost-type contractors' transportation and traffic management activities. Departure by cost-type contractors from the provisions of these regulations may be authorized by the contracting officer provided the practices and procedures followed are consistent with the basic policy objectives in these regulations and except to the extent such departure is prohibited by statute or executive order.

§ 109-40.1 General provisions.

§ 109-40.102 Representation before regulatory bodies.

Participation in proceedings related to carrier applications to regulatory bodies for temporary or permanent authority to operate in specified geographical locations shall be confined to statements or testimony in support of a need for service and shall not extend to support of individual carriers or groups of carriers.

§ 109-40.106 Reports.

Reports which are specifically requested by GSA or are prescribed in Federal Property Management Regulation 101-40 shall be submitted to the Division of Waste Management and Transportation five days prior to the established due date so as to permit timely transmittal to GSA. The format to be used by field offices for reporting as indicated above shall be as prescribed in the specific requests or appropriate section of the FPMR.

[33 FR 4140, Mar. 5, 1968, as amended at 38 FR 22549, Aug. 22, 1973]

§ 109-40.109 Utilization of special contracts and agreements.

From time to time special transportation agreements are entered into on a Government-wide or an ERDA-wide basis and are applicable generally to ERDA shipments. The Division of Waste Management and Transportation will distribute information on such agreements to field offices as it becomes available.

[33 FR 4140, Mar. 5, 1968, as amended at 38 FR 22549, Aug. 22, 1973]

§ 109-40.3 Freight rates, routes, and services.

§ 109-40.303-2 Cost consideration.

Premium transportation shall be used only when the additional cost is clearly justified. When premium transportation is used for shipments in excess of 500 pounds, a written statement supporting the use of such transportation shall be retained in an appropriate file.

§ 109-40.305-3 Negotiation by other agencies.

The limitations in FPMR 101-40.305-3(a) do not apply to the initiation and conduct of negotiations for freight rates and services related to shipments of nuclear weapons and radioactive and fissile materials.

§ 109-40.305-5 Reports of agency negotiations.

Subject to the provisions of FPMR 101-40.305-5 a complete report of each negotiation (other than those related to nuclear weapons, radioactive and fissile material shipments, and all other commodities when the quantity involved is less than 100 short tons of a single commodity or mixed commodities to be moved by common carrier from the same consignor to the same consignee within a 30-day period) shall be submitted to the Division of Waste Management and Transportation promptly after each negotiation is completed for transmittal to GSA. Each report shall be in memorandum form referencing FPMR 101-40.305-5 and shall contain the data prescribed in the FPMR's. Classified information shall not be included in the reports.

[33 FR 4140, Mar. 5, 1968, as amended at 38 FR 22549, Aug. 22, 1973]

§ 109-40.305-50 Negotiations involving national security.

Title 49 U.S.C., section 22, as amended by Pub. L. 85-246, provides that rate tenders to the Government must be filed by the carriers with the Interstate Commerce Commission except for "any quotation or tender which, as indicated by the U.S. Government, or any agency or Department thereof, to any carrier or carriers, involves information the disclosure of which would endanger the national security." Carriers will be informed by the negotiating official if any quotation or tender to the Energy Research and Development Administration involves such information.

§ 109-40.307 Tonnage reports.

Tonnage reports required by FPMR 101-40.307 shall be submitted to the Division of Waste Management and Transportation 5 working days before the end of each calendar month so as to allow for timely transmittal to GSA. Tonnage representing commodities under ERDA negotiated rates authorized by ERDA-PMR 109-40.305-3 shall not be reported to GSA.

[33 FR 4140, Mar. 5, 1968, as amended at 38 FR 22549, Aug. 22, 1973]

§ 109-40.50 Bills of lading.

§ 109-40.5000 Scope of subpart.

This subpart sets forth the requirements under which commercial or Government bills of lading or express receipts may be used.

§ 109-40.5001 Policy.

Generally ERDA cost-type contractors will use commercial bills of lading or commercial express receipts in making shipments for the account of the ERDA. Cost-type contractors may be authorized by the contracting officer to use Government bills of lading if such use will be advantageous to the Government.

§ 109-40.5002 Applicability.

The policy and procedures set forth in this subpart shall be applied when ERDA's cost-type contractors use commercial bills of lading or commercial express receipts.

§ 109-40.5003 Commercial bills of lading or commercial express receipts.

(a) ERDA's cost-type contractors using commercial bills of lading in making shipments for the account of the Energy Research Development Administration shall include the following statement or one substantially the same on all commercial bills of lading:

This shipment is for the account of the U.S. Government which will assume the freight charges and is subject to the terms and conditions set forth in the standard form of the U.S. Government bills of lading and to any available special rates or charges.

(b) The foregoing language may be varied without materially changing its substance to satisfy the needs of particular cost-type contractors for the purpose of obtaining the benefit of the lowest available rates for the account of the Government.

(c) Where practicable, commercial bills of lading or express receipts may provide for consignment of a shipment to the Energy Research Development Administration c/o the cost-type contractor or may indicate consignment by the contractor "for the Energy Research Development Administration."

(d) Commercial bills of lading exceeding $10,000 issued by cost-type contractors shall be annotated with a typewritten, rubber stamp, or similar impression containing the following wording:

Equal Employment Opportunity

The nondiscrimination clauses contained in section 202 of Executive Order 11246 relative to equal employment opportunity for all persons without regard to race, creed, color, or national origin, and the implementing rules and regulations of the President's Committee on Equal Employment Opportunity which, to the extent not inconsistent with Executive Order 11246, remain in full force and effect as those of the Secretary of Labor, are incorporated herein.

§ 109-40.5004 Government bills of lading.

(a) Before any Government bill of lading which has not been revised to include reference to Executive Order 10925, as amended, or Executive Order 11246 is issued for use by ERDA or cost-type contractors (where authorized) at least the original (SF 1103) and shipping order copy (SF 1104) shall be annotated with a typewritten, rubber stamp, or

similar impression containing the following wording:

Equal Employment Opportunity

Condition 9 hereof is revised as follows. The nondiscrimination clauses contained in section 202 of Executive Order 11246 relative to equal employment opportunity for all persons without regard to race, creed, color or national origin and the implementing rules and regulations prescribed by the Secretary of Labor, are incorporated herein.

(b) In those instances when ERDA cost-type contractors are authorized to use Government bills of lading, specific employees of cost-type contractors will be authorized by the contracting officer to issue such Government bills of lading. (See Title V, U.S. Government Accounting Office Policy and Procedures Manual for Guidance of Federal Agencies.)

§ 109-40.51 Price-Anderson coverage certifications.

§ 109-40.5100 Scope of subpart.

This subpart sets forth the policy for issuance of certifications regarding Price-Anderson coverage of particular shipments.

§ 109-40.5101 Policy.

Upon request of a carrier, an appropriate certification will be issued by an authorized representative of the Energy Research Development Administration to the carrier regarding the applicability of Price-Anderson indemnity to a particular shipment.

BILLING CODE 6820-26-M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1033

Cedar Rapids and Iowa City Railway Co. Authorized to Operate Over Tracks Embargoed by Chicago, Milwaukee, St. Paul and Pacific Railroad Co.

AGENCY: Interstate Commerce Commission.

ACTION: Service Order No. 1431.

SUMMARY: This order authorizes the Cedar Rapids and Iowa City Railway Company to operate over tracks of Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW) between Middle Amana, Iowa, and Cedar Rapids where MILW has been operating under trackage rights; and over certain terminal and industry tracks in Cedar Rapids between Milepost 86 and Milepost 87 in order to serve the 6th Street Power Station. This provides for the continuation of service to shippers which would otherwise be deprived of essential railroad services.

EFFECTIVE DATES: 12:01 a.m., March 1, 1980, and continuing in effect until 11:59 p.m., March 31, 1980.

FOR FURTHER INFORMATION CONTACT: J. Kenneth Carter (202) 275-7840.

Decided: February 29, 1980.

By Order No. 290A, dated February 25, 1980, the United States District Court for the Northern District of Illinois, Eastern Division, authorized the Trustee of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW) to impose an embargo on all operations outside of the MILW "core system" as identified by the Court. The MILW was authorized to place an embargo on inbound traffic as of 11:59 p.m., February 27, 1980, and on originating traffic as of 11:59 p.m., February 29, 1980. The MILW placed Embargo No. 10-80 as directed by the Court, effective on these dates.

The Cedar Rapids and Iowa City Railway Company (CIC) requests an emergency service order to operate over embargoed Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW) tracks in order to continue service to shippers on these lines.

It is the opinion of the Commission that an emergency exists requiring the operation by CIC over tracks embargoed by MILW in the interest of the public; that notice and public procedure are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than 30 days notice.

It is ordered,

§ 1033.1431 Service Order No. 1431.

(a) Cedar Rapids and Iowa City Railway Company authorized to operate over tracks embargoed by Chicago, Milwaukee, St. Paul and Pacific Railroad Company. The Cedar Rapids and Iowa City Railway Company (CIC), is authorized to operate over tracks embargoed by the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW) between Middle Amana, Iowa, and Cedar Rapids, Iowa; over the Chicago, Rock Island and Pacific Railroad Company, 4th Street Corridor in Cedar Rapids where MILW has been operating under trackage rights; and over certain terminal and industry tracks in Cedar Rapids between Milepost 86 and Milepost 87 in order to serve the 6th Street Power Station.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign traffic.

(c) *Rates applicable.* Inasmuch as this operation by CIC over tracks previously operated by the MILW is deemed to be due to carrier's disability, the rates applicable to traffic moved over these lines shall be the rates applicable to traffic routed, to, from, or via these lines which were formerly in effect on such traffic when routed via MILW, until tariffs naming rates and routes specifically applicable via CIC become effective.

(d) In transporting traffic over these lines, CIC and all other common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to that traffic. Divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between the carriers; or upon failure of the carriers to so agree, the divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(e) *Employees.* In performing the authorized operations the four Articles contained in the draft agreement entitled "*Labor Protection Agreement between Railroad Parties Hereto Involved in Midwest Rail Restructuring and Employees of Such Railroads represented by the Rail Labor Organizations operating through the Rail Labor Executives' Association*" (sometimes referred to as the Miami Accords and/or the 13 Principles) presently being circulated to the interested parties for ratification will apply. If the agreement, when ratified, contains modifications, such modifications will apply.

(f) *Effective date.* This order shall become effective at 12:01 a.m., March 1, 1980.

(g) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., March 31, 1980, unless otherwise modified, amended, or vacated by order of this Commission.

(49 U.S.C. (10304-10305 and 11121-11126))

This order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and car hire agreement under the terms of that agreement and upon the American Short Line Railroad Association. Notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C.,

and by filing a copy with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board, members Joel E. Burns, Robert S. Turkington and John R. Michael.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-7986 Filed 3-13-80; 8:45 am]

BILLING CODE 7035-01-M

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49 CFR Part 1064

[Ex Parte No. MC-95 (Sub-2)]

Practices of Motor Common Carriers of Passengers—Checked Baggage Liability Provisions

AGENCY: Interstate Commerce Commission.

ACTION: Reopened proceeding; Provision for cross-service of comments and extension of time for filing replies.

SUMMARY: By prior notice published in the **Federal Register** on January 21, 1980, [45 FR 3912] the Commission requested comments and replies from interested persons in this reopened proceeding on the amount of excess value insurance that motor carriers of passengers (buses) should be required to offer. This decision establishes a procedure for serving the comments which have been filed (on February 20) on other parties and extends the deadline for filing replies.

DATES: Comments must be served on other parties by March 19, 1980.

ADDRESS: Send comments and replies to: Office of Proceedings, Room 5340, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Richard Felder (202) 275-7693.

SUPPLEMENTARY INFORMATION: By petition filed February 21, 1980, the Commission's Office of Special Counsel requests that the Commission establish a procedure for the cross service of comments in this reopened phase of the proceeding and extend the deadline for filing replies.

In support of the request, OSC points out that the Commission's decision reopening this proceeding and requesting comments and replies of interested persons made no provision for the advance compilation of a service list of participants in this phase similar to the procedure used in prior stages of this proceeding. Nor were the parties directed to serve their comments on other parties so as to facilitate the filing of reply comments.

Accordingly, the Commission is directing those persons who filed comments in response to our prior decision of January 14, 1980, to serve a copy on persons who have previously indicated an interest in this proceeding and those parties who filed comments on February 20, 1980. The National Bus Traffic Association should serve its original evidence on this issue (filed in November, 1979) as well as its supplemental comments filed on February 19, 1980. Comments which include factual allegations should be verified. The following is a complete list (to date) of participants and interested persons; these persons should be served with comments by March 19, 1980.

George W. Hanthorn, 1500 Jackson Street, Dallas, TX 75201;
James A. Clark, Office of Special Counsel (ICC), 12th & Constitution Avenue (Room 2118), Washington, DC 20423;
Lewis P. Ames, 111 West Monroe, 10th Floor, Phoenix, AZ 85003;
Wesley S. Chused, 15 Court Square, Boston, MA 02108;
Debbie Henken, 619 University Place, Evanston, IL 60201;
Carroll B. Jackson, 1810 Vincennes Road, Richmond, VA 23229;
Michael J. Marzano, 99 Kinderkamack Road, Westwood, NJ 07675;
Charles A. Webb, 1800 M St., NW, Washington, DC 20036;
Frank J. Weiner, 15 Court Square, Boston, MA 02108.

Replies should be served on the same persons and filed with the Commission on or before April 8, 1980.

In addition, we are requesting that all parties (except Trailways, Inc. and the National Bus Traffic Association) who may have filed comments on February 20, 1980, refile their comments with the Commission at the address set forth above. Unfortunately, the comments of at least one party were not received in the Office of Proceedings. The Commission wants to ensure that its record is complete.

Notification to the general public will be provided by the mailing of a copy of this notice to the Governor of every State, to the public utilities Commissions or Boards of each State having jurisdiction over passenger bus transportation, by depositing a copy in the Office of the Secretary, Interstate Commerce Commission for public inspection, and by delivering a copy to the Director, Office of the Federal Register.

Decided March 3, 1980.

By the Commission, Gary J. Edles, Director, Office of Proceedings.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-7980 Filed 3-13-80; 8:45 am]

BILLING CODE 7035-01-M

Proposed Rules

Federal Register
Vol. 45, No. 52
Friday, March 14, 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.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 831

Retirement; Exclusions From Coverage

AGENCY: Office of Personnel Management.

ACTION: Proposed rulemaking.

SUMMARY: Under the authority provided in the Civil Service Retirement Act, the Office of Personnel Management is amending the Civil Service Retirement (CSR) regulations to provide coverage to retired employees and Members of Congress who are receiving a CSR annuity, and who are appointed by the President to fill unexpired terms of office limited to one year or less.

DATE: Comments must be received on or before May 13, 1980.

ADDRESS: Comments should be directed to Craig B. Pettibone, Office of Pay and Benefits Policy, Compensation Group, Room 4351, 1900 E St., NW., Washington, D.C. 20415.

FOR FURTHER INFORMATION CONTACT: Gus Ghessie, 202–632–4684.

SUPPLEMENTARY INFORMATION: Under section 8347(g) of title 5, United States Code, OPM may exclude from CSR coverage and employee or group of employees in or under an Executive agency who are employed on a temporary (noncareer) basis. Under current regulation, appointments limited to one year or less are excluded from CSR coverage. However, by providing CSR coverage to employee and Member annuitants who are appointed to fill unexpired terms of office by the President which do not exceed one year, employee and Member annuitants in such positions would receive equal entitlement to benefits, as do appointments of annuitants made by the President which exceed one year. While we do not know at this time how many annuitants have been affected by this exclusion in the past, we are aware of at least one case. Therefore, in the interest of equity, we are proposing that the regulation be made effective retroactive to January 1, 1976.

OPM has determined that this is a significant regulation for the purposes of E.O. 12044.

Office of Personnel Management.

Beverly M. Jones,

Issuance System Manager.

Accordingly, it is proposed that 5 CFR 831.201(a)(1) be revised to read as follows:

§ 831.201 Exclusions from retirement coverage.

(a) * * *

(1) Employees serving under appointments limited to one year or less, except annuitants appointed by the President to fill unexpired terms of office on or after January 1, 1976.

* * * * *

(5 U.S.C. 8347)

[FR Doc. 80-7896 Filed 3-13-80; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

7 CFR Part 799

Floodplain Management and Wetland Protection

AGENCY: Agricultural Stabilization and Conservation Service (ASCS), USDA.

ACTION: Proposed Rule.

SUMMARY: These proposed regulations prescribe the policy and general guidelines for implementation of Executive Order 11988, (Floodplain Management) and Executive Order 11990, (Protection of Wetlands), in Federal assistance programs administered by the Agricultural Stabilization and Conservation Service. These proposed regulations are in accordance with the U.S. Department of Agriculture Secretary's Memorandum No. 1827, Revised, Supplement No. 1 and the procedures issued in the **Federal Register** on June 9, 1978 (43 FR 25322), which contained the ASCS policies for complying with the Executive Orders. No written comments were received with respect to such published policies.

DATE: Comments must be received on or before May 13, 1980, in order to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments to: Weldon B. Denny, Deputy Administrator, State and County Operations, ASCS, USDA, P.O. Box 2415, Washington, DC 20013, telephone 202–447–7173.

FOR FURTHER INFORMATION CONTACT: Alan Durick, Director, Conservation and Environmental Protection Division, ASCS, USDA, P.O. Box 2415, Washington, DC 20013, telephone 202–447–6221.

SUPPLEMENTARY INFORMATION: On May 24, 1977, the President issued a comprehensive Environmental Quality Message which included Executive Order 11988, concerning Floodplain Management and Executive Order 11990 on Protection of Wetlands (43 FR 6030). Executive Order 11988 provides that agencies should avoid direct or indirect support of floodplain development wherever there is a practicable alternative. Executive Order 11990 directs agencies to avoid adverse impacts associated with destruction or modification of wetlands and to avoid support of new construction in wetlands wherever there is a practicable alternative. These proposed regulations set forth the procedures to be used by the Agricultural Stabilization and Conservation Service in administering agency programs to comply with Executive Orders 11988 and 11990. These proposed regulations are general and address all Federal assistance programs administered by the ASCS.

ASCS administers various commodity, conservation and related programs through State, county, and community committees established in accordance with provisions of section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended (16 USC-590h(b)). The commodity, conservation and related programs are based upon specific legislative authorities. Program guidelines are developed at the national level. As the program guidelines are developed, public participation is sought through public comment and/or hearings. Economic and environmental assessments are developed as needed during the policy decision process.

The programs are generally offered to agricultural producers on a voluntary basis and are administered by the county ASCS committees at the local level. A number of the programs adminstered by ASCS provide financial assistance to individual agricultural producers. ASCS receives a large

number of requests from agricultural producers for such assistance. Where Federal funds are provided for installing conservation and pollution abatement measures, technical assistance is furnished by the Soil Conservation Service, the Forest Service and others.

In adminstering its assigned programs, ASCS gives emphasis to conservation and environmental quality protection and improvement. For example, the agency encourages measures which improve water quality and establish wildlife habitat. ASCS does not provide cost-sharing assistance for the purpose of draining wetlands. Also, among the programs that ASCS administers is the Water Bank Program, which provides long-term contracting with agricultural producers to preserve and improve eligible wetlands and adjacent land for migratory waterfowl habitat and other conservation benefits.

The Administrator of ASCS, or his or her designee, is the responsible Federal official for carrying out ASCS programs. County committees, state committees, and directors of Washington divisions, within their respective areas of responsibility and with the assistance of the ASCS representative on the USDA Environmental Quality Committee, shall assist the Administrator in complying with the policies and purposes of the National Environmental Policy Act (NEPA). In particular, these persons shall assist in determining for the purpose of complying with Executive Order 11988 and 11990 whether the quality of the human environment will be significantly affected when the agency implements various programs.

Executive Order 11988 addresses both the need to protect lives and property and the need to restore and preserve the natural and beneficial values served by floodplains. The executive order directs Federal agencies "to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative."

The order further directs all agencies to modify their existing regulations and procedures within the year. The agencies are to incorporate in these procedures the Water Resources Council's (WRC's) July 1976, *Unified National Program for Floodplain Management.* The WRC issued the *Floodplain Management Guidelines for Implementing* Executive Order 11988 in 43 FR 6030 (1978), on February 10, 1978. The Agricultural Stabilization and Conservation Service (ASCS) has utilized the WRC Guidelines in preparing its own rules to comply with Executive Order 11988.

Executive Order 11990 on Protection of Wetlands directs each agency to avoid to the extent possible the long and short term adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands wherever there is a practicable alternative. The order directs Federal agencies to provide leadership and take action to minimize the destruction, or loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in carrying out the agency's responsibilities for (1) acquiring, managing, and disposing of Federal lands and facilities; (2) providing Federally undertaken, financed, or assisted construction and improvement; and (3) conducting Federal activities and programs affecting land use, including but not limited to water and related land resources planning, regualting and licensing activities.

Section 5 of Executive Order 11990 provides that in carrying out the activities described above, each agency shall consider factors relevant to a proposal's effect on the survival and quality of the wetlands.

Proposed Rule

Accordingly, it is proposed that 7 CFR Part 799 be amended by: (1) Changing the title of Part 799 to read "Environmental Quality and Related Environmental Concerns;" and (2) adding a new "Subpart—Floodplain Management and Wetland Protection" to read as follows:

PART 799—ENVIRONMENTAL QUALITY AND RELATED ENVIRONMENTAL CONCERNS

Subpart—Floodplain Management and Wetland Protection

Sec.

799.15 Purpose.
799.16 Definitions.
799.17 Floodplain management.
799.18 Wetland protection.

Authority: Executive Orders 11988 and 11990 of May 24, 1977 (43 FR 6030).

Subpart—Floodplain Management and Wetland Protection

§ 799.15 Purpose

The purpose of this subpart is to establish agency policies and procedures for carrying out Executive Order 11988 on Floodplain Management and Executive Order 11990 on Protection of Wetlands issued on May 24, 1977.

§ 799.16 Definitions.

(a) "Action" refers to any practice undertaken by an agricultural producer on which the Agricultural Stabilization and Conservation Service (ASCS) provides cost-sharing or the construction of any structure or facility by an agricultural producer on which ASCS makes loans or provides loan guarantees.

(b) "Critical action" means an activity that would be so seriously damaged or would create such hazardous conditions in the event of a flood, that even if the probability of flooding is only slight, such action should not be taken.

(c) "Facility" means any item other than a structure, produced or placed by human labor.

(d) "Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland and/or tidal waters and/or the unusual and rapid accumulation or runoff of surface waters from any source.

(e) "Floodplain" refers to the lowland and relatively flat areas adjoining inland and coastal waters including floodprone areas of offshore islands, including at a minimum, that area subject to a one percent or greater chance of flooding in any given year or those areas subject to a 0.2 percent or greater chance of flooding in any given year where critical actions may be taken.

(f) "Practicable" means capable of being done or put into practice with prime consideration given to such factors as cost, best available technology and the environment.

(g) "Practice" means a soil or water conservation effort, a pollution abatement effort or a water quality improvement effort carried out on the land by an agricultural producer under contract with and cost-sharing assistance being granted by ASCS.

(h) "Preserve" means to prevent modification to the natural floodplain environment or to maintain such environment as closely as possible to its natural state or the state which has been generally acceptable for agricultural production.

(i) "Restore" means to re-establish a setting or environment where practicable in which the natural functions of the floodplain can again operate.

(j) "Structures" refers to walled and/or roofed buildings, dams, and diversions.

(k) "Wetlands" refers to wetland types 1–20 as described in Circular 39 of the U.S. Department of Interior, Fish and Wildlife Service, published in 1956 and republished in 1971, or any successor

wetland classification system developed by the Department of Interior. Wetlands are those areas that are naturally inundated by surface or ground water with a frequency sufficient to support a prevalance of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats and natural ponds.

§ 799.17 Floodplain management.

(a) *Policy.* ASCS in carrying out its programs will avoid to the extent possible the long and short term adverse impacts associated with the occupancy or modification of floodplains. This will be accomplished by avoiding direct or indirect support of floodplain development where there is a practicable alternative. The agency will continue to provide leadership and take actions to reduce the risk of flood loss, to minimize the impacts of floods on human safety, health and welfare and to restore and preserve the natural and beneficial values served by floodplains in carrying out its programs. This section is intended to bring ASCS programs and actions into compliance with Executive Order 11988 on Floodplain Management.

The suggested guidelines issued by the Water Resource Council for implementing the Executive Order were used in the preparation of this rule.

(b) *Compatability of ASCS Actions in Floodplains with Executive Order 11988.* (1) Providing assistance in floodplains for the following type actions is normally compatible with Executive Order 11988:

(i) Assistance under a commodity production adjustment program by an agricultural producer on land devoted to agricultural production.

(ii) Assistance to agricultural producers to carry out practices under federally funded conservation programs, unless the ASC county committee determines that implementation would be environmentally detrimental. Such actions would include the establishment or improvement of permanent vegetative or tree cover, filter strips, buffer strips along streams, crop residue management, fencing livestock from streams and establishment of wildlife habitat.

(2) The following type actions located in a floodplain will require additional considerations as set forth in paragraph (c) of this section to be in compliance with Executive Order 11988:

(i) Assistance to an agricultural producer for building or locating a facility or storage structure on land located in a floodplain.

(ii) Assistance for installing practices under conservation type programs that may be detrimental to the environmental if located in a floodplain. Such conservation measures which might be considered as being detrimental to floodplain values would include animal waste control facilities and water storage facilities.

(c) *Steps to be Taken by ASCS.* The following steps will be followed by the county committees before approving assistance requested by an agricultural producer for the installation of a facility, structure or practice in a floodplain for those type actions identified in paragraph (b)(2) of this section. For those practices for which technical assistance is provided by an agency other than ASCS, and such technical agency is required by such agency's regulations to carry out Executive Order 11988 when giving such assistance on actions affecting a floodplain, the county committee shall accept the findings and recommendations of such technical agency, instead of following the procedures set forth in paragraphs (c) (2) through (10) of this section.

(1) A determination shall be made with respect to each request for assistance regarding a facility, structure or practice as to whether such facility, structure or practice is located in a floodplain. Floodplain maps may be obtained from the Federal Insurance Administration, the Department of Housing and Urban Development, the Soil Conservation Service, the Corps of Engineers, the Department of Commerce, the Department of Interior, the U.S. Geological Survey, the States and local governments.

(2) If the requested assistance is in a floodplain, the applicant shall be informed that the President's Executive Order on Floodplain Management provides that such proposed action is subject to the appraisal process in paragraphs (c) (3) to (10) of this section. The applicant shall be advised of any necessary additional information.

(3) Pursuant to the requirements of the National Environmental Policy Act (NEPA) a determination shall be made as to whether the proposed action is a major action which would significantly affect the quality of the human environment. If it is determined that such proposal is a major action which significantly affects the quality of the human environment, an environmental assessment or an environmental impact statement shall be prepared which will also give consideration to all applicable floodplain factors in paragraphs (c) (4) through (10) of this section. If it is determined that an environmental assessment or an environmental impact statement is not needed, a determination with respect to the agricultural producer's proposed floodplain action shall be made and documented by following the procedures in this paragraph (c) of this section.

(4) A determination shall be made as to the type or types of risks or hazards, if any, which may be involved in implementation of the action.

(5) A determination shall be made as to whether a public notice or public involvement is necessary in the decisionmaking process. If public involvement is necessary, follow procedures as set forth in paragraph (d) of this section.

(6) Practical alternative sites or actions in or out of the floodplain shall be identified and evaluated. Where applicable, the alternative of no action shall be considered.

(7) The direct and indirect impacts associated with the action inthe floodplain shall be identified.

(8) To the extent practicable, the practice or action should be designed in a manner to minimize the harmful effects to the floodplain and to restore and preserve the beneficial values of the floodplain.

(9) A determination should be made that all facilities or structures on which loans are requested are in compliance with Section 102(a) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 *et seq.)* and the regulations promulgated thereunder before approval.

(10) The proposed action should be re-evaluated based upon consideration of the factors heretofore assessed in this paragraph and a determination should be made as to whether the proposed action is still practicable at a floodplain site.

(d) *Public Review.* For those actions described in § 799.17(b) on which an environmental impact statement or assessment is not issued and for which a determination has been made by the county ASC committee that public involvement is necessary, the following procedure will be used for public review and comment:

(1) A notice, not to exceed three pages in length including a location map will be sent to the State and areawide clearinghouses (OMB Circular A–95, Attachment D) for the geographic area impacted.

(2) A notice will also be published in a local newspaper. This notice shall include: (i) The reason why the action is proposed to be located in the floodplain: (ii) a statement indicating whether the action conforms to applicable State or local floodplain protection standards

and (iii) a list of the alternatives considered.

(3) A 30-day comment period shall be provided prior to taking any action.

(e) *Federal Property.* This agency has determined that it does not have responsibilities for Federal real property as provided for in Section 3 of Executive Order 11988.

(f) *Regulations and Handbooks.* Regulations and handbooks for ASCS administered programs will be revised to comply with Executive Order 11988 and the ASCS policies stated herein.

§ 799.18 Wetland protection.

(a) *Policy.* It will be policy of ASCS to carry out various commodity, conservation and related land use programs in harmony with the intent of Executive Order 11990 and any guidelines issued for implementing the Executive Order. The agency has and will continue to carry out policies and programs as follows:

(1) In administering its programs, within its legislative authorities, the agency will give emphasis to establishing measures to improve water quality, to offering practices to conserve soil and water resources and to establishing wildlife habitat.

(2) The agency will not approve cost-sharing assistance for drainage of any wetlands.

(3) County ASC committee will encourage the preservation of wetlands.

(4) The agency will prohibit cost-sharing for construction of levees and dikes under the Agricultural Conservation Program, and prohibit assistance for rehabilation of levees, dikes, streambanks and channels under the Emergency Conservation Program when it is determined that such projects are located in wetlands.

(5) The agency will continue to administer policies under the Water Bank Program to provide long-term contracting with an agricultural producer to preserve and improve eligible wetlands for migratory waterfowl habitat and other conservation benefits.

(6) The agency will administer programs in such a way as to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands.

(b) *Environmental Evaluations, Assessments and Impact Statements under the NEPA Process.* All environmental evaluations, assessments and impact statements prepared by ASCS with respect to ASCS programs and projects in accordance with other procedures issued by this agency will address the impact of the program or project on the protection of wetlands.

(c) *Public Review.* ASCS shall provide for public review of any proposals for assisting with construction in wetlands which does not come within the above policies. A 30-day comment period shall be provided prior to taking any action.

(d) *Regulations and Handbooks.* Regulations and handbooks for ASCS administered programs will be revised, where necessary, to comply with Executive Order 11990 and the guidelines stated herein.

Note.—This proposal has been reviewed under the USDA criteria established to implement Executive Order 12044, "Improving Government Regulations." A determination has been made that this action should not be classified "significant" under those criteria. It has also has been determined that an impact analysis and an environmental impact statement are not necessary since these guidelines are to carry out Executive Orders, the policies for such guidelines have had public review through the **Federal Register** notice on June 9, 1978 and such policies are being implemented under various program of the agency for which there has been public review and impact analysis developed.

Signed at Washington, D.C., on March 6, 1980.

Weldon B. Denny,

Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc. 80-7990 Filed 3-13-80; 8:45 am]

BILLING CODE 3410-05-M

Rural Electrification Administration

7 CFR Part 1701

Advance Notice of Proposed REA Program to Permit Deferment of Principal Repayments To Achieve Energy Conservation

AGENCY: Rural Electrification Administration, USDA.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: In furtherance of the national effort to conserve energy and natural and capital resources, REA is considering a program under which the REA Administrator may permit the deferment of certain scheduled principal payments of distribution systems to provide funding for loans by them to their consumers to achieve energy conservation. Public comments are invited.

DATE: Public comments must be received by REA no later than April 14, 1980.

ADDRESS: Persons interested in the development of guidelines and procedures for the proposed program may submit written data, views, suggestions or comments to the Assistant Administrator for Administration, Rural Electrification Administration, Room 4063, South Building, U.S. Department of Agriculture, Washington, D.C. 20250.

FOR FURTHER INFORMATION CONTACT: Mr. Joseph Vellone, Acting Assistant Administrator for Administration, above address, telephone number (202) 447-3863.

SUPPLEMENTARY INFORMATION: REA, in its effort to further the national goals of energy conservation and the conservation of natural and capital resources, as set forth in the National Energy Conservation Policy Act of 1978, Executive Order No. 12185 issued December 17, 1979, and other laws and regulations, is considering the use of existing authorities under Section 12 of the Rural Electrification Act of 1936, to defer principal payments at the request of distribution systems to provide funds which they can then use to make loans to their consumers for energy conservation purposes. It will provide such borrowers with an opportunity to augment their present energy conservation programs by making funds available for a consumer loan program similar to successful programs authorized by the regulatory commissions in several states. Generally such loan programs cover material and labor costs for attic and floor insulation, storm windows, insulated doors, caulking, water heater insulation, and weatherstripping. Financing is also generally available to cover the costs of materials when the consumer makes the installation.

Development of this program may require consolidation and revisions of REA Bulletins 20-5, Extensions of Payments of Principal and Interest, and 20-20, Deferment of Principal Repayments for Investment in Supplemental Lending Institutions.

Further public comment will be solicited when the proposed rule is published.

Dated: March 11, 1980.

Robert W. Feragen,

Administrator.

[FR Doc. 80-8019 Filed 3-13-80; 8:45 am]

BILLING CODE 3410-15-M

FEDERAL TRADE COMMISSION

16 CFR Part 3

Rules of Practice for Adjudicative Proceedings; Labor Organizations

AGENCY: Federal Trade Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Trade Commission invites comments as to whether or not it should promulgate a rule permitting labor organizations to intervene as a matter of right in antitrust adjudicative proceedings for the purpose of addressing the effects, if any, of contemplated divestiture relief on employment. This action is taken in an effort to improve the Commission's procedures for presentation of matters relating to employee impact.

DATE: Comments should be received on or before April 14, 1980.

ADDRESS: Comments should be submitted to: Secretary, Federal Trade Commission, 6th & Pennsylvania Avenue, NW., Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT: Barry R. Rubin, Assistant General Counsel, (202) 523–3520, or Thomas A. Sheehan III, Assistant to the Director, (202) 523–3854, Bureau of Competition, Federal Trade Commission, 6th & Pennsylvania Avenue, NW., Washington, D.C. 20580.

SUPPLEMENTARY INFORMATION: In certain types of antitrust enforcement proceedings, when a violation is found to have occurred, effective relief may require divestiture by the respondent of a portion of its assets, such as a plant. These types of cases include challenges to either (a) the legality of mergers and acquisitions, or (b) the acquisition, maintenance or abuse of monopoly power.

Divestiture may affect employment, collective bargaining, and employee rights. In the past, the Commission has allowed employee representatives to present their views on these matters either as *amicus curiae* or as intervenors in the proceeding. In an effort to improve its procedures for presentation of matters relating to employee impact, the Commission is contemplating an amendment to its Rules of Practice dealing with intervention, 16 CFR § 3.14. The contemplated amendment would permit labor organizations representing employees of the company (or companies) against which a complaint is issued to intervene as a matter of right in antitrust adjudicative proceedings where the complaint initiating the proceeding states that divestiture relief is contemplated. Requests for intervention as a matter of right would have to be filed within 60 days of the issuance of the complaint. Such intervention would be limited to the effect, if any, of proposed remedies on employment, with full rights of participation in the proceeding concerning such matters. No change would be made in the rule permitting intervention at the discretion of the Commission with respect to petitions to intervene filed after the 60 day period.

Accordingly, the Commission proposes to amend its Rule of Practice § 3.14 by designating the present text as paragraph (a) and adding a new paragraph (b) to read as follows:

§ 3.14 Intervention.

* * * * *

(b) In an adjudicative proceeding where the complaint states that divestiture relief is contemplated, the labor organization(s) representing employees of the respondent(s) may intervene as a matter of right. Applications for such intervention are to be made in accordance with the procedures set forth in paragraph (a) of this section and must be filed within 60 days of the issuance of the complaint. Intervention as a matter of right shall be limited to the issue of the effect, if any, of proposed remedies on employment, with full rights of participation in the proceeding concerning this issue. This subsection does not affect a labor organization's ability to petition for leave to intervene pursuant to § 3.14(a).

By direction of the Commission, dated February 27, 1980.

Carol M. Thomas,

Secretary.

Separate Statement of Commissioner Bailey

I support intervention by labor unions in cases where divestiture relief is contemplated where the facts of those cases warrant. I have already supported such intervention in the only case in which it was proposed.

The issue here is not whether to deny labor organizations the right to be heard. The issue is whether the Commission should continue to consider each request for intervention on its merits, case by case, or whether an across the board modification in our Rules of Practice should be undertaken to allow labor union intervention as a matter of right.

I have concerns about an across the board modification in the absence of an inquiry into the potential ramifications and effects of such a change.

What is proposed here is an institutional change of some proportion, which to my mind should be implemented only after thoughtful inquiry into a number of issues. Some that come readily to mind are for example:

(1) What are the views, if any, of the Antitrust Division on this proposed change which could eventually have an impact on the Division's enforcement of the Sherman and Clayton Acts;

(2) What impact might the change have on our concern with expedition in ongoing cases—some ongoing now for many years;

(3) What might be the number of potential "intervenors-of-right" in a single case involving several companies;

(4) Are any issues of fairness raised for employees who may not be represented by a labor organization.

It is my hope that during the comment period interested persons would address these and other questions regarding the effect of the proposed rules change on effective antitrust enforcement.

[FR Doc. 80–7991 Filed 3–13–80; 8:45 am]

BILLING CODE 6750–01–M

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16 CFR Part 419

Games of Chance in the Food Retailing and Gasoline Industries; Proposed Rule and Staff Report; Extension of Comment Time

AGENCY: Federal Trade Commission.

ACTION: Proposed rule and staff report; extension of comment time.

SUMMARY: This document extends the comment period of a Commission document previously published in the **Federal Register** on Wednesday, Feb. 27, 1980. The comment period is intended for members of the public to comment on the staff report and the recommended rule amendment, as reported.

DATE: Comments will be accepted until April 14, 1980.

ADDRESS: Comments should be identified as "Comment on Staff Report-Games of Chance Rule, Posting and Reporting Amendment," and addressed to: Office of the Secretary, Federal Trade Commission, 6th St. and Pennsylvania Ave., NW., Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT: Noble F. Jones, Consumer Protection Specialist, Cleveland Regional Office, Federal Trade Commission, 118 St. Clair Ave., Suite 500, Cleveland, Ohio. 44114. (216) 522–4207.

SUPPLEMENTARY INFORMATION: In FR Doc. 80–5907, appearing in **Federal Register** issue for Wednesday, February 27, 1980, 45 FR 12832, the date the public comment must be received by was reported as March 28, 1980. That date has been extended to April 14, 1980.

Copies of the staff report and recommended amendment may be obtained from: Public Reference Branch, Room 130, Federal Trade Commission, 6th St. and Pennsylvania Ave., NW., Washington, D.C. 20580.

The Commission cautions all concerned that the staff report has

neither been reviewed nor adopted by the Commission and that its publication should not be interpreted as reflecting the present view of the Commission or any individual member thereof.

Carol M. Thomas,

Secretary.

[FR Doc. 80-7978 Filed 3-13-80; 8:45 am]

BILLING CODE 6750-01-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 239 and 249

[Release Nos. 33-6196; 34-16635; 35-21469; IC-11074; File No. S7-824]

Ratio of Earnings to Fixed Charges

AGENCY: Securities and Exchange Commission.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Commission is requesting comments on whether the current requirement to present historical and pro forma ratios of earnings to fixed charges in certain filings should be retained or deleted. Additionally, the Commission is requesting comments on specified concerns with the calculation of the ratio where retention is recommended. The Commission intends to consider these comments in connection with possible future rulemaking proposals.

DATE: Comments should be submitted on or before May 15, 1980.

ADDRESSES: Comments should refer to file S7-824 and should be submitted in triplicate to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549. All comments will be available for public inspection at the Commission's Public Reference Room, Room 6101, 1100 L Street, NW., Washington, D.C. (File No. S7-824).

FOR FURTHER INFORMATION CONTACT: Rita Gunter, Office of the Chief Accountant (202-272-2133), or Howard P. Hodges, Jr., Division of Corporation Finance (202-272-2553), Securities and Exchange Commission, Washington D.C. 20549.

SUPPLEMENTARY INFORMATION: The Commission is considering the appropriateness of the present requirements for disclosure of historical and pro forma ratios of earnings to fixed charges and ratios of earnings to combined fixed charges and preferred dividends. In order to reach an informed decision on such requirements, the Commission is requesting comments on the usefulness of the ratios. Commentators are specifically requested to discuss approaches that they believe are more meaningful in assessing a company's ability to meet its fixed charge payments. Additionally, if retention of the ratios is recommended, specific comments are requested on their calculation. The Commission is not at this time proposing any amendments to the present requirements, but rather wishes to elicit comments to assist in the development of possible future rulemaking proposals. In that regard, this release discusses some of the criticisms and perceived problems related to the continued requirement to present these ratios.

Background

The requirement to present a ratio of earnings to fixed charges was first adopted in 1954 in connection with the then new Form S-9. A company was required to have a minimum coverage ratio before it was permitted to use Form S-9. In order to demonstrate eligibility, a registrant was required to disclose the ratio in its filing. Since 1954 numerous changes have been made in the requirements governing the ratio, and such ratio (or a ratio of earnings to combined fixed charges and preferred dividends, in the case of a preferred stock offering) has become a disclosure requirement of other registration forms of the Commission.

At the present time the written instructions for the computation and presentation of the ratio of earnings to fixed charges [1] are contained in the summary of operations items in Form S-1, S-11, 10 and 10-K, and in the statements of income item of Form S-7. Related interpretations are set forth in Accounting Series Release Nos. 119 and 122. These instructions and interpretations are very brief and general; thus, certain additional interpretations and administrative practices have been followed by the staff and registrants. Specific questions with respect to the ratio have been raised and resolved on a case-by-case basis. Such decisions have never been incorporated into Commission requirements, but instead have been handled administratively.

Purpose of the Ratio

The historical and pro forma ratios of earnings to fixed charges are intended as indicators of the registrant's ability to meet its future interest and preferred dividend requirements on outstanding debt and preferred stock and those amounts plus the amount applicable to debt or preferred stock being offered for sale, respectively. While an absolute ratio in a given period may provide useful information, a comparison of a succession of annual ratios is usually more meaningful. Thus, the most persuasive argument for the presentation of the ratio of earnings to fixed charges seems to be its usefulness as an analytical tool.

The Commission recognizes that the ratio of earnings to fixed charges is only one of the factors considered by security analysts, rating agencies, and potential investors and creditors; however, the ratio is intended to aid these persons in the assessment of a company's ability to timely meet required interest and preferred dividend payments. Since interest coverage may affect a company's bond rating, the ratio may have implications from the standpoint of determining the interest rate and thus the cost of raising capital. Bond rating agencies consider many factors in establishing bond ratings, one of which is a fixed-charge coverage. Other factors considered may include other ratios, condtions in the industry, management, product lines, indentures, and future operating plans.

Other ratios and financial relationships that may be used for analytical purposes include the working capital ratio, cash flow ratio, quick ratio, return on equity, and return on assets. In the usual case, the information necessary to compute these ratios is presented in the financial statements, whereas the ratio of earnings to fixed charges in most cases cannot be computed from only the information disclosed in the financial statements. Thus, disclosure of the ratio of earnings to fixed charges has been required even though it has been argued that too much emphasis has been placed on the ratio when presented alone.

Rating agencies and security analysts sometimes compute an "internal" ratio of earnings to fixed charges. Such ratios may be based on income after taxes and include all rentals, no rentals, or only certain rentals depending on the industry. In some cases, short-term interest may be ignored depending on the company's plans for future borrowings. In other cases, fixed charges may include an amount representative of the interest factor in pension expense which is applicable to unfunded past service costs. There seems to be a wide divergence of views concerning the usefulness of and necessity for the ratio of earnings to fixed charges; however, it appears that

[1] References hereinafter to the "ratio of earnings to fixed charges" or to "the ratio" should also be considered to encompass the ratio of earnings to combined fixed charges and preferred dividends.

most agree that the trends of this and other ratios are significant.

The Corporate Information Committee of the Financial Analysts Federation, in a comment letter on the format and content of Part I of the present Form 10–K, suggested that the form be amended to require the disclosure of the ratio of earnings to fixed charges in the "Capsule Financial Data" part of Item 1. This Committee believes that the ratio "is not only of interest to bond analysts but to equity investors as well, since the ability of a company to cover debt payments and maintain these ratios has significance for the capital spending and financing potential of the organization."

Problems With Presentation of the ratio

The Commission has heard many criticisms and complaints concerning its requirement to disclose the historical and pro forma ratios of earnings to fixed charges. The following discussion is intended to elicit specific comments useful in the development of future rulemaking proposals by the Commission.

With respect to the historical ratio, the criticism most often heard has been that the ratio may tend to be misleading when considered alone and that financial analysis should be left to analysts, and not included in financial reporting. The argument continues that no single ratio should be considered alone since by the presence of a single ratio a degree of exactness and accuracy is conveyed. Also readers may be tempted to use the ratio alone rather than as only one of several factors which are relevant to an investment decision.

The requirement that the ratio be presented on the face of the summary of operations or the income statement is said to have caused readers of financial statements to attach more importance to the ratio than is justified. With respect to public utilities, the ratio may be less relevant than the fixed charge coverage as computed under the indenture or charter because the bond indenture or the corporate charter may not allow the issuance of additional mortgage bonds or preferred stock if the indenture or charter computed fixed charge ratio is less than a specified amount during a certain period of time. Yet the indenture and/or charter ratios are presented only in the narrative portion of a filing. Also, some investment bankers and institutional investors contend that rating agencies' ratings are far more important than the historical ratio of earnings to fixed charges, yet these ratings are not disclosed in filings with the Commission.

Some critics of the ratio point out that the ratio would be more useful if it also measured a company's ability to meet principal payments on debt and lease obligations. In their opinion, the investor wants a reasonable measure of the company's ability to meet fixed cash obligations from its available cash flows. If commentators on this release agree with this criticism and would propose that these or other amounts be included in fixed charges in computing the ratio, specific comments are requested on the appropriate method of computation.

The most serious criticisms have been aimed at the current requirement for presenting pro forma ratios of earnings to fixed charges. A task force appointed by the AICPA Committee on SEC Regulations recommended in its report of September 1975 that the Commission eliminate its requirement to disclose a pro forma ratio of earnings to fixed charges. As an alternative, the Task Force proposed that the rules be amended to require the pro forma ratio only if the proceeds from the securities being registered are to be applied to the reduction of outstanding debt or preferred stock. The Task Force indicated that investors and analysts should be able to use the historical ratio of earnings to fixed charges and other available information to make their own predictions of what future coverage ratios might be, in much the same way that a common stockholder uses historical earnings trends for predictive purposes.

It has been pointed out that the pro forma ratio may be misleading since in most cases the actual ratio experienced in the succeeding year is often higher than the pro forma ratio previously reported. A conservative approach has been taken with respect to the computation of the ratio; that is, earnings that will be generated from the investment of the proceeds of the offering, as well as proceeds from other debt issuances, are not considered in computing the ratio. Just as investors expect to generate a return on an investment in a debt security or preferred stock, a company likewise ordinarily expects a return on the proceeds of an offering. Ignoring these expected earnings is one cause of differences between the pro forma ratio and the subsequent historical ratio. In the past, these estimated increases in earnings have not been considered due to their speculative nature and the fact that no precise method of computing such increases has been developed.

It is argued, on one hand, that forecasts are required in the ratio (that is, consideration of any issuance, retirement or redemption of securities proposed for the following year), but, on the other hand, forecasts are not allowed (that is, estimated increases in earnings from the investment of the proceeds). Thus, some believe that the ratio now required is not sound in that it takes into consideration projected changes with respect to only the denominator (fixed charges) of the ratio. It is also argued that such forecasts should not be required since the Commission has not required forecasts in other aspects of filings. However, the Commission has not viewed the pro forma ratio as a forecast, but rather as a ratio based on current year income and fixed charge amounts adjusted for the proposed transaction (including debt or stock being sold for which the registration statement is filed, as well as any issuances, retirements or redemptions proposed for the following twelve months). Rather than forecasting what the ratio will be in the future, the pro forma is intended to provide "as if" disclosure regarding a past period. Commentators are specifically requested to comment on this point and to provide suggested rules if they believe increased earnings from the use of proceeds should be considered in computing the ratio.

Some observers state the view that the objective of the pro forma ratio is not only to illustrate the impact of the proposed debt or preferred stock transaction(s) but also to give effect to operating changes or events during the year and other known changes after year end as though they had occurred earlier. Under this concept such items as discontinued operations, extraordinary items, and cumulative effects of accounting changes would not be included in the "earnings" amount used in computing the pro forma ratio. Comments are specifically requested on the merits of such an approach to the pro forma ratio.

Specific Inquiries

The Commission specifically invites comments on the following questions:

1. What uses are made of the ratio in assessing the relative merits of a security?

2. Should the ratio be cash oriented as opposed to income oriented? If so, how would such a ratio be computed?

3. What additional items, if any, should be included in "fixed charges"?

4. Should "earnings" be increased for an amount expected to be generated from the investment of the proceeds of the offering? If so, how is the amount to be computed?

5. Should "earnings" include discontinued operations, extraordinary items, or cumulative effects of accounting changes? What consideration should be given to unusual or infrequently occurring items?

6. Should the requirement to disclose the ratio on the face of the summary of operations or income statment be changed? If so, where is the appropriate place for disclosure?

7. Since Statement of Financial Accounting Standards No. 13, "Accounting for Leases," now requires capitalization of leases meeting certain criteria, should rentals paid on operating leases have an "interest factor" of the kind requiring adjustment in the fixed-charge ratio? If the answer to this question is no, please specifically discuss how operating leases which miss the cut-off test for capital leases (e.g., less than 75% of estimated economic life or less than 90% of the fair value of the leased property) are different from capital leases for purposes of determining the interest factor in leases.

8. In calculating a pro forma ratio, what adjustments should be considered? How would the amounts of the various adjustments be computed?

9. How should the following items be treated in computing the ratios: (1) Earnings or losses of unconsolidated subsidiaries and 50% or less owned persons, (2) minority interests, and (3) capitalized interest?

10. Should the requirement to disclose the ratio be extended to all filings and reports made with the Commission rather than only those registration statements where debt or preferred stock is being registered?

11. What ratio requirement for interim periods is necessary?

All interested persons are invited to submit their written views and comments on the foregoing areas and on any other issues which might affect the revision of the ratio requirements.

By the Commission.

George A. Fitzsimmons,

Secretary.

March 7, 1980.

[FR Doc. 80-7983 Filed 3-13-80; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF LABOR

Employment and Training Administration

20 CFR Part 655

Labor Certification Process for the Temporary Employment of Aliens in Agriculture: Adverse Effect Wage Rate Methodologies; Proposed Rulemaking

Correction

In FR Doc. 80-7505 appearing on page 15914 in the issue of Tuesday, March 11, 1980, make the following correction:

In the fourth paragraph of the first column of page 15917, in the twelfth line, "$.571 price rate" should have read "$.571 piece rate".

BILLING CODE 1505-01-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 1 and 5

[LR-199-78]

Credit for Employment of Certain New Employees Public Hearing on Proposed Regulations

AGENCY: Internal Revenue Service, Treasury.

ACTION: Public hearing on proposed regulations.

SUMMARY: This document provides notice of a public hearing on proposed regulations relating to the credit for employment of individuals qualifying as members of a targeted group.

DATES: The public hearing will be held on April 24, 1980, beginning at 10:00 a.m. Outlines of oral comments must be delivered or mailed by April 10, 1980.

ADDRESS: The public hearing will be held in the I.R.S. Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Avenue, N.W., Washington, D.C. The outlines should be submitted to the Commissioner of Internal Revenue, Attn: CC:LR:T (LR-199-78), Washington, D.C. 20224.

FOR FURTHER INFORMATION CONTACT: Charles Hayden of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202-566-3935, not a toll-free call.

SUPPLEMENTARY INFORMATION: The subject of the public hearing is proposed regulations under sections 44B, 51, 52, 53, 280C and 381 of the Internal Revenue Code of 1954. The proposed regulations appeared in the **Federal Register** for Friday, December 28, 1979, at page 76817 (44 FR 76817).

The rules of § 601.601(a)(3) of the "Statement of Procedural Rules" (26 CFR Part 601) shall apply with respect to the public hearing. Persons who have submitted written comments within the time prescribed in the notice of proposed rulemaking and also desire to present oral comments at the hearing on the proposed regulations should submit an outline of the comments to be presented at the hearing and the time they wish to devote to each subject by April 10, 1980.

Each speaker will be limited to 10 minutes for an oral presentation exclusive of time consumed by questions from the panel for the Government and answers to these questions.

Because of controlled access restrictions, attendees cannot be admitted beyond the lobby of the Internal Revenue Building until 9:45 a.m.

An agenda showing the scheduling of the speakers will be made after outlines are received from the speakers. Copies of the agenda will be available free of charge at the hearing.

This document does not meet the criteria for significant regulations set forth in paragragh 8 of the Treasury Directive appearing in the **Federal Register** for Wednesday, November 8, 1978.

By direction of the Commissioner of Internal Revenue:

Robert A. Bley,

Director, Legislation and Regulations Division.

[FR Doc. 80-7902 Filed 3-13-80; 8:45 am]

BILLING CODE 4830-01-M

26 CFR Parts 1 and 7

[LR-268-76]

Election To Treat Outdoor Advertising Displays As Real Property; Public Hearing on Proposed Regulations

AGENCY: Internal Revenue Service, Treasury.

ACTION: Public hearing on proposed regulations.

SUMMARY: This document provides notice of a public hearing on proposed regulations relating to the involuntary conversion of real property. The proposed regulations provide rules regarding the making of an election to that property that constitutes certain outdoor advertising displays as real property for income tax purposes.

DATES: The public hearing will be held on April 22, 1980, beginning at 10:00 a.m. Outlines of oral comments must be delivered or mailed by April 8, 1980.

ADDRESS: The public hearing will be held in the I.R.S. Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Avenue, N.W., Washington, D.C. The outlines should be submitted to the Commissioner of Internal Revenue, Attn: CC:LR:T (LR–268–76), Washington, D.C. 20224.

FOR FURTHER INFORMATION CONTACT: Charles Hayden of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202–566–3935, not a toll-free call.

SUPPLEMENTARY INFORMATION: The subject of the public hearing is proposed regulations under section 1033 of the Internal Revenue Code of 1954. the proposed regulations appeared in the Federal Register for Tuesday, December 11, 1979, at page 71429 (44 FR 71429).

The rules of § 601.601(a)(3) of the "Statement of Procedural Rules" (26 CFR Part 601) shall apply with respect to the public hearing. Persons who have submitted written comments within the time prescribed in the notice of proposed rulemaking and also desire to present oral comments at the hearing on the proposed regulations should submit an outline of the comments to be presented at the hearing and the time they wish to devote to each subject by April 8, 1980.

Each speaker will be limited to 10 minutes for an oral presentation exclusive of time consumed by questions from the panel for the Government and answers to these questions.

Because of controlled access restrictions, attendees cannot be admitted beyond the lobby of the Internal Revenue Building until 9:45 a.m.

An agenda showing the scheduling of the speakers will be made after outlines are received from the speakers. Copies of the agenda will be available free of charge at the hearing.

This document does not meet the criteria for significant regulations set forth in paragraph 8 of the Treasury Directive appearing in the Federal Register for Wednesday, November 8, 1978.

By direction of the Commissioner of Internal Revenue:

Robert A. Bley,

Director, Legislation and Regulations Division.

[FR Doc. 80–7901 Filed 3–13–80; 8:45 am]

BILLING CODE 4830–01–M

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Part 1603

DEPARTMENT OF LABOR

Office of Federal Contract Compliance Programs

41 CFR Part 60–20

Interpretive Guidelines on Employment Discrimination and Reproductive Hazards; Correction

AGENCIES: Equal Employment Opportunity Commission and Department of Labor.

ACTION: Proposed Rulemaking; Corrections of Contact Person, Introduction, Analysis and Cross-References in the Proposal.

SUMMARY: This document corrects the third paragraph of the Introduction, the tenth paragraph of the Analysis, and the cross-references in sections 3(a)(2) and 3(a)(3) of the proposed rulemaking published on Friday, February 1, 1980, at 45 FR 7514.

FOR FURTHER INFORMATION CONTACT:

Frederick D. Dorsey, Director, Office of Policy Implementation, Equal Employment Opportunity Commission, 2401 E Street, NW., Washington, D.C. 20506, 202–634–7060.

Joseph Hogan, Acting Director, Division of Program Policy, Office of Federal Contract Compliance Programs, U.S. Department of Labor, Washington, D.C. 20210, 202–523–9426, or James D. Henry, Associate Solicitor, Office of the Solicitor, U.S. Department of Labor, Washington, D.C. 20210, 202–523–8235.

SUPPLEMENTARY INFORMATION: 1. In the third paragraph of the Introduction (45 FR 7514), the reference to "polyvinyl chloride" should have read "vinyl chloride". The reference to "estrogen" should have read "synthetic estrogen". The reference to the May 31, 1978 letter of the Assistant Secretary for Occupational Safety and Health should have referred to the May 1, 1978 letter. As corrected, this paragraph reads as follows:

"It was also during this process that EEOC and OFCCP became aware of the increasing number of employers and contractors who are intiating policies excluding all women of childbearing capacity from certain jobs because of exposure to hazardous substances or conditions. Preliminary evidence indicates that as many as 20 million jobs may involve exposure in the workplace to alleged reproductive hazards. Chemicals and physical agents which have been alleged to pose such hazards include lead, vinyl chloride, radiation, synthetic estrogen, anesthetic gases, and organic solvents. In response to such exclusionary practices the EEOC, on April 21, 1978, issued a policy statement indicating its concern about whether such practices conform with federal anti-discrimination laws. In a May 1, 1978, letter from the Department of Labor's Assistant Secretary for Occupational Safety and Health, Eula Bingham, to all major American corporate medical directors, OSHA expressed its concern regarding employment practices which deny opportunities to any class of workers on the basis of safety and health. These guidelines specifically address those situations, involving allegations of sex discrimination."

2. The twenty-second through twenty-third line in the tenth paragraph of the Analysis (45 FR 7515) should refer to the National Institute of Environmental Health Sciences, rather than to the National Institute of Environmental Health Safety.

3. The cross-reference at 45 FR 7517 at the end of proposed Section 3(a)(2) should refer to Section 2(d)(6), rather than to paragraph 2(d)(b).

4. The cross-reference at 45 FR 7517 at the end of proposed Section 3(a)(3) should refer to Section 2(d)(8), rather than to paragraph 2(d)(8).

Signed at Washington, D.C. this 7th day of March 1980.

Eleanor Holmes Norton,

Chair For the Commission.

Ray Marshall,

Secretary of Labor.

Donald Elisburg,

Assist Secretary, Employment Standards Administration.

Weldon J. Rougeau,

Director, Office of Federal Contract Compliance Programs.

[FR Doc. 80–7984 Filed 3–13–80; 8:45 am]

BILLING CODE 6570–06–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1435-5]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision: Bay Area Air Quality Management District and Ventura County Air Pollution Control District

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed rulemaking.

SUMMARY: Revisions to the Bay Area Air Quality Management District's (AQMD's) and Ventura County Air Pollution Control District's (APCD's) emergency episode plans have been submitted to the Environmental Protection Agency (EPA) by the California Air Resources Board (ARB) for the purpose of revising the California State Implementation Plan (SIP). The intended effect of these revisions is to update the rules and regulations, and to correct deficiencies in the SIP. The EPA invites written public comment on these rules, especially as to their consistency with the Clean Air Act.

DATE: The deadline for submitting written comments is April 14, 1980.

ADDRESSES: Comments may be sent to: Regional Administrator, Attn: Air & Hazardous Materials Division, Air Technical Branch, Regulatory Section (A-4-2), Environmental Protection Agency, Region IX, 215 Fremont Street, San Francisco, CA 94105.

The EPA has established a rulemaking Docket 9A-79-2 for the Bay Area AQMD and 9A-79-4 for the Ventura County APCD. These Dockets contain all the information on which the proposed rulemaking relies, which is available for public inspection during normal business hours at the EPA Region IX office at the above address and the EPA Central Docket Section at the following address: EPA Central Docket Section, Waterside Mall, Room 2903B, 401 M Street SW., Washington, D.C. 20460.

Additionally, copies of the proposed revisions are available for public inspection during normal business hours at the following locations:

Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, CA 94109
Ventura County Air Pollution Control District, 800 South Victoria Avenue, Ventura, CA 93001
California Air Resources Board, 1102 Q Street, P.O. Box 2815, Sacramento, CA 95814

FOR FURTHER INFORMATION CONTACT: Rodney L. Cummins, Chief, Technical Analysis Section, Environmental Protection Agency, Region IX, (415) 556-2002, 215 Fremont Street, San Francisco, CA 94105.

SUPPLEMENTARY INFORMATION:

Background

Under Section 110(a) of the Clean Air Act and 40 CFR 51.16, SIP's are required to contain air pollution emergency episode contingency plans. The original SIP and subsequent revisions submitted by the State of California failed to meet the requirements specified in 40 CFR 51.16. As a result, the California Lung Associaton and others commenced a citizens' suit in March of 1975 against EPA and the ARB, requesting the U.S. District Court for the Central District of California to order EPA to promulgate and enforce an emergency episode plan for the South Coast Air Basin (SCAB) of California ("California Lung Association v. Train," Civil No. 75-1044-WPG).

EPA lost the Court suit, and a Joint Stipulaiton of Settlement was signed on December 5, 1977, by counsels for the Administrator and for the California Lung Association, which stated that EPA would review the emergency episode regulations of 42 Air Pollution Control Districts in the State of California, approving or promulgating regulations as necessary.

In August 1979, counsels for the Administrator and for the California Lung Association signed a Stipulation for Modification of Joint Stipulation of Settlement and Order Modifying Findings of Fact and Conclusions of Law, which stated that EPA would have to review regulations for only 12 Air Pollution Control Districts. This proposed rulemaking and its associated documents satisfy in part the Settlement between EPA and the California Lung Association. (For a more detailed description of the litigation, see 44 FR 30118.)

On May 24, 1979 (44 FR 30124) and June 13, 1979 (44 FR 33905), the Administrator published proposed rules for air pollution emergency episodes in the Bay Area AQMD and Ventura County APCD, respectively. The purpose of these Notices was to propose to approve the episode plans and to propose supplementary regulations to correct deficiencies in both plans. Subsequent to the publication of these Notices, EPA received comments from the Bay Area AQMD and Ventura County APCD, which indicated that EPA should not finalize the proposed regulations because each agency was correcting the deficiencies noted by EPA in their episode plans. As a result, EPA did not finalize the proposed regulations, but waited until the revisions were submitted as an SIP revision by the ARB. The following regulations were submitted to EPA by the California ARB on February 14, 1980 and February 25, 1980 for the Bay Area AQMD and Ventura County APCD, respectively.

Bay Area AQMD

Rule 100, General
Rule 101, Description
Rule 300, Standards
Rule 301, Preplanned Abatement Strategies
Rule 302, Air Pollution Advisory Alert
Rule 303, Abatement Actions
Rule 304, Air Pollution Warning
Rule 305, Air Pollution Emergency
Rule 400, Administrative Requirements
Rule 401, Termination of Episode Stages
Rule 402, Communications
Rule 403, Meteorological Forecasts
Rule 404, Enforcement

Ventura County APCD

Rule 150, Source and Receptor Areas
Rule 152, Air Monitoring Summaries
Rule 153, Episode Criteria
Rule 154, Episode Notifications
Rule 155, Plans
Rule 156, Communication Network
Rule 157, First Stage Episode Actions
Rule 158, Second Stage Episode Alert
Rule 159, Third Stage Episode Alert
Rule 160, Interdistrict Coordination
Rule 161, Enforcement
Rule 162, Termination of Episodes

EPA's Proposed Actions

Under Section 110 of the Clean Air Act, as amended, and 40 CFR Part 51, the Administrator is required to approve or disapprove the above regulations as SIP revisions. All the rules submitted have been evaluated in accordance with EPA policy and 40 CFR Part 51. Based upon this evaluation, EPA has determined that the requirements of 40 CFR 51.16 are satisfied. Therefore, the rule revisions listed above are proposed to be approved and incorporated into the California SIP.

Public Comments

The Regional Administrator hereby issues this Notice setting forth these revisions as proposed rulemaking, and advises the public that interested persons may participate by submitting written comments to the Regional IX Office. Comments received on or before 30 days after publication of this Notice will be considered. Comments received will be available for public inspection at the EPA, Region IX Office and the EPA Public Information Reference Unit.

The Administrator's decision to approve or disapprove the proposed revisions will be based upon comments received, and upon a determination of whether the amendments meet the

requirements of Section 110(a)(2) of the Clean Air Act and 40 CFR Part 51, Requirements for Preparation, Adoption, and Submittal of State Implementation Plans.

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." EPA has reviewed the revision being acted upon in this notice, and has determined that it is a specialized revision not subject to the procedural requirements of Executive Order 12044.

Authority: Sections 110 and 301(a) of the Clean Air Act, as amended, (42 U.S.C. §§ 7410 and 7601(a)).

Dated: March 7, 1980.

Sheila M. Prindiville,

Acting Regional Administrator.

[FR Doc. 80-7958 Filed 3-13-80; 8:45 am]

BILLING CODE 6560-01-M

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40 CFR Part 52

[FRL 1434-8]

Approval and Promulgation of Implementation Plans, Ohio; Approval of an External Emission Offset for Pre Finished Metals Inc., of Ohio

AGENCY: U.S. Environmental Protection Agency (USEPA).

ACTION: Proposed rulemaking.

SUMMARY: Pre Finished Metals Inc. has proposed to construct a new metal coating plant in Lake Township of Wood County, Ohio. This area presently exceeds the National Ambient Air Quality Standard of photochemical oxidants and therefore new emissions of volatile organic compounds (VOC) must be offset by reductions of VOCs from existing sources. The Ohio Department of Transportation (ODOT) has agreed to reduce the use of cutback asphalt in Wood, Sandusky and Ottawa Counties by an amount sufficient to offset the VOC emissions expected from the proposed source. Because the offsets are external (i.e., supplied by a party other than the new source owners), and because the external offsets are being supplied by a State or community, the offset commitment must be submitted as a SIP revision by the State of Ohio in accordance with the Emission Offset Interpretative Ruling 44 FR 3274 (January 16, 1979). The USEPA proposes to approve the commitment to supply the offsets by the ODOT as a State Implementation Plan (SIP) revision.

DATE: Written comments must be received on or before May 13, 1980.

ADDRESSES: Comments should be sent to: Gary Gulezian, Acting Chief, Regulatory Analysis Section, U.S. Environmental Protection Agency, Air Programs Branch Region V, 230 South Dearborn Street, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Ronald J. Van Mersbergen, Regulatory Analysis Section, U.S. Environmental Protection Agency, Air Programs Branch, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-6057.

SUPPLEMENTARY INFORMATION: The Ohio Environmental Protection Agency (OEPA) has approved a permit to install for the Pre Finished Metals Inc. (2300 E. Pratt Boulevard, Elk Grove Village, Illinois 60007). The proposed new facility will produce painted sheet metal in a continuous coil coating operation. The proposed facility will be located in Lake Township of Wood County, Ohio on West Broadway, 300 yards South of Wales Road. The operation is scheduled to begin in early 1981. Wood County, as well as neighboring Sandusky and Ottawa Counties, was designated on March 31, 1978 (43 FR 8962) by the Administrator as nonattainment for photochemical oxidants. Therefore all new or modified sources applying for a permit to install prior to July 1, 1979, must meet the requirements of Section IV of the Emission Offset Interpretive Ruling 44 FR 3274 (January 16, 1979). This requires Pre Finished Metals Inc. to 1) apply the lowest achievable emission rate (LAER) to the new source, 2) bring all other sources in the State owned by Pre Finished Metals Inc. in compliance with all applicable SIP emission limitations or on a compliance schedule, 3) reduce emission of VOCs from existing sources in the area to offset the emissions from the proposed source, and 4) assure that emission reductions (offsets) provide a new air quality benefit in the area affected by the new source emissions. According to Section V. B. of the Interpretive Ruling, when offsets are supplied by a State or community, the commitment to supply the offsets must be submitted as a SIP revision by the State. The intent of this Federal Register announcement is to give notice that USEPA proposes to approve the SIP revision. In accordance with the criteria in Section V. and V. B. of the Interpretive Ruling the emission reductions will be (1) enforceable by the authorized State and/or local agencies, (2) accomplished by the new source start-up date, and (3) sufficient to outweigh the impact of the new source.

The proposed SIP revision dated May 23, 1979, which was submitted by the Governor of Ohio to the Regional Administrator of Region V, contains a commitment dated November 6, 1978 by the Director of ODOT to supply the offsets for Pre Finished Metals. These offsets will be available January 1, 1980 in sufficient time to accomodate the start of operations scheduled for early 1981. The ODOT will provide offsets by reducing the use of cutback asphalt which is high in VOC emissions in Wood, Ottawa and Sandusky Counties. The ODOT commitment will be accomplished by substituting emulsified based asphalt for cutback asphalt. A reduction of 165 tons per year of VOC emissions will come from 892 tons of asphalt which will have an emulsified base rather than a cutback base.

The anticipated VOC emissions rate from Pre Finished Metals Inc. after the application of LAER will be 137 tons per year. This is less than the 165 tons per year offsets required to represent reasonable progress toward attainment in the three county area.

Section 129 of the Clean Air Act sets the baseline for emission offset calculations as the SIP requirements at the time of the permit application. There were no SIP limits on VOC in Wood, Sandusky and Ottawa Counties on the date the Pre Finished Metals application was submitted; therefore, all reductions of VOC in the three Counties are eligible as offsets.

The USEPA considers the Governor's submittal as a SIP revision and the November 6, 1978 letter from the Director of ODOT to the Director of OEPA to be a commitment which is sufficient to meet the requirements of Section V of the Interpretive Ruling. Section V, when referring to SIP enforceability states: "The emission reduction commitment must be enforceable by authorized State and/or local agencies, and under the Clear Air Act * * *." It is understood by USEPA that the Governor, the State's chief executive officer, can enforce the commitment which comes from a department under his jurisdiction and therefore the ODOT commitment is enforceable by the Governor.

All interested parties are invited to submit written comments on EPA's proposed approval of this SIP revision. Written comments received by the date specified above will be considered in determining whether the USEPA will approve the SIP revision. After the public comment period the Administrator of the USEPA will publish in the Federal Register the Agency's final action on this proposal.

Dated: March 5, 1980.

John McGuire,

Regional Administrator.

[FR Doc. 80-7954 Filed 3-13-80; 8:45 am]

BILLING CODE 6560-01-M

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40 CFR Part 52

[FRL 1435-1]

Availability of Implementation Plan Revisions for Nonattainment Areas in the State of Michigan

AGENCY: U.S. Environmental Protection Agency.

ACTION: Notice of Receipt and Availability.

SUMMARY: This notice is to announce receipt and availability for public review of proposed revisions to specific portions of the State Implementation Plan (SIP) for Michigan. Under the requirements of Part D of the Clean Air Act, the State of Michigan on April 25, 1979 and, additionally on October 26, 1979, November 8, 1979 and December 26, 1979 submitted to the U.S. Environmental Protection Agency (USEPA) proposed revisions to its SIP. These proposed revisions are designed to implement new measures for decreasing the ambient concentrations of carbon monoxide and ozone in those areas of the State of Michigan designated as not attaining the National Ambient Air Quality Standards (NAAQS) for these pollutants. The October 5, 1978 **Federal Register** (43 FR 46010) contains a listing of areas in Michigan not meeting National Ambient Air Quality Standards for carbon monoxide and ozone. A Notice of Proposed Rulemaking describing the proposed revisions and USEPA's intended rulemaking action will be published in the **Federal Register** at a later date.

DATES: See Supplementary Information.

ADDRESSES: The submittal may be examined during normal business hours at the following USEPA offices:

OFFICES:

Public Information Reference Unit, Library Systems Branch, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

U.S. Environmental Protection Agency, Region V, Air Programs Branch, 230 South Dearborn Street, Chicago, Illinois 60604.

In addition the revisions may be examined at the offices of the:

Michigan Department of Natural Resources, Air Quality Division, State Secondary Government Building Complex, General Office Building, 7150 Harris Drive, Lansing, Michigan 48917.

Written comments should be sent to: Gary Gulezian, Chief, Regulatory Analysis Section, Air Programs Branch, U.S. Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Gary Gulezian, Chief, Regulatory Analysis Section, Air Programs Branch, U.S. Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-6029.

SUPPLEMENTARY INFORMATION: USEPA is currently reviewing these proposed revisions to the Michigan SIP. At the completion of this review a notice will be published in the **Federal Register** proposing rulemaking action on these revisions.

All interested persons are advised that the proposed revision are available for review at the locations listed above. The proposed rulemaking notice referred to above will announce the last day for public comment. This public comment period will extend for not less than 30 days from the date of publication in the **Federal Register** of USEPA's proposed rulemaking action.

Dated: March 6, 1980.

John McGuire,

Regional Administrator.

[FR Doc. 80-7955 Filed 3-13-80; 8:45 am]

BILLING CODE 6560-01-M

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40 CFR Part 52

[FRL 1435-2]

Availability of Implementation Plan Revisions for Nonattainment Areas in the State of Ohio

AGENCY: U.S. Environmental Protection Agency.

ACTION: Notice of Receipt and Availability.

SUMMARY: This notice is to announce receipt and availability for public review of proposed revisions to specific portions of the State Implementation Plan (SIP) for Ohio. Under the requirements of Part D of the Clean Air Act, the State of Ohio on December 28, 1979 and February 12, 1980, submitted to the U.S. Environmental Protection Agency (USEPA) proposed revisions to its SIP. These proposed revisions are designed to implement new measures for decreasing the ambient concentrations of carbon monoxide (CO) and ozone (03) in the Youngstown nonattainment area. A Notice of Proposed Rulemaking describing the proposed revisions for the Youngstown area and USEPA's intended rulemaking action will be published in the **Federal Register** at a later date.

DATES: See Supplementary Information.

ADDRESSES: The submittal may be examined during normal business hours at the following USEPA offices:

Public Information Reference Unit, Library Systems Branch, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460.

U.S. Environmental Protection Agency, Region V, Air Programs Branch, 230 South Dearborn Street, Chicago, Illinois 60604.

In addiition the revisions may be examined at the offices of the:

Ohio Environmental Protection Agency, 316 Broad Street, Columbus, Ohio 43215.

Written comments should be sent to: Mr. Gary Gulezian, Chief, Regulatory Analysis Section, Air Programs Branch, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Mr. Gary Gulezian, Chief, Regulatory Analysis Section, Air Program Branch, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-6052.

SUPPLEMENTARY INFORMATION: On March 3, 1978 (43 FR 8962) and on October 5, 1978 (43 CFR 45994) pursuant to the requirements of Section 107 of the Clean Air Act, USEPA designated specific areas in each State as nonattainment with respect to the air pollutants sulfur dioxide, total suspended particulates, carbon monoxide, ozone, hydrocarbons, and nitrogen oxides. Part D of the Clean Air Act requires each State to revise its SIP to meet specific requirements in these nonattainment areas. These revisions to the SIP must demonstrate attainment of the primary National Ambient Air Quality Standards (NAAQS) as expeditiously as practicable, but no later than December 31, 1982. Under certain circumstances a five year extension, until December 31, 1987, may be granted for meeting the primary carbon monoxide and ozone NAAQS.

USEPA is currently reviewing these proposed revisions to the Ohio SIP. At the completion of this review a notice will be published in the **Federal Register** proposing rulemaking action on these proposed revisions. All interested persons are advised that the proposed revisions are available for review at the locations listed above. The proposed rulemaking notice referred to above will announce the last day for public comment. This public comment period will extend for not less than 30 days from the date of publication in the

Federal Register of USEPA's proposed rulemaking action.

Dated: March 6, 1980.

John McGuire,

Regional Administrator.

[FR Doc. 80-7956 Filed 3-13-80; 8:45 am]

BILLING CODE 6560-01-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Care Financing Administration

42 CFR Parts 405 and 442

Requirements for Certification of Medicare and Medicaid Long Term Care Facilities With Repeat Deficiencies

AGENCY: Health Care Financing Administration (HCFA), HEW.

ACTION: Proposed rule.

SUMMARY: The proposed amendments would eliminate current requirements which automatically prohibit renewal of provider agreements with long term care facilities if the same deficiencies persist through successive certification surveys. The purpose is to make the rules for skilled nursing and intermediate care facilities consistent with rules governing other providers and to provide an equitable and comprehensive evaluation of an institution's overall health and safety conditions. These regulations would serve to protect patients from transfer and related problems that would result from termination where there is no danger to the health and safety of the patients.

DATES: Consideration will be given to written comments or suggestions received by May 13, 1980.

ADDRESS COMMENTS TO: Administrator, Health Care Financing Administration, Department of Health, Education, and Welfare, P.O. Box 17082, Baltimore, Maryland 12235.

When commenting, please refer to HSQ-54-P. Agencies and organizations are requested to submit their comments in duplicate.

Comments will be available for public inspection beginning approximately two weeks after publication in Room 5220 of the Department's offices at 330 C Street, S.W., Washington, D.C., on Monday through Friday of each week from 8:30 a.m. to 5 p.m. (202/245-0365).

FOR FURTHER INFORMATION CONTACT: Jim Conrad (301) 594-7940.

SUPPLEMENTARY INFORMATION:

Basic Requirements

In order to participate in the Medicare and Medicaid programs, long term care facilities are statutorily required to meet specific health and safety requirements and other requirements the Secretary finds necessary to ensure the health and safety of patients (sections 1861(j)(15) and 1905(c) of the Social Security Act). The State survey agency performs annual onsite surveys to ascertain whether a facility is in compliance with these requirements. If the State survey agency certifies that the facility complies with applicable Federal and State requirements, the facility is eligible to participate in the programs.

Current Medicare regulations prohibit renewal of long term care provider agreements if identical deficiencies are cited in successive certification surveys. (42 CFR 405.1902(b) and 405.1908(b).) These regulations, commonly referred to as the "repeat deficiency" regulations, do not require an evaluation of the seriousness of a deficiency and its effect on the health and safety of patients. Moreover, when a Medicare provider agreement is terminated due to repeated deficiencies, the Medicaid agreement must also be terminated (42 CFR 442.20).

Under both Medicare and Medicaid, there are special provisions that permit continued participation when a facility corrects a deficiency identified at the time of a survey, but later repeats the same deficiency. Under Medicare regulations, if a skilled nursing facility demonstrates compliance with a previously unmet standard, and later for reasons beyond its control is out of compliance, the deficiency is treated as a new deficiency rather than a repeated one (see 42 CFR 405.1908(e)). Under the Medicaid regulations, the State survey agency can recommend that a provider agreement be renewed if there is proof that the facility corrected the deficiency during the certification period, made a good faith effort to stay in compliance, and became out of compliance for reasons beyond its control (see 42 CFR 442.105(d)). In addition, both Medicare and Medicaid regulations address the instance where a facility corrects a prior deficiency, but is then found deficient on a different standard. The facility can have its provider agreement renewed if it shows that it—

(1) Was out of compliance through no fault of its own or despite intensive efforts to comply; and

(2) Made the best use of its resources to furnish adequate care.

(See 42 CFR 405.1908(d) and 442.105(c).)

The repeat deficiency provisions were adopted to prevent renewal of agreements with providers that are cited year after year for the same deficiency. They are intended to serve as leverage in securing provider compliance. However, through our experience applying the regulations we have concluded that the benefits of the regulations are not commensurate with the administrative costs. We have found these regulations to be overly mechanistic, expensive, and unnecessary. The process fails to take advantage of the surveyor's professional judgment on whether patient health and safety is actually threatened. There have been instances where State agencies have ignored the regulations in order to renew agreements with providers who render high quality care and to avoid unnecessary transfer of patients who are not in jeopardy. In other instances, State agencies have merely documented the good faith efforts of providers to correct problems to show that patient health and safety are not jeopardized. A considerable amount of State survey agency time is spent in required activities (such as revisiting providers and preparing special determinations) to justify continued participation of long term care facilities in the programs. Despite these activities, there is no discernable difference in the State agency's success in securing compliance or in upgrading the quality of care in long term care facilities as compared to other groups of providers (e.g., hospitals, home health agencies).

Proposed Changes

We proposed to delete the repeat deficiency provisions and treat long term care providers the same as other providers in determining compliance. State survey agencies will consider whether the facility's deficiencies limit the provider's capacity to furnish adequate care. In making their recommendation, the State will consider a facility's past performance as an indication of the probability of future compliance. If a facility with deficiencies submits an acceptable plan for correcting deficiencies, the State survey agency could recommend that the facility be issued a provider agreement (see 42 CFR 405.1907 and 442.111).

Facilities with deficiencies would continue to be given provider agreements with fixed expiration dates. The Medicare and Medicaid regulations would continue to require that a facility with a deficiency be recommended for certification for a term of up to 60 days following the period specified for the correction of deficiencies. In no event would a facility with a deficiency be certified for a period that exceeds 12 months. The term of the certification will be subject to automatic cancellation on the 60th day following the end of the

period specified for the correction of deficiencies unless—

(1) The survey agency finds that all deficiencies have been corrected, or

(2) The facility has made substantial effort and progress in correcting the deficiencies and has submitted a new written plan of correction that is acceptable to the Secretary.

The proposed amendments would require that State survey agencies look to existing regulatory certification procedures when considering whether to recommend granting provider agreements. Existing regulations which allow the Medicare and Medicaid programs to terminate providers who refuse to correct deficiencies within a specified period would continue to be followed.

42 CFR Chapter IV is amended as set forth below:

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED

1. Section 405.1902 is amended by deleting paragraph (b) to read as follows:

§ 405.1902 Certification by State agency.

* * * * *

(b) [Deleted.]

* * * * *

2. Section 405.1904 is amended by revising paragraph (b) to read as follows:

§ 405.1904 Periodic certification of compliance and approval.

* * * * *

(b) A provider agreement may be issued to a skilled nursing facility for a period of up to 12 months if existing deficiences do not endanger the health and safety of patients and there has been substantial progress in correcting deficiencies. The provider agreement with the facility may, at the option of the Secretary, be subject to automatic cancellation if there is a failure to correct deficiencies. (See § 405.604 Term agreements with skilled nursing facilities and § 405.1908 Special requirements applicable to skilled nursing facilities with deficiencies.)

3. Section 405.1908 is amended by revising paragraphs (a) and (c) and deleting paragraphs (b), (d), and (e), to read as follows:

§ 405.1908 Special requirements applicable to skilled nursing facilities with deficiencies.

(a) If a skilled nursing facility is not in full compliance with the standards contained in Subpart K of this part when the State agency surveys, the provider must be issued a short term agreement or a conditional agreement as follows:

(1) A short term agreement must be for a period of less than 12 months and must end no later than the 60th day following the date specified in a written plan approved by the Secretary for the correction of deficiencies.

(2) A conditional agreement must:

(i) Be for 12 months; and

(ii) Specify a period of not more than 9 months for the correction of deficiencies; and

(iii) Contain a cancellation date that is no later than the 60th day following the date specified for correcting deficiencies. The agreement will terminate unless the survey agency determines that:

(A) All deficiencies identified in the plan of correction have been corrected; or

(B) The provider has made substantial effort and progress in correcting the deficiencies and has resubmitted a written plan of correction that is acceptable to the Secretary.

(b) [Deleted.]

(c) If an agreement with a skilled nursing facility is not renewed at the end of its term because of deficiencies, the notice and hearing requirements in § 405.604(c)(3) apply.

(d) [Deleted.]

(e) [Deleted.]

PART 442—STANDARDS FOR PAYMENT FOR SKILLED NURSING AND INTERMEDIATE CARE FACILITY SERVICES

4. Section 442.105 is amended by deleting paragraphs (c) and (d) as follows:

§ 442.105 Certification with deficiencies: General provisions.

If a survey agency finds a facility deficient in meeting the standards specified under Subpart D, E, F, or G of this part, the agency may certify the facility for medicaid purposes under the following conditions:

* * * * *

(c) [Deleted.]

(d) [Deleted.]

* * * * *

(Secs. 1102, 1814, 1861, 1865, 1866, and 1910 of the Social Security Act: 42 U.S.C. 1302, 1395x, and 1395hh)

(Catalog of Federal Domestic Assistance Program No. 13.714 Medical Assistance Program; No. 13.773 Medicare—Hospital Insurance; No. 13.774 Medicare—Supplementary Medical Insurance)

Dated: December 21, 1979.

Leonard D. Schaeffer,

Administrator, Health Care Financing Administration.

Approved: March 6, 1980.

Nathan J. Stark,

Acting Secretary.

[FR Doc. 80-7987 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-35-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

Atlantic Bluefin Tuna

AGENCY: National Oceanic and Atmospheric Administration/ Commerce.

ACTION: Proposed rulemaking.

SUMMARY: These proposed rules would amend significantly the current regulations by: (1) reserving the purse seine quota of school-size tuna for assessment fishing (fishing in which a biological technician is on board to collect information for scientific purposes); (2) establishing a formula for allocating purse seine quotas between historical and new entrants who must apply to fish for these quotas; (3) requiring purse seine vessels receiving an allocation of school-size tuna to carry scientific technicians on board; (4) eliminating logbook reporting requirements imposed on purse seine vessels; (5) eliminating logbooks and reducing reporting requirements imposed on vessels using gear other than purse seines; (6) prohibiting the transfer of tuna at sea, i.e., the use of buy boats in the fishery; (7) requiring dealers, instead of vessel owners or operators, to insert the metal identification tag in giant-size tuna; (8) increasing reporting requirements imposed on dealers; (9) allowing for daily catches of multiple giant-size tuna by vessels other than purse seine vessels at certain times during the season; and (10) establishing a sub-quota of 150 short tons (approximately 400 giant tuna) in the northern area of the handgear fishery for which harpoon vessel owners could apply.

DATES: Comments on the proposed regulations are invited until May 13, 1980. Public hearings to receive both written and oral comments will be held at the following places, dates, and times:

April 10, 1980, 7:00 p.m.–9:30 p.m., Portland, ME 04102.

April 11, 1980, 7:00 p.m.–9:30 p.m., Wakefield, MA.

April 14, 1980, 7:00 p.m.–9:30 p.m., Hyannis, MA.
April 15, 1980, 7:00 p.m.–9:30 p.m., Warwick, RI.
April 16, 1980, 7:00 p.m.–9:30 p.m., West Long Branch, New Jersey.
April 18, 1980, 7:00 p.m.–9:30 p.m., Norfolk, VA.
April 21, 1980, 7:00 p.m.–9:30 p.m., Corpus Christi, TX.
April 22, 1980, 7:00 p.m.–9:30 p.m., Mobile, AL.
April 23, 1980, 7:00 p.m.–9:30 p.m., Fort Pierce, FL.

ADDRESSES: The public hearings will be held at the following locations:

April 10, 1980, Ramada Inn, 1230 Congress Street at I–295, Portland, ME 04102 (207) 774–5611.
April 11, 1980, Colonial Hilton, Route 128, Wakefield, MA 01880 (617) 245–9300.
April 14, 1980, Holiday Inn, Route 132, Hyannis, MA 02601 (617) 775–6600.
April 15, 1980, Howard Johnson, 20 Jefferson Blvd., Warwick, RI 02888 (401) 467–9800.
April 16, 1980, Holiday Inn, N.J. Route 36, West Long Branch, New Jersey 07764 (201) 229–9000.
April 18, 1980, Lake Wright Inn, 6280 Northampton Blvd., Norfolk, VA 23602 (804) 461–6251
April 21, 1980, Texas A&M Research & Extension Center, Highway 44, Corpus Christi, TX 78408 (512) 265–9201.
April 22, 1980, Davidson High School Cafeteria, 3900 Pleasant Valley Road, Mobile, AL 36609.
April 23, 1980, Ramada Inn, 2600 N. A1A, Fort Pierce, FL 33450 (305) 465–6000.

FOR FURTHER INFORMATION CONTACT: Mr. Allen E. Peterson, Jr., Regional Director, Northeast Region, National Marine Fisheries Service, Federal Building, 14 Elm Street, Gloucester, MA 01930, (617) 281–3600.

SUPPLEMENTARY INFORMATION: On June 20, 1979, the National Oceanic and Atmospheric Administration (NOAA) published final regulations governing fishing for Atlantic bluefin tuna (44 FR 36043). Those regulations represented a change in the previously effective regulations. In addition to revamping and rewriting the regulations in language easier to understand, the regulations: (1) decreased the purse seine quota of school tuna from 1,000 short tons (st) to 650 st; (2) increased the purse seine quota for giant bluefin tuna from 180 st to 300 st; (3) changed the quota unit of measure for giant blue fin tuna from numbers of fish to tons and increased the giant quota for the handgear fishery from 2,250 fish to 1,218 st (approximately 3,370 fish); (4) established a category for which charter boat operators in the handgear fishery in the northern area could apply; (5) divided the handgear quota of giants for the northern area (1,128 st) between a charter boat and a general category based upon historical participation in the fishery, i.e., 102 st (approximately 280 fish) for the charter boat category and 1,026 st (approximately 2,800 fish) for the general category; (6) prescribed different catch rates for the handgear fishery in the northern and southern areas, i.e., one fish per day per vessel (northern area) and five fish per week per vessel (southern area); (7) required all dealers in Atlantic bluefin tuna to obtain licenses; and (8) allowed anglers to take more than one young school tuna as part of their daily catch limit.

A number of proposed changes stirred strong public sentiment and many people voiced their opinions. The public comments were reflected in the final regulations. While the comments were diverse, there was general agreement that regulations must be enforceable and the scientific data base has to be improved, hopefully to support larger quotas. Cognizant of these comments and those received throughout the year, as well as the United States' obligation under the International Convention for the Conservation of Atlantic Tunas, the Northeast Regional Office of the National Marine Fisheries Service (NMFS) of NOAA has reviewed the regulations, identified problem areas, weighed alternative approaches, and suggested proposed changes in the regulations to the Assistant Administrator for Fisheries of NOAA.

In developing the proposed changes to the regulations, NMFS was guided by several objectives. The regulations should: (1) comply with the conservation recommendations adopted under ICCAT; (2) provide for the best possible data base with which to manage the fishery; (3) allow all interested persons a fair opportunity to engage in the fishery; (4) reduce unnecessary reporting; and (5) be enforceable.

The proposed regulations are published in their entirety to allow the reader to see how the proposals fit within the regulatory framework. Also, it will be evident that minor editorial or clarifying changes have been made, but they are of little significance except in readability and are therefore not discussed in this preamble.

The following paragraphs discuss the major proposed changes and briefly describe the underlying rationale. A detailed description of changes and estimated impacts are found in the Draft Regulatory Analysis and Draft Environmental Impact Statement which are available from the Regional Director, Northeast Region, NMFS, 14 Elm Street, Gloucester, Mass. 01930.

Buy Boats

For a number of years, several individuals petitioned the NMFS to promulgate a regulation which would allow buy boats to operate in the fishery. The main underpinning of their proposition was that these boats would go to the grounds to buy fish and immediately pack them in ice to ensure a better quality product. In turn, this high-quality product would net a higher market price. On September 1, 1978, NMFS published such a regulation (43 FR 39107) to be used on a trial basis. The regulation provides for special licenses to purchase tuna at sea, and imposes reporting requirements.

The NMFS has received several written comments expressing general dissatisfaction with the operations of buy boats during the 1979 season. Many informal comments were received that the buy boat operations were complicating enforcement of the catch restrictions. As a result, some fishermen may have been able to take more than one giant fish per day; and some giant tuna may have been landed and distributed in domestic commerce without having been accounted for at all.

NMFS has long been concerned about the enforceability of a regulation allowing fish to be transferred at sea. Unless an enforcement agent is actually present at the time, it seems unlikely that evidence to support alleged violations could be assembled.

It is also recognized that the buy boat operation has only been in existence for one year. The vessels used in these operations were not constructed solely for this purpose and can be used to fish for tuna or other species with little or no modification.

Considering all of these factors this proposed rule would prohibit transfers of tuna at sea. The purpose in proposing the change is to give an opportunity to build a record concerning buy-boat operations. Although NMFS has been concerned about the effect of buy boat operations on the enforceability of the regulations, the administrative record is currently incomplete. It may take another year's experience to develop a more comlete record. However, if sufficient evidence can be gathered during this comment period, NMFS is willing to prohibit transfer at sea.

Metal Identification Tags and Reporting

Consistent with the Government-wide mandate to reduce reporting by citizens in regulted activities and to eliminate unnecessary paperwork, the NMFS is proposing a significant change in the present reporting system. The dealer would report each giant tuna landed; the fisherman would counter-sign the reporting card. Dealers, or their agents, who receive or buy giant tuna, would be

required to insert the metal tag in these fish instead of having the fishermen doing it. These actions would: (1) eliminate the difficulties which some fishemen have in tagging giant tuna at sea; (2) require little additional effort on the part of dealers; and (3) reduce the administrative burdens and costs associated with mailing metal identification tags and logbooks to 5,300 permitted vessel owners.

In order to effect a system which ensures an accurate accounting for giant tuna landed, dealers are being required to report each week whether or not they receive or purchased tuna. While this represents a small increase in the reporting burden on dealers, the NMFS believes such an increase is minimal. The reporting is necessary to meet the United States' obligation to monitor the catch of tuna and we believe can be more efficiently carried out in this manner.

The few fishermen landing giant tuna for pesonal consumption would be required to contact the nearest NMFS law enforcement office to obtain a metal identification tag.

Purse Seine Fishery

As mentioned in the preamble to the presently effective regulations, the purse seine fishery has had a significant adverse impact on the overall stock of Atlantic bluefin tuna. This is due, in large part, to the removal of large numbers of immature fish which are unable to contribute to future generations because they do not live long enough to mature and spawn. Because of this, the NMFS reduced the purse seine quota of school tuna from 1,000 short tons (st) to 650 st. Unfortunately, as the NMFS noted, the ability of one vessel to take this entire quota in a single day is a very real possibility. This, coupled with the inadequacies of the present system for closing the fishery quickly enough, resulted in the quota being greatly exceeded this past season.

Instead of completely closing the purse seine fishery altogether as some suggest, the NMFS is proposing to regulate this fishery more closely. NMFS proposes that the purse seine quotas for school and giant size tuna be reserved for assessment fishing in which a scientific observer would be required to be on board. This is being done to establish the scientific data base which fishery managers must have to manage effectively any stock of fish. Results from this and possible future efforts will ensure benefits not only to the Atlantic bluefin tuna stock but to those who fish for this species.

Purse seine vessels represent an ideal platform from which scientific research can be conducted. The NMFS proposes to operate a tagging program during the 1980 and subsequent seasons. All purse seine vessel owners may apply to participate in this program conducted under the direction of the Southeast Fisheries Center. Vessle owners who apply will share in the 225 st scientific quota. Instead of opening the season on January 1, commencement will be delayed until mid-July. This delay will allow the tagged fish to disperse and intermingle with the various schools. The open fishery will be conducted to ensure that the quota is not exceeded and to observe the rate of capture of tagged fish as well as the length and weight composition of the catch. To do this, the NMFS has developed a vessel allocation scheme and proposes to place biological technicians on board the vessels participating in the fishery.

The intent of the vessel allocation scheme is to ensure that those persons who have depended on this fishery for all or part of their livelihood are not adversely affected, and that new entries in the fishery are not precluded. NMFS proposes that during the next four years the quotas be divided by allocating 86 percent to the historical participants and 14 percent to new entries. At the end of that time this allocation system will be evaluated to determine its effectiveness.

In reviewing the history of the purse seine fishery, the NMFS recognizes that varying numbers of vessels from the east and west coasts have participated in this fishery over the years. However, since 1975 there have been few vessels, the numbers of which have remained nearly constant. The NMFS has noted no intention by those vessel owners who previously engaged in the fishery to reenter it. The NMFS proposes to define historical participants to include those who have developed a dependence on this fishery, i.e., those who have engaged in the fishery at some point in time since June 1975. While vessel allocation schemes often remove the element of competition, NMFS proposes to make allocations to vessel owners rather than to individual vessels. This will enable owners to replace older vessels with newer ones which are more cost efficient. Vessel owners having individual allocations will not have to compete with other historically involved vessels in order to harvest a fair share of the resource. Each vessel owner can chose the time and market conditions which will be most opportunistic to harvest and land tuna.

Over the next four years, in order to ensure that 86 percent of each quota is divided among the historical participants, corporate or similar non-individual vessel owners will not be considered historical participants any longer when the major shareholder or corporate structure changes. Further, to provide for the maximum utilization of the quotas, all vessel owners will be required to land the various size classes of tuna by certain dates (i.e., school tuna by August 30 and giant tuna by September 30) or their allocation for that size class tuna will be forfeited and redistributed among active participants.

NMFS proposes to divide the 86 percent of each quota reserved for historical participants among those participants by allocating 86 percent of that amount based upon past catches and allocating 14 percent based upon number of years in the fishery. The NMFS believes that this system fairly strikes a balance between participation in the fishery and the expertise of individual vessel owners or operators in catching bluefin tuna.

Vessel owners who qualify as historical participants and wish to receive an allocation must apply by April 15 of each year to the Regional Director, Northeast Region NMFS. (For 1980, since the regulations will not be in effect until after April 15, the Regional Director will publish a date for receipt of applications.) As part of the application vessel owners must supply evidence of the amount of past catches, including any tuna caught during tagging operations, the sufficiency of which will be judged by the Regional Director.

Thus, the system would in reality operate as follows:

a. Purse seine fishery for school-size tuna.
present quota = 650t
86% or 559t to historical participants
14% or 91t/650t to new entries

The 559t is to be divided 86% based upon average 3-year catch (481t) and 14% upon years in the fishery (78t).

Catch:

Vessel	Average catch over last 5 years (tons)	Proportion of total	Decimal equivalent	Allowable catch (tons)	Total allocated catch by vessel (tons)
1	402	402/1003	= 0.401	× 481	= 193
2	199	199/1003	= 0.198	× 481	= 95
3	187	187/1003	= 0.186	× 481	= 90
4	215	215/1003	= 0.214	× 481	= 103
Total	1,003				481

Years in Fishery:

Vessel	Years in fishery	Proportion of total	Decimal equivalent	Allowable catch (tons)	Total allowable (tons)
1	3	3/12	= 0.25	× 78	= 19.5
2	3	3/12	= 0.25	× 78	= 19.5

Vessel	Years in fishery	Proportion of total	Decimal equivalent	Allowable catch (tons)	Total allowable (tons)
3	3	3/12	= 0.25	× 78	= 19.5
4	3	3/12	= 0.25	× 78	= 19.5
Total	12				78

Allocation by vessel:

Vessel	Allocation by catch (tons)	Allocation by time (tons)	Total allocated catch (tons)
1	193	+ 19.5	= 212.5
2	95	+ 19.5	= 114.5
3	90	+ 19.5	= 109.5
4	103	+ 19.5	= 122.5
Total	481	78	559

Allocations of school or giant size bluefin tuna would be made to vessel owners newly entering the fishery and making application to the Regional Director by April 15 (or in 1980 by such other date as he establishes) for that size class of tuna. The amount of these allocations would equal 14 percent of the quota for the particular size class of tuna for which application is made. New entrants would remain in the new entrant category throughout the first four years until the reevaluation at the end of the four year period. Consequently, 91 st of school tuna and 42 st of giant tuna would be available for distribution among new entries. Allocations would be made by dividing these amounts by the number of applicants for a particular size class of tuna. Any amount of either school or giant size tuna which cannot be distributed among new entries would be divided proportionally among historical participants in the manner put forth above.

All purse seine vessels to which an allocation of school-size tuna is made would be required to carry a biological technician on any trip which they fished for school-size bluefin tuna. The technician would be placed on board at the NMFS expense and would in no way interfere with the operation of the vessel. The technician would collect the tags from any tagged fish captured and record the size and other information from the tuna. The technician would keep the necessary catch records each vessel owner is now required to keep, thereby relieving the vessel owner or operator from the reporting and logbook requirements. Vessel owners or operators would be required to give five days advance notice of their intent to fish for Atlantic bluefin tuna to facilitate placement of the technician. The vessel inspection provisions would continue to apply.

Quotas and Catch Rates

As in the purse seine fishery, the overall quotas for fishing other than purse seining, i.e., handgear, will remain the same. However, the NMFS proposes to reserve part of the handgear quota of giant tuna in the northern area for a new category, harpoon boats. This proposal is made in response to a number of public inquiries concerning the possibility of such a provision. Harpooning has long been used as a method of catching giant tuna in the northern sector of the fishery, i.e., the Gulf of Maine. Like purse seining, harpooning merits a historical niche in the giant fishery. While harpooning has accounted for nearly 24 percent of the annual catch, this figure includes a broader range of vessels than the small number which have historically employed *only* harpoons to catch giant tuna. Many vessels fishing for giant tuna carry various types of gear on board to take advantage of conditions. Harpooning can be done only with calm seas and clear water, as giant tuna can be harpooned only on or near the surface. Due to the proliferation of boats fishing for giant tuna and the few days on which weather and sea conditions permit harpooning, traditional harpoon fishermen, such as those in Maine, are seriously disadvantaged by the present daily catch limits. On the days that they can harpoon giant tuna, there is often the possibility of harpooning more than one. Therefore, the NMFS proposes to reserve 150 st (approximately 400 giants) for a new category of harpoon boats and not restrict the daily catch limit. The NMFS believes that this level of catch serves reasonably those individuals who fish only with harpoons.

As in the charter boat category, fishermen would have to apply for or withdraw from this category by May 15 of each year. Once the harpoon quota is taken, boats registered as harpoon boats could no longer continue to fish for giant tuna. Establishing this category, however, does not prevent fishermen whose boats are not registered in this category from fishing for giant tuna with harpoons.

In response to persistent public comment that the present catch rate of one giant tuna a day per vessel discriminates against those fishermen who wish to engage in a commercial operation for giant tuna using gear other than purse seine nets, the NMFS has reviewed this provision. It is difficult to differentiate between commercial and recreational fishermen in the giant tuna fishery, as most of the giant tuna caught are sold. However, the NMSF recognizes that not all fishermen fish for giant tuna are able to fish the same number of days, as there exists a substantial variation in terms of dependence on this fishery for one's livelihood. In order to address this problem, the NMFS proposes to establish a variable catch rate system. Under this system, the Regional Director will review the catch at two times during the fishing season. On August 7, the Regional Director would review the catch of giant tuna. If it were determined that the catch accounted for 30 percent or more of the general handgear quota, the catch rate would remain at one giant a day. If the catch accounted for between 17 and 29 percent, the Regional Director would publish a notice in the **Federal Register** increasing the allowable catch to two giant tuna a day per vessel. If the catch accounted for less thant 17 percent of the quota, the Regional Director would publish a notice in the **Federal Register** increasing the daily allowable catch to three giants. On September 7 the Regional Director would again review the catch of giant tuna. If it were determined that 85 percent or more of the quota was caught, a notice would be published in the **Federal Register** setting the allowable catch at one giant tuna per day per vessel. If it were determined that the catch accounted for between 70 and 80 percent of the quota, then the catch rate would be two giants a day, if between 60 and 69 percent, it would be three a day, if less than 60 percent, then the catch rate would be four a day. The NMFS believes that this system would serve to allow those with less access to the giant fishery the maximum opportunity to engage in the fishery, while permitting many of those who wish to pursue the fishery as a commerical venture to do so in a manner which should result in a greater economic return then is now the case.

The only other substantial changes which NMFS proposes to be made to the regulations are: (1) prohibiting fishing within 100 yards of the corkline of any purse seine net used by any vessel conducting scientific research authorized by NMFS; (2) returning the commencement date of the purse seine fishery for giant tuna from August 15 to September 1; and (3) redefining the size classes of bluefin tuna. The reason for prohibiting fishing near purse seine vessels engaged in research operations results from activities of certain vessels in the fishery during 1979. On at least two occassions, these vessels hovered near tagging operations, attempting to catch tagged giant tuna which were released from the purse net. Since the tagged tuna when released are sometimes tired and disoriented, they

may swim near the surface for a short time where they are easily caught. Consequently, the value of the tagged tuna as a scientific tool which can benefit the entire fishery could easily be lost if the tuna are immediately captured upon their release.

Due to the fact that purse seine vessels caught the entire quota of giant tuna during 1979 in just a few weeks, the reason for moving the commencement of the season to an earlier date no longer exists. The NMFS recognizes that the earlier commencement date of this fishery increases the likelihood of conflicts between different components of the fishery. Consequently, NMFS believes there is sufficient cause to change the commencement date of this fishery to September 1, yet leave amply time for purse seine vessels to catch the quota.

Redefining the various size categories of bluefin tuna is necessary in light of the most recent biological data. One of the ICCAT recommendations implemented under the Atlantic Tunas Convention Act of 1975 (Pub. L. 94–70) was the prohibition of taking and landing bluefin tuna weighing less than 6.4 kg (14 pounds) except for an incidental catch allowance. This was to protect young-of-the-year (age 0) and one-year old (age 1) bluefin. The bluefin tuna occurring in the western Atlantic Ocean has an earlier spawning time and has a faster growth rate than those occurring in the eastern Atlantic. As a result they are larger in size at the end of each year than are those of the eastern Atlantic. The ICCAT conservation measure protects the tuna of the eastern Atlantic, but does not fully protect those of the western Atlantic. The minimum size restriction for one-year old bluefin tuna of the western Atlantic should be set at 28 inches (72 cm) in length and 19 pounds (8.7 kg) in weight. Likewise, the upper limit of school-size bluefin (those as old as 5 years) should be 57 inches (145 cm) in length and 135 pounds (61 kg) in weight; for giant (those 10 years old or more) it should be 77 inches (196 cm) in length and 310 pounds (142 kg) in weight. Also, since length is a much more accurate indicator of age than is weight, length should be used in defining size categories of bluefin tuna to be consistent with original management objectives of conservation.

Finally, NMFS has learned recently that commercial longline activity for bluefin tuna may be developing in the Gulf of Mexico significantly beyond its historical scope. If the magnitude of this fishery is substantial enough to approach the quota for giant bluefin tuna in the southern area, thereby jeopardizing the historical giant tuna fishery along the mid-Atlantic and southern New England coasts, some reapportionment of existing quotas might be necessary. However, the magnitude of the fishery is not yet known. Therefore, NMFS is requesting comments on this fishery and its implications for the quotas. In addition, NMFS will be continuing to study the situation, to determine whether changes will be necessary.

The Assistant Administrator has determined that these proposed changes constitute a major federal action significantly affecting the quality of the human environment. Therefore, in accordance with the National Environmental Policy Act of 1969, an Environmental Impact Statement has been prepared. In addition, these proposed regulations have been deemed significant according to the criteria set forth in Executive Order (E.O.) 12044. Pursuant to this Executive Order a Regulatory Analysis has been prepared. Copies of both these documents may be obtained by writing the CONTACT person noted above.

Authority: Atlantic Tunas Convention Act of 1975, 16 U.S.C. 971–971(h).

Signed in Washington, D.C. this 12th day of March, 1980.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

Accordingly 50 CFR Part 285 is proposed to be amended as follows:

1. Section 285.1 is proposed to be amended as follows:

a. The definition of "Atlantic bluefin tuna" is proposed to be amended to read:

§ 285.1 Definitions.

* * * * *

"Atlantic bluefin tuna" means *Thunnus thynnus thynnus*. The following class size designations are made for Atlantic bluefin tuna:

(a) Young school tuna—less than 28 inches (72 cm);

(b) School tuna—equal to 28 inches (72 cm), but less than 57 inches (145 cm);

(c) Medium tuna—equal to 57 inches (145 cm), but less than 77 inches (196 cm); and

(d) Giant tuna—equal to or greater than 77 inches (196 cm).

* * * * *

b. The definition of "Buy boat" is proposed to be eliminated.

2. Subpart B is proposed to be revised to read as follows:

Subpart B—Atlantic Bluefin Tuna (Thunnus thynnus thynnus)

Sec.

285.20 Effective period of regulations.
285.21 Vessel permits.
285.22 Dealer license.
285.23 Recordkeeping and reporting.
285.24 Metal tags.
285.25 Prohibitions.
285.26 Presumptions.
285.27 Penalties.
285.28 Purse seine vessel gear restrictions and inspection.
285.29 Permitted fishing.
285.30 Quotas.
285.31 Incidental catch.
285.32 Catch limits.
285.33 Tag and release program.

Authority: Atlantic Tunas Convention Act of 1975, 16 U.S.C. 971–971(h).

Subpart B—Atlantic Bluefin Tuna (Thunnus thynnus thynnus)

§ 285.20 Effective period of regulations.

These regulations shall remain in effect until superseded, amended, or otherwise suspended.

§ 285.21 Vessel permits.

(a) *General.* Any vessel which fishes for, catches or takes Atlantic bluefin tuna, except vessels operated by anglers fishing for young school or school Atlantic bluefin tuna, must have an appropriate permit issued under this section. Any vessel to which a permit has been issued under this section shall travel to and from the area where it will be fishing under its own power and the operator thereof shall bring under his control with no assistance from other vessels any Atlantic bluefin tuna, except in circumstances where the safety of the vessel or crew is jeopardized or due to other circumstances beyond the control of the operator.

(1) *Charter boats.* (i) Any vessel owner who presently holds a valid bluefin tuna permit or who applies for a bluefin tuna permit under paragraph (a) of this section may register his vessel under the charter boat category established under § 285.30 to fish for the subquota reserved for that category: *Provided,* That no vessel may be registered under this category unless the owner thereof provides proof to the Regional Director that the operator of the vessel holds a valid United States Coast Guard motorboat operator's license or ocean operator's license.

(ii) Any vessel owner who holds a valid bluefin tuna permit and intends to register his vessel under the charter boat category shall send a letter of intent to register as a charter boat vessel together with the requisite proof that the operator holds one of the licenses specified in paragraph (a)(1)(i) of this section to the Regional Director on or before May 15.

Any vessel owner applying for a bluefin tuna permit under paragraph (a) of this section shall indicate his intent to register the vessel under the charter boat category on the permit application. Both the permit application and the requisite proof that the operator holds one of the licenses specified in paragraph (a)(1)(i) of this section shall be submitted to the Regional Director on or before May 15. In any year, a vessel owner may withdraw from registration in the charter boat category only on or before May 15 of that year.

(iii) Vessels registered in the charter boat category shall fish only under the sub-quota reserved for this category.

(2) *Harpoon boats.* (i) Any vessel owner who presently holds a valid bluefin tuna permit or who applies for a bluefin tuna permit under paragraph (a) of this section may register his vessel under the harpoon boat category established under § 285.30 to fish for the sub-quota reserved for that category.

(ii) Any vessel owner who holds a valid bluefin permit and intends to register his vessel under the harpoon boat category shall send a letter of intent to register as a harpoon boat vessel to the Regional Director on or before May 15. Any vessel owner applying for a bluefin tuna permit under paragraph (a) of this section shall indicate his or her intent to register the vessel in the harpoon boat category on the permit application. The permit application shall be submitted to the Regional Director on or before May 15. In any year, a vessel owner may withdraw from registration in the harpoon boat category only on or before May 15 of that year.

(iii) Vessels registered in the harpoon boat category shall fish only under the quota reserved this category.

(b) *Purse seine vessels.* Any vessel owner whose vessel uses purse seine gear to fish for Atlantic bluefin tuna in a directed fishery shall apply to the Regional Director on or before April 15 of each year for an allocation. The application shall be in writing and specify the particular size-class of tuna for which the vessel will fish. Vessel allocations will be made in accordance with § 285.32 from the quotas specified in § 285.30 which are reserved for assessment fishing.

(1) The owner of any purse seine vessel to which a vessel allocation of Atlantic bluefin tuna is made shall allow a biological technician duly authorized by the Assistant Administrator to accompany the vessel on any or all fishing trips during which Atlantic bluefin tuna is fished, for the purpose of conducting research and observing operations.

(2) Research and observation duties shall be carried out in such a manner as to minimize interference with commercial fishing operations. No owner, master, operator, or crew member of a purse seine vessel shall impair or in any way interfere with the research or observations being carried out.

(3) The Secretary shall provide for the payment of all reasonable costs directly related to the quartering and maintaining of such observers on board such vessels.

(4) In order to facilitate observer placement, the owners or operator of any purse seine vessel to which an allocation of Atlantic bluefin tuna has been made shall notify the Northeast Regional Office of the National Marine Fisheries Service at least five days in advance of any fishing trip during which school-size Atlantic bluefin tuna will be pursued.

(c) Application for vessels other than purse seine. An application for a permit under this section shall be submitted and signed by the vessel owner on an appropriate form which may be obtained from the Regional Director. The application shall be submitted to the Regional Director at least 30 days prior to the date on which the applicant desires to have the permit made effective. The application shall state the name and address of the vessel owner, the name of the vessel, the port where the vessel is docked, the registration or documentation number, the length of the vessel, the tonnage (if known), and the area to be fished.

(d) *Issuance.* (1) Upon receipt of a completed application, the Regional Director shall issue a permit within 30 days.

(2) Upon receipt of an incomplete or improperly executed application, the Regional Director shall notify the applicant of the deficiency in the application. If the applicant fails to correct the deficiency within ten days following the date of notification, the application shall be considered abandoned.

(e) *Expiration.* Permits issued under paragraph (a) of this section expire when the owner or name of the vessel changes or the vessel is retired from the Atlantic bluefin tuna fishery.

(f) *Duration.* A permit issued under this section continues in full force and effect until it expires or is revoked.

(g) *Alteration.* Any permit issued under this section which is substantially altered, erased, or mutilated is invalid.

(h) *Replacement.* Replacement permits may be issued by the Regional Director. An application for a replacement permit shall not be considered a new application.

(i) *Transfer.* Permits issued under this section are not transferable or assignable. A permit is valid only for the vessel for which it is issued.

(j) *Display.* Any permit issued under this section must be carried on board the vessel at all times. The permit shall be displayed for inspection upon request of any Authorized Officer or any employee of the NMFS designated by the Regional Director for such purpose.

(k) *Revocation.* Permits issued under this section may be modified, suspended, or revoked by the Assistant Administrator for violations of the Act, or any regulation promulgated thereunder. Any revocation, suspension, or modification shall be in accordance with the procedures set forth in 50 CFR Part 621.

(l) *Fees.* No fee is required for any permit issued under this section.

(m) *Change in application information.* Any change in the information contained in an application submitted for a permit under this section shall be reported in writing to the Regional Director within 15 days of the change.

§ 285.22 Dealer license.

(a) *General.* Any person purchasing or receiving Atlantic bluefin tuna for a commercial purpose from any person or vessel fishing for such tuna shall have a valid license under this section.

(b) *Application.* An application for a dealer license shall be made in writing, signed by the applicant and submitted to the Regional Director at least 30 days prior to the date upon which the applicant desires to have the license made effective. Applications shall provide all of the following information:

(1) The name, mailing address, and telephone number of the applicant; and

(2) The expected disposition of Atlantic bluefin tuna purchased (e.g., foreign or domestic markets).

(c) *Issuance.* (1) Upon receipt of a completed application, the Regional Director shall issue a license within 30 days.

(2) Upon receipt of an incomplete or improperly executed application, the Regional Director shall notify the applicant of the deficiency in the application. If the applicant fails to correct the deficiency within 15 days following the date of notification, the application shall be considered abandoned.

(d) *Expiration.* Any license issued under this section expires on December 31 of the year for which it was issued.

(e) *Duration.* Any license under this section continues in full force and effect

until it is suspended, revoked, or expires.

(f) *Alteration.* Any license which is substantially altered, erased, or mutilated is invalid.

(g) *Replacement.* Replacement licenses may be issued by the Regional Director. An application for a replacement license shall not be considered a new application.

(h) *Transfer.* Licenses issued under this section are not transferable or assignable. A license shall be valid only for the person to whom it is issued.

(i) *Inspection.* A license issued under this section must be kept at the principal place of business of the dealer. The license shall be displayed for inspection upon request of any Authorized Officer, or any employee of the NMFS designated by the Regional Director for that purpose.

(j) *Revocation.* Licenses issued under this section may be revoked or suspended by the Assistant administrator for violations of the Act, or any regulations promulgated thereunder. Any revocation, suspension or modification shall be in accordance with the procedures set forth in 50 CFR Part 621.

(k) *Fees.* No fee is required for any license issued under this section.

(l) *Change in application information.* Any change in the information specified in this section shall be reported to the Regional Director within 15 days of the change.

§ 285.23 Recordkeeping and reporting.

(a) *Dealer reports.* Any person issued a dealer license under § 285.22 shall:

(1) Maintain an accurate and complete daily report on forms supplied by the NMFS and file it within two days after the end of each reporting week with the Regional Director. Each report shall specify the number of tuna purchased or received; the disposition of the tuna (names, addresses and, where applicable, country of destination); the source of the tuna (names, addresses and, where applicable, country of origin); metal tag numbers (where applicable); round or dressed weight (by individual fish for giant tuna); any any other information requested by the Regional Director.

(2) Report within 24 hours the purchase of each giant Atlantic bluefin tuna by completing and returning one of the cards provided for this purpose by the NMFS. Each card shall show the Atlantic bluefin tuna vessel permit number, metal tag number affixed to the fish by the dealer or assigned by an Agent of the NMFS, the date landed, the port where landed, the round or dressed weight, the fork length, gear used, and area where caught. This report will be signed by the vessel permit holder or vessel operator.

(3) Submit a report, as required in paragraph (a)(1), whether or not any Atlantic bluefin tuna were received or purchased on any day during any reporting week.

(4) Permit an Authorized Officer, or any employee of the NMFS designated by the Regional Director to inspect any records of transfers, purchases, or receipts of Atlantic bluefin tuna.

(5) Retain in his or her possession a copy of each weekly report for a period of two years from the date on which it was submitted to the Regional Director.

(b) *Reporting week.* For the purpose of this section the reporting week begins at 12 midnight, on Sunday and ends at 12 midnight the following Sunday.

§ 285.24 Metal tags.

(a) *Issuance of tags.* Any person receiving a dealer's license under the provisions of § 285.22, shall be issued numbered metal tags by the NMFS. Tag numbers shall be recorded by the NMFS under the dealer's license number to whom they are issued.

(b) *Transfer of tags.* Tags issued under paragraph (a) of this section are not transferable.

(c) *Affixing tags.* (1) Any dealer who receives or purchases a giant Atlantic bluefin tuna shall affix to that tuna between the fifth dorsal finlet and the keel, a tag issued under paragraph (a) of this section at the time the tuna is delivered into his or her possession.

(2) Any person who catches a giant Atlantic bluefin tuna and does not transfer it to a licensed dealer shall contact the nearest NMFS enforcement office within 24 hours of landing such tuna to make the tuna available for inspection before the issuance or attachment of the metal tag.

(d) *Removal of tags.* A metal tag affixed to any giant Atlantic bluefin tuna shall remain on the tuna until the tuna is either cut into portions for personal consumption or for commercial purposes or sold for export from the United States. If the tag is removed from the tuna for commercial or export purposes, the tag shall be attached to the outside of the container and the tag number must be written legibly and indelibly on the outside of any package or container which holds the tuna or parts thereof and which is being exported or transported domestically for commercial use. If a giant tuna is packed for export, the tag shall also be attached to the container until it is shipped from the United States.

§ 285.25 Prohibitions.

It shall be unlawful for any person or vessel subject to the jurisdiction of the United States to:

(a) Fish for, take or catch Atlantic bluefin tuna without a valid permit issued under § 285.21(a) and carried onboard the vessel;

(b) Fish for, take or catch Atlantic bluefin tuna after fishing has been closed or before fishing has commenced under § 285.29, except under the provisions of § 285.31, § 285.32(c)(2) or § 285.33;

(c) Fish for, take, or catch Atlantic bluefin tuna in excess of the quotas or sub-quotas specified in § 285.30 except under the provisons of § 285.31 or § 285.33;

(d) Fish for, take or catch Atlantic bluefin tuna in excess of the catch limits specified in § 285.32;

(e) Fish for, take or catch Atlantic bluefin tuna in excess of any vessel allocation made pursuant to § 285.32;

(f) Fish for, take or catch Atlantic bluefin tuna within 100 yards of the cork line of a purse seine net used by any vessel conducting scientific research operations authorized by the NMFS;

(g) Fish for, take or catch in a directed fishery Atlantic bluefin tuna with purse seine nets without an allocation made pursuant to § 285.32;

(h) Fish for, take or catch Atlantic bluefin tuna in a directed fishery with nets other than those specified in § 285.28;

(i) Land any Atlantic bluefin tuna in forms other than round, or eviscerated with the head removed;

(j) Retain any Atlantic bluefin tuna caught under a tag and release permit issued under § 285.33;

(k) Transfer any Atlantic bluefin tuna to another vessel;

(l) Engage in fishing with a vessel holding a permit under § 285.21(a) unless the vessel travels to and from the area where it will be fishing under its own power and the person operating that vessel brings under control any Atlantic bluefin tuna (secured to the catching vessel or boated) with no assistance from other vessels, except in circumstances where the safety of the vessel or crew is jeopardized or due to other circumstances beyond the control of the operator;

(m) Fail to release immediately with a minimum of injury any Atlantic bluefin tuna which will not be retained;

(n) Fail to affix to any giant tuna between the fifth dorsal finlet and the keel an individually numbered metal tag when the tuna has been received or purchased by that person for a commercial purpose from any person or vessel who caught such tuna;

(o) Remove any metal tag affixed to a tuna pursuant to § 285.24 before removal is permitted under that section, or fail to write the tag number on the package as prescribed by that section;

(p) Begin fishing or off-loading from any purse seine vessel to which a certificate has been issued under § 285.21(a) any Atlantic bluefin tuna without first requesting an inspection of the vessel by an agent of the NMFS in accordance with § 285.28;

(q) Ship, transport, purchase, sell, offer for sale, import, export, or have in custody, possession or control any Atlantic bluefin tuna which the person knew or should have known was taken in violation of this subpart;

(r) Purchase or receive Atlantic bluefin tuna at sea from a person or vessel engaged in fishing for such tuna;

(s) Fail to report the taking of any Atlantic bluefin tuna to which a plastic tag has been affixed under a bona fide tag and release program conducted by the NMFS or authorized by the NMFS;

(t) Fail to report to the Regional Director in writing any change in the information contained in an application for any permit for a vessel within 15 days of any such change;

(u) Falsify or fail to make, keep, maintain, or submit any reports, or other record required by this subpart;

(v) Refuse to permit an Authorized Officer, or any employee of the NMFS designated by the Regional Director for such purposes to make inspections for the purpose of checking any records relating to the taking, catching, harvesting, landing, purchase or sale of any Atlantic bluefin tuna required by this subpart;

(w) Make any false statement, oral or written, to an Authorized Officer or an employee of the NMFS designated by the Regional Director to make inspections concerning the taking, catching, harvesting, landing, purchase, sale, or transfer of any Atlantic bluefin tuna;

(x) Refuse to permit an Authorized Officer or any person designated by the Regional Director for such purposes to board a fishing vessel subject to such person's control for purposes of conducting any search or inspection in connection with the enforcement of the Act, this subpart, or any other regulation promulgated under the Act;

(y) Violate any other provision of this subpart, the Act, or any other regulation promulgated pursuant thereto.

§ 285.26 Presumptions.

(a) For any Atlantic bluefin tuna which is landed eviscerated with the head removed, there shall be a rebuttable presumption for purposes of this subpart that the tuna when caught fell into a size class in accordance with the following table. For this purpose, all measurements must be taken in a straight line from the middle of the lateral surface (even if the fish has been beheaded) to the fork of the tail.

Table 1

Original size class (fork length)	Approximate weights
Young school tuna: less than 28 inches (72cm).	Less than 19 pounds.
School tuna: equal to 28 inches (72 cm) but less than 57 inches (145 cm).	From 19 pounds but less than 135 pounds.
Medium tuna: equal to 57 inches (145 cm) but less than 77 inches (196 cm).	From 135 pounds but less than 310 pounds.
Giant tuna: 77 inches (196 cm) or more.	Larger than 310 pounds.

§ 285.27 Penalties

(a) Any person who violates paragraphs (a) through (r) of this section, inclusive, of §285.25 shall be assessed a civil penalty of not more than $25,000, and for a subsequent violation shall be assessed a civil penalty of not more than $50,000.

(b) Any person who violates paragraphs (s) through (x) of this section, inclusive, of § 285.25 shall be assessed a civil penalty of not more than $1,000, and for a subsequent violation shall be assessed a civil penalty of not more than $5,000.

(c) Any person who violates paragraph (y) of § 285.25 shall be assessed a civil penalty in accordance with the criteria set forth in 16 U.S.C 971e.

§ 285.28 Purse seine vessel gear restrictions and inspection.

(a) *Mesh Size.* Any owner or operator of a vessel with a certificate issued under to § 285.21(a) conducting a directed fishery for Atlantic bluefin tuna with nets, other than a trap net, shall use a net with a mesh size equal to or smaller than 4.5 inches in the main body (stretched when wet) and which has at least 24 count thread throughout the net.

(b) *Exemption.* The Regional Director may exempt any person from the mesh restrictions in paragraph (a) of this section if he determines that the net sought to be excluded will not result in significant injury or mortality to Atlantic bluefin tuna which are encircled by the net but manage to escape.

(c) *Inspection.* Any owner or operator of a purse seine vessel with a certificate issued under to § 285.21(a) shall request an inspection of the vessel and fishing gear by an agent of the NMFS prior to commencing any fishing trip and prior to offloading any Atlantic bluefin tuna. Requests for such inspection shall be made by calling (617) 281–3600 extension 252; or (617) 992–7711. Requests shall be made at least 24 hours prior to commencement of a fishing trip or offloading.

§ 285.29 Permitted fishing.

(a) *School and giant Atlantic Bluefin Tuna.* (1) *Commencement.* Fishing for, catching or taking giant Atlantic bluefin by vessels using purse seine gear to which an allocation has been made pursuant to § 285.32, in the regulatory area may commence on September 1 of each calendar year. Fishing for, catching or taking giant Atlantic bluefin tuna by vessels using gear other than purse seines, and fishing for, catching or taking school Atlantic bluefin tuna by vessels using purse seines or gear other than purse seines in the regulatory area may commence on January 1 of each calendar year: *Provided,* That, consistent with the Convention, the Act, and this part, the Assistant Administrator may change the commencement of fishing under this section for any size class of Atlantic bluefin tuna for any area and vessel gear type if he or she determines that such a measure will enable scientific research on the status of the stock and will not prevent the quotas for the affected fishery from being caught based upon historical catch data or other relevant information. The Assistant Administrator shall publish a notice in the **Federal Register** of any change in the commencement of fishing under this section at least 60 days prior to the commencement of the affected fishery.

(2) *Closure.* (i) *Purse seine vessels.* Any vessel using purse seine nets in a directed fishery for school or giant Atlantic bluefin tuna may fish for such tuna during the time permitted for such fishing, as specified in paragraph (a)(1) of this section, only until the allocation for that vessel made pursuant to § 285.32 is reached. Upon reaching its quota for a particular size class of tuna, a vessel will be deemed to have been given notice that the fishery for such Atlantic bluefin tuna is closed to that vessel.

(ii) *Vessels using gear other than purse seine nets.* The Assistant Administrator shall monitor catch and landing statistics of Atlantic bluefin tuna by vessels using gear other than purse seine nets. On the basis of these statistics, he shall project a date when the total catch of giant Atlantic bluefin tuna will exhaust any quota or sub-quota under § 285.30, and shall publish a notice in the **Federal Reigster** stating that fishing for giant tuna by the type of vessels subject to the quota or sub-quota in the area affected must cease on that date at a specified hour.

(iii) *Charter boats.* Vessels registered in the charter boat category in the northern area may recommence fishing on the first day of any month for which a sub-quota is allocated under § 285.30(b)(2).

(iv) *Angling.* Anglers may continue to catch school tuna as specified in section 285.32(c)(2), and to fish for giant tuna under a tag and release program in accordance with § 285.33.

(b) *Young School and Medium Atlantic Bluefin Tuna.* Fishing for, catching or taking young school or medium Atlantic bluefin tuna by vessels using purse seines or gear other than purse seines in the regulatory area shall be limited at all times during the year to incidental catch in accordance with § 285.31, except that anglers may fish for, catch or take young school and medium tuna at any time in accordance with the limitations specified in § 285.32(c)(2).

§ 285.30 Quotas.

(a) *Purse Seining:* (1) *School tuna.* The total amount of school Atlantic bluefin tuna which may be caught in the regulatory area by vessels using purse seine gear is 650 short tons.

(2) *Giant tuna.* The total amount of giant Atlantic bluefin tuna which may be caught in the regulatory area by vessels using purse seine gear is 300 short tons.

(3) *Assessment fishing.* The total amount of Atlantic bluefin tuna which may be caught in the regulatory area by vessels using purse seine gear in a directed fishery for such tuna under (a)(1) of this subpart is reserved for assessment fishing.

(b) *Fishing by other than purse seining.* (1) *Total Quota.* The total amount of giant Atlantic bluefin tuna which may be caught in the regulatory area by vessels using gear other than purse seines before fishing is closed under § 285.29(a)(2) is 1,218 short tons (approximately 3,370 fish).

(2) *Northern Area.* No more than 1,128 short tons (approximately 3,100 fish) of the total quota in this paragraph may be caught in the Northern Area (the area north and east of a line drawn from a point on the sourthern coast of Massachusetts extending due south through Gay Head Light, Massachusetts, into the Atlantic Ocean). This quota shall be divided into sub-quotas as follows:

(i) General—876 short tons (±2,400 fish).

(ii) Charter boats—102 short tons (±280 fish).

(iii) Harpoon boats—150 short tons (±400 fish).

(A) The sub-quota for charter boats is further subdivided into monthly quotas as follows:

(*1*) June—10 short tons, ±30 fish.

(*2*) July—27 short tons, ±75 fish.

(*3*) August—38 short tons, ±100 fish.

(*4*) September—27 short tons, ±75 fish.

If the sub-quota for any month is not reached, the remainder may be carried over to the following month. Vessels issued a bluefin tuna permit under § 285.21(a) shall be placed in the general category, except that a vessel owner either holding a valid bluefin tuna permit or newly applying for a bluefin tuna permit under § 285.21(a) may register his vessel under the charter boat category in accordance with § 285.21(a)(1) or harpoon boat category in accordance with § 285.21(a)(2).

(3) *Southern Area.* No more than 90 short tons (approximately 270 fish) of the total quota for vessels fishing by other than purse seining is this paragraph maybe caught in the southern area (the area west and south of the line drawn through Gay Head Light including the waters of Narragansett Bay) (See Figure 2).

(c) *Research:* In addition to the quotas set forth in paragraphs (a) and (b) of this section, a scientific quota not to exceed 225 short tons of Atlantic bluefin tuna is established for the purposes of tagging and obtaining age, sex, and other scientific research data. Any research activity shall be authorized by the Director, Southeast Fisheries Center, or his representatives, but in consultation with the Regional Director.

(d) *Incidental Catches.* Atlantic bluefin tuna taken incidentally shall be included in the quotas and sub-quotas of this section.

§ 285.31 Incidental catch.

(a) *Purse seine vessels.* (1) *Giant tuna.* Purse seine vessels fishing for giant tuna in the regulatory area may take incidentally, during any fishing trip, Atlantic bluefin tuna measuring less than 77 inches fork length: *Provided,* That the amount of such tuna taken shall not exceed 3 percent, by weight, of the total amount of giant Atlantic bluefin tuna onboard the vessel at the end of the fishing trip.

(2) *School tuna.* Purse seine vessels fishing for school tuna in the regulatory area may take incidentally, during any fishing trip, Atlantic bluefin tuna outside that weight class: *Provided,* That the amount of such tuna taken shall not exceed 3 percent, by weight, of the total amount of school tuna on board the vessel at the end of the fishing trip.

(3) *Attribution.* Atlantic bluefin tuna caught incidentally by purse seine vessels fishing for an allocation of a particular size class tuna shall be applied to that vessel's allocation for such size class tuna.

(b) *Herring, mackerel* and *menhaden purse seine vessels* and *vessels using fixed gear other than traps* (pounds, weirs, gill-nets and longlines). Any person operating a vessel fishing principally for species of fish other than Atlantic bluefin tuna and possessing an Atlantic bluefin certificate under § 285.21(a) may take, during any fishing trip, Atlantic bluefin tuna of any size class: *Provided,* That the amount of Atlantic bluefin tuna taken does not exceed 2 percent, by weight, of all other fish onboard the vessel at the end of the fishing trip.

(c) *Traps.* Any person operating a vessel with a certificate issued under § 285.21(a), which takes Atlantic bluefin tuna incidentally while fishing with traps, may retain Atlantic bluefin tuna: *Provided,* That such tuna do not exceed 2 percent, by weight, of the total amount of all other fish species taken within the preceding 30-day period.

§ 285.32 Catch limits.

(a) *Purse seine vessels.* All owners of purse seine vessels applying under the provisions of § 285.21(b)(1) shall receive an allocation of the permitted size class tuna for which an application is submitted. Allocations will be made in the following manner:

(1) *Allocations.* The Regional Director shall review all applications for allocations of Atlantic bluefin tuna by April 15 of each year to determine the amount of a permitted size class Atlantic bluefin tuna to be allocated to individual vessels. The Regional Director shall divide the purse seine quotas for school and giant size Atlantic bluefin tuna between historical participants (those owners actively engaged in the fishery at some time during the period June, 1977 to December, 1979) and new entrants; 86 percent of the quota will be divided among historical participants and 14 percent by new entrants.

(i) Historical participants applying for a permitted size class tuna shall receive an allocation from the 86 percent of the quota based upon the number of years the owner has had a vessel in the fishery and the catch by that vessel. Relevant information relating to the catch of a vessel owned by a historical participant and the years it has been in the fishery shall be submitted to the Regional Director before any allocation may be made to that individual's vessel. The Regional Director shall review the sufficiency of such information. No Atlantic bluefin tuna caught in excess of

any quota may be used in determining a vessel's allocation. Each allocation to a historical participant shall be proportional to other historical participants applying for the same size class Atlantic bluefin tuna. It shall be calculated by splitting that part of the total quota reserved for historical participants into 14 percent to be divided among historical participants based upon their years in the fishery since 1977; and 86 percent to be divided among historical participants based upon their annual catch since 1977.

(ii) New entrants applying for a permitted size class tuna shall receive an allocation from the 14 percent of the quota based upon the number of new entrants applying. All new entrants shall receive equal allocations. In the event that no new entrants apply or the Regional Director cannot allocate the total 14 percent of the quota to new entrants, it shall be divided among the historical participants applying for that size class tuna according to the formula set forth in paragraph (a)(1)(i) of this section.

(iii) Vessels to which an allocation of any permitted size class of tuna is made by the Regional Director shall forfeit such allocation if, in the case of school size tuna, the vessel fails to land any such tuna by August 30; and, in the case of giant size tuna, the vessel fails to land such tuna by September 30. Any vessel allocation which is forfeited shall be divided between historical and new participants according to formula set forth in this section.

(iv) Historical participants shall lose their status as such if they fail to meet the performance criteria set forth in paragraph (a)(1)(iii) of this section, or if the vessel owner no longer wishes to participate in the fishery for a particular size class tuna. In the case of a nonindividual vessel owner, the owner shall be deemed to be no longer participating in the Atlantic bluefin tuna fishery as a historical participant if the major stock holder or partnership or association structure changes.

(b) *Northern Area.* In the northern area, as defined in § 285.30(b), vessels fishing for, catching or taking giant Atlantic bluefin tuna with gear other than purse seines shall catch no more than one giant bluefin tuna per day per vessel. On or about August 7, the Regional Director shall review dealer and owner or operator vessel reports to determine the total catch of giant bluefin tuna. If the Regional Director determines that 30 percent or more of the quota of giant bluefin tuna is caught, the allowable catch shall be continued at one giant bluefin tuna per day per vessel. If the Regional Director determines that between 17 and 29 percent of the quota has been caught, the allowable catch shall be increased to two giant bluefin tuna per day per vessel; if less than 17 percent has been caught, the allowable catch shall be increased to three giant tuna per day per vessel. On or about September 7, the Regional Director shall review dealer and vessel owner or operator reports to determine the total catch of giant bluefin tuna. If the Regional Director determines that 85 percent or more of the quota of giant bluefin is caught, an allowable catch of one giant bluefin tuna per day per vessel shall be established. If the Regional Director determine that between 70 and 85 percent of the quota has been caught, the allowable catch shall be increased to two giant bluefin tuna per day per vessel; if the catch is between 60 and 69 percent, the allowable catch shall be increased to three giant tuna per day per vessel. If the Regional Director determines that less than 60 percent of the quota has been caught, the allowable catch shall be increased to four giant tuna per day per vessel. The Regional Director shall publish a notice in the **Federal Register** of any determinations and increases in allowable catch made pursuant to this paragraph.

(c) *Southern Area.* In the southern area, as defined in § 285.30(b), vessels fishing for, catching or taking giant Atlantic bluefin tuna with gear other than purse seines may take five giant tuna per week per vessel from the commencement of fishing under § 285.29 until the subquota in § 285.30(b) for the southern area is reached.

(d) *Angling.* (1) *Giant tuna.* Vessels angling for giant Atlantic bluefin tuna in the regulatory area shall be subject to the catch limits contained in paragraphs (a) and (b) of this section.

(2) *Young school, school and medium tuna.* Vessels angling for young school, school or medium Atlantic bluefin tuna in the regulatory area may take no more than four young school, school or medium Atlantic bluefin tuna each day at any time during the year: *Provided,* That only one of the four may be a medium Atlantic bluefin tuna.

§ 285.33 Tag and release program.

(a) *Tag and Release Permits.* Any angler who wishes to fish for giant Atlantic bluefin tuna after the sub-quota under which his vessel has been issued a certificate has been reached and fishing closed under § 285.29, may fish for giant tuna only with a valid tag and release permit, and tags issued by the NMFS under paragraph (b) of this section. A tag and release permit may be obtained by sending an application after fishing has been closed under § 285.29 to the Center Director, Southeast Fisheries Center, NMFS, 75 Virginia Beach Drive, Miami, Florida 33149. Such application shall include the name of the vessel, official Coast Guard or State number(s), name(s) of the owner and master, vessel Atlantic bluefin tuna certificate number, and the general area(s) in which the tag and release activity will be carried out. Upon receipt of a completed application, the Center Director shall issue a tag and release permit.

(b) *Plastic tags.* Anglers receiving a tag and release permit under paragraph (a) of this section shall also be issued plastic tags and detailed instructions for their use. All giant Atlantic bluefin tuna caught under a tag and release permit shall be tagged before they are released. Such tuna shall be released immediately with a minimum of injury.

[FR Doc. 80-8059 Filed 3-13-80; 8:45 am]

BILLING CODE 3510-22-M

Notices

Federal Register
Vol. 45, No. 52
Friday, March 14, 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.

DEPARTMENT OF AGRICULTURE

Forest Service

Forest Land and Resource Management Plan; National Forests in Mississippi; Intent To Prepare an Environmental Impact Statement

The Department of Agriculture, Forest Service, will prepare an environmental impact statement on the Land and Resource Management Plan for the National Forests in Mississippi. This Forest Plan will be developed in accordance with Section 6 of the National Forest Management Act of 1976 and regulations issued pursuant to the Act.

The National Forests in Mississippi are made up of six National Forests located as follows: Bienville National Forest in Jasper, Newton, Scott and Smith Counties; DeSoto National Forest in Forrest, George, Greene, Harrison, Jackson, Jones, Pearl River, Perry, Stone and Wayne Counties; Delta National Forest in Sharkey County; Holly Springs National Forest in Benton, Lafayette, Marshall, Tippah, Union, Yalobusha Counties; Homochitto National Forest in Adams, Amite, Wilkinson Counties; Tombigbee National Forest in Pontotoc, Chickasaw, Choctaw, Oktibbeha and Winston Counties, Mississippi. The Forest Supervisor has administrative authority over approxmiately 1,139,654 acres of National Forest System lands.

The Forest Plan will provide management direction for these National Forest System lands and will replace the existing Forest Plan and Timber Management Plans.

Preliminary public issues have been identified through analysis of the comments received on previous planning efforts initiated by the Forest. These issues include wilderness designation, developed recreation, conflicts between various resources, protection of cultural resources and others.

Alternatives will consider different ways of managing the Forest's resources within the scope of the Regional Plan. Alternatives will address public issues, management concerns and the Forest's resource use and development opportunities.

The Forest is beginning to gather and organize data and information for the planning effort as well as develop procedures for analyzing, evaluating and updating planning information. Preliminary issues will be prepared and mailed to interested individuals, organizations and local, State and Federal agencies. Media releases will be prepared requesting public participation in finalizing issues. Other media releases will be prepared throughout the planning process.

Lawrence M. Whitfield, Regional Forester, Southern Region, is the responsible official for the environmental impact statement.

The draft environmental impact statement is tentatively scheduled for filing in August 1982. A 90-day period for public review and comments will follow. The final environmental impact statement is tentatively scheduled for filing with the Environmental Protection Agency in July 1983 with implementation of the Forest Plan to begin October 1, 1983.

Questions about the proposed action and the environmental impact statement should be directed to Bruce A. Macko, Forest Planning Staff Officer, National Forests in Mississippi (Phone: 601–969–4391).

Written comments and suggestions concerning the Forest Plan should be sent to B. F. Finison, Forest Supervisor, National Forests in Mississippi, 100 West Capitol Street, Suite 1141, Jackson, Mississippi 39201, by May 1, 1980.

Dated: March 6, 1980.

Lawrence M. Whitfield,

Regional Forester.

[FR Doc. 80–7898 Filed 3–13–80; 8:45 am]

BILLING CODE 3410–11–M

Land Management Plan Sumter National Forest; Abbeville, Chester, Edgefield, Fairfield, Greenwood, Laurens, McCormick, Newberry, Oconee, and Union Counties, S.C.; Intent To Prepare an Environmental Impact Statement

Pursuant to the National Environmental Policy Act of 1969 (Pub. L. 91–190) and the National Forest Management Act of 1976 (Pub. L. 94–588), the Forest Service, Department of Agriculture, will prepare an environmental impact statement and land management plan for the Sumter National Forest in South Carolina.

The land management plan will provide for multiple use and sustained yield of goods and services from the Sumter National Forest, will guide all natural resource management activities, and will establish management standards and guidelines for the Forest.

The Forest Plan will be selected from a range of alternatives which will include at least:

(a) A "no-change" alternative which represents continuation of present levels of activity.

(b) One or more alternatives which represent levels of activity that will result in elimination of all backlogs of needed treatment for restoration of renewable resources and insure that a major portion of planned intensive multiple-use and sustained yield management procedures are operating on an enviromentally sound basis, and

(c) One or more alternatives formulated to resolve the identified major public issues and management concerns.

As an early step in the planning process, Federal, State and local agencies, organizations, and individuals who may be interested in, or be affected by the decision will be invited to participate in:

(a) Identification of the issues to be addressed, and

(b) Elimination from detailed study those issues which are not significant, or which have been covered by prior environmental review.

Item (a) above will be accomplished by utilizing letters and directly contacting Key Groups and individuals.

To accomplish item (b), small work groups composed of representatives

from different interest groups will be organized in Whitmire, McCormick, and Walhalla, South Carolina, in April of 1980. Also, the general public will be given the opportunity by letter to assist in the analysis prior to a final decision on which issues and concerns will be addressed in the plan.

The draft environmental impact statement is scheduled for completion by June 1982, with a 3-month review period, and the final environmental impact statement is scheduled for filing in January, 1983.

Lawrence M. Whitfield, Regional Forester, Southern Region of the Forest Service, is the responsible official for approval of the environmental impact statement and plan.

Written comments and suggestions concerning this Notice of Intent or the proposal should be sent to Donald W. Eng, Forest Supervisor, by May 15, 1980.

For further information about the planning process or the environmental impact statement, contact: David V. Rosdahl, Forest Planner, Francis Marion & Sumter National Forests, 1835 Assembly Street, Columbia, South Carolina, 29202, (803–765–5222).

Dated: March 7, 1980.

Lawrence M. Whitfield,

Regional Forester.

[FR Doc. 80–7899 Filed 3–13–80; 8:45 am]

BILLING CODE 3410–11–M

[P.L. 95–150]

Montana Wilderness Study Act; a Revised Notice of Intent To Prepare Environmental Impact Statements

This Notice of Intent revises an earlier notice published in the **Federal Register** on August 13, 1979.

Pursuant to Section 102(2)(c) of the National Environemntal Policy Act of 1969, the Forest Service, Department of Agriculture, will prepare environmental impact statements for Beaverhead, Bitterroot, Deerlodge, Gallatin, Kootenai, and Lewis and Clark National Forests located in Beaverhead, Fergus, Gallatin, Golden Valley, Granite, Judith Basin, Lincoln, Madison, Park, and Ravalli Counties, and Montana for the purpose of determining suitability for preservation as wilderness, certain National Forest lands located on the above-named National Forests.

Twelve public workshops were conducted in western and central Montana towns between September 17 and September 27, 1979, to identify public issues and concerns to be addressed in the environmental impact statements.

A draft environmental impact statement is scheduled to be issued in mid-July 1980 for three of the nine study areas. The three areas are Taylor-Hilgard, West Pioneer, and Mount Henry located on the Gallatin, Beaverhead, and Kootenai National Forests. Public hearings on the proposals will follow in late August 1980. A final environmental impact statement is scheduled for completion early in 1981.

The remaining six areas: Big Snowies, Middle Fork Judith, Hayalite, Ten Lakes, Sapphire, and Bluejoint on the Lewis & Clark, Gallatin, Kootenai, Deerlodge, and Bitterroot National Forests are to be studied as part of the individual forest land and resource management planning processes on those National Forests. Draft and final environmental impact statements for the six areas will be issued between April 1981 and November 1982.

R. Max Peterson, Chief, USDA, Forest Service, is the responsible official for the environmental impact statements. Comments and questions on the Notice of Intent or the environmental impact statements should be directed to Ray D. Hunter, Montana Wilderness Study Act Coordinator, USDA, Forest Service, P.O. Box 7669, Missoula, Montana 59807.

Dated: March 6, 1980.

Thomas C. Nelson,

Acting Chief.

[FR Doc. 80–7934 Filed 3–13–80; 8:45 am]

BILLING CODE 3410–11–M

CIVIL AERONAUTICS BOARD

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q of the Board's Procedural Regulations

Notice is hereby given that, during the week ended March 7, 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 Part 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 overeas cases (or the Bureau of International Aviation (in foreign air transportaion cases).

Subpart Q Applications

Date filed	Docket No.	Description
Mar. 3, 1980	37779	Deutsche Lufthansa Aktiengesellschaft, c/c Suzette Matthews, Galland, Kharasch, Calkins & Short, 1054 31st Street, N.W., Washington, D.C. 20007. Application of Deutsche Lufthansa Aktiengesellschaft requests issuance of an Order renewing the foreign air carrier permit, issued to it in Board Order 75–3–68, as amended by Orders 75–3–69 and 76–6–15, on a permanent basis the Anchorage or Fairbanks, Alaska stop-over authority and relief from restrictions in emergency situations. Answers may be filed by March 31, 1980.
Mar. 3, 1980	37780	Japan Air Lines Company, Ltd., c/o Suzette Matthews, Galland, Kharasch, Calkins & Short, 1054 31st Street, NW., Washington, D.C. 20007. Application of Japan Air Lines Company, Ltd., petitions the Board for issuance of an order renewing the foreign air carrier permit issued to it in Board Order 75–3–68, as amended by Order 75–3–69 and 76–6–15 (authorizing conditional stop-overs at Anchorage, Alaska on scheduled flights over polar routes between points in Europe and points in Japan, and relief from the stop-over restrictions in certain emergency situations.) Answers may be filed by March 31, 1980.
Mar. 3, 1980	37784	Compagnie National Air France, c/o V. Michael Straus, Suite 401, 1001 Connecticut Avenue, NW., Washington, D.C. 20006. Application of Compagnie National Air France requests the following authority, granted by Order 75–3–68, be renewed and revised as indicated: Between a terminal point in France, the intermediate point Hamburg, Germany, and the intermediate point Anchorage, Alaska, and between the intermediate point Anchorage, Alaska, and the terminal point Tokyo, Japan. Subject to conditions stated in application. It is the intent of Air France to rely on Section 9(b) of the Administrative Procedure Act (Title 5 United States Code 558(c)) and it intends to continue service over the route specified pending final determination of this renewal application. Answers may be filed by March 31, 1980.
Mar. 4, 1980	37799	Scandinavian Airlines System (SAS), c/o Robert Reed Gray, Hale, Russell, Gray, Seaman & Birkett, 1025 Connecticut Avenue, NW., Washington, D.C. 20036. Application of Scandinavian Airlines System (SAS) pursuant to Section 402 of the Act, Part 211 of the Board's Economic Regulations, and Part 302 of the Board's Procedural Regulations, requests renewal of its foreign air carrier permit—issued under Order E–26740, Approved April 30, 1968, and continued by Order 75–3–68, approved March 19, 1975—granting conditional stopover authority at Anchorage, Alaska, to passengers on scheduled flights operated over its polar route between Europe and Japan. Answers may be filed by April 1, 1980.

Subpart Q Applications—Continued

Date filed	Docket No.	Description
Mar. 6, 1980	37807	Ozark Air Lines, Inc. Lambert-St. Louis International Airport, St. Louis, Missouri 63145. Application of Ozark Air Lines, Inc. pursuant to Section 401 of the Act and Subpart Q of the Board's Regulations requests amendment of its certificate of public convenience and necessity for Route 107 so as to authorize it to engage in nonstop scheduled air tranportation of person, property and mail between the terminal point Indianapolis, Indiana, and the alternate terminal points Minneapolis/St. Paul, Minnesota, and Phoenix, Arizona. Answers may be filed by March 21, 1980.
Mar. 6, 1980	37814	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 Economic Regulations of the Board 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 Chicago, Illinois, on the one hand, and Ft. Wayne, Indiana, Flint, Lansing, Muskegon and Saginaw-Bay City, Michigan,, on the other hand, by amending USAir's certificate for Route 97 to include a new segment as follows: "Between the terminal point Chicago, Illinois, and the alternate terminal points Ft. Wayne, Indiana, Flint, Lansing, Muskegon and Saginaw-Bay City, Michigan." Conforming Applications and Answers are due by April 3, 1980.
Mar. 6, 1980	37815	Air Manila, Inc. c/o Cecil A. Beasley, Jr., Ballard, Beasley and Nelson, 505 Commerce Building, 1700 K Street, NW, Washington, D.C. 20006. Applications of Air Manila, Inc. pursuant to Section 402 of the Act requests renewal of its permit, originally issued by Order 75-5-6, as amended by Order 78-3-23, to authorize it to engage in charter foreign air transportation of persons and property as follows: Between any point or points in the Republic of the Philippines and any point or points in the United States. Answers may be filed by April 3, 1980.
Mar. 7, 1980	37820	Pacific Southwest Airlines, c/o Bruce Keiner, Jr., Crowell & Moring, 1100 Connecticut Avenue, NW, Washington, D.C. 20036. Application of Pacific Southwest Airlines, pursuant to section 401 of the Act requests a certification of public convenience and necessity authorizing it to engage in air transportation between Eugene, Oregon and Portland, Oregon; Seattle, Washington; and Los Angeles and San Francisco, California. Conforming Applications and Answers are due by April 4, 1980.
Mar. 7, 1980	37821	Pacific Southwest Airlines, c/o R Bruce Keiner, Jr., Crowell & Moring, 1100 Connecticut Avenue, NW, Washington, D.C. 20036. Application of Pacific Southwest Airlines, pursuant to section 401 of the Act for a certificate of public convenience and necessity authorizing it to engage in air transportation between Las Vegas, Nevada and Reno, Nevada. Conforming Applications and Answers are due by April 4, 1980.

Phyllis T. Kaylor
Secretary.

[FR Doc. 80-7999 Filed 3-13-80; 8:45 am]
BILLING CODE 6320-01-M

[Docket No. 37554; Order 80-3-50]

Establishment of the Standard Foreign Fare Level

Order

Adopted by the Civil Aeronautics Board at its office in Wahington, D.C., on the 10th day of March 1980.

The International Air Transportation Competition Act (IATCA), Pub. L. 96-192, was enacted on February 15, 1980. Among other things, the Act requires the Board to establish a Standard Foreign Fare Level (SFFL) and to adjust such level periodically by the percentage change in actual operating cost per available seat-mile (ASM). The SFFL thus computed would form the ceiling of a statutory no-suspend zone similar to the zone of reasonableness established by the Airline Deregulation Act and set forth in secion 1002(d) of the Federal Aviation Act of 1958. In order to fulfill the intent of Congress that the Board adopt a fully automatic cost pass through, particularly for fuel cost increases, we have, by Order 80-2-69, established the first interim SFFL reflecting guidelines set forth in the IATCA. [1]

Due to the intricacies of foreign air transportation we are departing from our usual procedure of issuing standard fare levels immediately prior to scheduled effectiveness. The purpose is to provide as much notice as possible for carriers for changes affecting the upcoming peak season, and to provide time, where appropriate, for notices of dissatisfaction and suspension orders to be issued.

Basically, our SFFL methodology, like the domestic SIFL methodology, projects the most recent cost trends to the midpoint of the period in which the fare ceiling will be in effect. However, we have found a precise replication of the domestic methodology in the international area would probably understate fuel costs, and our calculations have attempted to correct this. Our calculations measure inflation from October 1, 1979, to May 1, 1980, the midpoint of the April-May projection period, for the three rate-making entities: Atlantic, Pacific and Latin America.

We have projected non-fuel costs, based on the year ended September 30, 1979, two more months, and we have adjusted fuel prices upward to reflect a significant increase in the rate of fuel cost escalation within the last several weeks. The four month average of October-January increases produces the following monthly rates of escalation: 3.73 cents per gallon in the Atlantic, 3.37 cents per gallon in Latin America, and 3.91 cents per gallon in the Pacific. We have also reviewed the weekly fuel reports submitted to us by the U.S. international air carriers since last summer, and observe that per gallon fuel costs have most recently been rising about 1.55 cents per week. It is this figure that we have projected forward. The resulting projections are fuel prices of 116.61 cents in the Atlantic, 107.21 cents in Latin America, and 114.23 cents in the Pacific, at May 1, 1980. [2]

Consequently, based on our calculations, we find the projected actual (ceiling adjustment factor) to be 14.06 percent on the Atlantic, 11.95 percent in Latin America, and 12.20 percent in the Pacific, over the October 1, 1979 level. (See Appendices A and B). As stated by Order 80-2-69, and additional five percent is permissible over the North Atlantic. This results in an increase over the February 1, 1980 ceiling fares of 8.0 percent in the North Atlantic, 6.1 percent in Latin America and 9.0 percent in the Pacific.

Furthermore, we expect carriers, when filing their proposals, to indicate their base fare (normal economy fare) as of October 1, 1979, the proposed fare, and the percentage increase by city pair where direct service is provided. The Board's staff has delegated authority to approve applications for short notice filing, and will continue its policy of doing so for carriers who meet this requirement. [3]

Accordingly, pursuant to sections 102, 204(a), 403, 801, and 1002(j) of the Federal Aviation Act of 1958, as amended:

[1] TWA filed a petition for reconsideration of Order 80-2-69 requesting that the Board move the base period for North Atlantic fares from October 1, 1979 to December 15, 1979. We will deal with the petition in a future order, and our determinations here are without prejudice to it.

[2] We have applied the latest available fuel cost incease rather than the standard four month average for estimating fuel costs for this period. Use of the four month average would have resulted in an increase in its SFFL of 4.5 percent for the Atlantic, 3.1 percent for Latin America and 5.5 percent for the Pacific. Should this projection result in a significant overstatement of fuel costs for the April-May 1980 period, we would, of course, make appropriate adjustments to the next SFFL. We plan, in any event, to project future period fuel cost increases for the four month moving average as fuel cost increases moderate.

[3] The Board's staff hs been informally approached by carrier representatives who would like to submit a single fare proposal for the entire peak season. Such a filing would necessarily be at the outset at levels higher than the SFFL, and the carrier proposes to commit itself not to change the fares when subsequent increases in the SFFL bring the fare below the SFFL. We believe such a proposal could have merit considering the advantages of fare stability, and we would entertain carrier proposals in this regard.

1. Effective April 1, 1980, fares may be increased by the following adjustment factors over the October 1, 1979 level:

Atlantic—1.1406
Latin America—1.1195
Pacific—1.1720

2. We shall serve a copy of this order upon all U.S. certificated air carriers and all foreign air carriers.

3. We shall publish this order in the **Federal Register.**

By the Civil Aeronautics Board.

Phyllis T. Kaylor,[4]

Secretary.

[4] All members concurred.

Appendix A.—*International Normal Fare Adjustment Factor by Entity to May 1, 1980, Over Oct. 1, 1979, Fare Level*

	Total passenger/cargo—international entity			
	Atlantic	Latin America	Pacific	
			Statutory	Adjusted[11]
Year ended September 30, 1979:				
Total Oper. Exp.[2] (000)	$2,252,777	$1,480,117	$1,046,158	$1,046,158
Less: Property and Mail	280,265	158,366	186,469	186,469
Nonscheduled[3]	111,529	40,974	6,772	6,772
Transport Related[4]	131,109	24,734	15,848	15,848
Plus: Capitalized Lease Adj.[5]	15,673	14,827	12,782	12,782
Passenger Operating Expense	1,745,547	1,270,870	849,851	849,851
Passenger Fuel Cost[6]	397,913	195,572	205,395	205,395
Scheduled Service ASM's (000)	35,810,895	24,611,968	20,119,691	20,119,691
Non-fuel Oper. Exp. per ASM	0.03763	0.04369	0.03203	0.03203
Fuel Expense per ASM	.01111	.00795	.01021	.01021
Total Expense per ASM	.04874	.05164	.04224	.04224
Year ended Sept. 30, 1978:				
Total Oper. Exp.[2] (000)	1,862,249	1,229,009	761,168	
Less: Property and Mail	253,403	150,104	143,353	
Non-scheduled[3]	156,988	38,842	9,338	
Transported Related[4]	102,740	22,965	14,177	
Plus: Capitalized Lease Adj.[5]	10,512	8,281	16,647	
Passenger Operating Expense	1,359,630	1,025,379	610,947	
Passenger Fuel Cost[6]	258,213	139,043	118,308	
Scheduled Service ASM's (000)	29,828,593	21,432,374	15,181,606	17,208,541
Non-fuel Oper. Exp. per ASM	0.03692	0.04135	0.03245	[11]0.03054
Fuel Expense per ASM	.00866	.00649	.00779	[11].00781
Total Expense per ASM	.04558	.04784	.04024	.03835
Percent Change in Non-fuel Oper. Expense per ASM	1.92	5.66	(1.3)	4.88
Percent Projected Change in Non-fuel April 1979 to Oct. 1, 1979	0.96	2.79	(0.7)	2.41
Percent Estimated Change in Fuel Cost Year Ended September 1979 Average to Oct. 1,1979[7]	42.06	40.47	42.29	42.29
Non-Fuel Operating Exp per ASM at Oct. 1, 1979[8]	0.03799	0.04491	0.03181	0.03280
Fuel Expense per ASM at Oct. 1, 1979[8] (cents)	.01578	.01117	.01453	.01453
Total Expense per ASM at Oct. 1, 1979 (cents)	.05377	.05608	.04634	.04733
Estimated to May 1, 1980:[9]				
Percent Projected Change in Nonfuel Exp. from Apr. 1, 1979 to May 1, 1980	2.08	6.14	(1.41)	5.30
Percent Estimated Change in Fuel Cost Y/E September 1979 to May 1, 1980[7]	106.29	106.39	112.97	112.97
Nonfuel Oper. Exp./ASM at May 1, 1980[8] (cents)	.03841	0.04637	.03158	.03373
Fuel Exp./ASM at May 1, 1980[8] (cents)	.02292	.01641		.02174
Total Exp./ASM at May 1, 1980 (cents)	.06133	.06278	.05332	.05547
Percent Ceiling Adjustment Factor[10]	14.06	11.95	15.06	17.20

[1] Includes Following Carriers: for Atlantic BN/DL/NA/NW/PA/TW, for Latin America AA/BN/CO/DL/EA/PA/WA, for Pacific BN/CO/WN/PA.

[2] Total operating expense for all operations and service.

[3] Total nonscheduled revenues times 0.95 assuming charter operations would only be conducted at profit.

[4] Total transport-related expense, less any excess of expense over total transport-related revenues.

[5] Additional rental expense that would have been incurred had leases not been capitalized, less actual amortization of capitalized lease expense.

[6] Total fuel cost, scheduled service, times complement of rate of freight expense to total operating expense.

[7] Estimated average cost per gallon for the carriers at October 1, 1979, or May 1, 1980, divided by the year ended September, 1979.

[8] Operating expense per ASM for year ended September 30, 1979 times projected change.

[9] Fuel increase estimated at $0.0155 per week for 3½ months.

[10] Projected operating expense per ASM at May 1, 1980 divided by operating expense for October 1, 1979

[11] See Appendix C.

Appendix B.—*Internation Actual and Estimated Fuel Cost to May 1, 1980*

	International entities		
	Atlantic	Latin America	Pacific
Average Fuel Cost Per Gallon:			
Year Ended Sept. 30, 1979 (Cents)	56.89	52.31	53.99
Month Ended:			
Oct. 31, 1979 (Cents)	82.43	75.75	53.99
Nov. 30, 1979 (Cents)	84.70	77.63	77.90
Dec. 31, 1979 (Cents)	86.45	78.99	82.83
Jan. 31, 1979 (Cents)	94.11	84.71	91.73
Average Monthly Change Over Prior Month:			
October 1979 (Cents)	3.23	4.54	1.43
November 1979 (Cents)	2.27	1.88	.37
December 1979 (Cents)	1.75	1.36	4.93
January 1979 (Cents)	7.66	5.72	8.91
Four Month Average Monthly Change (Cents)	3.72	3.38	3.91
Percent Change in Cost Oct. 1, 1979 vs. Y.E. September 1979:			
Fuel Cost as of Oct. 1, 1979 [1] (Cents)	80.82	73.48	76.82
Percent Change Oct. 1, 1979 vs. Y.E. September 1979	42.06	40.47	42.29
Projected Fuel Cost:			
January 1980 Avg. Fare (Cents)	94.11	84.71	91.73
Estimated January 16–May 1, 1980 [2] (Cents)	23.25	23.25	23.25
Total	117.36	107.96	114.98
Percent Change Year Ended Sept. 30, 1979 to May 1, 1980	106.29	106.39	112.97

[1] Average of September & October 1979 fuel cost.
[2] Estimated increase at 1.55 cents per week for 15 weeks.

Appendix C.—*Pacific entity Unit Costs per Available Seat Mile Actual and Adjusted for Northwest Strike Scheduled Passenger Service*

Non-fuel expense	Year ended Mar. 31, 1978			Year ended Sept. 30, 1978			Year ended Sept. 30, 1979			
Actual non-fuel expense	Psgr. Costs	ASMS	Cost per ASM	Psgr. Costs	ASMS	Cost per ASM	Psgr. Costs	ASMS	Cost per ASM	Change in seat mile cost Sept. 30, 1979 v. Sept. 30, 1978 (percent)
BN/CO/PA	$321,124	11,058,489	$.02904	$370,048	11,362,367	$.03257	$480,077	13,691,239	$.04506	7.7
NW	151,342	5,689,810	.02660	122,591	3,819,239	.03210	164,379	6,428,452	.02557	(20.3)
Total entity	472,466	16,748,299	.02821	492,639	15,181,606	.03245	644,456	20,119,691	.03203	(1.3)
NW percent of total	32.03	33.97		24.89	25.16		25.51	31.95		
ADJUSTED NONFUEL EXPENSE										
BN/CO/PA	$321,124	11,058,489	$.02904	$370,048	11,562,367	$.03257	$480,077	13,691,239	$.03506	7.7
NW	151,342	5,689,810	.02660	[1] 155,496	[2] 5,846,154	[3] .02660	164,379	6,428,452	.02557	(3.9)
Entity total	472,466	16,748,299	.02821	525,544	17,208,521	.03054	644,456	20,119,691	$.03203	4.9
NW percent of total	32.03	33.97		29.59	33.97	25.51	31.95			
FUEL EXPENSES										
ACTUAL FUEL EXPENSE										
BN/CO/PA	$81,841	11,058,489	$.00740	$88,083	11,362,367	$.00775	$137,679	13,691,239	$.01006	29.7
NW	42,284	5,689,810	.00743	30,225	3,819,239	.00791	67,716	6,428,452	.01053	31.0
Entity total	124,125	16,748,299	.00741	118,308	15,181,606	.00779	205,395	20,119,691	$.01021	31.0
NW percent of total	34.06	33.97		25.55	25.18		32.97	31.20		
ADJUSTED FUEL EXPENSE										
BN/CO/PA	$81,841	11,058,489	$.00740	$88,083	11,362,367	$.00775	$137,679	13,691,239	$.01006	29.7
NW	42,284	5,689,810	.00743	46,261	5,846,154	[4] $.00791	67,716	6,428,452	.01053	33.1
Entity total	124,284	16,748,299	.00741	134,344	17,208,521	$.00781	205,715	20,119,691	$.01021	31.0

[1] Estimated by applying the Y/E Mar. 31, 1978 nonfuel cost per ASM to adjusted available seat miles.
[2] Estimated by assuming NW would have operated the same relative proportion of ASMs in Y/E Sept. 30, 1978 as it did in the Y/E March 31, 1978 (33.97).
[3] Assumed same as actual for year ended Mar. 31, 1978.
[4] Based on experienced rate per ASM for year ended Sept. 30, 1978. Northwest on strike April 29, 1978–August 14, 1978.

Appendix D.—*International Fuel Price per Gallon 7 Carrier Sample Weekly Reports*

Week ended	Carrier							All Carriers		
	A	B	C	D	E	F	G	Price/ gallon	Cent change from prior week	Four week average change (cents)
December 1, 1979	87.05	87.11	93.79	95.97	83.42	85.86	62.60	84.66		
December 8, 1979	89.89	89.37	97.75	95.98	80.19	84.78	62.60	82.99	(1.67)	
December 15, 1979	88.95	89.33	97.42	95.96	80.77	85.31	62.60	83.35	.36	
December 22, 1979	89.97	90.84	95.18	100.00	82.82	86.36	62.60	85.22	1.87	
December 29, 1979	91.13	90.78	101.03	99.97	84.28	87.85	62.60	86.52	1.30	.47
January 5, 1980	90.67	93.78	103.21	104.73	84.07	89.64	71.10	87.34	.82	1.09
January 12, 1980	90.86	94.27	103.51	104.58	87.06	94.11	75.80	89.92	2.58	1.64
January 19, 1980	89.08	95.37	108.25	106.08	88.89	93.86	75.80	90.97	1.05	1.44
January 26, 1980	101.99	101.75	111.63	111.60	90.01	94.39	75.80	93.40	2.43	1.72
February 2, 1980	101.24	101.95	111.95	113.79	92.37	96.55	75.80	95.03	1.63	1.92
February 9, 1980	102.13	97.70	115.56	113.85	94.01	97.89	75.80	96.11	1.08	1.55

Source: Weekly reports of selected carriers.

NOTE: Reports filed by carriers are confidential.

[FR Doc. 80-8000 Filed 3-13-80; 8:45 am]

BILLING CODE 6320-01-M

[Docket Nos. 33363, 35401, 35402]

Former Large Irregular Air Service Investigation Phase III and Applications of Commercial Airlines, Inc.; Hearing

Notice is hereby given that a hearing in the above-entitled matter is assigned to be held on April 14, 1980, at 10:00 a.m. (local time) in Room 1003, Hearing Room B, Universal North Building, 1875 Connecticut Avenue, NW., Washington, D.C., before the undersigned administrative law judge.

Dated at Washington, D.C., March 10, 1980.

William A. Pope, II,

Administrative Law Judge.

[FR Doc. 80-7998 Filed 3-13-80; 8:45 am]

BILLING CODE 6320-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Mid-Atlantic Fishery Management Council's Scientific and Statistical Committee; Public Meeting

AGENCY: National Marine Fisheries Service, NOAA.

SUMMARY: The Mid-Atlantic Fishery Management Council, established by Section 302 of the Fishery Conservation and Management Act of 1976 (Pub. L. 94-265), has established a Scientific and Statistical Committee (SSC) which will meet to discuss Amendments to the Squid, Mackerel, and Butterfish Fishery Management Plans (FMPs).

DATES: The meeting will convene on Thursday, April 3, 1980, at 9 a.m. and will adjourn at approximately 3 p.m. The meeting is open to the public.

ADDRESS: The meeting will take place at the Best Western Airport Motel, Philadelphia International Airport, Route 291, Philadelphia, Pennsylvania 19153. Phone: (215) 365-7000.

FOR FURTHER INFORMATION CONTACT: Mid-Atlantic Fishery Management Council, North and New Streets, Room 2115, Federal Building, Dover, Delaware 19901. Telephone: (302) 674-2331.

Dated: March 10, 1980.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 80-8021 Filed 3-13-80; 8:45 am]

BILLING CODE 3510-22-M

International Trade Administration

Certain Iron-Metal Castings From India; Initiation of Countervailing Duty Investigation

AGENCY: United States Department of Commerce.

ACTION: Initiation of Countervailing Duty Investigation.

SUMMARY: This notice is to advise the public that a satisfactory petition has been received, and as a result, an investigation has been initiated for the purpose of determining whether benefits

which constitute a bounty or grant within the meaning of the countervailing duty law are granted by the Government of India to manufacturers, producers, or exporters of certain iron metal castings. Unless the time period is extended, a preliminary determination will be made not later than May 14, 1980, and a final determination not later than July 28, 1980.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Steven Morrison, Import Administration Specialist, Office of Investigations, International Trade Administration, Department of Commerce, Washington, D.C. 20230 (202) 566–5492.

SUPPLEMENTARY INFORMATION:

A petition was received in satisfactory form on February 19, 1980, from James W. Pinkerton, Jr. of Pinkerton Foundry, Inc., Lodi, California, alleging that subsidies are provided by the Government of India on the production and exportation of certain iron-metal castings from India. Such subsidies are alleged to constitute a bounty or grant within the meaning of section 303 of the Tariff Act of 1930, as amended, (93 Stat. 190), 19 U.S.C. 1303 (hereinafter referred to as the Tariff Act). It should be noted that India is not a "country under the Agreement" within the meaning of section 701(b) of the Tariff Act, as amended (93 Stat. 151, 19 U.S.C. 1671(b)). Therefore, section 303 of the Tariff Act as amended by section 103 of the Trade Agreements Act of 1979 (hereinafter referred to as the Trade Act), continues to apply to this investigation. Iron-metal castings from India enter the United States free of duty. Therefore, it is necessary to refer this matter to the United States International Trade Commission for determinations of injury. The petition, as filed on February 19, 1980, contains substantial information alleging material injury or threat of material injury to an industry in the United States by reason of imports from India. In accordance with section 303 of the Tariff Act, as amended, I hereby determine that an investigation should be initiated to determine whether the Government of India pays or bestows any bounty or grant upon the manufacture, production or exportation of certain iron-metal castings. In the event that there is a final affirmative determination, the products subject to countervailing duties would be cast-iron manhole covers and frames, catch-basin grates and frames, and clean-out covers and frames. The iron-metal castings covered by this investigations entered the United States under the following item number of the Tariff Schedules of the United States (TSUS): 657.09, Articles of iron or steel, not coated or plated with precious metal: Cast-iron articles, not alloyed: not malleable.

The bounties or grants alleged in the petition are as follows:

1. Cash grant program on exports.
2. Tax credit against business and income taxes based on export value.
3. Tax deductions at 150% on expenses for overseas export promotion.
4. Remission of Custom duties and excise taxes on machinery used for export production.
5. **SUBSIDIZED EXPORT INSURANCE AND EXPORT CREDIT AVAILABLE TO INDIAN EXPORTERS.**
6. Favorable import licenses and foreign exchange treatment.
7. **SPECIAL INCENTIVES GRANTED TO MANUFACTURERS WITHIN FREE TRADE ZONES, INCLUDING INCOME TAX HOLIDAYS, FINANCING AT PREFERRED RATES, AND CASH SUBSIDIES BY STATE AND NATIONAL GOVERNMENTS.**
8. Subsidized inland transportation and subsidized ocean freight.
9. Government underwriting of foreign trade shows.
10. Tax deductions for capital investment reserves for selected industries and new industrial ventures.

Pursuant to section 303 of the Tariff Act of 1930, as amended and § 355.28, Commerce Regulations (19 FR 355.28), 45 FR 4943, the International Trade Administration is required to issue a preliminary determination within 85 days after the filing, in satisfactory form, of a petition alleging the payment or bestowal of a bounty or grant as to whether there is a reasonable basis to believe or suspect that a bounty or grant is being paid or bestowed within the meaning of the statute.

Unless the investigation is extended, a preliminary determination on this petition will be made no later than May 14, 1980, as to whether alleged payments or bestowals conferred by the Government of India upon the manufacture, production, or exportation of the above-described merchandise constitute a bounty or grant within the meaning of section 303 of the Act as amended. A final determination will be issued no later than July 28, 1980. This notice is published pursuant to section 303 of the Tariff Act of 1930, as amended, and section 355.27(b), Commerce Regulations (19 CFR, 355.27(b)), 45 FR 4943.

Stanley J. Marcuss,

Acting Assistant Secretary for Trade Administration.

March 10, 1980.

[FR Doc. 80–7974 Filed 3–13–80; 8:45 am]

BILLING CODE 3510–22–M

Fresh Cut Roses from Israel; Postponement of Preliminary Determination

AGENCY: United States Department of Commerce.

ACTION: Postponement of Preliminary Determination.

SUMMARY: This notice is to advise the public of the determination to postpone the preliminary determination concerning the countervailing duty investigation with respect to fresh cut roses from Israel. With the extension, a preliminary determination will be made not later than May 30, 1980, and a final determination, not later than August 13, 1980.

EFFECTIVE DATE: March 14, 1980.

FOR FURTHER INFORMATION CONTACT: Francis R. Crow, Import Administration Specialist, Office of Investigations, International Trade Administration, Department of Commerce, Washington, D.C. 20230; (202–566–5492).

SUPPLEMENTARY INFORMATION: On February 1, 1980, a notice of initiation of countervailing duty investigation with respect to fresh cut roses from Israel was published in the Federal Register. At that time notice was given that a preliminary determination would be made no later than March 26, 1980. A final decision was required by June 9, 1980, within 75 days after the preliminary determination.

Section 703(c)(1)(B) of the Tariff Act of 1930, as amended (93 Stat. 153, 19 U.S.C. 1671b(c)(1)(B)) (the act), gives the department of Commerce the authority to postpone the preliminary determination for extraordinarily complicated cases if it concludes that the conditions as stated in section 703(c)(1)(B) exist. Counsel for the major exporter/importer of roses from Israel, AGREXCO, has requested an extension under this section, and the department of commerce has concluded that postponement is warranted.

Following is an explanation of the reasons for the postponement:

1. The Department of Commerce concludes that the parties concerned are cooperating. counsel for AGREXCO has endeavored to obtain data concerning the alleged subsidies by March 3, 1980, a deadline imposed by the Department of Commerce in order to allow proper time to analyze the submission. Because of the complexities as stated below, complete information is not yet available. A partial submission of the information received thus far by counsel for AGREXCO will be made as soon as possible.

2. There are twenty separate programs for which subsidy information was

requested. Several programs involve complex tax and interest rate questions.

Several programs have not been previously investigated, and data concerning them is not readily available Previous countervailing duty investigations concerning Israel were of industrial/chemcial products rather than agricultural products.

3. There are approximately 1200 growers, 10 packing houses and, according to counsel for AGREXCO, several exporters. Because of the large number of such growers and firms, additional time is needed to investigate those receiving subsidies and to establish the extent to which any subsidies apply to these various entities.

4. Because of the foregoing reasons and the desire to make a determination utilizing the most complete data available additional time is needed to gather and analyze such information.

Having granted such an extension, the preliminary determination required under section 703(b) of the Act (93 Stat. 153, 19 U.S.C. 1671b(b)) is postponed until May 30, 1980. Pursuant to section 705(a) of the Act (93 Stat. 159, 19 U.S.C. 1671 d(a)), a final decision is required within 75 days after the preliminary determination, not later than August 13, 1980.

Pursuant to § 355.28(b)(3) of Commerce Regulations (19 CFR 355.28(b)(3), 45 FR 4943), written notice of this determination has been given to all parties to the proceeding.

This notice is published pursuant to section 703 (c)(2) of the Act (93 Stat. 153, 19 U.S.C. 16711b(c)(2)).

Stanley J. Marcuss,

Acting Assistant Secretary for Trade Administration.

March 10, 1980.

[FR Doc. 80-7973 Filed 3-13-80; 8:45 am]

BILLING CODE 3510-22-M

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Procurement List 1980; Additions

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Additions to Procurement List.

SUMMARY: This action adds to Procurement List 1980 commodities and a military resale commodity to be produced by and a service to be provided by workshops for the blind and other severely handicapped.

EFFECTIVE DATE: March 14, 1980.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher, (703) 557-1145.

SUPPLEMENTARY INFORMATION: On November 30, 1979, December 21, 1979, October 26, 1979, and January 18, 1980, the Committee for Purchase from the Blind and Other Severely Handicapped published notices (44 FR 68946, 44 FR 75693, 44 FR 61626 and 45 FR 3630) of Proposed additions to Procurement List 1980, November 27, 1979 (44 FR 67925).

After consideration of the relevant matter presented, the Committee has determined that the commodities, military resale commodity, and service listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46-48c, 85 Stat. 77.

Accordingly, the following commodities, military resale commodity, and service are hereby added to Procurement List 1980:

Class 5440

Stepladder, Aluminum, 5440-00-514-4483, 5440-00-514-4485, 5440-00-514-4487 (For GSA Regions 5 and 6).

Class 7210

Sheet, Bed, Cotton, Green, 7210-00-299-9611.

Military Resale Item No. and Name

No. 510—Cleaner, All Purpose.

SIC 7699

Pallet Repair, Naval Supply Center, Puget Sound, Bremerton, WA.

C. W. Fletcher,

Executive Director.

[FR Doc. 80-7935 Filed 3-13-80; 8:45 am]

BILLING CODE 6820-33-M

Procurement List 1980; Deletion

AGENCY: Committee for Purchase from the Blind and Other Severely Handcapped.

ACTION: Deletion from Procurement List.

SUMMARY: This action deletes from Procurement List 1980 a commodity produced by workshops for the blind or other severely handicapped.

EFFECTIVE DATE: March 14, 1980.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher, (703) 557-1145.

SUPPLEMENTARY INFORMATION: On January 18, 1980, the Committee for Purchase from the Blind and Other Severely Handicapped published a notice (45 FR 3629) of Proposed deletion from Procurement List 1980, November 27, 1979 (44 FR 67925).

After consideration of the relevant matter presented, the Committee has determined that the commodity listed below is no longer suitable for procurement by the Federal Government under 41 U.S.C. 46-48c, 85 Stat. 77.

Accordingly, the following commodity is hereby deleted from Procurement List 1980:

Class 8460

Suitcase, Coated Cloth, 8460-00-391-0502.

C. W. Fletcher,

Executive Director.

[FR Doc. 80-7936 Filed 3-13-80; 8:45 am]

BILLING CODE 6820-33-M

Procurement List 1980; Proposed Addition

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Proposed Addition to Procurement List.

SUMMARY: The Committee has received a proposal to add to Procurement List 1980 a commodity to be produced by workshops for the blind and other severely handicapped.

COMMENTS MUST BE RECEIVED ON OR BEFORE: April 16, 1980.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher, (703) 557-1145.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2), 85 Stat. 77. Its purpose is to provide interested parties an opportunity to submit comments on the possible impact of the proposed action.

If the Committee approves the proposed addition, all entities of the Federal Government will be required to procure the commodity listed below from workshops for the blind or other severely handicapped.

It is proposed to add the following commodity to Procurement List 1980, November 27, 1979 (44 FR 67925):

Class 7210

Washcloth, Hospital, Patient, Disposable, 7210-01-013-2824.

C. W. Fletcher,

Executive Director.

[FR Doc. 80-7937 Filed 3-13-80; 8:45 am]

BILLING CODE 6820-33-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Science Board Task Force on Acquisition Policy; Meeting

An aircraft subgroup under the Defense Science Board Task Force on Acquisition Policy will meet in closed session on 17–18 April 1980 in Washington, DC.

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 scienctific and technical matters as they affect the perceived needs of the Department of Defense.

The aircraft subgroup will review threat interaction with evolving aircraft technology in the 17–18 April meeting. The Task Force on Acquisition Policy is addressing specific issues in evolving DoD policy concerning aircraft acquisition.

In accordance with 5 U.S.C. App. 1 § 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.

O. J. Williford,

Director, Correspondence and Directives, Washington Headquarters Services, Department of Defense.

March 10, 1980.

[FR Doc. 80-7922 Filed 3-13-80; 8:45 am]

BILLING CODE 3810-70-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

[ERA Case No. 62004-9076-27, 28-77]

Public Works Commission of the City of Fayetteville, N.C.; Request for Classification

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of requests for classification.

SUMMARY: On June 28, 1979, the Public Works Commission of the City of Fayetteville, North Carolina (PWC) filed requests with the Economic Regulatory Administration (ERA) of the Department of Energy to have two combustion turbines (Units No. 7 and 8) classified as existing facilities pursuant to § 515.6 of the Revised Interim Rule to Permit Classification of Certain Powerplants and Installations as Existing Facilities (revised Interim Rule) issued by ERA on March 15, 1979 (44 FR 17464), and pursuant to the provisions of the Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 *et seq.* (FUA). FUA imposes certain statutory prohibitions against the use of natural gas and petroleum by new and existing electric powerplants. The prohibitions which apply to existing powerplants are different from those which apply to new powerplants.

The purpose of this notice is to invite interested persons to submit written comments on this matter prior to the issuance of a final decision by ERA. In accordance with § 515.26 of the Revised Interim Rule, no public hearings will be held.

DATES: Written comments are due on or before April 4, 1980.

ADDRESSES: Ten copies of written comments shall be submitted to: Department of Energy, Case Control Unit, Box 4629, Room 2313, 2000 M Street NW., Washington, D.C. 20461.

FOR FURTHER INFORMATION CONTACT:

William L. Webb, Office of Public Information, Economic Regulatory Administration, Department of Energy, 2000 M Street NW., Room B–110, Washington, DC. 20461, Phone (202) 634–2170.

James W. Workman, Director, Division of Existing Facilities Conversion, Economic Regulatory Administration, Department of Energy, 2000 M Street NW., Washington, D.C. 20461, Phone (202) 254–7442.

James Renjilian, Office of the General Counsel, Department of Energy, 1000 Independence Avenue NW., Room 6G–087, Washington, D.C. 20585, Phone (202) 252–2967.

Robert L. Davies, Assistant Administrator, Office of Fuels Conversion, Economic Regulatory Administration, Department of Energy, 2000 M Street NW., Room 3128L, Washington, D.C. 20461a, Phone (202) 634–6557.

SUPPLEMENTARY INFORMATION: The Public Works Commission of the City of Fayetteville, North Carolina (PWC) is a municipal agency organized under the laws of the State of North Carolina. PWC supplies electric service to the City of Fayetteville and surrounding areas.

PWC stated that it executed a contract in August 1977 for two 25 MW, oil-fired combustion turbines, to be known as Units No. 7 and 8 in Cumberland County, North Carolina, and that commercial operation is scheduled for May 1979 and May 1980, respectively.

On June 28, 1979, pursuant to ERA's Revised Rule to Permit Classification of Certain Powerplants and Installations as Existing Facilities (Revised Interim Rule) issued by ERA on March 15, 1979, PWC requested that ERA classify Units No. 7 and 8 as "existing" facilities. A conference was held at PWC's request on November 8, 1979. PWC submitted an amended request during the conference and additional information by letter dated November 9, 1979.

In accordance with § 515.6 of ERA's Revised Interim Rule a powerplant will be classified as existing if the cancellation, rescheduling, or modification of the construction or acquisition of a powerplant would result in a substantial financial penalty or an adverse effect on the electric system reliability. PWC supported its request for classification by providing evidence in support of its claim that it would incur a substantial financial penalty for Units No. 7 and 8 and an adverse effect on the electric system reliability for Unit No. 8 if these units were not permitted to proceed as oil burning facilities. A summary of the pertinent evidence requirements and PWC's response to those requirements on June 28, November 8, and November 9, 1979, follows:

Substantial Financial Penalty.— Pursuant to § 515.6(a) of the Revised Interim Rule, ERA will classify a facility as existing upon demonstration that at least 25 percent of the total projected project cost as of November 9, 1978, was expended in nonrecoverable outlays as of November 9, 1978.

In response to the evidence requirements of § 515.7(b)(1) of the Revised Interim Rule, PWC provided the following information on June 28 and November 8, 1979:

Unit No. 7 (Submitted June 28, 1979)

Total projected project cost as of 11/9/78—$3,697,500.

Total project expenditures, including obligation and cancellation charges, as of 11/9/78—$3,189,400.

Total recoverable expenditures—$1,876,200.

Total nonrecoverable outlays—$1,313,200.

Nonrecoverable outlays percent of total projected project cost as of 11/9/78—35.5 percent.

Units No. 7 and 8 (Submitted November 8, 1979)

Total projected project cost as of 11/9/78—$7,666,200.

Total project expenditures, including obligation and cancellation charges, as of 11/9/78—$3,851,000.

Total recoverable expenditures—$1,909,800.

Total nonrecoverable outlays—$1,941,000.

Nonrecoverable outlays percent of total projected project cost as of 11/9/78—25.3 percent.

Based upon the information furnished by PWC, the following figures have been calculated by the ERA staff:

Unit No. 8 (Calculated by ERA staff)

Total projected project cost as of 11/9/78—$3,968,700.

Total project expenditures, including obligation and cancellation charges, as of 11/9/78—$661,600.

Total recoverable expenditures—$33,600.

Total nonrecoverable outlays—$628,000.

Nonrecoverable outlays percent of total projected project cost as of 11/9/78—15.8 percent.

In its November 8, 1979, filing PWC asserts the validity of combining the costs for Units No. 7 and 8 in its demonstration of substantial financial penalty as defined by § 515.6(a), since the costs pertaining to the two units commonly shared auxiliary and fuel supply facilities are inseparable.

PWC asserts that is appropriate to analyze the issue of substantial financial penalty for Units 7 and 8 on a combined cost basis in the same manner as a Notice published in the Federal Register (44 FR 55415) suggests was done concerning two powerplants owned by Northern Indiana Public Service Company (NIPSCO). In the NIPSCO case, separate requests were filed with ERA for classification of two units as existing facilities. ERA determined to consolidate the cost information relative to both units for purposes of analysis and solely as a matter of administrative convenience since all of the costs applied equally to each of the units. In NIPSCO, both units were contracted for at the same time (July 1978), were subject to identical cancellation provisions, and became operational at the same time (June 1979). Based on those facts, whether the total costs for both units were combined for purposes of analysis or were analyzed separately for each unit the resulting ratio of nonrecoverable outlays to total projected project costs would have been identical, that is, 43 percent under either method. As a substantive matter, therefore, each NIPSCO unit met the substantial financial penalty test.

ERA does not believe that the facts with respect to Units 7 and 8, which units are the subject of these classification requests, warrant a combined cost basis type of analysis. This case is distinguishable from NIPSCO in view of the fact that the two units in question will be operational a year apart from each other. The costs associated with each, far from being identical, are quite different. Accordingly, the costs relating to PWC Unit Nos. 7 and 8 will not be consolidated for analysis.

Adverse Effect on System Reliability.—Pursuant to § 515.6(b) of the Revised Interim Rule, ERA will classify a unit as existing upon demonstration that the reserve margin in the electric region in which the powerplant will be located would be reduced to less than 20 percent during the 12-month period after the proposed powerplant is to begin operation, assuming that the proposed powerplant is not completed. Demonstration of an adverse effect on the utilities' ability to provide service during the 12-month period following scheduled operation and/or an adverse effect on reliability after the 12-month period may also be made.

In response to the requirements of 10 CFR 515.7(c)(1), PWC provided the following information:

—Description of PWC's service area.
—List of interconnections with other utilities.
—Projection of peakload on PWC's system through 1989 and for the Virginia-Carolina Group (VACAR) through 1988.
—Reserve margin for VACAR during the 12-month period following the projected operational date for Unit No. 8 is 16%.

Reserve margins for PWC's system by itself range from a negative 55 to a negative 63 percent for the 1981–1985 period. PWC has noted that its generation is peak shaving and not intended to carry full system load. Rather, PWC is obligated to purchase a minimum of 200 MW from Carolina Power and Light Company as shown in the Amended Service Agreement dated June 30, 1977, submitted to ERA on November 9, 1979.

The public file containing PWC's request for classification and supporting materials is available for inspection upon request at:

ERA, Room B–110, 2000 M Street, NW., Washington, D.C. 20461. Monday–Friday, 8:00 a.m.–4:30 p.m.

Issued in Washington, D.C., on March 9, 1980.

Robert L. Davies,

Assistant Administrator, Office of Fuels Conversion, Economic Regulatory Administration.

[FR Doc. 80–8012 Filed 3–13–80; 8:45 am]

BILLING CODE 6450–01–M

Federal Energy Regulatory Commission

[Docket No. EL80–10]

Alaska Village Electric Co-operative, Inc.; Declaration of Intention

March 7, 1980.

Take notice that on January 8, 1980, the Alaska Village Electric Cooperative, Inc., filed a declaration of intention to construct and operate a hydroelectric facility on an unnamed stream near the City of Scammon Bay, Alaska. The declaration of intention was filed under § 23(b) of the Federal Power Act, 16 U.S.C. § 817(b), and requests the Federal Energy Regulatory Commission to commence an investigation to determine if a FERC license will be required for the project. Correspondence with the Alaska Village Electric Co-operative should be directed to Mr. Jerry Larson, Manager, Alaska Village Electric Co-operative, Inc., 4831 Eagle Street, Anchorage, Alaska 99503.

The initial phase of development would consist of a rock diversion dam, 2,300 feet of 16-inch penstock pipe, and a powerhouse containing a generating unit rated at approximately 175 kW. The effective head to the turbine would be 300 feet. The ultimate development would have a head of 500 feet and would consist of a diversion dam 1,7000 feet further upstream, the 17-inch penstock pipe extended to an overall length of 4,000 feet, and an additional 125-kW generating unit in the powerhouse.

All lands involved with this project are lands of the United States under the management of the Bureau of Land Management, Department of the Interior. The Applicant states that the lands are to be conveyed in the near future, under the Alaska Native Claims Settlement Act, to the Askinuk Corporation for the City of Scammon Bay.

Project power would be used in the City of Scammon Bay, Alaska.

Anyone desiring to be heard or to make any protest about this declaration of intention should file a protest or a petition to intervene with the Federal Energy Regulatory Commission, in accordance with the requirements of the Commission's Rules of Practice and Procedure ("Rules"), 18 CFR § 1.10 or §1.8 (1979). In determining the appropriate action to take, the Commission will consider all protests filed, but a person who merely files a protest does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules.

Any protest or petition to intervene must be filed on or before April 21, 1980. After this date the Commission will investigate the proposed development and determine whether an application for a FERC license will be required for the project.

The declaration of intention is on file with the Commission and is available for public inspection. The Commission's address is: 825 North Capitol Street, N.E., Washington, D.C. 20426.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80–7786 Filed 3–13–80; 8:45 am]

BILLING CODE 6450–85–M

[Docket No. CP80-255]

Algonquin Gas Transmission Co.; Application

March 7, 1980.

Take notice that on February 25, 1980, Algonquin Gas Transmission Company (Applicant), 1284 Soldiers Field Road, Boston, Massachusetts 02135, filed in docket No. CP80-255 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity so as to authorize a 20-year long-term storage and redelivery service to its nominating customers under its Rate Schedule STB, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes herein a new storage service (STB service) to replace the present short-term service pursuant to its Rate Schedule S-T, which is to terminate on April 15, 1980. It is stated that the volumes which would be stored under the proposed STB service would be 7,743,108 million Btu per annum, compared with 7,228,000 million Btu being stored under the S-T storage service.

It is stated that the proposed STB service would be offered in conjunction with a storage and redelivery arrangement with Texas Eastern Transmission Corporation (Texas Eastern) which Texas Eastern is making available from arrangements with Consolidated Gas Supply Corporation (Consolidated). Applicant states that Texas Eastern has filed an application in Docket No. CP80-170 for the service that Applicant would render; and that Applicant has been informed that Consolidated has filed an appropriate amendment to its authorization in Docket No. CP77-325 for its service to Texas Eastern.

Applicant states that the proposed long-term service would commence April 16, 1980. It is further stated that the proposed service by Texas Eastern would be rendered under its proposed Rate Schedule SS-II.

It is stated that the STB service is proposed to be a firm service as long as the quantities of STB gas are taken within the sum of the contract maximum daily quantities (MDQ) otherwise deliverable under firm Rate Schedules F-1 and WS-1.

It is further stated that the service provides for deliveries of quantities in excess of the sum of F-1 and WS-1 MDQ's otherwise deliverable to the extent Applicant determines it can make such deliveries and agrees to them in advance.

Applicant states that under the current proposal, Applicant would store and deliver gas to the following customers in the quantities tabulated subject to fuel reduction. It is stated that such gas would in turn be stored and delivered to Applicant under a storage service agreement with Texas Eastern extending through April 15, 2000. The referenced quantities are as follows:

	Million Btu (wet basis)	
	Backup storage seasonal capacity	Backup storage daily demand
Bay State Gas Company	665,181	7,391
Boston Gas Company	3,439,100	31,264
Cape Cod Gas Company	687,820	9,826
Commonwealth Gas Company	589,560	6,550
Connecticut Gas Company, The	557,134	6,190
Connecticut Natural Gas Corporation	486,387	4,422
Fall River Gas Company	176,868	1,965
Middleborough, Mass., Town of	2,028	33
North Attleboro Gas Company	8,843	98
Norwich, Conn., City of	36,553	609
Providence Gas Company	795,906	8,843
Southern Connecticut Gas Company, The	297,728	2,751
Total	7,743,108	79,942

The total quantity of gas to be stored under Rate Schedule STB is 7,743,108 million Btu as compared with the 7,228,000 million Btu authorized for S-T service.

Applicant proposes to charge a four-part rate for the proposed service, as follows:

Demand charge: $2.6583 per month per million Btu of Buyer's backup storage demand.

Storage Capacity charge: $.0469 per month per million Btu of Buyer's backup storage capacity.

Injection Charge: $.0102 per million Btu of gas injected into storage under Rate Schedule STB for Buyer's account during the month.

Withdrawal charge: $.0261 per million of gas withdrawn from storage under Rate Schedule STB for Buyer's account and delivered to Buyer during the month.

Applicant in its rate case in Docket No. RP80-72 proposed to convert to a dry million Btu basis of measurement. At such time as the dry measurement basis takes effect, the above-stated quantities would be changed to an equivalent dry basis in accordance with the proposed tariff provision in Section 6 of Proposed 1st Revised Sheet No. 110 of Applicant's FERC Gas Tariff, 1st Revised Volume No. 1. It is stated that the quantities on a dry basis would be as follows:

	Million Btu (dry basis)	
	Backup storage seasonal capacity	Backup storage daily Demand
Bay State Gas Company	676,960	7,522
Boston Gas Company	3,500,000	31,818
Cape Cod Gas Company	700,000	10,000
Commonwealth Gas Company	600,000	6,666
Connecticut Gas Company, The	567,000	6,300
Connecticut Natural Gas Corporation	495,000	4,500
Fall River Gas Company	180,000	2,000
Middleborough, Mass., Town of	2,064	34
North Attleboro Gas Company	9,000	100
Norwich, Conn., City of	37,200	620
Providence Gas Company	810,000	9,000
Southern Connecticut Gas Company, The	303,000	2,800
Total	7,880,224	81,360

It is stated that while Applicant's STB customers have indicated hat they are not in agreement with the level and design of the initial STB rate, Applicant is authorized to state that those customers support this application as long as the Commission's order issuing a certificate of public convenience and necessity in this proceeding is specificially conditioned to provide as follows:

"Rate Schedule STB and any issues with respect to the proposed STB rate shall be consolidated with and reserved for resolution in Applicant's general Section 4 rate increase proceeding in Docket No. RP80-72."

Applicant also seeks authorization to permit its customers to transfer to the new service any quantities remaining in storage under the S-T service on April 15, 1980. Applicant states that this is a practical alternative to compelling such customers to make unnecessary withdrawals of gas for use before it is needed thus forcing them to back off their receipts of gas under Applicant's Rate Schedule F-1, and requiring them to take equivalent quantities, under that schedule if available, for reinjection into the same storage facilities for use in the winter of 1980-1981.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 28, 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 it intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-7787 Filed 3-13-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. TA80-2-31 (PGA80-2, IPR80-2, LFUT 80-2)]

Arkansas Louisiana Gas Co.; Filing of Revised Tariff Sheets Reflecting Tariff Adjustment

March 6, 1980.

Take notice that on February 29, 1980 Arkansas Louisiana Gas Company (Arkla) tendered for filing 22nd Revised Sheet No. 4 and 1st Revised Sheet No. 4A to its FERC Gas Tariff First Revised Volume No. 1, Rate Schedule No. G-2, to become effective April 1, 1980.

Arkla states that the purpose of 22nd Revised Sheet No. 4 is to (1) reflect the cost of purchased gas for the six months period commencing April 1, 1980, (2) recover the accumulated deferred gas costs as of December 31, 1979, (3) set forth the reduced PGA and estimated incremental pricing surcharges to be billed during the PGA period as contained on 1st Revised Sheet No. 4A and (4) to reflect a revision in the Louisiana First Use Tax Adjustments effective April 1, 1980.

Arkla states that the purpose of 22nd Revised Sheet No. 4 is to (1) reflect the cost of purchased gas for the six months period commencing April 1, 1980, (2) recover the accumulated deferred gas costs as of December 31, 1979, (3) set forth the reduced PGA and estimated incremental pricing surcharges to be billed during the PGA period as contained on 1st Revised Sheet No. 4A and (4) to reflect a revision in the Louisiana First Use Tax Adjustments effective April 1, 1980.

Arkla also states that copies of the revised tariff sheet and supporting data are being mailed to Arkla's jurisdictional customers and other interested parties affected by this tariff change.

Any person desiring to be heard or to protest said filing should file a Petition to Intervene or Protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 24, 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 filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-7788 Filed 3-13-80; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 2982]

Belmont, N.H.; Application for Preliminary Permit

March 6, 1980.

Take notice that on October 10, 1979, the Town of Belmont, New Hampshire (Applicant), filed an application for a preliminary permit [pursuant to the Federal Power Act, 16 USC §§ 791(a)-825(r)] for the proposed Lochmere Project, FERC No. 2982, that would be located on the Winnipesaukee River and utilize the existing Lochmere Dam near the towns of Belmont and Tilton, Balknap County, New Hampshire. The former owner of the power facilities, Public Service Company of New Hampshire (PSC), discontinued power generation at the project in the late 1960's. The ownership was then transferred to the New Hampshire Water Resources Board. Correspondence with the Applicant on this matter should be addressed to: Mr. Philip Tarr, Administrative Assistant, Town Hall, Belmont, New Hampshire 03220.

Purpose of the Project—Power generated by the project would be sold to PSC.

Proposed Scope and Cost of Studies Under Permit—The work proposed under this preliminary permit would include preliminary designs, an economic analysis, preparation of preliminary engineering plans, and a study of environmnental impacts. Based on results of these studies, Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to rehabilitate and operate the project. Applicant estimated that the work to be performed under this preliminary permit would cost $50,000.

Project Description.—The project would consist essentially of: (1) the existing diversion dam, built in 1910, approximately 200 feet long and 20 feet high; (2) a reservoir 450 yards long when 2-foot-high flashboards are installed, having negligible storage capacity; (3) a redeveloped power canal 60 feet long; (4) a new penstock inlet structure; (5) two existing penstocks, approximately 500 feet long; and (6) a redeveloped 25 by 75 foot power station. A study will be made to determine whether retrofitting the existing power station or constructing a new station would be more cost effective.

Two tube-type turbines having a total rated capacity of about 800 kW would be installed in the power station. The available head is approximately 16 feet, and the median flow of the Winnipesaukee River is about 530 cfs. Estimated average annual output is 4,790,000 kWh.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license. In this instance, the Application seeks a 36-month permit.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before May 12, 1980, either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than July 11, 1980. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (*as amended* 44 *FR* 61328, October 25, 1979). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d) (*as amended,* 44 FR 61328, October 25, 1979).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protest about this application should file a petition to intervene or a protest with the Federal Energy Regulatory Commission, in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 CFR § 1.8 or § 1.10 (1979). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commisison's Rules. Any comments, protest, or petition to intervene must be filed on or before May 12, 1980. The Commisison's address is: 825 North Capitol Street, N.E., Washington, D.C. 20426. The application is on file with the Commission and is available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-7789 Filed 3-13-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-260]

Black Hills Power & Light Co.; Cancellation of Rate Schedule

March 6, 1980.

Take notice that on February 29, 1980, Black Hills Power & Light Company (Black Hills) tendered for filing a notice of cancellation of Rate Schedule FPC No. 18 Supplement No. 4.

Black Hills states that the proposed expiration date is January 7, 1980.

The cancellation of Rate Schedule No. 18 is caused by the Company entering into an agreement with the Town of Upton, Wyoming to manage and operate Upton's electric system.

Any person desiring to be heard or to protest said filing 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 petitions or protests should be filed on or before March 28, 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 filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-7790 Filed 3-13-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER80-257]

Boston Edison Co.; Filing

March 6, 1980.

The filing Company submits the following: Take notice that Boston Edison Company ("Edison") on February 28, 1980, tendered for filing Exhibit D for Contract Demand Service to the Town of Reading (Massachusetts) Municipal Light Department. The new Exhibit D contains Reading's specifications of its contract demand and transmission service requirements for the period November 1, 1982 to October 31, 1983.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 25, 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 filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-7791 Filed 3-13-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ID-1888]

Alexander B. Chisholm; Application

March 6, 1980.

Take notice that on February 28, 1980, Alexander B. Chisholm (Applicant), filed an application pursuant to Section 305(b) of the Federal Power Act to hold the following positions:

Vice President, Orange and Rockland, Utilities, Inc., Public Utility.
Vice President, Rockland Electric Company, Public Utility.
Vice President, Pike County Light & Power Company, Public Utility.

Any person desiring to be heard or protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions and protests should be filed on or before April 4, 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 filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-7792 Filed 3-13-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. RP75-62 and SA79-30]

Cities Service Gas Co.; Offer of Settlement

March 6, 1980.

Take notice that on March 3, 1980, Cities Service Gas Company (Cities Service) filed, pursuant to Section 1.18(e) of the Commission's Rules of Practice and Procedure, an offer of settlement in the form of a Stipulation and Agreement together with an explanatory statement and a proposed form of order approving the Stipulation. Attached to Cities Service's explanatory statement is an Estimated Annual Supply, Demand, Served and Curtailment by Priority projection for the years 1980–1989. Cities Service alleges the Stipulation and Agreement is either agreed to or not opposed by any party to Docket Nos. RP75–62 or SA79–30.

Article I of the Stipulation provides for changes in Cities Service's presently effective curtailment plan and the filing of revised tariff sheets as follows:

Article 13 of the General Terms and Conditions of Volume No. 1 of Cities Service's FERC Gas Tariff shall be revised (1) to implement Section 401 of the Natural Gas Policy Act of 1978 (NGPA), (2) to provide for the future implementation of Section 402 of the NGPA, (3) to eliminate Section 8, which prohibits the attachment of certain lower priority industrial and commercial customers, (4) to eliminate Section 9, which provides for the granting of exemptions in order to implement Section 401 of the NGPA on an interim basis, and (5) to restructure the provision for emergency exemption from curtailment in Section 5.

Acceptance of the Stipulation and Agreement by the Commission would provide for the following revised priority of service categories on the Cities Service system:

Category I. Residential requirements; commercial requirements of less than 1,000 Mcf per month, schools, hospitals and similar institutions; and other uses the curtailment of which the Secretary of Energy determines would endanger life, health, or maintenance of physical property.

Category II. Commercial requirements of 1,000 Mcf per month or more, but less than 3,000 Mcf per month; industrial and essential agricultural requirements of less than 3,000 Mcf per month; and plant protection requirements of commercial, industrial and essential agricultural users.

Category III. All other essential agricultural requirements for which no determination has been made by the Federal Energy Regulatory Commission, in consultation with the Secretary of Agriculture, that an alternate fuel is economically practicable and reasonably available.

Category IV. Essential industrial process and feedstock requirements which have been designated by the Secretary of Energy and which the Federal Energy Regulatory Commission had determined do not have a reasonable available and economically practicable alternate fuel.

Category V. All other industrial or commercial feedstock or process requirements.

Category VI. All commercial and industrial requirements not otherwise specified.

Category VII. All other commercial and industrial requirements of more than 300 Mcf per day but less than 1,500 Mcf per day where alternate fuel capabilities can meet such requirements.

Category VIII. All other commercial and industrial requirements of 1,500 Mcf per day or more but less than 3,000 Mcf per day, where alternate fuel capabilities can meet such requirements.

Category IX. All other commercial and industrial requirements of 3,000 Mcf per day or more but less than 10,000 Mcf per day, where alternate fuel capabilities can meet such requirements.

Category X. All other commercial and industrial requirments of 10,000 Mcf per day or more, where alternate fuel capabilities can meet such requirements.

Article I of the Stipulation further provides for the filing, by March 13, 1980, of a report showing the requirements reclassified into priority categories I, II, and III pursuant to the regulations promulgated by the Commission's Order Nos. 29 and 55 and a general explanation of the procedures and methods utilized in such reclassification by the Data Verification Committee (DVC).

Article II of the Stipulation provides that Cities Service shall be authorized to permit load growth by both direct and indirect customers in all priority categories except requirements for electrical generation for resale in priority categories VI through X unless such service will displace fuel oil. Except for the Commission's Staff, no party may oppose an application by Cities Service on the ground that it will serve new customers in priority categories I and II except during periods when the Cities Service system is subject to a fixed index of requirements (Index) under Article III.

Article III of the Stipulation provides that a fixed index of requirements shall not be required on the Cities Service system until Cities Service's curtailment of industrial or commercial process and feedstock requirements initially classified in priority V exceeds 21 full equivalent days of curtailment during any twelve-month period ending June 30 while the Stipulation is in effect, with the 21 days to be adjusted for normal degree day deficiency during the pertinent months of December, January and February. Cities Service is required to file an annual report showing whether such degree of curtailment has occurred. Cities Service states this provision is based on the Initial Decision of October 29, 1979, and reflects appropriate modifications thereto agreed upon by the parties to reflect current conditions on the Cities Service system.

Article IV of the Stipulation outlines those situations where the Commission shall waive implementation of the fixed index of requirements. Article IV further provides the grounds and procedures for seeking relief from the implementation of the Index.

Article V of the Stipulation is entitled, Detriggering of Index and outlines those circumstances whereby Cities Service regains the right to implement curtailment without utilizations of the Index. This article also provides for certain reports to be filed and procedures to be followed with regard to detriggering the Index.

Article VI of the Stiuplation specifies the requirements to be included in the fixed Index if it is triggered, procedures for the filing of the Index and revised tariff sheets to implement the Index, and the effective date of the Index and such tariff sheets.

Articles VII, VIII and IX of the Stipulation contain the implementation procedure for curtailment with the Index. Overrun penalty provisions and alternate implementation procedures for small customers (under 2,000,000 Mcf annual requirements) and large customers (over 2,000,000 Mcf annual requirements) are outlined.

Article X of the Stipulation provides that no party to the proceeding, with the exception of the Commission Staff, may oppose in any manner any applications filed by Cities Service to transport volumes of gas for any direct or indirect customer served by the Cities Service system if (1) the gas was acquired by the customer by virtue of its contribution to an exploration and development program, (2) the transportation is subject to the availability of capacity on Cities Service's system, (3) the gas will be used to offset curtailment of feedstock, process or plant protection requirements.

Article XI of the Stipulation sets forth certain limitations as to the modifications of the Stipulation which may be requested while it is in effect and provides for the filing of petitions to require compliance with the provisions of the Stipulation.

Article XII of the Stipulation states that the parties to the Stipulation shall file to withdraw their pending petitions to review in the Tenth Circuit Court of Appeals in Case Nos. 77–1781, *et al.*, upon the Commission's order approving the Stipulation becoming final and nonappealable.

Article XIII of the Stipulation states its term shall be for the period ending December 31, 1984.

Article XIV of the Stipulation states that the approval of the Stipulation by the Commission shall constitute (1) the granting of Cities Service's application for adjustment in Docket No. SA79–30 and any other adjustments or waivers of the Commission's Regulations required to fully effectuate all of the provisions of the Stipulation, (2) the termination of procedures as to the Initial Decision issued October 29, 1979 in Docket No. RP75–62, and (3) the termination of the

proceedings in Docket Nos. RP75–62 and SA79–30.

Article XV of the Stipulation recites that the Stipulation is filed pursuant to 1.18(e) of the Commission's Rules of Practice and Procedure and that the Stipulation is a negotiated settlement and does not reflect agreement on any concept, theory or principle.

Attached to the Stipulation and Agreement, as Appendix A, were five (5) proposed tariff sheets which would amend the General Terms and Conditions of Cities Service FERC Gas Tariff, Original Volume No. 1.

Cities Service states a copy of the Stipulation and Agreement and all documents filed with the Commission have been served on all parties to the proceedings in RP75–62 and SA79–30 and all persons required by the Commission's Regulations to be served. Copies of the Stipulation and Agreement and all documents filed in Docket Nos. RP75–62 and SA79–30 are on file at the Commission's offices and are available for public inspection.

Any person desiring to be heard on the settlement of Docket Nos. RP75–62 and SA79–30 shall file with the Federal Energy Regulatory Commission, 825 North Capital Street, N.E., Washington, D.C. 20426, initial comments on or before March 24, 1980 and reply comments on or before April 3, 1980.

All comments filed with the Commission will be considered by it in determining the appropriate action to taken but will not serve to make those filing parties to the proceedings. Any person wishing to become a party to these proceedings or to participate as a party therein must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80–7793 Filed 3–13–80; 8:45 am]

BILLING CODE 6450–85–M

[Docket No. CP80–253]

Delta Natural Gas Co., Inc.; Application

March 7, 1980.

Take notice that on February 20, 1980,[1] Delta Natural Gas Company, Inc. (Applicant), Route 1, Box 30–A, Winchester, Kentucky 40391, filed in Docket No. CP80–253 an application pursuant to Section 7(c) of the Natural Gas Act and Section 284.222(b) of the Commission's Regulations for a certificate of public convenience and necessity for authorization to render transportation service for another interstate pipeline company, for a two-year period, 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 or displace natural gas on behalf of its subsidiary, Laurel Valley Pipeline Company (Laurel Valley) from an interconnection with Laurel Valley's facilities in Bell County, Kentucky, to Columbia Gas Transmission Corporation (Columbia) in Clay County, Kentucky, for a period of two years.

It is asserted that the charge for such transportation service would be 25.0 cents per Mcf and that the displacement charge would be 6.0 cents per Mcf.

It is stated that the gas to be transported or displaced would be sold by Laurel Valley to Columbia pursuant to Section 311(b) of the Natural Gas Policy Act of 1978.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 28, 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.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80–7796 Filed 3–13–80; 8:45 am]

BILLING CODE 6450–85–M

[1] The application was initially tendered for filing on February 20, 1978; however, the fee required by Section 159.1 of the Regulations under the Natural Gas Act (18 CFR 159.1) was not paid until February 25, 1980; thus, the filing was not completed until the latter date.

[Docket Nos. RP72–134, et al.]

Eastern Shore Natural Gas Company, et al.; Filing of Pipeline Refund Reports and Refund Plans

March 6, 1980.

Take notice that the pipelines listed in the Appendix hereto have submitted to the Commission for filing proposed refund reports or refund plans. The date of filing, docket number, and type of filing are also shown on the Appendix.

Any person wishing to do so may submit comments in writing concerning the subject refund reports and plans. All such comments should be filed with or mailed to the Federal Energy Regulatory Commission, 825 North Capital Street NE., Washington, D.C. 20426, on or before March 21, 1980. Copies of the respective filings are on file with the Commission and available for public inspection.

Kenneth F. Plumb,

Secretary.

Appendix

Company	Filing date	Docket No.	Type filing
Eastern Shore Natural Gas Co..	2/12/80	RP72–134 ...	Report.
South Georgia Natural Gas Co..	2/21/80	G–1915.....	Report.
Trancontinental Gas Pipe Line Corp..	2/29/80	RP77–108 ...	Report.

[FR Doc. 80–7798 Filed 3–13–80; 8:45 am]

BILLING CODE 6450–85–M

[Docket No. RP73–107 et al.]

East Tennessee Natural Gas Co.; Report of Refunds

March 6, 1980.

Take notice that on February 26, 1980, East Tennessee Natural Gas Company (East Tennessee) filed a report of refunds made to its LTSS customers on February 26, 1980. East Tennessee states that these refunds result from a $46,391.92 refund which it received from Tennessee Gas Pipeline Company, a Division of Tenneco Inc. on January 11, 1980.

East Tennessee states that copies of the filing have been mailed to all of its LTSS customers and affected state regulatory commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 21, 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; provided, however, that any person who has previously filed a petition to intervene in this proceeding is not required to file a further petition. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80–7797 Filed 3–13–80; 8:45 am]

BILLING CODE 6450–85–M

[Docket Nos. CS71–322, et al.]

Applications for "Small Producer" Certificates [1]

March 7, 1980.

Take notice that each of the Applicants listed herein has filed an application pursuant to Section 7(c) of the Natural Gas Act and Section 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 10 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before March 14, 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). 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.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdication conferred upon the Federal Energy Regulatory Commission by Section 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission in its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

Docket No.	Date filed	Applicant
CS71–322 [1]	2/20/73	Cotton Petroleum Corporation, (Cotton Petroleum Company), 2121 South Columbia Street, Tulsa, Okla 74114.
CS80–88	2/25/80	Guardian Exploration, Ltd.—1979B, Suite 3540, Two Allen Center, Houston, Texas 77002.
CS80–89	2/26/80	J. C. Thompson, 1700 Broadway, Suite 1219, Denver, Colorado 80290.
CS80–90	2/26/80	Jack Berentz, Box 428, Eureka, Kansas 67045.
CS80–91	2/27/80	Dwight D. Sutherland, 4000 Main St., Kansas City, Mo.

[1] Being noticed to reflect amendment to small producer certificate to redesignate the name of certificate holder.

[FR Doc. 80–7795 Filed 3–13–80; 8:45 am]

BILLING CODE 6450–85–M

[No. 154]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

February 27, 1980.

The Federal Energy Regulatory Commission received notices from the jurisdictional agencies listed below of determinations pursuant to 18 CFR 274.104 and applicable to the indicated wells pursuant to the Natural Gas Policy Act of 1978.

Colorado Oil and Gas Conservation Commission

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date Received at FERC
10. Purchaser(s)

1. 80–14608/79–658
2. 05–001–07380–0000
3. 103 000 000
4. Amoco Production Co
5. Champlin 78 Amoco C Unit Well #1
6. Wattenberg
7. Adams Co
8. 110.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14609/79–657
2. 05–001–07379–0000
3. 103 000 000
4. Amoco Production Co
5. Champlin 78 Amoco D Well #1
6. Wattenberg
7. Adams Co
8. 36.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14610/79–682
2. 05–123–09574–0000
3. 103 000 000
4. Amoco Production Co
5. Champlin 542 Amoco A Well #1
6. Wattenberg
7. Weld Co
8. 35.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14611/79–685
2. 05–123–09656–0000
3. 103 000 000
4. Amoco Production Co
5. Elizabeth W Graham Unit C Well #1
6. Wattenberg
7. Weld Co
8. 114.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14612/79–679
2. 05–123–09668–0000
3. 103 000 000
4. Amoco Production Co
5. UPRR 43 Pan Am GU O #1
6. Wattenberg
7. Weld Co
8. 156.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14613/79–683
2. 05–123–09636–0000
3. 103 000 000
4. Amoco Production Co
5. UPRR 39 Amoco D Well #3
6. Aristocrat
7. Weld Co
8. 171.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14614/79–681
2. 05–123–09530–0000

3. 103 000 000
4. Amoco Production Co
5. UPRR 39 Pan Am C Well #1
6. Aristocrat
7. Weld Co
8. 31.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14615/79–684
2. 05–123–09637–0000
3. 103 000 000
4. Amoco Production Co
5. UPRR 39 Amoco C Well #2
6. Aristocrat
7. Weld Co
8. 210.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14616/79–680
2. 05–123–09635–0000
3. 103 000 000
4. Amoco Production Co
5. UPRR 39 Amoco D Well #2
6. Aristocrat
7. Weld Co
8. 57.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14617/79–588
2. 05–123–09475–0000
3. 103 000 000
4. Amoco Production Co
5. Phillip S Mc Coy G U D #1
6. Wattenberg
7. Weld Co
8. 200.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14618/79–589
2. 05–123–09575–0000
3. 103 000 000
4. Amoco Production Co
5. UPRR 53 Pan Am N #1
6. Wattenberg
7. Weld Co
8. 71.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14619/79–591
2. 05–001–07345–0000
3. 103 000 000
4. Amoco Production Co
5. Boxelder I #1
6. Wildcat
7. Adams Co
8. 71.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14620/79–593
2. 05–001–07337–0000
3. 103 000 000
4. Amoco Production Co
5. UPRR 24 Pan Am D #1
6. Jamboree
7. Adams Co
8. 164.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14621/79–592
2. 05–123–09429–0000
3. 103 000 000
4. Amoco Production Co
5. UPRR 39 Pan Am D #1
6. Aristocrat
7. Weld Co
8. 147.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14622/79–563
2. 05–001–07372–0000
3. 103 000 000
4. Amoco Production Co
5. State of Colorado AI #1
6. Warlock
7. Adams Co
8. 83.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14623/79–572
2. 05–123–09579–0000
3. 103 000 000
4. Amoco Production Co
5. Champlin 366 Amoco Unit C #1
6. Wattenberg
7. Weld CO
8. 271.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14624/76–618
2. 05–123–09586–0000
3. 103 000 000
4. Amoco Production Co
5. Gordon Turkey Farms Unit D #1
6. Wattenberg
7. Weld CO
8. 107.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14625/79–617
2. 05–123–09511–0000
3. 103 000 000
4. Amoco Production Co
5. UPRR 50 Pan Am E #1
6. Wattenberg
7. Weld CO
8. 200.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14626/79–609
2. 05–123–09578–0000
3. 103 000 000
4. Amoco Production Co
5. Champlin 366 Amoco Unit B Well #1
6. Wattenberg
7. Weld CO
8. 23.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14627/79–608
2. 05–123–09534–0000
3. 103 000 000
4. Amoco Production Co
5. Champlin 366 Amoco D Well #1
6. Wattenberg
7. Weld CO
8. 81.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14628/79–662
2. 05–123–07744–0000
3. 108 000 000
4. Amoco Production Co
5. Gottlieb Gable Unit #1
6. Wattenberg
7. Weld CO
8. 19.3 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14629/79–665
2. 05–123–08056–0000
3. 108 000 000
4. Amoco Production Co
5. Jacob T Bohlender B #1
6. Wattenberg
7. Weld CO
8. 12.8 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14630/79–522
2. 05–067–06067–0000
3. 108 000 000
4. Amoco Production Co
5. Craig Gas Unit #1
6. Ignacio Blanco Dakota
7. La Plata CO
8. 19.8 million cubic feet
9. February 5, 1980
10. El Paso Natural Gas Co

1. 80–14631/79–628
2. 05–001–07224–0000
3. 108 000 000
4. Amoco Production Co
5. Champlin 75 Amoco H #1
6. Wattenberg
7. Weld CO
8. 9.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14632/79–629
2. 05–123–07295–0000
3. 108 000 000
4. Amoco Production Co
5. Charles W Leitz #1
6. Wattenberg
7. Weld CO
8. 18.1 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14633/79–630
2. 05–123–07996–0000
3. 108 000 000
4. Amoco Production Co
5. Wayne D Hibbs Unit #1
6. Wattenberg
7. Weld CO
8. 19.1 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14634/79–631
2. 05–123–07745–0000
3. 108 000 000
4. Amoco Production Co
5. Lewis C Camp B Unit #1
6. Wattenberg
7. Weld CO
8. 18.1 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14635/79–764
2. 05–001–06688–0000
3. 108 000 000
4. Amoco Production Co
5. UPRR 23 Pan American F #1
6. Ambush
7. Adams CO
8. 11.5 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14636/79–664
2. 05–123–09283–0000
3. 108 000 000
4. Amoco Production Co
5. Champlin 525 Amoco A #1
6. Wattenberg

7. Weld CO
8. 8.4 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14637/79–659
2. 05–123–07300–0000
3. 108 000 000
4. Amoco Production Co
5. UPRR 38 Pan American C #1
6. Wattenberg
7. Weld CO
8. 10.6 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14638/79–661
2. 05–123–08368–0000
3. 108 000 000
4. Amoco Production Co
5. Russell Rosales Gas Unit #1
6. Wattenberg
7. Weld CO
8. 14.3 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14639/79–666
2. 05–123–07284–0000
3. 108 000 000
4. Amoco Production Co
5. Buckius Pooling Unit #1
6. Wattenberg
7. Weld CO
8. 5.5 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14640/79–5B
2. 05–121–08439–0000
3. 108 000 000
4. C W Hughes
5. #1 Fassler Nene 34–2N–50W
6. Sundown
7. Washington CO
8. 12.2 million cubic feet
9. February 5, 1980
10. Kansas-Nebraska Natural Gas Co

1. 80–14641/78–59
2. 05–123–09335–0000
3. 108 000 000
4. Beaver Mesa Exploration Co
5. Norris 14–6
6. Wattenberg
7. Weld CO
8. 19.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14642/79–550
2. 05–039–06313–0000
3. 103 000 000
4. Champlin Petroleum Co
5. #1 Walter & Charlotte Keen 31–1
6. Doubletree
7. Elbert CO
8. 365.0 million cubic feet
9. February 5, 1980
10. Colorado Interstate Gas Co

1. 80–14543/79–552
2. 05–123–09681–0000
3. 103 000 000
4. Champlin Petroleum Co
5. Aristocrat Angus Ranch 41–5
6. Aristocrat
7. Weld CO
8. 274.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14644/79–553
2. 05–125–06198–000
3. 103 000 000
4. Mountain Petroleum Corp
5. Frerichs 1–30
6. Vernon
7. Yuma CO
8. 2.4 million cubic feet
9. February 5, 1980
10. Kansas-Nebraska Natural Gas Co IN

1. 80–14645/79–559
2. 05–005–06358–000
3. 103 000 000
4. Quest Oil Co
5. Michaud-State No 2
6. Doubletree
7. Arapahoe CO
8. 72.0 million cubic feet
9. February 5, 1980
10. Sun Gas Co

1. 80–14646/79–560
2. 05–005–06366–000
3. 103 000 000
4. Quest Oil Co
5. Michaud-State No 5
6. Doubletree
7. Arapahoe Co
8. 108.0 million cubic feet
9. February 5, 1980
10. Sun Gas Co

1. 80–14647/79–561
2. 05–005–06353–0000
3. 103 000 000
4. Quest Oil Co
5. Michaud-State No 1
6. Doubletree
7. Arapahoe CO
8. 72.0 million cubic feet
9. February 5, 1980
10. Sun Gas Co

1. 80–14648/79–704
2. 05–123–09707–000
3. 103 000 000
4. Quest Oil Co
5. Amoco-Miller No 1–7
6. Spindle
7. Weld CO
8. 27.4 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14649/79–705
2. 05–123–09708–0000
3. 103 000 000
4. Quest Oil Co
5. Amoco-Miller No 2–7
6. Spindle
7. Weld Co
8. 21.9 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14650/79–614
2. 05–067–06175–0000
3. 103 000 000
4. Joseph B Gould
5. Ute D #6
6. Ignacio Blanco
7. La Plata, CO
8. .0 million cubic feet
9. February 5, 1980
10. Northwest Pipeline Corp

1. 80–14651/79–647
2. 05–123–09661–0000
3. 103 000 000
4. Nielson Enterprises Inc
5. Fields #1
6. Wattenberg
7. Weld, CO
8. 180.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–14652/79–646
2. 05–001–07446–0000
3. 103 000 000
4. Champlin Petroleum Co
5. #1 Gorges 41–19
6. N W Strausburg
7. Adams, CO
8. 55.0 million cubic feet
9. February 5, 1980
10. Vessels Gas Processing Co

1. 80–14653/79–576
2. 05–067–05501–0000
3. 108 000 000
4. Amerada Hess Corp
5. Miller MV Unit #1
6. Ignacio
7. La Plata, CO
8. 19.7 million cubic feet
9. February 5, 1980
10. El Paso Natural Gas Co

1. 80–14655/79–654
2. 05–123–09711–0000
3. 102 000 000
4. Energy Minerals Corp
5. Anne State #1
6. Waite Lake
7. Weld, CO
8. 125.0 million cubic feet
9. February 5, 1980
10. Crystal Oil Co

1. 80–14656/79–655
2. 05–123–09701–0000
3. 102 000 000
4. Energy Minerals Corp
5. #1 Thelma
6. Waite Lake
7. Weld, CO
8. 125.0 million cubic feet
9. February 5, 1980
10. Crystal Exploration & Production Co

1. 80–14657/79–220
2. 05–001–06295–0000
3. 108 000 000
4. Joseph B Gould
5. Piland 1–6
6. Hawkeye Field
7. Adams, CO
8. .0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14658/79–645
2. 05–121–09342–0000
3. 102 000 000
4. Stelbar Oil Corp Inc
5. #1–7 Jim Price Cattle Co
6. De Nova
7. Washington, CO
8. 60.0 million cubic feet
9. February 5, 1980
10. Natural Gas Pipeline Co of America

1. 80–14659/79–643
2. 05–121–09341–0000
3. 102 000 000
4. Stelbar Oil Corp Inc
5. #1–10 Jim Price Cattle Co
6. De Nova
7. Washington, CO
8. 30.0 million cubic feet
9. February 5, 1980
10. Natural Gas Pipeline Co of America

1. 80–14660/79–644

2. 05–121–09280–0000
3. 102 000 000
4. Stelbar Oil Corp Inc
5. #1–14 K A Thim
6. De Nova
7. Washington, CO
8. 60.0 million cubic feet
9. February 5, 1980
10. Natural Gas Pipeline Co of America

1. 80–14661/79–658
2. 05–001–07410–0000
3. 103 000 000
4. Champlin Petroleum Co
5. #1 CPC Clair 41–35
6. Pony
7. Adams, CO
8. 256.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–14662/79–579
2. 05–075–08756–0000
3. 102 000 000
4. Alexander C Boardman
5. State No 1
6. Wildcat
7. Logan, CO
8. 292.0 million cubic feet
9. February 5, 1980
10. Kansas-Nebraska Nat Gas Co Inc

1. 80–14663/79–566
2. 05–123–09611–0000
3. 103 000 000
4. Nielson Enterprises Inc
5. Melvin Blake #1
6. Hambert
7. Weld, CO
8. 360.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–14664/79–580
2. 05–001–07399–0000
3. 103,000,000
4. Champlin Petroleum Co
5. #2 Box Elder 31–21
6. Holster
7. Adams CO
8. 146.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–14665/79–581
2. 05–001–07395–0000
3. 103,000,000
4. Champlin Petroleum Co
5. #1 Hosmer 32–29
6. Jamboree Field
7. Elbert CO
8. 164.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–14666/79–638
2. 05–067–00000–0000
3. 108,000,000
4. J G Merrion & R L Bayless
5. Hamilton #1
6. Ignacio-Mesa Verde
7. La Plata CO
8. 15.0 million cubic feet
9. February 5, 1980
10. El Paso Natural Gas Co

1. 80–14667/79–637
2. 05–067–00000–0000
3. 108,000,000
4. J G Merrion & R L Bayless
5. Behrman #1
6. Ignacio-Mesa Verde
7. La Plata CO
8. 10.0 million cubic feet
9. February 5, 1980
10. El Paso Natural Gas Co

1. 80–14668/79–621
2. 05–001–06278–0000
3. 103,000,000
4. L & B Oil Co Inc
5. State of Colorado #1–36–2S–63W
6. Quail (proposed)
7. Adams CO
8. 1500.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–14669/79–786
2. 05–103–07971–0000
3. 108,000,000
4. Provident Resources Inc
5. Kirby-Robertson 9–36–4–102
6. Foundation Creek
7. Rio Blanco CO
8. .0 million cubic feet
9. February 5, 1980
10. Northwest Pipeline Corp

1. 80–14670/79–649
2. 05–001–07398–0000
3. 103,000,000
4. Vessels Oil & Gas Co
5. Hosmer #4
6. Jamboree
7. Adams CO
8. 146.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14671/78–97
2. 05–123–07905–0000
3. 108,000,000
4. Vessels Oil & Gas Co
5. Dowdy #1
6. Wattenberg
7. Weld CO
8. 19.4 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–14672/79–648
2. 05–001–07400–0000
3. 102,000,000
4. Vessels Oil & Gas Company
5. Tippett No. 2
6. Wildcat
7. Adams CO
8. 146.0 million cubic feet
9. February 5, 1980
10. Vessels Gas Processing Co

1. 80–14673/79–634
2. 05–001–07396–0000
3. 103,000,000
4. Sandlin Oil Corporation
5. Bullard No 2
6. Chieftan
7. Adams CO
8. 60.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14674/79–633
2. 05–123–08415–0000
3. 108,000,000
4. Sandlin Oil Corp
5. Sargent 32–8
6. Scabbard
7. Weld CO
8. 12.0 million cubic feet
9. February 5, 1980
10. Phillips Petroleum Co

1. 80–14675/79–623
2. 05–001–07409–0000
3. 103,000,000
4. Sandlin Oil Corp
5. Antelope Farms #1
6. Pony
7. Adams CO
8. 180.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14676/79–611
2. 05–009–06224–0000
3. 103,000,000
4. Texas Oil & Gas Corp
5. Schweizer #1
6. Walsh
7. Baca CO
8. 60.0 million cubic feet
9. February 5, 1980
10. Nueces Co

1. 80–14677/79–678
2. 05–103–00000–0000
3. 103,000,000
4. Lawrence Barker Jr
5. 12–1 Fee
6. South Douglas Creek
7. Rio Blanco CO
8. 100.0 million cubic feet
9. February 5, 1980
10. Northwest Pipeline Corp

1. 80–14678/79–673
2. 05–009–06234–0000
3. 102,000,000
4. Texas Oil & Gas Corp
5. Clays #1
6. Stonington
7. Baca CO
8. 90.0 million cubic feet
9. February 5, 1980
10. Nueces Co

1. 80–14679/79–672
2. 05–009–06236–0000
3. 103,000,000
4. Texas Oil & Gas Corp
5. Packard #1–X
6. Walsh
7. Baca CO
8. 100.0 million cubic feet
9. February 5, 1980
10. The Nueces Co

1. 80–14680/79–667
2. 05–005–06782–0000
3. 103,000,000
4. Vessels Oil & Gas Co
5. Price No 5
6. North Peoria
7. Arapahoe CO
8. .0 million cubic feet
9. February 5, 1980
10. Amoco Production Co

1. 80–14681/79–651
2. 05–123–09692–0000
3. 103,000,000
4. Vessels Oil & Gas Company
5. L F Ranches B No 1
6. Wattenberg
7. Weld CO
8. 73.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14682/79–650
2. 05–123–09700–0000
3. 103,000,000
4. Vessels Oil & Gas Company
5. Moser A No 1

6. Spindle
7. Weld CO
8. .0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14683/79–624
2. 05–103–08308–0000
3. 103,000,000
4. Provident Resources Inc
5. Kirby 2M–25–4–102
6. Foundation Creek
7. Rio Blanco County CO
8. 50.0 million cubic feet
9. February 5, 1980
10. Northwest Pipeline Corp

1. 80–14684/79–622
2. 05–001–07411–0000
3. 103 000 000
4. L & B Oil Company Inc
5. State of Colorado #2–36–2S–63W
6. Quail (proposed)
7. Adams CO
8. 400.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–14685/79–575
2. 05–075–98743–0000
3. 103 000 000
4. LeClair-Westwood Inc
5. State #5–22
6. Stampede
7. Logan CO
8. 168.3 million cubic feet
9. February 5, 1980
10. Kansas-Nebraska Natural Gas Co Inc

1. 80–14686/79–620
2. 05–095–06016–0000
3. 102 000 000
4. Shakespeare Oil Co Inc
5. Felix Claymon #1
6. Wildcat
7. Phillips CO
8. 41.0 million cubic feet
9. February 5, 1980
10. Natural Gas P/L Co of America

1. 80–14687/79–619
2. 05–025–00000–0000
3. 108 000 000
4. Amerada Hess Corp
5. Olson-Smith Unit #1
6. Ignacio
7. La Plata CO
8. 21.5 million cubic feet
9. February 5, 1980
10. El Paso Natural Gas Co

1. 80–14688/79–554
2. 05–025–00000–0000
3. 108 000 000
4. Amerada Hess Corp
5. Olson MV GU #1
6. Ignacio
7. La Plata CO
8. 21.5 million cubic feet
9. February 5, 1980
10. El Paso Natural Gas Co

1. 80–14689/79–639
2. 05–025–00000–0000
3. 198 000 000
4. J G Merrion & R L Bayless
5. Pascoe #1
6. Ignacio-Mesa Verde
7. La Plata CO
8. 4.5 million cubic feet
9. February 5, 1980
10. El Paso Natural Gas Co

1. 80–14690/79–594
2. 05–123–08537–0000
3. 108 000 000
4. Nielson Enterprises Inc
5. Magnuson #1
6. Wattenberg J
7. Weld CO
8. 18.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–14691/79–573
2. 05–087–05963–0000
3. 108 000 000
4. J M Huber Corporation
5. Bird Brandt No 1
6. Vallery
7. Morgan County CO
8. 4.2 million cubic feet
9. February 5, 1980
10. Crystal Oil Company

1. 80–14692/79–601
2. 05–095–06024–0000
3. 102 000 000
4. Shakespeare Oil Co Inc
5. Dudden Brothers Inc #1
6. Wildcat
7. Phillips County CO
8. 126.0 million cubic feet
9. February 5, 1980
10. Natural Gas P/L Co of America

1. 80–14693/79–600
2. 05–103–08107–0000
3. 102 000 000
4. Twin Arrow Inc
5. Brown 2–17
6. Cathedral
7. Rio Blanco CO
8. .0 million cubic feet
9. February 5, 1980
10. IGC Production Co

1. 80–14694/78–173
2. 05–087–08715–0000
3. 102 000 000
4. Okmar Oil Co
5. Budin No 15
6. Big Sandy
7. Logan CO
8. 109.0 million cubic feet
9. February 5, 1980
10.

1. 80–14695/79–583
2. 05–103–07997–0000
3. 103 000 000
4. Husky Oil Co
5. Hill 6–6
6. Rangely
7. Rio Blanco CO
8. 5.2 million cubic feet
9. February 5, 1980
10. IGC Production Co

1. 80–14696/79–582
2. 05–103–08023–0000
3. 103 000 000
4. Husky Oil Co
5. Hill 11–6
6. Rangely
7. Rio Blanco CO
8. .7 million cubic feet
9. February 5, 1980
10. IGC Production Co

1. 80–14697/79–584
2. 05–103–08019–0000
3. 103 000 000
4. Husky Oil Co
5. Hill 7–6
6. Rangely
7. Rio Blanco CO
8. 6.5 million cubic feet
9. February 5, 1980
10. IGC Production Co

1. 80–14698/79–677
2. 05–063–07421–0000
3. 103 000 000
4. Lifestyle Energy Corp
5. Boyd A Piland #4–6 79–361
6. Guidon
7. Adams CO
8. 200.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pl Co

1. 80–14699/79–606
2. 05–001–07390–0000
3. 103 000 000
4. Byron Oil Industries Inc
5. Byron-Quebec-North Inv Ltd #2
6. Spindle Fld Wattenberg
7. Adams CO
8. 4.8 million cubic feet
9. February 5, 1980
10. Northern Natural Gas Co

1. 80–14700/79–605
2. 05–001–07391–0000
3. 103 000 000
4. Byron Oil Industries Inc
5. Byron-Signal Reservoir #1
6. Spindle Fld Wattenberg
7. Adams CO
8. 7.7 million cubic feet
9. February 5, 1980
10. Northern Natural Gas Co

1. 80–14701/79–599
2. 05–001–07376–0000
3. 103 000 000
4. Byron Oil Industries Inc
5. Byron-Morrison Investment Co #2
6. Spindle Field Wattenberg Pool
7. Adams CO
8. 8.5 million cubic feet
9. February 5, 1980
10. Northern Natural Gas Co

1. 80–14702/78–177
2. 05–103–00000–0000
3. 108 000 000
4. Tipperary Oil and Gas Corp
5. Brady 23–C–3 (Fee Lands)
6. Trail Canyon
7. Rio Blanco CO
8. 15.0 million cubic feet
9. February 5, 1980
10. Northwest Pipeline Corp

1. 80–14703/79–577
2. 05–039–06316–0000
3. 103 000 000
4. Champlin Petroleum Co
5. #2 C B Miller 32–5
6. Deadeye Field
7. Elbert County CO
8. 37.0 million cubic feet
9. February 5, 1980
10. Sun Gas Co

1. 80–14704/79–603
2. 05–123–09608–0000
3. 103 000 000
4. Energy Minerals Corp
5. Maurice #1
6. Roggen
7. Weld Co
8. .0 million cubic feet
9. February 5, 1980
10. Crystal Gas Resources Inc

1. 80–14705/79–636
2. 05–123–09729–0000
3. 103 000 000
4. Champlin Petroleum Co
5. CPC #2 Aristocrat Angus Ranch 32
6. Aristocrat
7. Weld Co
8. 565.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14706/79–612
2. 05–123–09713–0000
3. 102 000 000
4. Energy Minerals Corp
5. Kingsbury #1
6. Waite Lake
7. Weld County Co
8. 200.0 million cubic feet
9. February 5, 1980
10. Crystal Gas Resources Inc

1. 80–14707/79–635
2. 05–123–09725–0000
3. 103 000 000
4. Champlin Petroleum Co
5. #2 Aristocrat 32–9 C Swne 9–3N–65
6. Aristocrat
7. Weld Co
8. 127.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–14708/79–570
2. 05–075–08705–0000
3. 103 000 000
4. Kimbark Operating Co
5. Budin #1
6. Caballo
7. Logan Co
8. 45.6 million cubic feet
9. February 5, 1980
10.

1. 80–14709/79–604
2. 05–001–07388–0000
3. 103 000 000
4. Byron Oil Industries Inc
5. Byron-State of Colorado #1
6. Spindle Fld Wattenberg Pl
7. Adams Co
8. 2.2 million cubic feet
9. February 5, 1980
10. Northern Natural Gas

1. 80–14710/79–574
2. 05–075–08739–0000
3. 103 000 000
4. Kimbark Operating Co
5. Birney #1
6. Caballo
7. Logan Co
8. 66.0 million cubic feet
9. February 5, 1980
10.

1. 80–14711/79–602
2. 05–123–09643–0000
3. 103 000 000
4. Energy Minerals Corp
5. Trupp #1
6. Roggen
7. Weld Co
8. 45.5 million cubic feet
9. February 5, 1980
10. Crystal Gas Resources Inc

1. 80–14712/79–616
2. 05–081–06379–0000
3. 102 000 000
4. Tenneco Oil Co
5. Alta Martin #1
6. Great Divide-Mesa Verde
7. Moffat Co
8. 500.0 million cubic feet
9. February 5, 1980
10. Northwest Pipeline Corp

1. 80–14713/79–615
2. 05–121–09476–0000
3. 102 000 000
4. Niobrara Illuminating Gas Assoc
5. #1 Allen
6. De Nova
7. Washington Co
8. 60.0 million cubic feet
9. February 5, 1980
10. Natural Gas Pipeline Co of America

1. 80–14714/79–613
2. 05–009–06217–0000
3. 103 000 000
4. Samson Oil Co
5. Twyford 1–7
6. Stonington
7. Baca Co
8. 110.0 million cubic feet
9. February 5, 1980
10. RJB Gas Pipeline Co

1. 80–14715/79–610
2. 05–09–06223–0000
3. 103 000 000
4. Texas Oil & Gas Corp
5. England A
6. Stonington
7. Baca Co
8. 60.0 million cubic feet
9. February 5, 1980
10. The Nueces Co

1. 80–14716/79–595
2. 05–067–00000–0000
3. 108 000 000
4. Amerada Hess Corp
5. F W Terrell Mv Gu #1
6. Ignacio
7. La Plata Co
8. 16.1 million cubic feet
9. February 5, 1980
10. El Paso Natural Gas Co

1. 80–14717/79–597
2. 05–001–07375–0000
3. 103 000 000
4. Byron Oil Industries Inc
5. Byron-Mark Degenhart #6
6. Spindle Fld Wattenberg Pl
7. Adams Co
8. 8.0 million cubic feet
9. February 5, 1980
10. Northern Natural Gas Co

1. 80–14718/79–598
2. 05–001–07374–0000
3. 103 000 000
4. Byron Oil Industries Inc
5. Byron-John Ehler #1
6. Spindle Fld Wattenberg Pl
7. Adams Co
8. 4.7 million cubic feet
9. February 5, 1980
10. Northern Natural Gas Co

1. 80–14719/79–48
2. 05–067–00000–0000
3. 108 000 000
4. Northwest Pipeline Corporation
5. Bondad 33–9 #5
6. Ignacio Blanco
7. La Plata Co
8. 23.0 million cubic feet
9. February 5, 1980
10. Northwest Pipeline Corp

1. 80–14720/79–551
2. 05–123–09682–0000
3. 103 000 000
4. Champlin Petroleum Co
5. Aristocrat Angus Ranch 41–9
6. Aristocrat
7. Weld Co
8. 274.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipe Line Co

1. 80–14721/79–548
2. 05–123–09639–0000
3. 103 000 000
4. Energy Minerals Corp
5. Bernard #1
6. Roggen Field
7. Weld County Co
8. 50.0 million cubic feet
9. February 5, 1980
10. Phillips Petroleum Co

1. 80–14722/79–555
2. 05–067–00000–0000
3. 108 000 000
4. Amerada Hess Corp
5. Fassett Mv Unit #1
6. Ignacio
7. La Plata Co
8. 6.5 million cubic feet
9. February 5, 1980
10. El Paso Natural Gas Co

1. 80–14723/79–556
2. 05–067–00000–0000
3. 108 000 000
4. Amerada Hess Corp
5. Ford-Olson Unit A #1
6. Ignacio
7. La Plata Co
8. 16.4 million cubic feet
9. February 5, 1980
10. El Paso Natural Gas Co

1. 80–14724/79–547
2. 05–123–05130–0000
3. 102 000 000
4. Energy Minerals Corp
5. #2 Ross
6. Waite Lake
7. Weld County Co
8. 137.0 million cubic feet
9. February 5, 1980
10. Crystal Gas Resources Inc

1. 80–14725/79–565
2. 05–001–06912–0000
3. 103 000 000
4. Lifestyle Energy Corp
5. Boyd a Piland #3–79–108
6. Guidon
7. Adams Co
8. 150.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14726/79–564
2. 05–001–07363–0000
3. 103 000 000
4. Lifestyle Energy Corp
5. Boyd a Piland #1–32–78–945
6. Unnamed
7. Adams Co
8. 150.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14727/79–562
2. 05–001–06913–0000
3. 103 000 000
4. Lifestyle Energy Corp
5. Boyd a Piland #1–78–551

6. Guidon
7. Adams Co
8. 150.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14728/79–571
2. 05–123–09691–0000
3. 103 000 000
4. Champlin Petroleum Co
5. #2 Rural Land 32–31
6. Hambert Field
7. Weld Co
8. 91.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14729/78–178
2. 05–103–00000–0000
3. 108 000 000
4. Tipperary Oil and Gas Corp
5. Brady 23–C–3X (Fee Lands)
6. Trail Canyon
7. Rio Blanco Co
8. 12.0 million cubic feet
9. February 5, 1980
10. Northwest Pipeline Corp

1. 80–14730/79–676
2. 05–123–08664–0000
3. 108 000 000
4. MGF Oil Corp
5. Premier 21–4J
6. Lost Creek 4–2N–62W
7. Weld Co
8. 19.0 million cubic feet
9. February 5, 1980
10. Crystal Gas Resources Inc

1. 80–14731/79–675
2. 05–123–09335–0000
3. 108 000 000
4. MGF Oil Corp
5. Norris Estate 14–6
6. Wattenburg SW SE Sec 6 T2N R64W
7. Weld Co
8. 19.0 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14732/79–632
2. 05–039–06315–0000
3. 103 000 000
4. Champlin Petroleum Co
5. #1 Whitehead 41–9 Nene 9–6S–62W
6. Deadeye
7. Elbert Co
8. 43.0 million cubic feet
9. February 5, 1980
10. Sun Oil Co

1. 80–14733/79–706
2. 05–123–09714–0000
3. 103 000 000
4. Quest Oil Co
5. Amoco-Miller No 3–7
6. Spindle
7. Weld Co
8. 27.4 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14734/79–834
2. 05–123–00000–0000
3. 108 000 000
4. Winter Hawk Ltd
5. Zimbelman 1–A
6. Unnamed
7. Weld Co
8. 16.2 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

1. 80–14735/79–486
2. 05–123–07567–0000
3. 102 000 000
4. UV Industries Inc
5. UV Industries Inc State 1860 No 1
6. Wildcat (OMAR)
7. Weld Co
8. 141.6 million cubic feet
9. February 5, 1980
10.

1. 80–14736/79–642
2. 05–075–08372–0000
3. 108 000 000
4. Leclair-Westwood Inc
5. Sherwin #1
6. Stampede
7. Logan Co
8. 4.0 million cubic feet
9. February 5, 1980
10. Kansas-Nebraska Natural Gas Co

1. 80–14737/79–569
2. 05–125–06137–0000
3. 108 000 000
4. Kansas-Nebraska Natural Gas Co Inc
5. Lott 1–35
6. Shout
7. Yuma Co
8. 7.0 million cubic feet
9. February 5, 1980
10.

1. 80–14738/79–626
2. 05–125–06294–0000
3. 103 000 000
4. Kansas-Nebraska Natural Gas Company
5. Fonte 1–22
6. Republican
7. Yuma Co
8. 21.9 million cubic feet
9. February 5, 1980
10.

1. 80–14739/79–674
2. 05–123–05133–0000
3. 102 000 000
4. J R Drilling & Exploration Company
5. Whittenburg #1
6. Wildcat
7. Weld Co
8. .0 million cubic feet
9. February 5, 1980
10. Crystal Gas Resources Inc

1. 80–14740/79–557
2. 05–125–06098–0000
3. 108 000 000
4. Kansas-Nebraska Natural Gas Co Inc
5. Engel #1–10
6. Armel
7. Yuma Co
8. 9.0 million cubic feet
9. February 5, 1980
10.

1. 80–14654
2. 05–123–08421
3. 108 000 000
4. Amoco Production Co
5. Lela F Thomason Gas Unit #1
6. Watenberg
7. Weld Co
8. 18.6 million cubic feet
9. February 5, 1980
10. Panhandle Eastern Pipeline Co

Michigan Department of Natural Resources

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block no.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–14797
2. 21–035–00000–0000
3. 102 000 000
4. Hunt Energy Corp
5. Benchley No 1 32880
6. Winterfield
7. Clare MI
8. .0 million cubic feet
9. February 6, 1980
10. Consumers Power Co

1. 80–14798
2. 21–035–00000–0000
3. 102 000 000
4. Hunt Energy Corp
5. Benchley A No 1 32890
6. Winterfield (Richfield)
7. Clare MI
8. .0 million cubic feet
9. February 6, 1980
10. Consumers Power Co

Montana Board of Oil and Gas Conservation

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block no.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–14756/3–79–134
2. 25–083–21201–0000
3. 102 000 000
4. Shell Oil Co
5. Moore 23–24
6. Mon Dak West
7. Richland MT
8. 60.0 million cubic feet
9. February 5, 1980
10. Montana Dakota Utilities Co

1. 80–14757/3–79–133
2. 25–083–21164–0000
3. 102 000 000
4. Shell Oil Co
5. BN 22–17
6. Mon Dak West
7. Richland MT
8. 16.0 million cubic feet
9. February 5, 1980
10. Montana Dakota Utilities Co

1. 80–14758/3–79–142
2. 25–083–21119–0000
3. 102 000 000
4. Shell Oil Co
5. BN 21X–25
6. Mon Dak West
7. Richland MT
8. 110.0 million cubic feet
9. February 5, 1980
10. Montana Dakota Utilities Co

1. 80–14759/3–79–140
2. 25–083–21151–0000
3. 102 000 000
4. Shell Oil Co
5. Swigart 24X–8
6. Mon Dak West

7. Richland MT
8. 234.0 million cubic feet
9. February 5, 1980
10. Montana Dakota Utilities Co

1. 80–14760/3–79–153
2. 25–083–21235–0000
3. 102 000 000
4. Shell Oil Co
5. Sheetz 21X–29
6. Mon Dak West
7. Richland MT
8. 55.0 million cubic feet
9. February 5, 1980
10. Montana Dakota Utilities Co

1. 80–14761/3–79–135
2. 25–083–21174–0000
3. 102 000 000
4. Shell Oil Co
5. BN 33X–35
6. Mon Dak West
7. Richland MT
8. 5.5 million cubic feet
9. February 5, 1980
10. Montana Dakota Utilities Co

1. 80–14762/3–79–141
2. 25–083–21175–0000
3. 102 000 000
4. Shell Oil Co
5. Carleton 13–X–5
6. Mon Dak West
7. Richland MT
8. 60.5 million cubic feet
9. February 5, 1980
10. Montana Dakota Utilities Co

1. 80–14763/3–79–154
2. 25–083–21151–0000
3. 102 000 000
4. Shell Oil Co
5. Swigart 24X–8
6. Mon Dak West
7. Richland MT
8. 48.0 million cubic feet
9. February 5, 1980
10. Montana Dakota Utilities Co

New Mexico Department of Energy and Minerals

Oil Conservation Division

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–14799
2. 30–041–20500–0000
3. 103 000 000
4. Enserch Exploration Inc
5. Lambirth No 8
6. Peterson South
7. Roosevelt NM
8. 30.0 million cubic feet
9. February 6, 1980
10. Natural Gas Pipeline Co of America

1. 80–14800
2. 30–015–22932–0000
3. 102 000 000
4. J C Barnes Oil Co
5. Big Chief Comm No 4
6. Dublin Ranch
7. Eddy NM
8. 210.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co

1. 80–14801
2. 30–025–26280–0000
3. 103 000 000
4. Gulf Oil Corp
5. Arnott-Ramsay (NCT–B) Well #8
6. Langlie Mattix
7. Lea NM
8. .0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co

1. 80–14802
2. 30–045–10103–0000
3. 108 000 000
4. El Paso Natural Gas Co
5. Farmington Comm #1
6. Basin-Dakota Gas
7. San Juan NM
8. 20.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co

West Virginia Department of Mines

Oil and Gas Division

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–14741
2. 47–017–02317–0000
3. 107 000 000 denied
4. Key Oil Company
5. J M L Smith #1
6.
7. Doddridge WV
8. .0 million cubic feet
9. February 4, 1980
10. Columbia Gas Transmission Corp

1. 80–14742
2. 47–021–22999–0000
3. 107 000 000 denied
4. Rockwell Petroleum Co
5. T F Reed #3
6. Glenville District
7. Gilmer WV
8. .0 million cubic feet
9. February 4, 1980
10. Equitable Gas Co

1. 80–14743
2. 47–021–23000–0000
3. 107 000 000 denied
4. Rockwell Petroleum Company
5. T F Reed #2
6. Glenville District
7. Gilmer WV
8. .0 million cubic feet
9. February 4, 1980
10. Equitable Gas Co

1. 80–14744
2. 47–021–22914–0000
3. 107 000 000 denied
4. Rockwell Petroleum Company
5. T F Reed #1
6. Glenville District
7. Gilmer WV
8. .0 million cubic feet
9. February 4, 1980
10. Equitable Gas Co

1. 80–14745
2. 47–017–02319–0000
3. 107 000 000 denied
4. Key Oil Co
5. Betty Langfitt #1
6.
7. Doddridge WV
8. .0 million cubic feet
9. February 4, 1980
10. Columbia Gas Transmission Corp

1. 80–14746
2. 47–017–02314–0000
3. 107 000 000 denied
4. Key Oil Co
5. Clarence Powerr #1
6.
7. Doddridge WV
8. .0 million cubic feet
9. February 4, 1980
10.

1. 80–14747
2. 47–035–01495–0000
3. 102 000 000 denied
4. Burdette Oil & Gas Co Inc
5. Glenn Staats Well #1
6. Washington District
7. Jackson WV
8. .0 million cubic feet
9. February 4, 1980
10.

1. 80–14748
2. 47–035–01496–0000
3. 102 000 000 denied
4. Burdette Oil & Gas Co Inc
5. Rex Casto Well #1
6. Washington District
7. Jackson WV
8. .0 million cubic feet
9. February 4, 1980
10.

1. 80–14749
2. 47–035–01492–0000
3. 102 000 000 denied
4. Burdette Oil & Gas Co Inc
5. Doris Harpold Well #2
6. Washington District
7. Jackson WV
8. .0 million cubic feet
9. February 4, 1980
10.

1. 80–14750
2. 47–035–01491–0000
3. 120 000 000
4. Burdette Oil & Gas Co Inc
5. Duris Harpold Well #1
6. Washington District
7. Jackson, WV
8. .0 million cubic feet
9. February 4, 1980
10.

1. 80–14751
2. 47–035–01497–0000
3. 120 000 000 denied
4. Burdette Oil & Gas Co Inc
5. Rex Casto Well #2
6. Washington District
7. Jackson, WV
8. .0 million cubic feet
9. February 4, 1980
10.

1. 80–14752

2. 47–021–03385–0000
3. 107 000 000 denied
4. Waco Oil and Gas Co Inc
5. Alfred Lowther #3
6. Ellis
7. Gilmer, WV
8. 40.0 million cubic feet
9. February 4, 1980
10. Consolidated Gas Supply Corp

1. 80–14753
2. 47–021–03422–0000
3. 107 000 000 denied
4. Waco Oil and Gas Co
5. Wiant #1
6. Ellis
7. Gilmer, WV
8. 50.0 million cubic feet
9. February 4, 1980
10. Carnegie Natural Gas Co

1. 80–14754
2. 47–007–01035–0000
3. 102 000 000 denied
4. Chrisman Drilling Co
5. D J Moyers #5
6. Otter District
7. Braxton, WV
8. 24.5 million cubic feet
9. February 4, 1980
10. George Jackson

1. 80–14755
2. 47–007–21119–0000
3. 102 000 000 denied
4. Chrisman Drilling Co
5. L J Smith #3
6. Otter
7. Braxton, WV
8. 30.0 million cubic feet
9. February 4, 1980
10. Equitable Gas Co

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well Name
6. Field or OCS area name
7. County, State or Block #
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–14764/NG–153–79
2. 49–041–20088–0000
3. 102 000 000
4. Amoco Production Co
5. Amoco Gulf #1
6. Yellow Creek
7. Uinta, WY
8. 1500.0 million cubic feet
9. February 5, 1980
10. Mountain Fuel Supply Co

1. 80–14765/NG–155–79
2. 49–041–20100–0000
3. 102 000 000
4. Amoco Production Co
5. Champlin 375 Amoco A #1
6. Yellow Creek
7. Uinta, WY
8. 730.0 million cubic feet
9. February 5, 1980
10. Mountain Fuel Supply Co

1. 80–14766/NG–156–79
2. 49–041–20157–0000
3. 102 000 000
4. Amoco Production Company
5. Amoco Gulf #3
6. Yellow Creek
7. Uinta, WY
8. 1100.0 million cubic feet
9. February 5, 1980
10. Mountain Fuel Supply Co

U.S. Geological Survey, Metairie, La.

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–14767/G9–1012
2. 17–706–40297–00S1–0
3. 102 000 000
4. CNG Producing Co
5. B–2S1
6. Vermilion
7. 313
8. 876.0 million cubic feet
9. February 5, 1980
10. Consolidated Gas Supply Corp, Columbia Gas Transmission Corp

1. 80–14768/G9–1017
2. 17–707–40316–0000–0
3. 102 000 000
4. Placid Oil Co
5. OCS–G–2600 #E–7
6. South Marsh Island
7. 281
8. 3650.0 million cubic feet
9. February 5, 1980
10. Trunkline Gas Co, Southern Natural Gas Co

1. 80–14769/G9–1043
2. 17–704–40445–0000–0
3. 102 000 000
4. Marathon Oil Co
5. East Cameron Block 321 #A–24
6. East Cameron South Addition
7. 321
8. 657.0 million cubic feet
9. February 5, 1980
10. Texas Eastern Transmission Corp

1. 80–10248/G9–890
2. 42–709–40439–0000–0
3. 102 000 000
4. Gulf Oil Corp
5. OCS–G–3479 #A–7
6. High Island
7. 498
8. .0 million cubic feet
9. January 15, 1980
10. Uncommitted

U.S. Geological Survey, Albuquerque, N. Nex.

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80–14770/NM–4724–79
2. 30–043–20340–0000–0
3. 103 000 000
4. BCO Inc
5. Federal B #4
6. Undesignated Gallup
7. Sandoval NM
8. 18.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co

1. 80–14771/NM–4723–79
2. 30–043–20334–0000–0
3. 103 000 000
4. BCO Inc
5. Federal I #1
6. Undesignated Gallup
7. Sandoval NM
8. 18.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co

1. 80–14772/NM–4722–79
2. 30–043–20335–0000–0
3. 103 000 000
4. BCO Inc
5. Federal I #2
6. Undesignated Gallup
7. Sandoval NM
8. 18.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co

1. 80–14773/NM–4721–79
2. 30–043–20336–0000–0
3. 103 000 000
4. BCO Inc
5. Federal I #3
6. Undesignated Gallup
7. Sandoval NM
8. 18.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co

1. 80–14774/NM–4720–79
2. 30–043–20333–0000–0
3. 103 000 000
4. BCO Inc
5. Federal I #4
6. Undesignated Gallup
7. Sandoval NM
8. 18.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co

1. 80–14775/NM–4718–79
2. 30–045–23601–0000–0
3. 103 000 000
4. Blackwood & Nichols Co Ltd
5. NE Blanco Unit #205
6. South Los Pinos Pictured Cliffs SE
7. San Juan NM
8. 50.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co

1. 80–14776/NM–4717–79
2. 30–045–23485–0000–0
3. 103 000 000
4. Blackwood & Nichols Co Ltd
5. NE Blanco Unit #203
6. South Los Pinos Pictured Cliffs NE
7. San Juan NM
8. 100.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co

1. 80–14777/NM–4716–79
2. 30–045–23484–0000–0
3. 103 000 000
4. Blackwood & Nichols Co Ltd
5. NE Blanco Unit #202
6. South Los Pinos Pictured Cliffs NE
7. San Juan NM
8. 200.0 million cubic feet

9. February 6, 1980
10. El Paso Natural Gas Co
1. 80–14778/NM–4713–79
2. 30–039–21822–0000–0
3. 103 000 000
4. Ken Blackford
5. Well 37–B No 6 Lease No 09–000037
6. Ballard Pictured Cliffs
7. Rio Arriba NM
8. 40.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co
1. 80–14779/NM–4712–79
2. 30–045–23607–0000–0
3. 103 000 000
4. Tenneco Oil Co
5. Archuleta #2
6. Blanco Pictured Cliffs
7. San Juan NM
8. 100.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co
1. 80–14780/NM–4732–79–A
2. 30–045–23459–0000–0
3. 103 000 000
4. Southland Royalty Co
5. Wilmer Canyon #2
6. Blanco Mesa Verde
7. San Juan NM
8. 110.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co
1. 80–14781/NM–4731–79–B
2. 30–045–23522–0000–0
3. 103 000 000
4. Southland Royalty Co
5. Reese Mesa a#5
6. Basin Dakota
7. San Juan NM
8. 90.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co
1. 80–14782/NM–4731–79–A
2. 30–045–23522–0000–0
3. 103 000 000
4. Southland Royalty Co
5. Reese Mesa #5
6. Blanco Mesa Verde
7. San Juan NM
8. 130.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co
1. 80–14783/NM–4730–79
2. 30–015–22751–0000–0
3. 103 000 000
4. Harvey E Yates Co
5. Depco Federal #1
6. Travis Yates
7. Eddy NM
8. 15.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co
1. 80–14784/NM–4729–79
2. 30–045–23507–0000–0
3. 103 000 000
4. Jerome P McHugh
5. Chaco Plant #36
6. Waw Fruitland Pictured Cliffs
7. San Juan NM
8. 63.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co
1. 80–14785/NM–4728–79
2. 30–039–05348–0000–0
3. 108 000 000
4. BCO Inc
5. Byrd 5–23 #1
6. Devils Fork Gallup
7. Rio Arriba NM
8. 9.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co
1. 80–14786/NM–4725–79
2. 30–045–09109–0000–0
3. 108 000 000
4. Amoco Production Co
5. Elliott Gas Com K #1
6. Blanco Pictured Cliffs
7. San Juan NM
8. 21.8 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co
1. 80–14787/NM–4742–79
2. 30–039–22019–0000–0
3. 103 000 000
4. Southland Royalty Co
5. Arizona Jicarilla B #9
6. South Blanco Pictured Cliffs
7. Rio Arriba NM
8. 150.0 million cubic feet
9. February 6, 1980
10. Gas Co of New Mexico
1. 80–14788/NM–4740–79
2. 30–045–23353–0000–0
3. 103 000 000
4. Southland Royalty Co
5. Hillstrom #2
6. Blanco Pictured Cliffs
7. San Juan NM
8. 75.0 million cubic feet
9. February 6, 1980
10. Southern Union Gathering Co
1. 80–14789/NM—4739–79
2. 30–045–23123–0000–0
3. 103 000 000
4. Southland Royalty Co
5. Hale #5
6. Basin Dakota
7. San Juan NM
8. 90.0 million cubic feet
9. February 6, 1980
10. Gas Co of New Mexico
1. 80–14790/NM—4738–79
2. 30–045–23372–0000–0
3. 103 000 000
4. Southland Royalty Co
5. Davis #18
6. Blanco Pictured Cliffs
7. San Juan NM
8. 35.0 million cubic feet
9. February 6, 1980
10. Southern Union Gathering Co
1. 80–14791/NM—4737–79
2. 30–045–23350–0000–0
3. 103 000 000
4. Southland Royalty Co
5. Dalsant #2
6. Blanco Pictured Cliffs
7. San Juan NM
8. 80.0 million cubic feet
9. February 6, 1980
10. Southern Union Gathering Co
1. 80–14792/NM—4736–79
2. 30–045–23352–0000–0
3. 103 000 000
4. Southland Royalty Co
5. Moore #2
6. Blanco Pictured Cliffs
7. San Juan NM
8. 80.0 million cubic feet
9. February 6, 1980
10. Southern Union Gathering Co
1. 80–14793/NM—4735–79
2. 30–045–23407–0000–0
3. 103 000 000
4. Southland Royalty Co
5. Lawson #4
6. Blanco Pictured Cliffs
7. San Juan NM
8. 50.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co
1. 80–14794/NM—4733–79–B
2. 30–045–23135–0000–0
3. 103 000 000
4. Southland Royalty Co
5. Reese Mesa #2A
6. Undesignated Pictured Cliffs
7. San Juan NM
8. 125.0 million cubic feet
9. February 6, 1980
10. Northwest Pipeline Corp
1. 80–14795/NM—4733–79–A
2. 30–045–23135–0000–0
3. 103 000 000
4. Southland Royalty Co
5. Reese Mesa #2A
6. Blanco Mesa Verde
7. San Juan NM
8. 110.0 million cubic feet
9. February 6, 1980
10. Northwest Pipeline Corp
1. 80–14796/NM—4732–79–B
2. 30–045–23459–0000–0
3. 103 000 000
4. Southland Royalty Co
5. Wilmer Canyon #2
6. No Los Pinos Fruitland Pictured Cliffs
7. San Juan NM
8. 220.0 million cubic feet
9. February 6, 1980
10. El Paso Natural Gas Co

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street NE., Washington, D.C. 20426.

Persons objecting to any of these final determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission within fifteen (15) days of the date of publication of this notice in the Federal Register.

Please reference the FERC control number in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80–7794 Filed 3–13–80; 8:45 am]

BILLING CODE 6450–85–M

[Docket Nos. RI74-188, RI75-21; Opinion 77]

Independent Oil and Gas Association of West Virginia Opinion and Order Reversing Initial Decision, Remanding and Consolidating Proceedings, Initiating Hearings, Establishing Procedures, and Granting Intervention

Issued: March 4, 1980.

The principal issue in this proceeding is whether certain indefinite price escalator clauses (often referred to as area rate clauses) in two settlement agreements approved in 1976 by the Federal Power Commission (FPC) confer contractual authority to charge and collect the rates prescribed in the Natural Gas Policy Act of 1978 (NGPA).

The Commission has addressed this question in general terms in the Order 23 series.[1] However, this is the first actual case to come before us which presents the issue in the context of specific contractual language. For the reasons discussed below, we reverse the initial decision and remand the proceeding to the presiding administrative law judge. The procedures and standards we apply in deciding this case will also be followed in other proceedings involving the question of contractual authorization to collect NGPA rates.

I

This proceeding originated in 1974, when the Independent Oil and Gas Association of West Virginia (IOGA) filed petitions with the FPC seeking higher rates for its members and other small producers in West Virginia which sell natural gas to four interstate pipelines: Columbia Gas Transmission Corporation (Columbia), Consolidated Gas Supply Corporation (Consolidated), Carnegie Natural Gas Company (Carnegie), and Equitable Gas Company (Equitable).

In Docket No. RI74-188, which involved gas from wells commenced prior to January 1, 1973, IOGA requested rates higher than those provided in the life-of-lease contracts then in effect. After the institution by the FPC of an investigation under Section 5(a) of the Natural Gas Act, settlement discussions ensued which eventually culminated in a settlement agreement approved by the FPC on March 19, 1976. In Docket No. RI75-21, IOGA petitioned for special relief for Appalachian producers from the uniform national rate established in Opinion No. 699. The settlement reached in that proceeding, which applies to gas from wells commenced on or after January 1, 1973, was approved by the FPC on March 22, 1976.[2] Both settlements, in addition to establishing specified rates, privided for annual escalations of one cent per Mcf and for renegotiation of prices in the event of deregulation.[3]

Both settlements also contained price escalator clauses authorizing higher rates upon the occurrence of certain events. The issue in this case is whether those events include either Congressional enactment of the NGPA or the Commission's adoption of rules with respect to NGPA rates.[4] The two clauses, which differ from each other in substantial respects, provide as follows (significant terms underlined):

Docket No. RI74-188: *Area Ceiling Rate.* Notwithstanding anything to the contrary in this settlement proposal, upon the *issuance by the Commission, or any successor governmental authority having jurisdiction hereof hereafter, of a valid order establishing a just and reasonable ceiling rate* which would otherwise be applicable to the gas being sold hereunder if contractual authority existed for obtaining such rate, if such rate is higher than the Adjusted Price as theretofore increased pursuant to Section 4 hereof, then the price to be paid by the Buyers pursuant to the Contract after the effective date of such order for gas sold shall be equal to such ceiling rate.

Docket No. RI75-21: *Superseding rates.* Notwithstanding anything to the contrary in this Settlement Proposal, upon the *issuance by the Commission, or any governmental authority having jurisdiction over the sales covered by this settlement Proposal, of an order, decision or policy establishing a rate or rates* which would be applicable to the gas being sold hereunder if contractual authority existed for obtaining such rate or rates, if such rate or rates are higher than the lower of the Adjusted Prices as theretofore increased pursuant to Section 3 hereof, then the price to be paid by the Buyers to the Producers for the gas sold to the Buyers pursuant to the Contracts after the Effective Date, as defined herein, for gas sold shall not be less than such rate or rates.

On December 13, 1978, Columbia filed petitions seeking clarification of the FPC orders approving the settlement agreements. Columbia requested confirmation of its view that both area rate clauses authorized collection of NGPA rates. Following a series of motions and other pleadings by various parties, we forwarded the matter to the chief administrative law judge for resolution in accordance with Order 23-B procedures.[5] The Chief ALJ issued an order on July 19, 1979 in which he designated a presiding judge and established procedures for this proceeding, including a determination that, because there were no factual issues in dispute, the legal issues would be summarily disposed of in an initial decision. Consolidated requested reconsideration, asserting that a prehearing conference should be held in order to determine the extent to which it would be necessary to present parole evidence concerning the intent of the parties. By order dated July 26, 1979, the Chief ALJ reaffirmed his prior decision that a hearing would be unnecessary but advised Consolidated that it was not estopped from presenting whatever evidence it believed relevant in the form of written submissions.

II

On August 10, 1979, the presiding judge issued an initial decision in which he concluded that neither clause authorizes the collection of NGPA rates. His conclusion rests upon the following determinations:

(1) Since the pertinent contractual language is not ambiguous, it is unnecessary to consider extrinsic evidence bearing on the intent of the parties. Moreover, because the question is solely one of law, no oral hearing is required.

(2) Under the Administrative Procedure Act, as well as in common parlance, the term "order" refers to agency action and can not be construed as encompassing an Act of Congress.

(3) Similarly, Congress does not act through the "issuance" of a "decision" or "policy"; these terms also relate only to agency action.

(4) Hence, even if, as suggested in Order 23, Congress could be viewed as a "successor" to the Commission of

[1] See Order No. 23, Docket No. RM79-22 (March 13, 1979); Order on Rehearing of Order No. 23, Docket No. RM79-22 (May 11, 1979); Order No. 23-A, Docket No. RM79-22 (June 12, 1979); Order No. 23-B, Docket No. RM79-22 (June 21, 1979); Order on Rehearing of Order No. 23-B, Docket No. RM79-22 (Aug. 6, 1979); and Order on Rehearing of Order No. 23-A, Docket No. RM79-22 (Aug. 13, 1979).

[2] This settlement was later interpreted by the FPC to permit collection of Opinion No. 770 rates. Order Granting Petition for Declaratory Order, Docket No. RI75-21, February 2, 1977.

[3] The settlement prices in both dockets were subsequently authorized for those small producers in West Virginia which had not initially participated in the proceedings. Order Granting Special Relief, Docket Nos. RI74-188 and RI75-21, October 14, 1976.

[4] The need for interpreting the escalator clauses arises from the fact that, under Section 101(b)(9) of the NGPA, a contract price lower than the federal maimum lawful price established in the legislation would continue in effect and not be superseded by the federal ceiling price. See Order 23, mimeo, pp. 12-13.

[5] As we explained in our order of July 13, 1979, the pleadings which had been filed by Equitable and Consolidated contesting Columbia's interpretations were treated as protests within the meaning of Order 23-B.

ratemaking purposes, the phrase "successor governmental authority" as used in the Docket No. RI74–188 clause can not be interpreted as referring to Congress because that body does not perform its ratemaking function by "issuing orders".

(5) The absence of the term "successor" in the Docket No. RI75–21 clause does not indicate that Congress was intended to be included. More likely than not, the elimination of the term was based on the parties' desire to include other federal or state agencies which might have regulatory jurisdiction at some time in the future without being successors to the FPC.

(6) Neither clause covers Commission action because the Commission did not "establish" the NGPA rates. The Commission's role is ministerial; it merely implements the rates established by Congress.

(7) The parties and the Commission may not, as a matter of law, read into the settlements terms which are not there.

III

The various parties to this proceeding [6] express widely divergent views concerning the initial decision and the proper interpretation of the area rate clauses at issue. There are three fundamentally different positions with respect to the legal effect of the two clauses.[7]

IOGA, several producer-intervenors, and Columbia seek reversal of the initial decision in its entirety. They interpret the terms of both settlements as clearly authorizing collection of NGPA prices. They also assert that the parties intended that result and argue that the presiding judge, in failing to consider such intent, did not comply with Order 23. At the other extreme, Equitable, Carnegie, Associated Gas Distributors, the Public Service Commission of the State of New York, and customer-intervenors support the judge's conclusion that neither settlement permits NGPA rates to be charged. These parties also rely on the specific terms of the agreements to support their position. Moreover, they contend that the clauses were intended to permit escalation only to rates which were cost-based and which were fixed at the conclusion of a regulatory proceeding in which all affected persons had an opportunity to participate. They claim that NGPA rates are incentive, not cost-based, prices.

An intermediate position is advanced by the staff and Consolidated, which distinguish between the two settlements. It is their view that the first settlement authorizes collection of only Section 104 inflation adjustment prices, whereas the second settlement permits all NGPA rates to be charged. The staff bases its conclusion on the fact that the phrases "just and reasonable" appears in the former clause but not in the latter. Although Section 601(b)(1)(A) of the NGPA provides that NGPA rates are deemed just and reasonable, the staff asserts that the phrase must be construed in the context of the Natural Gas Act, which was the governing statute at the time the settlements were entered into, and as so construed it reflects an intent to be limited to cost-based rates. The staff also argues that Section 104 prices are cost-based and are therefore within the scope of the phrase "just and reasonable" as used in the area rate clause in the Docket No. RI74–188 settlement agreement.

IV

Although this is the first proceeding in which the Commission has been called upon to decide whether specific area rate clauses authorize the collection of NGPA rates, we recently had occasion to deal rather extensively with the general issue in the Order 23 series. We expressed in those orders certain views concerning the interpretation of area rate clauses which are highly relevant to the resolution of this proceeding. However, before proceeding to a decision in this case, we think it is appropriate to articulate in somewhat greater detail the principles which we will apply in resolving the question before us.

The fundamental concept underlying Order 23 is that, in determining whether a particular clause authorizes collection of NGPA rates, the Commission will endeavor to ascertain and give effect to the intent of the parties to the contract. Indeed, this conclusion led us to amend Rule 270.205(a)(2) to make it clear that intent is the controlling factor with respect to this issue.[8] We also stated that in reaching a decision as to the parties' intent, the Commission can look beyond the contractual language itself and consider circumstances surrounding the execution of the contract.

Our conclusion that the Commission is not limited to the "four corners" of a contract in determining intent was arrived at after thorough consideration of the record developed in the rulemaking proceedings culminating in that order. The written and oral submissions in those proceedings revealed a "substantial level of agreement between most sellers and buyers as to what was generally intended when the area rate clause was executed," namely, that "the intent of the parties in agreeing to an area rate clause was to permit escalation to the highest ceiling price permitted by law." [9] In view of the record developed in the rulemaking proceedings and in light of the accumulated experience of the Commission in dealing with area rate clauses in a variety of settings, there is ample reason to believe that the intent of the parties to permit prices to escalate to the highest rates allowed by law—including statutory rates—may not, in many cases, have been fully reflected in the terms they chose. Since the words they used were a product of the then prevailing regulatory scheme under the Natural Gas Act, we must attempt to ascertain, to the extent possible, what the parties intended to accomplish in the context of that regulatory environment and to give effect to that intent in light of the changed circumstances brought about by enactment of the NGPA. [10] And we are persuaded that, in many instances, the terminology employed in area rate clauses lacks the clarity which would properly warrant exclusion of extrinsic materials relevant to the question of intent.

For example, the parties may have provided in their contract for escalation to a "just and reasonable" rate. That phrase, standing alone, is subject to conflicting interpretations. It may have been used to express an intent to permit collection of the maximum legally permissible prices, since such prices were required to be just and reasonable under the governing statute then in effect and since only rates meeting that standard could be assured of being passed through by the purchaser to its customers. If that was what the parties contemplated, we do not believe their intent should be thwarted merely because they failed to foresee that the

[6] Subsequent to the issuance of the initial decision, we received a number of petitions for leave to intervene and to file briefs out of time. These requests will be granted.

[7] Six positions were taken before the presiding judge, but certain parties have now modified their views.

[8] As amended, the rule provides: A contractual provision described in § 154.93(b–1) (relating to area rate clauses), or similar provision, generally will be considered to constitute contractual authorization to charge and collect an NGPA rate to *the extent the parties intended to authorize charging and collection of one or more NGPA rates under the contract.* (emphasis added)

[9] Order 23, mimeo, pp. 37–38.

[10] See *Mitchell Energy Corporation* v. *F.P.C.*, 519 F.2d 36, 41 (5th Cir. 1975), where the court said that it "must interpret the terms of the agreement of the parties as they must have understood them at the time they entered into it within the framework of the Natural Gas Act."

Congress would assume the ratemaking function perviously delegated to the Commission and thus expressed their intent in the terminology of the Natural Gas Act. On the other hand, the parties may have referred to "just and reasonable" rates in contemplation of the methodology and procedures which have traditionally been utilized in establishing rates under the Natural Gas Act. The long-standing practice of the FPC and of this Commission has been to set those rates under a cost-based methodology and in the context of an agency proceeding in which affected parties have been afforded the opportunity to participate. If the parties to a contract meant to incorporate these traditional regulatory features into their agreement, it would be inconsistent with their intent to find that the contract authorized collection of all NGPA rates.

Under the circumstances, we conclude that unless a contract specifically includes or excludes statutory rates, it is appropriate to provide an opportunity to the parties to the contract to offer extrinsic evidence of intent.[11] In our judgment, any contract which is less than explicit about the status of statutory rates must be viewed as containing an element of ambiguity which, even under the traditional "plain meaning" rule of contract interpretation, opens the door to consideration of reliable and probative extrinsic materials bearing on the issue of intent.[12] The exclusion of such evidence would, in many cases, lead to a result which would be inconsistent with the expectations of the parties. We decline to follow that path.

The Commission will, in the first instance, look to the written expression of the intent of the parties embodied in the contract itself. Where we find, however, that the document is not free from ambiguity, we will also rely, in resolving the ambiguity, upon the following:

(1) reliable and probative extrinsic evidence of the parties' intent;

(2) where the parties to the contract are in agreement, the intent which they ascribe to their area rate clause; and

(3) where the above factors are absent or inconclusive, the text of the clause as interpreted in accordance with the standards set forth below,

The relative weight which each of the above-enumerated elements will be given in a particular case will vary with the context in which a question arises. There are three discrete types of cases which we will now proceed to discuss:

(1) The parties agree on an interpretation and no third party (including Commission staff) contests it.

(2) The parties can not agree on an interpretation of the area rate clause.

(3) The parties agree but their mutual interpretation is disputed by a third party.

In the first case, we reaffirm the view expressed in Order 23 that, even where a contract does not expressly provide for the collection of statutory rates, we will generally give effect to the intent ascribed by the parties to their contractual language and permit them to rely on the area rate clause as authority for the collection of NGPA rates. Absent language in the contract which would constitute a specific exclusion of legislatively established rates, we will assume that the statements of the parties as to their intent are accurate and truthful and will accord dispositive effect to the mutual interpretation of the parties.[13]

However, if the parties themselves can not agree on the interpretation of an area rate clause, the Commission obviously can not be guided by either of their conflicting statements of intent. In such cases, the Commission must itself construe the contract. The starting point for analysis is the text of the contract. If the price escalator clause expressly permits collection of statutory or legislatively established rates, the Commission will, of course, permit sellers to charge and collect NGPA rates. Where, however, there is no such explicit reference, the Commission will allow the parties to make an offer of proof as to intent. If an offer of proof is made, the Chief ALJ (or the presiding judge, if one has been designated) will then determine how to proceed further. The judge will evaluate the offer and determine whether an evidentiary hearing should be held. If he concludes that the evidence offered would not be reliable and probative of the parties' intent, he should reject the offer and issue an initial decision by summary disposition in accordance with the interpretive standards discussed below. Likewise, if a hearing is held, only evidence determined by the judge to be reliable and probative should be admitted.

In those cases where there is no reliable and probative evidence of intent or where such evidence is inconclusive, the Commission will ascertain the intent of the parties on the basis of the text of the clause in dispute. In such situations, we will *generally* conclude that a contract containing an area or national rate clause does not authorize collection of all NGPA rates if it contains the following disqualifying terms:

(1) It refers to rates established or prescribed by an administrative body;

(2) It couples the reference to administrative action with a reference to the Natural Gas Act or the "just and reasonable" standard of that Act; and

(3) It contains no additional language which has the effect of uncoupling the link between agency action and the statutory standard of the Natural Gas Act.

If all of the above three factors are present, the Commission will interpret the contract to authorize collection of only those NGPA rates which are cost-based, namely, those provided in Sections 104 and 106(a). If these disqualifying terms are not *all* present, we would generally find that an area or national rate clause authorizes NGPA rates. Let us explain.

Where a reference to administrative action is not coupled with a reference to the Natural Gas Act or the statutory standard under that Act, the Commission will generally find that all of the NGPA rates are authorized by the price escalator clause. A contractual provision with no reference to a particular ratemaking standard would generally indicate an intent to permit prices to rise to the highest prices permitted by law. The fact that a contract refers to rates established by the Commission or by a "valid order" does not, in and of itself, signify that the parties intended to exclude rates imposed by legislative action. The Commission's ratemaking power under the Natural Gas Act was delegated to it by the Congress.[14] We will not assume, in the absence of specific language or reliable and probative evidence, that the parties intended to be bound by an

[11] The circumstances and standards under which such an opportunity will be provided are specified below.

[12] See, for example, *Sam Rayburn Dam Electric Cooperative* v. *F.P.C., 515 F.2d 998, 1003 (D.C. Cir. 1975). In Western Union Telegraph Company* v. *Federal Communications Commission*, 541 F.2d 346 (3rd Cir. 1976), the court sustained the FCC's consideration of affidavits concerning the parties' intentions in the execution of a contract. The court relied on Section 556(d) of the Administrative Procedure Act, which provides: "Any oral or documentary evidence may be received, but the agency as a matter of policy shall provide for the exclusion of irrelevant, immaterial, or unduly repetitious evidence." The court said: "The paramount issue being the real intention of the parties, . . . and the Commission having obviously concluded that an affidavit speaking to that issue was not 'irrelevant, immaterial, or unduly repetitious,' we are not in a position to gainsay that conclusion." 541 F.2d at 353. We caution parties to these proceedings, however, that the Commission will not necessarily admit affidavits as a matter of course in these cases. See page 18, n. 21, *infra*.

[13] However, an opportunity to rebut this presumption will be provided if a protest submitted by a third party or the staff contains reliable and probative evidence contradicting the parties' mutual interpretation. See page 16, *infra*.

[14] See order 23, mimeo, p. 46, n. 44.

agency determination but not by a mandate emanating from the source of that agency's authority. Hence, we decline to conclude that the mere transfer of the ratemaking function from the Commission to the Congress—most likely unforeseen by the parties at the time the contract was executed—should operate to defeat the intent of the parties simply because they expressed that intent in terminology which was based on the regulatory scheme then in force.[15]

Similarly, where a contract provides for escalation to "just and reasonable" rates and does not refer to agency action, we will generally conclude that all NGPA rates are contractually authorized.[16] We acknowledge that a reference to the "just and reasonable" standard is subject to differing interpretations.[17] Nevertheless, in those cases where the written agreement fails to join the reference to the "just and reasonable" standard with a reference to agency action, we think the most reasonable construction of the clause, in the absence of reliable and probative evidence of a contrary intent, is that the parties intended to permit prices to rise to the maximum rates allowed by law.[18]

However, where a contract couples a reference to administrative action with the "just and reasonable" standard of the Natural Gas Act, and there is no additional language which has the effect of uncoupling that link, we will generally conclude, absent reliable and probative evidence showing otherwise, that the parties meant to limit escalation of prices to those which are administratively established and cost-based. In these circumstances, the ambiguity inherent in the adoption of the "just and reasonable" standard is clarified by the use of terminology binding the parties to the determinations of an administrative body. We will therefore resolve that ambiguity by interpreting the area rate clause as incorporating the traditional features of regulatory practice long associated with the establishment of rates under the Natural Gas Act, namely, the use of a cost-based methodology and the opportunity for party participation afforded by an agency proceeding. Accordingly, in such cases the Commission would not find the requisite contractual authority to charge and collect NGPA rates other than the Sections 104 and 106(a) rates.[19]

Where, however, the contract contains additional language which has the effect of dissociating the bond between administrative action and the statutory standard of the Natural Gas Act, we will generally conclude that the contract authorizes collection of all NGPA rates unless reliable and probative evidence demonstrates otherwise. Such an uncoupling could occur, for example, where a reference to the Natural Gas Act or the "just and reasonable" standard is supplemented by the phrase "or successor statutory authority" or words of similar import. In this circumstance, the parties commit their contractual destiny to a change in the statutory scheme and give advance acceptance to the outcome of the legislative process.[20]

We emphasize that while the above interpretive standards constitute, in our judgment, the most reasonable constructions of ambiguous area rate clauses in the absence of other reliable indicia of intent, they are by no means the only reasonable interpretations of such clauses. Thus, for example, contractual language coupling a reference to agency action with a reference to the "just and reasonable" standard would not necessarily be inconsistent with an intent to permit collection of the highest lawful prices. When viewed in the context of the regulatory scheme in effect when the agreement was entered into, such language may well have been employed as a means of expressing an intent to allow the maximum rates permitted by law. Conversely, it would not be unreasonable to interpret a clause which refers to either administrative action or the "just and reasonable" standard without linking the two as authorizing only administratively established, cost-based rates. Accordingly, where the meaning of an ambiguous contract is clarified either by the mutually agreed upon interpretation of the parties themselves or (where the parties can not agree) by reliable and probative extrinsic evidence of the parties' intent, we will rely on those factors in determining the meaning of the clause. In short, the interpretive guidelines set forth above will be applied only where:

(1) the contract does not contain language which would constitute an

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[15] Our views on this matter are consistent with positions taken by the courts under analogous circumstances. In *City of Oglesby* v. *F.E.R.C.*, 610 F.2d 897 (D.C. Cir. 1979), the court accepted, without discussion, the contention of the petitioners that in providing for a rate change "by order of the Illinois Commerce Commission," the parties simply meant to "advert to the command of the appropriate regulatory agency." The agreements had been executed after FPC (later FERC) jurisdiction over wholesale rates had become clear, but the language used was a carryover from earlier agreements. In light of this explanation, the court had no difficulty in substituting the federal agency for the state body referred to in the contract, and then proceeded to discuss the contested issue before it, namely, whether the contract incorporated the state's regulatory procedures which arguably permit unilateral rate modifications. 610 F.2d at 903.

In Richmond Power & Light v. *F.P.C.*, 481 F.2d 490 (D.C. Cir. 1973), the court followed the same approach where the contract had been entered into prior to FPC jurisdiction over the agreement. The court accepted the FPC's position that the parties intended to be bound by an order of the appropriate regulatory agency, and stated that it had no quarrel in principle with interpreting the contract, in light of changed circumstances, to accomplish what the parties intended. 481 F.2d at 499.

It appears, therefore, that the courts will not invalidate a contractual provision merely on the basis of a transfer of regulatory jurisdiction. Accordingly, even where area rate clauses refer only to Commission or agency action, they should not be rendered inoperative solely because of the assumption by Congress of the ratemaking function.

[16] Such contracts are of the so-called "going rate" type which the FPC permitted in Section 154.93(b-1) of its regulations under the Natural Gas Act, provided that the "going rates" were controlled, were of general applicability, and satisfied certain other conditions. As we said in Order 23 (mimeo, p. 36), the NGPA maximum ceiling prices meet each of the criteria established by the FPC.

[17] As discussed at page 8 above, the parties' utilization of the "just and reasonable" standard is ambiguous; they may have intended to limit escalation to administratively established, cost-based rates. Or they may have used the phrase simply because they sought assurance that the prices collected could be passed through and because the highest legally permissible rates were required to conform to the standard of the Natural Gas Act. A different case would be presented, however, where the area rate clause refers to rates established under the Natural Gas Act. Here the parties would seem to have bound themselves to the statutory scheme, one which itself ties the "just and reasonable" standard to agency action pursuant to procedural requirements with an opportunity for judicial review. A clause which references rates under the Natural Gas Act would seem to preclude authorization of NGPA rates unless subsequent language in the contract uncouples the escalator clause from the Natural Gas Act.

[18] This view is most plainly in accord with the weight of submissions by parties to these contracts received in the Order 23 proceedings. See p. 7, *supra*. It is also worth noting here that the NGPA rates are "deemed to be just and reasonable" by the Congress and their passthrough to consumers is specifically authorized and directed unless this Commission finds that the amount paid was excessive due to fraud, abuse, or similar grounds. See Sections 601(b)(1)(A) and 601(c)(2) of the NGPA.

[19] See the discussion of Section 104 and Section 106(a) rates in Order 23, mimeo, pp. 44–46, where we said that the Section 104 prices are based upon and inextricably linked to previously prescribed FPC rates, and that this is also generally true of the Section 106 price ceilings applicable to rollovers of interstate contracts. As we there explained, these prices were determined by freezing FPC rates as of April 20, 1977 and changing the escalation factors from those established by the FPC to a method which takes inflation into account. Thus, we have cost-based rates which are adjusted to keep them in constant, real April 1977 dollars. Unless the parties in a particular case can demonstrate otherwise by reliable and probative evidence, we do not believe that the mere modification of the escalation factors had the effect of bringing Section 104 and Section 106(a) rates outside the scope of what was generally contemplated by parties who intended to restrict escalation to administratively established, cost-based rates.

[20] Likewise, if a refernce to administrative action is followed by language broad enough to encompass legislative enactments, the clause would appear to indicate that the parties did not intend to be restricted to the outcome of an agency proceeding.

explicit inclusion or exclusion of statutory rates, and in therefore ambiguous;

(2) the parties themselves are not in agreement; and

(3) reliable and probative evidence of intent is either absent or inconclusive.

It follows from the foregoing that in the third type of case enumerated above—where the parties agree but their mutual interpretation is contested by a third party—a different standard must be applied from that which pertains when the parties themselves are in disagreement. In contrast to the latter situation, where reliance on the parties' present statements of intent is necessarily precluded by their conflicting positions, we will generally presume that the mutual interpretation of the parties to a contract should be relied upon to resolve any ambiguities in the instrument. The parties to the agreement are in the best position to know what they intended. And where they agree that they contemplated the highest legally permissible rates, their statement is entitled to a presumption of validity even if the language, standing alone, lends itself to an interpretation that they envisioned administratively established, cost-based rates. Accordingly, while we consider it appropriate to afford affected third parties and their representatives the opportunity to challenge the mutual understanding of the parties to the contract, such third parties will necessarily bear a heavy burden in attempting to overcome the presumption of validity to which the interpretation of the direct parties is entitled. We conclude, therefore, that in the case of third-party protests to the collection of NGPA rates which the parties agree is contractually authorized, the Commission will find contractual authorization to collect NGPA rates unless the express terms of the contract exclude rates promulgated by statute or the protest (including any supplemental filing submitted in accordance with Rule 23–B procedures) contains reliable and probative extrinsic evidence which, if true, would specifically contradict the mutual interpretation of the parties and be dispositive of the case.[21] If the protest contains such evidence or if the express terms of the contract exclude rates promulgated by statute, the Chief ALJ or the presiding judge would establish further proceedings.[22]

We recognize that our approach may lead to differing results in different cases even where the contractual language is identical, depending on whether the dispute involves the parties themselves or third-party protests. For example, where the parties to the contract disagree and there is no reliable and probative evidence of intent, we might interpret a particular clause under the guidelines set forth above as authorizing only Section 104 and Section 106(a) rates, whereas we would find that the same clause authorizes collection of all NGPA rates where the parties agree on that interpretation unless a third party can establish by reliable and probative evidence that the parties intended otherwise.

We see nothing wrong with that. To begin with, since we are dealing with intent, some degree of variation is to be expected; it would be surprising indeed if, in light of the reasonable alternative constructions discussed above, the parties to all contracts containing the same language had an identical intent.[23] Moreover, as previously stated, the interpretative standards which we will apply in the case of disputes between the parties to the contract do not necessarily represent the only reasonable interpretations of area rate clauses; rather, the guidelines are aids to construction where other extrinsic factors are unavailable or unreliable. Where the parties are in agreement, however, their mutual interpretation should be accepted so long as the text of the clause is reasonably susceptible to that interpretation and their position is not contradicted by reliable and probative evidence.

We observe, in this regard, that the body of contract law which has evolved under our legal system was designed essentially to resolve controversies between the parties to an agreement or their successors-in-interest. When, however, the parties reach a mutual understanding, without resort to litigation, as to the proper interpretation of a contractual provision, the construction to which they have agreed is controlling. Furthermore, even where the parties eventually have a parting of the ways and litigation ensues, the courts accord great weight to prior acts or declarations of the parties which are indicative of a previous mutually agreed upon interpretation.[24] It would appear even more appropriate to follow that approach when the parties continue to be in agreement before the decisional forum, and particularly where the interpretation of the parties is consistent with that suggested by a majority of the comments submitted in the Order 23 rulemaking proceeding.[25]

V

We now turn to the application of the foregoing guidelines to the case before us. Although the Order 23 series applies by its terms to contracts, not settlement agreements, the Commission will apply analogous principles in interpreting the IOGA settlements. These settlements are multiparty rather than bilateral agreements, and the controversy we are called upon to decide involves not only a dispute between the sellers and the purchasers but also a disagreement among the purchasers themselves as to the meaning of the area rate clauses. In these circumstances, the Commission must treat the settlements as a case when the parties can not agree on the meaning of the contract.

The presiding judge concluded that neither of the area rate clauses in the two settlements[26] authorizes collection of NGPA rates. He held that the

[21] If such evidence takes the form of affidavits, they must aver specific factual circumstances which, if true, would contradict the parties' construction of the contract.

[22] Further proceedings may be appropriate even where the contractual language specifically excludes rates promulgated by statute and thus does not appear consistent with the parties' interpretation, since they may have engaged in a course of conduct subsequent to execution of the instrument which modified its original terms. See Order 23–B, mimeo, p. 11, n. 14.

[23] See *Arkansas Louisiana Gas Company* v. *Hall*, Docket No. RI76–28 (order issued May 18, 1979), where we pointed out that a uniform interpretation would seem to be impossible where the issue is the intent of the parties to a contract. *Id.* at 8 (mimeo). However, notwithstanding the possible differences in the outcomes of particular cases, the Commission has primary jurisdiction over the issue of contractual authorization to charge NGPA rates under the criteria established in *Arkansas Lousiana, supra*. First, this issue is clearly of great import to our regulatory responsibilities under the NGPA. Furthermore, it is evident from the discussion above that to the extent that the circumstances of different proceedings are similar, the Commission will apply uniform standards and procedures in deciding the question of contractual authorization to charge NGPA rates.

[24] See 4 *Williston on Contracts* § 623 (3rd ed. 1961). In *United States* v. *F.D. Rich Company*, 434 F.2d 855, 859 (9th Cir. 1970), the court, relying on a prior Ninth Circuit decision in *Pekovich* v. *Coughlin*, 258 F.2d 191 (1958), said: *Pekovich* is closely in point. There, the court held that the writing was ambiguous and that the trial judge had to construe the meaning of the writing by recourse to the facts as developed in the evidence. There, as here, the parties agreed on the meaning of the instrument in question. The court went on to say that such being the case, the contract was enforceable as interpreted by the parties themselves.

[25] As we pointed out in Order 23 (mimeo, pp. 13–14), the responsibility of the Commission to determine whether contractual authority exists for collection of NGPA rates is based upon the doctrine announced by the Supreme Court in the *Mobile* and *Sierra* cases, namely, that rate filings inconsistent with contractual obligations are invalid. Those two cases involved disputes between the parties to the applicable contracts, not third-party protests to the collection of rates which the parties agreed were contractually authorized. See *United Gas Pipeline Co.* v. *Mobile Gas Service Corp.*, 350 U.S. 332 (1950); *F.P.C.* v. *Sierra Pacific Power Co.*, 350 U.S. 348 (1950).

[26] These clauses are quoted on page 3, *supra*.

language in both clauses unambiguously refers only to administrative action as the event triggering higher rates; hence, Congressional enactment of the NGPA could not have that effect. He further ruled that since the Commission's function with respect to NGPA rates is ministerial in nature, the Commission did not "establish" those rates within the meaning of the settlement clauses. In addressing IOGA's contention that the parties intended the rate to rise to whatever level sanctioned or enacted by the federal government, the judge responded: "If this was the intent of the parties, though, it was not embodied in the unambiguous word 'order'." [27]

For the presiding judge, the test of the clauses was not only the starting point for analysis, but the end point as well. In this he erred. For the reasons expressed above, the fact that a price escalator clause speaks only of rates established by agency action does not necessarily mean that the parties intended to exclude statutory rates. The judge failed to recognize that an intent to permit escalation to the maximum lawful rates may well have been embodied in terminology that was a product of the then prevailing regulatory setting. The parties should have been provided the opportunity to make offers of proof of reliable and probative evidence of intent unless the area rate clauses were found to contain language which constitutes an explicit exclusion or inclusion of statutory rates. Since we find no such express terms in either of the applicable clauses, the proceedings will be remanded to the presiding judge for the purpose of allowing the parties to make offers of proof as to intent [28] and for such further proceedings, including a hearing, as he may consider necessary.[29]

Because this proceeding involves settlements rather than contracts, we must address the question raised by the Public Service Commission of the State of New York concerning the privileged status of settlement negotiations. In *Texas Eastern Transmission Corporation,* 48 F.P.C. 1170, 1178–9 (1972), the FPC, in upholding a claim of privilege with respect to settlement negotiations, observed that "[t]o permit a party to settlement procedures to disclose and to attempt to make use of prior positions taken or the details of the settlement process would be very prejudicial to the settlement of proceedings." We agree with the policy established by the FPC in that case. Consequently, if any of the parties which participated in the settlement negotiations in these dockets asserts such a privilege, evidence of the conduct or the statements of the parties made during the course of such negotiations will not be admitted. In that event, the presiding judge may consider only such reliable and probative evidence as would not violate the privilege.

If the presiding judge determines, upon remand, that a hearing is not warranted on the basis of the offers of proof, or if the evidence submitted at a hearing proves to be inconclusive, an initial decision shall be rendered based upon the terms of the settlement agreements in accordance with the interpretive standards adopted in this order. Upon examination of the relevant provisions of the settlements in both dockets, we find that the substantial differences between them require us to reach different conclusions as to the legal effect of each clause.

Unless demonstrated otherwise by extrinsic evidence, the area rate clause in Docket No. RI74–188 (the "old gas" settlement) appears to limit escalation to administratively established, cost-based rates. The clause speaks of the "the issuance by the Commission, or any successor governmental authority . . . of a valid order establishing a just and reasonable ceiling rate . . . ." As a threshold matter, we agree with the presiding judge that the phrase "valid order" signifies an agency determination.[30] Also, the reference to a "successor governmental authority" must be understood, in the context of this particular clause, to refer to a successor agency rather than Congress.[31] The clause also expressly joins that agency action with the "just and reasonable" standard of the Natural Gas Act, and there is no additional language which uncouples the link established in the text between administrative action and the statutory standard of the Natural Gas Act. Consequently, absent reliable and probative evidence of a contrary intent of the parties, the judge shall find that the old gas settlement clause authorizes collection of only those rates prescribed in Sections 104 and 106(a) of the NGPA.[32]

In contrast, the language in Docket No. RI75–21 (the "new gas" settlement), while not crystal clear, suggests that the parties contemplated escalation of prices to whatever levels would be permitted by law. The clause provides for higher rates upon "the issuance by the Commission, or any governmental

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[27] Initial decision at 9.

[28] Certain parties argue that further evidentiary proceedings in this case are unnecessary because, if probative evidence of intent existed, it would have been offered by now. This may be true, and if it is, the presiding judge should be able to bring this matter to an expeditious conclusion. But we must take cognizance of the fact that the chief administrative law judge at the outset ruled out an evidentiary hearing because he determined that this case presented only legal issues, and he stated only that Consolidated was "not estopped" from submitting evidence in written form. See page 4, *supra.* On this record, we can not be satisfied that the parties were not dissuaded by the Chief ALJ's procedural orders from availing themselves of the opportunity to present such reliable and probative evidence as they believe way shed light on the intent of the parties. We therefore now provide that opportunity.

[29] We are proceeding in this case, as did the presiding judge, on the assumption that the settlement agreements are the controlling legal instruments with respect to the issue of contractual authorization to collect statutory rates. See initial decision at 6. Carnegie contends, however, that because its contracts with the IOGA producers specifically preclude superseding rates, our construction of the area rate clauses in the settlements would not be applicable to Carnegie in any event. IOGA, on the other hand, regards the settlements to have superseded and modified the applicable contracts. IOGA relies on the provisions in the settlements which required the purchasers to offer to modify all existing contracts so that they would be consistent with the terms of the settlements. The agreement in Docket No. RI75–21 also required all future contracts relating to wells commenced on or after January 1, 1976 to be consistent with the settlement provisions. Since neither Carnegie nor IOGA has explained why the Carnegie contracts apparently did not conform to the area rate clauses in the settlement agreements, Carnegie's assertion should be addressed by the presiding judge on remand.

In those cases where the pipelines and producers did modify their contracts in accordance with the settlements, the texts of the contractual provisions, if not ambiguous, may help to clarify the meaning attached by the parties to the area rate clauses in the settlement agreements. See our discussion at page 18 above concerning the significance accorded to the parties' interpretation of an ambiguous agreement.

[30] We note, however, that one of the grounds for the judge's conclusion—his reliance on the definition of "order" in the Administrative Procedure Act—was erroneous. Since the APA definition (5 U.S.C. § 551(b)) specifically excludes rulemaking, the judge's construction would compel the conclusion that the clause would not be triggered by the establishment of new area or nationwide rates in rulemaking proceedings. Such a result would, in our view, be contrary to the intent of the parties. Indeed, the FPC held in 1977 that the area rate clause in Docket No. RI75–21 authorized collection of the rates established in Opinion No. 770, which, while denominated an order, was the culmination of a rulemaking proceeding. See note 2, *supra.* There is no reason to believe that the result would have been any different if the clause in Docket No. RI75–21 had referred only to "order" rather than to "order, decision, or policy." Therefore, the term "order," as used in Commission practice, is not necessarily restricted to the APA definition.

[31] In Order 23 (mimeo, p. 44, n. 42), we withdrew our previous assertion that Congress could not be considered a "successor" under a "plain meaning" construction of a contract. But that does not mean that "successor" must always be read to include Congress. The term must be interpreted *in the context of the clause as a whole.*

[32] The judge rejected the argument of Consolidated and the staff that the Section 104 inflation adjustment was authorized by the old gas settlement. He stated that "[t]here is no difference between Section 104 and any other section of Title I [of the NGPA], they are all rate provisions established by Congress, not the FERC." Initial decision at 10. We conclude otherwise. See note 19, *supra.*

authority * * * of an order, decision or policy establishing a rate or rates. * * *" Thus, the clause omits the term "successor," expands "order" to include "decision or policy," and contains no reference to the Natural Gas Act or the statutory standard of that Act. Taken together, these factors point toward an intent to allow prices to rise to the highest legally permissible rates. In this connection, we are unable to accept the conclusion of the presiding judge that "issuance of policy" cannot constitute a reference to Congressional action. Indeed, we find that conclusion rather strained. We believe that that phrase is sufficiently broad to encompass a legislative enactment,[33] and that, when read in conjunction with the omission of "successor" [34] and of any reference to a standard for establishing rates, the clause in its totality manifests an intent to authorize collection of statutory rates. Accordingly, the presiding judge shall so conclude unless the parties can establish a contrary intent by reliable and probative evidence.

In its brief opposing exceptions, the Public Service Commission of the State of New York (PSCNY) emphasizes that both settlement agreements provide that in the event of deregulation, redeterminations of prices will be based on a cost-based formula. PSCNY appears to suggest, as previously argued by Equitable,[35] that if the producers were willing to accept rates derived through a cost-based formula in the event of total deregulation, they would not have contemplated receiving higher, non-cost-based statutory rates if Congress were to prescribe such rates rather than deregulate.

We do not believe that the deregulation clauses are, on their face, dispositive of the question of the parties' intent with respect to the area rate clauses. For one thing, the area rate clauses contain the introductory language "Notwithstanding anything to the contrary in this settlement proposal. * * *" Furthermore, it is possible that the parties regarded a cost-based formula as the only feasible means of restricting price escalations to a reasonable level in an environment of complete deregulation, but that they were fully prepared to accept a different and higher limit imposed by Congress. However, the argument raised by PSCNY and Equitable merits further inquiry, and the parties should have the opportunity to submit reliable and probative evidence bearing on the issue of whether and to what extent the intent of the parties in adopting a cost-based approach in the deregulation clauses bears any relationship to their intent in regard to the area rate clauses. Accordingly, the parties may, on remand, make appropriate offers of proof on that question.

VI

Another issue which must be resolved in this proceeding is the date from which NGPA prices may be collected. There is a dispute between Consolidated, on the one hand, and IOGA and the staff, on the other, as to whether the producers are entitled, pursuant to the applicable settlement agreements, to collect NGPA rates on a retroactive basis where they have elected not to follow the Commission's procedures for making interim collections subject to refund.

The presiding judge ruled that this issue was moot in light of his conclusion that the settlement agreements do not authorize the collection of NGPA rates. Inasmuch as the Commission's holdings in this order remove the mootness, we will remand the issue to the presiding judge.[36]

VII

We have also been asked to determine whether certain alleged actions of Equitable Gas Company in resisting payment of the higher NGPA rates constituted violations of the Natural Gas Act. This matter arose as a result of an Emergency Petition for Declaratory Order, filed on July 6, 1979, in which IOGA made certain charges against Equitable and requested appropriate findings and relief from the Commission. Specifically, Equitable sent a letter to IOGA members in June 1979 threatening to exercise its contractual rights to refuse to purchase gas from them for the period July 9 to November 1 unless they waived their right to collect NGPA prices during this period.[37] IOGA sought a ruling that Equitable could not compel such a waiver; a finding that the shut-ins of wells as a result of Equitable's letter constituted a *de facto* abandonment of service by Equitable in violation of Section 7(b) of the Natural Gas Act; and a finding that Equitable's contract with IOGA members permitting curtailment of deliveries during a six-month period is unjust and unreasonable under Sections 4 and 5 of the Natural Gas Act. The Chief ALJ consolidated for decision IOGA's emergency petition with the instant proceeding.

The presiding judge's rulings on the emergency petition were based primarily on his conclusion that the IOGA producers were not contractually entitled to NGPA rates. Thus, he held that the waiver issued is moot, and that Equitable would not cause any shut-ins or curtail purchases if, as he had concluded, the producers were limited to existing gas prices.

The staff, however, urges that because the judge's decision on NGPA rates was erroneous, these issues are not moot. The staff also contends that the judge ignored the uncontested fact that ten producers had shut in their wells as a result of Equitable's letter.[38] The staff further believes that Equitable's conduct was violative of the Natural Gas Act even if the Commission ultimately determines that NGPA rates are not authorized by the settlements. IOGA also claims that a hearing is required on the petition regardless of the outcome of the contract dispute.

[33] The Supreme Court has stated that "[t]he essentials of the legislative function are the determination of the legislative policy and its formulation as a rule of conduct." *Opp Cotton Mills, Inc. v. Administrator*, 312 U.S. 126, 145 (1941). We do not here hold that "issuance of policy" constitutes an unambiguous reference to the legislative process. If that were so, there would be no need for a remand. We simply reject the notion that the phrase must be construed as a reference to agency action alone.

[34] The judge recognized that it was necessary to reconcile the elimination of "successor" with his conclusion that only agency action was covered. He resolved the problem by accepting the suggestion of the Public Service Commission of the State of New York that "[m]ore likely than not, * * * the word was eliminated in recognition of the possibility that state agencies or federal agencies, while not being successors to the FPC, might at some future point have regulatory jurisdiction." Initial decision at 16. This explanation, apart from its speculative character, is not persuasive on its face. It would require us to conclude, without supporting evidence, that the parties in fact contemplated the possibility of significant legislative action (since only through legislation could the FPC's jurisdiction have been eliminated or transferred to a non-successor agency) and were prepared to tie their destiny to the determination of an agency whose identity, procedures, and ratemaking methodology were unknown, but that they nevertheless declined to be bound by direct Congressional ratemaking. If that was indeed what the parties intended, they will have an opportunity to so demonstrate by reliable and probative evidence.

[35] See Equitable's motion for expedited decision, filed May 8, 1979, pp. 1–2.

[36] On February 12, 1980, IOGA filed a motion for severance and expedition in which it states, among other things, that Equitable and Carnegie are not permitting IOGA producers to make interim collections of NGPA prices pursuant to the Commission's regulations, and requests the Commission to resolve the controversy. Although IOGA does not refer to a previous pleading in which it raised this issue, it would be appropriate, in the interest of administrative efficiency, for the presiding judge to permit the parties to file pleadings on this matter and to address it in his initial decision together with the retroactive collection question. Accordingly, we will consolidate the interim collection issue with the instant proceeding and refer it to the judge for initial decision.

[37] Equitable's contract requires it to take gas during the summer months only "if and as needed".

[38] Equitable states in its answer to the brief on exceptions that after the initial decision was issued, Equitable advised the ten producers to resume production.

Equitable vigorously defends its actions on the grounds that it was in an oversupply situation and wished to prevent its customers from paying more than legally required. It also disputes certain factual allegations made by the staff, including the suggestion that Equitable might be paying other producers higher prices than the IOGA members would have received if they had been entitled to NGPA rates, and the charge that the shut-ins may result in the permanent loss of natural gas.

Since it appears that resolution of the matters raised in the emergency petition would not necessarily depend upon our conclusions with respect to the interpretation of the area rate clauses, and in light of the existence of disputed issues of fact in regard to the petition, the emergency petition will be remanded to the presiding judge for a hearing.

VIII

On June 26, 1979, IOGA filed a petition for declaratory order raising the question of whether the price escalator clause in the Docket No. RI75–21 settlement agreement, as interpreted by the Commission in this proceeding, is applicable to *future* gas purchase contracts between the four pipelines and the IOGA producers. This is a different issue from the one discussed above. We have previously dealt with the question of whether the area rate clause should be interpreted as authorizing collection of NGPA rates. The instant petition, however, requests the Commission to determine whether, if the clause does authorize NGPA rates, all new contracts must require the pipelines to pay the statutory rates rather than such lower prices as the parties may establish through negotiation.

IOGA asserts that certain of the pipelines have offered contracts to IOGA producers which provide for rates lower than the maximum ceiling prices prescribed in the NGPA, and that some producers may be compelled to accept those contracts unless the Commission issues a declaratory order stating that the area rate clause must continue to govern future contractual relationships.[39] IOGA, in contending that the settlement mandates adoption of statutory rates in future contracts, relies on paragraph 7 of the settlement agreement, which states in part:

Whether or not now in existence, Contracts in respect of wells first commencing jurisdictional sales on or after January 1, 1976, shall contain provisions consistent with the provisions hereof and shall specify a price at least equal to the higher of the Adjusted Prices, as theretofore increased, pursuant to Paragraph 3 hereof.

IOGA further states that the settlement was intended to provide some measure of protection to producers whose bargaining power is neglible vis-a-vis the interstate pipelines in West Virginia, and that in the absence of deregulation, the pipelines should adhere to their bargain and purchase gas at the applicable NGPA ceiling rate.

Consolidated and Columbia have filed responses opposing IOGA's petition.[40] Consolidated argues that as a matter of contract law, an agreement which does not expressly limit the time for continued performance is construed to extend for a reasonable time only. Accordingly, Consolidated asserts that the future contract provision in paragraph 7 of the settlement agreement should be interpreted to require price escalator clauses in future contracts only for a commercially reasonable time. In this regard, Consolidated believes that the incentives for production embodied in the NGPA have significantly diminished the need for perpetual extension of the future contracts provision in paragraph 7 of the settlement.

Columbia contends that the settlement agreement should be interpreted as having expired as to new gas purchases on the effective date of the NGPA. It claims that area rate clauses were necessary under the regulatory system in effect under the Natural Gas Act but that they are now inconsistent with the objectives of the NGPA and with the public interest. Specifically, Columbia argues that under the Natural Gas Act, producers would not have been entitled under their contracts, absent an escalator clause, to collect new area or nationwide rates established by the Commission despite justification under the Natural Gas Act for such new rates. However, Columbia says, the NGPA generally removed pricing authority from the Commission and was intended to permit competitive forces to determine pricing decisions, subject to the ceilings prescribed in the statute.

Columbia also requests that the Commission, if it concludes that the settlement must be interpreted as IOGA suggests, reopen the proceeding and terminate the settlement prospectively as to new gas purchases.

By order dated July 26, 1979, the Chief ALJ denied Consolidated's request that IOGA's June 26 petition be consolidated for decision with this proceeding, in part because the petition had not been noticed or docketed and was therefore not properly before him. Hence, the initial decision did not discuss the issues raised in that petition. The staff, in its brief on exceptions, renews the request for consolidation. We agree that the issues involved in the petition are sufficiently related to the other questions in this case to warrant consolidation, and we will so order. We will also refer IOGA's petition to the presiding judge for initial decision. The judge will be authorized to establish such procedures (including a hearing, if he determines that there are disputed material issues of fact) as may be necessary to resolve the issues raised in the petition and related pleadings.

It is essential, however, that the proceedings involving IOGA's petitions for declaratory orders not delay the resolution of the issues of whether there is contractual authorization to collect NGPA rates and, if so, whether such rates may be collected on an interim or retroactive basis. Hence, the presiding judge shall issue a decision on those issues as soon as practicable, whether or not the proceedings with respect to IOGA's petitions have been completed.[41]

The Commission orders

(A) The initial decision of the presiding judge is reversed and the proceeding is remanded to the presiding judge for further proceedings in accordance with the directions provided in the body of this order.

(B) The Petition for Declaratory Order With Respect to Pricing Provisions in New Gas Purchase Contracts, filed by IOGA on June 26, 1979, is consolidated for decision with this proceeding and is referred to the presiding judge for initial decision.

(C) The issue of interim collections raised by IOGA in its motion of February 12, 1980 is consolidated for decision with this proceeding and is referred to the presiding judge for initial decision.

[39] IOGA also requests that the Commission declare unenforceable any provisions in new contracts to which producers may have felt compelled to assent which are inconsistent with the area rate clause in the settlement agreement, as interpreted by the Commission.

[40] As stated above, both of these pipelines agree with IOGA that the area rate clause in the new gas settlement authorizes collection of NGPA rates.

[41] IOGA has moved for the opportunity to present oral argument before the Commission on the issues in this proceeding. It does not appear that further elaboration of the views expressed by the parties in their respective briefs is necessary in this case. Accordingly, IOGA's motion will be denied.

(D) Pursuant to the authority of the Natural Gas Act, particularly Sections 4, 5, 7, 8, 15, and 16, and the Commission's rules and regulations, a hearing shall be held in this proceeding on the issues raised in the Emergency Petition for Declaratory Order filed by IOGA on July 6, 1979, and, if the presiding judge determines it is necessary, on the issues raised in the petition referred to in paragraph (B) above and on any other issues which must be resolved in this proceeding.

(E) The presiding judge shall convene a conference as soon as practicable for the purpose of establishing procedures for this proceeding. The presiding judge shall be authorized to establish and modify all procedural dates, to consider and rule upon pertinent offers of proof and stipulations of facts, and to establish such further procedures as may in his judgment be required for purposes of this proceeding.

(F) Ashland Oil, Inc., Texas Independent Producers and Royalty Owners Association, Cities of Charlottesville and Richmond, Virginia, Four Corners Gas Producers Association, Mesa Petroleum Company, Tenneco Oil Company, Pennzoil Company, Pennzoil Producing Company, Pennzoil Oil and Gas, Inc., and Pennzoil Louisiana and Texas Offshore, Inc. are permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *provided, however,* that the participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in their petitions to intervene; and *provided, further,* that the admission of said intervenors shall not be construed as recognition by the Commission that they may be aggrieved because of any orders of the Commission entered in this proceeding.

(G) The motion of Ashland Oil, Inc. for leave to file its brief out of time is granted.

(H) IOGA's motion for oral argument is denied.

(I) The Secretary shall cause prompt publication of this order to be made in the **Federal Register.**

By the Commission. Commissioner Holden, concurring in part and dissenting in part, will have a separate statement which will be forthcoming.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-7966 Filed 3-13-80; 8:45 am]

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[Docket No. ER80-181]

Northern States Power Co. (Wisconsin); Order Accepting for Filing and Suspending Proposed Rate Changes, Summarily Disposing of an Issue, Granting Interventions and Establishing Procedures

Issued: March 7, 1980.

Before Commissioners: Charles B. Curtis, Chairman; Georgiana Sheldon, and George R. Hall.

On January 11, 1980, Northern States Power Company of Wisconsin (NSP) tendered for filing a revised schedule to contracts with eleven municipal full-requirements customers located in Wisconsin.[1] The proposed changes would increase revenues from jurisdictional sales by approximately $895,000 annually (13.3%), based upon estimates for the twelve-month test period ending December 31, 1980. NSP requests an effective date of March 11, 1980.

Public notice of the filing was issued on January 15, 1980, with all response due by February 6, 1980. On February 6, 1980, five municipals [2] filed a petition to intervene and request for maximum suspension alleging that the proposed increase includes amortization of costs incurred due to cancellation of the Tyrone nuclear plant even though consideration of those costs is before this Commission in another proceeding [3] and that NSP's filing in this docket imposes a time-of-day energy charge which may have a substantial impact on some of the intervenors. The municipals also allege that the proposed increase will yield a return from wholesale service of 9.58 per cent in Period II while the estimated return from all other electric service in Period II is 7.18 per cent, thereby suggesting that price squeeze may result. On February 6, 1980, the Public Service Commission of Wisconsin filed a notice of intervention. On February 20, 1980, NSP submitted an answer to the municipals' petition to intervene.

NSP's proposal includes a new rate for partial requirements service. At the present time, there are no customers taking service under the rate. However, NSP states that it is currently negotiating the possibility of partial requirements service with the Cities of Barron and Black River Falls.[4] NSP did not submit a separate cost of service study for partial requirements service, stating that the partial requirements rate is based on the same costs that are represented in the full requirements service rate. NSP contends that such costs are an appropriate basis for the partial requirements rate because of certain load contract features of the rate designed to make partial requirements customers exhibit the same load characteristics as service to full requirements customers.

Under the holding of Opinion No. 19,[5] contributions to the Liquid Metal Fast Breeder Reactor (LMFBR) may not be allocated to wholesale customers' costs of service. Based on that holding, we have held that the exclusion the LMFBR payments from the wholesale cost of service is properly a matter for summary disposition.[6] Accordingly, we shall summarily dispose of this issue by directing NSP to exclude contributions to the LMFBR from its cost of service. However, because the portion of NSP's alleged revenue requirement associated with this summary issue is nominal, we shall not require refiling of rates conforming to our summary disposition pending the resolution of this case.

In a recent case [7] we decided that newly docketed rate proceedings in which a price squeeze issue is raised, should be phased so that a decision first may be reached on cost of service, capitalization, and rate of return issues. If the price squeeze persists in the view of the alleging party, a second phase of the proceeding may follow on this issue. We shall phase the price squeeze allegation raised by the municipals in accordance with our *Arkansas* order. We find no compelling reason at this time to deviate from the procedure set out in that order.

The amount of extraordinary property loss which NSP seeks to amortize in Docket No. ER79-616 is apparently included in the increase in the current docket. The hearing in Docket No. ER79-616 was established to determine: (1) Whether the amortization is proper; (2) Whether the NSP-Minn/NSP-Wis Coordination Agreement affords a reasonable method of allocating amortization; and (3) Whether the length

[1] *See* Attachment A for rate schedule designations.

[2] The five municipals are Bloomer, New Richmond, Whitehall, Westby and Black River Falls, Wisconsin.

[3] *See Northern States Power Company,* Docket No. ER79-616, order issued October 22, 1979.

[4] The present Electric Service Agreement between NSP and Black River Falls expires February 27, 1982. NSP does not presently serve Barron.

[5] *Carolina Power & Light Company,* Docket No. ER76-495 (Phase II), issued August 2, 1978.

[6] *Connecticut Power & Light Company,* Docket No. ER78-517, Order on Rehearing issued November 22, 1978; *Arkansas-Missouri Power Company,* Docket No. ER78-489, Order issued October 12, 1978.

[7] *Arkansas Power and Light Company,* Docket No. ER79-339, order issued August 6, 1979.

of the amortization period is appropriate. The filing in the instant docket should, therefore, be subject to the outcome of the proceedings in Docket No. ER79–616 as to those issues, and they will not be relitigated in this proceeding.

Our review indicates that the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful. We shall therefore accept NSP's submittal for filing and suspend the proposed rates for two months, to become effective May 11, 1980, subject to refund after hearing and decision thereon. The participation of the municipals listed in n.2, *supra* may be in the public interest and their petition to intervene will be granted.

The Commission orders: (A) The full-requirements rates proposed by the Northern States Power Company of Wisconsin are hereby accepted for filing and suspended for two months, to become effective May 11, 1980, subject to refund. The proposed partial-requirements rates are hereby accepted for filing and suspended for one day, to become effective on March 12, 1980, subject to refund. NSP is directed to file service agreements for any customer subsequently electing to take partial-requirements service under NSP's proposed rates, pursuant to section 35.3a of the Commission's regulations.

(B) Summary disposition is hereby ordered regarding NSP's inclusion of contributions to LMFBR as a component of its cost of service.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Section 402(a) of the Department of Energy Organization Act and the Federal Power Act, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act (18 CFR, Chapter I), a public hearing shall be held concerning the rates proposed in this docket.

(D) We hereby order initiation of price squeeze procedures and further order that this proceeding be phased so that the price squeeze procedures begin after issuance of a Commission opinion establishing the rate which, but for a consideration of price squeeze, would be just and reasonable. The presiding judge may order a change in this schedule for good cause. The price squeeze portion of this case shall be governed by the procedures set forth in section 2.17 of the Commission's regulations as they may be modified prior to the initiation of the price squeeze phase of this proceeding.

(E) Staff shall serve top sheets in this proceeding on or before June 11, 1980.

(F) The petitions of the municipal customers to intervene are granted subject to the rules and regulations of the Commission; *Provided, however,* that participation by the intervenors shall be limited to matters set forth in their petition to intervene; and *Provided, further,* that the admission of any intervenor shall not be aggrieved because of any order or orders by the Commission entered in this proceeding.

(G) A presiding administrative law judge to be designated by the Chief Administrative Law Judge for that purpose shall convene a conference in this proceeding to be held within ten (10) days of the service of top sheets in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. The designated law judge is authorized to establish procedural dates and to rule on all motions (except motions to consolidate or sever and motions to dismiss), as provided for in the Commission's Rules of Practice and Procedure.

(H) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80–7967 Filed 3–13–80; 8:45 am]

BILLING CODE 6450–85–M

[Docket Nos. ER80–65]

Southern Company Services, Inc.; Order Accepting for Filing and Suspending the Proposed Rates, Granting Waiver of Notice Requirements and Certain Filing Requirements, Granting Intervention, and Establishing Procedures

Issued: March 7, 1980.

Before Commissioners: Charles B. Curtis, Chairman; Georgiana Sheldon, Matthew Holden, Jr., and George R. Hall.

On January 8, 1980, Southern Company Services, Inc. (SCSI) completed its tender of filing [1] on behalf of Alabama Power Company, Georgia Power Company, Gulf Power Company, and Mississippi Power Company (operating companies) of a revised interchange contract [2] which provides for the interchange of capacity and energy between the operating companies and the calculation of capacity and energy charges. The operating companies and SCSI are subsidiaries of the Southern Company and are all parties to the revised interchange contract. SCSI requests waiver of the notice requirements of Section 35.3 of the Regulation and waiver of the Statement A–P filing requirements. SCSI also requests an effective date of January 1, 1980.

Previously, the interchange contract was amended annually to reflect anticipated load and capacity conditions for the subsequent calendar year. The annual amendments were filed as changes in rates under Section 205 of the Federal Power Act. SCSI states that, because the operating companies incurred considerable regulatory expenses associated with the annual filing of amendments to the interchange contract, the operating companies instituted a cost of service formula (formulary rate) which allows for a periodic recalculation of capacity and energy charges.

A manual has been filed as a supplement to the revised interchange contract which contains a description of the methodology and procedure used to calculate the capacity and energy charges. In addition, the revised interchange contract includes an informational schedule which reflects the charges derived from the application of the formulary rate. The capacity charges, which previously were based upon the embedded costs of all generating facilities (including step-up transformers) will now reflect only the cost of fossil steam and combustion turbine generating units.

The operating companies contemplate that the capacity and energy charges will be revised each year pursuant to the procedures contained in the manual. However, the operating companies believe that those revisions will not be changes in rates which would require a filing and suspension under the Federal Power Act.

Notice of this filing was issued on November 6, 1979, with comments, protests, and petitions to intervene due on or before November 27, 1979. Petitions to intervene were filed by Oglethorpe Power Corporation [3] and the Municipal Electric Authority of Georgia (MEAG).[4] On November 28, 1979, SCSI

[1] Although the filing was originally submitted on November 1, 1979, it was not completed until the January 8, 1980 submittal of addition information requested by Staff.

[2] *See,* Appendix A for rate schedule designations.

[3] Oglethorpe, an electric membership corporation consisting of 39 electric corporations operating in the State of Georgia, purchases a portion of its electric requirements from Georgia Power Company.

[4] MEAG, consisting of 46 Georgia municipalities and the Crisp County Power Commission, receives a portion of its electric requirements through a joint operation of generating facilities with Georgia Power Company and purchases a portion of its requirements under Georgia Power Company's partial requirements tariff.

filed a response to the petitions to intervene.

Both Oglethorpe and MEAG request a one day suspension, investigation, a hearing and any other relief deemed appropriate by this commission. In support of its petition, Oglethorpe states that most of the power it provides to its members is presently purchased from Georgia Power Company pursuant to a partial requirement tariff on file with this Commission. Oglethorpe further states that, if there is no annual § 205 review of the formulary rate contained in the revised interchange contract, the revised interchange contract could have an adverse effect upon Oglethorpe through the partial requirements rates of Georgia Power Company. Oglethorpe maintains that the criteria used to establish the capacity requirments under the revised interchange contract is not consistent with the manner in which the system is engineered and operated. According to Oglethorpe, this inconsistency results in an inequitable capacity responsibility between the operating companies which adversely effects Oglethorpe as a partial requirements customer of Georgia Power Company.

In its petition to intervene, MEAG states that a preliminary analysis of the initial filing reveals that the revised interchange contract may include *per se* unlawful provisions and procedures. Specifically, MEAG asserts that the formulary ratemaking approach contained in the manual violates the "filed rate" doctrine [5] inasmuch as the formulary rate would automatically permit future increases in pool transaction rates and charges without satisfying the basic filing requirements of Section 205 of the Federal Power Act. MEAG also contends that the revised interchange contract does not provide for an after-the-fact accounting to reconcile the projected assumptions found in the revised contract. According to MEAG, the failure to provide for and guarantee an actual after-the-fact accounting procedure may be unlawful and unreasonable since the formulary ratemaking approach is based wholly on projected estimates.

Discussion

We shall grant waiver of the Commission's notice requirements to allow service to begin under the revised interchange contracts as of January 1, 1980. Further, waiver of statement A–P requirements shall be granted inasmuch as statements A–P have limited application to the interchange transactions and pricing mechanisms contemplated by the instant filing.

The revised interchange contract filed on January 8, 1980 has not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. Accordingly, we shall suspend that filing for one day, to become effective as of January 1, 1980, subject to refund. Any subsequent revision to the charges in accordance with the suspended formulary rate shall be filed by SCSI as a change in rate 60 days before its proposed effective date. However, we shall waive the full filing requirements of Section 35.13 of the regulations as to subsequent revisions on condition that any rate increase shall be collected subject to refund pending the outcome of the hearing ordered below.

We believe a hearing concerning the justness and reasonableness of the capacity and energy rate levels proposed in the revised interchange contract as well as the justness and reasonableness of the formulary method for determining the capacity and energy rate levels in the future is appropriate.

We also note that similar formulary rates have been recently set for investigation and hearing.[6] Because of that fact, we have consolidated this proceeding with Docket Nos. ER80–160 and ER80–58.[7] Participation of Oglethorpe and MEAG in this proceeding may be in the public interest.

The Commission orders: (A) We hereby grant waiver of the 120 day notice requirement set out in § 35.3 of the Commission's Regulations.

(B) Waiver of the Statement A–P filings requirements of § 35.13 of the Commission's Regulations is granted.

(C) The operating companies' revised interchange contract is hereby accepted for filing and suspended for one day, to become effective as of January 1, 1980, subject to refund.

(D) Oglethorpe and MEAG are hereby permitted to intervene in this proceeding subject to the Rules and Regulations of the Commission: *provided, however,* that participation by such intervenors shall be limited to the matters set forth in their petitions to intervene; and *provided, further,* that the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(E) This proceeding is hereby consolidated with Docket No. ER80–58 and ER80–160 for purposes of hearing and decision.

(F) We hereby grant waiver of our Section 35.13 filing requirements for future rate changes made in accordance with the formula filed herein on the condition that SCSI agree to collect any increases in the rate under the formula subject to refund pending the outcome of this proceeding. SCSI shall file these rate changes with the Commission 60 days before their proposed effective dates.

(G) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80–7968 Filed 3–13–80; 8:45 am]

BILLING CODE 6450–85–M

[Docket Nos. CP74–138, CP74–139, CP74–140]

Trunkline LNG Co. and Trunkline Gas Co.; Extension of time

March 3, 1980.

On February 26, 1980, Truckline LNG Company and Trunkline Gas Company filed a request for an extension of time to commence initial service at their LNG terminal facilities at Lake Charles, Louisiana, pursuant to Ordering Paragraph (N) of Commission Opinion No. 796, issued April 29, 1977, in the above-docketed proceeding. This motion is a supplement to a previous extension request which was filed with the Commission on August 31, 1979. In their original motion, the companies stated that additional time was needed because of unanticipated construction delays. The February 26, 1980, motion states that on February 15, 1980, Trunkline LNG Company filed its semi-annual report with the Commission which indicated that the terminal facilities would be ready for deliveries in April 1981.

Upon consideration, notice is hereby given that an extension is granted to and including July 1, 1981, for the commencement of initial service as

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[5] In essence, the "filed rate" doctrine stands for the proposition that a public utility can claim no rate as a legal right that is other than the filed rate. *Montana-Dakota Utilities Co.* v. *Northwestern Public Service Co.*, 341 U.S. 246 (1951). *See also, Maine Public Service Company* v. *FPC*, 579 F.2d 659 (1st Cir. 1978); *City of Cleveland* v. *FPC*, 525 F.2d 845 (D.C. Cir. 1976); *Cities Service Gas Co.* v. *FPC*, 424 F.2d 411 (10th Cir. 1969), cert. dismissed, 400 U.S. 801 (1971).

[6] *Southern Company Services, Inc.*, Docket No. ER80–58, order issued February 12, 1980; *Southern Company Services, Inc.*, Docket No. ER80–160, order issued February 29, 1980.

[7] *See, Southern Company Service, Inc.*, Docket No. ER80–160, order issued February 29, 1980.

required by Ordering Paragraph (N) of Opinion No. 796.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-7969 Filed 3-13-80; 8:45 am]

BILLING CODE 6450-85-M

Office of the Special Counsel for Compliance

Proposed Order of Disallowance to Continental Oil Co.

AGENCY: Department of Energy (DOE).

ACTION: Notice of Proposed Order of Disallowance and Opportunity for Aggrieved Persons to Object.

SUMMARY: The Office of Special Counsel for Compliance of the Department of Energy (OSC) hereby gives the notice required by 10 CFR 205.199(h) and 205.192 that it has issued a proposed Order of Disallowance to Continental Oil Company and that any aggrieved person may file a Notice of Objection to the Proposed Order of Disallowance in accordance with 10 CFR § 205.193 on or before March 31, 1980.

The Proposed Order of Disallowance

Continental Oil Company (Conoco), which is headquartered at High Ridge Park, Stamford, Connecticut 06904, is a refiner subject to the allowable cost passthrough calculations and transfer pricing rules of 10 CFR 212.83 and 212.84. These regulations are used to determine, among other things, the proper measurement of costs of crude oil imported by a firm through its foreign affiliates.

In April 1977, the Federal Energy Administration (FEA) issued a Notice of Proposed Disallowance to Conoco alleging that the firm had overstated its costs with respect to interaffiliate imported Libyan, Venezuelan and Iranian crude oil transactions by approximately $2 million for the period October 1973 through May 1975.

In December 1977, the Office of Special Counsel for Compliance was created within the Department of Energy. In February 1978, the responsibility for the transfer pricing program was transferred from the Office of Enforcement, Economic Regulatory Administration, to the OSC. In subsequent meetings and correspondence between the OSC and Conoco, the amount was adjusted to approximately $4.1 million in recognition of misreported information and certain amendments to the maximum and representative process as announced in 43 FR 34186 (August 3, 1978). The Proposed Order requires Conoco to reduce its costs for the period October 1973 through May 1975 by $4,153,114.90, and to determine whether its prices for petroleum products were excessive as a result.

Submission of Objection

Aggrieved persons may object to this Proposed Order of Disallowance by filing a "Notice of Objection to the Proposed Continental Oil Company Order of Disallowance." The Notice must comply with the requirements of 10 CFR 205.193. To be considered, a Notice of Objection must be filed with: Office of Hearings and Appeals, Department of Energy, 2000 M Street, N.W., Room 8014 Washington, D.C. 20461

The Notice must be filed, in duplicate, by 4:30 p.m. edt on or before March 31, 1980, or the first federal workday thereafter if the fifteenth day falls on a weekend or holiday. In addition, a copy of the Notice of Objection must, on the same day as filing, be served on Conoco and on each of the following persons, pursuant to 10 CFR 205.193(c):

Leslie Wm. Adams, Associate Solicitor to the Special Counsel for Compliance, Department of Energy, 12th and Pennsylvania Ave., N.W., Washington, D.C. 20461.

Assistant General Counsel for Administrative Litigation, Department of Energy, Washington, D.C. 20461.

No data or information which is confidential shall be included in any Notice of Objection.

Copies of Proposed Order

Copies of the Proposed Order of Disallowance to Conoco, with confidential information deleted, may be received, free of charge, by written or oral request to: Leslie Wm. Adams, Associate Solicitor to the Special Counsel for Compliance, Department of Energy, 12th and Pennsylvania Ave., N.W., Room 3109, Washington, D.C. 20461, Telephone 202-633-8288.

Copies of the Proposed Order of Disallowance may also be obtained from: Freedom of Information Reading Room, Forrestal Building, Room GA-152, 1000 Independence Avenue, Washington, D.C., 20585.

Issued in Washington, D.C. this 20th Day of February 1980.

Paul L. Bloom,

Special Counsel for Compliance.

[FR Doc. 80-8013 Filed 3-13-80; 8:45 am]

BILLING CODE 6450-01-M

Proposed Order of Disallowance to Mobil Oil Corp.

AGENCY: Department of Energy (DOE).

ACTION: Notice of Proposed Order of Disallowance and Opportunity for Aggrieved Persons to Object.

SUMMARY: The Office of Special Counsel for Compliance of the Department of Energy (OSC) hereby gives the notice requred by 10 CFR 205.199(h) and 205.192 that it has issued a Proposed Order of Disallowance to Mobil Oil Corporation and that any aggrieved person may file a Notice of Objection to the Proposed Order of Disallowance in accordance with 10 CFR 205.193 on or before March 31, 1980.

The Proposed Order of Disallowance

Mobil Oil Corporation (Mobil), which is headquartered at 150 East 42nd Street, New York, New York 10017, is a refiner subject to the allowable cost passthrough calculations and transfer pricing rules of 10 CFR 212.83 and 212.84. These regulations are used to determine, among other things, the proper measurement of costs of crude oil imported by a firm through its foreign affiliates.

In April 1977, the Federal Energy Administration (FEA) issued a Notice of Proposed Disallowance to Mobil alleging that the firm had overstated its costs with respect to interaffiliate imported Libyan, Venezuelan and Nigerian crude oil transactions by approximately $11.5 million for the period October 1973 through May 1975.

In December 1977, the Office of Special Counsel for Compliance was created within the Department of Energy. In February 1978, the responsibility for the transfer pricing program was transferred from the Office of Enforcement, Economic Regulatory Administration, to the OSC. In subsequent meetings and correspondence between the OSC and Mobil, the amount was adjusted to approximately $14 million in recognition of certain amendments to the maximum and representative prices as announced in 43 FR 34186 (August 3, 1978). The Proposed Order requires Mobil to reduce its costs for the period October 1973 through May 1975 by $14,085,005.61, and to determine whether its prices for petroleum products were excessive as a result.

Submission of Objection

Aggrieved persons may object to this Proposed Order of Disallowance by filing a "Notice of Objection to the Proposed Mobil Oil Corporation Order of Disallowance." The Notice must comply with the requirements of 10 CFR 205.193. To be considered, a Notice of Objection must be filed with: Office of Hearings and Appeals, Department of

Energy, 2000 M Street, N.W., Room 8014 Washington, D.C. 20461

The Notice must be filed, in duplicate, by 4:30 p.m. EDT on or before March 31, 1980, or the first federal workday thereafter if the fifteenth day falls on a weekend or holiday. In addition, a copy of the Notice of Objection must, on the same day as filing, be served on Mobil and on each of the following persons, pursuant to 10 CFR 205.193(c):

Leslie Wm. Adams, Associate Solicitor to the Special Counsel for Compliance, Department of Energy, 12th and Pennsylvania Ave., N.W., Washington, D.C. 20461.

Assistant General Counsel for Administrative Litigation Department of Energy, Washington, D.C. 20461.

No data or information which is confidential shall be included in any Notice of Objection.

Copies of Proposed Order

Copies of the Proposed Order of Disallowance to Mobil, with confidential information deleted, may be received, free of charge, by written or oral request to: Leslie Wm. Adams, Associate Solicitor to the Special Counsel for Compliance, Department of Energy, 12th and Pennsylvania Avenue, N.W., Room 3109, Washington, D.C. 20461, Telephone 202–633–9559.

Copies of the Proposed Order of Disallowance may also be obtained from: Freedom of Information Reading Room, Forrestal Building, Room GA–152, 1000 Independence Avenue, Washington, D.C. 20585.

Issued in Washington, D.C., this 20 day of February 1980.

Paul L. Bloom,

Special Counsel for Compliance.

[FR Doc. 80–8014 Filed 3–13–80; 8:45 am]

BILLING CODE 6450–01–M

ENVIRONMENTAL PROTECTION AGENCY

[FRL 1436–6]

Availability of Environmental Impact Statements

AGENCY: Office of Environmental Review (A–104), U.S. Environmental Protection Agency.

PURPOSE: This notice lists the Environmental Impact Statements (EISS) which have been officially filed with the EPA and distributed to Federal agencies and interested groups, organizations and individuals for review pursuant to the Council on Environmental Quality's Regulations (40 CFR Part 1506.9).

PERIOD COVERED: This notice includes EIS's filed during the week of March 3, 1980 to March 7, 1980.

REVIEW PERIODS: The 45-day review period for draft EIS's listed in this notice is calculated from March 14, 1980 and will end on April 28, 1980. The 30-day review period for final EIS's as calculated from March 14, 1980 will end on April 14, 1980.

EIS AVAILABILITY: To obtain a copy of an EIS listed in this notice you should contact the Federal agency which prepared the EIS. This notice will give a contact person for each Federal agency which has filed an EIS during the period covered by the notice. If a Federal agency does not have the EIS available upon request you may contact the Office of Environmental Review, EPA, for further information.

BACK COPIES OF EIS'S: Copies of EIS's previously filed with EPA or CEQ which are no longer available from the originating agency are available with charge from the following sources:

FOR HARD COPY REPRODUCTION:
Environmental Law Institute, 1346 Connecticut Avenue, NW., Washington, D.C. 20036.

FOR HARD COPY REPRODUCTION OF MICROFICHE:
Information Resources Press, 2100 M Street, NW., Suite 316, Washington, D.C. 20037.

FOR FURTHER INFORMATION CONTACT:
Kathi L. Wilson, Office of Environmental Review (A–104), Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460 (202) 245–3006.

SUMMARY OF NOTICE: On July 30, 1979, the CEQ regulations became effective, pursuant to section 1506.10(a), the 30-day review period for final EIS's received during a given week will now be calculated from Friday of the following week. Therefore, for all final EIS's received during the week of March 3, 1980 to March 7, 1980 the 30-day review period will be calculated from March 14, 1980. The review period will end on April 14, 1980.

Appendix I sets forth a list of EIS's filed with EPA during the week of March 3, 1980 to March 7, 1980. The Federal agency filing the EIS, the name, address, and telephone number of the Federal agency contact for copies of the EIS, the filing status of the EIS, the actual date the EIS was filed with EPA, the title of the EIS, the State(s) and county(ies) of the proposed action and a brief summary of the proposed Federal action and the Federal agency EIS number, if available, is listed in this notice. Commenting entities on draft EIS's are listed for final EIS's.

Appendix II sets forth the EIS's which agencies have granted an extended review period or EPA has approved a waiver from the prescribed review period. The Appendix II includes the Federal agency responsible for the EIS, the name, address, and telephone number of the Federal agency contact, the title, State(s) and county(ies) of the EIS, the date EPA announced availability of the EIS in the **Federal Register** and the newly established date for comments.

Appendix III sets forth a list of EIS's which have been withdrawn by a Federal agency.

Appendix IV sets forth a list of EIS retractions concerning previous notices of availability which have been made because of procedural noncompliance with NEPA or the CEQ regulations by the originating Federal agency.

Appendix V sets forth a list of reports or additional supplemental information relating to previously filed EIS's which have been made available to EPA by Federal agencies.

Appendix VI sets forth official corrections which have been called to EPA's attention.

Dated: March 11, 1980.

William N. Hedeman, Jr.,

Director, Office of Environmental Review (A–104).

Appendix I

EIS's Filed With EPA During the Week of: March 3 Through 7, 1980

Department of Agriculture

Contact: Mr. Barry Flamm, Director, Office of Environmental Quality, Office of the Secretary, U.S. Department of Agriculture, Room 412–A, Admin. Building, Washington, D.C. 20250, (202) 447–3965. Forest Service.

Final

Sheyenne National Grassland, Land Mgmt., Custer NF, Ransom and Richland Counties, N. Dak., March 3: Proposed is a land management plan for the Sheyenne National Grassland located in the Custer National Forest, Ransom and Richland Counties, North Dakota. The Grassland encompasses 70,180 acres, use of which has been centered around live stock grazing. The alternatives considered include: (1) Continuing current management; (2) emphasizing wildlife, recreation and other amenity values; (3) emphasizing commodity production; (4) balancing livestock production with consideration of amenity values; and (5) reflecting management of the area if a dam were constructed. (USDA–FS–01–08–79–12) Comments made by: COE, EPA, AHP, DOI, State agencies, Groups and Individuals. (EIS Order No. 800159.)

U.S. Army Corps of Engineers

Contact: Mr. Richard Makinen, Office of Environmental Policy, Attn: DAEN–CWR–P, Office of the Chief of Engineers, U.S. Army

Corps of Engineers, 20 Massachusetts Avenue, Washington, D.C. 20314 (202) 272–0121.

Draft

Port of Miami Expansion, Biscayne Bay, Dade County, Fla., March 7: Proposed is approval of an application for the expansion of the Port of Miami in Biscayne Bay, Dade County, Florida. The plan would involve the sequential development of passenger and cargo facilities which will include: (1) Expansion of Dodge Island incorporating Lummus and Sams Islands, (2) dredging of a new channel and deepening and widening existing channels, (3) the creation of Dodge Islands by bulkheading and filling. When completed the Port of Miami will have been expanded by 284 acres to provide a total area of 522 acres. (Jacksonville District) (EIS Order No. 800166.)

Presque Isle Peninsula Beach Erosion, Lake Erie, Erie County, Pa., March 3: Proposed is a beach erosion control project for Presque Isle Peninsula located on Lake Erie, Erie County, Pennsylvania. The selected plan would consist of 58 offshore breakwater segments extending from the west and of the peninsula through Sunset point. Other plans considered include: (1) No action; (2) 37 rubble mound groins and modification of 11 existing groins; (3) sand trap recirculation consisting of a breakwater, sand trap, and pipeline. (Buffalo District) (EIS Order No. 800155.)

North Chillicothe Flood Control, Scioto River, Ross County, Ohio, March 4: Proposed is a flood control plan for North Chillicothe, Ross County, Ohio. Three plans have been selected for consideration. Plan 1 involves a flood control levee with essential components for flood protection. Plan 2 would also involve a flood control levee along with recreational and environmental measures and developments. Plan 3 consists of a nonstructural solution of flood plain use change. (Huntington District) (EIS Order No. 800158.)

Final

Frankfort Harbor D/M, Dredging and Disposal Benzie County, Mich., March 5: Proposed is continued operation and maintenance of Frankfort Harbor, Benzie County, Michigan, including dredging disposal of dredged material, and renovation of existing structures. It is also proposed that confined diked disposal facilities be constructed for containing 114,000 cubic yards of contaminated material from the commercial turning basin and the recreational anchorage area. Two sites are proposed for this purpose, one on the northern shore of Lake Betsie and the third on an upland site in the Fife Lake State Forest. (Detroit District) Comments made by: USDA, FERC, EPA, DOC, DOI, DOT, State agencies. (EIS Order No. 800162.)

Large Unnamed Creek, Loves Park, Winnebago County, Ill., March 4: Proposed is a flood prevention plan for Large Unnamed Creek in Loves Park, Winnebago County, Illinois. The recommended plan consists of 15,500 l.f. of concrete and 2,400 l.f. of riprap channel improvements; use of 66 acres of existing gravel pits for ponding purposes with installation of a pumping station and a gravity cutlet; removal of 9 bridges; and construction of 4 new bridges. Alternatives inlcude: 1) no action, 2) non-structural solutions of flood plain evacuation, flood proofing, and flood insurance; and 3) structural measures of channel improvements, underground conduits, and reservoirs. (Rock Island District) Comments made by: EPA, DOI, USDA, DOT, HEW, State agencies. (EIS Order No. 800160.))

Draft Supplement

Dickey-Lincoln School Lakes, Dickey (DS–1), Aroostook County, Maine, March 7: This statement supplements a draft EIS, #781339, filed 12–18–79 concerning the Dickey-Lincoln School Lakes project. This statement proposes the acquisition and management of 112,370 acres of lands in the Allagash River watershed, and an additional 500 acres along the St. John River in Aroostook County, Maine. This land would be managed for endangered species mitigation. The brook trout fishery that would remain in the project area after implementation would be managed for maximum native potential. (New England Division.) (EIS Order No. 800167.)

Department of Commerce

Contact: Dr. Sidney R. Galler, Deputy Assistant Secretary Environmental Affairs, Department of Commerce, Washington, D.C. 20230 (202) 377–4335.

National Oceanic and Atmospheric Administration

Draft

Atlantic Bluefin Tuna Fishery, Atlantic Ocean Gulf of Mexico Regulatory, March 7: Proposed is the revision of regulations governing the Atlantic and Gulf of Mexico Bluefin Tuna Fishery. The management plan would include: 1) vessel allocation of bluefin tuna within the purse seine fishery, 2) tagging and subsequent recapture of tagged fish within the purse seine fishery, 3) changes in the catch rate and separate quotas within the handgear fishery, 4) tuna dealer reporter, and 5) restrictions on the sale of tuna at sea. (EIS Order No. 800168.)

Environmental Protection Agency

EPA, Region 6

Contract: Mr. Clinton Spotts, Region VI, Environmental Protection Agency, First International Building, 1201 Elm Street, Dallas, Texas 75270 (214) 767–2716.

Draft

NE El Paso Wastewater Treatment Facilities, El Paso County, Tex., March 4: Proposed is the awarding of funding for the construction and operation of wastewater treatment facilities for northeast El Paso, El Paso County, Texas. The first alternative would involve construction of a secondary treatment plant and pipeline to the Rio Grande River. Some effluent could be used by golf courses and a second pipeline could be built to deliver treated water to a power plant. The second alternative would involve construction of a plant to meet all existing and proposed drinking water standards. Most of the reclaimed water would be injected into the Hueco Bolson. (EIS Order No. 800156.)

General Services Administration

Contact: Mr. Carl W. Penland, Acting Director, Environmental Affairs Division, General Services Administration, 18th and F Streets, N.W., Washington, D.C. 20405 (202) 566–1416.

Final

Key West Naval Air Station, Disposal of Property, Monroe County, Fla., March 6: Proposed is the disposition by GSA of surplus Federal properties at the Naval Air Station, located a Key West, Monroe County, Florida. The action will include portions of the Harry S. Truman Annex and Trumbo Point Annex. It will also include the former Coast Guard Station at the north end of the Truman Annex. The properties include approximately 123 acres of land and improvements. The major alternatives considered included: (1) no action or delayed action; (2) disposition alternatives; and (3) reuse alternatives. (N–FLA–635–G–EIS–F–10) Comments made by: HUD, DOI, EPA, HEW, USDA, DOT, USN, COE, AHP, State and local agencies, Groups, Individuals and Businesses. (EIS Order No. 800165.)

Department of HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Room 7274, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410 (202) 755–6300.

Final

Suncrest Farms Northwest, Stevens County, Wash., March 3: Proposed is the issuance of HUD home mortgage insurance for the Suncrest Farms Northwest Subdivision in Stevens County, Washington. The insurance will apply to 800 single-family units on 800 acres of the 1,195 acre proposed site. Also included in the development will be commercial, school and open space areas. (HUD–R10–EIS–79–4F.) Comments made by: DOI, COE, USPS, DOT, State and local agencies groups. (EIS Order No. 800154.)

Nuclear Regulatory Commission

Contact: Mr. Voss A. Moore, Assistant Director for Environmental Projects, Nuclear Regulatory Commission, P–518, Washington, D.C. 20555 (301) 492–8446.

Final

Split Rock Mill, Operation, Jeffrey City, Fremont County, Wyo., March 4: Proposed is the renewal of a Source Material License issued to Western Nuclear, Incorporated for the operation of the Split Rock Uranium Mill near Jeffrey City and the Green Mountain ion-exchange facility, both in Fremont County, Wyoming. The license also permits possession of material from past operations at four ancillary facilities in the Gas Hills mining area. The Split Rock Mill is an acid-leach, ion-exchange and solvent-extraction uranuim-ore processing mill. Five alternatives are considered. (NUREG–0639.) Comments made by: COE, USDA, FERC, HEW, DOI, AHP, EPA, USDA, State agencies, Individuals. (EIS Order No. 800161.)

Department of Transportation

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, U.S.

Department of Transportation, 400 7th Street, S.W., Washington, D.C. 20590 (202) 426-4357.

Federal Aviation Administration

Final

Scottsdale Municipal Airport, Land Acquisition, Maricopa County, Ariz. March 3: The proposed action is a development program for the Scottsdale Municipal Airport located in Scottsdale City, Maricope County, Arizona. The actions will involve a 3,450 foot northeasterly runway and taxiway extension with the acquisition of 56 acres. The threshold for runway 03 will also be displaced 750 feet to the northeast, resulting in a 7,500 foot effective length runway. The runway and taxiway will not be widened but will be strengthened to accommodate heavier aircraft. Construction will include ruway and taxiway lighting extension, miscellaneous utilities and roadway relocation. Comments made by: EPA, DOI, State and local agencies, Groups, Individuals and Businesses. (EIS Order No. 800153.)

Federal Highway Administration

Draft

Columbia river Highway/I-8ON, Improvement, Multnomah County, Oreg., March 3: Proposed are improvements to the Columbia river Highway/I-8ON from NE 117th Avenue to NE 181st Avenue in Multnomah County, Oregon. The improvements would include widening 3.1 miles to six lanes, upgrading on/off ramps at the 122nd Avenue Interchange, and replacemnet of the partial interchange at 181st Avenue with a full one. The alternatives include: 1) no action, and 2) build as proposed considering several design options. (FHWA-OR-EIS-80-1-D) (EIS Order No. 800157.)

Final

Oklahoma City West Bypass/ok-74, Oklahoma County, Okla., March 3: Proposed is the construction of the Oklahoma City West Bypass/OK-74 and the improvement of North west Highway/OK-3 Oklahoma. The Bypass would extend from the I-240/NW 39th Street Expressway Interchange for 10 miles, terminating at NW 178th Street. The improvement of OK-3 would extend for 1.2 miles, from May Avenue to Portland Avenue. The alternatives considered include: 1) no build, 2) an on-shore alignment around Lake Hefner, and 3) an off-shore alignment. (FHWA-ok-EIS-76-01-F) Comments made by: EPA, DOI, HEW, DOC, COE, State and Local Agencies, Groups, Individuals and Businesses. (EIS Order No. 800152.)

Urban Mass Transportation Administration

Draft

Transportation Efficiency Act of 1980, Legislative, March 6: Proposed is a ligislative proposal for the enactment of the Transportation Efficiency Act of 1980 (TEA)/ Public Transportation Amendments of 1980 (PTA), both of which would amend the UMT Act of 1964. The TEA would authorize more than $30 billion over the next 6 years to provide for the capital and operating needs of public transportation systems in rural areas and small and large cities. Several legislative approaches are considered. (EIS Order No. 800163.)

Detroit Downtown People Mover, Wayne County, Mich., March 6: Proposed is the awarding of a grant for the construction of a downtown people mover in the central business district of Detroit, Wayne County, Michigan. The automated transit system would operate on an elevated, track guideway and would be controlled from a central operations facility. The system would be a 2.96 mile, single-lane, elevated loop alignment around the CDB. Some stations would be linked to major buildings by above-grade walkways. All stations would have access to street level. (EIS Order No. 800164.)

Appendix II.—*Extension/Waiver of Review Periods on EIS's Filed With EPA*

Federal agency contact	Title of EIS	Filing status/accession No.	Date notice of availability published in "Federal Register"	Waiver extension	Date review terminates
None.					

Appendix III.— *EIS's Filed With EPA Which Have Been Officially Withdrawn by the Originating Agency*

Federal agency contact	Title of EIS	Filing states/accession No.	Date notice of availability published in "Federal Register"	Date of withdrawal
None.				

Appendix IV.—*Notice of Official Retraction*

Federal agency contact	Title of EIS	Status/number	Date notice published in "Federal Register"	Reason for retraction
None.				

Appendix V.—*Availability of Reports/Additional Information Relating to EIS's Previously Filed With EPA*

Federal agency contact	Title of report	Date made available to EPA	Accession No.
None.			

Appendix VI.—*Official Correction*

Federal agency contact	Title of EIS	Filing status/accession No.	Date notice of availability published in "Federal Register"	Correction
None.				

[FR Doc. 80-8022 Filed 3-13-80: 8:45 am]

80P-72; FRL 1434-7

Chevron Chemical Co.; Filing of Food Additive Petition

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Chevron Chemical Co. has submitted a food additive petition proposing to establish a regulation permitting residues of the insecticide acephate and its cholinesterase-inhibiting metabolite, methamidiphos, in food commodities exposed in food-handling establishments during treatment with acephate dust with a tolerance limitation of 0.02 part per million (ppm) under the Federal Food, Drug, and Cosmetic Act.

COMMENTS: Comments submitted should bear a notation indicating the petition number "FAP OH5253". Written comments filed in connection with this notice will be available for public inspection in the Product Manager's office from 8:30 a.m. to 4:00 p.m., Monday through Friday, excluding holidays.

DATE: Comments may be made at any time while the petition is pending before the agency.

FOR FURTHER INFORMATION CONTACT: William Miller, Product Manager (PM) 16, room E-343 (TS-767), Office of Pesticidé Programs, Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460 (202-426-9458).

SUPPLEMENTARY INFORMATION: Chevron Chemical Co. has submitted a petition proposing to establish a food additive regulation of 0.02 ppm for acephate and its cholinesterase-inhibiting metabolite, methamidophos, in food commodities exposed in food-handling establishments during treatment with acephate dust by spot, crack, and crevice application in accordance with the proposed experimental program described in an experimental use permit application for Orthene Dust. Where tolerances are already established for acephate and its metabolite, methamidophos, under both sections 408 and 409 of the Food, Drug, and Cosmetic Act on the raw agricultural commodity and on the processed food, respectively, the total residues shall not exceed the tolerances already established.

(Sec. 409(b)(5), 72 Stat. 1785 (7 U.S.C. 135))

Dated: March 7, 1980.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 80-7962 Filed 3-13-80; 8:45 am]

[80P-74; FRL 1435-8]

Olin Corp.; Filing of Pesticide Petition

AGENCY: Environmental protection Agency (EPA).

ACTION: Notice.

SUMMARY: Olin Corp. has submitted a pesticide petition proposing to amend 40 CFR 180.370 by establishing tolerances for residues of 5-ethoxy-3-trichloromethyl-1,2,4-thiadiazole and its monoacid metabolite 3-carboxy-5-ethoxy-1,2,4-thiadiazole on corn; meat, fat, and meat byproducts; milk; and wheat under the Federal Food, Drug, and Cosmetic Act.

COMMENTS: Comments submitted should bear a notation indicating the petition number "PP OF2317". Written comments filed in connection with this notice will be available for public inspection in the Product's Manager's office from 8:30 a.m. to 4:00 p.m., Monday through Friday, excluding holidays.

DATE: Comments may be made at any time while the petition is pending before the Agency.

FOR FURTHER INFORMATION CONTACT: Mr. Henry Jacoby, Product Manager (PM 21), Room E-305 (TS-767), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460. (202-755-2562).

SUPPLEMENTARY INFORMATION: Olin Corp., 120 Long Ridge Road, Stamford, CT 06904, has submitted a pesticide petition (OF2317) proposing that 40 CFR 180.370 be amended by establishing tolerances for combined residues of the fungicide 5-ethoxy-3-trichloromethyl-1,2,4-thiadiazole and its monoacid metabolite 3-carboxy-5-ethoxy-1,2,4-thiadiazole in or on the raw agricultural commodities corn grain (except popcorn); the meat, fat, and meat byproducts of cattle, goats, hogs, horses, and sheep; milk; and wheat grain at 0.05 part per million (ppm) and corn fodder and forage and wheat forage and straw at 0.01 ppm. The proposed analytical method for determining residues is gas chromatography with an electron capture detector. This action is being taken under section 408(d)(1) of the Federal Food, Drug, and Cosmetic Act.

(Sec. 408(d)(1), 68 Stat. 512, (7 U.S.C. 135))

Dated: March 7, 1980.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 80-7964 Filed 3-13-80; 8:45 am]

BILLING CODE 6560-01-M

[80P-33; FRL1435-6]

Stauffer Chemical Co.; Filing of Pesticide Petition

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Stauffer Chemical Co. has submitted a pesticide petition proposing to amend 40 CFR 180.328 by establishing tolerances for residues of *N,N*-diethyl-2-(1-naphthalenyloxy)propionamide on asparagus, avocados, cucurbits, kiwi fruit, mint, leafy vegetables, olives, and persimmons at 0.1 part per million (ppm) under the Federal Food, Drug, and Cosmetic Act.

COMMENTS: Comments submitted should bear a notation indicating the petition number "PP OF2319". Written comments filed in connection with this notice will be available for public inspection in the Product Manager's office from 8:30 a.m. to 4:00 p.m., Monday through Friday, excluding holidays.

DATE: Comments may be made at any time while the petition is pending before the agency.

FOR FURTHER INFORMATION CONTACT: Robert Taylor, Product Manager (PM 25), (TS-767) Room E-359, Office of Pesticide Programs, Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, 202-755-2196.

SUPPLEMENTARY INFORMATION: Stauffer Chemical Co., 1200 South 47th Street, Richmond, CA 94804, has submitted a pesticide petition (OF 2319) proposing that 40 CFR 180.328 be amended by establishing tolerances for residues of the herbicide *N,N*-diethyl-2-(1-naphthalenyloxy)propionamide in or on the raw agricultural commodities artichokes, asparagus, avocados, kiwi fruit, mint, olives, persimmons, and the crop groupings cucurbits and leafy vegetables at 0.1 ppm. The proposed analytical method for determining residues is gas-liquid chromatography using the Coulson conductivity detector (specific for nitrogen). This action is being taken under section 408(d)(1) of the Federal Food, Drug, and Cosmetic Act.

(Sec. 408(d)(1), 68 Stat. (7 U.S.C. 135)).

Dated: March 7, 1980.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[80P-25; FRL 1435-7]

Uniroyal Chemical; Amendment To Experimental Use Permit for 2,4,5-Trimethyl-N-Phenyl-3-Furancarboxamide

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has amended an experimental use permit to Uniroyal Chemical for use of the fungicide 2,4,5-trimethyl-*N*-phenyl-3-furancarboxamide on wheat, barley, and oats to evaluate control of smut and bunt by extending the expiration date from October 23, 1980 to June 1, 1981.

FOR FURTHER INFORMATION CONTACT:

Mr. Henry Jacoby, Product Manager (PM-21), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460, 202-755-2562.

SUPPLEMENTARY INFORMATION: On Friday, November 23, 1979 (44 FR 67223), information appeared pertaining to the issuance of an experimental use permit, No. 400-EUP-56, to Uniroyal Chemical, Div. of Uniroyal, Inc., 74 Amity Rd., Bethany, CT 06525, under provisions of the Federal Insecticide, Fungicide, and Rodenticide Act. At the request of the company, that permit has been amended. The experimental use permit is now effective from October 23, 1979, to June 1, 1981. The original expiration date was October 23, 1980. The experimental use permit allows the use of a total of 26.8 pounds of the fungicide 2,4,5-trimethyl-*N*-phenyl-3-furancarboxamide on wheat, barley, and oats to evaluate control of smut and bunt. A total of 22 acres is involved; the program is authorized only in the States of California, Illinois, Minnesota, Nebraska, North Dakota, Texas, Utah, and Washington. This permit is being issued with the limitation that all interested crops will be destroyed or used for research purposes only.

(Sec. 5, 92 Stat. 819, 7 U.S.C. 136).

Dated: March 7, 1980.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 80-7963 Filed 3-13-80; 8:45 am]

BILLING CODE 6560-01-M

[80P-29; RL 1436-1]

Uniroyal Chemical; Filing of Pesticide Petition

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Uniroyal Chemical has submitted a pesticide petition proposing to amend 40 CFR 180.297 by establishing a tolerance for residues of *N*-1-naphthyl phthalamic acid on peanut hulls at 0.1 part per million (ppm) under the Federal Food, Drug, and Cosmetic Act.

COMMENTS: Comments submitted should bear a notation indicating the petition number "PP OF2321". Written comments filed in connection with this notice will be available for public inspection in the Product Manager's office from 8:30 a.m. to 4:00 p.m., Monday through Friday, excluding holidays.

DATE: Comments may be made at any time while the petition is pending before the agency.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert Taylor, Product Manager (PM 25), Room E-359, (TS-767), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460 (202-755-2196).

SUPPLEMENTARY INFORMATION: Uniroyal Chemical, 74 Amity Rd., Bethany, CT 06525, has submitted a pesticide petition (OF2321) proposing that 40 CFR 180.297 be amended by establishing a tolerance for residues of the herbicide *N*-1-naphthyl phthalamic acid from application of its sodium salt (calculated as the parent compound) in or on the raw agricultural commodity peanut hulls at 0.1 ppm. The proposed analytical method for determining residues is distillation and spectrophotometry. This action is being taken under section 408(d)(1) of the Federal Food, Drug, and Cosmetic Act.

(Sec. 408(d)(1), 68 Stat. 512, (7 U.S.C. 135).

Dated: March 7, 1980.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 80-7965 Filed 3-13-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1435-4]

J. H. Rudolph & Co., Inc., Troy, Ind.; Final Determination

In the matter of the proceedings under Title I, Part C of the Clean Air Act (Act), as amended, 42 U.S.C. 7401 *et seq.*, and the Federal regulations promulgated thereunder at 40 CFR 52.21 (43 FR 26388, June 19, 1978) for Prevention of Significant Deterioration of Air Quality (PSD), to J. H. Rudolph and Company, Inc. (Rudolph), Troy, Indiana.

On January 5, 1979, Rudolph submitted an application to the United States Environmental Protection Agency (U.S. EPA), Region V office, for an approval to construct a new 200 tons per hour aggregate dryer, mixing tower and scrubber. The application was submitted pursuant to the regulation for PSD.

On February 15, 1979, Rudolph was notified that its application was complete and preliminary approval was granted.

On April 4, 1979, U.S. EPA published notice of its decision to grant a preliminary approval to Rudolph. No comments or request for a public hearing were received.

After review and analysis of all materials submitted by Rudolph, the Company was notified on January 21, 1980, that U.S. EPA had determined that the proposed new construction in Troy, Indiana would be utilizing the best available control technology and that emissions from the facility will not adversely impact air quality, as required by Section 165 of the Act.

This approval to construct does not relieve Rudolph of the responsibility to comply with the control strategy and all local, State and Federal regulations which are part of the applicable State Implementation Plan, as well as all other applicable Federal, State and local requirements.

This determination may now be considered final agency action which is locally applicable under Section 307(b)(1) of the Act and therefore a petition for review may be filed in the U.S. Court of Appeals for the Seventh Circuit by any appropriate party. In accordance with Section 307(b)(1), petitions for review must be filed sixty days from the date of this notice.

For further information contact Eric Cohen, Chief, Compliance Section, Region V, U.S. EPA, 230 South Dearborn Street, Chicago, Illinois 60604 (312) 353-2090.

John McGuire,

Regional Administrator, Region V.

March 5, 1980.

U.S. Environment Protection Agency

REGION V

Approval to Construct
EPA-5-A-80-13

In the matter of J. H. Rudolph and Company, Inc. in Troy, Indiana Proceeding Pursuant to the Clean Air Act, as amended.

Authority

The approval to construct is issued pursuant to the Clean Air Act, as amended, 42 U.S.C. 7401 *et. seq.*, (the Act), and the

Federal regulations promulgated thereunder at 40 CFR 52.21 for the Prevention of Significant Deterioration of Air Quality (PSD).

Findings

1. The J. H. Rudolph and Company, Inc. (Rudolph) plans to construct a new 200 tons per hour aggregate dryer, mixing tower, and baghouse to replace their existing 120 tons per hour aggregate dryer, mixing tower and scrubber. The replacement will be at Rudolph's asphalt batch plant located 1 mile north of Troy, Indiana on State Road 545.

2. The section of Spencer County in which the Rudolph plant is located has been designated as an attainment area for particulate matter (TSP), sulfur dioxide (SO_2), carbon monoxide (CO), and nitrogen oxides (NO_x). Spencer County is a Class II area as determined pursuant to Section 162 of the Act.

3. The new aggregate dryer, mixing tower, and baghouse were determined to be subject to partial PSD review for TSP, SO_2, CO and NO_x. Potential emissions for all pollutants were calculated to be over 100 tons per year for each, while allowable emissions for the above named pollutants were calculated at under 50 tons per year for each.

4. Rudolph submitted a PSD application to the U.S. Environmental Protection Agency (U.S. EPA) on January 5, 1979. The application was determined to be complete and preliminary approval was issued on February 15, 1979.

5. On April 4, 1979, public notice appeared in the *Tell City News*. No public comments were received and no public hearing was requested.

6. The source will be in compliance with the New Source Performance Standards for Asphalt Concrete Plants at 40 CFR Part 60, Subpart I.

7. The source will be using the best available control technology for control of particulates.

Conditions for Approval

8. Particulate emissions from the new aggregate dryer, the mixing tower and the baghouse shall not exceed 0.04 grains per dry standard cubic foot.

9. Opacity from all new sources shall not exceed 20 percent.

10. The fuel used to heat the aggregate dryer shall have a maximum sulfur content of 0.5 percent by weight.

11. The annual operating hours shall not exceed 1500 hours per year.

Conditions 8 through 11 are required in order to ensure that Rudolph's new facilities will be constructed and operated in accordance with the description presented in the application for approval to construct.

12. Any change in Rudolph's proposed new facilities might alter U.S. EPA's conclusion and therefore, any change must receive the prior written authorization of U.S. EPA.

Approval

13. Approval to construct the aggregate dryer, the mixing tower and the baghouse is hereby granted to J. H. Rudolph and Company, Inc., subject to the conditions expressed herein and consistent with the materials and data included in the application filed by Rudolph. Any departure from the conditions of this approval or the terms expressed in the application, must receive the prior written authorization of U.S. EPA.

14. In addition, the United States Court of Appeals for the D.C. Circuit has issued a ruling in the case of *Alabama Power Co.* vs. *Douglas M. Costle* (78–1006 and consolidated cases) which has significant impact on the EPA PSD program and approvals issued thereunder. Although the court has stayed its decision pending resolution of petitions for reconsideration, it is possible that the final decision will require modification of the PSD regulations and could affect approvals issued under the existing program. Examples of potential impact areas include the scope of best available control technology (BACT), source applicability, the amount of increment available (baseline definition), and the extent of preconstruction monitoring that a source may be required to perform. The applicant is hereby advised that this approval may be subject to reevaluation as a result of the final court decision and its ultimate effect.

15. This approval to construct does not relieve Rudolph of the responsibility to comply with the control strategy and all local, State and Federal regulations which are part of the applicable State Implementation Plan, as well as all other applicable Federal, State and local requirements.

16. This approval is effective immediately. This approval to construct shall become invalid, if construction or expansion is not commenced within 18 months after receipt of this approval or if construction is discontinued for a period of 18 months or more. The Administrator may extend such period upon a satisfactory showing that an extension is justified. Notification shall be made to U.S. EPA 5 days after construction is commenced.

17. A copy of this approval has been sent to the Tell City Public Library, 909 Franklin Street, Tell City, Indiana 47586.

Dated: January 21, 1980.

John McGuire,

Regional Administrator.

[FR Doc. 80–7957 Filed 3–13–80; 8:45 am]

BILLING CODE 6560–01–M

FEDERAL RESERVE SYSTEM

Barnett Banks of Florida, Inc.; Acquisition of Bank

Barnett Banks of Florida, Inc., Jacksonville, Florida, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 per cent or more of the voting shares of Bank of Flagler Beach, Flagler Beach, Florida. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than April 7, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 6, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 80–7904 Filed 3–13–80; 8:45 am]

BILLING CODE 6210–01–M

Bank Holding Companies; Proposed de novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than April 7, 1980.

A. *Federal Reserve Bank of New York* (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. CITICORP, New York, New York (consumer finance and insurance activities; Florida): to engage, through its indirect subsidiary, Citicorp Person-to-Person Financial Center of Florida, Inc. in conducting previously approved activities including; making or acquiring loans and other extensions of loans to dealers for the financing of inventory (floor planning) and working capital purposes; purchasing for its own account and servicing sales finance contracts; and acting as agent for the sale of credit life and credit casualty accident and health insurance directly related to extensions of credit in an expanded service area. Credit related life, accident and health may be underwritten by Family Guardian Life Insurance Company, an affiliate. These activities will be conducted from an office in Jacksonville, Florida serving an expanded area including the entire States of Florida and Georgia. In addition, the activities of this office will be expanded to include acting as agent for the sale of credit related property and casualty insurance only in the Georgia service area.

2. CITICORP, New York, New York (consumer finance and insurance activities; Georgia): to engage, through its indirect subsidiary, Citicorp Person-to-Person Financial Center, Inc., (Georgia), in operating a finance company, including making or acquiring loans and other extensions of credit, secured or unsecured, for consumer and other purposes; the extension of loans to dealers for the financing of inventory (floor planning) and working capital purposes; purchasing and servicing for its own account sales finance contracts; acting as agent for the sale of property and casualty insurance and for the sale of credit life and credit casualty accident and health insurance directly related to extensions of credit. Credit related life, accident and health may be underwritten by Family Guardian Life Insurance Company, an affiliate of Citicorp Person-to-Person Financial Center, Inc. These activities would be conducted from a *de novo* office in Atlanta, Georgia serving the entire State of Georgia.

B. *Federal Reserve Bank of St. Louis* (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

MERCHANTS NATIONAL CORPORATION, Indianapolis, Indiana (leasing activities; Colorado, Florida, Kentucky, Michigan and Ohio) to engage through its subsidiary, Mad Leasing Corp., in the following activities: leasing of capital goods and equipment to industry, banks or others, or acting as agent, broker or advisor in leasing such personal property, whereat the inception of the initial lease the effect of the transaction will yield a return that will compensate the lessor for not less than lessor's full investment in the property, plus estimated total cost of financing the property over the term of the lease, and such leases shall contain other terms and conditions as shall comply with Section 225.4(a)(6)(a) of Regulation Y. Such activities will be conducted at an office at 1001 Linn Station Road, Suite 535, Louisville, Kentucky 40223, and will serve Colorado, Florida, Kentucky, Michigan and Ohio.

C. *Other Federal Reserve Banks:* None.

Board of Governors of the Federal Reserve System, March 7, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 80-7906 Filed 3-13-80; 8:45 am]

BILLING CODE 6210-01-M

Bank Holding Companies; Proposed de novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo*), (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than April 7, 1980.

A. *Federal Reserve Bank of Chicago* (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. NATIONAL DETROIT CORPORATION, Detroit, Michigan (commercial finance activities; Ohio, Indiana): to engage, through its subsidiary, Instaloan Financial Services, Inc., in commercial financing including the making of loans to businesses secured by the borrower's accounts receivable, inventory, machinery and equipment and/or real estate used in the business. This activity will be conducted from an office located in Cincinnati, Ohio, serving the southern half of Ohio and the southern half of Indiana.

2. CONTINENTAL ILLINOIS CORPORATION, Chicago, Illinois (financing activities; the United States, with the exception of Colorado, Kentucky, Louisiana, Montana, Ohio, Okahoma, Pennsylvania, Texas, West Virginia, and Wyoming, for which approval has already been granted): to engage through a *de novo* subsidiary, Continental Illinois Energy Development Corporation (CIEDC) in making and acquiring and servicing for its account and for the account of others, secured and unsecured loans and other extensions of credit primarily for energy development companies. These activities will be conducted from an office located in Houston, Texas, serving the above noted geographic area.

B. *Federal Reserve Bank of San Francisco* (Harry W. Green, Vice President) 400 Sansome Street, San Francisco, California 94120:

1. WELLS FARGO & COMPANY, San Francisco, California (finance and insurance activities, western United States): to engage through its subsidiary, Wells Fargo Mortgage Company, in making or acquiring, for its own account or for the account of others, loans and other extensions of credit; servicing loans and other extensions of credit for other persons; acting as an insurance agent or broker with respect to the following types of insurance that are directly related to (1) credit life and credit accident and health insurance; and (2) mortgage redemption life insurance and group mortgage disability insurance. These activities would be conducted from offices in Irvine, California, serving California, Nevada, and Arizona, and in Bellevue, Washington, serving Washington, Oregon, California, Idaho, Nevada,

Utah, Arizona, Montana, Wyoming, and Colorado.

2. SECURITY PACIFIC CORPORATION, Los Angeles, California (financing and credit-related insurance activities; Ohio): to engage through its subsidiaries American Finance Corporation of Columbus and American Finance Corporation of Ohio, in making or acquiring for its own account or for the account of others, loans and extensions of credit, including making consumer installment sales finance contracts, making loans to small businesses and other extensions of credit such as would be made by a factoring company or a consumer finance company, and acting as broker or agent for the sale of credit-related life, accident and health insurance and credit-related property and casualty insurance. These activities would be conducted from offices of American Finance Corporation of Columbus and American Finance Corporation of Ohio located at 910 Taywood Road, Englewood, Ohio 45322, serving the State of Ohio, and would constitute a relocation of existing offices of American Finance Corporation of Columbus and American Finance Corporation of Ohio which are currently located at 4823 B Salem Avenue, Dayton, Ohio 45416.

C. *Other Federal Reserve Banks:* None.

Board of Governors of the Federal Reserve System, March 5, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 80-7907 Filed 3-13-80; 8:45 am]

BILLING CODE 6210-01-M

Bank Holding Companies; Proposed de novo Nonbank Activities

The bank holding companies listed in this notice have applied pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than April 9, 1980.

a. *Federal Reserve Bank of New York* (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. CHEMICAL NEW YORK CORPORATION, New York, New York (trust company activities; Florida): to engage, through its subsidiary, Chemical Trust Company of Florida, N.A., in the activities of a limited purpose trust. The activities of the trust company will be those of any national trust company, including acting as trustee and executor, and providing investment advice, in compliance with the limitations of section 225.4(a)(4) of the Board's Regulation Y. These activities will be conducted from an office in Palm Beach, Florida, serving the town of Palm Beach and the surrounding towns of Jupiter, Tequesta, Juno Beach, Riviera Beach, West Palm Beach, Atlantis, Lake Clarke, Lantana, Boynton Beach, Delray Beach, Highland Beach, and Boca Raton.

2. MANUFACTURERS HANOVER CORPORATION, New York, New York (commercial loans and leasing; Maine, Massachusetts, Rhode Island, Vermont, and New Hampshire): to engage, through a direct subsidiary, Manufacturers Hanover Leasing Corporation, in leasing real and personal property on a full payout basis in accordance with the Board's Regulation Y; acting as agent, broker or advisor in leasing of such property; making and acquiring for its own account or for the account of others, loans and other extensions of credit with respect to such property; and servicing such leases, loans or other extensions of credit. These activities will be conducted from an office located in Framingham, Massachusetts, serving the states listed in the caption to this notice.

B. *Other Federal Reserve Banks:* None.

Board of Governors of the Federal Reserve System, March 7, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 80-7910 Filed 3-13-80; 8:45 am]

BILLING CODE 6210-01-M

F & M Bankshares, Inc.; Formation of Bank Holding Company

F & M Bankshares, Inc., Marinette, Wisconsin, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 per cent of the voting shares of Farmers & Merchants Bank and Trust, Marinette, Wisconsin. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the officies of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 3, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 10, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 80-7908 Filed 3-13-80; 8:45 am]

BILLING CODE 6210-01-M

Guaranty State Holding Co.; Formation of Bank Holding Company

Guaranty State Holding Company, St. Paul, Minnesota, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 97 per cent or more of the voting shares of Guaranty State Bank of St. Paul, St. Paul, Minnesota. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 3, 1980. Any comment on an application that requests a hearing must include a

statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 10, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 80-7911 Filed 3-13-80; 8:45 am]

BILLING CODE 6210-01-M

Mainland Bancorporation, Inc; Formation of Bank Holding Company

Mainland Bancorporation, Inc., Texas City, Texas, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 per cent of the voting shares of Mainland Bank, Texas City, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 10, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 10, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 80-7909 filed 3-13-80; 8:45 am]

BILLING CODE 6210-01-M

Mountain Financial Services, Inc.; Acquisition of Bank

Mountain Financial Services, Inc., Denver, Colorado, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of Louisville State Bank, Louisville, Colorado, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than April 7, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 6, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 80-7905 Filed 3-13-80; 8:45 am]

BILLING CODE 6210-01-M

Caldwell Bancshares, Inc.; Formation of Bank Holding Company

Caldwell, Banchares, Inc., Caldwell, Texas, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of First State Bank in Caldwell, Caldwell, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 10, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 10, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 80-7992 Filed 3-13-80; 8:45 am]

BILLING CODE 6210-01-M

Financial National Bancshares, Co.; Formation of Bank Holding Company

Financial National Bancshares, Co., Elgin, Illinois, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 per cent (less directors' qualifying shares) of the voting shares of the successor by merger to The First National Bank of Elgin, Elgin, Illinois. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 10, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 10, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 80-7993 Filed 3-13-80; 8:45 am]

BILLING CODE 6210-01-M

First Fabens Bancorporation, Inc.; Formation of Bank Holding Company

First Fabens Bancorporation, Inc., Fabens, Texas, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of First National Bank of Fabens, Fabens, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 10, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 10, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 80-7994 Filed 3-13-80; 8:45 am]

BILLING CODE 6210-01-M

First University Corp.; Formation of Bank Holding Company

First University Corporation, Houston, Texas, has applied for the Board's

approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 per cent or more of the voting shares of First National Bank of West University Place, Houston, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 10, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 10, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 80-7995 Filed 3-13-80; 8:45 am]

BILLING CODE 6210-01-M

Marquette National Co.; Formation of Bank Holding Company

Marquette National Company, Marquette, Nebraska, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 per cent or more of the voting shares of The First National Bank of Marquette, Marquette, Nebraska. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received no later than April 10, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 10, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 80-7996 Filed 3-13-80; 8:45 am]

BILLING CODE 6210-01-M

Mellon National Corp.; Proposed Acquisition of Mellon National Mortgage Co., of Colorado

Mellon National Corporation, Pittsburgh, Pennsylvania, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 225.4(b)(2)), for permission to acquire indirectly voting shares of Mellon National Mortgage Company of Colorado, Denver, Colorado, from its banking subsidiary, Mellon National Bank, Pittsburgh, Pennsylvania.

Applicant states that the proposed subsidiary would engage in the following activities: the origination of residential and commercial mortgage loans; the servicing of mortgage loans for institutional investors; the origination of residential construction loans; and the provision of mortgage redemption and health and accident insurance directly related to its extensions of credit. These activities would be performed from offices of Applicant's subsidiary in Denver, Wheatridge and Fort Collins, Colorado, and Phoenix, Arizona, and the geographic areas to be served are Adams, Arapahoe, Boulder, Denver, Douglas, Gilpin, Jefferson and Fort Collins Counties in Colorado, and Maricopa County in Arizona. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Cleveland.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than April 10, 1980.

Board of Governors of the Federal Reserve System, March 10, 1980.

William N. McDonough,

Assistant Secretary of the Board.

[FR Doc. 7997 Filed 3-13-80; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

Advisory Committees; Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). This notice also sets forth a summary of the procedures governing committee meetings and methods by which interested persons may participate in open public hearings conducted by the committee and is issued under section 10(a) (1) and (2) of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770-776 (5 U.S.C. App. I)), and FDA regulations (21 CFR Part 14) relating to advisory committees. The following advisory committee meeting is announced:

Committee name	Date, time and place	Type of meeting and contact person
Circulatory System Devices Panel	March 31, 9 a.m., Rm. 723 and 727A, 200 Independence Ave. SW., Washington, DC.	Open public hearing 8:30 a.m. to 9:30 a.m.; open committee discussion 9:30 a.m. to 10:30 a.m.; closed committee deliberations on trade secret data 10:30 a.m. to 3:30 p.m. Glen A. Rahmoeller, 8757 Georgia Ave., Silver Spring, MD 20910, 301-427-7559.

General function of the Committee. The Committee reviews and evaluates available data on the safety and effectiveness of devices and makes recommendations for their regulation.

Agenda—Open public hearing. Those desiring to make formal presentations should notify Glenn Rahmoeller by

March 24, 1980, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, references to any data to be relied on, and also an indication of the approximate time required to make their comments.

Open committee discussion. The panel will review draft guidelines relevant to the submission of premarket approval data for biologic and prosthetic replacement heart valves and for oxygenators. The panel will discuss the further development of these guidelines as time permits. If any premarket approval applications are ready for panel review at this meeting, the panel will give priority to discussions of these applications (see below).

Closed committee deliberations. The panel will review premarket approval applications for cardiovascular devices. If a sponsor has not publicly disclosed the submission to FDA of a premarket approval application and so certifies in a letter addressed to the contact person identified in this notice, the application is considered confidential and will be reviewed in the closed session (5 U.S.C. 552b(c)(4)). If a sponsor has publicly disclosed the submission to FDA of a premarket approval application, non-trade secret matters involved in the application will be discussed during the open committee discussion, and trade secret matters involved in the application will be discussed during the closed committee deliberations (5 U.S.C. 552b(c)(4)). FDA will follow the policy described in this paragraph until the agency publishes a final regulation governing disclosure of the existence of device premarket approval applications, and that regulation becomes effective. FDA is now reviewing comments on a proposal on this subject that was published in the **Federal Register** of March 28, 1978 (43 FR 12869), correction published in the **Federal Register** of March 31, 1978 (43 FR 13587), and will publish a final regulation in the near future. This regulation will affect FDA's policy on the closing advisory committee meetings and may require a change in the policy described in this paragraph.

Each public advisory committee meeting listed above may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing portion. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. The dates and times reserved for the separate portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairman determines will facilitate the committee's work.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this **Federal Register** notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairman's discretion.

Persons interested in specific agenda items to be discussed in open session may ascertain from the contact person the approximate time of discussion.

A list of committee members and summary minutes of meetings may be obtained from the Public Records and Documents Center (HFC–18), 5600 Fisher Lane, Rockville, MD 20857, between the hours of 9 a.m. and 4 p.m., Monday through Friday. The FDA regulations relating to public advisory committees may be found in 21 CFR Part 14.

The Commissioner, with the concurrence of the Chief Counsel, has determined for the reasons stated that those portions of the advisory committee meetings so designated in this notice shall be closed. The Federal Advisory Committee Act (FACA), as amended by the Government in the Sunshine Act (Pub. L. 94–409), permits such closed advisory committee meetings in certain circumstances. Those portions of a meeting designated as closed, however, shall be closed for the shortest possible time, consistent with the intent of the cite statutes.

The FACA, as amended, provides that a portion of a meeting may be closed where the matter for discussion involves a trade secret; commercial or financial information that is privileged or confidential; information of a personal nature, disclosure of which would be a clearly unwarranted invasion of personal privacy, investigatory files compiled for law enforcement purposes; information the premature disclosure of which would be likely to significantly frustarate implementation of a proposed agency action; and information in certain other instances not generally relevant to FDA matters.

Examples of portions of FDA advisory committee meetings that ordinarily may be closed, where necessary and in accordance with FACA criteria, include the review, discussion, and evaluation of drafts of regulations or guidelines or similar preexisting internal agency documents, but only if their premature disclosure is likely to significantly frustrate implementation of proposed agency action; review of trade secrets and confidential commercial or financial information submitted to the agency; consideration of matters involving investigatory files compiled for law enforcement purposes; and review of matters, such as personnel records or individual patient records, where disclosure would constitute a clearly unwarranted invasion of personal privacy.

Examples of portions of FDA advisory committee meetings that ordinarily shall not be closed include the review, discussion, and evaluation of general preclinical and clinical test protocols and procedures for a class of drugs or devices; consideration of labeling requirements for a class of marketed drugs or devices; review of data and information on specific investigational or marketed drugs and devices that have previously been made public; presentation of any other data or information that is not exempt from public disclosure pursuant to the FACA, as amended; and, notably deliberative sessions to formulate advice and recommendations to the agency on matters that do not independently justify closing.

FDA has established a pilot program for financial assistance to participants in certain agency proceedings, including hearings before public advisory committees under 21 CFR Part 14. This program is described in regulations that were published in the **Federal Register** of October 12, 1979 (44 FR 59174) and that became effective October 25, 1979 (44 FR 72585; December 14, 1979). Subject to the availability of funds and other factors, FDA may reimburse participants meeting the criteria set forth in these regulations for certain costs of participating in this proceeding. For more information regarding the reimbursement program, contact Ron

Wylie, Office of Consumer Affairs (HF–70), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–2932. Although reimbursement may be made available for hearings under Part 14, the program's priority will be given to funding participation in formal evidentiary public hearings under Part 12 or public boards of inquiry under Part 13 of FDA's regulations (21 CFR Part 12 or 13).

Applications for reimbursement for participation in the meeting listed above should be sent to Ron Wylie, Office of Consumer Affairs (HF–70), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, rather than to the Hearing Clerk as prescribed in 21 CFR 10.210 of the regulations. If you wish to submit an application, please call Ron Wylie at 301–443–2932 as soon as possible. The time limit for applying for such reimbursement is as follows:

Committee meeting	Meeting date	Reimbursement applications must be received by
Circulatory systems devices panel.	March 31.....	March 24, 1980.

FDA has established expedited procedures for review of any application for reimbursement for participation in the meeting announced in this notice. The Office of Consumer Affairs, FDA, will file any applications for reimbursement for participation in the meeting announced in this notice in the docket for this notice.

Dated: March 11, 1980.

Mark Novitch, M.D.,

Acting Commissioner, Food and Drugs.

[FR Doc. 80–8036 Filed 3–13–80; 8:45 am]

BILLING CODE 4110–03–M

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 Thomas L. Hooker, District Director, Baltimore District Office, Baltimore, MD.

DATE: The meeting will be held at 10 a.m., Tuesday, April 15, 1980.

ADDRESS: The meeting will be held at the Culpepper Presbyterian Church, 215 S. Main St., Culpepper, VA.

FOR FURTHER INFORMATION CONTACT: Charity E. Singletary, Consumer Affairs Officer, Food and Drug Administration, Department of Health, Education, and Welfare, 701 W. Broad St., Rm. 309, Falls Church, VA, 703–557–0389

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 Baltimore District Office, and to contribute to the agency's policymaking decisions on vital issues.

Dated: March 6, 1980.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 80–7528 Filed 3–13–80; 8:45]

BILLING CODE 4110–03–M

[Docket No. 80F–0045]

Diamond Shamrock Corp.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: Diamond Shamrock Corp. has filed a petition proposing the safe use of *N*-methyl-*N*-(tall oil acyl) taurine, sodium salt in the manufacture of paper and paperboard intended for food-contact use.

FOR FURTHER INFORMATION CONTACT: Gerad L. McCowin, Bureau of Foods (HFF-334), Food and Drug Administration, Department of Health, Education, and Welfare, 200 C St. SW., Washington, DC 20204, 202–472–5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 9B3433) has been filed by Diamond Shamrock Corp., Morristown, NJ 07960, proposing that § 176.170 *Components of paper and paperboard in contact with aqueous and fatty foods* (21 CFR 176.170) be amended to provide for the safe use of *N*-methyl-*N*-(tall oil acyl) taurine, sodium salt as an antiscalent for use in the manufacture of paper and paperboard intended for food-contact use.

The agency has determined that the proposed action falls under § 25.1(f)(1)(v) (21 CFR 25.1(f)(1)(v)) and is exempt from the requirement of an environmental impact analysis report and that no environmental impact statement is necessary.

Dated: February 28, 1980.

Sanford A. Miller,

Director, Bureau of Foods.

[FR Doc. 80–7527 Filed 3–13–80; 8:45 am]

BILLING CODE 4110–03–M

Jensen-Salsbery Laboratories, Division of Burroughs Wellcome Co.; Chloral Hydrate, Pentobarbital and Magnesium Sulfate Injection; Withdrawal of Approval of NADA

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The agency withdraws approval of a new animal drug application (NADA) providing for use of Equi-Thesin injection containing chloral hydrate, pentobarbital, and magnesium sulfate. The injectable product is a prescription drug administered intravenously in cattle and horses for general anesthesia. The sponsor, Jensen-Salsbery Laboratories, Division of Burroughs Wellcome Co., requested the withdrawal of approval.

EFFECTIVE DATE: March 24, 1980.

FOR FURTHER INFORMATION CONTACT: Walter L. Sessions, Bureau of Veterinary Medicine (HFV–216), Food and Drug Administration, Department of Health, Education, and Welfare, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4093.

SUPPLEMENTARY INFORMATION: Jensen-Salsbery Laboratories, Division of Burroughs Wellcome Co., Kansas City, MO 64108, is the sponsor of NADA 5–909 which provides for use of Equi-Thesin injection. The product contains chloral hydrate, pentobarbital, and magnesium sulfate. It is administered intravenously as a general anesthetic and as a sedative-relaxant in horses and cattle. The sponsor, in a submission to the agency dated December 13, 1979, requested withdrawal of approval because the product was being neither manufactured nor marketed.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345–347 (21 U.S.C. 360b(e))) 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 5.84), and in accordance with § 514.115 *Withdrawal of approval of applications* (21 CFR 514.115), notice is given that approval of NADA 5–909 and all supplements for Equi-Thesin injection is hereby withdrawn.

Effective date: March 24, 1980.

In a document published elsewhere in this issue of the **Federal Register,**

§ 522.380 is amended to delete that portion reflecting approval of this NADA.

Dated: March 7, 1980.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 80-7719 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-03-M

[Docket No. 80M-0047]

Soft Lenses, Inc.; Premarket Approval of Cabcurve (Porofocon B) Contact Lens

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces approval of the application for premarket approval under the Medical Device Amendments of 1976 of the Cabcurve (porofocon B) Contact Lens sponsored by Soft Lenses, Inc., San Diego, CA. After reviewing the Ophthalmology Device Classification Panel's recommendation, FDA notice the sponsor that the application was approved because the device had been shown to be safe and effective for use as recommended in the submitted labeling.

DATE: Petitions for administrative review by April 14, 1980.

ADDRESS: Requests for copies of the summary of safety and effectiveness data and petitions for administrative review may be sent to the Hearing Clerk (HFA-305), Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Keith Lusted, Bureau of Medical Devices (HFK-402), Food and Drug Administration, Department of Health, Education, and Welfare, 8757 Georgia Ave., Silver Spring, MD 20910, 301-427-8162.

SUPPLEMENTARY INFORMATION: The sponsor, Soft Lenses, Inc., San Diego, CA, submitted an application for premarket approval of the Cabcurve (Porofocon B) Contact Lens to FDA on May 4, 1977. The application was reviewed by the Ophthalmology Device Classification Panel, an FDA advisory committee, which recommended approval of the application. On June 11, 1979, FDA approved the application by a letter to the sponsor from the Director of the Bureau of Medical Devices.

Before enactment of the Medical Device Amendments of 1976 (Pub. L. 94-295, 90 Stat. 539-583 (the amendments)), soft contact lenses and solutions were regulated as new drugs. Because the amendments broadened the definition of the term "device" in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)) (the act), soft contact lenses and solutions are now regulated as class III devices (premarket approval). As FDA explained in a notice published in the **Federal Register** of December 16, 1977 (42 FR 63472), the amendments provided transitional provisions to ensure continuation of premarket approval requirements for class III devices formerly considered new drugs. Furthermore, FDA requires as a condition to approval that sponsors of applications for premarket approval of soft contact lenses or solutions comply with the records and reports provisions of Part 310 (21 CFR Part 310), Subpart D, until these provisions are replaced by similar requirements under the amendments.

A summary of the information on which the agency's approval is based is available upon request from the Hearing Clerk (HFA-305), address above. Requests should be identified with the name of the device and the Hearing Clerk docket number found in brackets in the heading of this document.

The labeling of the Cabcurve (porofocon B) Contact Lens, like that of other approved soft contact lenses, states that the lens is to be used only with certain solutions for disinfection and other purposes. The restrictive labeling helps to inform new lens users that they must avoid purchasing inappropriate products, e.g., solutions for use with hard contact lenses. However, the restrictive labeling needs to be updated periodically to refer to new solutions that FDA approves for use with an approved lens. A sponsor that does not update the restrictive labeling may violate the misbranding provisions of section 502 of the act (21 U.S.C. 352) as well as the Federal Trade Commission Act (15 U.S.C. 41-58), as amended by the Magnuson-Moss Warranty-Federal Trade Commission Improvement Act (Pub. L. 93-637). Furthermore, failure to update the restrictive labeling to refer to new solutions that may be used with an approved lens may be grounds for withdrawing approval of the application for the lens, under section 515(e)(1)(F) of the act (21 U.S.C. 360e(e)(1)(F)). Accordingly, whenever FDA publishes a notice in the **Federal Register** of the agency's approval of a new solution for use with an approved lens, the sponsor of the lens shall correct its labeling to refer to the new solution, at the next printing or at any other time FDA prescribes by letter to the sponsor.

Opportunity for Administrative Review

Section 515(d)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e(d)(3)), authorizes any interested person to petition, under section 515(g) of the act (21 U.S.C. 360e(g)), for administrative review of FDA's decision to approve this application. A petitioner may request either a formal hearing under Part 12 (21 CFR Part 12) of the FDA administrative practices and procedures regulations or a review of the application and FDA's action by an independent advisory committee of experts. A petition is to be in the form of a petition for reconsideration of FDA action under § 10.33(b) (21 CFR 10.33(b)). A petitioner shall identify the form of review requested (hearing or independent advisory committee) and shall submit with the petition supporting data and information showing that there is a genuine and substantial issue of material fact for resolution through administrative review. After reviewing a petition, FDA will decide to grant or deny the petition and will publish a notice of its decision in the **Federal Register.** If FDA grants the petition, the notice will state the issues to be reviewed, the form of review to be used, the persons who may participate in the review, the time and place where the review will occur, and other details.

Petitioners may, at any time on or before April 14, 1980 file with the Hearing Clerk (HFA-305), Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20857, four copies of each petition and supporting data and information, identified with the name of the device and the Hearing Clerk docket number found in brackets in the heading of this document. Received petitions may be seen in the above-named office between 9 a.m. and 4 p.m., Monday through Friday.

Dated: March 7, 1980.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 80-7970 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-03-M

National Institutes of Health

National Cancer Institute; Diagnostic Research Advisory Group; Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Diagnostic Research Advisory Group, National Cancer Institute, April 24-25, 1980, Building 31C, Conference Room 10, National Institutes of Health, Bethesda, Maryland 20205.

The entire meeting will be open to the public from 9:00 a.m. to 5:00 p.m. on

April 24, and from 8:30 a.m. to adjournment on April 25, to conduct general business related to cancer diagnosis and to review present programs and plan future programs. Attendance by the public will be limited to space available.

Mrs. Marjorie F. Early, Committee Management Officer, National Cancer Institute, Building 31, Room 4B43, National Institutes of Health, Bethesda, Maryland 20205 (301/496–5708) will provide summaries of the meeting and rosters of committee members, upon request.

Drs. Louis P. Greenberg or Dr. R. Quentin Blackwell, Executive Secretaries of the Committee, Building 31, Room 3A10, National Institutes of Health, Bethesda, Maryland 20205 (301/496–1591) will furnish substantive program information, upon request.

Date: March 10, 1980.

Suzanne L. Fremeau,

Committee Management Officer, National Institute of Health.

[FR Doc. 80–7942 Filed 3–13–80; 8:45 am]

BILLING CODE 4110–08–M

Renewal of National Cancer Institute Committees

Pursuant to the Federal Advisory Committee Act of October 6, 1972, (Public Law 92–463, 86 Stat. 770–776), the Director, National Institutes of Health, announces the renewal by the Director, NCI, of the following committees:

Committee and Termination Date

Cancer and Nutrition Scientific Review Committee, March 31, 1982.
Cancer Control Grant Review Committee, March 3, 1982.

Authority for these committees will expire on the dates indicated, unless renewed by appropriate action as authorized by law.

Date: March 6, 1980.

Donald S. Fredrickson,

Director, National Institutes of Health.

[FR Doc. 80–7940 Filed 3–13–80; 8:45 am]

BILLING CODE 4110–08–M

National Institute of Dental Research; Meeting of the Board of Scientific Counselors

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute of Dental Research, on April 28, 29 and 30, 1980, in Conference Room 117, Building 30, National Institutes of Health, Bethesda, Maryland. This meeting will be open to the public from 9:00 a.m. to 5:00 p.m. on April 28 and 29, to discuss program policies and issues. Attendance by the public is limited to space available.

In accordance with the provisions set forth in Section 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Public Law 92–463, the meeting will be closed to the public from 9:00 a.m. to adjournment on April 30 for the review, discussion, and evaluation of individual programs and projects conducted by the National Institute of Dental Research, NIH, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Marie U. Nylen, Director of Intramural Research, National Institute of Dental Research, National Institutes of Health, Building 30, Room 132, Bethesda, MD 20205, (telephone 301 496–1483) will provide summaries of meeting, rosters of committee members, and substantive program information.

Date: March 7, 1980.

Suzanne L. Fremeau,

Committee Management Officer, National Institutes of Health.

[FR Doc. 80–7938 Filed 3–13–80; 8:45 am]

BILLING CODE 4110–08–M

National Heart, Lung, and Blood Institute; Meeting of Blood Diseases and Resources Advisory Committee

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Blood Diseases and Resources Advisory Committee, National Heart, Lung, and Blood Institute, April 28–29, 1980, National Institutes of Health, Building 31, Conference Room 8, Bethesda, Maryland 20205.

The entire meeting will be open to the public from 9:00 AM–5:00 PM, April 28, and from 8:30 AM–4:30 PM, April 29, 1980, to discuss the status of the Blood Diseases and Resources program, needs, and opportunities. Attendance by the public will be limited to space available.

Mr. York Onnen, Chief, Public Inquiries and Reports Branch, National Heart, Lung, and Blood Institute, Building 31, Room 4A21A, National Institutes of Health, Bethesda, Maryland 20205, phone: (301) 496–4236, will provide summaries of the meeting and rosters of the committee members.

Dr. Fann Harding, Special Assistant to the Director, Division of Blood Diseases and Resources, National Heart, Lung, and Blood Institute, Federal Building, Room 514, National Institutes of Health, Bethesda, Maryland, 20205, phone: (301) 496–1817, will furnish substantive program information.

Date: March 10, 1980.

Suzanne L. Fremeau,

Committee Management Officer, National Institutes of Health.

[FR Doc. 80–7941 Filed 3–13–80; 8:45 am]

BILLING CODE 4110–08–M

National Institute of Child Health and Human Development; Meeting of the Mental Retardation Research Committee

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Mental Retardation Research Committee, National Institute of Child Health and Human Development, on April 7–8, 1980, in the Landow Building, Room A 1st floor, 7910 Woodmont Avenue, Bethesda, Maryland.

This meeting will be open to the public on April 7 from 9:00 a.m. to 11:00 a.m. to discuss items relative to the Committee's activities including announcements by the Director, Deputy Director, Associate Director for Review and the Chief of the Mental Retardation and Developmental Disabilities Branch and the Executive Secretary of the Committee.

In accordance with provisions set forth in Sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Public Law 92–463, the meeting will be closed to the public on April 7 from 11:00 a.m. to adjournment on April 8 for the review, discussion and evaluation of individual grant applications. The applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, disclosure which would constitute a clearly unwarranted invasion of personal privacy.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Landow Building, Room 7C09, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496–1485, will provide a summary of the meeting and roster of committee members. Dr. Stanley L. Slater, Executive Secretary, Mental Retardation Research Committee, NICHD, Landow Building, Room 7C09, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496–1696, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.865, National Institutes of Health)

Date: March 7, 1980.

Suzanne L. Fremeau,

Committee Management Officer, National Institutes of Health.

[FR Doc. 80-7939 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-08-M

Office of the Assistant Secretary for Planning and Evaluation

[Contract No. HEW-100-78-0004]

"Denver Income Maintenance Experiment"; Contract Award

Pursuant to Section 606 of the Community Services Act of 1974, this agency announces the award of Contract No. HEW-100-78-0004 to the State of Colorado Department of Social Services for a project entitled "Denver Income Maintenance Experiment" for the continuing implementation and research on this income maintenance experiment. The overall purpose of the project, begun in 1971, is to assess the amount of work effort reduction and other effects that would result from a guaranteed annual income. Ongoing work includes further analyses of the data and preparation for the production of the final report, and continued active participation of a small number of families in the experiment. The estimated cost of this contract for FY 1980 is $2,133,710 and the completion date for this phase is September 30, 1980.

Dated: March 11, 1980.

John L. Palmer,

Assistant Secretary for Planning and Evaluation, Designate.

[FR Doc. 80-8010 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-12-M

[Contract No. HEW-100-78-0005]

"Seattle Income Maintenance Experiment"; Contract Award

Pursuant to Section 606 of the Community Services Act of 1974, this agency announces the award of Contract No. HEW-100-78-0005 to the State of Washington Department of Social and Health Services for a project entitled "Seattle Income Maintenance Experiment" for the continuing implementation and research on this income maintenance experiment. The overall purpose of the project, begun in 1971, is to assess the amount of work effort reduction and other effects that would result from a guaranteed annual income. Ongoing work includes further analyses of the data and preparation for the production of the final report. The estimated cost of this contract for FY 1980 is $1,910,375 and the completion date is September 30, 1980.

Dated: March 11, 1980.

John L. Palmer,

Assistant Secretary for Planning and Evaluation, Designate.

[FR Doc. 80-8011 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-12-M

Office of the Secretary

National Advisory Committee on the White House Conference on Families; Special Subcommittee on the Appointment of At-Large Delegates; Meeting

The National Advisory Committee on the White House Conference on Families was established to advise the Secretary, the Chair of the Conference, and the Conference staff on matters pertaining to the Conference, including the development, implementation and execution of overall plans and procedures for the Conference. The Special Subcommittee on the Appointment of At-Large Delegates was appointed by the National Advisory Committee at its January 23–25 meeting to develop criteria for the selection of at-large delegates to the White House Conferences, and to make recommendations concerning such selections. This subcommittee is composed exclusively of members of the committee of the whole.

In accordance with Pub. L. 92–463, notice is hereby given of a meeting to be held Tuesday, April 1, 1980, at 9 a.m. in Room 303A of the Humphrey Building, located at 300 Independence Avenue, S.W., in Washington, D.C.

From 9 a.m. until approximately 10 a.m., deliberations will concern criteria for selection of individuals to serve as at-large delegates to the White House Conferences. This portion of the meeting will be open for public observation.

At the conclusion of the deliberations concerning criteria, the meeting will be closed for consideration of individual nominations. Since this portion of the meeting will involve discussion of characteristics and profiles of individual nominees, the Secretary of Health, Education, and Welfare has determined that this portion of the meeting may be closed in accordance with Section 10(d) of the Federal Advisory Committee Act and 5 U.S.C. 552b(c)(6). This portion of the meeting will, therefore, be closed to the public.

Further information on the meeting may be obtained from the White House Conference on Families at 330 Independence Avenue, S.W., Washington, D.C. 20201, (202) 245–6073.

Dated: March 12, 1980.

John L. Carr,

Executive Director, White House Conference on Families.

[FR Doc. 80-8045 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-12-M

Office of the Assistant Secretary for Management and Budget; Statement of Organization, Functions, and Delegation of authority

This notice amends Part A of the statement of organization, functions and delegations of authority of the Department of Health, Education, and Welfare, Office of the Secretary, by modifying certain parts of Chapter AMS "Office of Management Services" (42 FR 36310, dated 7–14–77, as amended by 44 FR 28731, dated 5–16–79), Chapter AF "Office of Inspector General" (42 FR 17531, dated 4–1–77 and 43 FR 58871, dated 12–18–78).

Administrative streamlining resulting from the transfer of all security functions to the Office of the Inspector General; the need for centralized control over security programs within the organizational component responsible for investigation of criminal matters and enforcement of the law; and the increased effectiveness derived from such centralized control in the event of an emergency justify these proposed changes.

This notice: (a) Abolishes the Security and Safety Branch, Washington Facilities Division (AMS.20 C).

(b) Establishes a Division of Security and Protection under the Assistant Inspector General for Investigations, Office of the Inspector General (AF.20 D).

(c) Transfers to the Office of the Inspector General all security and executive protection functions formerly in the Washington Facilities Division.

The following changes are made in the Statement of Organization, Functions, and Delegations of Authority.

Section AMS.20 C (*Functions: Washington Facilities Division*) is revised to read:

C. *Washington Facilities Division.* Plans and administers the HEW facilities management program in the Washington, D.C. area: Provides engineering and architectural services in support of the maintenance and operations of all HEW facilities in the national capitol area. Negotiates for, obtains, and allocates parking spaces in southwest Washington, D.C. Implements and/or develops procedures, standards, and regulations for the occupational safety and health program within the Office of the Secretary.

Section AF.20 D (*Functions: Office of the Assistant Inspector General for Investigations*) is revised as follows:

Section 1. Section AF.00(1) of part AF is amended by adding "and maintaining security programs designed to protect government property, sensitive information, and personnel;" at the end of the section.

Sec 2. Section AF.10 of part AF is amended by adding "Division of Security and Protection (AFED)" after Division of Law Enforcement Coordination and Data Collection.

Sec. 3. Section AF.20A(1) of part AF is amended by adding "and security activities" after "investigative activities."

Sec. 4. Section AF.20D.1.(a) of part AF is amended by adding "and security" after "investigative".

Sec. 5. Section AF.20D.2. of part AF is amended by adding at the end the following new paragraph:

(f) Division of Security and Protection (AFED):

(i) Establishes Departmental policies, procedures, and guidelines for protection of classified documents and material including special category (SPECAT) information (NATO, Restricted Data, SCI, etc.) pursuant to and in accordance with the provisions of Executive Order 12065, National Security Information; and safeguards non-classified sensitive information and information for which safeguarding is required by the Privacy Act of 1974.

(ii) Develops and maintains an executive protection program, which provides for the personal protection of the Secretary and Under Secretary and provides, on a contingency basis, personal protection guidance and assistance to other high-level Department officials.

(iii) Develops Department-wide policy and guidance for the physical security of personnel, property, activities, and information in facilities and buildings occupied by the Department.

(iv) Serves as emergency coordinating office and maintains an up-to-date facility self-protection operational plan for the headquarters southwest building complex, provides policy guidance on facility self-protection to all Departmental installations in the field and responsible for the evacuation of these buildings in an emergency.

(v) Provides Department-wide policy, direction, and guidance for communications, technical, and industrial security programs.

(vi) Provides operational security services and support (Physical, building, information security) for headquarters southwest complex components and other designated Departmental elements.

(vii) Conducts a Department-wide employee education program dealing with safeguarding of classified and other sensitive information, protection of government property and facilities, and crime prevention.

(viii) Maintains liaison with Department Staff Offices, principal operating components, other Federal agencies, and local and Federal law enforcement organizations on all matters pertaining to executive protection and internal security affecting the Department.

(ix) Provides Department-wide emergency preparedness security guidance pursuant to Executive Order 11490. Provides direction and guidance relative to safekeeping of essential records, protection of emergency operating facilities, emergency communications assets, and protection of government resources and key facilities and personnel.

(x) Establishes nation-wide standards and procedures for development, control, and safeguarding of all forms of Departmental identification media (such as building passes and special credentials).

(xi) Conducts investigations of classified information violations involving southwest complex components. Coordinates with the investigating organization the investigation of classified information violations occurring in the field and property violations in the southwest complex.

Sec. 6. Prior Statement of Organization, Functions, and Delegations of Authority. To the extent inconsistent with this statement, all previous statements of organization, functions, and delegations of authority, as well as currently applicable chapters of the Department's Organizational Manual, are hereby suspended by this statement, except that all delegations in effect immediately prior to the effective date of this statement shall continue in effect until new delegations are made.

Sec. 7. Effective date. This Statement shall be effective on March 6, 1980.

Dated: March 6, 1980.

Nathan J. Stark

Acting Secretary.

[FR Doc. 80-7900 Filed 3-13-80; 8:45 am]

BILLING CODE 4110-12-M

Public Health Service

Health Maintenance Organizations

Corrections

In FR Doc. 80-6209, at page 13892, in the issue of Monday, March 3, 1980, make the following corrections:

(1) On page 13893, in the middle column under *"Michigan,"* the sixth line, now reading

Group Health Service of Michigan, Inc., Warren

is corrected to read:

Group Health Plan of Southeast Michigan, Warren

(2) On page 13894, in the first column under *"Washington,"* the third line, insert the footnote reference "[1]" after the last word "Oregon" and the same column under *"Guam"*, the second line, correct the footnote reference "1" to read "2".

(3) On page 13894, the last column, under *"Schenectady"*, the paragraph designated as "9.", the fifth line down, correct "August 12, 1978" to read "August 12, 1979".

BILLING CODE 1505-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ORE-011364]

Oregon; Termination of Classification

March 7, 1980.

1. By Order of the Bureau of Land Management State Supervisor, Oregon, dated November 9, 1956, the following described public lands were classified for disposal by lease or sale under the Recreation and Public Purposes Act of June 14, 1926, as amended (43 U.S.C. 869, 869-4). No application has been filed pursuant to said act; accordingly, pursuant to 43 CFR 2741.2(c), the classification is hereby terminated as to the following described lands:

Willamette Meridian

T. 28 S., R. 32 E.,
- Sec. 17;
- Sec. 19, Lots 1, 2, 3, and 4, E½W½, and E½;
- Sec. 20, 21, and 22;
- Sec. 23, NE¼NE¼, SW¼, and S½SE¼;
- Sec. 25, NW¼NW¼, S½NW¼, and SW¼;
- Secs. 26, 27, 28, and 29;
- Sec. 30, Lots 1, 2, 3, and 4, E½W½, and E½;
- Sec. 31, Lots 1, 2, 3, and 4, NE¼, E½W½, N½SE¼, and SW¼SE¼;
- Secs. 32, 33, 34, and 35.

T. 29 S., R. 32 E.,
- Sec. 1;
- Sec. 2, Lots 1, 2, 3, (except the S½SE¼ NE¼NW¼), and 4, NE¼,

SW¼NW¼, W½SE¼NW¼,
S½SE¼SE¼NW¼, and S½;
Sec. 3, Lots 1, 2, 3, and 4, S½N½,
W½SW¼, N½NE¼SW¼,
W½SW¼NE¼SW¼, W½SE¼SW¼,
SE¼SE¼SW¼, N½SE¼, W½NE¼
SW¼SE¼,W½SW¼SE¼,
SE¼SW¼SE¼, and SE¼SE¼;
Sec. 4, Lots 1, 2, 3, and 4, S½N½, and S½;
Sec. 5, Lots 1, 2, 3, and 4, S½N½, and S½;
Sec. 6, Lots 1, 2, 3, and 4, E½W½, and E½;
Sec. 7, Lots 1, N½NE¼, and NE¼NW¼;
Sec. 8, N½, NE¼SW¼, N½SE¼, and
SE¼SE¼;
Secs. 9 and 10;
Sec. 15, NE¼, N½NW¼, and E½SE¼.

The areas described aggregate 16,016.70 acres in Harney County, Oregon.

2. At 10 a.m. on April 21, 1980, the following described lands will be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law:

Willamette Meridian

T. 28 S., R. 32 E.,
Sec. 23, NE¼NE¼.
T. 29 S., R. 32 E.,
Sec. 1, E½ and E½NW¼;
Sec. 10, SE¼;
Sec. 15, N½NE¼, SE¼NE¼, and E½SE¼.

3. At 10 a.m. on April 21, 1980, the lands described in paragraph 2 will be open to location under the United States mining laws. The lands described in paragraph 1 have been and continue to be open to applications and offers under the minerals leasing laws.

4. The lands described in paragraph 1, except those described in paragraph 2, remain segregated from operation of the public land laws generally, including the mining laws, by proposed protective withdrawal OR 10676 or by Recreation and Public Purposes Act classification, OR 17348.

Inquiries concerning the lands should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, P.O. Box 2965, Portland, Oregon 97208.

Harold A. Berends,
Chief, Branch of Lands and Minerals Operations.

[FR Doc. 80-7976 Filed 3-13-80; 8:45 am]
BILLING CODE 4310-84-M

[U-910-4310-84]

Final Wilderness Decision and Withdrawal Recommendation on Deep Creek Mountains; Utah

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: This notice announces (1) the BLM Utah State Director's final decision to identify 68,910 acres as a Wilderness Study Area within the Deep Creek Mountains inventory unit (UT–020–060, UT–050–020), and (2) the State Director's recommendation which will be forwarded to the Secretary of the Interior, to permit a 26,927 acre emergency withdrawal in the Deep Creek Mountains to expire May 2, 1980.

Pursuant to the authority delegated by the Director of BLM, an accelerated wilderness inventory has been conducted on a 157,450 acre inventory unit. The unit was inventoried according to provisions of Sections 201(a) and 603 of the Federal land Policy and Management Act of 1976 and Section 2(c) of the Wilderness Act of 1964. The area listed herein meets the wilderness criteria of Section 2(c) of Pub. L. 88–577 and is hereby designated as a Wilderness Study Area.

As a result of the intensive wilderness inventory, a 68,910 acre portion of inventory unit UT–020–060, UT–050–020 was proposed as a Wilderness Study Area, as published in the **Federal Register** November 16, 1979, pages 66076 and 66077 and November 28, 1979, page 68037. The appropriate inventory and associated public comment period have been conducted by the Utah BLM.

A 60-day comment period including public meetings ended January 15, 1980. The comment period and meetings were held to gain comments and information on the proposal. The BLM received 715 comments that both agreed and disagreed with the proposal. No specific information which would justify a modification of the proposal was received.

Upon publication of this final decision, a 30-day protest period on this decision is initiated. Any person who has disagreement with this decision on this unit and has information which may influence this decision, may file a written protest with: BLM Utah State Director, 136 East South Temple, Salt Lake City, Utah 84111. The protest must specify the unit and include a clear and concise statement of reasons for the protest and must furnish supporting information on the presence or absence of the wilderness characteristics as described in the Wilderness Act of 1964. The protest must be received by the BLM Utah State Office at the above address by 4:30 p.m. April 14, 1980. Should protests be filed on this inventory unit, the State Director will consider such protests and issue a decision which will be subject to appeal on the inventory unit to the Department of the Interior Board of Land Appeals (IBLA). If the decision on the protest remains consistent with this decision, only the protestor may appeal to the IBLA. If such decision reflects changes from this decision based upon the information submitted by the protestor, any adversely affected person may appeal to the IBLA.

The final decision announced herein is scheduled to become effective as of 4:30 p.m., April 14, 1980 (close of protest period), if no protest is filed. At that time, the portions of the unit not within the Wilderness Study Area as designated will no longer be subject to the management restrictions imposed by Section 603 of Pub. L. 94–579. For purposes of this decision, this unit is considered separable from every other unit under wilderness inventory. Should any amendment to this decision be made by the Utah BLM State Director, as a result of new information received following this announcement, that amendment will be formally published in the **Federal Register** and will not become effective until 30 days following such publication. This 30-day extension will apply only to the amendment and not the original decision.

Three management options were identified concerning the emergency withdrawal. They are: (1) make application for a permanent withdrawal on the 26,927 acre emergency withdrawal before its expiration on May 2, 1980, (2) modify the emergency withdrawal and make application for a permanent withdrawal and (3) permit the emergency withdrawal to expire on May 2, 1980.

The BLM Utah State Director's recommendation to the Secretary of the Interior to permit the emergency withdrawal to expire follows three years of study and inventory on the area which indicate that some of the key values do not exist to the degree originally thought at the time the withdrawal was initiated. However, the area does have all the wilderness values required by Section 603 of FLPMA, and those will be protected through the Interim Management Policy published by the bureau December 12, 1979, Surface Management Regulations (3802), and the history of court decisions giving the Secretary of Interior authority to regulate mineral activities on the public lands.

The recommendation to be forwarded to the Secretary of the Interior on the withdrawal options, although related to the WSA issue, is not protestable at the State Director's level.

FOR FURTHER INFORMATION ON THE WSA CONTACT: Herbert Hunt, BLM Richfield District Office, (801) 896–8221 or Lewis

Kirkman, BLM Salt Lake District Office (801) 524–5348.

Gary J. Wicks,

State Director.

[FR Doc. 80–7135 Filed 3–13–80; 8:45 am]

BILLING CODE 4310–84–M

Geological Survey

Delegation of Authority

The following material is a portion of the Geological Survey Manual listing the redelegations of the Director's authority found in Parts 250, 252, and 290 of Title 30 of the Code of Federal Regulations. The numbering system used is that of the manual commencing at SM 220.2.4.

Dated: March 6, 1980.

Doyle G. Frederick,

Acting Associate Director.

.4 *Appeals to the Director.* The Chief, Conservation Division, is authorized to exercise the authority delegated by the Secretary of the Interior to the Director, Geological Survey, as set forth in 30 CFR section 221.66 and 30 CFR Part 290.

.5 *Authorities under regulations in 30 CFR Part 250—Oil and Gas and Sulphur Operations in the Outer Continental Shelf.* Except as provided below, all the authorities of the Director, Geological Survey, that are set forth in 30 CFR sections 250.1 through 250.96 are delegated through the Chief, Conservation Division; the Deputy Chief, Conservation Division—Offshore Minerals Regulation; and the appropriate Conservation Manager, to the appropriate Oil and Gas Supervisor or Deputy Conservation Manager. Those authorities which are delegated herein to the Conservation Manager or to the Deputy Chief, Conservation Division—Offshore Minerals Regulation may be further redelegated with the approval of the Chief, Conservation Division.

A. Authorities under the regulations in Section 250.3, "Data and information to be made available to the public":

1. The authority to deny anyone access to data or information pursuant to a Freedom of Information Act (FOIA) request shall be exercised by the Regional Assistant Director having jurisdiction over the area to which the information applies.

2. The authority to determine that early release of information is necessary for the proper development of a field or area shall be exercised by the Conservation Manager having jurisdiction over the area to which the information applies.

3. The authority to determine that early release of information is necessary for implementation of the provisions of Section 250.34, "Exploration, development, and production plans," shall be exercised by the Conservation Manager having jurisdiction over the area.

B. Authorities under the regulations in Section 250.4, "Privileged and proprietary data and information to be available to affected States":

1. The authority to provide the Governor of a State information at the time nominations are solicited for the leasing of lands within 3 geographic miles of the seaward boundary of a coastal State shall be exercised by the Conservation Manager having jurisdiction over the area.

2. The authority to consult with the Governor of a State after receipt of nominations for any area of the OCS within 3 geographic miles of the seaward boundary of a coastal State to determine whether any tracts being considered for leasing may contain one or more oil or gas reservoirs underlying both the OCS and lands subject to the jurisdiction of the State shall be exercised by the Conservation Manager having jurisdiction over the area.

C. Authorities under the regulations in Sections 250.10, "Jurisdiction," and 250.11, "Functions":

1. The authority to issue or amend an OCS Order to implement the requirements of the regulations shall be exercised by the Supervisor or Deputy Conservation Manager only after the OSC Order or amendment to an OCS Order has been approved by the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

2. The authority to consult with and receive comments from lessees, operators, and other interested parties prior to the issuance of an OCS Order shall be exercised by the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

3. The authority to determine the economic feasibility of using available technology in order to identify the best available and safest technologies shall be exercised by the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

4. The authority to determine that the incremental benefits are clearly insufficient to justify the incremental cost of utilizing a technology shall be exercised by the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

5. The authority to request that a lessee furnish food, quarters, and/or transportation for Federal representatives to inspect its facilities shall be exercised by the Conservation Manager having jurisdiction over the area in which the facility is located.

6. The authority to identify a State as an affected State as defined in section 250.2 shall be exercised by the Conservation Manager having jurisdiction over the area in which the proposed activity is to occur.

D. Authorities under the regulations in Section 250.12, "Suspension of operations and lease cancellation":

1. The authority to suspend or temporarily prohibit production or any other operations or activities in the interest of national security or defense shall be exercised by the Chief, Conservation Division.

2. The authority to determine that a lessee's request for a suspension or temporary prohibition of production or any other operation or activity pursuant to a lease is in the national interest and (i) will facilitate proper development of a lease, (ii) will allow for construction of or for negotiation for the use of transportation facilities, or (iii) will facilitate the installation of equipment shall be exercised by the Conservation Manager having jurisdiction over the leased area.

3. The authority to terminate a suspension or temporary prohibition issued in the interest of national security or defense shall be exercised by the Chief, Conservation Division.

4. The authority to terminate a suspension or temporary prohibition granted by a Conservation Manager in response to a lessee's request for a suspension shall be exercised by the Conservation Manager having jurisdiction over the leased area.

5. The authority to direct that site-specific studies be conducted to identify and evaluate (i) the cause(s) of the hazard(s) generating a suspension or temporary prohibition, (ii) the measures available for mitigating the hazard(s), and (iii) to approve or prescribe the scope of the study(ies) to be conducted shall be exercised by the Conservation Manager having jurisdiction over the area where the lease is located.

6. The authority to arrange for the costs of studies to be borne by a party other than the lessee shall be exercised by the Chief, Conservation Division.

7. The submission of reports to the Secretary on the results of studies required under section 250.12 will be accomplished through normal channels of communication, i.e., over the Director's signature.

8. The authority to evaluate a lessee's entitlement to compensation in accordance with subsection 250.12(g) shall be exercised by the Chief, Conservation Division.

E. Authorities under the regulations in Section 250.16, "Well potentials and permissible flow," to determine that a

variance from production rates consistent with regulations promulgated by the Secretary of Energy is necessary (should the Secretary of Energy promulgate such regulations) and to grant such a variance shall be exercised by the Conservation Manager having jurisdiction over the area where the production is located.

F. The authority under Section 250.19, "Access to platforms," to determine reimbursable costs due a lessee shall be exercised by the Conservation Manager having jurisdiction over the area in which the platform is located.

G. Authorities under the regulations in Section 250.21, "Reduction of royalty or net profit share," to reduce or eliminate the royalty and/or net profit share due the United States on minerals produced from an OCS leasehold, or any portion thereof, shall be exercised by the Conservation Manager having jurisdiction over the area where the leasehold is located.

H. Authorities under the regulations in 30 CFR Section 250.34, "Exploration, development, and production plans":

1. The authority to prescribe the manner and form for the general statement of exploration intentions which may be submitted pursuant to 30 CFR 250.34–1(a)(3) in lieu of an exploration plan shall be exercised by the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

2. The authority under 30 CFR 250.34–1(a)(4) to require that an exploration plan be accompanied by a general statement of development and production intentions shall be exercised by the Conservation Manager having jurisdiction over the area where the leasehold is located.

3. The authority to prescribe the manner and form for the general statement of development and production intentions to be submitted pursuant to 30 CFR 250.34–1(a)(4) shall be exercised by the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

4. The authority under 30 CFR 250.34–1(j)(1) to issue a demand that a lessee submit an exploration plan shall be exercised by the Conservation Manager having jurisdiction over the area where the leasehold is located.

5. The authority under 30 CFR 250.34–2(a)(2) to limit the information that will be required to be included in a development and production plan for a lease in the Western Gulf of Mexico shall be exercised by the Conservation Manager, Gulf of Mexico Region.

6. The authority under 30 CFR 250.34–2(a)(4) to require the submission of a preliminary description of a lessee's plans for development and production from a lease on which oil or gas or both have been discovered in paying quantities shall be exercised by the Conservation Manager having jurisdiction over the area in which the leasehold is located.

7. The authority under 30 CFR 250.34–2(b)(1) to publish a notice of receipt of a plan of development and production shall be exercised by the Conservation Manager having jurisdiction over the area in which the leashold is located.

8. The authority under 30 CFR 250.34–2(e)(1) and 250.34–4(c) to determine that the impacts of activities described in a plan or a revision of a plan constitute a major Federal action significantly affecting the quality of the human environment shall be exercised by the Director.

9. The authority under 30 CFR 250.34–2(e)(2) to require the submission of development and production plans shall be exercised by the Conservation Manager having jurisdiction over the area in which the leashold is located.

10. The authority under 30 CFR 250.34–2(g)(2)(iii)(B) to determine that operations threaten national security or national defense shall be exercised by the Chief, Conservation Division.

11. The authority under 30 CFR 250.34–2(g)(2)(iii)(C) to determine the existence of specific exceptional circumstances shall be exercised by the Conservation Manager having jurisdiction over the area in which the exceptional circumstances exist.

12. The authority under 30 CFR 250.34–2(l)(1) to issue a demand that a lessee submit a development and production plan shall be exercised by the Conservation Manager having jurisdiction over the area in which the leasehold is located.

13. The authority under 30 CFR 250.34–3(a)(1)(iii) to limit the information that will be required to be included in an Environmental Report accompanying an exploration plan for a lease in the western Gulf of Mexico shall be exercised by the Conservation Manager for the Gulf of Mexico Region.

14. The authority under 30 CFR 250.34–3(b)(1)(iv) to limit the information that will be required to be included in an Environmenal Report accompanying a development and production plan for a lease in the western Gulf of Mexico shall be exercised by the Conservation Manager for the Gulf of Mexico Region.

15. The authority under 30 CFR 250.34–4(a) to declare that the activities described in a plan do not constitute a major Federal action significantly affecting the quality of the human environment is delegated to the Conservation Manager.

16. The authority under 30 CFR 250.34–4(d) to declare the approval of a development and production plan to be a major Federal action pursuant to subsection 25(e) of the Act shall be exercised by the Director.

17. The authority under 30 CFR 250.34–4(e) to determine whether an Environmental Impact Statement will cover the activities described in a single plan or a number of plans shall be exercised by the Director.

I. Authorities under the regulations in Section 250.50, "Unitization," shall be exercised by the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

J. Authorities under the regulations in Section 250.51, "Pooling or drilling agreements," shall be exercised by the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

K. Authorities under the regulations in Section 250.52, "Pooling or drilling agreements," shall be exercised by the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

L. Authorities under the regulations in Section 250.53, "Subsurface storage of oil or gas," shall be exercised by the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

M. Authority under the regulations in Section 250.67, "Royalty on processed gas and constituent products," to determine that it is in the national interest to grant a cost of extraction allowance which exceeds two-thirds of the value of the extracted substances shall be exercised by the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

N. Authority under the regulations in Section 250.70, "Reports and investigation of apparent violations," to receive reports of apparent violations shall be exercised by the Conservation Manager having jurisdiction over the area in which the reported violation is alleged to have occurred.

O. Authority under the regulations in Section 250.71, "Reports on investigations":

1. To act in the capacity of the Director's designee shall be exercised by the Conservation Manager having jurisdiction over the area in which the apparent violation under investigation is alleged to have occurred.

2. To act in the capacity of Reviewing Officer shall be exercised by the Chief, Branch of Rules and Procedures of the headquarters staff of the Conservation Division. This authority may be delegated to a senior staff officer of the Conservation Division other than a member of the Offshore Regulations and Appeals Section.

P. Authority under the regulations in Section 250.72, "Knowing and willful violations," to act in the capacity of the Director's designee shall be exercised by the Conservation Manager having jurisdiction over the area in which the alleged violation is reported to have occurred. Provided, however, the Conservation Manager's referral of a case shall be through normal channels to the Office of the Solicitor for the Department of the Interior for review and forwarding to the Department of Justice.

Q. Authority under the regulations in Section 250.80, "Remedies and penalties":

1. To assess a monetary penalty and, when requested, to conduct a hearing in connection with that action shall be exercised by the Chief, Branch of Rules and Procedures of the headquarters of the Conservation Division. This authority may be delegated to a senior staff officer of the Conservation Division other than a member of the Offshore Regulations and Appeals Section.

2. To act in the capacity of the Director's designee shall be exercised by the Conservation Manager having jurisdiction over the area in which the alleged violation is reported to have occurred. As indicated under "P" above, the referral of a case to the Department of Justice for the initiation of an enforcement action requires the prior concurrence of the Office of the Solicitor for the Department of the Interior. The authority to act in the capacity as the Director's designee with respect to the transfer of a case to another Reviewing Officer shall be exercised by the Deputy Chief, Conservation Division—*Onshore* Minerals Regulation.

3. To act in the capacity of Reviewing Officer and to delegate the authority to act as a Reviewing Officer shall be exercised by the Chief, Branch of Rules and Procedures of the headquarters staff of the Conservation Division.

4. To approve the manner and format in which subpoenas will be issued shall be exercised by the Chief, Conservation Division.

5. To act on appeals from decisions of Reviewing Officers shall be exercised by the Chief, Conservation Division.

6. To act on a petition to reopen a case when an appeal has been submitted to the Director shall be exercised by the Chief, Conservation Division.

Authorities under regulations in 30 CFR Part 251—Geological and Geophysical Exploration on the Outer Continental Shelf.

[Specific delegations will be developed later]

Authorities under regulations in 30 CFR Part 252—Outer Continental Shelf (OCS) Oil and Gas Information Program. Except as provided below, all the authorities of the Director, Geological Survey, that are set forth in 30 CFR Part 252 are delegated through the Chief, Conservation Division, and the Deputy Chief, Conservation Division—Offshore Minerals Regulation to the appropriate Conservation Manager. The authorities which are delegated to the Conservation Manager and those delegated to the Deputy Chief, Conservation Division—Offshore Minerals Regulation may be further redelegated with the approval of the Chief, Conservation Division.

A. Authorities under the regulations in Section 252.4, "Summary report to affected States," shall be exercised by the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

B. Authorities under the regulations in Section 252.5, "Information to be made available to affected States," shall be exercised by the Deputy Chief, Conservation Division—Offshore Minerals Regulation.

C. Authority under the regulations in Section 252.6, "Freedom of Information Act requirements," to deny anyone access to data or information pursuant to a Freedom of Information Act (FOIA) request shall be exercised by the Regional Assistant Director having jurisdiction over the area to which the information applies.

D. Authorities under the regulations in Section 252.7, "Privileged and proprietary data and information to be made available to affected States":

1. The authority to find that a State cannot or will not comply with the conditions described in an agreement entered into pursuant to section 252.7(a)(4) shall be exercised by the Chief, Conservation Division.

2. The authority to find that a State can and will comply with the conditions described in an agreement entered into pursuant to section 252.7(a)(4) shall be exercised by the Chief, Conservation Division.

[FR Doc. 80-7888 Filed 3-13-80; 8:45 am]
BILLING CODE 4310-31-M

National Park Service

Floodplain Management and Wetland Protection Guidelines

AGENCY: National Park Service (NPS), Department of the Interior.

ACTION: Proposed Guidelines.

SUMMARY: This notice provides for public review and comment guidelines the NPS proposes to use in implementing Executive Order (E.O.) 11988 on floodplain management and E.O. 11990 on protection of wetlands.

DATE: Comments must be received on or before April 14, 1980.

ADDRESS: All comments should be sent to National Park Service, Air and Water Resources Division, Department of the Interior, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Dr. Raymond Herrmann, Air and Water Resources Division at the above address. Telephone: (202) 523-5152.

SUPPLEMENTARY INFORMATION: On September 11, 1978, the NPS published in the **Federal Register** procedures it proposed to use in implementing the Executive Orders. They followed an optional format described in the Department of the Interior's floodplain management and wetland protection interim guidelines published in the **Federal Register** on June 29, 1978. Comments were received from the U.S. Water Resources Council, the Sierra Club, and one private individual. They suggested many modifications to improve readability and underscore NPS' commitment to implement the Orders effectively. Based upon consideraton of the comments, the NPS has completely rewritten the proposed guidelines.

Because of major reformatting, the proposed guidelines are again being made available for public review and comment. The NPS will consider comments it receives when preparing final guidelines. These proposed guidelines are responsive to the Department of the Interior's final procedures for complying with the Orders which were published in the June 20, 1979, **Federal Register** and are intended to agree with the U.S. Water Resources Council's Floodplain Management Guidelines for Implementing E.O. 11988; NPS-2, Planning Process Guideline, and the proposed implementing procedures for NPS compliance with the final regulations published by the Council on Environmental Quality for implementing procedural provisions of the National Environmental Policy Act of 1969. The NPS documents should be referenced for additional information on the NPS planning and environmental compliance process. Copies may be obtained by contacting the Chief, Office of Park Planning and Environmental Compliance, National Park Service, Washington, D.C. 20240, Telephone: (202) 343-2163.

National Park Service Guidelines for Compliance With Executive Orders 11988 on Floodplain Management and 11990 on Protection of Wetlands

1. Purpose.

These guidelines set forth policy and procedures to be used in implementing Executive Order (E.O.) 11988, Floodplain Management, and E.O. 11990, Protection of Wetlands, hereinafter referred to jointly as the Orders.

2. Policy

The National Park Service (NPS) is mandated to plan and manage units of the National Park System so as to preserve their natural, cultural and scenic resources for the enjoyment of present and future generations. Where floodplains and wetlands are major features in parks, the NPS provides opportunities for their interpretive, educational and recreational use. An objective of NPS management is to make floodplains and wetlands available for public enjoyment and safe use and, at the same time, to protect and enhance the natural ecological productivity and diversity of these areas.

It is the policy of the NPS to manage units of the National Park System where floodplains and wetlands are located so as to:

A. Exercise leadership and take action to avoid, to the extent possible, the long-and-short-term adverse impacts associated with the occupancy and modification of wetlands and floodplains;

B. Avoid the direct or indirect support of wetland or floodplain development whenever there is a practicable alternative;

C. Reduce the risk of flood loss and minimize the impact of floods on human health, safety and welfare;

D. Restore and preserve the natural and beneficial values served by floodplains and wetlands;

E. Develop an integrated process to involve the public in the floodplains management decision-making process; and

F. Incorporate the Unified National Program for Floodplain Management into relevant NPS programs.

Interrelationships with other Guidelines and Procedures

A. Department of the Interior procedures for complying with the Orders were issued as Chapter 1 of Part 520 of the Department of the Interior Manual. They apply to the NPS and became effective June 11, 1979.

B. The U.S. Water Resources Council (WRC) Floodplain Management Guidelines for Implementing E.O. 11988, hereinafter referred to as the WRC Guidelines, are the basic guidance for interpreting that Order and conducting the floodplain management planning and decision-making process. The NPS:

(1) Adopts the substantive requirements of E.O. 11988 as interpreted and explained in the Executive Summary of the WRC Guidelines;

(2) Follows the WRC Guidelines except where it is superseded by the Department of the Interior Manual.

(3) Adheres to the methods, standards and definitions of terms as set forth in the WRC Guidelines for determining risks and hazards of flood loss; minimization of impacts on health, safety and welfare, and evaluation of alternatives.

C. The requirements of the Orders supplement those of the National Environmental Policy Act of 1969 (NEPA). Environmental documents will be prepared for NPS proposed actions involving use of or having potential for significant impacts upon floodplains or wetlands. Actions not having potential for significant impacts, i.e., categorical exclusions, will not be subject to such documentation.

D. Unified National Program for Floodplain Management, issued by the WRC in 1976, seeks wise planning and management of the Nation's floodplain to reduce flood losses and sets forth a conceptual framework for floodplain management. The NPS objective of managing floodplains for protection and enhancement of their natural ecological productivity is harmonious with the Unified National Program for Floodplain Management.

E. These guidelines have been thoroughly integrated with the interim NPS handbook on NPS compliance with the final regulations published by the Council on Environmental Quality (CEQ) for implementing the procedural provisions of NEPA. They also are compatible with NPS-2, Planning Process Guideline.

4. Basic Concepts

A. *Floodplains* are lowlands and relatively flat areas adjacent to inland and coastal waters including flood prone areas of offshore islands, which at a minimum, are subject to one percent or greater change of flooding in any given year. The base floodplain shall be used to designate the 100-year floodplain (one percent chance floodplain), and the critical action floodplain is defined as the 500-year floodplain (0.2 percent chance floodplain).

(1) Flowing water floodplain environments include: a. Areas bordering perennial streams having flowing water year-round;

b. Areas subject to flooding by intermittent streams characterized by seasonal or periodic flow; and

c. Areas subject to flooding by ephemeral streams, characterized by sporadic or very irregular flow. (Ephermeral stream floodways are commonly referred to as arroyos, coulees, draws, gulches, gullies, sags, sumps, wadis, and washes.)

B. Flooding is a general and temporary condition of partial or complete inundation of normally dry areas from the overflow of inland and/or tidal waters, storm surges, gravity waves, or other unusual and rapid accumulation of runoff or surface water. Flood probability for nonriverine and non-coastal areas will be determined by qualified specialists and will be used in determining whether an action is located in a flood hazard area.

C. *Wetlands* are "those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction." Wetlands within the National Park System include bogs; fens; fresh water, brackish, and salt marshes; mud flats; muskegs; natural ponds; potholes; pozos; river overflows (see also floodplains); seeps; sloughs; swamps; wet meadows; and wet tundras; and their associated flora and fauna.

5. Decision-Making Process

A. *Determine if a Proposed Action is in a Base Floodplain or Wetland.*— Frequently, Flood Insurance Rate Maps or Flood Hazard Base Maps are not available for areas administered by the NPS. In such cases, initial contact will be with the District Offices of the U.S. Geological Survey (USGS) and the Corps of Engineers (COE). For wetlands, the responsible field office of the U.S. Fish and Wildlife Service will be contacted to determine if suitably scaled maps of wetlands are available. Wetlands are defined on the basis of both hydrological parameters and characteristic biota; the identification of these areas will be based on surveys by qualified professionals. For unusual phenomena such as cave flooding, flash flooding and giant waves, analysis of potential flood hazard will be undertaken by the best technical authority available.

(1) *Inventory Survey.* Floodplain and wetlands subject to or potentially subject to public use and/or

development, where the magnitude of hazard and impact of human activities is likely to be greatest, will be inventoried. Identification of the base floodplain will be based on available data including USGS, HUD, COE, or National Wetland Inventory maps or on surveys by qualified professionals selected by the NPS. The NPS will monitor floodplains and wetlands to acquire an adequate data base for planning and management where the site is not documented by other agencies.

(2) *Critical Actions.* Critical actions are those for which even a slight chance of flooding would be too great. Schools, hospitals and museums are examples of critical actions that must not be located within a 500-year floodplain because of potential loss of life and injury or loss of essential or irreplaceable records and objects. Alternate sites completely outside of the 500-year floodplain will be used for all critical actions or the action will be abandoned. General management plans and water resource management plans will identify structures and facilities located in the 500-year floodplain and include a timetable for their removal.

(3) *Water-Oriented Actions.* Facilities such as bridges, water monitoring stations, flood control facilities, drainage ditches and interpretive trails, and comparable developments, or activities may occupy space within a base floodplain or wetland if they are essential for achieving the management objectives of a unit of the National Park System. These actions will be undertaken in a manner so as to mitigate adverse direct and indirect effects on floodplains or wetlands, reduce the risk of flood loss, minimize the impact of floods on the safety of park visitors, and perpetuate and, whenever possible, restore the natural and beneficial values of floodplains and wetlands. Actions likely to require the use of floodplains and wetlands will be developed through a publicly reviewable analysis of alternatives and a showing that there is no practicable alternative to the use of these lands. This documentation will be incorporated into environmental assessments, environmental reviews, and, when required, environmental impact statements prepared in fulfillment of the requirements of NEPA as well as NEPA regulations by the CEQ and implementing procedures of the Department of the Interior.

(4) *Inventory and Protection of Cultural Resources.* The NPS protects, preserves and interprets archeological and historic sites, structures and objects. The cultural resources are listed or are eligible for listing on the National Register of Historic Places. They are managed in accordance with legislation establishing the NPS and specific units of the National Park System, NPS management policies, and guidelines and specific park general management plans. Cultural resources located in floodplains general will be managed to assure their onsite preservation. This might require no action, minimal action or drastic action including the construction of dikes or levees. When the cultural site or structure's significance does not merit action sufficient to insure its preservation from flood waters or where preservation of these resources would be incompatible with the purpose or management objectives of the area, an appropriate level of study and recordation of the affected resources will be undertaken.

(5) *Flash Flooding.* In arid areas of the southwest and in other areas where flash flooding threatens loss of life and property, particular attention will be given to assuring that campgrounds, visitor centers and other similar facilities and stuctures are not located in areas subject to flash flooding. If studies reveal or it otherwise becomes apparent that certain existing structures in a park are subject to flash flooding and therefore their occupancy is hazardous to life and safety, the NPS will vacate and remove them. Action to vacate the structures may be taken without compliance with the environmental review process on floodplain decisions.

(6) *Retention, Removal, Modification.* General management plans for units of the National Park System will inventory existing developments, facilities, and programs involving the use of floodplains and wetlands, and will record decisions on their retention, removal, or modification. The water resource management plan and/or natural resources management plan will specify requirements for monitoring programs and other actions to ensure protection and enhancement of floodplain and wetland values to the greatest extent possible. These plans will provide the basis for demonstrating NPS compliance with the Orders. Noncritical actions for which compliance documentation has been prepared, either on an action itself or in the context of a previous enabling plan will be listed and the nature of the compliance documentation indicated.

B. *Early Public Review.*—(1) The NPS will encourage participation by the public in planning and decision-making involving floodplain and wetland areas. Opportunities will be made available for public participation during the environmental assessment process and in the review of proposals involving the use of or effects on floodplains and wetlands. Major issues relating to floodplains, flood hazards, and wetlands will be addressed through the NPS NEPA compliance process, and public involvement will be in accordance with the directives in the NPS NEPA Guidelines. NEPA and decision documents on proposals in floodplains will be circulated to the following agencies and bureaus:

a. Environmental Protection Agency.
b. Federal Emergency Management Agency.
c. U.S. Fish and Wildlife Service.
d. Geological Survey.
e. Water and Power Resources Service.
f. Corps of Engineers.
g. Soil Conservation Service.
h. U.S. Weather Bureau.

(2) An environmental assessment, delineating the consequences of alternative actions, will be prepared whenever one or more alternatives involve the use of or have potential for significant impacts uopn floodplains or wetlands. A public review period of 60 days from the date of the last official public notice will be provided for review by the public and A–95 clearing houses.

(3) Following public review of an environment assessment, an environmental review is prepared to record the responsible official's rationale for selecting a particular alternative as the proposal, and his determination as to whether or not the proposal will have significant adverse environmental impacts, and, therefore, require preparation of an enviornmental impact statement. If the proposed action involves floodplain or wetland areas, the environmental review will incorporate a statement of findings which documents the rationale for the determination that there is no parcticable alternative to locating in or impacting these areas and which certifies that no critical actions are involved. For more information on the statement of findings, see Section C (Identify and Evaluate Practicable Alternatives to Locating in the Base Floodplain) and Section F (Findings and Public Explanation). The public notice of availability of an environmental review containing a statment of findings will published in the **Federal Register.**

Also, the environmental review will be sent to the appropriate A–95 clearinghouse. If the environmental assessment and environmental review are combined, the public notice will be published in the **Federal Register** and a minimum public review period of 60

days provided from the date of the notice.

(4) In instances where from the beginning of a planning effort, all reasonable alternatives are known to cause significant environmental impacts, the first NEPA documentation normally will be an environmental impact statement—an environmental assessment and environmental review are not prepared. Public review of alternatives then will be focused on the draft environmental statement, which will contain a full exposition of floodplain and wetland areas used or affected by each alternative including the proposal, any hazards associated with public use of these areas, and, as a part of the summary, a statement of findings. The draft environmental statement will be made available for public review by notice in the **Federal Register** for a period of 60 days from the date it was filed with the Federal Environmental Protection Agency. It also will be sent to the appropriate A–95 clearinghouse.

C. *Identify and Evaluate Practicable Alternatives to Locating in the Base Floodplain or Wetland.*—(1) The environmental assessment provides documentation of the consequences of practicable alternatives identified during the early stages of planning, prior to the selection of one of the alternatives as the proposed action. If a base floodplain or wetland is involved, the environmental assessment will contain:

a. A discussion of the "no action" alternative; and

b. A discussion of any alternatives for carrying out desired actions outside the floodplain or wetland and for avoiding any adverse indirect effects on these areas. The consequences of alternatives involving sites or actions outside the base floodplain will be fully assessed to mitigate, and, if possible, eliminate any adverse uses or effects upon a floodplain or wetland. If an alternative is judged to have no direct or indirect impact on a floodplain or wetland, this determination will be recorded in the environmental analysis for the alternative.

(2) The environmental review, when the proposed action involves base floodplain or wetland areas, will incorporate a statement of findings not to exceed three pages documenting the rationale for the determination that there is no practicable alternative to locating in or impacting these areas and certifying that no critical actions are involved.

The statement of findings will contain:

a. A map showing the location of the floodplain or wetland and the site(s) of the proposed action;

b. A description of why the proposed action must be located in a floodplain or wetland;

c. A statement indicating conformity with local and/or State floodplain protection standards;

d. A list of alternatives considered;

e. A description of how the activity will be designed or modified to minimize harm to or within the floodplain or wetland;

f. A statement indicating how the proposed action would affect natural and beneficial floodplain values;

g. A certification that no critical actions are involved; and

h. The signatures of the person recommending approval of the statement, the Regional Director and the concurring official in the Washington Office.

D. *Identify Impacts of the Proposed Action.*—If the proposed action involves locating in a base floodplain or wetland, an environmental assessment normally will have been prepared during evaluation of alternatives. The exception is when an environmental statement is prepared as the initial environmental document because it is obvious that the proposed action would cause significant impacts. The assessment must discuss the direct and indirect effects on the natural and cultural values of the floodplain or wetland, and a thorough analysis of the social, safety, and financial risks must be included. Discussions must include secondary effects as well as primary impacts of the action.

In a case where the proposed action is associated with an existing facility or management program, a discussion must be included in the environmental assessment on the effects that the proposed action would in concert with the existing development (i.e., determine whether the proposed action would tend to encourage continued use and future development resulting in continued risk of life and property and forclosure of opportunity to restore floodplain and/or wetland values). Alternation of the physical characteristics of floodplains and wetlands often has subtle and far-reaching effects on the biological systems dependent upon them. Therefore, careful consideration must be given before any action is proposed within a floodplain or wetland area. In addition to the natural values of these areas, the risk to human safety, health and financial investment must be assessed before a decision is made on a preferred course of action.

E. *Minimize, Restore, Preserve.*—Each alternative presented in the environmental assessment that would be located in or could impact a floodplain or wetland will include a discussion of any measures that would be taken to mitigate adverse impacts. The discussion will cover safety or emergency evacuation provisions, structural means of reducing hazard, and appropriate measure that can be taken to restore values lost as a result of previous actions.

Each NPS general magagement plan, natural resources management plan or water resource management plan will identify all existing and proposed facilities in floodplain and wetland areas, measures to be taken to mitigate adverse impacts associated with these facilities, the proposed scheduling and costs of future actions involving use of or adverse effects upon these resources, as well as measure proposed to mitigate any adverse effects.

F. *Findings and Public Explanation.*—Where evaluation results in a finding by a Regional Director that there is no practicable alternative to locating in or impacting a base floodplain or wetland he will have a statement of findings prepared for transmittal to the Washington Office. The statement of findings will be made a part of the environmental review or the draft environmental statement summary if the draft environmental statement is the first NEPA document prepared.

Upon concurrence of the Washington Office, the statement of findings will be incorporated into the environmental review or draft environmental statement summary for issuance of notice informing the public of the NPS proposed action and for transmittal to the appropriate A–95 clearing house.

For further information on the statement of findings refer to Section 5.C.2 of these guidelines.

6. Responsibilities.

A. *The Director* is responsible for ensuring NPS compliance with the Orders in accordance with provisions of Chapter 1 of Part 520 of the Departmental Manual. In performing this duty, the Director:

(1) Will approve NPS policies, procedures, guidelines, or directives for complying with the Orders;

(2) Will approve any reports to the Department, the WRC, or the CEQ concerning compliance with the Orders.

B. *The Deputy Director, Associate Directors, and Assistant Directors* are responsible for:

(1) General supervision of the Divisions and Offices under their jurisdictions to ensure compliance with the Orders and these guidelines; and

(2) Reviewing and concurring with floodplain and wetland procedures prepared by or pertaining to their

Divisions and Offices prior to forwarding to the Director for approval.

C. *The Chief, Office of Management Policy* is responsible for coordinating, drafting and preparing revisions to NPS Mangement Policies to ensure compliance with the Orders.

D. *The Chief, Office of Park Planning and Environmental Compliance* is responsible for ensuring that NPS guidelines for park planning and NEPA compliance satisfy the substantive and procedural requirements of the Orders and are integrated with these guidelines for compliance with the Orders.

E. *The Chief, Budget Division* is responsible for ensuring that each request for new authorization or appropriation for a planned action to be located in a floodplain or wetland is accompanied by a statement indicating that the planned action complies with the Orders.

F. *The Chief, Air and Water Resources Division* is responsible for:

(1) Developing, in consultation with the Chief, Office of Environmental Compliance, NPS guidelines for implementing the Orders;

(2) Overseeing field office acquisition and analysis of hydrologic data necessary to satisfy NPS NEPA compliance procedures for floodplain and wetland areas; and

(3) Concurring with statements of findings forwarded to the Washington Office by Regional Directors.

G. *Regional Directors* are responsible for ensuring compliance with the Orders and these guidelines. In performing this duty, they shall:

(1) Conduct planning studies involving floodplains and wetlands in accordance with the procedures described in these guidelines;

(2) Determine whether proposed actions under their jurisdictions are located in wetlands or base floodplains.

(3) Ensure, through consultation with the Denver Service Center, that floodproofing and other measures of flood protection are applied to construction of new or to major rehabilitation of existing structures or facilities in a floodplain where there are no practicable alternatives to a floodplain location. Wherever practicable, all structures shall be elevated using open works such as columns, walls, piles and piers rather than fill;

(4) Identify and include floodplain and/or wetlands restrictions in legal conveyance for granting of easements, leases, and rights-of-way and disposing of land to either non-Federal public or private parties;

(5) Ensure that park concessionaires conform in all respects to the Orders;

(6) Ensure preparation of NEPA compliance documents when the proposed action would be located in or would affect a floodplain or wetland;

(7) Forward to the Washington Office environmental reviews containing statements of findings when proposed actions would be located in or would affect a floodplain or wetland;

(8) Sign and issue public notices informing the public and the A–95 clearing houses of the NPS proposed action in or affecting a floodplain or wetland; and

(9) Ensure that no request for new authorization or appropriation for a planned action in a floodplain (i.e., line item or lump sum construction project) is forwarded to the Washington Office unless it complies with the Orders.

H. *Park Superintendents* are responsible for ensuring that each publicly-used floodplain is conspicuously delineated on structures and other places where appropriate showing the 100-year flood level, the flood of record where data are available and the 500-year flood level if appropriate.

Ira J. Hutchison,

Acting Director, National Park Service.

[FR Doc. 80–8017 Filed 3–13–80; 8:45 am]

BILLING CODE 4310–70–M

Buffalo Point, Pruitt, and Tyler Bend Development Concept Plans, Buffalo National River, Ark.; Availability of Proposal/Assessments

Pursuant to the National Environmental Policy Act of 1969, the National Park Service has prepared Proposal/Assessments for three devlopment areas; Buffalo Point, Pruitt, and Tyler Bend, which delineates preferred plans and the alternatives which were considered for the design and development proposals for each area at Buffalo National River, Searcy, Newton, Baxter, and Marion Counties, Arkansas.

The Proposal/Assessments outline design and development proposals which would provide for the repair and maintenance of existing facilities to upgrade operational and safety standards, and for the development of new facilities and utilities for recreational use and interpretation of Park resources while assuring the preservation and management of the Park's aesthetic values.

Copies of the Proposal/Assessments are available at the following locations:

Southwest Regional Office, National Park Service, 1100 Old Santa Fe Trail, P.O. Box 728, Santa Fe, New Mexico 87501.

Buffalo National River, P.O. Box 1173, Harrison, Arkansas 72601.

Anyone wishing to express an opinion on the Proposal/Assessments should send written comments to the Superintendent at the Buffalo National River address on or before April 28, 1980.

Dated: March 7, 1980.

E. A. Hassebrock,

Acting Regional Director, Southwest Region.

[FR Doc. 80–8016 Filed 3–13–80; 8:45 am]

BILLING CODE 4310–70–M

Cape Cod National Seashore, South Wellfleet, Mass.; Public Meeting and Availability of Supplement to the Assessment of Alternatives for An Eastham Area Development Concept Plan

Notice is hereby given that the National Park Service has prepared a Supplement to the Assessment of Alternatives for the Development Concept Plan for the Eastham area of Cape Cod National Seashore. The original assessment was available for public review from August 3 to November 17, 1978. As a result the Service determined the need for further detailed impact analysis and alternative considerations which are presented in the Supplement. A public meeting will be held at 7 p.m. on March 29 at the Salt Pond Visitor Center—Eastham, Massachusetts, to enable the public to comment on the Supplement.

The Supplement will be available from either the Associate Regional Director for Planning and Resource Preservation, North Atlantic Region, 15 State Street, Boston, Massachusetts 02109 or the Superintendent, Cape Cod National Seashore, South Wellfleet, Massachusetts 02663, on March 18.

The original assessment dealt with 4 alternatives from which a modification of the fourth was identified as needing further impact analysis. The Supplement now being made available deals with the modified fourth alternative and presents three others (5, 6, and 7) each with a detailed impact analysis.

Written statements regarding the Supplement to the Assessment of Alternatives are invited and may be submitted at the public meeting or may be addressed to the Cape Cod Planning Team—MA/NA, National Park Service—DSC, 755 Parfet Street, P.O. Box 25287, Denver, Colorado 80225. To facilitate commentaries a mail-in form is being included with each Supplement copy. The official record for these written comments will close on April 19, 1980.

This action is being taken pursuant to the statutory provisions of Sec. 3, of the Act of August 25, 1916 (39 Stat., 535, as amended 16 U.S.C. 3) and Sec. 1, Pub. L. 87126, 75 Stat. 282 (16 U.S.C. 459b).

Dated: February 28, 1980.

Richard L. Stanton,

Regional Director, North Atlantic Region.

[FR Doc. 80-8015 Filed 3-13-80; 8:45 am]

BILLING CODE 4310-70-M

INTERSTATE COMMERCE COMMISSION

[Notice No. 173]

Assignment of Hearings

March 7, 1980.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

Ex Parte 128, Revenue Need Standards in Motor Carrier General Increase Proceedings, now being assigned for hearing on April 1, 1980 at the Offices of the Interstate Commerce Commission in Washington, DC.

MC 142743 (Sub-13F), Fast Freight Systems, Inc., now assigned for hearing on March 27, 1980 at Chicago, IL., is postponed indefinitely.

MC 144259 (Sub-5F), Jennaro Lines, Inc., now assigned for hearing on March 10, 1980 at San Francisco, CA., is postponed indefinitely.

MC 115703 (Sub-13F), Kreitz Motor Express, Inc., now assigned for hearing on March 19, 1980 at Washington, DC., is postponed indefinitely.

MC 144092 (Sub-1F), Transportation Enterprises, Inc., now assigned for hearing on March 18, 1980 at Ft. Worth, TX., is postponed indefinitely.

MC 116457 (Sub-43F), General Transportation Incorporated, now being assigned for hearing on June 2, 1980 (1 Week), at Phoenix, AZ., in a hearing room to be designated later.

MC 119619 (Sub-134F), Distributors Service Co., now assigned for hearing on March 18, 1980 is postponed to March 24, 1980 (5 Days), Room E-2222, Federal Building, 26 Federal Plaza, New York, NY., and continued to April 22, 1980, (4 Days), at Philadelphia, PA., in a hearing room to be designated later.

MC 82063 (Sub-103F), Klipsch Hauling Company, now assigned for hearing on April 14, 1980 at Chicago, IL., is postponed indefinitely.

MC 127267 (Sub-2F), American Pacific Express, Inc., now assigned for hearing on April 16, 1980 will be held in Room 510, 5th Floor, 211 Main Street, San Francisco, CA.

MC 85970 (Sub-20F), Sartain Truck Line, Inc., now assigned for hearing on April 15, 1980 at St. Louis, MO., is canceled and Application Dismissed.

MC 67234 (Sub-20F), United Van Lines, Inc., now being assigned for hearing on April 8, 1980 (4 Days), in Room 510, 5th Floor, 211 Main Street, San Francisco, CA.

MC 30032 (Sub-6F), Crane Transportation Lines, Inc., now assigned for hearing on March 31, 1980 at Chicago, IL., is postponed indefinitely.

MC 36434, Petition for Declaratory Order and Reconsideration (Commuter Fares-Consolidated Rail Corporation, New Jersey and New York), No. 36474, Benjamin A. Gilman -v- Consolidated Rail Corporation of Metropolitan Transportation Authority of New York, now assigned for continued hearing on April 9, 1980 (3 Days), Building No. 1841, Old Courthouse, Main Street, Goshen, NY.

MC 55889 (Sub-52F), AAA Cooper Transportation, transferred to Modified Procedure.

MC 114211 (Sub-405F), Warren Transport, Inc., transferred to Modified Procedure.

MC 29904 (Sub-4F), Suddath Van Lines, Inc., now assigned for hearing on June 2, 1980 at Jacksonville, FL., is canceled and Application Dismissed.

MC 124211 (Sub-336F), Hilt Truck Line, Inc., now assigned for hearing on April 8, 1980 at Atlanta, GA., is canceled and transferred to Modified Procedure.

MC 146965F, Redding Lumber Transport, Inc., now being assigned for hearing on May 5, 1980 (1 Week), at Sacramento, CA., in a hearing room to be designated later.

MC 109564 (Sub-19F), Lyons Transportation Lines, Inc., now being assigned for prehearing conference on April 8, 1980, at the Offices of the Interstate Commerce Commission in Washington, DC.

MC 2202 (Sub-568F), Roadway Express, Inc., No. MC 29910 (Sub-No. 200F), Arkansas-Best Freight System, Inc., No. MC 35320 (Sub-157F), T.I.M.E.-DC, Inc., No. MC 41432 (Sub-155F), East Texas Motor Freight Lines, Inc.

MC 42487 (Sub-882F), Consolidated Freightways Corporation, No. MC 59680 (Sub-220F), Strickland Transporation Company, Inc., No. MC 107727 (Sub-29F), Alamo Express, Inc., No. MC 110325 (Sub-88F), Transcon Lines, No. MC 112713 (Sub-227F), Yellow Freight System, Inc., now assigned for continued hearing on March 10, 1980 (3 Days), at the Dunfey Houston Hotel, 700 SW Freeway at Sharpstown, and continued to March 13, 1980 (7 Days), at the Sheraton Inn-Mockingbird, 1893 Mockingbird Lane, Dallas, TX.

MC 126551 (Sub-5F), Philboro Coach Corporation, now assigned for hearing on April 16, 1980 at Philadelphia, Pa. is postponed indefinitely.

MC 41406 (Sub-132F), Artim Transportation System, Inc., is transferred to Modified Procedure.

MC 117993 (Sub-16F), Fruitbelt Trucking Inc., now assigned for hearing on March 10, 1980 at Buffalo, NY. is canceled and transferred to Modified Procedure.

MC 145441 (Sub-27F), A.C.B. Trucking, Inc., now assigned for hearing on April 9, 1980 at San Francisco, CA. is canceled and Application Dismissed.

MC 108207 (Sub-503F), Frozen Food Express, Inc., now being assigned for prehearing conference on April 9, 1980, at the Offices of the Interstate Commerce Commission in Washington, DC.

MC C 10332, Atlas Transportation Company—Investigation and Revocation of Certificate, now assigned for hearing on March 25, 1980 is postponed indefinitely.

MC 98964 (Sub-18F), P.B.I. Freight Service, now being assigned for hearing on April 15, 1980 (9 Days), at Kanab, UT. in a hearing room to be designated later.

MC 145172 (Sub-1F), Robert L. Welborn & Wanda Sue Welborn, A Co-Partnership, D/B/A Orient Express, now being assigned for hearing on May 1, 1980 (2 Days), at Phoenix, AZ. in a hearing room to be designated later.

MC 2253 (Sub-93F), Carolina Freight Carriers Corporation, now being assigned for hearing on April 14, 1980 (1 Week), at Chicago, IL, in a hearing room to be designated later.

MC 136155 (Sub-7F), Gay Trucking Company, now assigned for hearing on March 17, 1980 at Atlanta, GA, is postponed to March 18, 1980 (2 Days), at Atlanta, GA in a hearing room to be designated later.

MC 144807 (Sub-1F), Reidhead Trucking, Inc., now being assigned for hearing on May 29, 1980 (2 Days), at Phoenix, AZ. in a hearing room to be designated later.

MC 22182 (Sub-34F), Nu-Car Carriers, Inc., now being assigned for hearing on May 28, 1980 (3 Days), at Detroit, MI. in a hearing room to be designated later.

MC 124170 (Sub-115F), Frostways, Inc., now assigned for hearing on June 2, 1980 (1 Week), at Detroit, MI. in a hearing room to be designated later.

MC 37325, Independent Bakers Association-v-Consolidated Rail Corporation, Etal, now assigned for hearing on March 10, 1980 at Washington, DC. is postponed to May 1, 1980, at the Offices of the Interstate Commerce Commission in Washington, DC.

MC 136285 (Sub-3M2F), Southern Intermodel Logistics, Inc., now assigned for hearing on April 14, 1980 at Atlanta, GA. is postponed indefinitely.

MC 113855 (Sub-481F), International Transport, Inc., now assigned for hearing on March 13, 1980 at Washington, DC. is postponed indefinitely.

MC 121496 (Sub-18F), Cango Corporation, transferred to Modified Procedure.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-7916 Filed 3-13-80; 8:45 am]

BILLING CODE 7035-01-M

Agricultural Cooperatives; Notice to the Commission of Intent To Perform Interstate Transportation for Certain Nonmembers

March 11, 1980.

The following Notices were filed in accordance with section 10526(a)(5) of the Interstate Commerce Act. These rules provide that agricultural cooperatives intending to perform nonmember, nonexempt, interstate transportation must file the Notice, Form BOP 102, with the Commission within 30 days of its annual meetings each year. Any subsequent change concerning officers, directors, and location of transportation records shall require the filing of a supplemental Notice within 30 days of such change. The name and address of the agricultural cooperative, the location of the records, and the name and address of the person to whom inquiries and correspondence should be addressed, are published here for interested persons. Submission of information that could have bearing upon the propriety of a filing should be directed to the Commission's Bureau of Investigations and Enforcement, Washington, D.C. 20423. The Notices are in a central file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C.

(1) Complete Legal Name Of Cooperative Association Or Federation Of Cooperative Associations: Agape Agricultural Association.
Principal Mailing Address (Street No., City, State, and Zip Code): 323 San Francisco, Santa Fe, NM 87501.
Where Are Records Of Your Motor Transportation Maintained (Street No., City, State and Zip Code): 2144 East LaMar Road, Phoenix, AZ.
Person To Whom Inquiries And Correspondence Should Be Addressed (Name and Mailing Address): David Robinson, PO Box 33152, Phoenix, AZ 85067.

(2) Complete Legal Name Of Cooperative Association Or Federation Of Cooperative Associations: Appleland Agricultural Transportation Co-OP.
Principal Mailing Address (Street No., City, State, and Zip Code): PO Box 1713, Wenatchee, WA 98801.
Where Are Records Of Your Motor Transportation Maintained (Street No., City, State and Zip Code): 4450 4th St. S.E., E. Wenatchee, WA 98801.
Person To Whom Inquiries And Correspondence Should Be Addressed (Name and Mailing Address): Jerry R. Martin, PO Box 1713, Wenatchee, WA 98801.

(3) Complete Legal Name Of Cooperative Association Or Federation Of Cooperative Associations: Carolina Agricultural Distributors Inc.
Principal Mailing Address (Street No., City, State, and Zip Code): 126 East Water Street, P.O. Box 888, Plymouth, NC 27962.
Where Are Records Of Your Motor Transportation Maintained (Street No., City, State and Zip Code): Hwy. 64, Plymouth, NC 27962.
Person To Whom Inquiries And Correspondence Should Be Addressed (Name and Mailing Address): Kenneth M. Paul, Hwy. 64, Plymouth, NC 27962.

(4) Complete Legal Name Of Cooperative Association Or Federation Of Cooperative Associations: Farmers Union Central Exchange, Inc. (CENEX).
Principal Mailing Address (Street No., City, State, and Zip Code): PO Box 43089, St. Paul, MN 55164.
Where Are Records Of Your Motor Transportation Maintained (Street No., City, State and Zip Code): 1185 N. Concord St., So. St. Paul, MN 55075.
Person To Whom Inquiries And Correspondence Should Be Addressed (Name and Mailing Address): Hugo Il Oja, P.O. Box 43089, St. Paul, MN 55164.

(5) Complete Legal Name Of Cooperative Association Or Federation Of Cooperative Associations: Piedmont Carolina Coop, Inc.
Principal Mailing Address (Street No., City, State, and Zip Code): Route 1, Box 309B, Randleman, NC 27317.
Where Are Records Of Your Motor Transportation Maintained (Street No., City, State and Zip Code): Rt. 1, Box 309B, Randleman, NC 27317.
Person To Whom Inquiries And Correspondence Should Be Addressed (Name and Mailing Address): Steven Davis, Rt. 1, Box 309B, Randleman, NC 27317.

(6) Complete Legal Name Of Cooperative Association Or Federation Of Cooperative Associations: Santa Fe Growers Association.
Principal Mailing Address (Street No., City, State, and Zip Code): 323 San Francisco, Santa Fe, NM 87501.
Where Are Records Of Your Motor Transportation Maintained (Street No., City, State and Zip Code): 12215 East Chandler Heights Rd., Chandler, AZ 85224.
Person To Whom Inquiries And Correspondence Should Be Addressed (Name and Mailing Address): David Robinson, P.O. Box 33152, Phoenix, AZ 85067.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-7920 Filed 3-13-80; 8:45 am]

BILLING CODE 7035-01-M

Long-and-Short-Haul Applications for Relief (Formerly Fourth Section Applications)

March 11, 1980

These applications for long-and-short-haul relief have been filed with the I.C.C.

Protests are due at the I.C.C. by March 31, 1980.

No. 43805, Southwestern Freight Bureau, Agent's No. B-53, rates on motor vehicles in bi-level and tri-level service, from stations in Southern Territory to Mesquite, TX, published in Supplement 135 to ICC SWFB 4920, to become effective April 12, 1980. Grounds for relief—rate relationship.

No. 43806, Southwestern Freight Bureau, Agent's No. B-54, rates on various commodities (foodstuffs, lumber, asphalt, sand, feed, brick, seed roofing materials, cast iron pipe and others), within Southwestern Territory; and, from, to and between Southwestern Territory and stations in Eastern, Southern and Western Territories. Rates to be published in its Tariffs ICC SWFB 2004-J, 2005-J, 2006-K and 2007-H. Grounds for relief—short-line distance formula and grouping.

By the Commission

Agatha L. Mergenovitch,

Secretary.

[FR Doc. 80-7915 Filed 3-13-80; 8:45 am]

BILLING CODE 7035-01-M

Petition 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.

By the Commission.

Agatha L. Mergenovich,

Secretary.

MC 142686 (M1F) (notice of filing of petition to modify a permit), filed September 13, 1979. Petitioner: MID-WESTERN TRANSPORT, INC., 10506 South Shoemaker, Santa Fe Springs, CA 90670. Representative: Joseph Fazio, P.O. Box 3763, Santa Fe Springs, CA 90670. Petitioner holds motor contract carrier authority in Permit No. MC 142686, issued July 7, 1978, authorizing transportation, over irregular routes, of (1) *general commodities* (except commodities in bulk, foodstuffs and Classes A and B explosives), from the facilities of Essex International, Inc., at Paducah, KY, and at points in Illinois, Indiana, Michigan, and Ohio, to points in Arizona, California, Colorado, Kansas, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah and Washington; and (2) *returned shipments* of the above-described commodities, used reels and scrap wire, from the destination states named in (1) above, to the facilities of Essex International, Inc., located at the points named in (1) above, under continuing contract(s) in (1) and (2) above with Essex International, Inc., at Fort Wayne, Ind. The authority granted expires July 7, 1981. By the instant petition, petitioner seeks to add the facility of Fiske Brothers Refining Company, of Toledo, OH, as an origin point in (1) above, and as a destination point in (2) above.

[FR Doc. 80-7919 Filed 3-13-80; 8:45 am]

BILLING CODE 7035-01-M

Finance Application

The following applications seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control through ownership of stock, of rail carriers or motor carriers pursuant to Section 11343 (formerly Section 5(2)) or 11349 (formerly Section 210a(b)) of the Interstate Commerce Act.

An original and one copy of protests against the granting of the requested authority must be filed with the Commission within 30 days after the date of this Federal Register notice. Such protest shall comply with Special Rules 240(c) or 240(d) of the Commission's *General Rules of Practice* (49 CFR 1100.240) and shall include a concise statement of protestant's interest in the proceeding. A copy of the protest shall be served concurrently upon applicant's representative, or applicant, if no representative is named.

Each applicant states that approval of its application will not significantly affect the quality of the human environment nor involve a major regulatory action under the Energy Policy and Conservation Act of 1975.

Agatha L. Mergenovich,

Secretary.

MCF 13638, filed March 3, 1980. Petitioners: SMITH'S TRANSFER CORPORATION, a Virginia corporation, P.O. Box 1000, Staunton, VA 24401 and Garrison Motor Freight, Inc., a Arkansas corporation, P.O. Box 1278, Harrison, AR 72601. Representative: David G. Macdonald, 1000 16th Street, NW, Washington, DC 20036. To authorize the merger of operating rights and properties of Garrison into Smith's Transfer Corporation. By joint application filed June 20, 1978, Garrison Motor Freight, Inc. and Rocket Freight Lines Company sought authority under 49 U.S.C. § 11344 for Garrison to purchase a portion of Rocket's operating authority. By application filed September 11, 1979, Smith's Transfer Corporation sought authority under 49 U.S.C. § 11343 to acquire control of Garrison through the purchase of Garrison's issued and outstanding capital stock. Smith's Transfer Corporation initiated temporary management of Garrison on October 1, 1979. Joint petition filed September 11, 1979, Smith's Transfer Corporation, Garrison Motor Freight, Inc. and Rocket Freight Lines Company requested that that proceeding in No. MC-F-13638 be reopened for the purpose of substituting Smith's Transfer Corporation as the controlling party in lieu of Garrison and that the proceedings be consolidated with proceeding in No. MC-F-14155 F for disposition. The petition was granted by order served October 3, 1979. Both application were unopposed. By decision of the Commission served December 31, 1979, the captioned transactions were approved and authorized. Consummation has been delayed, however, and meanwhile, ARA Services, Inc. acquired all of the capital stock of Smith's Transfer Corporation on January 28, 1980, filed its petition for leave to be substituted for R. R. Smith as the controlling party in the Garrison/Rocket acquisition proceeding, and for approval of those applications as so amended. Upon approval of that petition, Garrison will consummate the purchase of the Ricket rights and Smith's Transfer Corporation will consummate its purchase of the capital stock of Garrison. Smith's Transfer Corporation now desires, in addition, to merge Garrison into STC. Authority is here sought for modification in the order of December 27, 1979, so as to authorize that merger. Operating rights sought to be merged into Smith's are (a) those issued to Garrison Motor Freight, Inc., in MC 109324 (Subs- 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 30M1F, 31, 32, 33, 34, 36, 38F, 39TA), ETAs-R4, R5, R6, R7 and R8; and 41TA, 42TA, 44TA, 45TA, and 46TA which are pending, authorizing transportation as a common carrier by motor vehicle, of general commodities with exceptions, over described regular routes, serving named intermediate and off-route points, subject to certain restrictions, generally (1) between the following AR points: Clinton and Heber Springs; Berryville and Harrison; Midway and Gassville; Ozark and Mountain Home; Little Rock and Mountain Home; Flippin and Mountain Home; Harrison and Jasper; Berryville and Gateway; Mountain Home and Henderson; Fort Smith and Booneville; Ola and Rover; Rover and Danville; Booneville; Ola and Rover; Rover and Danville; Booneville and State Sanitorium; Danville and Little Rock; Morrilton and Little Rock, Conway and Shirley, Fort Smith and Harrison, Vilonia and Van Buren; and (2) between Berryville, AR, and Springfield, MO; between Little Rock, AR and Springfield, MO; between Mountain Home, AR, and Memphis, TN; between Norfolk, AR, and Memphis, TN; between Springfield, MO, and Kansas City, KS; between Springfield, MO, and East St. Louis, IL; between Mountain Home, AR, and highway junction at Rolla, MO; between Memphis, TN, and Conway, AR; between Conway, AR, and East St. Louis, IL; between Council Grove, KS, and Kansas City, MO; between Nevado, MO, and Kansas City,

KS; between Kansas City, KS, and Joplin, MO; between Joplin, MO, and Springfield, MO; between Memphis, TN, and Clinton, AR; between Memphis, TN, and Little Rock, AR; between Memphis, TN, and Fort Worth, TX; between Bonneville, AR, and Fort Worth, TX, and between Harrison, AR, and Fort Worth, TX; and (3) transportation over irregular routes, of general commodities, with exceptions, and of certain specified commodities from and to designated points in KS, IL, LA, MO, OK, TX, TN, AL, and MO; and (b) those operating rights issues to The Rocket Freight Lines Company in Docket No. MC–98742 (Subs- 12, 13, and 15), leased to Garrison Motor Freight, Inc., pursuant to order in MC–F 13638, served July 27, 1978, authorizing transportation; as above (1) between Muskogee, OK, and OK–TX state line; Ponca City, OK, and OK–TX state line; Sherman, TX, and OK–TX state line; Ponca City, OK, and OK–KS state line; Fort Smith, AR, and Hulbert, OK; and Muskogee, OK, and Fort Smith, AR; and (2) between OK points as follows: Oklahoma City and Miami; Oklahoma City and Muskogee; Tulsa and McAlester; Blackwell and Tulsa; Ponca City and Tulsa; Talequah and Muskogee; Pryor and Adair; Tulsa and Muskogee; Oklahoma City and Miami; and between certain highway junctions in connection with serving the named points; and (c) those operating rights issued to The Rock Island Motor Transit Company in MC 29130, leased to Garrison Motor Freight, Inc., pursuant to order in MC–F 13668, served August 16, 1979 (Initial Decision served July 2, 1979, became order of I.C.C. per notice served August 22, 1979), authorizing transportation, as above, between Fort Worth, TX, and Dallas, TX; and Hurst and Irving, Euless and Tarrant, TX; and (d) those operating rights issued to T.I.M.E.–D.C., Inc., in MC 35320 (Sub-69), leased to Garrison Motor Freight, Inc., pursuant to order in MC–F 13709, served October 20, 1978 (pending on petition from adverse Initial Decision served June 21, 1979), authorizing transportation, as above, between Fayetteville, AR, and Berryville, AR; and between Harrison, AR and Gateway, AR. Application under 49 U.S.C. 11349 for the temporary management of Garrison Motor Freight, Inc., by Smith's Transfer Corporation has been granted.

MC–F–14117F, application for authority under section 5, Interstate Commerce Act, to purchase operating rights of motor carrier.

Summary of Authority Sought

Notice of filing of the application for publication in the **Federal Register**. Transferee: WHEELER FREIGHTWAYS, a California corporation, 3375 South Polaris Avenue, Las Vegas, NV 89102. Transferor: C & E TRUCKING CO., INC., a California corporation, 11910 Greenstone Avenue, Santa Fe Springs, CA 90607. Representative: Robert Fuller, 13215 E. Penn Street, Suite 310, Whittier, CA 90602. Authority sought for the purchase by transferee of a portion of the operating rights of transferor as a motor common carrier over irregular routes as set forth in Certificate of Public Convenience and Necessity No. MC 142335 as follows: *machinery, material, supplies and equipment* incidental to, or used in mining, milling, building construction, and highway building and maintenance, requiring special equipment, between points in that part of California south of a line extending from the Pacific Ocean through Monterey, Salinas, Fresno, Dunlap, and Independence, CA, to the CA-NV State line, on the one hand, and, on the other, points in that part of CA north of said line, and *machinery, materials, supplies, and equipment* incidental to, or used in mining, milling, building construction, and highway building and maintenance, between points in those parts of Inyo, San Bernardino, Riverside, Imperial and San Diego Counties, CA.

MC–F–14027, filed May 10, 1979. Transferee: JENNINGS BOND, doing business as BOND ENTERPRISES, P.O. Box 8, Lutesville, MO 63762. Transferor: COX REFRIGERATED EXPRESS, INC., 10606 Goodnight Lane, Dallas, TX 75220. Representatives—Attorney for Transferor: D. Paul Stafford, Suite 1125, Exchange Park, P.O. Box 45538, Dallas, TX 75245. Attorney for Transferee: Ernest A. Brooks, II, 1301 Ambassador Bldg., St. Louis, MO 63101. Operating rights sought to be transferred are set forth in Certificate No. MC–140033 (Sub 20) authorizing operations as a motor common carrier over irregular routes transporting: *Sulphur,* in bags, from the plant site and warehouse facilities of International Chemicals, Inc., at or near Mt. Pleasant, Tex., to points in Alabama, Arkansas, Illinois, Kansas, Louisiana, Mississippi, North Carolina, Oklahoma, Tennessee, and Virginia, with no transportation for compensation on return except as otherwise authorized. Also the grant of authority issued Transferor in Docket No. MC–140033 (Sub 71F) over irregular routes transporting *sulphur,* in bags (except commodities in bulk), from the facilities of International Chemicals, Inc., at or near Mt. Pleasant, Texas to points in Kentucky, Iowa, Indiana, Ohio, South Carolina, Colorado, Utah, New Mexico, and Arizona.

[FR Doc. 80–7918 Filed 3–13–80; 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 by April 3, 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–7–80 (Special certificate—Used household goods), filed March 6, 1980. Applicant: AIRWAY MOVING & STORAGE, INC., No. 18 Covil St., Wilmington, NC. Representative: W. G. Fodrie (address same as applicant). Authority sought: Between points in Craven, Columbus, Lenoir, Jones, Carteret, Onslow, Duplin, Pender, Brunswick, Wayne, Sampson, Pitt, Bladen, New Hanover, and Beaufort counties, NC serving the Marine Corps Base, Camp Lejeune, NC and Myrtle Beach Air Force Base, SC.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80–7917 Filed 3–13–80; 8:45 am]

BILLING CODE 7035–01–M

[Finance Docket No. 29254F]

Somerset Railroad Corp.—Construction and Operation—of a Line of Railroad in Niagara County, N.Y.; Correction[1]

Somerset Railroad Corporation, represented by Messrs. Charles J. McCarthy, of Belnap, McCarthy, Spencer, Sweeney & Harkaway, 1750 Pennsylvania Avenue, N.W., Washington, DC 20006, Gregory J. Blasi, of Huber, Magill, Lawrence & Farrell, 99 Park Avenue, New York, NY 10016, and Allen E. Kintigh, Vice President, New York State Electric & Gas Corporation, 4500 Vestal Parkway East, Binghamton, NY 13902, hereby give notice that on the 12th day of February, 1980, it filed with the Interstate Commerce Commission at Washington, DC, an application pursuant to 49 U.S.C. 10901 for a decision approving and authorizing the construction and operation of a line of railroad located wholly and solely within Niagara County, in the State of NY [45 FR 12506, Feb. 26, 1980].

Applicant's proposed route runs generally northward from a point of origin on the Falls Road Branch Line of Consolidated Rail Corporation just west of the Hamlet of Gasport to its terminus at the site of New York State Electric & Gas Corporation's proposed Somerset Generating Station. The point of origin consists of both an east and a west connection to the Falls Road Branch Line. The east connection is located approximately 3000 feet west of Gasport Road/Hartland Road in the Hamlet of Gasport, and the west connection is located approximately 5000 feet west of Gasport Road/Hartland Road in the Hamlet of Gasport. The total number of miles of track to be constructed and operated between the Falls Road Branch Line and the Somerset Generating Station is approximately 9.9 miles, all of which will be considered mainline track.

Applicant's proposed construction and operation is necessary to provide rail service to the site of an electric power generating station in the Town of Somerset, NY. Such rail service is required for delivery of plant equipment and other materials during generating station construction, and coal and limestone during generating station operation.

In accordance with the Commission's regulations (49 CFR 1108.8) in Ex Parte No. 55 (Sub-No. 4), *Implementation—National Environmental Policy Act, 1969*, 352 I.C.C. 451 (1976), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall indicate with specific data the exact nature and degree of the anticipated impact. See *Implementation—National Environmental Policy Act, 1969, supra*, p. 487.

Pursuant to the provisions of the Interstate Commerce Act, as amended, the proceeding will be handled without public hearings unless comments in support or opposition on such application are filed with the Secretary, Interstate Commerce Commission, 12th and Constitution Avenue, NW., Washington, DC 20423, and the aforementioned counsel for applicant, within 30 days after the date of first publication in a newspaper of general circulation. Any interested person is entitled to recommend to the Commission that it approve, disapprove, or take any other specified action with respect to such application.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-7923 Filed 3-13-80; 8:45 am]

BILLING CODE 7035-01-M

[1] Corrected to show that the Applicant did not state that the granting of the authority sought in its application would not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

[Docket No. AB-1 (Sub-No. 73F)]

Chicago and North Western Transportation Co.—Abandonment Between Marathon and Alton, in Buena Vista, Clay, O'Brien, and Sioux Counties, Iowa; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a decison entered on December 10, 1979, a finding, which is administratively final, was made by the Administrative Law Judge, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Oregon Short Line Railroad Co.*—Abandonment Goshen, 360 I.C.C. 91 (1979), the present and future public convenience and necessity permit the abandonment of the Chicago and North Western Transportation Company of its line of railroad extending from railroad milepost 157.3 near Marathon, IA to milepost 216.5 at Alton, IA, a distance of 59.2 miles, in Buena Vista, Clay, O'Brien, and Sioux Counties, IA. A certificate of abandonment will be issued to the Chicago and North Western Transportation Company based on the above-described finding of abandonment, on or before April 14, 1980, unless within 30 days from the date of publication, the Commission further finds that:

(1) a financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) it is likely that such proffered assistance would: (a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the **Federal Register** on March 31, 1976, at 41 FR 13691, as amended by publication of May 10, 1978, at 43 FR 20072. All interested persons are advised to follow the instruction contained therein as well as the instruction contained in the above-referenced decision.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-7924 Filed 3-13-80; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-84 (Sub-No. 2)]

Illinois Terminal Railroad Co., Abandonment of Trackage Rights Over Illinois Central Gulf Railroad Co. From Mont to Springfield in Madison, Macoupin, Montgomery, and Sangamon Counties, Ill.; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a decision entered on July 12, 1979, and the decision of the Commission, Division 2, served February 1, 1980, as modified, adopted

the decision of the Administrative Law Judge, which is administratively final, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Oregon Short Line Railroad Co.*—Abandonment Goshen, 360 I.C.C. 91 (1979), the present and future public convenience and necessity permit the abandonment by the Illinois Terminal Railroad Company of trackage rights over a line of the Illinois Central Gulf Railroad Company from Mont, IL to Springfield, IL, a distance of 81.24 miles in Madison, Macoupin, Montgomery and Sangamon Counties, IL. A certificate of abandonment will be issued to the Illinois Terminal Railroad Company based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) a financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) it is likely that such proffered assistance would: (a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the **Federal Register** on March 31, 1976, at 41 FR 13691, as amended by publication of May 10, 1978, at 43 FR 20072. All interested persons are advised to follow the instructions contained therein as well as the instruction contained in the above-referenced decision.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-7925 Filed 3-13-80; 8:45 am]

BILLING CODE 7035-01-M

[No. MC-F-13293; MC-116101 (Sub-No. 11)]

Quick Air/Freight, Inc.—Purchase—Vandalia Air Freight, Inc.; Quick Air Freight, Inc.—Extension-Tracking

Republication (A) By Decision served December 17, 1979, the Commission, Division 1, required republication since this decision expands upon the authority previously published in the **Federal Register** of August 11, 1977.

(1) General commodities (except those of unusual value, classes A & B explosives, household goods as defined by the Commision, commodities in bulk, and commodities requiring special equipment), between points in Ohio, on the one hand, and, on the other, the Municipal Airport of Dayton, near Dayton, OH, the Port Columbus Airport near Columbus, OH, the Cleveland-Hopkins Airport, near Cleveland, OH, and the Greater Cincinnati Airport in Kentucky (near Cincinnati, OH), restricted to shipments having a prior or subsequent movement by aircraft.

(2) 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 Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Michigan (except points in the Upper Peninsula), New York, and Pennsylvania, restricted to the exclusive use of one motor vehicle in the transportation of a single shipment, not weighing more than 5,000 pounds, from one consignor at one location to one consignee at one location, provided, however, that this restriction shall not apply to traffic which has a prior or subsequent movement by aircraft.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-7926 filed 3-13-80; 8:45 am]

BILLING CODE 7035-01-M

[Ex Parte No. 378]

Regarding New Competitive Service and the Burden of Proof in Motor Carrier Finance Proceedings

AGENCY: Interstate Commerce Commission.

ACTION: Notice to the public.

SUMMARY: This Notice sets forth the timing and type of information that should be presented in the modified procedure statements to satisfy the burdens of proof under the tripartite test involving new competitive service issues as set forth in *Jones Truck Lines, Inc.—Purchase—Deaton, Inc.*, 127 M.C.C. 428 (1978) (*Jones I*) and *Jones Truck Lines, Inc.—Purchase—Deaton, Inc.*, ——— M.C.C. ——— (1980) (*Jones II*).

EFFECTIVE DATE: March 3, 1980.

FOR FURTHER INFORMATION CONTACT: Michael Erenberg, 202-275-7245.

SUPPLEMENTARY INFORMATION: Since issuance of our decision of December 21, 1978, in *Jones Truck Lines, Inc.—Purchase—Deaton, Inc.*, 127 M.C.C. 428 (1978) (*Jones I*), we have received inquiries regarding the type of evidence and time for filing of evidence in motor carrier finance proceedings handled under the modified procedure involving new competitive service issues.

As state in *Jones I*, the tripartite test was merely an articulation of the standard to be used by the Commission to determine whether a transfer giving rise to a new competitive service should be authorized. We did not envision protracted proceedings.

Applicants' principal proof of the scope of past operations, including past joint-line operations, of a carrier being acquired, or the operating rights which are being acquired (such carrier hereinafter referred to as transferor), is through (a) Appendix D-4 to Form OP-F-44 or (b) Appendix B-4 to Form OP-F-45. These appendices are commonly known as the abstract of interstate shipments.

Both Rule 81 of the Commission's Rules of Practice (49 CFR 1100.81) and Commission decisional law set forth the desirability of abstracting relevant data, of summarizing what an exhibit purports to show, and of condensing information in tables. *See Redwing Refrigerated, Inc.—Pur.—Express, Inc.*, 116 M.C.C. 694, 698 (1974).

Giving consideration to the foregoing, in cases designated for modified procedure, applicants' initial verified statement should be summarized to reflect:

(1) explicitly which shipments moved over authority of transferor and transferee to be tacked (or moved by similar joint-line operations by transferor and/or transferee with third-party carriers.)

(2) explicitly which authorities to be tacked were not represented by shipments.

(3) why approval of the transaction without restriction against tacking or

joining of the authorities in (2) above will be consistent with the public interest. (This may be explained in the Appendix relating the facts and circumstances on which applicants rely to warrant approval of the proposed transaction, provided it is referenced to the particular authorities involved.)

(4) applicant may introduce evidence of shipper support at this stage if it chooses to do so. This would allow protestants to respond to all of applicants' evidence.

Protestants are required to do more than merely assert that the authorities to be tacked or joined would give rise to a new competitive service and that the new service would be detrimental to their operations. In modified procedure cases, each protestant in its initial verified statement will:

(1) prepare an exhibit identifying each competitive service with which it is concerned

(2) prepare an exhibit showing the authority of the protestant to provide such service

(3) show how it will be significantly harmed if the authority it set forth in (1) above is authorized to be transferred.

In its rebuttal statement, applicant(s) will be permitted to introduce testimony to rebut the allegations contained in protestant's initial statement. Shipper testimony should be submitted in the applicant's rebuttal statement if relied upon to demonstrate why the transaction giving rise to a new competitive service should be allowed despite the harm that may be incurred by protestants, as they have alleged.

If shipper testimony is submitted by applicant in its rebuttal statement, protestants will have the opportunity to submit a further statement which shall address only that information contained in the shipper testimony.

In an effort to facilitate the consideration of these materials, protestants will be strictly held to Rule 38 of the Commission's Rules of Practice (49 CFR 1100.38), which requires a specific statement of the grounds upon which the protest is made and concise statement of the interest of protestant in the proceeding. This will enable the applicant to identify which new competitive services are being challenged and thus in need of shipper support to justify their transfer. Shipper statements are *not* necessary for demonstrating public benefit where there is no harm to protestant.

Dated: February 15, 1980.

By the Commission, Chairman Gaskins, Vice Chairman Gresham, Commissioners Stafford, Clapp, Trantum, and Alexis. Commissioner Stafford dissenting with a separate expression.

Agatha L. Mergenovich,

Secretary.

Commissioner Stafford, dissenting:

The notice should be modified so as to allow public comment on the proposal. The notice appears to subvert the provisions of the Administrative Procedure Act, 5 U.S.C. 553, by acknowledging the receipt of inquiries on the new guidelines. Reliance on those informal inquiries as a basis for formulating new standards is inappropriate. See also, my separate expression in *Jones II,* No. MC–F–12453, *Jones Truck Lines, Inc.—Purchase—Deaton, Inc.*,—M.C.C.—(1980).

[FR Doc. 80–7927 Filed 3–13–80; 8:45 am]

BILLING CODE 7035–01–M

[Docket No. AB–6 (Sub-No. 57F)]

Burlington Northern, Inc.—Abandonment—Between Fergus Falls and Pelican Rapids in Otter Tail County, Minn.; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a decision entered on September 4, 1979, and the decision of the Commission, Division 2, acting as an Appellate Division, served January 18, 1980, adopted the decision of the Commission, Review Board Number 5, which is administratively final, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Oregon Short Line Railroad Co.—Abandonment Goshen,* 360 I.C.C. 91 (1979), the present and future public convenience and necessity permit the abandonment by the Burlington Northern, Inc. of railroad line extending from milepost 0.00 near Fergus Falls, MN, to milepost 21.37 near Pelican Rapids, MN, all in Otter Tail County, MN, and that applicant shall keep intact all of the right-of-way underlying the track, including all bridges and drainage structures, for a period of 120 days from the issuance of a certificate in this proceeding to allow any state or local government agency or other interested party to negotiate the acquisition for public use of all or any portion of the right-of-way. A certificate of abandonment will be issued to the Burlington Northern, Inc. based on the above-described finding of abandonment, on or before April 14, 1980, unless within 30 days from the date of publication, the Commission further finds that: (1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail lines are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the **Federal Register** on March 31, 1976, at 41 FR 13691, as amended by publication of May 10, 1978, at 43 FR 20072. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced decision.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80–7928 Filed 3–13–80; 8:45 am]

BILLING CODE 7035–01–M

[Exception No. 1 to Service Order No. 1419]

Chicago, Milwaukee, St. Paul & Pacific Railroad Co.; Shipping Delay

Because of the inability of the railroad to assemble the cars, a movement of loaded covered hopper cars will be seriously delayed on the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (MILW) enroute to Houston Public Elevator, Houston, Texas. Albert City Elevator desires to ship a seventy-five (75) car unit-grain-train to Houston routed MILW-Omaha/Missouri Pacific-Houston. To prevent this train from being trapped by the MILW embargo, MILW is authorized to transport the sixty-four (64) covered hoppers which are at the loading point of Albert City, Iowa.

Pursuant to the authority vested in the Director, Bureau of Operations, the Chicago, Milwaukee, St. Paul and Pacific Railroad Company is authorized to operate a seventy-five (75) car unit-grain-train from Albert City, Iowa, to Houston, Texas, comprised of sixty-four (64) covered hopper cars on a one trip basis.

The bills of lading and waybills shall bear the following endorsement: "Unit-grain-train of ( ) tons or ( ) cars. Partial movement of ( ) tons or ( ) cars forwarded authority Exception No. 1 to ICC Service Order No. 1419."

Demurrage rules will be treated as if the movement is a complete movement in itself.

Effective 11:00 a.m., February 27, 1980.
Expires 11:59 p.m., February 29, 1980.

Issued at Washington, D.C., February 27, 1980.

Joel E. Burns,

Director.

[FR Doc. 80-7929 Filed 3-13-80; 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 April 3, 1980 from the date of this publication. 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-41-79 (special certificate—used household goods) (amendment), filed February 22, 1980. Applicant: NOVI MOVING SYSTEMS, INC., 48595 West Rd, Wixon, MI 48096. Representative: Martin J. Leavitt, Sullivan and Leavitt, 22375 Hagerty Rd, P.O. Box 400, Northville, MI 48167. Authority sought: Between points in Huron, Tuscola, Sanilac, Saginaw, Muskegon, Ottawa, Kent, Shiawassee, Lapeer, Genessee, St. Clair, Cass, St. Joseph, Lenawee, Macomb, Oakland, Barry, Allegan, Van Buren, Kalamazoo, Calhoun, Jackson, Washtenaw, Wayne, Berrien, Branch, Hillsdale, Monroe, serving Selfridge ANG Base, Mount Clemens, MI.

Note.—The purpose of this amendment is to add the above-named counties to the service territory presently authorized.

HG-42-79 (special certificate—used household goods) (amendment), filed February 22, 1980. Applicant: LEONARD BROS. MOVING AND STORAGE CO., North, 1782 E Maple Rd., Troy, MI 48084. Representative: Martin J. Leovitt, Sullivan and Leovitt, 22375 Haggerty Rd, P.O. Box 400, Northville, MI 48167. Authority sought: Between points in Gratiot, Montcalm, Ionia, Clinton, Livingston, Ingham, Eaton, Van Buren, Kalamazoo, Calhoun, Jackson, Washtenaw, Berrien, Cass, St. Joseph, Branch, Hillsdale, Lenawee, Monroe Counties, MI, serving Selfridge ANG Base, Mount Clemens, MI.

Note.—The purpose of this amendment is to add the above-named counties to the service territory presently authorized.

HG-5-80 (special certificate—used household goods), filed February 22, 1980. Applicant: LIVINGSTON STORAGE & TRANSFER COMPANY, INC., 4301 Allied Dr., P.O. Box 7007, Columbus, GA 31906. Representative: Cliff Livingston, Jr. (address same as applicant). Authority sought: Between points in Bryan, Chatham, Dodge, Evans, Montgomery, Tattnall, Toombs, Wheeler, and Wilcox, Counties, GA, serving Fort Benning, GA and Fort Stewart, GA.

HG-6-80 (special certificate—used household goods), filed March 7, 1980. Applicant: JAMES B. STUDDARD TRANSFER & STORAGE CO., INC., 782 Seneca St., Leavenworth, KS 66048. Representative: Donald J. Quinn, Suite 900, 1012 Baltimore, Kansas City, MO 64105. Authority sought: Between points in Leavenworth County, KS, Anderson, Atchison, Brown, Coffey, Doniphan, Douglas, Franklin, Jackson, Jefferson, Johnson, Leavenworth, Linn, Miami, Nemaha, Osage, Shawnee, and Wyandotte, counties, KS; Andrews, Atchison, Bates, Buchanan, Caldwell, Carroll, Cass, Clay, Clinton, Davies, Dekalb, Harrison, Holt, Jackson, Gentry, Livingston, Mercer, Nodayway, Platte, Ray, and Worth counties, MO; Johnson, Nemaha, Pawnee, and Richardson counties, Nebraska, NE Serving Fort Leavenworth, Leavenworth, KS.

By the Commission.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-7930 Filed 3-14-80; 8:45 am]

BILLING CODE 7035-01-M

Decision-Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find: Each transaction is exempt from section 11343 (formerly section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

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.

Petitions seeking reconsideration must be filed on or before April 3, 1980. Replies must be filed within 20 days after the final date for filing petitions for reconsiderations; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1132.4 may be rejected.

If petitions for reconsiderations are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the compliance requirements which must be met before the transferee may commence operations.

Applicant must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

By the Commission, Review Board Number 5, The Motor Carrier Board, Members Krock, Pohost, and Taylor.

Agatha L. Mergenovich,

Secretary.

No. FD 29244F. By decision of February 19, 1980 issued under 49 U.S.C.

10926 and the transfer rules at 49 CFR Part 1141. The Motor Carrier Board approved the transfer to HARBOR CARRIERS, INC., of San Francisco, CA, of Certificate No. W–379 (Sub-No. 4) issued July 31, 1970 to BAY CITIES TRANSPORTATION COMPANY, of San Francisco, CA, authorizing operation by non-self-propelled vessels, with the use of separate towing vessels, in the transportation of general commodities, and by towing vessels in the performance of general towage, between ports and points on San Francisco Bay and its tributary waterways (except those ports and points located on the Sacramento and San Joaquin Rivers above Sacramento and Stockton, CA), with service at Sacramento and Stockton restricted to towing vessels in the performance of general towage. Applicant's representative is: Leo C. Franey, 700 World Center Bldg., 918 Sixteenth St., N.W., Washington, DC 20006.

No. FD 29248F. By decision of February 19, 1980 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1151. The Motor Carrier Board approved the transfer to OMNI MOVING & STORAGE OF VIRGINIA, INC., of Fairfax, VA of Permit No. FF–362 issued April 4, 1973 to TRANS-AMERICAN WORLD TRANSIT, INC. (J. Robert Green, Receiver-in-bankruptcy), of Forth Worth, TX authorizing operations as a freight forwarder (a) of used household goods and unaccompanied baggage, between points in the United States (including HI but excluding AK), and (b) of used automobiles between points in the United States (including HI but excluding AK), restricted to (b) to the transportation of export and import traffic. Applicant's representative is: Alan F. Wohlstetter, 1700 K St., NW., Washington, DC 20006. Transferee holds no authority from the Commission.

MC–FC–78000, filed January 16, 1979. Transferee: LUTHER WILHELMSEN, Burke, SD 57523. Transferor: MELVIN WILLUWEIT, Burke, SD 57523. By decision of May 16, 1979, the Motor Carrier Board approved the transfer of Certificate No. MC–106470 issued January 28, 1976, from transferor to transferee. The certificate authorizes livestock, from Burke, SD, and points in SD west of the Missouri River and within 25 miles of Burke, except Bonesteel, Colome, Dallas, Fairfax, Gregory, Herrick, and St. Charles, SD, to Sioux City, IA; livestock, feed, seed, and agricultural machinery parts, from Sioux City, IA, to points in SD west of the Missouri River and within 25 miles of Burke, SD, except Bonesteel, Colome, Dallas, Fairfax, Gregory, Herrick, and St. Charles, SD; and general commodities, (except those of unusual value, classes A and B explosives, commodities in bulk, and those requiring special equipment), from Sioux City, IA, to Burke, SD. Representative: Jack Gunvordahl, P.O. Box 352, Burke, SD 57523. petitions for reconsideration of the Board's decision may be filed within 30 days of this FR notice. Transferee holds no authority from the Commission. An application seeking TA lease authority has not been filed.

MC–FC–78187, filed May 29, 1979. Transferee: C AND W HORSE TRANSPORTATION, INC., 233 Pond Street, Franklin, MA 02038. Transferor: LOWDER'S HORSE TRANSPORT, INC., 801 Atlanta Street, Roswell, GA 30075. Representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108. Authority sought for purchase by transferee of operating rights of transferor as set forth in Certificate No. MC–138271 (Sub 2) issued August 26, 1975, authorizing the transportation of *horses,* other than ordinary horses, and, in the same vehicle therewith, mascots, personal effects of attendants, and supplies and equipment used in the care, maintenance, and exhibition of such horses, (1) between points in AL, AR, FL, GA, LA, KY, MS, NC, SC, and TN; and (2) between points in the states named in (1) above, on the one hand, and, on the other, points in IL, IN, MI, MO, OH, TX, VA, and WV. Application has been filed for temporary authority under 49 U.S.C. 11349. Transferee holds authority from the Commission under docket number MC–141775, and has filed a directly related gateway elimination application.

MC–FC–78354, by decision of February 14, 1980 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132. The Motor Carrier Board approved the transfer to BLAIR TRANSFER COMPANY, of Blair, NE, of Certificate No. MC–2052 issued December 5, 1973 to BLAIR TRANSFER, INC., of Blair, NE, authorizing the transportation of general commodities, with the usual exceptions, between Blair, NE, and Council Bluffs, IA, serving all intermediate points and the off-route point of Orum, NE, one a defined regular route; and over irregular routes, generally the transportation of agricultural commodities and household goods, to and from named points in NE, IA, ND, SD, MN, IA, MO, and KS. Subject to the following conditions: Applicants must request in writing that the Commission modify the authority in Certificate No. MC–2052 by restricting its third paragraph against service from the facilities of Blair Manufacturing Company, and further to modify transferor's retained authority in Certificate No. MC–2052 (Sub-No. 6) to restrict its authority in parts (1) and (2) against service to or from Council Bluffs, IA. Applicant's representative is: Arlyn L. Westergren, Suite 106, 7101 Mercy Road, Omaha, NE 68706. Transferee is not a carrier. Temporary lease authority is not sought.

MC–FC–78374. By decision of February 1, 1980 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. Part 1132. The Motor Carrier Board approved the transfer to GRAMMER INDUSTRIES, INC., of Grammer, IN, of Permit/No. MC–53325 issued October 30, 1956 to DAVID C. KEMPER, d.b.a KEMPER TRUCKING COMPANY, of Seymour, IN, authorizing the tranportation of fertilizer, from Louisville, KY, to points in Indiana; empty bags, fertilizer materials, lime, and sulphate of ammonia, from points in Indiana to Louisville, KY, and fertilizer, from St. Bernard, OH, to points in Indiana on and south of U.S. Hwy 40. Applicant's representative is: Warren C. Moberly, 320 North Merdian St., #777, Indianapolis, IN 46204. Transferee holds no authority from the Commission. An application seeking temporary lease authority has been filed.

MC–FC–78385. By decision of February 1, 1980 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. Part 1132. The Motor Carrier Board approved the transfer to ANDERSON TRUCK LINES OF MINNESOTA, INC., of Hayward, MN, of/Certificate No. MC–135874 Sub 106F issued August 21, 1979 to LTL PERISHABLES, INC., of South St. Paul, MN, authorizing the transportation of foodstuffs (except commodities in bulk), from Albert Lea, MN, to points in Illinois, Iowa, Kansas, Missouri, and Nebraska, restricted to traffic originating at the facilities of Miami Margarine Company at Albert Lea, MN, and destined to points in the named states. Applicant's representative are: Samuel Rubenstein, 301 North Fifth St., Minneapolis, MN 55403. Paul Nelson, 550 East Fifth St. South, South St. Paul, MN 55075. Transferee holds no authority from the Commission. TA has been filed.

MC–FC–78424. By decision of February 4, 1980 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. Part 1132. The Motor Carrier Board approved the transfer to ALASKA TRANSFER & STORAGE, INC., of Kodiak, AK, of/Certificate No. MC–126136 (Sub-No. 1) issued May 13, 1971 to CHARLES A. POWELL, d.b.a. ALASKA TRANSFER & STORAGE, of

Kodiak, AK, authorizing the transportation of general commodities (except those of unusual value and classes A and B explosives), between points on Kodiak Island, AK, on the one hand, and, on the other, Homer, Seldovia, and Seward, AK; and between points on Kodiak Island, AK. Applicant's representative is: Charles A. Powell, P.O. Box 605, Kodiak, AK 99615.

MC–FC–78425. By decision of February 4, 1980 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. Part 1132. The Motor Carrier Board approved the transfer to JOHN P. SERVICE TRUCKING, INC., of Washington, PA of/Certificate No. MC–5812 issued May 11, 1976 to JOHN P. SERVICE, d.b.a. JOHN P. SERVICE TRUCKING, of Washington, PA, authorizing the transportation of Machinery, size or weight commodities, related commodities, and self-propelled articles, between described portions of western PA, eastern OH, and northern WV. Applicant's representative is: John A. Pillar, 1500 Bank Tower, 307 Fourth Ave., Pittsburgh, PA 15222. Transferee holds no authority from this Commission. An application seeking temporary lease authority has not been filed.

MC–FC–78426. By decision of January 28, 1980 issued under 49 U.S.C. 190926 and the transfer rules at 49 C.F.R. Part 1132. The Motor Carrier Board approved the transfer to EAST SIDE EXPRESS, INCORPORATED, of Chesterfield, MD, of Certificate No. MC–136991 issued (date 11/27/72) to MAVRIC, INCORPORATED, of St. Louis, MO, to points in that part of Illinois on and north of U.S. Hwy 6, Iowa, Indiana, Kentucky, Tennessee, Arizona, Oklahoma, Kansas, and Nebraska. Applicant's representative is: Joseph B. Pereles, 10 S. Broadway, St. Louis, MO 63102. Transferee holds no authority from the Commission an application seeking temporary lease authority has not been filed.

MC–FC–78431. By decision of January 28, 1980 issued under 49 U.S.C. 190926 and the transfer rules at 49 C.F.R. Part 1132. The Motor Carrier Board approved the transfer to BOPST BUS SERVICE, INC., of Randallstown, MD, of Certificate No. MC–112716 (Sub–No. 1) issued 6/25/79 to CRYSTAL BALL TOURS, INC., of Randallstown, MD, authorizing the transportation of *common carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) passengers and their baggage, in charter operations, (a) from Baltimore, MD, and points in Harford, Baltimore, Howard, and Anne Arundel Counties, MD within 20 miles of Baltimore, to Washington, DC, New York, NY, and points in Maryland, Virginia, West Virginia, Pennsylvania, Delaware, and New Jersey, within 150 miles of Baltimore, and (b) from destination points named in (1)(a) above, to Baltimore, MD, and points in Harford, Baltimore, Howard, and Anne Arundel Counties, MD, within 20 miles of Baltimore; (2) passengers and their baggage in special operations, in round-trip sightseeing or pleasure tours, (a) from Baltimore, MD, to Washington, DC, New York, NY, and points in Maryland, Virginia, West Virginia, Pennsylvania, Delaware, and New Jersey, within 150 miles of Baltimore, and (b) from Washington, DC, New York, NY, and points in Maryland, Virginia, West Virginia, Pennsylvania, Delaware, and New Jersey, within 150 miles of Baltimore, to Baltimore, MD, restricted in (1) and (2) above to the transportation of traffic either originating at or destined to the territory indicated. Applicant's representative is: Bruce E. Mitchell, Attorney, Suite 520—3390 Peachtree Road, Atlanta, GA 30326, (404)–262–7855. No TA application has been filed, Transferee presently holds no authority.

MC–FC–78432. By decision of January 28, 1980 issued under 49 U.S.C. 10931 or 10932 and the transfer rules at 49 C.F.R. 1132, The Motor Carrier Board approved the transfer to ANN L. MORTON, Individual, d.b.a. MORTON TRANSPORTATION OF WORCESTER, MA, of Certificate of Registration No. MC–85553 (Sub–No. 1) issued 11/1/63, to LEO A. MORTON, Individual d.b.a. MORTON TRANSPORTATION, Worchester, MA, evidencing a right to engage in transportation in interstate commerce corresponding in scope to state certificate No. 5985 dated February 18, 1947 issued by the Massachusetts Department of Public Utilities. The Certificate of Registration authorizes the following: Furniture, pianos, property in bundles and containers and manufactured products anywhere in the Commonwealth, over irregular routes. Applicant's representative is: Ann L. Morton, 4 Dearborn Street, Worcester, MA 01604. No TA application has been filed. Transferee presently holds no authority.

MC–FC–788433. By decision of February 4, 1980 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. Part 1132. The Motor Carrier Board approved the transfer to A. I. WORTHEY, of Prosser, WA, of Permit MC–141732 issued April 5, 1977 to VARCO TRUCKING INC., of Yakima, WA, authorizing the transportation of *Fruit juice* and *fruit juice concentrates* (except in bulk), From points in Yakima and Chelan Counties, Wash., to points in California and Oregon, under a continuing contract, or contracts, with Tree Top, Incorporated, of Selah, Wash. Applicant's representative is: K. Denny Colvin, Attorney P.O. Box 1265, Yakima, WA 98907.

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BILLING CODE 7035–01–M

Finance Matters; Decision-Notice

The following applications seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control of motor carriers pursuant to 49 U.S.C. 11343 or 11344. Also, applications directly related to these motor finance applications (such as conversions, gateway eliminations, and securities issuances) may be involved.

The applications are governed by Special Rule 240 of the Commission's Rules of Practice (49 CFR 1100.240). These rules provide, among other things, that opposition 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 seasonably to oppose will be construed as a waiver of opposition and participation in the proceeding. Opposition under these rules should comply with Rule 240(c) of the Rules of Practice which requires that it set forth specifically the grounds upon which it is made, and specify with particularity the facts, matters and things relied upon, but shall not include issues or allegations phrased generally. Opposition not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of any protest shall be filed with the Commission, and a copy shall also be served upon applicant's representative or applicant if no representative is named. If the protest includes a request for oral hearing, the request shall meet the requirements of Rule 240(c)(4) of the special rules and shall include the certification required.

Section 240(e) further provides, in part, that an applicant who does not intend timely to prosecute its application shall promptly request its dismissal.

Further processing steps will be by Commission notice or order which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication except for good cause shown.*

Any authority granted may reflect administratively acceptable restrictive amendments to the transaction proposed. Some of the applications may have been modified to conform with Commission policy.

We find with the exception of those applications involving impediments (e.g., jurisdictional problems, unresolved fitness questions, questions involving possible unlawful control, or improper divisions of operating rights) that each applicant has demonstrated, in accordance with the applicable provisions of 49 U.S.C. 11301, 11302, 11343, 11344, and 11349, and with the Commission's rules and regulations, that the proposed transaction should be authorized as stated below. Except where specifically noted this decision is neither a major Federal action significantly affecting the quality of the human environment nor does it appear to qualify as 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 national transportation policy subject to the right of the Commission, which is expressly reserved, to impose such conditions as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. 10930.

In the absence of legally sufficient protests as to the finance application *or* any application directly related thereto filed within 30 days of publication (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with impediments) 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, the duplication shall not be construed as conferring more than a single operating right.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

MC-F-14273F, filed December 20, 1979. ANDERSON TRUCKING SERVICE, INC. (Anderson), 203 Cooper Avenue, North, St. Cloud, MN 56301—Purchase (portion)—International Contract Carriers, Inc. (International) (P.O. Box 1218, Freeport Center, Clearfield, UT 84016). Representative: Robert D. Gisvold, 1000 First National Bank Bldg, Minneapolis, MN 55402. Anderson seeks to purchase the interstate operating rights and property of International. Harold E. Anderson, the majority stockholder of Anderson, seeks to acquire control of said rights and property through the transaction. Anderson is purchasing the interstate operating rights of International that are contained in Certificates MC-139468 and sub-numbers thereunder, which authorize the transportation of the following: (1) *Metal buildings, parts for metal buildings, and pipe,* From the facilities of National Steel Products Company, Inc., at Houston, TX, to points in AR, LA, TN, MS, AL, GA, FL, SC, and NC, under continuing contract(s) with National Steel Products Company, Inc., of Houston, TX. (2) *Metal buildings and related parts and equipment,* From the plantsite of National Steel Products Company, Inc. at or near Terre Haute, IN to points in AZ, CA, CO, ID, IL, IA, KS, KY, MN, MO, MT, NE, NV, NM, ND, OK, OR, SD, UT, VA, WA, WV, WI, and WY, under continuing contract(s) with National Steel Products Co., Inc. (3)(a) *Buildings, complete, knocked down and in sections;* (b) *Building sections and building panels;* (c) *Parts and accessories* used in the installation and completion of the commodities (a) and (b) above, and (d) *Prefabricated structural components and panels,* and *accessories* used in the installation and completion thereof, From the facilities of National Steel Products Company, Inc. at or near LaGrange, GA, to points in AL, FL, GA, KY, MS, NC, SC, TN, VA, and WV, under continuing contracts(s) with National Steel Products Company, Inc. (4) *Metal buildings, parts for metal buildings, and pipe,* (a) between the plantsites of National Steel Products Company, Inc. at or near Houston, TX and at or near Terre Haute, IN, and (b) From the plantsite of National Steel Products Company, Inc. at or near Houston, TX to points in OK, KS, NE, SD, ND, NM, CO, WY, MT, ID, UT, AZ, NV, OR, WA, and CA, under continuing contract(s) with National Steel Products Company, Inc., of Houston, TX. (5)(a) *Buildings, complete, knocked down, and in sections;* (b) *Building sections and building panels;* (c) *Parts and accessories* used in the manufacture, installation and completion of the commodities in (a) and (b) above; (d) *Machinery, materials, and supplies* used in the manufacturing and storage of the commodities in (a) through (c) above; (e) *Prefabricated structural components and panels,* and *accessories* used in the installation and completion thereof, between the facilities of National Steel Products Company, Inc. at or near Houston, TX, LaGrange, GA, and Terre Haute, IN, and (a) *buildings, complete, knocked down, and in sections,* (b) *building sections and building panels,* (c) *Parts and accessories* used in the manufacture, installation and completion of the commodities in (a) and (b) above, (d) *prefabricated structural components and panels,* and *accessories,* used in the installation and completion thereof, (i) from the plantsites of National Steel Products Company, Inc., at or near LaGrange, GA, to points in CT, DE, IN, ME, MD, MA, MI, NH, NJ, NY, OH, PA, RI, and VT, and (ii) from the plantsites of National Steel Products Company, Inc., at or near Terre Haute, IN, to points in CT, DE, ME, MD, MA, MI, NH, NJ, NY, NC, OH, PA, RI, SC, TN, and VT, under continuing contract(s) with National Steel Products Company, Inc. (6) *Buildings and building sections,* from the facilities of National Steel Products, Inc., at Terre Haute, IN, to points in AK, under continuing contract(s) with National Steel Products Company, Inc. (7) *Buildings, building sections and pipe,* from the facilities of National Steel Products Company, Inc., at Houston, TX, to points in AK, under continuing contract(s) with National Steel Products Company, Inc., of Houston, TX. (8) *Materials, supplies and equipment* used in the manufacturing, distribution and storage of buildings, building sections, building panels, prefabricated structural components and panels, and related accessories, (except commodities in bulk, in tank vehicles), From points in the United States (except Alaska and Hawaii), to facilities used by National Steel Products Company, Inc., at Houston, TX, LaGrange, GA, and Terre Haute, IN, under continuing contract(s) with National Steel Products Company, Inc. (9) *Window and window frames, door and door frames,* from the facilities of National Steel Products Co., Inc. at or near Monroe and Shreveport, LA, to points in AL, AR, GA, IL, IN, IA, KS, KY, MN, MS, MO, NE, OK, TN, TX, and WI, under continuing contract(s) with National Steel Products Co., Inc., of Houston, TX. (10) *Materials, supplies and equipment used in the manufacturing, processing and distributing of the commodities* described in (9) above, from points in AL, AR, GA, IL, IN, IA, KS, KY, MN, MS, MO, NE, OK, TN, TX and WI, to the facilities of National Steel Products Co., Inc. at or near Monroe and Shreveport, LA, under continuing contract(s) with

National Steel Products Co., Inc., of Houston, TX. (11) *Iron and steel sheeting and coil,* from the facilities of Midwest Steel Division, National Steel Corporation, at or near Portage, IN, to points in the St. Louis, MO Commercial Zone, under continuing contract(s) with Midwest Steel Division, National Steel Corp., of Pittsburgh, PA. (12) *Lumber,* from Kooskia and Princeton, ID, and Clarkston, WA, to points in AZ, KY, NM, OK,TX, CO, UT, and WY, restricted to traffic originating at (a) the facilities used by Bennett Sales Co., at Kooskia, ID, (b) the facilities of Bennett Lumber Products, Inc., at Princeton, ID, and (c) the facilities of Guy Bennett Lumber Co., at Clarkston, WA, under continuing contract(s) with Bennett Sales Co., and (13)(a) *Buildings, complete, knocked down, and in sections,* (b) *building sections and building panels,* (c) *parts and accessories* used in the manufacture, installation, and completion of the commodities in (a) and (b) above, and (d) *prefabricated structural components and panels,* and *accessories,* used in the installation and completion thereof, (i) from the plantisites of National Steel Products Company, Inc., at or near LaGrange, GA, to points in AR, IL, KS, LA, MO, OK, and TX, (ii) from the plantsites of National Steel Products Company, Inc., at or near Terre Haute, IN, to points in AL, AR, LA, MS, and TX, and (iii) from the plantsites of National Steel Products Company, Inc., at or near Houston, TX, to points in IL, IN, IA, KY, MN, MO, and WI, under continuing contract(s) with National Steel Products Company, Inc., of Houston, TX. Anderson is a motor common carrier of general and specified commodities throughout points in the United States, pursuant to certificates in MC–95876 and sub-numbers thereunder. Harold E. Anderson also controls K&W Trucking Co., Inc., a motor Common Carrier which holds authority pursuant to certificates in MC–125551 and sub-numbers thereunder. (Hearing site: Salt Lake City, UT, or Houston, TX.)

Notes.—(1) Application has been filed for temporary authority. (2) A directly related conversion application has been filed in MC–95876 (Sub-No. 332F), and published in this same **Federal Register** notice. Anderson is seeking authority to convert the authority above from contract to common carrier authority.

Operating Rights Application(s) Directly Related to Finance Proceedings

The following operating rights application(s) are filed in connection with pending finance applications under Section 11343 (formerly Section 5(2)) of the Interstate Commerce Act, or seek tacking and/or gateway elimination in connection with transfer applications under Section 10926 (formerly Section 212(b)) of the Interstate Commerce Act.

On applications filed before March 1, 1979, an original and one copy of *protests* to the granting of authorities must be filed with the Commission within 30 days after the date of this **Federal Register** notice. Such protests shall conform with Special Rule 247(e) of the Commission's *General Rules of Practice* (49 CFR 1100.247) and include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities.

Applications filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's *General Rules of Practice* also but are subject to petitions to intervene either with or without leave. An original and one copy of the petition must be filed with the Commission within 30 days after date of publication. A petition for intervention 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) setting forth the specific grounds upon which it is made, including a detailed statement of petitioner's interest, the particular facts, matters, and things relied upon, the extent to which petitioner's interest will be represented by other parties, the extent to which petitioner's participation may reasonably be expected to assist in the development of a sound record, and the extent to which participation by the petitioner would broaden the issues or delay the proceeding.

Verified statements in opposition should not be tendered at this time. A copy of the protest or petition to intervene shall be served concurrently upon applicant's representative or applicant if no representative is named.

Each applicant states that approval of its application will not significantly affect the quality of the human environment nor involve a major regulatory action under the Energy Policy and Conservation Act of 1975.

MC 59617 (Sub-5F), filed: July 20, 1979. Applicant: WARE'S VAN AND STORAGE CO., INC., 1344 Northwest Boulevard, Vineland, NJ 08360. Representative: B. W. LaTourette, Jr., 11 S. Meramec, Suite 1400, St. Louis, MO 63105. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods,* as defined by the Commission between points in Cumberland and Salem Counties, NJ on the one hand, and, on the other, points in PA, MD, DE, VA, NY, CT, RI, MA, OH, DC and WV. (Hearing site: Washington, DC.)

Note.—This application is directly related to a Section 5 application (Ware's Van and Storage Co., Inc.—Purchase (Portion)—Young's Express, et al., docketed MC–F–14023, published in a previous section of this FR issue. The purpose of this application is to eliminate all existing gateways contained in the certificates of Ware's Van & Storage Co., Inc. and Young's Express, Inc. The common points involved are the Philadelphia, PA commercial zone and those areas in NJ within twenty-five (25) air miles of Vineland, NJ, such as Gloucester, Salem, and Cumberland Counties, NJ.

MC 2770 (Sub-24F), filed: December 27, 1979. Applicant: SANBORN'S MOTOR EXPRESS, INC., 550 Forest Avenue, Portland, ME 04101. Representative: Mary E. Kelley, 22 Stearns Avenue, Medford, MA 02155. 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 & B explosives, household goods as defined by the Commission, Commodities in bulk, and those requiring special equipment) between Hartford, CT and Scranton, PA, from Hartford over Interstate Hwy 84 to Scranton, and return, serving the intermediate and off-route points in that part of PA on and east of a line beginning at the MD-PA State line and extending along U.S. Hwy 15 to junction U.S. Hwy 11, thence over U.S. Hwy 11 to junction U.S. Hwy 6; and on and south of U.S. Hwy 6 from said junction of U.S. Hwys 6 and 11 to the PA-NY State Line in connection with carrier's otherwise authorized regular route operations in PA. (Hearing Site: Boston, MA or Portland, ME.)

Note.—The purpose of this application is to eliminate New York City as the gateway point. This matter is directly related to MC–F–13833, published in the January 25, 1979, issue of the **Federal Register.**

Finance Applications

The following applications seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control through ownership of stock, of rail carriers or motor carriers pursuant to Sections 11343 (formerly Section 5(2)) or 11349

(formerly Section 210a(b)) of the Interstate Commerce Act.

An original and one copy of protests against the granting of the requested authority must be filed with the Commission within 30 days after the date of this **Federal Register** notice. Such protest shall comply with Special Rules 240(c) or 240(d) of the Commission's *General Rules of Practice* (49 CFR 1100.240) and shall include a concise statement of protestant's interest in the proceeding. A copy of the protest shall be served concurrently upon applicant's representative, or applicant, if no representative is named.

Each applicant states that approval of its application will not significantly affect the quality of the human environment nor involve a major regulatory action under the Energy Policy and Conservation Act of 1975.

MC-F-14023F, filed: May 11, 1979. Applicant: WARE'S VAN AND STORAGE CO., INC., 1344 Northwest Boulevard, Vineland, NJ 08360, and YOUNG'S EXPRESS & UNITED JERSEY BANK/CITY NATIONAL, now known as UJB/CUMBERLAND NATIONAL, by virtue of merger, 470 North Delsea Drive, Vineland, NJ 08360. Authority sought under Section 5, Interstate Commerce Act for the purchase, *Household Goods,* as defined by the Commission between points in Cumberland and Salem Counties, NJ on the one hand, and on the other, points in Pennsylvania, Maryland, Delaware, Virginia, New York, Connecticut, Rhode Island, Massachusetts, Ohio, and the District of Columbia, and West Virginia.

Note.—If a hearing is deemed necessary, Applicant requests that it be held at Washington, DC.

Decision-Notice

The following operating rights applications, filed on or after March 1, 1979, are filed in connection with pending finance applications under 49 U.S.C. 10926, 11343 or 11344. The 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 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 peformed 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 uspporting the application, or, (b) where the identity of those supporting the appliction 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.

Section 247(f) provides that an applicant which does not intent 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 consitent 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 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 national transportation policy subject to the right of the Commission, which is expressly reserved, to impose such conditions as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. 10930.

In the absence of legally sufficient protests as to the finance application or the following operating rights applications directly related thereto filed on or before April 14, 1980 (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.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice by effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

Decided: February 29, 1980.

By the Commission, Review Board Number 5, Members Krock, Taylor and Williams.

MC 95876 (Sub-332F), filed December 20, 1979. Applicant: ANDERSON TRUCKING SERVICE, INC.—Conversion, 203 Cooper Avenue North, St. Cloud, MN 56301. Representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, MN 55402. To operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *Metal buildings, parts for metal buildings, and pipe,* from the facilities of National Steel Products Company, Inc., at Houston, TX, to points in AR, LA, TN, MS, AL, GA, FL, SC, and NC, (2) *Metal buildings and related parts and equipment,* from the plantsite of National Steel Products Company, Inc. at or near Terre Haute, IN to points in AZ, CA, CO, ID, IL, IA, KS, KY, MN,

MO, MT, NE, NV, MN, ND, OK, OR, SD, UT, VA, WA, WV, WI, and WY, (3) (a) *Buildings, complete, knocked down and in sections;* (b) *Building sections and building panels;* (c) *Parts and accessories* used in the installation and completion of the commodities (a) and (b) above, and (d) *Prefabricated structural components and panels,* and *accessories* used in the installation and completion thereof, from the facilities of National Steel Products Company, Inc. at or near LaGrange, GA, to points in AL, FL, GA, KY, MS, NC, SC, TN, VA, and WV, (4) *Metal buildings, parts for metal buildings, and pipe,* (a) Between the plantsites of National Steel Products Company, Inc. at or near Houston, TX and at or near Terre Haute, IN, and (b) From the plantsite of National Steel Products Company, Inc. at or near Houston, TX to points in OK, KS, NE, SD, ND, MN, CO, WY, MT, ID, UT, AZ, NV, OR, WA, and CA, (5) (a) *Buildings, complete, knocked down and in sections;* (b) *Building sections and building panels;* (c) *Parts and accessories* used in the manufacture, installation and completion of the commodities in (a) and (b) above; and (d) *Machinery, materials, and supplies* used in the manufacturing and storage of the commodities in (a) through (c) above; (e) *Prefabricated structural components and panels,* and *accessories* used in the installation and completion thereof, between the facilities of National Steel Products Company, Inc. at or near Houston, TX, LaGrange, Ga, and Terre Haute, IN, and (a) *buildings, complete, knocked down, and in sections,* (b) *building sections and building panels,* (c) *parts and accessories* used in the manufacture, installation and completion of the commodities in (a) and (b) above, (d) *prefabricated structural components and panels,* and *accessories* used in the installation and completion thereof, (i) from the plantsites of National Steel Products Company, Inc., at or near LaGrange, GA, to points in CT, DE, IN, ME, MD, MA, MI, NH, NJ, NY, OH, PA, RI, and VT, and (ii) from the plantsites of National Steel Products Company, Inc., at or near Terre Haute, IN, to points in CT, DE, ME, MD, MA, MI, NH, NJ, NY, NC, OH, PA, RI, SC, TN, and VT, (6) *Buildings and building sections,* from the facilities of National Steel Products, Company, Inc., at Terre Haute, IN, to points in AK, (7) *Buildings, building sections and pipe,* from the facilities of National Steel Products Company, Inc., at Houston, TX, to points in AK, (8) *Materials, supplies and equipment* used in the manufacturing, distribution and storage of buildings, building sections, building panels, prefabricated structural components and panels, and related accessories, (except commodities in bulk, in tank vehicles), from points in the United States (except Alaska and Hawaii), to facilities used by National Steel Products Company, Inc. at Houston, TX, LaGrange, GA, and Terre Haute, IN, (9) *Window and window frames, door and door frames,* from the facilities of National Steel Products Company, Inc. at or near Monroe and Shreveport, LA, to points in AL, AR, GA, IL, IN, IA, KS, KY, MN, MS, MO, NE, OK, TN, TX, and WI, (10) *Materials, supplies and equipment used in the manufacturing, processing and distributing of the commodities* described in (9) above, from points in AL, AR, GA, IL, IN, IA, KS, KY, MN, MS, MO, NE, OK, TN, TX and WI, to the facilities of National Steel Products Company, Inc. at or near Monroe and Shreveport, LA, (11) *Iron and steel sheeting and coil,* from the facilities of Midwest Steel Division, National Steel Corporation, at or near Portage, IN, to points in the St. Louis, MO Commercial Zone, (12) *Lumber,* from Kooskia and Princeton, ID, and Clarkston, WA, to points in AZ, KY, NM, OK, TX, CO, UT, and WY, restricted to traffic originating at (a) the facilities used by Bennett Sales Co., at Kooskia, ID, (b) the facilities of Bennett Lumber Products, Inc., at Princeton, ID, and (c) the facilities of Guy Bennett Lumber Co., at Clarkston, WA, and (13) (a) *Buildings, complete, knocked down, and in sections,* (b) *building sections and building panels,* (c) *parts and accessories* used in the manufacture, installation, and completion of the commodities in (a) and (b) above, and (d) *prefabricated structural components and panels,* and *accessories,* used in the installation and completion thereof, (i) from the plaintsites of National Steel Products Company, Inc., at or near LaGrange, GA, to points in AR, IL, KS, LA, MO, OK, and TX, (ii) from the plantsites of National Steel Products Company, Inc., at or near Terre Haute, IN, to points in AL, AR, LA, MS, and TX, and (iii) from the plantsites of National Steel Products Company, Inc., at or near Houston, TX, to points in IL, IN, IA, KY, MN, MO, and WI. (Hearing site: Houston, TX, or Salt Lake City, UT.)

Note.—This application, which seeks to convert contract carrier authority to common carrier authority, is directly related to a proceeding pursuant to 49 U.S.C. 11343 in MC–F–14273F, published in this same **Federal Register** issue.

[FR Doc. 80–7932 Filed 3–13–80; 8:45 am]

BILLING CODE 7035–01

Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after March 1, 1979, 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 petition for intervention, either in support of or in opposition 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.** Protests (such as were allowed to filings prior to March 1, 1979) *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) setting forth the specific grounds upon which it is made, including a detailed statement of petitioner's interest, the particular facts, matters, and things relied upon, including the extent, if any, to which petitioner (a) has solicited the traffic or business of those 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. The Commission will also consider (a) the nature and extent of the property, financial, or other interest of the petitioner, (b) the effect of the decision which may be rendered upon petitioner's interest, (c) the availability of other means by which the petitioner's interest might be protected, (d) the extent to which petitioner's interest will be represented by other parties, (e) the extent to which petitioner's participation may reasonably be expected to assist in the development of a sound record, and (f) the extent to which participation by the petitioner would broaden the issues or delay the proceeding.

Petitions not in reasonable compliance with the requirements of the rule may be rejected. An original and one copy of the petition to intervene shall be filed with the Commission indicating the specific rule under which

the petition to intervene is being filed, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named.

Section 247(f) provides, in part, that an applicant which does not intend to timely 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.

If an applicant has introduced rates as an issue it is noted. Upon request, an applicant must provide a copy of the tentative rate schedule to any protestant.

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 administrative acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplying 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, and that each contract carrier applicant qualifies as a contract carrier and its proposed contract carrier service 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 regulation. 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 petitioner, 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 reserved, 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 petitions for intervention, 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 following decision-notices within 30 days after publication, or the application shall stand denied.

Note.—All applications are for authority to operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, except as otherwise noted.

Volume No. 29

Decided: Feb. 1, 1980.

By the Commission, Review Board Number 1, Members Carleton, Joyce and Jones.

MC 6237 (Sub-4F), filed August 26, 1979. Applicant: DONALD S. GRIMM, INC., Box 5, Maple Grove St., Lodi, OH 44254. Representative: John L. Alden, 1396 West 15th Ave., P.O. Box 12241, Columbus, OH 43212. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *salt,* in packages, from Rittman, OH, to points in IN, under continuing contract(s) with Morton Salt Company. (Hearing site: Columbus, OH, or Washington, DC.)

MC 41116 (Sub-61F), filed June 11, 1979. Applicant: FOGLEMAN TRUCK LINE, INC., P.O. Box 1504, Crowley, LA 75026. Representative: Austin L. Hatchell, 801 Vaughn Bldg., Austin, TX 78701. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *paper and paper products,* (2) *such commodities* as are produced or distributed by manufacturers and processors of paper, and (3) *materials and supplies* used in the manufacture of the commodities in (1) and (2) above, between the facilities of Boise Cascade Corporation at or near Elizabeth, LA, on the one hand, and, on the other, those points in the United States in and east of AZ, UT, and ID, under continuing contract(s) with Boise Cascade Corporation, of Boise, ID. (Hearing site: Lake Charles, or Baton Rouge, LA.)

MC 21866 (Sub-132F), filed September 6, 1979. Applicant: WEST MOTOR FREIGHT, INC., 740 S. Reading Ave., Boyertown, PA 19512. Representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, PA 19102. Transporting (1) *paper and paper products,* and (2) *materials, and supplies* (except commodities in bulk), used in the manufacture and distribution of paper and paper products, between the facilities of Wyomissing Corporation, at Reading, PA, on the one hand, and, on the other, points in the United States (except AK, HI and PA), restricted to the transportation of traffic originating at the named origins and destined to the indicated destinations. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 26396 (Sub-289F), filed September 5, 1979. Applicant: POPELKA TRUCKING CO., d.b.a. The Waggoners, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Transporting *building materials* from Kirkland, WA to points in ND, AL, PA, NE, OH, VA, IL, IA, IN, MI, and TX. (Hearing site: Billings, MT.)

MC 27817 (Sub-159F), filed September 1, 1979. Applicant: H. C. GABLER, INC., R.D. No. 3, P.O. Box 220, Chambersburg, PA 17201. Representative: Christian V. Graf, 407 North Front St., Harrisburg, PA 17101. Transporting *such commodities* as are dealt in by retail, wholesale, chain grocery and food business houses (except commodities in bulk), (1) between the facilities of Hunt-Wesson Foods, Inc., at Jersey City and Bayonne, NJ, on the one hand, and, on the other, points in NY, and (2) between the facilities of Hunt-Wesson Foods, Inc., at or near Rossford, OH, on the one hand, and, on the other, points in NY and PA west of Interstate Hwy 81. (Hearing site: Washington, DC, or Harrisburg, PA.)

MC 27817 (Sub-160F), filed September 1, 1979. Applicant: H. C. GABLER, INC., R.D. No. 3, P.O. Box 220, Chambersburg, PA 17201. Representative: Christian V. Graf, 407 North Front St., Harrisburg, PA 17101. Transporting *such commodities* as are dealt in by retail, wholesale, chain grocery and food business houses (except commodities in bulk), from the facilities of Castle & Cook, Inc., at Baltimore, MD, to points in IL, IN, and MI, restricted to the transportation of traffic originating at and destined to the above-named origin and destinations. (Hearing site: Washington, DC, or Harrisburg, PA.)

MC 30837 (Sub-490F), filed September 4, 1979. Applicant: KENOSHA AUTO

TRANSPORT CORPORTION, 4314 39th Ave., Kenosha, WI 53141. Representative: Paul F. Sullivan, 711 Washington Bldg., Washington, DC 20005. Transporting *automobiles and trucks,* in secondary movement, in truckaway service, (1) between points in CT, DE, ME, MD, MA, NJ, NH, NY, PA, RI, VT, VA, WV and DC, and (2) between points in MN, ND, SD, and WI, restricted to the transportation of shipments originating at the facilities of American Motors Corporation, in (a) Kenosha, WI, and (b) Brampton, Ontario, Canada, and the Jeep Corporation, a subsidiary of American Motors Corporation, at Toledo, OH. (Hearing site: Washington, DC, or Detroit, MI.)

MC 30837 (Sub-491F), filed September 5, 1979. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Ave., Kenosha, WI 53141. Representative: Paul F. Sullivan, 711 Washington Bldg., Washington, DC 20005. Transporting *motor vehicles,* in initial and secondary movements, in truckaway service, from Cortland, NY, to points in the United States (except AK and HI), restricted to traffic originating at the facilities of Solargen Electronics, Limited, and Solargen Electric Motor Car Corp., Cortland, NY. (Hearing site: Washington, DC.)

MC 35807 (Sub-101F), filed September 1, 1979. Applicant: WELLS FARGO ARMORED SERVICE CORPORATION, P.O. Box 4313, Atlanta, GA 30302. Representative: Steven J. Thatcher (same address as applicant). To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *currency,* between points in the United States, including AK, but excluding HI, under continuing contract(s) with banks and banking institutions. (Hearing site: Washington, DC.)

MC 35807 (Sub-102F), filed September 1, 1979. Applicant: WELLS FARGO ARMORED SERVICE CORPORATION, P.O. Box 4313, Atlanta, GA 30302. Representative: Steven J. Thatcher (same address as applicant). To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *coin, currency, securities and other valuables,* between New York, NY, on the one hand, and, on the other, points in Fairfield and New Haven Counties, CT, and Sussex, Hunterdon and Warren Counties, NY, under continuing contract(s) with banks and banking institutions. (Hearing site: New York, NY.)

MC 36556 (Sub-44F), filed September 4, 1979. Applicant: BLACKMON TRUCKING, INC., P.O. Box 186, Somers, WI 53171. Representative: Howard E. Blackmon (same address as applicant). Transporting (1) *canned goods and such commodities* as are dealt in or used by manufacturers of canned goods, between the facilities of Friday Canning Corporation, at or near (a) New Richmond, Coleman, Gillett, Shawano, Eden, Oakfield, Chilton and Sussex, WI, (b) Louisville, KY, and (c) St. Louis, MO, and points in IL, IN, MI, and OH, and (2) *canned or prepared foodstuffs* (except in bulk, in tank vehicles), from the facilities used by California Canners and Growers, at or near Brownsville, WI, to points in IL (except Boone, Cook, Du Page, Kane, Lake, McHenry and Winnebago Counties), IN, MI, OH, Louisville, KY and St. Louis, MO. (Hearing site: Chicago, IL, or Milwaukee, WI.)

MC 42487 (Sub-942F), filed September 4, 1979. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Dr., Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. Transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving the facilities of Kayser-Roth Hosiery, Inc., at or near Creedmoor, NC, as an off-route point in connection with carrier's otherwise authorized regular route operations. (Hearing site: Raleigh, or Charlotte, NC.)

Note.—Applicant intends to tack its existing authority with the authority herein.

MC 42487 (Sub-947F), filed September 5, 1979. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Dr., Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. 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), (1) between junction U.S. Hwy 82 and U.S. Hwy 75 and Albuquerque, NM, serving the intermediate points of Gainsville, Wichita Falls, and Amarillo, TX, and serving the junction U.S. Hwy 82 and U.S. Hwy 377 for the purpose of joinder only: from junction U.S. Hwy 82 and U.S. Hwy 75 over U.S. to junction U.S. Hwy 287 at Henrietta, TX, then over U.S. Hwy 287 to Amarillo, TX, then over U.S. Hwy 66 to Albuquerque, and return over the same route, (2) between Wichita Falls, TX and Fort Worth, TX, serving no intermediate points, over U.S. Hwy 287, (3) between Denton, TX and junction U.S. Hwy 377 and U.S. Hwy 82, serving no intermediate points, over U.S. Hwy 377. (Hearing site: Dallas, TX.)

Note.—Applicant states it intends to tack the authority herein with its existing authority at Denton and Gainesville, TX, to provide a through service to all points in the United States.

MC 63417 (Sub-244F), filed September 6, 1979. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same address as applicant). Transporting (1) *chemicals, plastic articles, plastic materials, and liquid plastics,* (except commodities in bulk, and those requiring special equipment), and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above, (except commodities in bulk, and those requiring special equipment), between points in the United States (except AK and HI), restricted to the transportation of trafffic originating at or destined to the facilities of Amoco Chemicals Corporation, Amoco Containers, and Amoco Foam Products. (Hearing site: Chicago, IL, or Roanoke, VA.)

MC 63417 (Sub-245F), filed September 6, 1979. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same address as applicant). Transporting *foodstuffs* (except commodities in bulk, those requiring special equipment, and those requiring mechanical refrigeration), (1) between Imlay City, Bridgeport, and Memphis, MI, Millsboro, DE, and Greenville, MS, (2) between Bridgeport, Imlay City, and Memphis, MI, on the one hand, and, on the other, points in IL, IN, KY, OH, and PA, (3) between Greenville, MS, on the one hand, and, on the other, points in AL, AR, FL, GA, KY, LA, OK, TN, and TX, (4) between Millsboro, DE, on the one hand, and, on the other, points in FL, GA, KY, MD, NC, PA, SC, VA, and WV. (Hearing site: Roanoke, VA, or Washington, DC.)

MC 78687 (Sub-79F), filed September 1, 1979. Applicant: LOTT MOTOR LINES, INC., P.O. Box 751, Moravia, NY 13118. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, DC 20001. Transporting *iron and steel articles,* between the facilities of Worthington Steel Company, at or near Baltimore, MD, on the one hand, and, on

the other, points in MI, NC, NJ, NY, OH, PA, SC, VA and WV. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 78687 (Sub-80F), filed September 4, 1979. Applicant: LOTT MOTOR LINES, INC., P.O. Box 751, Moravia, NY 13118. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 11th St. N.W., Washington, DC 20001. Transporting (1) *fiberboard, particleboard, and plywood,* and (2) *materials and supplies* used in the installation and manufacture of the commodities in (1) above, between the facilities of Masonite Corporation, at or near (a) Waverly and Stuart, VA, and (b) Spring Hope, NC, on the one hand, and, on the other, CT, DE, ME, MD, MA, NH, NJ, NY, PA, RI, VT. (Hearing site: Washington, DC, or Rochester, NY.)

MC 95876 (Sub-305F), filed September 6, 1979. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 56301. Representative: William L. Libby (same address as applicant). Transporting (1) *pedestrian and recreational bridges,* and (2) *materials, equipment and supplies used in the manufacture and installation of commodities in (1) above,* (except commodities in bulk) between Alexandria, MN, on the one hand, and, on the other, points in the United States. (Hearing site: Minneapolis, MN, or Fargo, ND.)

MC 100666 (Sub-491F), filed September 7, 1979. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, LA 71107. Representative: Wilburn L. Williamson, Suite 615-East, 2601 Northwest Expressway, Oklahoma City, OK 73112. Transporting (1) *iron and steel articles,* and (2) *pipe,* from Conroe, TX, to points in the United States, including AK but excluding HI; and (3) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) and (2) above, in the reverse direction. (Hearing site: Dallas, TX.)

MC 102567 (Sub-240F), filed September 4, 1979. Applicant: McNAIR TRANSPORT, INC., 4295 Meadow Lane, P.O. Drawer 5357, Bossier City, LA 71111. Representative: Joe C. Day, 13403 Northwest Fwy.—Suite 130, Houston, TX 77040. Transporting chemicals, in bulk, in tank vehicles, from Marshall, TX to points in the United States (except AK and HI). (Hearing site: Houston, TX.)

MC 102616 (Sub-1011F), filed September 6, 1979. Applicant: COASTAL TANK LINES, INC., 250 North Cleveland-Massillon Rd., Akron, OH 44313. Representative: David F. McAllister (same address as applicant). Transporting (1) *commodities in bulk, in tank vehicles,* from points in Galveston, Harris, Jefferson, Nueces, Orange, and Victoria Counties, TX, to points in the United States (except AK and HI); (2) *chemicals, in bulk, in tank vehicles,* from Geismar and Lake Charles, LA, to points in the United States (except AK and HI); and (3) *commodities in bulk,* between points in LA and TX, on the one hand, and, on the other, points in the United States (except AK and HI), restricted to the transportation of traffic originating at or destined to points in LA and TX. (Hearing site: Dallas, TX, or Chicago, IL.)

MC 102906 (Sub-12F), filed September 4, 1979. Applicant: McCONNELL HEAVY HAULING, INC., P.O. Box 463, Little Rock, AR 72203. Representative: James M. Duckett, 727 Ryramid Life Bldg., Little Rock, AR 72201. Transporting (1) *commodities* the transportation of which, because of size or weight, requires the use of special equipment (except oilfield equipment), and (2) *contractors' materials, and supplies,* when moving in mixed loads with the commodities in (1) above, between points in IL and AR. (Hearing site: Little Rock, AR.)

MC 103926 (Sub-99F), filed September 1, 1979. Applicant: W. T. MAYFIELD SONS TRUCKING CO., INC., P.O. Box 947, Mableton, GA 30059. Representative: K. Edward Wolcott, P.O. Box 872, Atlanta, GA 30301. Transporting *tractors* (except truck-tractors, commodities which because of their size or weight require the use of special equipment, and self-propelled articles weighing 15,000 pounds or more), from Jacksonville, FL, to points in LA, OK, and TX. (Hearing site: Jacksonville, FL, or Atlanta, GA.)

MC 104896 (Sub-59F), filed September 1, 1979. Applicant: WOMELDORF, INC., P.O. Box G, Knox, PA 16232. Representative: James W. Patterson, 1200 Western Savings Bank Bldg., Philadelphia, PA 19107. Transporting (1) *glass containers and closures therefor,* and (2) *materials, equipment and supplies* used in the manufacture and distribution of the commodities named in (1) above, between points in CT, DE, IL, IN, KY, MA, MD, ME, MI, NC, NH, NY, OH, PA, RI, TN, VA, VT, WI, WV, and DC, restricted (1) against the transportation of commodities in bulk, in tank vehicles, and (2) to the transportation of traffic originating at or destined to the facilities of Foster-Forbes Glass Division of National Can Corporation. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 105007 (Sub-61F), filed September 4, 1979. Applicant: MATSON TRUCK LINES, INC., 1407 St. John Ave., Albert Lea, MN 56007. Representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, MN 55402. Transporting (1) *laminated beams and arches,* and (2) *wood decking,* from El Dorado Springs, MO, to points in the United States (except AK and HI). (Hearing site: Kansas City, MO, or Chicago, IL.)

MC 105007 (Sub-62F), filed September 6, 1979. Applicant: MATSON TRUCK LINES, INC., 1407 St. John Ave., Albert Lea, MN 56007. Representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, MN 55402. Transporting *animal lard and grease,* from Fort Dodge, IA, to points in MN. (Hearing site: Minneapolis, MN.)

MC 109136 (Sub-47F), filed August 20, 1979. Applicant: ORIOLE CHEMICAL CARRIERS, INC., 1740 E. Joppa Rd., Suite 303, Baltimore, MD 21234. Representative: Maxwell A. Howell, 1100 Investment Bldg., 1511 K St., N.W., Washington, DC 20005. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *potash,* in bulk, from Delaware City, DE, to points in CT, MA, NH, and RI, under continuing contract(s) with Diamond Shamrock Corporation, of Cleveland, OH. (Hearing site: Washington, DC.)

MC 112617 (Sub-451F), filed September 4, 1979. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, KY 40221. Representative: Charles R. Dunford (same address as applicant). Transporting (1) *chemicals,* and (2) *petroleum products* (except chemicals), in bulk, in tank vehicles, from Louisville, Doe Run, Calvert City, and Owensboro, KY, to points in CT, DE, ME, MA, NH, NJ, NY, RI, VT, and DC. (Hearing site: Louisville, KY or Washington, DC.)

MC 113666 (Sub-184F), filed September 5, 1979. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Rd.—Drawer A Freeport, PA 16229. Representative: D. R. Smetanick (same address as applicant). Transporting (1) *concrete asbestos pipe and fittings,* (2) *concrete products,* and (3) *materials, equipment and supplies* used in the manufacture, installation, and distribution of the commodities in (1) and (2) above, between points in the United States (except AK and HI), on the one hand, and, on the other, ports of entry on the international boundary line between the United States and Canada, restricted to traffic moving in foreign commerce. (Hearing site: Buffalo, NY, or Washington, DC.)

MC 114896 (Sub-79F), filed August 13, 1979. Applicant: PUROLATOR SECURITY, INC., 255 Old New

Brunswick Rd., Piscataway, NJ 08854. Representative: Carl T. Kessler (same address as applicant). To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *Haitian currency and negotiatable instruments*, between New York, NY and Chicago, IL, under continuing contract(s) with American Bank Note Company, of Bronx, NY. (Hearing site: Washington, DC.)

MC 115826 (Sub-826F), filed September 1, 1979. Applicant: W.J. DIGBY, INC., 6015 East 58th Ave., Commerce City, CO 80022. Representative: Howard Gore (same address as applicant). Transporting *meats, meat products, meat byproducts, and articles distributed by meat-packing houses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except commodities in bulk), from the facilities used by Farmland Foods, Inc., at or near (a) Denison, Iowa Falls, Caroll, Des Moines, Fort Dodge, and Sioux City, IA, and (b) Crete, Lincoln and Omaha, NE, to points in AZ, CA, CO, ID, MT, NM, NV, OR, UT, WA, and WY. (Hearing site: Denver, CO.)

Note.—Dual operations may be involved.

MC 115826 (Sub-537F), filed September 4, 1979. Applicant: W. J. DIGBY, INC., 6015 East 58th Ave., Commerce City, CO 80022. Representative: Howard Gore (same address as applicant). Transporting *meats, meat products, meat byproducts, and articles distributed by meat-packing houses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except commodities in bulk), from the facilities used by Farmland Foods, Inc., at or near (a) Denison, Iowa Falls, Carroll, Des Moines, Fort Dodge, Sioux City, IA, and (b) Crete, Lincoln, and Omaha, NE, to points in CT, IL, IN, MA, ME, MI, NH, NJ, NY, OH, PA, RI, VT, and WI. (Hearing site: Denver, CO.)

Note.—Dual operations may be involved.

MC 115826 (Sub-539F), filed September 4, 1979. Applicant: W. J. DIGBY, INC., 6015 East 58th Ave., Commerce City, CO 80022. Representative: Howard Gore (same address as applicant). Transporting *meats, meat products, meat byproducts, and articles distributed by meat-packing houses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except commodities in bulk), from the facilities of Farmland Foods, Inc., at or near (a) Denison, Iowa Falls, Carroll, Des Moines, Fort Dodge and Sioux City, IA, and (b) Lincoln, Create and Omaha, NE, to points in AL, DE, FL, GA, KY, MD, MS, NC, SC, TN, VA, WV, and DC. (Hearing site: Denver, CO.)

Note.—Dual operations may be involved.

MC 115826 (Sub-539F), filed September 4, 1979. Applicant: W. J. DIGBY, INC., 6015 East 58th Ave., Commerce City, CO 80022. Representative: Howard Gore (same address as applicant). Transporting *meats, meat products, meat byproducts, and articles distributed by meat-packing houses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except commodities in bulk), from the facilities of Farmland Foods, Inc., at or near (a) Denison, Iowa Falls, Carroll, Des Moines, Fort Dodge and Sioux City, IA, and (b) Lincoln, Create and Omaha, NE, to points in AL, DE, FL, GA, KY, MD, MS, NC, SC, TN, VA, WV, and DC. (Hearing site: Denver, CO.)

Note.—Dual operations may be involved.

MC 116127 (Sub-9F), filed September 4, 1979. Applicant: GEORGE D. CYRUS, INC., Route 1, Iola, KS 66749. Representative: Charles H. Apt, 104 South Washington, P.O. Box 328, Iola, KS 66749. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *petroleum products*, in containers, from El Dorado, KS, to points in IL and IA, under continuing contract(s) with Getty Refining & Marketing Company, of Tulsa, OK. (Hearing site: Kansas City, MO, or Wichita, KS.)

MC 116947 (Sub-74F), filed August 17, 1979. Applicant: SCOTT TRANSFER CO., INC. 920 Ashby St., S.W., Atlanta, GA 30310. Representative: William Addams, P.O. Box 720434, Atlanta, GA 30328. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *salad dressings, peanut butter, preserves and jellies*, and (2) *materials and supplies* (except commodities in bulk), used in the manufacture and distribution of the commodities named in (1), from the facilities of Atlantic Preserving Company, Inc., at Atlanta, GA, to points in AR, IN, NC, and TX, under continuing contract(s) with Atlantic Preserving Company, Inc., of Atlanta, GA. (Hearing site: Atlanta, GA.)

MC 117686 (Sub-274F), filed September 5, 1979. Applicant: HIRSCHBACH MOTOR LINES, INC., P.O. Box 417, Sioux City, IA 51102. Representative: George L. Hirschbach (same address as applicant). Transporting *foodstuffs*, from the facilities of The Creamette Co., at or near Minneapolis, MN, to points in AL, AZ, CA, CO, FL, GA, LA, MT, NC, OR, SC, TN, TX, UT and WA. (Hearing site: Minneapolis, MN, or Chicago, IL.)

Note.—Dual operations may be involved.

MC 117686 (Sub-276F), filed September 4, 1979. Applicant: HIRSCHBACH MOTOR LINES, INC., P.O. Box 417, Sioux City, IA 51102. Representative: George L. Hirschbach (same address as applicant). Transporting *confectionery supplies*, from Jackson, MN, to Omaha, NE, and South San Francisco, CA. (Hearing site: Minneapolis, MN, or Omaha, NE.)

Note.—Dual operations may be involved.

MC 120427 (Sub-30F), filed September 4, 1979. Applicant: WILLIAMS TRANSFER, INC., 2128 East Hwy #30, Grand Island, NE 68801. Representative: John K. Walker (same address as applicant). Transporting *coiled steel*, from Lackawanna, NY, to Denver, CO. (Hearing site: Denver, CO, or Omaha, NE.)

MC 120657 (Sub-8F), filed September 6, 1979. Applicant: DUGAN TRUCK LINE, INC., 1407 South Walnut, Wichita, KS 67213. Representative: Paul V. Dugan, 2707 West Douglas, Wichita, KS 67213. Transporting (1) *hydraulic fluid power units*, from Hutchinson, KS, to points in AR, GA, IL, IN, IA, KS, MI, MN, MS, MO, NE, NY, OH, OK, PA, SC, SD, TX, and WI, and (2) *materials, equipment and supplies* used in the manufacture of the commodities in (1) above, in the reverse direction. (Hearing site: Wichita, KS, or Kansas City, MO.)

MC 123407 (Sub-611F), filed September 4, 1979. Applicant: SAWYER TRANSPORT, INC., Sawyer Center, Route 1, Chesterton, IN 46304. Representative: H. E. Miller, Jr. (same address as applicant). Transporting *such commodities*, as are used by manufacturers and distributors of containers, (except commodities in bulk), between points in the United States (except AK and HI). (Hearing site: Chicago, IL, or Washington, DC.)

MC 124306 (Sub-70F), filed September 6, 1979. Applicant: KENAN TRANSPORT COMPANY, INCORPORATED, P.O. Box 2729, Chapel Hill, NC 27514. Representative: Richard A. Mehley, 1000 16th St., N.W., Washington, DC 20036. Transporting *chemicals*, in bulk, in tank vehicles, from Roanoke, VA, to points in IL, KY, PA, and WV. (Hearing site: Roanoke, VA.)

MC 125997 (Sub-13F), filed August 22, 1979. Applicant: L. C. ROESCH d.b.a.

FOESCH TRANSFER LINE, Box 434, Shawano, WI 54166. Representative: Michael S. Varda, 121 South Pinckney St., Madison, WI 53703. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *rough iron and iron-alloy castings,* from Shawano, WI, to points in IA, IL, IN, MI, MN, OH, and points in PA on and west of U.S. Hwy 15, and (2) *material, equipment, and supplies* used or useful in the manufacture of rough iron and iron-alloy castings, in the reverse direction, under continuing contract(s) with Aarrow Electric Iron Castings, Inc., of Shawano, WI. (Hearing site: Milwaukee, WI, or Chicago, IL.)

MC 128246 (Sub-53F), filed July 30, 1979. Applicant: SOUTHWEST TRUCK SERVICE, a Corporation, P.O. Box A.D., Watsonville, CA 95076. Representative: William F. King, Suite 400, Overlook Bldg., 6121 Lincolnia Rd., Alexandria, VA 22312. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *foods, foodstuffs, food treating compounds, chemicals, preservatives and additives,* (2) *materials, equipment, supplies and advertising material* used in the manufacture, sale and distribution of the commodities described in (1) above (except in bulk), and (3) *commodities* which are otherwise exempt from economic regulation under Section 10526(a)(6) of the Interstate Commerce Act (49 U.S.C. 10526(a)(6)), when moving in mixed loads with the commodities described in (1) and (2) above, between points in the United States (except AK and HI), under continuing contract(s) with McCormick & Company, Inc., of Baltimore, MD. (Hearing site: Washington, DC, or Baltimore, MD.)

MC 128616 (Sub-27F), filed August 14, 1979. Applicant: GELCO COURIER SERVICES, INC., P.O. Box 1975, St. Paul, MN 55111. Representative: Sally G. Galway (same address as applicant). To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *commercial papers, documents, and written instruments* (except currency and negotiable securities) as are used in the business of banks and banking institutions, between North Platte, NE, on the one hand, and, on the other, points in Sedgwick, Logan, Phillips, Yuma, Weld, Morgan, Kit Carson and Washington Counties, CO under a continuing contract(s) with banks and banking institutions, including bank-owned computer companies. (Hearing site: Lincoln, or Omaha, NE.)

MC 129226 (Sub-9F), filed August 23, 1979. Applicant: TO-JON TRUCKING, INC., 6 Verly Court, Bethpage, NY 11714. Representative: Norton E. Kiel, Suite 1832, 2 World Trade Center, New York, NY 10048. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *such commodities* as are dealt in or used by department stores, between New York, NY, on the one hand, and, on the other, points in PA and OH, under continuing contract(s) with Service Merchandise Company, Inc., of Nashville, TN. (Hearing site: New York, NY.)

MC 133867 (Sub-15F), filed August 15, 1979. Applicant: STARLING TRANSPORT LINES, INC., P.O. Box 1733, Fort Pierce, Florida 33450. Representative: Dwight L. Koerber, Jr., 805 McLachlen Bank Bldg., 666 Eleventh St. N.W., Washington, DC 20001.To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *photocopy machine supplies* (except commodities in bulk), from New York, NY, to points in the United States (except AK and HI), under continuing contract(s) with Saxon Business Products, Inc. (Hearing site: Miami, FL.)

MC 136786 (Sub-173F), filed September 4, 1979. Applicant: ROBCO TRANSPORTATION, INC., 4475 N.E. 3rd St., Des Moines, IA 50313. Representative: Stanley C. Olsen, Jr., 4601 Excelsior Blvd., Minneapolis, MN 55416. Transporting *printed matter,* from the facilities of Dayton Press, at or near Dayton, OH, to those points in the United States in and east of OH, KY, TN and MS. (Hearing site: Minneapolis, MN.)

MC 138157 (Sub-181F), filed September 6, 1979. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC., d.b.a. SOUTHWEST MOTOR FREIGHT, 2931 South Market St., Chattanooga, TN 37410. Representative: Patrick E. Quinn, P.O. Box 9596, Chattanooga, TN 37412. Transporting *such commodities as are dealt in and used by manufactures of foodstuffs, pet foods and animal foods* (except commodities in bulk), between points in the United States (except AK and HI), restricted to the transportation of traffic originating at or destined to the facilities of Carnation Company. (Hearing site: Los Angeles, CA.)

Note.—Dual operations may be involved.

MC 139206 (Sub-60F), filed August 20, 1979. Applicant: F.M.S. TRANSPORTATION, INC., 2564 Harley Dr., Maryland Heights, MO 64043. Representative: R. C. Mitchell (same address as applicant). To operate as a *contract 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), from the facilities of Mead Johnson Terminal Inc., at or near Evansville, IN, to points in IL, MO, MI, OH, KY, TN, WV, PA, MN, IA, and WI, under continuing contract(s) with Mead Johnson Terminal Inc., of Evansville, IN., (Hearing site: St. Louis, MO, or Evansville, IN.)

MC 139276 (Sub-10F), filed September 5, 1979. Applicant: ALOHA FREIGHTWAYS, INC., 1069 Bryn Mawr Ave., Bensenville, IL 60106. Representative: Grace Kasallis (same address as applicant). To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *iron and steel articles,* from the facilities of Jones & Laughlin Steel Company, in Chicago, IL, to points in IL and IA, under continuing contract(s) with Jones & Laughlin Steel Co., of Pittsburgh, PA. (Hearing site: Chicago, IL, or Indianapolis, IN.)

MC 140037 (Sub-9F), filed August 27, 1979. Applicant: SUNFLOWER CARRIERS, INC., P.O. Box 583, York, NE 68467. Representative: Scott E. Daniel, 800 Nebraska Savings Bldg., 1623 Farnam, Omaha, NE 68102. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *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 (except hides and commodities in bulk), from the facilities of Spencer Foods, Inc., at or near Spencer, IA, to Kingston, NY, under continuing contract(s) with Spencer Foods, Inc. (Hearing site: Omaha, NE.)

MC 140717 (Sub-26F), filed August 14, 1979. Applicant: JULIAN MARTIN, INC., Hwy 25 West, P.O. Box 3348, Batesville, AR 72501. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *shampoo,* from Elizabethton, TN, to points in the United States (except AK and HI), under continuing contract(s) with Iodent Company, of Elizabethton, TN. (Hearing site: Nashville, TN, or Washington, DC.).

Note.—Dual operations may be involved.

MC 140846 (Sub-14F), filed September 4, 1979. Applicant: CENTRAL DELIVERY SERVICE OF MASSACHUSETTS, INC., 12 Magazine St., Boston, MA 02119. Representative: Jeremy Kahn, Suite 733, Investment Bldg., 1511 K St., N.W., Washington, DC 20005. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *new office furniture, fixtures,* and *machines,* and *office supplies,* between Burlington, MA, on the one hand, and, on the other, those points in NH on and south of NH Hwy 11, under continuing contract(s) with Boise Cascade Corporation, of Boise, ID. (Hearing site: Boston, MA.)

Note.—Dual operations may be involved.

MC 141426 (Sub-26F), filed August 16, 1979. Applicant: WHEATON CARTAGE CO., Millville, NJ 08332. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, DC 20001. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *medical, surgical and hospital supplies,* (1) from Broken Bow, Holdrege and Columbus, NE, to points in CA, IL, PA, NJ, NY, CT, GA, FL, SC, and TX to Broken Bow, Holdrege, and Columbus, NE, under continuing contract(s) with Becton-Dickinson and Company of Rutherford, NJ. (Hearing site: Washington, DC.)

MC 141426 (Sub-27F), filed August 16, 1979. Applicant: WHEATON CARTAGE CO., Millville, NJ 08332. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, DC 20001. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *medical, surgical and hospital supplies,* from points in CT, NY, NJ, TX, FL, GA, and PA to Benicia and Los Gatos, CA, under continuing contract(s) with Becton-Dickinson and Company of Rutherford, NJ. (Hearing site: Washington, DC.)

MC 141426 (Sub-28F), filed August 17, 1979. Applicant: WHEATON CARTAGE CO., Millville, NJ 08332. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, DC 20001. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *medical, surgical and hospital supplies,* (1) from North Canaan, CT, to points in NE, and NJ, and (2) from points in TX, GA, FL, IL, CA, NJ, and NE to North Canaan, CT, under continuing contract(s) with Becton-Dickinson and Company of Rutherford, NJ. (Hearing site: Washington, DC.)

MC 141426 (Sub-29F), filed August 17, 1979. Applicant: WHEATON CARTAGE CO., Millville, NJ 08332. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, DC 20001. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *medical, surgical and hospital supplies,* (1) from Sumter, SC to points in TX and CA, and (2) from points in TX, CA, NE, IL, NJ, and CT, to Sumter, SC, under continuing contract(s) with Becton-Dickinson and Company of Rutherford, NJ. (Hearing site: Washington, DC.)

MC 141426 (Sub-30F), filed August 20, 1979. Applicant: WHEATON CARTAGE CO., Millville, NJ 08332. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St, NW, Washington, DC 20001. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *medical, surgical and hospital supplies,* (1) from Ocala, FL to points in TX, CA, CT, and NE, and (2) from points in TX, CA, CT, NE, NJ, GA, and IL to Ocala, FL, under continuing contract(s) with Becton-Dickinson and Company of Rutherford, NJ. (Hearing site: Washington, DC.)

MC 141426 (Sub-31F), filed August 20, 1979. Applicant: WHEATON CARTAGE CO., Millville, NJ 08332. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St, NW, Washington, DC 20001. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *medical, surgical and hospital supplies,* (1) from Hancock, NY to points in TX, IL, and NJ, and (2) from points in TX, IL, NJ, FL, GA, and CA to Hancock, NY, under continuing contract(s) with Becton-Dickinson and Company of Rutherford, NJ. (Hearing site: Washington, DC.)

MC 141536 (Sub-3F), filed July 27, 1979. Applicant: BILL BLANN, d.b.a. BLANN TRACTOR COMPANY, P.O. Box 557, Hampton, AR 71744. Representative: James M. Duckett, 927 Pyramid Life Bldg., Little Rock, AR 72201. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *clothing, materials, equipment, and supplies* incidential to or used in the manufacture of clothing, between the facilities of M. J. Industries, Inc., at St. Louis, MO, and East Camden, AR, under continuing contract(s) with M. J. Industries, Inc., of St. Louis, MO. (Hearing site: Little Rock, AR.)

MC 141597 (Sub-9F), filed August 13, 1979. Applicant: RIVERSIDE TRUCK LINE, INC., 919 4th Ave. So., Denison, IA 51442. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *meats, meat products, and meat byproducts, and articles distributed by meat packing houses,* as described in Section A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, (except hides and commodities in bulk), from the facilities of Farmland Foods, Inc., at Denison, Iowa Falls, Carroll, Fort Dodge, Cherokee, and Des Moines, IA, and Crete, Lincoln, and Omaha, NE, to points in AL, FL, GA, LA, MS, NC, SC, and TN, and (2) *materials, equipment and supplies* used in the manufacture, sale and distribution of the commodities named in (1) above, (except hides and commodities in bulk) from points in the destinations named in (1) above, to the facilities of Farmland Foods, Inc., at or near Dension, Iowa Falls, and Carroll, IA, and Crete, NE, under continuing contract(s) with Farmland Foods, Inc. (Hearing site: Omaha, NE.)

MC 141597 (Sub-8F), filed August 13, 1979. Applicant: RIVERSIDE TRUCK LINE, INC., 919 4th Ave. So., Denison, IA 51442. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *meats, meat products, and meat byproducts, and articles distributed by meat packing houses,* as described in Section A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, (except hides and commodities in bulk), from the facilities of Farmland Foods, Inc., at Denison, Iowa Falls, Carroll, Fort Dodge, Cherokee, and Des Moines, IA, and Crete, Lincoln, and Omaha, NE, to points in AR, IA, IL, KS, MN, MO, ND, NE, NM, OK, SD, TX, WI, and WY, and (2) *materials, equipment and supplies* used in the manufacture, sale and distribution of the commodities specified in (1) above, (except hides and commodities in bulk) from points in the destinations named in (1) above, to the facilities of Farmland Foods, Inc., at or near Dension, Iowa Falls, and Carroll, IA, and Crete, NE. (Hearing site: Omaha, NE.)

MC 142897 (Sub-16F), filed August 22, 1979. Applicant: KENNEDY FREIGHT LINES, INC., 7401 Fremont Pike, Perrysburg, OH 43551. Representative: Paul F. Berry, 275 East State St. Columbus, OH 43215. To operate as a *contract carrier,* by motor vehicle, in

interstate or foreign, commerce over irregular routes, transporting (1) *auto parts, building materials, sporting goods, crated new furniture, infant articles,* and (2) *materials, equipment and supplies* used in the manufacture or distribution of commodities named in (1) above (except commodities in bulk), between points in the United States (except AK and HI), under continuing contract(s) with Questor Corporation, of Toledo, OH. (Hearing site: Columbus, OH.)

MC 143246 (Sub-6F), filed August 23, 1979. Applicant: LAND TRANPORT CORPORATION, 24 Sabrina Rd., Wellesley, MA 02181. Representative: James E. Mahoney, 148 State St., Boston, MA 02109. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign, commerce over irregular routes, transporting *metal cans and materials, equipment and supplies* for the foregoing commodities, between the facilities of Eagle Can Company, in MA on the one hand, and, on the other, those points in the United States in and east of MN, IA, MO, OK, and TX, under continuing contract(s) with Eagle Can Company, of Peabody, MA. (Hearing site: Boston, MA, or Providence, RI.)

MC 143607 (Sub-13F), filed August 24, 1979. Applicant: RAYWOOD TRANSPORT, INC., Route 6, Box 2611, Waco TX 76706. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW, Washington, DC 20001. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign, commerce over irregular routes, transporting (1) *plastic articles* and (2) *materials, equipment and accessories* used in the manufacture of plastic articles (except in bulk), between the facilities of Rubbermaid Commercial Products, Inc., at or near (1) Cleburne, TX, and (2) Winchester, VA, under continuing contract(s) with Rubbermaid Commercial Products, Inc. (Hearing site: Washington, DC, Dallas, TX.)

MC 143806 (Sub-1F), filed August 24, 1979. Applicant: CANADIAN PACIFIC TRANSPORT CO., LTD., 44 West Pender St., Vancouver, D.C., Canada V6B 17R. Representative: George R. LaBissoniere, 1100 Norton Bldg., Seattle, WA 98104. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign, commerce over irregular routes, transporting *lime,* in bulk, from ports of entry on the international boundary line between the United States and Canada, in WA and ID, on the one hand, and, on the other, points in IA and ID, under continuing contract(s) with Steel Brothers Canada, Ltd., Lime Division. (Hearing site: Seattle, WA.)

MC 143846 (Sub-10F), filed September 6, 1979. Applicant: P. POSA, INC., 50 Van Kueren Ave., Jersey City, NJ 07306. Representative: Arhtur J. Piken, One Lefrak City Plaza, Flushing, NY 11368. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign, commerce over irregular routes, transporting *such commodities* as are dealt in by department stores, (1) from New York, NY, to Bethlehem, PA, Wilmington, DE, Knoxville and Memphis, TN, and Landover, MD, and (2) from Memphis, TN, to Baltimore, MD, and Chicago, IL, under continuing contract(s) with Montgomery Ward Co., of Chicago, IL. (Hearing site: New York, NY, or Newark, NJ.)

MC 143846 (Sub-11F), filed September 6, 1979. Applicant: P. POSA, INC., 50 Van Kueren Ave., Jersey City, NJ 07306. Representative: Arthur J. Piken, One Lefrak City Plaza, Flushing, NY 11368. To operate as a *contract carrier,* by motor vechicle, in interstate or foreign commerce, over irregular routes, transporting (1) *printing paper,* from Chillicothe, OH, Madawaska, ME, Tucker, GA, East Hampton, MA, and Franklin, VA, to points in AL, CT, DE, FL, GA, ME, MD, MA, MI, MO, NJ, NY, NH, NC, OH, PA, RI, SC, IL, IN, TN, TX, VA, WV, and DC, and (2) *paper boxes,* from East Hampton, MA, to points in NY, NJ, PA, DE, MD, RI, ME, and NH, under continuing contract(s) in (1) and (2) with Beekman Paper Co., Inc., of New York, NY. (Hearing site: New York, NY, or Newark, NJ.)

MC 144117 (Sub-44F), filed September 4, 1979. Applicant: TLC LINES, INC., P.O. Box 1090, Fenton, MO 63026. Representative: William D. Brejcha, 10 South LaSalle St., Suite 1600, Chicago, IL 60603. Transporting (1) *Carob mix, carob coated almonds,* (2) *ambrosia mix,* (3) *processed nuts and seeds,* (4) *banana chips,* and (5) *agricultural commodities* which are otherwise exempt from economic regulation under 49 U.S.C. Section 10526(a)(6), from Dinuba, CA, to points in the United States (except AK and HI). (Hearing site: Bakersfield or Los Angeles, CA.)

MC 144267 (Sub-1F), filed August 23, 1979. Applicant: METRO DELIVERY SERVICE, INC., 50 Florida Ave., N.E., Washington, DC 20002. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Pennsylvania Ave. & 13th St., N.W., Washington, DC 20004. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *general commodities* (except household goods as defined by the Commission, commodities in bulk, classes A and B explosives, and those requiring special equipment), between the facilities of Metropolitan Warehouses, in Washington, DC, on the one hand, and, on the other, points in DE, MD, NJ, PA, VA, and WV, under continuing contract(s) with Metropolitan Warehouse Co. of Washington, DC. (Hearing site: Washington, DC.)

MC 144676 (Sub-2F), filed September 6, 1979. Applicant: M & S TRANSPORT LINES, INC., P.O. Box 417, Sultana, CA 93666. Representative: Dwight L. Koerber, Jr., 805 McLachlen Bank Bldg., 666 Eleventh St., N.W., Washington, DC 20001. Transporting *confectionery and cough drops,* from Reading, PA, to points in WA, OR, CO, CA, NV, UT, AZ, NM, TX, and OK, restricted to the transportation of traffic originating at the facilities of Luden's, Inc. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 144756 (Sub-5F), filed August 20, 1979. Applicant: DEDICATED TRUCKING CORP., Hamilton and Rush Roads, P.O. Box 1383, Chehalis, WA 98532. Representative: Henry C. Winters, 525 Evergreen Bldg., Renton, WA 98055. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce over irregular routes, transporting *such commodities* as are dealt in by wholesale, retail, and chain grocery and food business houses (except frozen and bulk commodities), from points in CA to points in OR and WA, under continuing contract(s) with The Clorox Company of Oakland, CA. (Hearing site: Portland, OR).

MC 144926 (Sub-7F), filed August 17, 1979. Applicant: E. W. WYLIE CORPORATION, P.O. Box 1188, Fargo, ND 58107. Representative: Gene P. Johnson, P.O. Box 2471, Fargo, ND 58108. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *lumber, lumber mill products, wood products, composition board, and millwork,* from points in ID, MT, OR, and WA, to points in IA, MN, NE, ND, and SD, under continuing contract(s) with Georgia-Pacific Corporation, of Portland, OR.

MC 145267 (Sub-6F), filed July 30, 1979. Applicant: CAMPBELL TRANSPORT INC., P.O. Box 386, Vineland, NJ 08360. Representative: Mark D. Russell, Suite 348, Pennsylvania Bldg., 425 13th St., NW., Washington, DC 20004. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *brick, metal alloys, aluminum articles, containers, castings, forgings, chemicals, polishing compounds, graphite crucibles, furnace electrodes, fluorspar, flay ash,*

powdered iron, scrap iron, metals, ores, pallets, and slag pots (except commodities in bulk), between the facilities of Shieldalloy Corporation, at or near Newfield, NJ, on the one hand, and, on the other, points in AL, AZ, AR, CO, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, MD, MA, MI, MN, MS, MO, NH, NJ, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV, WI, and DC, under continuing contract(s) with Shieldalloy Corporation, of Newfield, NJ. (Hearing site: Philadelphia, PA, or Washington, DC.)

Note.—Applicant presently operating a portion of the authority sought under MC-145267 Sub-1F, which applicant will have revoked upon favorable grant of present application.

MC 145267 (Sub-9F), filed August 14, 1979. Applicant: CAMPBELL TRANSPORT, INC., P.O. Box 386, Vineland, NJ 08360. Representative: Mark D. Russell, Suite 348, Pennsylvania Bldg., 425 13th St. NW., Washington, DC 20004. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *shelving and furniture* (set up, in packages), from the facilities of Media-Stack, Inc., at Vineland, NJ, to points in the United States (except AK and HI), under continuing contract(s) with Media-Stack, Inc., of Vineland, NJ. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 145267 (Sub-10F), filed August 16, 1979. Applicant: CAMPBELL TRANSPORT, INC., P.O. Box 386, Vineland, NJ 08360. Representative: Mark D. Russell, Suite 348, Pennsylvania Bldg., 425 13th St. NW., Washington, DC 20004. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *drugs, medicines and toilet preparations*, and commodities used in the manufacture, sale and distribution of the foregoing commodities, between the facilities of Searle Pharmaceuticals, Inc., at or near Skokie, IL, and Phoenix, AZ, on the one hand, and, on the other, points in AZ and those in the United States in and east of WI, IL, KY, TN, and MS, under continuing contract(s) with Searl Pharmaceuticals, Inc. (Hearing site: Philadelphia, PA, or Washington DC.)

MC 145317 (Sub-8F), filed September 4, 1979. Applicant: QUALITY SERVICE TANK LINES, INC., P.O. Box 17405, San Antonio, TX 78217. Representative: Robert J. Birnbaum, 500 West Sixteenth St., P.O. Box 1945, Austin, TX 78767. Transporting *proppant*, in bulk, in tank vehicles, from New Iberia, LA, and Fort Smith, AR, to points in AR, CO, KS, LA, MS, MT, NM, OK, TX, TU and WY. (Hearing site: Dallas, or San Antonio, TX.)

MC 145437 (Sub-11F), filed August 27, 1979. Applicant: JWI TRUCKING, INC., 8100 North Teutonia Avenue, Milwaukee, WI 53209. Representative: Michael J. Wyngaard, 150 East Gilman Street, Madison, WI 53703. To operate as a *contract carrier*, by motor vehicle in interstate or foreign commerce over irregular routes, transporting (1) *wearing apparel*, from the facilities of Lakeland Manufacturing Company at or near Sheboygan, WI to points in the United States (except AK and HI), and (2) *materials, equipment and supplies* used or useful in the manufacture, sale or distribution of wearing apparel from points in the United States (except AK and HI) to the facilities of Lakeland Manufacturing Company at or near Sheboygan, WI, under continuing contract(s) with Lakeland Manufacturing Company. (Hearing site: Madison, WI, or Milwaukee, WI.)

MC 145577 (Sub-15F), filed September 4, 1979. Applicant: GULLETT-GOULD, LTD., P.O. Box 406, Union City, IN 47390. Representative: Jerry B. Sellman, 50 West Broad St., Columbus, OH 43215. Transporting *grape juice and grape juice concentrate*, from Lodi, CA, to those points in the United States in and east of WI, IL, KY, TN, and MS. (Hearing site: San Francisco, CA, or Chicago, IL.)

MC 145696 (Sub-3F), filed July 26, 1979. Applicant: M & M LIMITED, 228 Louisville Air Park, Louisville, KY 40213. Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting: *such commodities* as are dealt in by wholesale, retail, and chain grocery and food business houses (except frozen or in bulk), from the facilities of Colgate-Palmolive Co., Inc., at Jeffersonville, IN, to Memphis, TN, under continuing contract(s) with Colgate-Palmolive Co., Inc., of Jeffersonville, IN. (Hearing site: Louisville, KY.)

MC 145567 (Sub-2F), filed August 28, 1979. Applicant: UNITED STATES TRANSPORTATION, INC., 4963 Provident Dr., Cincinnati, OH 45246. Representative: Michael Spurlock, Beery & Spurlock Co., L.P.A., 275 East State St., Columbus, OH 43215. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting: *Liquid resins, core compounds, formaldehyde, acetone, caustic soda, methanol, phenol, ethanol, and nitrogen fertilizer solutions* in bulk, in tank vehicles, between the plant site of Georgia-Pacific Corporation, in Franklin County, OH, on the one hand, and, on the other, points in IL, IN, the lower peninsula of MI, and KY, under continuing contract(s) with Georgia-Pacific Corporation, of Franklin County, OH. (Hearing site: Columbus, OH.)

MC 146276 (Sub-2F), filed August 13, 1979. Applicant: STEVE'S GAS SUPPLY, INC., 46 River Rd., Essex Junction, VT 05452. Representative: James M. Burns, 1383 Main St., Suite 413, Springfield, MA 01103. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting: *fuel oil and gasoline and diesel fuel*, in bulk, in tank vehicles, from Rensselaer, NY, to Essex Junction, Richford, Alburg, Swanton, Stowe, Colchester, Bristol and St. Albans, VT, under a contract or continuing contract(s) with Robinson's, Inc., of Essex Junction, VT. (Hearing site: Montpelier, VT, or Springfield, MA.)

MC 146336 (Sub-7F), filed August 6, 1979. Applicant: WESTERN TRANSPORTATION SYSTEMS, INC., 902 Avenue N, Grand Prairie, TX 75050. Representative: E. Larry Wells, P.O. Box 45538, Dallas, TX 75245. To operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *disposable surgical supplies, and materials* used in the manufacture of disposable surgical supplies, (1) from Nashville, TN, to Gainesville, GA, (2) from Sherman, TX, to Los Angeles, CA, and Charlotte, NC, (3) between El Paso, TX, and Waco, TX, and (4) from El Paso, TX, to Sherman, TX, under continuing contract(s) with Surgkos, of New Brunswick, NJ. (Hearing site: Dallas, TX.)

MC 146646 (Sub-25F), filed September 4, 1979. Applicant: BRISTOW TRUCKING COMPANY, a corporation, P.O. Box 6355A, Birmingham, AL 35217. Representative: Henry Bristow, Jr. (same address as applicant). Transporting (1) *machinery, and machinery parts*, and (2) *materials, equipment, and supplies* used in the manufacture, rebuilding, and distribution of the commodities in (1) above (except commodities in bulk), between the facilities of Southwestern Machinery and Equipment Company, Inc., at or near Gadsden, AL, on the one hand, and, on the other, points in the United States (except AK and HI). (Hearing site: Birmingham or Montgomery, AL.)

MC 146656 (Sub-5F), filed July 27, 1979. Applicant: KEY WAY TRANSPORT, INC., 820 S. Oldham St. Baltimore, MD 21224. Representative: Gerald K. Gimmel, Suite 145, 4 Professional Dr., Gaithersburg, MD 20760. To operate as a *contract carrier*,

by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *polyurethane foam,* from Baltimore and Jessup, MD, to points in ME, VT, NJ, NH, MA, RI, CT, NY, PA, DE, MD, VA, NC, SC, GA, and DC, under continuing contract(s) with William T. Burnett & and Co., and (2) *such commodities* as are dealt in by retail department stores (except commodities in bulk), from Somerville, MA, to the facilities of May Department Stores Corporation T/A Hecht's, in Washington, DC, under continuing contract(s) with May Department Stores Corporation. (Hearing site: Baltimore, MD, or Washington, DC.)

Note.—Dual operations may be involved.

MC 146867 (Sub-2F), filed September 6, 1979. Applicant: DEPENDABLE FEED SERVICE, INC., Route No. 1, Bear Creek, NC 27207. Representative: Vaughan S. Winborne, 1108 Capital Club Bldg. Raleigh, NC 27601. Transporting (1) *animal feeds and poultry feeds,* (2) *feed ingredients and seeds,* and (3) *agricultural lime,* between points in FL, GA, MD, NC, SC, VA, PA, and NJ, on the one hand, and, on the other, points in NC, SC, and VA. (Hearing site: Raleigh or Greensboro, NC.)

MC 147386 (Sub-2F), filed September 6, 1979. Applicant: BAER'S TRANSIT INC., 754 Airport Rd., Menasha, WI 54952. Representative: James A. Spiegel, Olde Towne Office Park, 6425 Odana Rd., Madison, WI 53719. To operate as a *contract carrier,* by motor vehicle, in interstate of foreign commerce, over irregular routes, transporting *malt beverages,* (1) from St. Louis, MO, and Columbus, OH, to Wausau, WI, and (2) from St. Paul, MN, to Menasha, WI, under continuing contract(s) with Raer's Beverage Inc., and Capital Sales, Inc., both of Menasha, WI. (Hearing site: Madison, WI.)

MC 147496 (Sub-4F), filed August 14, 1979. Applicant: FINGER LAKES TRUCK BROKERAGE OF CANANDAIGUA, INC., P.O. Box 166, Canandaigua, NY 14424. Representative: S. Michael Richards, P.O. Box 225, Webster, NY 14580. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *foodstuffs* (except frozen and commodities in bulk), (a) from Buffalo and Fredonia, NY, to points in the United States on and east of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, thence northward along the western boundaries of Itasca and Koochiching Counties, MN, to the International Boundary line between the United States and Canada, (b) from Rochester, NY, to points in AR, KS, LA, OK, MO, TX, and points in the United States on and east of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, thence northward along the western boundaries of Itasca and Koochiching Counties, MN, to the International Boundary line between the United States and Canada, and (2) *materials, equipment, and supplies* used in the manufacture, sale, and distribution of foodstuffs (except in bulk), (a) from points in the United States on and east of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, thence northward along the western boundaries of Itasca and Koochiching Counties, MN, to the International Boundary line between the United States and Canada, to Buffalo and Fredonia, NY, and (b) from points in AR, KS, LA, OK, MO, TX, and points in the United States on and east of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, thence northward along the western boundaries of Itasca and Koochiching Counties, MN, to the International Boundary line between the United States and Canada to Rochester, NY, under continuing contract(s) in (1)(a) and (2)(a) with Gioia Macaroni Co., of Buffalo, NY, in (1)(b) and (2)(b) with Bravo Marcaroni Co., of Rochester, NY. (Hearing site: Buffalo or Rochester, NY.)

MC 147616 (Sub-2F), filed August 13, 1979. Applicant: K & H TRUCKING, INC., 3301 S. Lamar, Dallas, TX 75215. Representative: Joe Hester (same address as applicant). To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *steel containers* and (2) *materials, equipment and supplies* used in the manufacture of steel containers (except commodities in bulk), from Dallas, TX, and Birmingham, AL, to points in AL, AR, CO, IL, KS, LA, MS, MO, NM, OK, TN, TX, and in the reverse direction, under continuing contract(s) with Southwestern Steel Container Co., Inc. (Hearing site: Dallas, TX, or Washington, DC.)

MC 147676 (Sub-2F), filed August 21, 1979. Applicant: KEATON TRUCK LINES, INC., 1008 So. Lelia St., P.O. Box 1187, Texarkana, TX 75501. Representative: Patsy Washington (same address as applicant). To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *petroleum and petroleum products,* (except commodities in bulk), from Houston, TX, to Compton, Los Angeles, Colton, and Richmond, CA, and Phoenix, Tucson, Globe and Sahuarita, AZ, under continuing contract(s) with ARCO Petroleum Products Co., of Los Angeles, CA. (Hearing site: Houston or Dallas, TX.)

MC 147887 (Sub-3F), filed September 4, 1979. Applicant: K. M. COLLINS & CO., INC., 262 North Belt, Suite 210, Houston, TX 77060. Representative: Clint Oldham, 1108 Continental Life Bldg., Fort Worth, TX 76102. Transporting (1) *iron and steel articles (except pipe), and (2) pipe,* from Conroe, TX, to points in the United States, including AK but excluding HI; and (3) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1), and (2) above, in the reverse direction. (Hearing site: Dallas, TX.)

MC 147896 (Sub-1F), filed July 30, 1979. Applicant: WESTERN SONTEX, INC., P.O. Box 667, Seal Beach, CA 90740. Representative: Miles L. Kavaller, 315 So. Beverly Dr., Suite 315, Beverly Hills, CA 90212. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *floor covering products,* from points in GA, Salem, NJ, Willow Grove, PA, and Oneida, TN, to points in Kern, Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara and Ventura Counties, CA, under continuing contract(s) with Carroll and Stewart Distributors, Inc., d/b/a Valley Floor Covering Distributors. (Hearing site: Los Angeles, CA.)

MC 147896 (Sub-2F), filed August 23, 1979. Applicant: WESTERN SONTEX, INC., P.O. Box 667, Seal Beach, CA 90740. Representative: Miles L. Kavaller, 315 So. Beverly Dr., Suite 315, Beverly Hills, CA 90212. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *candles, candles in glass, candle sets and candle holders,* from Liverpool, NY, to Phoenix, AZ, Denver, CO, Los Angeles, CA, Abilene, Junction City and Kansas City, KS, New Orleans, LA, St. Louis, MO, Edmond, Oklahoma City and Tulsa, OK, and Dallas, Ft. Worth and Houston, TX, under continuing contract(s) with Emkay Candle Company. (Hearing site: Syracuse, or Buffalo, NY.)

MC 148137F, filed August 24, 1979. Applicant: STANTON SALES & TRANSPORTATION COMPANY, 11135

S.W. Industrial Way, Tualatin, OR 97062. Representative: Thomas Y. Higashi, 2075 S.W. First Ave., Suite 2N, Portland, OR 97201. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *furniture and furniture parts,* (1) from the facilities of Stanton Industries Inc., at or near Tualatin, OR, to points in WA, CA, NV, AZ, CO, MN, TX, OK, and UT, and (2) from points in CA, to the facilities of Stanton Industries, at or near Tualatin, OR, under continuing contract(s) in (1) and (2) with Stanton Industries, and (3) from points in CA, to points in OR, NV, and WA, (4) from points in TX, to points in OK, MN, AZ, CO, UT, CA, OR, WA, and NV, and (5) from points in MS, to points in CO, OK, TX, MN, AZ, UT, NV, CA, OR, and WA, under continuing contract(s) in (3), (4), and (5) with Grantree Furniture Rental Corporation. (Hearing site: Portland, OR.)

MC 148147F, filed August 21, 1979. Applicant: HERBERT H. ONASH AND THOMAS W. ONASH d.b.a. ONASH & SONS TRUCKING, 4 N 439 John St., Bensenville, IL 60106. Representative: Albert A. Andrin, 180 North LaSalle St., Chicago, IL 60601. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *plastic articles, and materials and supplies* used in the manufacture of plastic articles (except in bulk), (1) between Elk Grove, IL, on the one hand, and, on the other, points in WI, IN, MI, OH, IA, PA, TN, KY, and NJ, (2) between West Chicago, IL, on the one hand, and, on the other, points in MN, KY, MO, WI, IN, IA, OH, PA, and NJ, and (3) between Addison, IL, on the one hand, and, on the other, points in IN, MI, WI, and OH, under continuing contract(s) in (1) with Trans-Shape, Inc., of Elk Grove, IL, in (2) with Handi-Kup Illinois, Inc., of West Chicago, IL, and (3) with Oxford Products Div. Futurex, Inc., of Addison, IL. (Hearing site: Chicago, IL.)

MC 148236F, filed September 5, 1979. Applicant: JOSEPH WARD SHUBAT d.b.a. SHUBAT BUS COMPANY, 113 East Caspian Ave., Caspian, MI 49915. Representative: Karl K. Gotting, 1200 Bank of Lansing Bldg., Lansing, MI 48933. Transporting *passengers and their baggage,* in the same vehicle with passengers, in round trip special and charter operations, beginning and ending at points in Baraga, Iron, Marquette, Houghton, and Dickinson Counties, MI, and extending to points in the United States, (including AK but excluding HI). (Hearing site: Lansing, MI.)

MC 148246F, filed August 21, 1979. Applicant: FAIRLEY K. CARTER, 723 Veda St., Fayetteville, NC 28306. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh St. NW., Washington, DC 20001. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *foodstuffs* (except in bulk), from East Rutherford, NJ, to points in NC, SC, GA and FL, under continuing contract(s) with Delsaco Food Corp., Division of Cane Miller Corporation, of East Rutherford, NJ. (Hearing site: New York, NY, Washington, DC.)

MC 148247F, filed July 30, 1979. Applicant: BROCK CANDY COMPANY, a corporation, 4120 Jersey Pike, Chattanooga, TN 37421. Representative: A. Alexander Taylor, II, 10th Floor, Volunteer Bldg., Chattanooga, TN 37402. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *foodstuffs and packaging materials,* from points in FL, GA, AL, MS, LA, TX, AR, NC, SC, TN, MO, KS, IL, IN, OH, KY, VA, WI, and MN, to Chattanooga, TN, under continuing contract(s) with Chattanooga Bakery, Inc., and Kitchen Fresh, Inc., of Chattanooga, TN. (Hearing site: Chattanooga, or Nashville, TN.)

MC 148537F, filed June 15, 1979. Applicant: O'HARE VAN LINES, INC., 495–D Busse Rd., Elk Grove Village, IL 60007. Representative: James Traynor, 39 S. LaSalle, Chicago, IL 60603. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *kitchen cabinets,* and (2) *materials, equipment, and supplies* used in kitchen remodeling, between Chicago, IL, and points in IN, IL, WI, MI, MN, and IA, under continuing contract(s) with Quaker Maid Kitchens, Inc. (Hearing site: Chicago, IL.)

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Decided: February 4, 1980.

By the Commission, Review Board Number 1, Members Carleton, Joyce and Jones.

MC 76 (Sub-18F), filed September 24, 1979. Applicant: MAWSON & MAWSON, INC., P.O. Box 248. Langhorne, PA 19047. Representative: Richard. C. McGinnis, 711 Washington Building, Washington, DC 20005. Transporting (1) *iron and steel articles,* from the facilities of DANA CORP., at or near Reading, PA, to points in OH, WV, IN, IL, and those in MI in and south of Oceana, Newaygo, Mecosta, Isabella, Midland, and Bay Counties; and (2) *equipment, materials and supplies* (except in bulk), used in the manufacture of the commodities named in (1) above, in the reverse direction. (Hearing site: Philadelphia, PA or Washington, DC.)

MC 76 (Sub-22F), filed September 21, 1979. Applicant: MAWSON & MAWSON, INC., P.O. Box 248, Langhorne, PA 19047. Representative: Richard. C. McGinnis, 711 Washington Building, Washington, DC 20005. Transporting (1) *iron and steel articles,* from the facilities of Copperweld Steel Co., at or near Warren, OH, to points in MA, RI, CT, NY, NJ, MD, DE, VA, WV, PA, and those in MI in and south of Oceana, Newaygo, Mecosta, Isabella, Midland, and Bay Counties; and (2) *equipment, materials and supplies* (except in bulk), used in the manufacture of the commodities named in (1) above, in the reverse direction. (Hearing site: Cleveland, OH, or Washington, DC.)

MC 11207 (Sub-501F), filed September 18, 1979. Applicant: DEATON, INC., 317 Avenue W., P.O. Box 938, Birmingham AL 35201. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Ave., Washington, DC 20014. Transporting (1) *iron and steel articles and pipe,* from the facilities of Fort Worth Pipe & Supply Co., at or near Conroe, TX, to points in the United States, including AK but excluding HI; and (2) *equipment and materials* used in the production of (1) above, in the reverse direction. (Hearing site: Houston, TX.)

MC 11207 (Sub-502F), filed September 24, 1979. Applicant: DEATON, INC., 317 Avenue W., P.O. Box 938, Birmingham AL 35201. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Ave., Washington, DC 20014. Transporting *steel and wood doors and parts therefor* from Jim Walter Doors, Division of Celotex Corporation, at Century, FL, to points in AL, AR, FL, GA, KY, LA, MS, NC, OK, SC, TN, TX, VA, and WV. (Hearing site: Jacksonville, FL, or Washington, DC.)

MC 11207 (Sub-503F), filed September 26, 1979. Applicant: DEATON, INC., 317 Avenue W., P.O. Box 938, Birmingham AL 35201. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Ave., Washington, DC 20014. Transporting (1) *malt beverages,* in containers, from Albany, GA, to Birmingham, AL. (Hearing site: Birmingham, AL, or Washington, DC.)

MC 26396 (Sub-294F), filed September 24, 1979. Applicant: THE WAGGONERS TRUCKING, a corporation, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Transporting *Agricultural chemicals,* from Randolph, WI, to points in MT, ND,

SD, IA, NE, WY, ID, MN, and UT. (Hearing site: Billings, MT.)

MC 26396 (Sub-295F), filed September 24, 1979. Applicant: THE WAGGONERS TRUCKING, a Corporation, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Transporting *drywall tape,* from Kansas City, KS, to ports of entry on the international boundary line between the United States and Canada in MT, restricted to traffic moving in foreign commerce. (Hearing site: Billings, MT.)

MC 26396 (Sub-303F), filed September 20, 1979. Applicant: THE WAGGONERS TRUCKING, a Corporation, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Transporting (1) *such commodities as are dealt in or used by gun clubs* (except commodities in bulk), from points in the United States (except AK and HI) to points in IA, IL and MO; and (2) *reclaimed shot* (except commodities in bulk), between points in IA, IL and MO. (Hearing site: Omaha, NE.)

MC 27817 (Sub-161F), filed September 19, 1979. Applicant: H. C. GABLER, INC., R.D. No. 3, P.O. Box 220, Chambersburg, PA 17201. Representative: Christian V. Graf, 407 North Front Street, Harrisburg, PA 17101. Transporting *canned goods,* from the facilities of the Joan of Arc Company (1) at or near Turkey, NC to points in CT, DE, IL, IN, ME, MD, MA, MI, NH, NJ, NY, OH, PA, RI, VT, VA, WV, and DC, and (2) at or near (a) Hoopeston, IL and (b) Princeville, IL, to points in MD, NJ, PA, New York, NY, and DC, restricted in parts (1) and (2) to traffic originating at and destined to the named origins and destinations. (Hearing site: Washington, DC, or Harrisburg, PA.)

MC 41406 (Sub-156F), filed September 20, 1979. Applicant: ARTIM TRANSPORTATION SYSTEM, INC., 8400 Westlake Dr., Merrillville, IN 46410. Representative: Wade H. Bourdon (same address as applicant). Transporting (1) *agricultural, construction and industrial machinery, engines and equipment,* and (2) *such commodities* as are dealt in or used by lawn, garden and leisure produce dealers, between the facilities of Allis-Chalmers Corporation, at or near (a) LaPorte, IN, and (b) Milwaukee and Port Washington, WI, on the one hand, and, on the other, those points in the United States in and east of ND, SD, NE, CO, OK, and TX. (Hearing site: Milwaukee, WI, or Chicago, IL.)

MC 42487 (Sub-948F), filed September 20, 1979. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Dr., Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. 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 United Steel Products at Montgomery, MN, as an off-route point in connection with carrier's otherwise authorized regular route operations. (Hearing site: Minneapolis, MN.)

Note.—Applicant states it intends to tack to its existing authority any authority it may acquire in the future.

MC 51146 (Sub-755F), filed September 17, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil A. DuJardin (same address as applicant). Transporting *canned and preserved foodstuffs,* from the facilities of Heinz USA at or near Fremont, OH to points in CT, DE, ME, MD, MA, NH, NJ, NY, PA, VT, VA, and DC, restricted to the transportation of traffic originating at the named origin and destined to the named destination states. (Hearing site: Chicago, IL.)

MC 51146 (Sub-756F), filed September 17, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil A. DuJardin (same address as applicant). Transporting (1) *tool cabinets, tool chests, tool boxes, medical cabinets, work benches,* and *shelves, and* (2) *equipment, materials, and supplies* used in the manufacture and distribution of the commodities named in (1) above between points in the United States, restricted to the transportation of traffic originating at or destined to the facilities of Waterloo Industries. (Hearing site: Chicago, IL.)

MC 51146 (Sub-757F), filed September 20, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil A. DuJardin (same address as applicant). Transporting (1) *such commodities* as are dealt in by wholesale, retail, chain grocery, and food business houses and agricultural feed business houses; soy products; paste, flour products; dairy based products, and (2) *materials, ingredients equipment, and supplies* used in the development, manufacture, distribution and sale of the products in (1) above (except commodities in bulk), between points in the United States (except AK and HI), restricted to the transportation of traffic originating at or destined to facilities used by Ralston Purina Company. (Hearing site: Chicago, IL.)

MC 59206 (Sub-27F), filed September 26, 1979. Applicant: HOLLAND MOTOR EXPRESS, INC., 750 E. 40th St., Holland, MI 49423. Representative: Kenneth De Vries (same address as applicant). Over *regular routes,* transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between South Haven and Kalamazoo, MI, over MI Hwy 43, serving all intermediate points. (Hearing site: Chicago, IL.)

MC 59367 (Sub-144F), filed September 17, 1979. Applicant: DECKER TRUCK LINE, INC., P.O. Box 915, Fort Dodge, IA 50501. Representative: William L. Fairbank, 1980 Financial Center, Des Moines, IA 50309. Transporting (1) *grain and feed handling equipment and storage bins, steel buildings, feed mixing mills, grain dryers, and (2) parts, materials and supplies used in the manufacture and operation of the commodities named in part (1), (except commodities in bulk),* between the facilities of Modern Farm Systems, Inc. at Webster City, IA on the one hand, and, on the other, points in IL, IN, KS, MN, MO, MT, NE, ND, SD and WI, restricted to the transportation of traffic originating at or destined to the above-named facilities. (Hearing site: Des Moines, IA, or St. Paul, MN.)

MC 63417 (Sub-247F), filed September 27, 1979. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. BOX 13447, Roanoke, VA 24034. Representative: William E. Bain (same address as Applicant). Transporting (1) *containers, container closures, container components, glassware, and packaging products,* (2) *scrap materials* (Except commodities in bulk in tank vehicles, and those requiring special equipment), and (3) *materials, equipment, and supplies* used in the manufacture, sale, and distribution of the commodities named in (1) above (except commodities in bulk in tank vehicles, and those requiring special shipment), between points in the United States (except AK and HI), restricted to the transport of traffic originating at or destined to the facilities of Owens Illinois, Incorporated. (Hearing site: Washington, DC.)

MC 69116 (Sub-251F), filed September 20, 1979. Applicant: SPECTOR INDUSTRIES, INC., d.b.a. Spector Freight System, 1050 Kingery Highway, Bensenville, IL 60106. Representative: Edward G. Bazelon, 39 south LaSalle Street, Chicago, IL 60603. Transporting (1) *iron and steel articles, and (2)*

commodities used in the manufacture of iron and steel articles (except commodities in bulk), between the facilities of National Steel Corporation at or near (a) Weirton, WV, and (b) Steubenville, OH, on the one hand, and, on the other, points in AL, CT, FL, GA, IL, IN, IA, KY, MD, MA, MI, MN, MO, NH, NJ, NY, NC, OH, PA, SC, TN, WI and VA. (Hearing site: Chicago, IL.)

MC 78687 (Sub-82F), filed September 25, 1979. Applicant: LOTT MOTOR LINES, INC., P.O. Box 751, Moravia, NY 13118. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW, Washington, DC 20001. Transporting *lumber, forest products, and building materials,* from points in NC and VA to points in CT, DE, ME, MD, MA, NH, NJ, NY, PA, RI, and VT. (Hearing site: Richmond, VA, or Washington, DC.)

Note.—Dual operations may be involved.

MC 79726 (Sub-6F), filed September 18, 1979. Applicant: JOHN (JACK) W. HOCKERSMITH AND JACK HOCKERSMITH, JR., a Partnership d.b.a. JACK HOCKERSMITH & SON TRUCKING, P.O. Box 333, Pine Bluffs, WY 82082. Representative: Jack Hockersmith, Jr. (same address as applicant). Transporting *Fertilizer,* between points in WY, CO, NE, and KS. (Hearing site: Cheyenne, WY, or Denver, CO.)

MC 95876 (Sub-312F), filed September 17, 1979. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 56301. Representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapoilis, MN 55402. Transporting *valves and hydrants, and parts, attachments and accessories* therefor, from Beaumont, TX, to points in the United States (except AK, HI, AL, AZ, AR, CA, FL, GA, LA, MS, NV, NM, NC, SC, TN and UT). (Hearing site: Houston or Dallas, TX)

MC 100666 (Sub-493F), filed September 20, 1979. Applicant: MELTON TRUCK LINES, Inc., P.O. Box 7666, Shreveport, LA 71107. Representative: Wilburn L. Williamson, Suite 615–East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. Transporting *fire brick and bonding mortar,* from the facilities of Wellsville Fire Brick Company, at or near Wellsville, MO to points in AL, AR, GA, IA, IN, IL, KY, MI, MS, OH, OK, PA, TN, TX and WI. (Hearing site: Dallas, TX)

MC 100666 (Sub-494F), filed September 27, 1979. Applicant: MELTON TRUCK LINES, INC., P.O. Box 766, Shreveport, LA 71107. Representative: Wilburn L. Williamson, Suite 615, East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. Transporting (1) *plastic articles,* and (2) *equipment, materials and supplies* used in the manufacture and distribution of plastic articles (except commodities in bulk and those which because of size and weight require the use of special equipment), between the facilities of Fort Howard Paper Company, at or near Muskogee, OK, on the one hand, and, on the other, points in AL, FL, GA, KY, MS, NC, SC, TN, and VA. (Hearing site: Washington, D.C.)

MC 100666 (Sub-495F), filed September 26, 1979. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, LA 71107. Representative: Wilburn L. Williamson, Suite 615, East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. Transporting (1) *cooling equipment and parts, materials, equipment and supplies,* (except in bulk) used in connection with cooling equipment, and (2) *materials, equipment and supplies,* (except in bulk) used in the manufacture or distribution of commodities named in (1) above, between points in the United States (except AK and HI). Restricted to the transportation of traffic in (1) above originating at the facilities of The Marley Cooling Tower Company, and in (2) above destined to the facilities of the Marley Cooling Tower Company. (Hearing site: Dallas, TX, or New Orleans, LA.)

MC 102616 (Sub-1012F), filed September 24, 1979. Applicant: COASTAL TANK LINES, INC., 250 North Cleveland-Massilon Rd., Akron, OH 44313. Representative: David F. McAllister (same address as applicant). Transporting *butane mix,* in bulk, in tank vehicles, from (1) Wayne City, IL, to East Mount Carmel, IN, and (2) East Mount Carmel, IN, to Pana, IL, and Kilgore, TX. (Hearing site: Kansas City, or St. Louis, MO.)

MC 102616 (Sub-1013F), filed September 17, 1979. Applicant: COASTAL TANK LINES, INC., 250 North Cleveland-Massillon Rd., Akron, OH 44313. Representative: David F. McAllister (same address as applicant). Transporting *lubricating oil,* in bulk, in tank vehicles, from Port Huron, MI, and Olive Branch, MS, to points in IL, NJ, PA, and TX. (Hearing site: Detroit, MI, or Chicago, IL.)

MC 105566 (Sub-209F), filed September 24, 1979. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1120, Cape Girardeau, MO 63701. Representative: Thomas F. Kilroy, Suite 406, Executive Bldg., 6901 Old Keene Mill Rd., Springfield, VA 22150. Transporting *such commodities* as are dealt in or used by manufacturers of glass containers, glassware, closures, plastic articles, chainaware and hardware (except in bulk), between the facilities of Anchor Hocking Corporation, in CA, FL, TX, IL, IN, and WV, on the one hand, and, on the other, points in the United States (except AK and HI). (Hearing site: Columbus, OH.)

MC 107496 (Sub–1244F), filed September 20, 1979. Applicant: RUAN TRANSPORT CORPORATION, 666 Grand Ave., Des Moines, IA 50309. Representative: E. Check, P.O. Box 855, Des Moines, IA 50304. Transporting *commodities* in bulk, between points in the United States (except AK and HI). (Hearing site: Des Moines, IA, or Chicago, IL.)

MC 107727 (Sub–30F), filed September 27, 1979. Applicant: ALAMO EXPRESS, INC., 6013 Rittiman Plaza, San Antonio, TX 78218. Representative: Damon R. Capps, Suite 1230, Capital National Bank Bldg., Houston, TX 77002. Over regular routes, transporting *general commodities* (except classes A and B explosives, commodities in bulk, articles of unusual value, household goods as defined by the Commission, and commodities requiring special equipment), (1) between the junction of US Hwys 83 and 77 and TX Hwy 511 and the junction of TX Hwy 511 and TX Hwy 4 over TX Hwy 511, serving no intermediate points; (2) between the junction of US Hwy 83 and TX Hwy 755 and the junction of TX Hwy 755 and US Hwy 281 over TX Hwy 755, serving no intermediate points; and (3) between the junction of US Hwy 281 and TX Hwy 97 and the junction of US Hwy 83 and TX Hwy 649, from the junction of US Hwy 281 and TX Hwy 97 over TX Hwy 16 to the junction of TX Hwys 16 and 649, and then over TX Hwy 649 to the junction of TX Hwy 649 and US Hwy 83 and return, serving no intermediate points. (Hearing site: San Antonio, or Houston, TX.)

Note.—Applicant intends to tack the above routes with its existing authority.

MC 113666 (Sub–185F), filed September 17, 1979. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Rd., Freeport, PA 16229. Representative: D. R. Smetanick (same address as applicant). Transporting (1) *agricultural implements and lawn and garden equipment,* and (2) *materials, equipment, and supplies* used in the production, installation, and operation of the commodities in (1) above, between the facilities of Allis-Chalmers, at or near La Porte, IN, Milwaukee and Port Washington, WI, on the one hand, and, on the other, points in MA, MO, NY, OH, and PA. (Hearing site: Washington, DC, or Pittsburgh, PA.)

MC 113666 (Sub–186F), filed September 24, 1979. Applicant: FREEPORT TRANSPORT, INC., 1200 Butler Road., P.O. Drawer "A", Freeport, PA 16229. Representative: R. S. Manhood (same address as applicant). *Insulation, insulating materials, and materials, equipment and supplies used in the production and installation of insulation and insulating materials,* between Rochester, NY, and Wauseon, OH, on the one hand, and, on the other, points in the United States (except AK and HI). (Hearing site: Pittsburgh, PA, or Washington, DC.)

MC 114457 (Sub–545F), filed September 24, 1979. Applicant: DART TRANSIT COMPANY, a corporation, 2102 University Avenue, St. Paul, MN 55114. Representative: James H. Wills (same address as applicant). Transporting *wood excelsior products* from Rice Lake and Marinette, WI, and Englewood, CO, to points in the United States (except AK and HI). (Hearing site: Dallas, TX or St. Paul, MN.)

MC 114457 (Sub-548F), filed September 24, 1979. Applicant: DART TRANSIT COMPANY, a corporation, 2102 University Avenue, St. Paul, MN 55114. Representative: James H. Wills (same address as applicant). Transporting *such commodities as are dealt in or used by manufacturers and distributors of cellulose products* (except commodities in bulk), between points in the United States (except AK and HI), restricted to traffic originating at or destined to the facilities of Diversified Insulation, Inc. (Hearing site: Minneapolis, MN or St. Paul, MN.)

MC 114457 (Sub-549F), filed September 24, 1979. Applicant: DART TRANSIT COMPANY, a corporation, 2102 University Avenue, St. Paul, MN 55114. Representative: James H. Wills (same address as applicant). Transporting *general commodities* (except those of unusual value, classes A and B explosives, and commodities in bulk), from St. Louis, MO and those points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada to points in Anoka, Dakota, Hennepin, Ottertail, Ramsey, Wadena, and Washington Counties, MN. (Hearing site: Minneapolis, or St. Paul, MN.)

MC 115496 (Sub-124F), filed September 21, 1979. Applicant: LUMBER TRANSPORT, INC., P.O. Box 111, Cochran, GA 31014. Representative: Roy E. Hamrick (Same address as applicant). Transporting *roofing materials,* from the facilities of Johns-Manville Sales Corporation, at or near Savannah, GA, to points in AL, FL, NC, SC, TN, and VA. (Hearing site: Atlanta, GA, Jacksonville, FL.)

MC 115557 (Sub-25F), filed September 20, 1979. Applicant: CHARLES A. McCAULEY, 308 Leasure Way, New Bethlehem, PA. 16242. Representative: Henry M. Wick, Jr., 2310 Grant Bldg., Pittsburgh, PA. 15219. Transporting (1) *musical instrument cases, and* (2) *materials, equipment* and supplies used in the manufacture of musical instrument cases, between Brooklyn, NY, on the one hand, and, on the other, points in US (including AK and HI). (Hearing site: New York, NY, or Washington, DC.)

MC 115667 (Sub-14F), filed September 19, 1979. Applicant: ARROW TRANSPORTATION SYSTEMS, INC., 320 Seymour Blvd., North Vancouver, B.C., Canada V7J 2J3. Representative: Clyde H. MacIver, 1900 Peoples National Bank B, 1415 15th Ave., Seattle, WA 98171. Transporting *commodities,* the transportation of which, because of size and weight, require the use of special equipment, between points in WA, OR and CA. (Hearing site: Seattle, WA.)

MC 115667 (Sub-15F), filed September 19, 1979. Applicant: ARROW TRANSPORTATION SYSTEMS, INC., 320 Seymour Blvd., North Vancouver, B.C., Canada V7J 2J3. Representative: Clyde H. MacIver, 1900 Peoples National Bank B, 1415 15th Ave., Seattle, WA 98171. Transporting *lumber, lumber products* and *wood products* between points in WA, OR and CA. (Hearing site: Seattle, WA.)

MC 115826 (Sub-545F), filed September 26, 1979. Applicant: W. J. DIGBY, INC., 6015 East 58th Ave., Commerce City, CO 80022. Representative: Howard Gora (same address as applicant). Transporting *confectionery products,* in vehicles equipped with mechanical refrigeration from Chicago, IL and Hackettstown, NJ to ports of entry on the international boundary line between United States and Canada located in MI and NY, restricted to traffic moving in foreign commerce. (Hearing site: Denver, CO.)

Note.—Dual operations may be involved.

MC 117786 (Sub-277F), filed September 21, 1979. Applicant: RILEY WHITTLE, INC., P.O. Box 19038, Phoenix, AZ 85009. Representative: Thomas F. Kilroy, Suite 406, Executive Bldg., 6901 Old Keene Mill Rd., Springfield, VA 22150. Transporting *charcoal, charcoal briquettes, fireplace logs, charcoal lighter fluid* (in containers), *hickory chips, and vermiculite,* between points in the United States (except AK and HI). (Hearing site: Cincinnati, OH.)

MC 118516 (Sub-4F), filed September 25, 1979. Applicant: MAMMOTH OF ALASKA, INC., 429 Industrial Way, Anchorage, AK 99501. Representative: Arthur R. Hauver, P.O. Box 2782, Anchorage, AK 99510. Transporting (1) *general commodities* (except those of unusual value, classes A and B explosives, and household goods as defined by the Commission), between Fairbanks, AK, on the one hand, and, on the other, points in AK (except those in the Alaska panhandle), and (2) *commodities* in bulk and *commodities requiring special equipment,* between Seward, Anchorage, and Valdez, AK, on the one hand, and, on the other, points in AK (except those in the Alaska panhandle). (Hearing site: Fairbanks, or Anchorage, AK.)

MC 119656 (Sub-67F), filed September 21, 1979. Applicant: NORTH EXPRESS, INC. 219 Main St., Winamac, IN 46996. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting: (1) *adhesives, gypsum and gypsum products, building materials, gypsum board paper, and paint and paint products,* and (2) *materials, equipment and supplies* used in the manufacture, distribution, and installation of the commodities named in (1) above, (except commodities in bulk) between the facilities of the United States Gypsum Company at East Chicago, IN on the one hand, and on the other, points in OH, MI, KY, IL, IN, WV, MO, WI, and PA. (Hearing site: Chicago, IL.)

MC 119656 (Sub-68F), filed September 21, 1979. Applicant: NORTH EXPRESS, INC., 219 Main Street, Winamac, IN 46996. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting *fabricated metal products,* from the facilities of United States Gypsum Company at Franklin Park, IN, to points in OH, MI, KY, IN, WV, MO, WI, PA, IL and NY. (Hearing stie: Chicago, IL.)

MC 119767 (Sub-366F), filed September 18, 1979. Applicant: BEAVER TRANSPORT CO., P.O. Box 186, Pleasant Prairie, WI 53158. Representative: John R. Sims, Jr., 915 Pennsylvania B, 425 13th St. NW., Washington, D.C. 20004. Transporting *frozen foods,* from Holland and Saugatuck, MI to points in IL, IN, MN, MO, OH and WI. (Hearing site: Chicago, IL, or Washington, DC.)

MC 119917 (Sub-60F), filed September 19, 1979. Applicant: DUDLEY TRUCKING COMPANY, INC., 724 Memorial Dr., S.E., Atlanta, GA 30316. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison B, McLean, VA 22101. Transporting (1) *foodstuffs, and* (2) *materials, equipment and supplies* used in the manufacture of foodstuffs (except commodities in bulk), between points in the United States, restricted to the transportation of traffic originating at or destined to facilities of Keebler Company. (Hearing site: Washington, D.C.)

MC 119777 (Sub-415F), filed September 26, 1979. Applicant: LIGON SPECIALIZED HAULER, INC., Hwy 85 East, Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer "L", Madisonville, KY 42431. Transporting (1) *cooling equipment and parts, materials, equipment and supplies* (except in bulk), used in connection with cooling equipment, and (2) *materials, equipment and supplies* (except in bulk) used in the manufacture or distribution of commodities named in (1) above, between points in the United States (except AK and HI), restricted in (1) above to the transportation of traffic originating at the facilities of The Marley Cooling Tower Company and in (2) above to the transportation of traffic destined to the facilities of The Marley Cooling Tower Company. (Hearing site: Dallas, TX, or New Orleans, LA.)

MC 120427 (Sub-33F), filed September 17, 1979. Applicant: WILLIAMS TRANFER, INC., 2128 East Hwy #30, Grand Island, NE 68801. Representative: John K. Walker (same address as applicant). Transporting *meats, meat products and meat byproducts* and *articles distributed by meat packing houses,* from Denison, Carroll, Iowa Falls, Sioux City, Ft. Dodge, and Des Moines, IA, Crete, Lincoln, and Omaha, NE, to points in MT, WY, OR, NV, ID, AZ, and UT, restricted to the transportation of traffic originating at the facilities of Farmland Foods, Inc., at or near the named origins. (Hearing Site: Omaha, NE, or Des Moines, IA.)

MC 121496 (Sub-36F), filed September 17, 1979. Applicant: CANGO CORPORATION, Suite 2900, 1100 Milam Bldg., Houston, TX 77002. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 11th St. NW., Washington, DC 20001. Transporting (1) *acids and chemicals,* in bulk, in tank vehicles, from the facilities of Union Carbide Corporation, at or near Brownsville, TX to points in the United States (except AK and HI), and (2) *acids, chemicals and petroleum products,* in bulk, in tank vehicles, in the reverse direction. (Hearing site: Houston, TX.)

MC 121496 (Sub-37F), filed September 20, 1979. Applicant: CANGO CORPORATION, Suite 2900, 1100 Milam Bldg., Houston, TX 77002. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 11th St. NW., Washington, DC 20001. Transporting (1) *chemicals,* in bulk, in tank vehicles, from the facilities of Union Carbide Corporation, at or near North Seadrift, TX, to points in the United States (except AK and HI), and (2) *acids, chemicals and petroleum products,* in bulk, in tank vehicles, in the reverse direction. (Hearing site: Houston, TX.)

MC 121787 (Sub-2F), filed September 25, 1979. Applicant: SIDNEY R. CAMPBELL d.b.a. DRILLING MUD HAULERS, Star Route A, Box 1349, Anchorage, AK 99502. Representative: J. G. Dail, Jr., P.O. Box LL, McLean, VA 22101. Transporting *drilling mud products and compounds and well logging units,* (1) between Seattle, WA, on the one hand, and, on the other, points in Alaska; (2) between Barrow, Tanana, and Fort Greely, AK, and those points in Alaska lying east of 151 degrees 30 minutes west longitude, including points on the Kenai Peninsula, but excluding points south of 60 degrees north latitude and east of the west side of Yakutat Bay and Disenchantment Bay. (Hearing site: Anchorage, AK.)

Note.—The purpose of part (2) is to convert applicant's certificate of registration to a certificate of public convenience and necessity, and issuance of this authority is conditioned upon receipt of applicant's written request for cancellation of Certificate of Registration MC 121787 issued January 19, 1977.

MC 123407 (Sub-613F), filed September 24, 1979. Applicant: SAWYER TRANSPORT, INC., Sawyer Center, Route 1, Chesterton, IN 46304. Representative: H. E. Miller, Jr. (same address as applicant). Transporting *such commodities as are dealt in or used by agricultural equipment and industrial equipment dealers and manufacturers* (except commodities in bulk) between points in the United States, (except AK and HI) restricted to the transportation of traffic originating at or destined to the facilities of Allis-Chalmers Corporation. (Hearing site: Chicago, IL.)

MC 123407 (Sub-614F), filed September 24, 1979. Applicant: SAWYER TRANSPORT, INC., Sawyer Center, Route 1, Chesterton, IN 46304. Representative: H. E. Miller, Jr. (same address as applicant). Transporting (1) *insulating materials, in cartons,* (2) *blankets, in cartons; and* (3) *insulating paper and insulating roll board,* from Erwin, TN, to points in the United States (except AK and HI). Hearing site: Washington, DC.

MC 124306 (Sub-72F), filed September 17, 1979. Applicant: KENAN TRANSPORT COMPANY, INCORPORATED, P.O. Box 2729, Chapel Hill, NC 27514. Representative: Richard A. Mehley, 1000 16th St NW, Washington, DC 20036. Transporting *polyester chips,* in bulk, in tank vehicles, from the facilities of Rohm and Haas Company, at or near Fayetteville, NC, to Hopewell, VA. (Hearing site: Raleigh, NC, or Washington, DC.)

MC 124887 (Sub-98F), filed September 25, 1979. Applicant: SHELTON TRUCKING SERVICE, INC., Rt 1, Box 230, Altha, FL 32421. Representative: Sol H. Proctor, 1101 Blackstone Bldg., Jacksonville, FL 32202. Transporting (1) *fertilizer and fertilizer materials* and (2) *materials, equipment and supplies* used in the manufacture of fertilizer (except in bulk), between Pace, FL, on the one hand, and, on the other, points in AL, GA, LA, MS, and TN. (Hearing site: Jacksonville or Tallahassee, FL.)

MC 125527 (Sub-4F), filed September 24, 1979. Applicant: BUFORD OWENS AND JERRY C. OWENS, a partnership, d.b.a. OWENS BROS. TRUCKING & LIME CO., P.O. Box 376, Bernie, MO 63822. Representative: Thomas P. Rose, P.O. Box 205, Jefferson City, MO 65102. Transporting (1) *dry fertilizer and fertilizer ingredients,* in bulk, from points in Mississippi County, AR, to points in MO, and (2) *fertilizer and fertilizer ingredients* (except petroleum and petroleum products), from points in Pemiscott County, MO, to points in AR, KY, and TN. (Hearing site: Jefferson City, or St. Louis, Mo.)

MC 125777 (Sub-260), filed September 18, 1979. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Ave., Gary, IN 46406. Representative: Allan C. Zuckerman, 39 South LaSalle St., Chicago, IL 60603. Transporting *lime and limestone products,* in dump vehicles, between points in MI and OH, on the one hand, and, on the other, points in AL, IL, IN, KY, MI, NY, OH, PA, TN, and WV. (Hearing site: Chicago, IL.)

MC 125777 (Sub-261F), filed September 20, 1979. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Ave., Gary, IN 46406. Representative: Allan C. Zuckerman, 39 South LaSalle St., Chicago, IL 60603. Transporting *grinding balls,* in dump vehicles, from Duluth, MN, to points in the United States (except AK and HI). (Hearing site: Chicago, IL.)

MC 125916 (Sub-13F), filed September 24, 1979. Applicant: NORWOOD

TRANSPORTATION, INC., 2232 South 7200 West, Magna, UT 84044. Representative: Macoy A. McMurray, Suite 800, Beneficial Life Tower, 36 South State Street, Salt Lake City, UT 84111. Transporting *fertilizer and fertilizer* ingredients in bulk between points in CO, ID, NV, NM, UT, and WY.

MC 133566 (Sub-148F), filed September 24, 1979. Applicant: GANFLOFF & DOWHAM TRUCKING COMPANY, INC., P.O. Box 479, Logansport, IN 46947. Representative: Thomas J. Beener, One State St Plaza, New York, NY 10004. Transporting Foodstuffs (except in bulk) from Buffalo, NY, Appleton, WI, Murfeesboro, TN, Winchester, VA, Fogelsville and Pottstown, PA, to Logansport, IN, restricted to traffic originating at the facilities of Rich Products Corporation. (Hearing site: New York, NY.)

MC 134286 (Sub-122F), filed June 8, 1979. Applicant: ILLINI EXPRESS, INC., P.O. Box 1564, Sioux City, IA 51102. Representative: Julie Humbert (same address as above). Transporting *ferrous sulfate, fertilizer, and feed grade* (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from the facilities of Quality Chemicals, Ltd., at or near Baltimore, MD, to points in IL (except Quincy, Rock Island, and Chicago), IA (except Marion, Eldora, Ladora, Sioux City, Council Bluffs, and Des Moines), NE (except Omaha), KS and OH. (Hearing site: Sioux City, IA, or Denver, CO.)

Note.—Dual operations may be involved.

MC 134467 (Sub-52F), filed September 25, 1979. Applicant: POLAR EXPRESS, INC., P.O. Box 845, Springdale, AR 72764. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. Transporting *such commodities* as are dealt in by manufacturers and distributors of bakery products (except in bulk), from Jackson, MI, to points in MS, LA, OH, PA, NJ, NY, CT, and MA. (Hearing site: Detroit, MI or Little Rock, AR.)

MC 134477 (Sub-368F), filed September 25, 1979. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, MN 55118. Representative: Thomas D. Fischbach, P.O. Box 43496, St. Paul, MN 55164. Transporting *materials, equipment and supplies* used in the manufacture and distribution of toilet preparations and soap products (except commodities in bulk), from points in the United States (except AK and HI), to the facilities of Minnetonka, Inc., at or near Chaska, MN. (Hearing site: St. Paul, MN.)

MC 134477 (Sub-369F), filed September 25, 1979. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Rd., West St. Paul, MN 55118. Representative: Thomas D. Fischbach, P.O. Box 43496, St. Paul, MN 55164. Transporting (1) *such commodities* as are dealt in by retail drug, food and department stores, and (2) *equipment, materials, and supplies* used in the manufacture of commodities in (1) above (except commodities in bulk in (1) and (2) above), between points in AR, DE, GA, IL, IN, IA, KS, KY, MD, MA, MI, MN, MO, NE, NJ, NY, NC, OH, OK, PA, SC, TN, TX, WV, and WI, restricted to the transportation of traffic originating at or destined to the facilities of The Gillette Company. (Hearing site: St. Paul, MN.)

MC 135797 (Sub-260F), filed September 20, 1979. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant (same address as applicant). Transporting (1) *textile products*, and (2) *supplies* used in the manufacture of textile products, between points in KY and Woodward, OK, and points in CA. (Hearing site: Bowling Green, KY, or Washington, DC.)

MC 135827 (Sub-3F), filed September 17, 1979. Applicant: PANTIER, INC., 1501 Second St., Perry, IA 50220. Representative: Thomas E. Leahy, Jr., 1980 Financial Center, Des Moines, IA 50309. Transporting (1) *castings*, from Perry, IA, to points in AR, CO, IL, IN, KS, KY, MI, MN, MO, NE, ND, OK, SD, TN and WI. (2) *materials, equipment, and supplies* used in the manufacturing of castings, in the reverse direction. (Hearing site: Des Moines, IA; Omaha, NE.)

MC 136246 (Sub-37F), filed September 18, 1979. Applicant: GEORGE BROS., INC., P.O Box 492, Sutton, NE 68979. Representative: Arlyn L. Westergren, Suite 106, 7101 Mercy Rd., Omaha, NE 68106. Transporting (1) *grain storage equipment and grain handling equipment, parts and accessories, metal buildings, and* (2) *materials, equipment, and supplies used in the manufacture of the commodities in (1) above*, between Grand Island, NE, Webster City, IA, Crawfordsville, IN, Middletown, PA, and Greenville, MS, on the one hand, and, on the other, points in the United States (except AK and HI). (Hearing site: Omaha, NE or Des Moines, IA.)

MC 138026 (Sub-26F), filed August 24, 1979. Applicant: LOGISTICS EXPRESS, INC., d.b.a. LOGEX, Etiwanda and Slover Aves., Fontana, CA 92335. Representative: David P. Christianson, 707 Wilshire Blvd., Suite 1800, Los Angeles, CA 90017. Transporting *compressed gasses*, between points in WA, OR, CA, NV, ID, MT, VT, CO, WY, AZ, and MN. (Hearing site: Los Angeles, CA.)

MC 138157 (Sub-187F), filed September 19, 1979. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC., d.b.a. SOUTHWEST MOTOR FREIGHT, P.O. Box 9596, Chattanooga, TN 37412. Representative: Patrick E. Quinn (same address as applicant). Transporting *chemicals* (except in bulk), from Charleston, SC, Kingsport, TN, Niagara Falls, NY, and Houston, TX, to Los Angeles, CA. (Hearing site: Los Angeles, CA.)

Note.—Dual operations may be involved.

MC 138157 (Sub-188F), filed September 19, 1979. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC., d.b.a. SOUTHWEST MOTOR FREIGHT, P.O. Box 9596, Chattanooga, TN 37412. Representative: Patrick E. Quinn (same address as applicant). Transporting (1) *chain saws, tools, generators*, and (2) *materials, equipment, and supplies* used in the sale and distribution of the commodities in (1) above, from Los Angeles, CA and Lake Havasu City, AZ, to points in the United States (except AK and HI), restricted to the transportation of traffic originating at the facilities of McCulloch Corporation. (Hearing site: Los Angeles, CA.)

Note.—Dual operations may be involved.

MC 138627 (Sub-81F), filed September 25, 1979. Applicant: SMITHWAY MOTOR XPRESS, INC., P.O. Box 404, Fort Dodge, IA 50501. Representative: Arlyn L. Westergren, Suite 106, 7101 Mercy Rd., Omaha, NE 68106. Transporting *iron and steel articles*, from the facilities of Simcote, Inc. at St. Paul, MN, to points in AR, IL, IN, IA, KS, KY, MI, MO, NE, ND, OH, OK, OR, SD, TN, WA, WV, WI, and WY. (Hearing site: St. Paul, MN or Omaha, NE.)

MC 138836 (Sub-5F), filed September 24, 1979. Applicant: NARO ENTERPRISES, INC., R.D. 1, Box 192, Gouldsboro, PA 18424. Representative: Peter Wolff, 722 Pittston Ave., Scranton, PA 18505. Transporting *machinery* (except items requiring the use of special equipment), between Daleville, PA, on the one hand, and, on the other, Chicago, IL, Cleveland, OH, Detroit, MI, Dubuque, IA, Jersey City, NJ, and Tampa, FL. (Hearing site: Philadelphia, PA.)

MC 143127 (Sub-55F), filed September 24, 1979. Applicant: K. J. TRANSPORTATION, INC., 6070 Collett Rd., Victor, NY 14564. Representative: Linda A. Calvo (same address as applicant). Transporting (1) *Carbon,*

charcoal, charcoal briquettes, hickory chips, carbon wood products, and lighter fluid (except commodities in bulk), and (2) *materials, supplies and equipment* used in the manufacture, sale or distribution of commodities named in (1) above (except commodities in bulk), between points in NY, on the one hand, and, on the other, all points in AL, AR, CT, DE, FL, GA, KY, LA, ME, MD, MA, MI, MS, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV, and DC restricted to traffic originating at or destined to the facilities utilized by Husky Industries, Inc. (Hearing site: Atlanta, GA.)

Note.—Dual operations may be involved.

MC 143267 (Sub-86F), filed September 18, 1979. Applicant: CARLTON ENTERPRISES, INC., P.O. Box 520, Mantua, OH 44255. Representative: Neal A. Jackson, 1155 15th St. N.W., Washington, DC 20005. Transporting (1) *plastic pipe,* and (2) *plastic pipe fittings* from the facilities of Carlon Division of Indian Head Corp. at or near (a) Oklahoma City, OK, (b) Nazareth, PA, (c) High Springs, FL, and (d) Clinton, IA, to those points in the United States in and east of MN, IA, KS, OK, and TX. (Hearing site: Cleveland, OH or Washington, DC.)

MC 143267 (Sub-88F), filed September 25, 1979. Applicant: CARLTON ENTERPRISES, INC., P.O. Box 520, Mantua, OH 44255. Representative: Neal A. Jackson, Esq., 1155 15th St. N.W., Washington, DC 20005. Transporting (1) *refractory products,* and (2) *materials and supplies used in the manufacture thereof* (except commodities in bulk) between the facilities of the U.S. Refractories Division of General Refractories Co. located at or near (a) Claysburg, Sproul and Salina, PA, (b) Baltimore, MD, (c) Warren, OH, (d) Hitchins, KY, (e) Gary, IN, and (f) Rockdale, IL, on the one hand, and, on the other, points in AL, DE, IL, IN, KY, MD, MI, MO, NJ, NY, OH, PA, TN, VA, WV, and WI. (Hearing site: Cleveland, OH or Washington, DC.)

MC 143267 (Sub-89F), filed September 20, 1979. Applicant: CARLTON ENTERPRISES, INC., P.O. Box 520, Mantua, OH 44255. Representative: Neal A. Jackson, 1155 15th St. N.W., Washington, DC 20005. Transporting *iron and steel articles* (1) from the facilities of Republic Steel Corporation at or near Niles, Elyria, Warren, Youngstown, Cleveland, Massilon and Canton, OH to points in AR, IN, IA, KY, MI, MO, TN, VA, and WI; (2) from the facilities of Republic Steel Corporation at or near Buffalo, NY to points in IN, IL, IA, MI, OH and WI; and (3) from the facilities of Republic Steel Corporation at or near (a) Gary, IN and (b) South Chicago, IL to points in OH. (Hearing site: Cleveland, OH, or Washington, DC.)

MC 143267 (Sub-90F), filed September 20, 1979. Applicant: CARLTON ENTERPRISES, INC., P.O. Box 520, Mantua, OH 44255. Representative: Neal A. Jackson, 1155 15th St. N.W., Washington, DC 20005. Transporting *iron and steel articles* between the facilities of Winamac Steel Corporation at or near (a) Winamac, Reynolds and Kewanna, IN and (b) Fayetteville, AR, on the one hand, and, on the other, points in the United States (except AK and HI). (Hearing site: Cleveland, OH, or Washington, DC.)

MC 143267 (Sub-91F), filed September 20, 1979. Applicant: CARLTON ENTERPRISES, INC., P.O. Box 520, Mantua, OH 44255. Representative: Neal A. Jackson, 1155 15th St. N.W., Washington, DC 20005. Transporting *fencing and fencing materials and wire products,* from Van Buren, AR, to those points in the United States in and east of WI, IL, KY, TN, and MS. (Hearing site: Cleveland, OH, or Washington, DC.)

MC 144667 (Sub-9F), filed September 24, 1979. Applicant: ARTHUR E. SMITH & SON TRUCKING, INC., P.O. Box 1054, Scottsbluff, NE 69361. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Transporting *meat, meat products, meat byproducts, and articles distributed by meat packing houses,* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Geo. A. Hormel & Co. at Scottsbluff, NE, to those points in the United States in and east of ND, SD, NE, CO, OK, and TX. (Hearing site: Minneapolis, MN.)

MC 144527 (Sub-6F), filed September 25, 1979. Applicant: BULS EYE TRANSPORT, INC., Suite 2424, 33 North Dearborn St., Chicago, IL 60602. Representative: Patrick H. Smyth, Suite 521, 19 South LaSalle St., Chicago, IL 60603. Transporting: *Meats, meat products and meat byproducts, and articles distributed by meat packing houses,* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except commodities in bulk and hides), from Salem, OH, to Atlanta, GA, Charlotte and Hickory, NC, Orlando, FL, Kansas City, KS, and New Orleans, LA, restricted to traffic originating at and destined to the facilities of The Great Atlantic and Pacific Tea Company, Inc. (Hearing site: Newark, NJ.)

Note.—Dual operations may be involved.

MC 145656 (Sub-1F), filed September 20, 1979. Applicant: B & B TRANSPORTATION & LIMOUSINE SERVICE, INC., No. 1 Finley Ave., West Birmingham, AL 35204. Representative: D. H. Markstein, Jr., 512 Massey Bldg., Birmingham, AL 35203. Transporting passengers and their baggage, in round-trip special and charter operations, beginning and ending at points in Jefferson and Shelby Counties, AL, and extending to points in the United States (except AK and HI). (Hearing site: Birmingham, AL.)

MC 145997 (Sub-10F), filed September 25, 1979. Applicant: JEM EQUIPMENT, INC., P.O. Box 396, Alma, AR 72921. Representative: Don Garrison, P.O. Box 159, Rogers, AR 72756. Transporting (1) *fencing, fencing materials, and wire and wire products,* and (2) *steel wire carriers,* between the facilities of Bekert Steel Wire Corporation, at or near Van Buren, AR, and points in the United States (except AK and HI). (Hearing site: St. Smith, AR, or Tulsa, OK.)

MC 145997 (Sub-11F), filed September 20, 1979. Applicant: JEM EQUIPMENT, INC., P.O. Box 396 Alma, AR 72921. Representative: Don Garrison, P.O. Box 159, Rogers, AR 72756. Transportating *such commodities* as are dealt in by wholesale and retail discount and variety stores, from points in IL, MA, MD, MI, NJ, NY, and PA, to the facilities of Wal-Mart Stores, Inc., at or near Bentonville and Searcy, AR. (Hearing site: Fayetteville, AR, or Tulsa,OK.)

MC 146326 (Sub-7F), filed September 17, 1979. Applicant: JOHN ALGER, SR., d.b.a., ALGER TRANSPORTATION, 14625 Grover St., Omaha, NE 68144. Representative: Marshall D. Becker, Suite 610, 7171 Mercy Rd., Omaha, NE 68106. Transporting *retail store fixtures, and equipment, materials and supplies used in the manufacture thereof,* (1) between the facilities of Lozier Corporation at or near (a) Omaha, NE; (b) Cucamonga, CA, (c) Scottsboro, AL, (d) McClure, PA, and (e) Kansas City, MO, and (2) between the facilities of Lozier Corporation at or near (a) Omaha, NE, (b) Cucamonga, CA, (c) Scottsboro, AL, and (d) McClure, PA, on the one hand, and, on the other, points in the United States (except AK and HI). (Hearing site: Omaha, NE, or Kansas City, MO.)

MC 146646 (Sub-31F), filed September 27, 1979. Applicant: BRISTOW TRUCKING CO., a corporation, P.O. Box 6355A, Birmingham, AL 35217. Representative: Mr. Henry Bristow, Jr. (same address as applicant). Transporting *construction materials* (except commodities in bulk) from the facilities of Celotex Corporation in

Marion County, SC to those points in the United States in and east of MT, WY, CO and NM restricted to the transportation of traffic originating at the named origin and destined to the indicated destinations. Condition: Person or persons who appears to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Tampa, FL, or Birmingham, AL.)

MC 146646 (Sub-32F), filed September 27, 1979. Applicant: BRISTOW TRUCKING CO., a corporation, P.O. Box 6355 A, Birmingham, AL 35217. Representative: Henry Bristow, Jr. (same address as applicant). Transporting *building and construction materials* (except commodities in bulk) from the facilities of Celotex Corp. located at Elizabethtown, KY to those points in the United States in and east of MN, IA, MO, AR, and LA. Condition: Person or persons who appears to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Tampa, FL, or Birmingham, AL.)

MC 146807 (Sub-3F), filed September 23, 1979. Applicant: S n W ENTERPRISES, INC., 1 Passan Dr., Wilkes Barre, PA 18702. Representative: Joseph F. Hoary, 121 So. Main St., Taylor PA 18517. Transporting (1) *steel wire,* from Hanover Township, PA, to Peoria, IL, Sedalia, MO, Houston, TX, and Seattle, WA, and (2) *steel wire rope,* from Sedalia, MO, to Leetsdale, PA, Teeterboro, NJ, and points in OH. (Hearing site: St. Louis, MO.)

MC 146807 (Sub-4F), filed September 27, 1979. Applicant: S n W ENTERPRISES, INC., 1 Passan Dr., Wilkes Barre, PA 18702. Representative: Joseph F. Hoary, 121 So. Main St., Taylor PA 18517. Transporting steel wire, from Hanover Township, PA, to Laredo, TX. (Hearing site: Dallas, TX.)

MC 146946 (Sub-1F), filed September 20, 1979. Applicant: JOSEPH MOVING AND STORAGE COMPANY d.b.a. ST. JOSEPH MOTOR LINES, 573 Dutch Valley, Rd. NE, Atlanta, GA 3032. Representative: Edwar J. Kiley, 1730 M St., NW, Washington, DC 20036. Transporting (1) *printed matter* and (2) *materials and supplies* used in the production and distribution of printed matter, (except commodities in bulk, and those requiring special equipment), between the facilities of R. R. Donnelley & Sons Co., at or near (a) Chicago, Dwight, and Mattoon, IL, (b) Warsaw and Crawfordsville, IN, (c) Spartanburg, SC, (d) Gallatin, TN, (e) Harrisonburg, VA, (f) Willard, OH, (g) Glasgow, KY, (h) Old Saybrook, CT, and (i) Lancaster, PA, on the one hand, and, on the other, those points in the United States in and east of MN, IA, MO, OK, and TX, restricted to the transportation of traffic originating at or destined to the facilities of R. R. Donnelley & Sons Co. (Hearing site: Atlanta, GA, or Washington, DC.)

MC 147207 (Sub-2F), filed September 20, 1979. Applicant: KLASSEN TRUCKING, LTD, a corporation, P.O. Box 1797 Winkler, Manitoba, Canada RDG 2XO. Representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, MN 55402. Transporting *feed and feed ingredients* between points in MN, ND, SD, IA, NE, and WI, on the one hand, and, on the other, ports of entry on the international boundary line between the United States and Canada at points in ND and MN. (Hearing site: Minneapolis, MN.)

MC 147286 (Sub-3F), filed September 21, 1979. Applicant: A & L TRUCKING, INC., P.O. Box 103, Rocky Face, GA 20740. Representative: Eric Meierhoefer, Suite 423, 1511 K St. NW., Washington, DC 20005. Transporting *carpets and materials and supplies* used in the sale thereof, (1) from the facilities of Carpet Crafts, Inc., Indian Springs Carpet Mills, and Grass More, Inc., at or near Chatsworth, GA, to points in CA, and those in the United States in and east of NM, CO, NE, SD, and ND (except GA), and (2) from those points in GA north of Interstate Hwy 20, to points in IL, OH, AL, IA, and Alexandria, VA, and North Chelmsford, MA. (Hearing site: Atlanta, GA.)

MC 147507 (Sub-2F), filed September 25, 1979. Applicant: MARION TRANSPORT, INC., 265 35th Street, Marion, IA 52302. Representative: Richard P. Moore, 2720 First Avenue N.E., P.O. Box 1943, Cedar Rapids, IA 52406. Transporting *petroluem and petroleum products,* in bulk, in tank vehicles from Pine Bend and Minneapolis, MN, and Peoria, North Pekin, Decatur, and Pana, IL, to Cedar Rapids, Center Point, Lisbon, Marion, Martelle, Palo, Prairieburg, and Walker, IA. (Hearing site: Chicago, IL.)

MC 147786 (Sub-2F), filed September 27, 1979. Applicant: BARTON TRANSFER & STORAGE COMPANY, a corporation, 72 So. St., New Providence, NJ 07974. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Transporting *household goods,* between points in NJ, on the one hand, and, on the other, those points in the United States in and east of MN, IA, MO, KS, OK, and TX. (Hearing site: Newark, NJ, or New York, NY.)

MC 147886 (Sub-4F), filed September 26, 1979. Applicant: A M & M, INCORPORATED, 33 Bolivar Hwy., Jackson, TN 38301. Representative: R. Connor Wiggins, Jr., Suite 909, 100 No. Main Bldg., Memphis, TN 38103. Transporting *lighting fixtures,* and *materials and accessories* used in the installation thereof, from Vermilion, OH, to points in the United States (except AK and HI), restricted to traffic originating at the facilities of ITT Lighting Fixture Division, at Vermilion, OH. (Hearing site: Memphis or Nashville, TN.)

MC 147887 (Sub-2F), filed September 17, 1979. Applicant: K. M. COLLINS & CO., INC., 262 North Belt, Suite 210, Houston, TX 77060. Representative: Clint Oldham, 1108 Continental Life Bldg., Forth Worth, TX 76102. Transporting *bentonite and bentonite products,* from the facilities of Dresser Industries, Inc., at or near Grey Bull, WY, to points in OK, KS, NM, TX, and LA. (Hearing site: Houston or Dallas, TX.)

MC 148276F filed September 21, 1979. Applicant: RAY DESHOTEL, d.b.a. RAY'S TRUCKING CO., Route #4, Box 6405, Beaumont, TX 77706. Representative: Clint Oldham, 1108 Continental Life Bldg., Forth Worth, TX 76102. Transporting *petroleum products, paints, stains and varnishes* (except in bulk), from the facilities of Mobil Oil Corporation, at Beaumont, TX to points in LA, MS, and TX. (Hearing site: Dallas, TX.)

MC 148296F, filed September 25, 1979. Applicant: MARINE DROPBOX COMPANY, a corporation, 6849 N.E. 47th, Portland, OR 97218. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, OR 97210. Transporting *general commodities* (except classes A and B explosives) between points in Portland, OR, restricted to traffic having a prior or subsequent movement by water. (Hearing site: Portland, OR.)

MC 148297F, filed September 27, 1979. Applicant: POWELL MOVING & EXPEDITING SERVICE, INC., 959 Wealthy St., S.E., Grand Rapids, MI 49503. Representative: William B. Elmer, 21635 East Nine Mile Rd., St. Clair Shores, MI 48080. Transporting *general commodities* (except commodities in bulk, household goods as defined by the Commission, classes A and B explosives, and those requiring the use of special equipment), between points in Ionia, Kent, Montcalm, and Ottawa Counties, MI, on the one hand, and, on

the other, Detroit Metropolitan Airport, at Romulus, Willow Run Airport, Willow Run, and Detroit City Airport, MI, restricted to traffic having a prior or subsequent movement by air. (Hearing site: Grand Rapids, MI.)

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Decided: February 8, 1980.

By the Commission, Review Board Number 3, Members Parker, Fortier and Hill.

MC 76 (Sub-27F), filed October 22, 1979. Applicant: MAWSON & MAWSON, INC., P.O. Box 248, Langhorne, PA 19047. Representative: Richard C. McGinnis, 711 Washington Bldg., Washington, DC 20005. Transporting: *metals and metal articles,* (1) from the facilities utilized by Cerro Sales Corp., and Associated Metals and Minerals Corp., at Philadelphia, PA, to points in OH, IN, IL, and those in MI in and south of Oceana, Newaygo, Mecosta, Isabella, Midland, and Bay Counties, (2) from the facilities utilized by Cerro Sales Corp., and Associated Metals and Minerals Corp., at Baltimore, MD, to points in NY, NJ, PA, OH, IN, IL, and those in MI in and south of Oceana, Newaygo, Mecosta, Isabella, Midland, and Bay Counties: and (3) from the facilities utilized by Cerro Sales Corp . . . at or near Bridgeport and New Haven, CT, to points in NY, MD, DE, PA, OH, IN, IL, and those in MI in and south of Oceana, Newago, Mecosta, Isabella, Midland and Bay Counties; restricted in parts (1), (2) and (3) to the transportation of traffice having a prior movement by water. (Hearing site: New York, NY; Washington, DC.)

MC 11207 (Sub-504F), filed October 17, 1979. Applicant: DEATON, INC., 317 Avenue W, Post Office Box 938, Birmingham, AL 35201. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Ave., Washington, DC 20014. 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 points in AL, GA, LA, MS, and TN, restricted to the transportation of traffic having an immediate prior or subsequent movement by rail. (Hearing site: Chicago, IL or Washington, DC.)

MC 26396 (Sub-300F), filed October 16, 1979. Applicant: THE WAGGONERS TRUCKING, a Corporation, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Transporting *agricultural chemicals* (except commodities in bulk), from Mendota, IL, to points in IA, NE, ND, and SD. (Hearing sites: Chicago, IL, or Billings, MT.)

MC 61396 (Sub-377E), filed October 22, 1979. Applicant: HERMAN BROS., INC., 2565 St. Marys Avenue, P.O. Box 189, Omaha, NE 68101. Representative: Duane L. Stromer, 2565 St. Marys Avenue, P.O. Box 189, Omaha, NE 68101. Transporting from the facilities of Missouri Portland Cement Co., at or near Sugar Creek, MO, to points in IA, KS, and NE. (Hearing site: Omaha, NE, or Kansas City, MO.)

MC 63417 (Sub-254F), filed October 23, 1979. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same address as applicant). Transporting *foodstuffs and plastic and rubber articles,* from the facilities of Ross Laboratories, at or near Sturgis, MI, to points in AL, DE, DC, GA, KY, MD, NC, OH, PA, SC, TN, VA, and WV. (Hearing sites: Roanoke, VA, or Washington, DC.)

MC 66886 (Sub-79F), filed October 23, 1979. Applicant: BELGER CARTAGE SERVICE, INC., 2100 Walnut St., Kansas City, MO 64108. Representative: Frank W. Taylor, Jr., Suite 600, 1221 Baltimore Ave., Kansas City, MO 64105. Transporting *roofing and roofing materials, and composition shingles,* from the facilities of Masonite Corporation at or near Little Rock, AR, to points in OK and TX. (Hearing site: Little Rock, AR or Kansas City, MO.)

MC 69107 (Sub-14F), filed October 14, 1979. Applicant: ALL STATES ASPHALT, INC., Route 116, Sunderland, MA 01375. Representative: Wesley S. Chused, 15 Court Square, Boston, MA 02108. Transporting *heating oils,* in bulk, (1) from Glastonbury and New Haven, CT to points in Berkshire County, MA, and (2) from Rensselaer, NY to points in Hampden, Hampshire, Franklin and Berkshire Counties, MA. (Hearing site: Springfield, MA.)

MC 70557 (Sub-25F), filed October 18, 1979. Applicant: NIELSEN BROS. CARTAGE CO., INC., 4619 West Homer St., Chicago, IL 60639. Representative: Carl L. Steiner, 39 South LaSalle St., Chicago, IL 60603. Transporting: (1) *Carbonated beverages,* (non-alcoholic) and *equipment, materials, and supplies* used in the manufacture of such beverages (except in bulk), between the facilities of Shasta Beverage Co. at (a) Birmingham, AL, (b) Eustis, FL, (c) Charlotte, NC, and (d) Houston, TX, on the one hand, and, on the other, points in AL, FL, GA, LA, MS, NC, OK, SC, TN, TX, VA and WV, restricted to traffic originating and destined to said facilities and points in the named States: and (2) *Flavoring compounds and beverage concentrates* (except in bulk) from Granite City, IL, to the facilities of Shasta Beverage Co. at (a) Birmingham, AL, (b) Eustis, FL, (c) Charlotte, NC, and (d) Houston, TX, restricted to traffic destined to said facilities. (Hearing site: Chicago, IL, or Houston, TX.)

MC 78687 (Sub-83F), filed October 19, 1979. Applicant: LOTT MOTOR LINES, INC., West Cayuga St., P.O. Box 751, Moravia, NY 13118. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, DC 20001. Transporting *iron and steel articles,* between the facilities of Triangle Steel, Inc., at or near Ithaca, NY, on the one hand, and, on the other, points in the United States in and east of MN, IA, MO, AR, and LA. (Hearing site: Ithaca, NY, or Washington, D.C.)

MC 78687 (Sub-86F), filed October 23, 1979. Applicant: LOTT MOTOR LINES, INC., Box 751, Moravia, New York 13118. Representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh Street, NW., Washington, D.C. Transporting *pulpboard* and *activated charcoal* from Covington, VA, to points in NJ, NY, and PA. (Hearing site: Washington, DC.)

MC 86247 (Sub-20F), filed August 3, 1979. Applicant: I.C.L. INTERNATIONAL CARRIERS LIMITED, 1333 College Ave., Windsor, Ontario, Canada. Representative: Joseph P. Allen, 7701 W. Jefferson, P.O. Box 09259, Detroit, MI 48209. To operate as a *common carrier,* by motor vehicle, in interstate or foreign commerce, over regular routes, transporting *general commodities* (except household goods and commodities of unusual value), (1) between Detroit, MI, and junction Interstate Hwy 94 and U.S. Hwy 12 over Interstate Hwy 94, serving all intermediate points, (2) between junction Interstate Hwy 94 to MI Hwy 60 and Niles, MI, over MI Hwy 60, serving all intermediate points, (3) between Ypsilanti, MI, and junction U.S. Hwy 12 and Interstate Hwy 9 over U.S. Hwy 12, serving all intermediate points, (4) between junction Interstate Hwys 94 and 69 and Fort Wayne, IN, from junction Interstate Hwys 94 and 69 over Interstate Hwy 69 to junction IN Hwy 3, then over IN Hwy 3 to Fort Wayne and return over the same routes, serving all intermediate points, and (5) serving Adrain, Hastings, Hillsdale, Manchester, Tecumseh, Allegan, Dowagiac, Buchannan, Benton Harbor, St. Joseph, and Milan, MI, and Churubusco, Elkhart, Grabill, South Bend, and Syracuse, IN, and Defiance and Napoleon, OH, as off-route points. Condition: To the extent

the certificate to be issued in this proceeding authorizes the transportation of classes A and B explosives, it shall be limited in point of time to a period expiring 5 years from its date of issue. (Hearing site: Detroit, MI, or Washington, DC.)

Note.—Applicant intends to tack with its existing authority.

MC 95876 (Sub-327F), filed October 20, 1979. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 56301. Representative: William L. Libby (same address as applicant). Transporting *iron and steel articles,* from Pine Bluff, AR to points in the United States (except AK and HI). (Hearing site: Little Rock, AR, or Memphis, TN.)

MC 97006 (Sub-15F), filed October 19, 1979. Applicant: HOWARD'S EXPRESS, INC., P.O. Drawer 72, Geneva, NY 14456. Representative: Morton E. Kiel,. Suite 1832, Two World Trade Center, New York, NY 10048. To operate as a *common carrier* by motor vehicle, in interstate or foreign commerce, over regular routes, serving all intermediate points *general commodities,* (except those of unsual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) (1) Between Waverly, NY and Elmira, NY over NY Hwy 17, serving all intermediate points; (2) between Rochester, NY and Niagara Falls, NY over NY Hwy 18; (3) between Rochester, NY and Lewiston, NY, over NY Hwy 104; (4) between Niagara Falls, NY and Painted Post, NY serving all intermediate points, from Niagara Falls over NY Hwy 384 to Buffalo, thence NY Hwy 5 to jct US Hwy 20, thence US Hwy 20 to Westfield, thence NY Hwy 17 to Olean, thence over NY Hwys 17 or 417 to Painted Post, and return over the same routes; (5) between jct NY Hwy 17 and US Hwy 62 and Collins, NY over US Hwy 62; (6) between Olean, NY and Yorkshire, NY over NY Hwy 16; (7) between Buffalo, NY and Canandaigua, NY; from Buffalo over NY Hwy 130 to jct with US Hwy 20 thence over US Hwy 20 to Canandaigua and return over the same route; (8) between jct NY 33A and 33 and Pembroke, NY; from Pembroke over NY Hwy 5 to jct with NY Hwy 33, thence over NY Hwy 33 to jct NY Hwy 33 and 33A and return over the same route; (9) between E. Aurora, NY and Avon, NY, from E. Aurora over US Hwy Alt 20 to jct with NY Hwy 39 thence over NY Hwy 39 to Avon and return over the same route; (10) between Wellsville, NY and Batavia, NY; from Wellsville, over NY Hwy 19 to jct NY Hwy 19A thence over NY Hwy 19A to jct with NY Hwy 39 thence over NY Hwy 39 to Leicester thence over NY Hwy 36 to Greigsville thence over NY Hwy 63 to Batavia, and return over the same route; (11) between Andover, NY and Leicester, NY; from Andover over NY Hwy 21 to Hornell thence over NY Hwy 36 to Leicester, and return over the same route; (12) between Bath, NY and Rochester, NY; from Bath over US Hwy 15 to Rochester and over US Hwy 15 to Springwater and thence over NY Hwy 15A to Rochester, and return over the same routes; (13) between Canadaigua, NY and Albany, NY over US Hwy 20; (14) between Savannah, NY and jct NY Hwy 31B and 5, from Savannah over NY Hwy 31 to Weedsport thence over NY Hwy 31B to jct NY Hwy 5, and return over the same route; (15) between Red Creek, NY and Albany, NY; from Red Creek over US Hwy 104 to Oswego thence over NY Hwy 48 to jct with NY Hwy 3 thence over NY Hwy 3 to jct NY Hwy 49 to Rome thence over Hwy 49 or 69 to Utica thence over NY Hwy 5 to Albany and return over the same route; (16) between Fulton, NY and Albany, NY, from Fulton over NY Hwy 57 to syracuse, thence NY Hwy 5 and 5A to Utica, thence NY Hwy 5 to Albany, and return over the same route; (17) between jct of NY Hwy 92 and 5 near Syracuse, NY and Cazenovia, NY; from jct of NY Hwy 92 and 5 near Syracuse over NY Hwy 92 to Cazenovia, and return over the same route; (18) between Syracuse, NY and Ithaca, NY; from Syracuse over US Hwy 11 to jct with NY Hwy 13 thence over NY Hwy 13 to Ithaca and return over the same route; (19) between jct of US Hwy 20 and NY Hwy 41 and Binghamton, NY; from jct US Hwy 20 and NY Hwy 41 over NY Hwy 41 to Homer, thence over US Hwy 11 to Binghamton, and return over the same route; (20) between Cazenovia, NY and Whitney Point, NY; from Cazenovia over NY Hwy 13 to jct NY Hwy 80 thence over NY Hwy 26 to Whitney Point and return over the same route; (21) between New Hartford, NY and Binghamton, NY over NY Hwy 12; (22) between Willet, NY and Greene, NY over NY Hwy 41; (23) between Albany, NY and New York, NY; from Albany over US Hwy 9W to jct with Geo. Washington Bridge, thence over bridge to New York, NY or over local roads to Lincoln and Holland tunnels to New York or over US Hwy 9 to New York, and return over the same routes; (24) between Medina, NY and New York, NY; from Medina over NY Hwy 63 to Ridgeway, thence over US Hwy 104 to Rochester, thence over NY Hwy 31 to Pittsford, thence over NY Hwy 96 to Ithaca, thence over NY Hwy 96B to Candor, thence over NY Hwy 96 to Oswego, thence over NY Hwy 17 and 17C to Binghamton, thence over NY Hwy 17 to Suffern, thence over NY Hwy 59 to jct NY Thruway near Nyack, thence over NY Thruway to jct US Hwy 9 near Tarrytown, thence over NY Hwy 9 to New York, and return over the same route; (25) between Utica, NY and Penn Yan, NY; from Utica over NY Hwy 49 to Rome, thence over NY Hwy 365 to jct NY Hwy 5, thence over NY Hwy 5 to Geneva, thence over NY Hwy 14A to Penn Yan, also from Geneva over NY Hwy 14 to Dresden, thence over NY Hwy 54 to Penn Yan, and return over the same route—1A between Niagara Falls, NY and Medina, over NY Hwy 31; 2A between jct of NY Hwy 5 and 46 south of Oneida, NY and Utica, NY, from jct of NY Hwy 5 and 46 over NY Hwy 5 to Utica; 3A between Fulton, NY and Oswega, NY, over NY Hwy 57; 4A between Rochester, NY and jct of NY Hwy 15 and 15A near Livonia Center, NY, over NY Hwy 15; 5A between Naples, NY and Wayland, NY; from Wayland over NY Hwy 21 to jct NY Hwy 245 to Naples, and return over the same route; 6A between Corning, NY and jct of NY Hwy 104 and 414, over NY Hwy 414, serving all intermediate points; 7A between Interlaken, NY and jct NY Hwy 5 and 96 over NY Hwy 96 to jct NY Hwy 5, and return over the same route; 8A between Georgetown, NY and the jct of US Hwy 20 and NY Hwy 26, over NY Hwy 26; 9A between Schenectady and jct NY Hwy 5 and 8, over NY Hwy 8; 10A between Penn Yan, NY and Watkins Glen, NY; from Penn Yan over NY Hwy 14A to jct NY Hwy 14, thence over NY Hwy 14 to Watkins Glen, and return over the same route; 11A between Buffalo, NY and Albany, NY, over NY Hwy 5; between New York, NY and Phillipsburg, NJ; from New York, thence across Hudson River, over US Hwy 1 and 9 to jct US Hwy 22 to Phillipsburg, and return over the same route; between New York, NY and Columbia, NJ; from New York, thence across the Hudson River, thence over city streets in Jersey City, Kearny, Harrision and Newark, NJ to I–280, thence I–280 to jct US hwy 46, thence over US Hwy 46 to Columbia, and return over the same route; between New York, NY and New Hope, PA, from New York, thence across the Hudson River over US Hwy 1 and 9 to jct US Hwy 22 to jct US Hwy 202, thence US Hwy 202 New Hope, and return over the same route; between New York, NY and Camden, NJ; from New York, thence across the Hudson River, thence over US Hwy 1 and NJ Hwy 3 to the New Jersey Turnpike, thence over New Jersey Turnpike to jct NJ Hwy 73 to jct NJ Hwy 38 to jct NJ Hwy 70, thence over NJ Hwy

70 to jct NJ Hwy 30, thence over NJ Hwy 30 to Camden, and return over the same route; between New York, NY and Riverhead, NY; from New York, over city streets to I–495, thence over I–495 to Riverhead, and return over the same route; between Suffern, NY and New York, NY; from Suffern over NY Hwy 17 to the NY–NJ State line, thence over NJ Hwy 17 to jct NJ Hwy 3, thence over NJ Hwy 3 to Hudson River, thence across Hudson River, and return over the same route; between jct NJ Hwy 17 and 4, and New York, NY; from jct NJ Hwy 17 and 4 over NJ Hwy 4 to Hudson River, thence across Hudson River to New York, and return over the same route; between jct NJ Hwy 17 and US Hwy 46, and New York, NY; from jct NJ Hwy 17 and US Hwy 46 over US Hwy 46 to New York, and return over the same route, serving as off-route points, all points in New York (except those in Jefferson, St. Lawrence, Franklin, Lewis, Clinton, Essex, Hamilton and Washington Counties); points in Bergen, Hudson, Essex, Union, Middlesex, Passaic, Sussex, Morris, Warren, Hunterdon, Somerset, Mercer, Monmouth, Ocean, Burlington and Camden Counties, NJ; and points in Bucks and Montgomery Counties, PA. (Hearing sites: Rochester and New York, NY.)

Note.—Applicant now holds New York intrastate routes which it is here seeking to duplicate in interstate and foreign commerce, or to eliminate present route restrictions in New York and New Jersey.

MC 100666 (Sub-497F), filed October 18, 1979. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, LA 71107. Representative: Wilburn L. Williamson, Suite 615-East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. Transporting: *Lumber, lumber mill products,* and *forest* and *wood products,* from the plantsite of Skinner Lumber Co., Inc., at or near Manning, SC to points in AL, AR, GA, IL, IN, IA, KS, KY, MI, MN, MS, MO, NE, OH, OK, TN, TX, and WI. (Hearing site: Charleston, SC.)

MC 102616 (Sub-1016F), filed October 22, 1979. Applicant: COASTAL TANK LINES, INC., 250 North Cleveland-Massillon Rd., Akron, OH 44313. Representative: David F. McAllister (same address as applicant). Transporting *Chemicals,* in bulk, from Janesville, WI, to points in AL, FL, GA, IL, IA, KS, MD, MI, MN, MS, MO, NJ, NY, OH, PA, and MA. (Hearing site: Milwaukee, WI, or Chicago, IL.)

MC 104896 (Sub-60F), filed October 18, 1979. Applicant: WOMELDORF, INC., P.O. Box G, Knox, PA 16232. Representative: James W. Patterson, 1200 Western Savings Bank Bldg., Broad and Chestnut St., Philadelphia, PA 19107. Transporting (1) *such commodities* as are dealt in by chain retail variety stores and (2) *materials, equipment* and *supplies* used in the conduct of such business, (a) between the facilities of G. C. Murphy Co., At McKeesport, PA, on the one hand, and, on the other, points in IL, IN, KY, MD, MI, MN, OH, WV, and WI, and (b) from North Bergen, NJ, to Pymatuning Township, Mercer County, PA. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 107376 (Sub-16F), filed October 17, 1979. Applicant: UNITED STATES EXPRESS, INC., 1209 Triplett Blvd., Akron, OH 44306. Representative: Robert W. Gardier, Jr., Baker & Hostetler, 100 East Broad Street, Columbus, OH 43215. Transporting *wrought steel pipe and pipe coupling* from Aliquippa, PA, to points in IL, IN, OH, KY, and MI. (Hearing site: Columbus, OH, or Washington, DC.)

MC 107376 (Sub-17F), filed October 17, 1979. Applicant: UNITED STATES EXPRESS, INC., 1209 Triplett Blvd., Akron, OH 44306. Representative: Robert W. Gardier, Jr., Baker & Hostetler, 100 East Broad Street, Columbus, OH 43215. Transporting *iron and steel articles* between the facilities of LaBarge Tubular Division, at or near Bellevue, OH, on the one hand, and, on the other, points in IA, MN, MO, PA, and KY. (Hearing site: Columbus, OH, or Washington, DC.)

MC 107496 (Sub-1249F), filed October 17, 1979. Applicant: RUAN TRANSPORT CORP., 666 Grand Avenue, Des Moines, IA 50309. Representative: E. Check, P.O. Box 855, Des Moines, IA 50304. Transporting *sand,* in bulk, from Muskegon, MI, to Definance, OH, Bedford, IN, and Danville, IL. (Hearing site: Des Moines, IA, or Chicago, IL.)

MC 107496 (Sub-1250F), filed October 17, 1979. Applicant: RUAN TRANSPORT CORPORATION, 666 Grand Avenue, Des Moines, IA 50309. Representative: E. Check, P.O. Box 855, Des Moines, IA 50304. Transporting *sugar, corn syrup* and *blends thereof, between Birmingham, AL, on the one hand, and, on the other,* points in AR, FL, GA, IL, IN, KY, LA, MS, MO, OH, OK, SC, TN, TX, VA, and WV. (Hearing site: Birmingham, AL, or Memphis, TN.)

MC 108207 (Sub-534F), filed October 15, 1979. Applicant: FROZEN FOOD EXPRESS, INC., P.O. Box 225888, Dallas, TX 75265. Representative: M. W. Smith (same address as applicant). Transporting *mineral water* (except in bulk) in mechanically refrigerated equipment, from Laredo, TX, to Fargo, ND, and points in MN, MI, IL, IN, OH, MO, KS, NE, IA, KY, TN, and SD. (Hearing site: Dallas, TX.)

MC 108207 (Sub-535F), filed October 15, 1979. Applicant: FROZEN FOOD EXPRESS, INC., P.O. Box 225888, Dallas, TX 75265. Representative: M. W. Smith (same address as applicant). Transporting *intravenous solutions and hospital supplies,* from Dallas, TX, to Shreveport, LA. (Hearing site: Dallas, TX.)

MC 108676 (Sub-149F), filed October 19, 1979. Applicant: A. J. MELTER HAULING & RIGGING, INC., 117 Chicamauga Ave. N.E., Knoxville, TN 37917. Representative: Fred F. Bradley, P.O. Box 773, Frankfort, KY 40602. Transporting *air conditioners* and *parts* and *accessories* used in the installation of air conditioners, from the facilities of the General Electric Co., at or near Ft. Smith, AR, to points in the United States (except AK and HI). (Hearing site: Little Rock, AR.)

MC 109376 (Sub-18F), filed October 22, 1979. Applicant: SKINNER TRANSFER CORP. P.O. Box 284, Reedsburg, WI 53959. Representative: Richard A. Westley, 4506 Regent Street, Suite 100, Madison, WI 53705. Transporting *plastic articles* (1) between the facilities of Flambeau Products Corp., at or near Baraboo, WI, Wichita, KS, Monroe, GA, and Middlefield, OH and the warehouse facilities utilized by Flambeau Products Corp. in the Town of Sumpter, Sauk County, WI. (2) From the origin points named in (1) above to points in the United States in the east of ND, SD, NE, CO, OK, and TX (except points in CT, MA, ME, NH, RI, and VT), restricted in Parts (1) and (2) above to traffic originating at or destined to the involved points. (Hearing site: Milwaukee, WI, or Chicago, IL.)

MC 109397 (Sub-480F), filed October 16, 1979. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, P.O. Box 113, Joplin, MO 64801. Representative: A. N. Jacobs (same address as applicant). Transporting *tanks,* from points in San Diego County, CA, to points in the United States (except AK and HI). (Hearing site: Los Angeles, CA).

MC 111956 (Sub-52F), filed October 17, 1979. Applicant: SUWAK TRUCKIING COMPANY, a corporation, 1105 Fayette Street, Washington, PA 15301. Representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, PA 15219. Over *regular routes,* transporting *general commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Washington, PA and Cincinnati, OH, serving all

intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with Interstate Hwy 71, then over Interstate Hwy 71 to Cincinnati, OH, and return over the same route, (2) between Washington, PA and Rockford, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with U.S. Hwy 33, then over U.S. Hwy 33 to Rockford, and return over the same route, (3) between Washington, PA and Lima, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with Interstate Hwy 77, then over Interstate Hwy 77 to its intersection with U.S. Hwy 36, then over U.S. Hwy 36 to its intersection with OH Hwy 13, then over OH Hwy 13 to its intersection with OH Hwy 95, then over OH Hwy 95 to its intersection with OH Hwy 309, then over OH Hwy 309 to Lima, and return over the same route, (4) between Washington, PA and Millersburg, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with Interstate Hwy 77, then over Interstate Hwy 77 to its intersection of U.S. Hwy 36, then over U.S. Hwy 36 to its intersection with OH Hwy 83, then over OH Hwy 83 to Millersburg, and return over the same route, (5) between Washington, PA and Greenville, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with OH Hwy 29, then over OH Hwy 29 to its intersection with U.S. Hwy 36, then over U.S. Hwy 36 to Greenville, and return over the same route, (6) between Washington, PA and New Westville, OH, serving all intermediate points in OH and PA; over Interstate Hwy 70, and return over the same route, (7) between Washington, PA and Chesapeake, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with OH Hwy 7, then over OH Hwy 7 to Chesapeake, and return over the same route, (8) between Washington, PA and Marietta, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with Interstate Hwy 77, then over Interstate Hwy 77 to Marietta, and return over the same route, (9) between Washington, PA and Cincinnati, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with OH Hwy 60, then over OH Hwy 60, to its intersection with OH Hwy 669, then over OH Hwy 669 to its intersection with OH Hwy 78, then over OH Hwy 78 to its intersection with OH Hwy 13, then over OH Hwy 13 to its intersection with U.S. Hwy 50, then over U.S. Hwy 50 to Cincinnati, and return over the same route, (10) between Washington, PA and Cincinnati, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with U.S. Hwy 22, then over U.S. Hwy 22, to its intersection with OH Hwy 22, then over OH Hwy 22 to Cincinnati, and return over the same route, (11) between Washington, PA and Ironton, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with U.S. Hwy 22, then over U.S. Hwy 22, to its intersection with U.S. Hwy 33, then over U.S. Hwy 33 to its intersection with OH Hwy 93, then over OH Hwy 93 to Ironton, and return over the same route, (12) between Washington, PA and Portsmouth, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with U.S. Hwy 23, then over U.S. Hwy 23, to Portsmouth, and return over the same route, (13) between Washington, PA and Wrightsville, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with OH Hwy 62, then over OH Hwy 62, to its intersection with U.S. Hwy 62, then over U.S. Hwy 62 to its intersection with OH Hwy 247, then over OH Hwy 247 to Wrightsville, and return over the same route, (14) between Washington, PA and Ripley, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with OH Hwy 62, then over OH Hwy 62, to its intersection with U.S. Hwy 62, then over U.S. Hwy 62 to Ripley, and return over the same route, (15) between Washington, PA and Cincinnati, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with OH Hwy 4, then over OH Hwy 4, to its intersection with Interstate Hwy 75, then over Interstate Hwy 75 to Cincinnati, and return over the same route, (16) between Washington, PA and Lima, OH, serving all intermediate points in OH and PA; from Washington, over Interstate Hwy 70 to its intersection with Interstate Hwy 75, then over Interstate Hwy 75 to Lima, and return over the same route, (17) between Akron and Columbus, OH, serving all intermediate points from Akron, over U.S. Hwy 224 and Interstate Hwy 76 to Lodi, then over U.S. Hwy 42 to Junction U.S. Hwy 23, then over U.S. Hwy 23 to Columbus, and return over the same route, (18) between Akron and Columbus, OH serving all intermediate points: from Akron over Interstate Hwy 76 to its intersection with Interstate Hwy 71, then over Interstate Hwy 71 to Columbus, and return over the same routes, (19) between Akron and Dayton, OH, serving all intermediate points from Akron, over U.S. Hwy 224 and Interstate Hwy 76 to Lodi, then over U.S. Hwy 42 to its intersection with U.S. Hwy 40, then over U.S. Hwy 40 to its intersection with U.S. Hwy 4, then over U.S. Hwy 4 to Dayton, and return over the same routes, (20) between Akron and Dayton, OH, serving all intermediate points from Akron, OH, over Interstate Hwy 71, to its intersection with Interstate Hwy 71, then over Interstate Hwy 71 to its intersection with Interstate Hwy 270, then over Interstate Hwy 270 to its intersection with Interstate Hwy 70, then over Interstate Hwy 70 to its intersection with Interstate Hwy 75, then over Interstate Hwy 75 to Dayton, and return over the same routes, (21) between Akron and Cincinnati, OH serving all intermediate points; from Akron over U.S. Hwy 224 and Interstate Hwy 76 to Lodi, then over U.S. Hwy 42 to Cincinnati, and return over the same routes, (22) between Akron and Cincinnati, OH serving all intermediate points; from Akron over U.S. Hwy 224 and Interstate Hwy 76 to Lodi, then over U.S. Hwy 42 to its junction with U.S. Hwy 40, then over U.S. Hwy 40 to Springfield, then over OH Hwy 4 to its intersection with U.S. Hwy 127, then over U.S. Hwy 127 to Cincinnati, and return over the same routes, (23) between Akron and Cincinnati, OH serving all intermediate points, from Akron over Interstate Hwy 76 to its intersection with Interstate Hwy 71, then over Interstate Hwy 71 to Cincinnati, and return over the same routes, and (24) Serving all points in OH on and south of U.S. Hwy 250 and U.S. Hwy 30 as off-route points in connection with service over the above-described routes. (Hearing site: Pittsburgh, PA, or Washington, DC.)

Note.—Applicant states it intends to tack with its existing authority.

MC 114457 (Sub-551F), filed October 15, 1979. Applicant: DART TRANSIT COMPANY, a corporation, 2102 University Ave., St. Paul, MN 55114: Representative: James H. Wills (same address as applicant). Transporting *paper, paper products, cellulose products, and textile softeners,* (except commodities in bulk), from the facilities of The Procter & Gamble Paper Products Company at or near (a) Neely's Landing, MO, (b) Cheboygan, MI, and (c) Green Bay, WI, to those points in the United States in and east of ND, SD, NE, KS,

OK and TX (except FL, SC, VA, WV, DE, CT, RI, NY, VT, ME, and DC). (Hearing site: Cincinnati, OH, or St. Paul, MN.)

MC 114457 (Sub-552F), filed October 15, 1979. Applicant: DART TRANSIT COMPANY, a corporation, 2102 University Ave., St. Paul, MN 55114. Representative: James H. Wills (same address as applicant). Transporting *general commodities* (except classes A and B explosives, commodities in bulk, household goods, and commodities requiring special equipment), between the facilities of the Charter Oaks Shippers Cooperative Association, Inc., at or near Berlin, CT, on the one hand, and on the other, those points in the United States in and east of ND, SD, NE, KS, OK, and TX (except CT). (Hearing site: Hartford, CT, or St. Paul, MN.)

MC 115667 (Sub-16F), filed October 23, 1979. Applicant: ARROW TRANSPORTATION SYSTEMS, INC., 5658 West Marginal Way S.W., Seattle, WA. Representative: Clyde H. MacIver, 1415 Fifth Ave., Suite 1900, Seattle, WA 98171. Transporting *general commodities* (except classes A and B explosives) between Seattle WA, and Portland, OR, restricted to traffic having a prior or subsequent movement by water. (Hearing site: Seattle, WA, or Portland, OR.)

MC 115826 (Sub-558F), October 22, 1979. Applicant: W. J. DIGBY, INC., 6015 East 58th Ave., Commerce City, CO 80022. Representative: Howard Gore (same address as applicant). Transporting *photographic apparatus, equipment, material, supplies,* and *products* used solely for photographic application, manufacturing, or processing (except commodities in bulk) (A) between the facilities of Eastman Kodak Co. at Windsor, CO, on the one hand, and, on the other, (1) the facilities of Karr Ellis, Inc. at Jamaica, NY (Kennedy International Airport), (2) New York, NY, and (3) the facilities of Eastman Kodak Co. at or near Rochester, NY; (B) between the facilities of Eastman Kodak Co. at Windsor, CO and at or near Rochester, NY, on the one hand, and, on the other, (1) Palo Alto, (2) Hollywood, (3) San Ramon, (4) Lyoth, Los Angeles, Oakland, San Francisco, Travis AFB and Whittier, CA, (5) Dallas, TX, (6) Dayton, NJ, (7) Oakbrook, IL, and (8) Chamblee, GA. (Hearing site: Denver, CO.)

MC 117676 (Sub-16F), filed October 19, 1979. Applicant: HERMS TRUCKING, INC., 620 Pear Street, Trenton, NJ 08648. Representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, PA 19102. Transporting (1) *Wax impregnated fireplace logs, charcoal, charcoal briquets,* and *wood chips,* (except in bulk), and (2) *materials and supplies* used in the manufacture and distribution of the commodities named in (1) above (except in bulk, in tank vehicles), between points in the United States (except AK and HI), restricted to the transportation of traffic originating at or destined to the facilities owned or utilized by Duraflame, Inc. or The Kingsford Company. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 119777 (Sub-424F), filed October 18, 1979. Applicant: LIGON SPECIALIZED HAULER, INC., Highway 85, East, Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer "L", Madisonville, KY 42431. Transporting *corn, soybeans, corn and soybean products,* between Danville, IL, on the one hand, and, on the other, points in AL, FL, GA, IN, KY, MI, MN, MO, NB, OH, TN and WI. (Hearing site: Chicago, IL, or St. Louis, MO.)

MC 119787 (Sub-9F), filed October 19, 1979. Applicant: F. W. GROVES TRUCKING COMPANY, Route 4, Box 89, Leland, NC 28451. Representative: Ralph McDonald, Post Office Box 2246, Raleigh, NC 27602. Transporting *forest products, lumber, lumber products, poles, pilings, and fence posts* from the facilities of The Burke-Parsons-Bowlby Corporation at Leland, NC, to points in NC, SC, GA, AL, MS, OH, DE, PA, TN, VA, WV, CT, IN, KY, MD, MI, NJ, NY, RI, MA, VT, ME, NH, FL, and DC. (Hearing site: Wilmington, NC.)

MC 124896 (Sub-98F), filed October 18, 1979. Applicant: WILLIAMSON TRUCK LINES, INC., Thorne & Ralston Streets, Box 3485, Wilson, NC 27893. Representative: Peter A. Greene, 900 17th Street NW., Washington, DC 20006. Transporting *paper and paper products,* from the facilities of Weyerhaeuser, Inc. in NC, to points in OH, IN, IL, MI, WI, MN, IA, MO and KY. (Hearing site: Wilson, NC.)

MC 126537 (Sub-36F), filed October 22, 1979. Applicant: KENT I. TURNER, KENNETH E. TURNER, and ERVIN L. TURNER, a partnership, d.b.a. TURNER EXPEDITING SERVICE, P.O. Box 21333, Standiford Field, Louisville, KY 40221. Representative: William P. Whitney, Jr., 708 McClure Bldg., Frankfort, KY 40601. 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 Lexington, KY, and Memphis, TN, restricted to the transportation of traffic having an immediately prior or immediately subsequent movement by air. (Hearing site: Lexington or Louisville, KY.)

MC 133676 (Sub-10F), filed October 22, 1979. Applicant: COMET TRUCK LINE, INC., 1175 Choctaw Drive, Baton Rouge, LA 70821. Representative: Richard H. Wilson (same address as applicant). Transporting *synthetic crude rubber, chemicals* (except in bulk), between Baton Rouge, LA, Geismar, LA, and New Orleans, LA. (Hearing site: Baton Rouge, LA.)

MC 134286 (Sub-129F), filed October 16, 1979. Applicant: ILLINI EXPRESS, INC., P.O. Box 1564, Sioux City, IA 51102. Representative: Julie Humbert (same address as applicant). Transporting (1) *such commodities* as are dealt in or used by drug, grocery, and food businesses (except frozen commodities and commodities in bulk), from the facilities of the Colgate-Palmolive Company, at or near Kansas City, KS, to points in MN, IA, IL, CO, and NE; and (2) *materials and supplies* used in the manufacture and distribution of the commodities in (1) above (except frozen commodities and commodities in bulk), in the reverse direction. (Hearing site: Sioux City, IA, or Denver, CO.)

Note.—Dual operations may be involved.

MC 134477 (Sub-379F), filed October 22, 1979. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, MN 55118. Representative: Thomas D. Fischbach, P.O. Box 43496, St. Paul, MN 55164. Transporting *such commodities* as are dealt in or used by restaurants (except commodities in bulk), from points in AR, GA, FL, KY, MA, NC, NJ, NY, OH, PA, SC, TN, TX, and VA, to the facilities of Hardee's Food System, Inc. at or near Mason City, IA. (Hearing site: St. Paul, MN.)

MC 135326 (Sub-21F), filed October 22, 1979. Applicant: SOUTHERN GULF TRANSPORT, INC., 4277 N. Market St., P.O. Box 7959, Shreveport, LA 71107. Representative: Hugh T. Matthews, 2340 Fidelity Union Tower, Dallas, TX 75201. Transporting *roofing and building materials,* and *materials, equipment, and supplies* used in or incidental to the manufacture, installation, and distribution of roofing and building materials, between the facilities of Georgia-Pacific Corp., Gypsum Division, at or near Hampton, Henry County, GA, on the one hand, and, on the other, points in AL, AR, LA, MS, OK, TN, and TX. (Hearing site: Dallas, TX.)

MC 135797 (Sub-269F), filed October 16, 1979. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant (same address as applicant). Transporting *wooden and wire box and crate materials,* from Magnolia, MS, to points in the United States (except AL,

AR, AK, CA, FL, HI, KY, LA, NY, OH, OK, SC, TN, TX, and WI). (Hearing site: Jackson, MS, or Washington, DC.)

MC 135797 (Sub-274F), filed October 23, 1979. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant (same address as applicant). Transporting *Cedar shakes and shingles,* from points in OR and WA, to points in AR, CA, CO, IL, IN, KS, MO, MN, OK, TN and TX. (Hearing site: Seattle, WA, or Washington, DC.)

MC 136786 (Sub-176F), filed October 15, 1979. Applicant: ROBCO TRANSPORTATION, INC., 4475 N.E. 3rd St., Des Moines, IA 50313. Representative: Stanley C. Olsen, Jr., 7400 Metro Blvd., Suite 411, Edina, MN 55435. Transporting *paint and paint products.* (1) from Dover, DE, to Oak Creek, WI, Houston, TX, Torrance, CA, and Atlanta, GA, (2) from Oak Creek, WI, to Dover, DE, and points in CA, and (3) from Delaware, OH, to Davenport, IA, Minneapolis, MN, Denver, CO, Salt Lake City, UT, Portland, OR, and points in CA. (Hearing site: Minneapolis, MN, or Pittsburgh, PA.)

MC 136786 (Sub-178F), filed October 15, 1979. Applicant: ROBCO TRANSPORTATION, INC., 4475 N.E. 3rd St., Des Moines, IA 50313. Representative: Stanley C. Olsen, Jr., 7400 Metro Blvd., Suite 411, Edina, Mn 55435. Transporting (1) *frozen foods,* and (2) *coffee* (except in bulk), in vehicles equipped with mechanical refrigeration, from Minneapolis, MN, to points in WA and OR. (Hearing site: Minneapolis, MN.)

MC 138157 (Sub-190F), filed October 15, 1979. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC. d.b.a. SOUTHWEST MOTOR FREIGHT, P.O. Box 9596, Chattanooga, TN 37412. Representative: Patrick E. Quinn (same address as applicant). Transporting *chemicals, ground clay, and minerals* (except commodities in bulk), from Bethel and Norwalk, CT, Murray, KY, and Bath, SC, to points in NC, TN, SC, GA, FL, AL, KY, MS, LA, AR, MO, IL, IN, OH, MI, WI, IA, MN, ND, SD, NE, KS, OK, TX, NM, WY, CO, MT, ID, UT, AZ, NV, WA, OR, and CA. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 138157 (Sub-195F), filed October 22, 1979. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC. d.b.a. SOUTHWEST MOTOR FREIGHT, 2931 S. Market St., Chattanooga, TN 37410. Representative: Patrick E. Quinn (same address as applicant). Transporting (1) *floor covering materials* and (2) *materials, equipment and supplies* used in the installation, sale and distribution of floor covering materials, from points in GA, NC, SC, and TN, to points in AZ, CA, ID, NV, and OR. (Hearing site: Atlanta, GA.)

Note.—Dual operations may be involved.

MC 138297 Sub-8F), filed October 17, 1979. Applicant: CENTRAL FLORIDA COACH LINES, INC., P.O. Box 127, Mountaintop, PA, 18707. Representative: Joseph F. Hoary, 121 South Main St., Taylor, PA. 18517. Transporting *passengers and their baggage,* in the same vehicle with passengers, in special and charter operations, between Brovard County, FL, on the one hand, and, on the other, points in the United States on the East of a line beginning at the mouth of the Mississippi River an extending along the Mississippi River to its junction with the western boundary of Itasca County, MN thence northward along the western boundary of Itasca and Koochiching Counties, MN to the international boundary line between the U.S. and Canada. (Hearing site: Orlando, FL.

MC 139906 (Sub-79F), filed October 24, 1979. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, 2156 West 2200 South, P.O. Box 30303, Salt Lake City, UT 84125. Representative: Richard A. Peterson, 521 South 14th St., P.O. 81849, Lincoln, NE 68501. Transporting *Sulphur,* in bags from the facilities of Stauffer Chemical Company, at or near Freeport, TX to point in CA, PA, and NJ. (Hearing site: Lincoln, NE, or Salt Lake City, UT.)

Note.—Dual operations may be involved.

MC 140006 (Sub-2F), filed October 18, 1979. Applicant: JOHN W. GEORGE, doing business as, HEPNER'S TRUCKING CO., 1810 E. Washington Ave., Vineland, NJ 08360. Representative: Robert B. Pepper, 168 Woodbridge Ave., Highland Park, NJ 08904. Transporting (1) *Floor coverning* and (2) *materials and supplies* used in the installation and manufacturing thereof, (except in bulk) between Vineland, NJ and Philadelphia, PA, on the one hand, and, on the other, Atlanta, Dalton and Rome, GA, and Chattanooga, TN. (Hearing site: Philadelphia, PA.)

MC 141516 (Sub-6F), filed October 23, 1979. Applicant: RICHARD L. HODGES, INC., P.O. Box 141, Unity, ME 04988. Representative: John C. Lightbody, 30 Exchange St., Portland, ME 04101. Transporting *frozen vegetables* and *frozen vegetable products,* from points in ME, to points in AZ, CA, CO, MN, NV, NM, OR, WA, and WY. (Hearing site: Portland, ME, or Boston, MA.)

MC 142807 (Sub-1F), filed October 22, 1979. Applicant: NICHOLAS D. MARINO and ANGELINA F. MARINO, d.b.a. FARRAGUT TRAVEL SERVICE, 1717 Farragut Ave., Bristol, PA 19007. Representative: Francis W. Doyle, 323 Maple Ave., Southampton, PA 18966. Transporting *passengers and their baggage* in the same vehicle with passengers, limited to the transportation of no more than eleven (11) passengers in any one vehicle (not including the driver thereof and not including children under ten years of age who do not occupy a seat or seats), (1) in special operations, between Allentown, Bethlehem, and Easton, PA, and points in the commercial zones, on the one hand, and, on the other, Newark Airport, Newark, NJ; John F. Kennedy International Airport, New York, NY; Atlantic City, NJ; Atlantic City Race Course, Key City, NJ, and the steamship piers for passenger voyages), New York, NY; and (2) in charter operations, between Lehigh and Northampton Counties, PA, on the one hand, and, on the other, Newark Airport, Newark, NJ; John F. Kennedy International Airport, New York, NY; Atlantic City, NJ; Atlantic City Race Course, Key City, NJ, and the steamship piers (for passengers voyages) New York, NY. (Hearing site: Allentown, or Philadelphia, PA.)

MC 143236 (Sub-40F), filed October 15, 1979. Applicant: WHITE TIGER TRANSPORTATION CO., INC., 40 Hackensack Ave., Kearny, NJ 07032. Representative: Elezabeth E. Murphy (same address as applicant). Transporting (1) *such comodities* as are sold in toy stores, and (2) *materials* used in the sale and distribution of the comodities in (1) above, between the facilities of Leisure Line, Inc., at or near Secaucus, NJ, on the one hand, and, on the other, points in the United States (except AK and HI). (Hearing site: Newark, NJ, or New York, NY.)

Note.—Dual operations may be involved.

MC 143236 (Sub-43F), filed October 23, 1979. Applicant: WHITE TIGER TRANSPORTATION CO., INC., 40 Hackensack Ave., So. Kearny, N.J. 07032. Representative: Elizabeth E. Murphy (same address as applicant). Transporting *candy and materials* used in its manufacture and sale, between the facilities of Switzer Candy Co., at or near St. Louis, MO, on one hand, and, on the other, points in AZ, CA, CO, CT, ID, MD, MA, ME, NJ, NY, NM, OH, OR, PA, RI, UT, and WA. (Hearing site: Newark, NJ, or St. Louis, MO.)

MC 143236 (Sub-44F), filed October 22, 1979. Applicant: WHITE TIGER TRANSPORTATION CO., INC., 40 Hackensack Ave., Kearny, N.J. 07032.

Representative: Elizabeth Eleanor Murphy (same address as applicant). Transporting *Malt beverages and material and supplies used in the manufacuture and sale of malt beverages,* (1) between the facilities of Anheuser-Busch, at or near Jacksonville and Tampa, FL, on the one hand, and on the other, points in CT, DE, MD, ME, NJ, NY, NH, NC, SC, OH, PA, and VA, and (2) between the facilities of Anheuser-Busch, at or near St. Louis, MO, Columbus, OH, and Newark, NJ, on the one hand, and on the other, points in IA, MO, NJ, NY, DE, PA, NH, RI, OH, CT, and ME. (Hearing site: Newark, NJ, or St. Louis, MO.)

MC 144197 (Sub-1F), filed October 16, 1979. Applicant: KEYBOARD CARRIAGE, INC., 2305 Quincetree Dr., Clarksville, IN 47130. Representative: Rudy Yessin, 314 Wilkinson St., Frankfort, KY 4001. Transporting (1) *household dishwashing machines and machine parts, household trash compactors, and commercial food processing machinery,* and (2) materials and supplies used in the manufacture of the commodities in (1) above, (a) between the facilities of Hobart Corporation, at points in OH, KY, GA, AL, LA, SC, UT, MN, IL, KS, and PA, on the one hand, and, on the other, points in the United States (except AK and HI), and (b) between the facilities of the Hobart Corporation, at points in the States listed in (a) above. (Hearing site: Washington, D.C.)

MC 144407 (Sub-17F), filed October 22, 1979. Applicant: DECKER TRANSPORT COMPANY, INCORPORATED, 412 Route 23, Pompton Plains, NJ 07444. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Transporting *dialysis supplies and equipment,* between Delran, NJ and McAllen, TX, on the one hand, and, on the other, points in the United States (except AK and HI). (Hearing site: New York, NY, or Washington, D.C.)

MC 145457 (Sub-3F), filed October 22, 1979. Applicant: B & M EXPRESS, INC., 500 S. Western, Oklahoma City, OK 73109. Representative: C. L. Phillips, Room 248, Classen Terrace Bldg., 1411 N. Classen, Oklahoma City, OK 73106. Transporting *such merchandise* as is dealt in by wholesale, retail and chain grocery and food business houses (except frozen commodities and commodites in bulk), from the facilities of the Clorox Company at or near Houston, TX to points in OK. (Hearing site: Oklahoma City, OK).

MC 145797 (Sub-11F), filed October 23, 1979. Applicant: NANCY TRANSPORTATION, INC., 429 Stablestone Dr., Chesterfield, MO 63017. Representative: Herbert Alan Dubin, 1320 Fenwick Lane, Silver Spring, MD 20910. Transporting: (1) *Overhead door sections,* and (2) *materials and hardware* used in the manufacture and sale of overhead door sections, from the facilities of Overhead Door Corporation at Dallas and Ft. Worth, TX, to points in CA, GA, IL, IN, KY, MI, MO, and OH. (Hearing site: St. Louis, Mo, or Washington, D.C.)

MC 146646 (Sub-45F), filed October 15, 1979. Applicant: BRISTOW TRUCKING CO., a Corporation, P.O. Box 6355 A, Birmingham, AL 35217. Representative: Henry Bristow, Jr. (same address as applicant). Transporting (1) *electronic instruments,* and (2) *components, tables, and stands therefor, and toys and games,* from Greenville and Jefferson City, TN, to points in LA, TX, OK, AR, MO, and KS. Condition: Person or persons who appear to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Knoxville, TN, or Birmingham, AL.)

MC 146646 (Sub-47F), filed October 18, 1979. Applicant: BRISTOW TRUCKING CO., P.O. Box 6355 A, Birmingham, AL 35217. Representative: Henry Bristow, Jr. (same address as applicant). Transporting: *Paper, and paper products and materials, equipment and supplies* used in the manufacture and sale of the above commodities (except commodities in bulk), between the facilties of Scott Paper Company, on the one hand, and on the other, points in the United States (except AK and Hi). Condition: Person or persons who appears to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Philadelphia, PA, or Birmingham, AL.)

MC 146646 (Sub-48F), filed October 18, 1979. Applicant: BRISTOW TRUCKING CO., P.O. Box 6355 A, Birmingham, AL 35217. Representative: Henry Bristow, Jr. (same address as applicant). Authority granted to operate as a common carrier by motor vehicles, over irregular routes, transporting (1) *Appliances, heating and air condition equipment, vending machines,* (2) *Materials, equipment and supplies* used in the manufacture, sales and distribution of the commodities in (1) above (except commodities in bulk) between the facilities of Magic Chef, Inc., centers, and points in the United States (except AK and HI). Condition: Person or persons who appears to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Knoxville, TN, or Birmingham, AL.)

MC 146646 (Sub-49F), filed October 22, 1979. Applicant: BRISTOW TRUCKING CO., P.O. Box 63558, Birmingham, AL 35217. Representative: John R., Frawley, Jr., 5506 Crestwood Blvd., Birmingham, AL 35212. Transporting *stoneware, china and steel flatware* and *printed paper forms,* between points in the United States (except AK and HI). Condition: Person or persons who appears to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Birmingham, AL.)

MC 146907 (Sub-5F), filed October 22, 1979. Applicant: PEBBLE HAULERS, INC., 2630 Delta Drive, Colorado Springs, CO 80910. Representatives: Raymond M. Kelley, 450 Capitol Life Center, Denver, CO 80203. Transporting *Bentonite,* from facilities of 1st Bentonite Company of Colorado at or near Coaldale, CO, to points in AZ, CA, KS, NE, NM, and UT. (Hearing site: Denver, CO.)

MC 147646 (Sub-3F), filed October 22, 1979. Applicant: T. M. MACHULL, 4226 W. Port au Prince Lane, Phoenix, AZ 85023. Representative: A. Michael Bernstein, 1441 E. Thomas Rd., Phoenix, AZ 85014. Transporting: (1) (A) Malt beverages from Jefferson County, CO to points in AZ, (B) *beverage containers* and *supplies and materials* used in and dealt with by breweries, from points in AZ to points in Jefferson County, CO, (2) (A) *Such merchandise* as is dealt in by wholesale, retail, chain grocery and food business houses and agricultural feed business houses, (B) *Materials, ingredients, equipment* and *supplies* used in the manufacturing, distribution and sale of the products in (A) above, from the facilities of Ralston Purina Company at or near Denver, CO to points in AZ and NM. (3) Dry animal and poultry feeds, feed ingredients, and seed (except commodities in bulk) and exempt commodities exempt from economic regulation when moving in the same vehicle with the above commodities, from points in CO to points in AZ and NM. (Hearing site: Phoenix, AZ.)

MC 148127 (Sub-2F), filed October 18, 1979. Applicant: LINEHAUL EXPRESS CORPORATION, Post Office Box 5078, Manchester, NH 03108. Representative: Neal R. Michaud (same address as applicant). Transporting *canned* and *preserved foodstuffs,* from the facilities of Heinz, U.S.A., Division of H. J. Heinz Company, at or near Pittsburgh, PA, to points in CT, ME, MA, NH, RI, VT, and points in NY, on and north of New York Highway 17, and on and east of New York Highway 30. (Hearing site: Concord, NH, or Boston, MA.)

MC 148127 (Sub-3F), filed October 18, 1979. Applicant: LINEHAUL EXPRESS CORPORATION, Post Office Box 5078, Manchester, NH 03108. Representative: Neal R. Michaud (same address as applicant). Transporting *canned* and *preserved foodstuffs,* from the facilities of Heinz, U.S.A., Division of N.J. Heinz Company, at or near Muscatine and Iowa City, IA, to points in the St. Louis, MO, restricted to the transportation of traffic originating at the named facilities and destined to the named destinations. (Hearing site: Concord, New Hampshire, or Boston, Massachusetts.)

MC 148576F, filed October 16, 1979. Applicant: DOTSON TRUCKING CO., INC., 1220 Murphy Ave SW., Atlanta, GA 30310. Representative: Brian S. Stern, 2425 Wilson Blvd., Suite 367, Arlington, VA 22201. Transporting *glass,* flat and automotive, from Nashville, TN, to Hazelwood, MO, and points in AL, FL, GA, KY, MS, NC, SC, and VA. (Hearing site: Detroit, MI, or Washington, DC.)

MC 148587F, filed October 22, 1979. Applicant: CONTINENTAL CONTAINER SERVICES, INC., 2501 East 28th St., Suite 101, Signal Hill, CA 90806. Representative: Robert J. Gallagher, 1000 Connecticut Ave., NW., Suite 1200, Washington, DC 20036. Transporting *used household goods,* in containers, between points in the United States, (except AK and HI). (Hearing site: Los Angeles, CA.)

MC 148596F, filed October 15, 1979. Applicant: RONALD LAZARO d.b.a. LAZARO TRUCKING, 24 Freeman St., Newton, MA 02166. Representative: George C. O'Brein, 12 Vernon St., Norwood, MA 02062. Transporting (1) *clay products,* and (2) *mortar and moulding compound,* in bags, from Somerville, Bridgewater, Middleboro and Lawrence, MA, to points in ME, NH, VT, MA, RI, and CT. (Hearing site: Boston, MA.)

MC 148617F, filed October 29, 1979. Applicant: ATTHOWE TRANSPORTATION CO., 926—32nd Street, Oakland, CA 94608. Representative: William D. Taylor, Professional Corporation, 100 Pine Street, Suite 2550, San Francisco, CA 94111. Transporting *fine art, object of art, paintings and art displays* and *exhibits,* between Los Angeles, San Diego, Newport Harbor, LaJolla, Claremont, Palm Springs, Santa Barbara, Fresno, Sacramento, San Francisco, Oakland, and San Jose, CA; Eugene, and Portland, OR; Seattle, and Bellingham, WA; Reno, and Las Vegas, NV; Phoenix, AZ; Salt Lake City, UT; Santa Fe, Albuquerque, NM; Denver, CO; Houston, Corpus Christi, and Dallas, TX, Kansas City, KS; Omaha, NE; Minneapolis, MN; Milwaukee, WI; Chicago, IL; St. Louis, MO; Detroit, MI; Cleveland, and Cincinnati, OH; Buffalo, Rochester, Syracuse, Albany, and New York City, NY; Pittsburgh, and Philadelphia, PA; Baltimore, MD; Washington, DC; Richmond, VA; Atlanta, GA; Miami, and West Palm Beach, FL; New Orleans, LA; Indianapolis, IA; Boston, MA; New Haven, CT; Providence, RI; Montgomery, AL, and Princeton, NJ. (Hearing site: San Francisco, CA.)

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Decided: February 29, 1980.

By the Commission, Review Board Number 1, Members Carleton, Joyce and Jones.

MC 808 (Sub-62F), filed November 26, 1979. Applicant: ANCHOR MOTOR FREIGHT, INC., 29201 Telegraph Rd., Suite 522, Southfield, MI 48034. Representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, OH 44114. Transporting: *motor vehicles* in truckaway service from Lordstown, OH to points in AZ, CA, CO, ID, KS, MT, NE, NV, NM, ND, OK, OR, SD, TX, UT, WA and WY, under continuing contract(s) with General Motors Corporation, of Warren, MI. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 808 (Sub-63F), filed November 26, 1979. Applicant: ANCHOR MOTOR FREIGHT, INC., 29201 Telegraph Rd. Suite 522, Southfield, MI 48034. Representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, OH 44114. Transporting: *motor vehicles* in truckaway service from Wilmington, DE to points in AR, AZ, CA, CO, ID, IA, KS, LA, MN, MS, MO, MT, NE, NV, NM, ND, OK, OR, SD, TX, UT, WA, WI and WY, under continuing contract(s) with General Motors Corporation, of Warrent, MI. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 13569 (Sub-57F), filed November 13, 1979. Applicant: THE LAKE SHORE MOTOR FREIGHT CO., INC., 1200 South State Street, Girard, OH 44420. Representative: Michael R. Werner, 167 Fairfield Road, P.O. Box 1409, Fairfield, NJ 07006. Transporting of *steel guardrails,* and *steel and iron tubing* from the facilities of Regal Tube Company in Chicago, IL to points in IN, MI, NJ, NY, OH, and PA. (Hearing site: Chicago, IL.)

MC 25869 (Sub-165F), filed November 19, 1979. Applicant: NOLTE BROS. TRUCK LINE, INC., 6217 Gilmore Avenue, P.O. Box 7184, Omaha, NE 68107. Representative: Donald L. Stern, Suite 610 Xerox Bldg., 7171 Mercy Road, Omaha, NE 68106. Transporting *materials, equipment* and *supplies* (except commodities in bulk) used in the manufacture of (a) agricultural implements, (b) farm machinery, or (c) light industrial equipment, from points in IL, IN, KY, OH, MI, and WI to Columbus, Grand Island, and Lexington, NE, restricted to the transportation of traffic destined to the facilities of the Sperry New Holland Division, Sperry Corp.

MC 29079 (Sub-157F), filed November 13, 1979. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., P.O. Box 935, Kokomo, IN 46901. Representative: Chandler L. Van Orman, 1729 H St., NW., Washington, DC 20006. Transporting *tufting machines and equipment, supplies and materials* used in the manufacture of tuftying machines between the facilities of Cobble Company at or near Chattanooga, TN, on the one hand, and, on the other, points in AL, DE, GA, IL, IN, KY, LA, (east of Mississippi River) MD, MI, MS, MO, NJ, NY, NC, OH, PA, SC, TN, VA, WV, WI, and DC. (Hearing site: Washington, DC.)

MC 29079 (Sub-158F), filed November 13, 1979. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., P.O. Box 935, Kokomo, IN 46901. Representative: Chandler L. Van Orman, 1729 H Street, Northwest, Washington, DC 20006. Transporting *material handling equipment, plastic articles, bread trays, and material, equipment and supplies* used in the manufacture or distribution of above-named articles, between the facilities of Midland Ross Corporation at or near Dawson Springs, KY, on the one hand, and, on the other, points in AL, DE, GA, IN, IL, KY, LA (east of Mississippi River), MD, MI, MS, MO, NJ, NY, NC, OH, PA, SC, TN, VA, WV, WI, and DC. (Hearing site: Washington, DC.)

MC 29079 (Sub-159F), filed November 13, 1979. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., P.O. Box 935, Kokomo, IN 46901. Representative: Chandler L. Van Orman, 1729 H St., N.W., Washington, DC 20006. Transporting *iron and steel articles, automatic garage door openers and*

material, equipment and supplies used in the manufacture and distribution of the above, between the facilities of Reliance Mfg. Company at or near Alliance and Baltic, OH and Tamco Mfg., Shandoaha, VA on the one hand, and, on the other points in AL, DE, GA, IL, IN, KY, LA (east of Mississippi River), MD, MI, MS, MO, NJ, NY, NC, OH, PA, SC, TN, VA, WV, WI, and DC. (Hearing site: Washington, DC.)

MC 30089 (Sub-9F), filed November 13, 1979. Applicant: FRANK W. LILLY, INC., P.O. Box 111, Turtle Creek, PA 15145. Representative: Christian V. Graf, 407 North Front Street, Harrisburg, PA 17101. Transporting *materials, equipment and supplies* used in the preparation of foodstuffs, from the facilities of Dewey and Almy Chemical Division at Woodbury, NJ to the facilities of Heinz USA, Division of H. J. Heinz Company at or near Weirton, WV, under a continuing contract(s) with Heinz USA, Division of H. J. Heinz Company, of Pittsburgh, PA. (Hearing site: Washington, DC or Pittsburgh, PA.)

MC 35519 (Sub-11F), filed November 13, 1979. Applicant: J. W. ATHEY, SR. & J. W. ATHEY, JR., a partnership, d.b.a. ATHEY TRUCKING, Route 1, Box 364, Stephens City, VA 22655. Representative: Frank B. Hand, Jr., P.O. Drawer C, Berryville, VA 22611. Transporting *silica sand* from points in Frederick County, VA to points in MD and OH. (Hearing site: Richmond, VA or Washington, DC.)

MC 102709 (Sub-3F), filed November 14, 1979. Applicant: ZINO MOTOR EXPRESS, INC., 200 E. Touhy Ave., Des Plaines, IL 60018. Representative: James R. Madler, 120 W. Madison St., Chicago, IL 60602. Transporting *concrete forming equipment, and parts, and materials, equipment and supplies* used in the manufacture, assembly, distribution or use of concrete forming equipment (except in bulk); (a) between Chicago, IL on the one hand, and, on the other, points in IN, IA, MI, MN, OH, and WI; and (b) between Centralia, IL, on the one hand, and, on the other, points in IL, IN, IA, KY, MI, MN, MO, and WI, under a continuing contract(s) with Symons Corporation, of Des Plaines, IL. (Hearing site: Chicago, IL.)

MC 106398 (Sub-1022F), filed November 19, 1979. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, OK. Representative: Fred Rahal, Jr., 525 South Main, Tulsa, OK 74103. Transporting (1) *iron and steel articles* from the facilities of Gregory Galvanizing and metal processing at Canton, OH to points in the United States (except AK and HI) and (2) *materials and supplies* used in the manufacture of iron and steel articles in the reverse direction. (Hearing site: Akron, OH.)

MC 106398 (Sub-1023F), filed November 19, 1979. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, OK 74120. Representative: Fred Rahal, Jr., 525 South Main, Tulsa, OK 74103. Transporting *railroad wheels and accessories* therefor from (1) the facilities of Griffin Wheel at Keokuk, IA, to points in PA, OH, VA, IL, AL, CO, MI, and WV, and (2) the facilities of Griffin Wheel at Colton, CA, to points in PA, OH, VA, IL, AL, CO, MI, and WV. (Hearing site: Des Moines, IA.)

MC 108859 (Sub-78F), filed November 19, 1979. Applicant: CLAIRMONT TRANSFER CO., 1803 Seventh Avenue, North, Escanaba, MI 49820. Representative: John L. Bruemmer, 121 West Doty Street, Madison, WI 53703. Transporting (1) *paper* and *paper products*, (2) *materials, equipment and supplies* (except commodities in bulk, or requiring the use of special equipment), used in the manufacture or distribution of commodities named in (1) above, between the facilities of (a) Manistique Pulp and Paper Company, at or near Manistique, MI, (b) Badger Paper Mills, Inc., at or near Peshtigo, WI, (c) Scott Paper Company, at or near Fond du Lac, Green Bay, Marinette and Oconto Falls, WI, (d) American Can Company, at or near Green Bay, WI, (e) Menominee Paper Co., division of Bell Fibre Products Corp., at or near Menominee, MI, (f) Niagara of Wisconsin Paper Corp., at or near Niagara, WI, on the one hand, and, on the other, points in IN, MI, OH, those in WI on and east of U.S. Hwy 51 and those in IL on and north of U.S. Hwy 36.

MC 110098 (Sub-179F), filed November 13, 1979. Applicant: ZERO REFRIGERATED LINES, 1400 Ackerman Road, P.O. Box 20380, San Antonio, TX 78220. Representative: T. W. Cothren (same address as applicant). Transporting *foodstuffs* (except commodities in bulk), from Cameron, Eau Claire, Menomonie, Vesper, and Wisconsin Rapids, WI, to points in AZ, AR, CA, ID, KS, LA, MO, NV, NM, OK, OR, TX, UT, and WA. (Hearing site: Madison, WI or Chicago, IL.)

MC 112989 (Sub-115F), filed November 14, 1979. Applicant: WEST COAST TRUCK LINES, INC., 85647 Highway 99 South, Eugene, OR 97405. Representative: John W. White, Jr., 85647 Highway 99 South, Eugene, OR 97405. Transporting *clay, ground crude or other than crude (except in bulk)* from the facilities of Oil-Dri Crop. of America at or near Christmas Valley, OR to points in WA, OR, CA, NV, ID, MT, UT, CO, WY, AZ, NM, and TX. (Hearing site: Portland, OR.)

MC 117568 (Sub-23F), filed November 20, 1979. Applicant: WADE TRUCK LINES, INC., Box 156, Verona, MO 65769. Representative: Charles B. Fain, 333 Madison Street, Jefferson City, MO 65101. Transporting (1) *agricultural feed products and food and drug additives* and (2) *materials* used in the manufacture of the commodities described in (1) above between the facilities of Dawe's Laboratories, Inc., and Dawe's Laboratories, Ltd., at (a) Chicago Heights, IL, (b) West Alexandria, OH, (c) Atlanta, GA, (d) Republic, MO, and (e) Cypress, CA, on the one hand, and, on the other, points in the United States (except AK and HI) under continuing contract(s) with Dawe's Laboratories, Inc., and Dawe's Laboratories, Ltd. (Hearing site: Chicago Heights, IL.)

MC 119789 (Sub-648F), filed November 19, 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. Transporting *meats, meat products, meat byproducts,* and *articles* distributed by meat packinghouses, as describe in Section A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (Except hides and commodities in bulk) from the facilities of Armour Fresh Meat Company at or near Madison, NE, Sioux City, IA, and Omaha, NE, to points in the United States in and east of LA, MS, TN, KY, IN and MI, restricted to traffic originating at named origins and destined to named destination States. (Hearing site: Phoenix, AZ.)

MC 124489 (Sub-12F), filed November 9, 1979. Applicant: NIELSEN BROS, CARTAGE CO., INC., 4619 West Homer Street, Chicago, IL 60639. Representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, IL 60603. Contract carrier transporting (1) *such commodities* as are dealt in by manufacturers and distributors of electronic equipment, electronic instruments, calculators, radios, and television sets, and (2) *materials, equipment and supplies* used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk); between Chicago, IL, on the one hand, and, on the other, the facilities of Heath Co. at or near St. Joseph, MI, under a continuing contract(s) with Zenith Radio

Corporation, of Chicago, IL. (Hearing site: Chicago, IL.)

MC 124839 (Sub-49F), filed November 16, 1979. Applicant: BUILDERS TRANSPORT, INC., P.O. Box 2726, Savannah, GA 31402. Representative: William P. Sullivan, 1320 Fenwick Lane, Suite 500, Silver Spring, MD 20910. Contract carrier 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 because of size or weight require the use of special equipment), between those points in the U.S. in and east of MN, IA, NE, KS, OK and TX, under a continuing contract(s) with GAF Corporation, of Wayne, NJ. (Hearing site: Washington, DC.)

Note.—Dual operations may be involved.

MC 125368 (Sub-73F), filed July 6, 1979. Applicant: CONTINENTAL COAST TRUCKING COMPANY, INC., P.O. Box 26, Holly Ridge, NC 28445. Representative: Roland Lowell, Sixth Floor, United American Bank Bldg., Nashville, TN 37219. Transporting *foodstuffs* between the facilities of Campbell Soup Company, at or near Maxton (Robeson County), NC, on the one hand, and, on the other, points in AL, DE, FL, GA, IL, MD, NJ, NC, OH, PA, SC, TN, TX, VA, and DC.

MC 125368 (Sub-98F), filed November 13, 1979. Applicant: CONTINENTAL COAST TRUCKING COMPANY, INC., P.O. Box 26, Holly Ridge, NC 28445. Representative: Roland Lowell, United American Bank Bldg., Nashville, TN 37219. Transporting *meats, meat products and supplies* used in the manufacture of meat products, between the facilities of Frederick & Herrud in MI and NC, on the one hand, and, on the other, points in the United States (except AK and HI). (Hearing site: Washington, DC, or Chicago, IL.)

MC 125708 (Sub-184F), filed November 13, 1979. Applicant: THUNDERBIRD MOTOR FREIGHT LINES, INC., 425 W. 152nd Street, East Chicago, IN 46312. Representative: Anthony C. Vance, 1307 Dolley Madison Blvd., McLean, VA 22101. Transporting (1) *snow removal equipment and fabricated steel products,* from Waverly, IA, to points in the United States (except AK and HI), and (2) *materials, supplies and equipment* used in the manufacture of the commodities in (1) above, in the reverse direction.

MC 126118 (Sub-167F), filed July 19, 1979. Applicant: CRETE CARRIER CORPORATION, P.O. Box 81228, Lincoln, NE 68501. Representative: David R. Parker (same address as applicant). 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), which are at the time moving on bills of lading of freight forwarders, (1) from those points in the United States in and east of MN, IA, MO, AR, and LA, to those points in the United States in and west of MT, SD, NE, KS, OK, and NM (except AK and HI), and (2) from points in CA, OR, and WA, to those points in the United States in and east of MN, IA, NE, CO, KS, AR, and LA. (Hearing site: Los Angeles, CA.)

Note.—Dual operations may be involved.

MC 126709 (Sub-14F), filed July 9, 1979. Applicant: SABER, INC., 514 South Floyd Blvd., Sioux City, IA 51101. Representative: Edward A. O'Donnell, 1004-29th Street, Sioux City, IA 51104. Transporting *tallow,* in bulk, from the facilities of Iowa Beef Processors, Inc., at or near (a) Dakota City and West Points, NE, (b) Denison and Ft. Dodge, IA, and (c) Luverne, MN, to points in IL, IN, IA, MN, MO, and WI, restricted to the transportation of traffic originating at the named origins and destined to the indicated destinations (except traffic moving in foreign commerce). (Hearing site: Omaha, NE or Sioux City, IA.)

MC 127739 (Sub-7F), filed November 6, 1979. Applicant: BOYCE BRUCE TRUCKING CO., INC., 517 North Metts St., Louisville, MS 39339. Representative: Harold D. Miller, Jr., 17th Floor, Deposit Guaranty Plaza, P.O. Box 22567, Jackson, MS 39205. *Contract carrier,* transporting *lumber,* from the facilities of TMA Forest Products, Division of Tennessee River Pulp & Paper Company, at or near Ackerman, MS to points in AL, AR, GA, IL, IN, IA, KS, KY, LA, MI, NE, OH, TX, WI, OK, MO, TN, WV, and VA, under a continuing contract(s) with TMA Forest Products, Division of Tennessee River Pulp & Paper Company of Jasper, AL. (Hearing site: Jackson, MS.)

MC 129459 (Sub-17F), filed November 20, 1979. Applicant: KEARNEY'S TRUCKING SERVICE, INC., U.S. Alternate Route 611, P.O. Box 264, Portland, PA 18351. Representative: Joseph F. Hoary, 121 South Main Street, Taylor, PA 18517. Contract carrier transporing spaghetti and macaroni from Jersey City, NJ to points in OH under continuing contract(s) with C. F. Mueller Company, of Jersey City, NJ.

MC 129759 (Sub-34F), filed November 6, 1979. Applicant: TRIANGLE TRUCKING CO, a corporation, Post Office Box 490, McKees Rocks, PA. Representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Transporting: (1) *tubing,* from the facilities of Trent Tube, Division of Colt Industries at East Troy, WI to those points in the U.S. in and east of MN, IA, MO, AR, and LA, and (2) *equipment, materials and supplies* used in the manufacture of tubing, in the reverse direction, under continuing contract(s) with Trent Tube, Division of Colt Industries, of East Troy, MI. (Hearing site: Washington, DC.)

MC 133478 (Sub-21F), filed November 26, 1979. Applicant: DG TRANSPORT, INC., 8565 SW Beaverton-Hillsdale Highway, P.O. Box 25448, Portland, OR 97225. Representative: Peter H. Glade, 555 Benjamin Franklin Plaza, One Southwest Columbia, Portland, OR 97258. Transporting *prefinished paneling and wood and plywood materials* from the facilities of Vanply, Inc. at or near Vancouver, WA, to points in the United States (except AK and HI), under a continuing contact(s) with Vanply, Inc. of Vancouver, WA. (Hearing site: Portland, OR or Seattle, WA.)

MC 134599 (Sub-177F), filed November 2, 1979. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, 2156 West 2200 South, P.O. Box 30303, Salt Lake City, UT 84125. Representative: Richard A. Peterson, 521 South 14th Street, P.O. Box 81849, Lincoln, NE 68501. Transporting *carpet cushion,* from Nashville, TN to points in the United States (except AK, HI, and TN), under continuing contract(s) with Daco Corporation of Dayton, OH. NOTE: Dual operations may be involved. (Hearing site: Salt Lake City, UT or Lincoln, NE.)

MC 135069 (Sub-4F), filed November 9, 1979. Applicant: ROCKAWAY TRUCKING, INC., Route 46, Rockaway, NJ 07866. Representative: Dixie C. Newhouse, 1329 Pennsylvania Avenue, Post Office Box 1417, Hagerstown, MD 21740. Transporting: (1) *new containers and cylinders* from Columbus, OH and Plano, TX to Wichita, KS. (2) *Trichloromonofluoromethane, dichlorodifluoromethane and monochlorodifluoromethane gases,* in containers, between Wichita, KS on the one hand, and, on the other points in CT, DE, ME, MD, MA, NH, NJ, OH, PA, RI, VA, VT, WV and DC, under continuing contract(s) with Racon, Inc., of Wichita, KS. (Hearing site: Wichita, KS.)

MC 135539 (Sub-19F), filed November 23, 1979. Applicant: FARM SERVICE & SUPPLIES, INC., P.O. Box 154, Marengo, IL 60152. Representative: Robert J. Gill, First Commercial Bank Bldg., 410 Cortez Road West, Suite 406, Bradenton, FL 33507. Transporting: (1) *vibratory process equipment and parts, and*

equipment, materials, accessories and supplies (except commodities in bulk) used in the manufacture, operation and distribution of vibratory equipment between the facilities of General Kinematics Corporation at or near Barrington and Crystal Lake, IL on the one hand, and, on the other, points in the U.S. (except AK and HI), (2) *refrigeration blower units and parts, and equipment, materials, accessories and supplies* (except commodities in bulk) used in the manufacture, operation or distribution of refrigeration blower units between the facilities of Krack Corporation at or near Addison, IL on the one hand, and, on the other, points in the U.S. (except AK and HI), and (3) *parts and equipment, materials, accessories and supplies* (except commodities in bulk) used in the manufacture and operation of railroad cars between the facilities of Evans Products Company at or near Woodstock and Chicago, IL on the one hand, and, on the other, points in the U.S. (except AK and HI), under continuing contract(s) in (1) above with General Kinematics Corporation, of Barrington, IL, (2) above with Krack Corporation, of Addison, IL, and (3) above with Evans Products Company, of Chicago, IL.

MC 135598 (Sub-25F), filed June 22, 1979, previously noticed in **Federal Register** issue of January 24, 1980. Applicant: SHARKEY TRANSPORTATION, INC., P.O. BOX 3156, Quincy, IL 62301. Representative: Carl L. Steiner, 39 South La Salle Street, Chicago, IL 60603. Transporting (1) *air compressors, air compressor parts, power pumps, power pump parts, machine parts, internal combustion engines, and rough castings,* from Quincy, IL, to points in the United States (except AK and HI), and (2) *materials* used in the manufacture of air compressors, air compressor parts, power pumps, and power pump parts, in the reverse direction. (Hearing site: Chicago, IL.)

Note.—This republication broadens the territory description. Dual operations may be involved.

MC 135989 (Sub-12F), filed November 19, 1979. Applicant: COAST EXPRESS, INC., 14280 Monte Vista Avenue, Chino, CA 91710. Representative: William J. Lippman, Suite 330 Steele Park, 50 South Steele Street, Denver, CO 80209. Transporting *frozen beef in boxes* (1) from New York, NY; Philadelphia, PA; and Wilmington, DE, to points in PA, OH, IN, KY, IL, MI, WI, MN, IA, AR to Kansas City, KS and St. Louis, MO; and (2) from Los Angeles, CA to points in UT, AZ, OR, ID, NV and WA under continuing contract(s) with A. J. Cunningham Packing Corp. of Quincy, MA. (Hearing site: Los Angeles, CA.)

MC 136168 (Sub-41F), filed November 19, 1979. Applicant: WILSON CERTIFIED EXPRESS, INC., P.O. Box 3326, Des Moines, IA 50316. Representative: Donald L. Stern, Suite 610, 7171 Mercy Road, Omaha, NE 68106. Transporting *meats, meat products, meat by-products, and articles distributed by meat-packing houses,* as described in Sections A and C of Appendix I to the Report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), (1) from the facilities of Wilson Foods Corporation, at Logansport, IN to points in AL, FL, GA, KY, LA, MS, NC, SC, and TN; and (2) from the facilities of Fischer Packing Company, a subsidiary of Wilson Foods Corporation at Louisville, KY, to points in OK and TX, under continuing contract(s) with Wilson Foods Corporation and Fischer Packing Company, of Oklahoma City, OK, and Louisville, KY, respectively.

Note.—Dual operations may be involved.

MC 136408 (Sub-46F), filed November 6, 1979. Applicant: CARGO, INC., P.O. Box 206, U.S. Hwy 20, Sioux City, IA 51102. Representative: David L. King, P.O. Box 206, U.S. Hwy 20, Sioux City, IA 51102. Transporting *cleaning, polishing, and defoaming soaps and compounds, oils, paints rust and paint removing compounds, and disinfectant and water treating compounds* (except in bulk, in tank vehicles), between points in CA, MI, NJ and TX, on the one hand, and, on the other, points in the U.S. (except AK and HI), under continuing or contract(s) with Oakite Products, Inc., Berkeley Heights, NJ.

Note.—Dual operations may be involved.

MC 136989 (Sub-12F), filed November 27, 1979. Applicant: R. F. BOX, INC., 1110 South Reservoir Street, Pomona, CA 91766. Representative: Paul M. Daniell, P.O. Box 56387, Atlanta, GA 30343. Transporting (1) *Synthetic fiber yarn* from Bermuda Hundred, VA to points in NV and TX, (2) *plastic* (except in bulk) from Bermuda Hundred, VA to points in CA, NV and TX, and (3) *plastic film* from Pottsville, PA to points in MN under a continuing contract(s) with Allied Chemical Corporation, of New York, NY. (Hearing site: New York, NY of Los Angeles, CA.)

MC 138328 (Sub-105F), filed November 19, 1979. Applicant: CLARENCE L. WERNER d.b.a. Werner Enterprises, I–80 and Highway 50, P.O. Box 37308, Omaha, NE 68137. Representative: James F. Crosby (same as applicant). Transporting: *iron and steel articles,* from the facilities of Nucor Corporation at or near Norfolk, NE to points in WA, OR, NV, CA, ID, UT, AZ, MT, WY, CO, NM, ND, SD, KS, OK, TX, MN, IA, MO, AR, WI, IL, IN, MI, OH and KY. (Hearing site: Omha, NE.)

MC 138658 (Sub-6F), filed November 28, 1979. Applicant: CROSS TRANSPORTATION, INC., 100 Factory St., Lewis, KS 67552. Representative: Clyde N. Christey, Ks Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612. Transporting (a)(1) *hydraulic cylinders, fittings, adapters, valves, pumps and motors and hydraulic coupling equipment;* and (2) *parts* for the commodities described in (a) above, and (b) *equipment, materials and supplies* used in the manufacture and distribution of the commodities described in (a) above, between Lewis, Hays, Pratt and Kinsley, KS: Lamar and La Junta, CO and Heidelberg, MS, (c)(1) *hydraulic cylinders, fittings, adapters, valves, pumps and motors, hydraulic coupling equipment* and (2) *parts* for those commodities in (c)(1) above, between the facilities of Cross Manufacturing at or near Lewis, Hays, Pratt and Kinsley, KS; Lamar and La Junta, CO and Heidelberg, MS and points in the United States (except AK and HI), and (d), *equipment, materials and supplies* used in the manufacture and distribution of the commodities described in (c) above in the reverse direction of (c) above, under continuing contract(s) in (a) through (d) above with Cross Manufacturing, Inc. of Lewis, KS, (e)(1) *fertilizer handling equipment* (except farm implements), bulk storage equipment and trenchers and (2) *parts* for those commodities described in (e)(1) above, between the facilities of R & R Industries, Inc., at or near Pratt, KS and points in the United States (except AK and HI) and (f) *equipment, materials and supplies* used in the manufacture of the commodities described in (e) above, in the reverse direction of (e) above, under continuing contract(s) in (e) and (f) above, with R & R Industries, Inc. of Pratt, KS. (Hearing site: Kansas City, MO.)

MC 139349 (Sub-21F), filed November 23, 1979. Applicant: E Z FREIGHT LINES, Gould & E. 46th Streets, Bayonne, NJ 07002. Representative: Rober B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. Transporting *lighting fixtures and lamps,* and *equipment, materials and supplies* used in the manufacture and sale of the commodities described in (1) above (except in bulk), between Jersey City, Kearny, Clifton, North Bergen, and Secaucus, NJ, Fall River, MA, Elgin, IL, and Hammond, IN, on the one hand,

and, on the other, those points in the United States west of a line beginning at the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, then northward along the western boundaries of Itasca and Koochiching Counties, MN, to the International Boundary line between the United States and Canada (except AK, HI, LA, MN and TX) under a continuing contract(s) with Duro-Test Corp. and Tungsten Products Corp., of North Bergen, NJ, Lightolier, Inc., of Jersey City, NJ, and Aluminum Processing Corp., of Fall River, MA. (Hearing site: Newark, NJ.)

Note.—Dual operations may be involved.

MC 139979 (Sub-7F), filed November 13, 1979. Applicant: AMERICAN COLLOID CARRIER CORPORATION, P.O. Box 951, Scottsbluff, NE 69361. Representative: James P. Beck, 717 17th Street, Suite 2600, Denver, CO 80202. Transporting: (1)(a) *Bentonite clay, processed clay, foundry moulding sand treating compounds, lignite, water impedence boards, salt, farm supplies, and construction materials,* and (b) *materials, supplies, and equipment used in the manufacturing, processing, and distribution* of the commodities in (1) above, (I) between points in AL, AK, CT, DE, FL, GA, IN, KY, MA, ME, MD, MS, NH, NJ, NY, NC, PA, RI, SC, TN, VA, VT, WV, and DC, and (II) between points set forth in (I) above on the one hand, and, on the other, points in AR, AZ, CA, CO, IA, ID, IL, KS, LA, MI, MN, MO, MT, NE, NM, NV, ND, OH, OK, OR, SD, TX, UT, WA, WI and WY; and (2) *construction materials,* (a) between points in IL, KS, OK, TX, MO, AR, and LA, and (b) between points in IL, KS, OK, TX, MO, AR, and LA, on the one hand, and, on the other, points in the United States (except AK, HI, IL, KS, OK, TX, MO, AR and LA) under continuing contract(s) with American Colloid Company of Skokie, IL. (Hearing site: Denver, CO, or Chicago, IL.)

MC 140379 (Sub-11F), filed November 28, 1979. Applicant: TRANSPORT SERVICE, INC., 216 Amaral Street, P.O. Box 4167, East Providence, RI 02914. Representative: Jeffrey A. Vogelman, Suite 400, Overlook Bldg., 6121 Lincolnia Road, Alexandria, VA 22312. Transporting: *Brass articles, bronze articles, and copper articles,* from the facilities of Bridgeport Brass Company at or near Bridgeport and Seymour, CT to points in IL, IN, KY, MI, OH, and PA under continuing contract(s) with Bridgeport Brass Company of Indianapolis, IN. (Hearing site: Providence, RI or Hartford, CT.)

MC 141759 (Sub-16F), filed November 20, 1979. Applicant: OHIO PACIFIC EXPRESS, INC., 683 East Broad Street, Columbus, OH 43215. Representative: Harry F. Horak, Suite 115, 5001 Brentwood Stair Road, Fort Worth, TX 76112. Transporting *such commodities* as are dealt in by manufacturers of glassware, containers, closures, chinaware and earthenware, plastic articles, and metal products (except commodities in bulk), between the facilities of Anchor Hocking Corporation in IL, IN, OH, PA, WV, NJ, and MD, on the one hand, and, on the other, points in AZ, AR, CA, CO, ID, LA, MT, NV, NM, OK, OR, TX, UT, WA and WY, under a continuing contract with Anchor Hocking Corporation of Lancaster, OH. (Hearing site: Columbus, OH or Lancaster, OH.)

Note.—Dual operations may be involved.

MC 141759 (Sub-17F), filed November 21, 1979. Applicant: OHIO PACIFIC EXPRESS, INC., 683 East Broad Street, Columbus, OH 43215. Representative: Harry F. Horak, Suite 115, 5001 Brentwood Stair Road, Fort Worth, TX 76112. Transporting (1) *chemicals,* (except in bulk) and (2) *plastic articles* (except chemical and in bulk), between Ottawa, IL, and Parkersburg and Washington, WV, on the one hand, and, on the other, points in OR, TX, and WA, under continuing contract(s) with Borg-Warner Chemicals, of Parkersburg, WV. (Hearing site: Columbus, OH or Washington, DC.)

Note.—Dual operations may be involved.

MC 142328 (Sub-2F), filed November 5, 1979. Applicant: THOMAS PARRAN, JR., d.b.a. TOWN & COUNTRY COACHES, 15903 Pennant Lane, Bowie, MD 20716. Representative: Edward N. Button, 580 Northern Avenue, Hagerstown, MD 21740. Transporting: *passengers and baggage, in the same vehicle with passengers in round-trip charter operation,* between Washington, DC and Baltimore, MD, under continuing contract(s) with Arundel Arena, Inc., of Baltimore, MD. (Hearing site: Baltimore, MD.)

MC 142508 (Sub-126F), filed November 14, 1979. Applicant: NATIONAL TRANSPORTATION, INC., Post Office Box 37465, 10810 South 144th Street, Omaha, NE 68137. Representative: Lanny N. Fauss, Post Office Box 37096, Omaha, NE 58137. Transporting *charcoal briquettes, hickory chips, and fireplace logs,* from the facilities of Kingsford Company at Dothan, AL, Cotter, AR, Elk Grove and Stockton, CA, Burnside, KY, Belle and Springfield, MO, Fairless Hills, PA, Jacksonville, TN, and Parson, WV, to points in the United States (except AK and HI). (Hearing site: Louisville, KY or San Francisco, CA.)

MC 142508 (Sub-127F), filed November 19, 1979. Applicant: NATIONAL TRANSPORTATION, INC., P.O. Box 37465, Omaha, NE 68137. Representative: Joseph Winter, 29 South LaSalle Street, Chicago, IL 60603. Transporting (1) *frozen foods, and* (2) *commodities the transportation of which is otherwise exempt from economic regulation under 49 U.S.C. 10526(a)(6) when transported in mixed loads with the commodities in (1) above,* from points in CA, in and south of Santa Barbara, Kern and San Bernardino Counties, to points in the United States (except AK and HI). (Hearing site: Los Angeles, CA or Omaha, NE.)

MC 142808 (Sub-3F), filed November 27, 1979. Applicant: SOUTH BAY TRUCK LINE, INC., 1344 W. Valencia Mesa Drive, Fullerton, CA 92633. Representative: Fred H. Mackensen, 9454 Wilshire Blvd., Suite 400, Beverly Hills, CA 90212. Transporting *lumber and lumber mill products,* from the facilities of Sun Studs, Inc., near Roseburg, OR, to points in CA, NY, AZ, ID, UT, and WA, under continuing contract(s) with Sun Studs, Inc., of Roseburg, OR. (Hearing site: Rosebury, OR, or Beverly Hills, CA.)

MC 142888 (Sub-11F), filed November 14, 1979. Applicant: COX TRANSFER, INC., Box 168, Eureka, IL 61530. Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701. Transporting (a) *glass containers* from the facility of Thatcher Glass Manufacturing Company at Streator, IL to Cincinnati, OH and (b) *materials and supplies* used in the packaging and distribution of glass containers (except in bulk) from the facility of Thatcher Glass Manufacturing Company at Streator, IL to the facility of Thatcher Glass Manufacturing Company at Lawrenceburg, IN, and (c) *glass containers* from the facility of Thatcher Glass Manufacturing Company at Lawrenceburg, IN to the facility of Thatcher Glass Manufacturing Company at Streator, IL and (d) *glass containers* from the facility of Thatcher Glass Manufacturing Company at Lawrenceburg, IN to Peoria, IL and St. Louis, MO, and (e) *empty pallets* from, to, or between (a), (b), (c), and (d) above. (Hearing site: Chicago, IL; St. Louis, MO.)

MC 142888 (Sub-12F), filed November 14, 1979. Applicant: COX TRANSFER, INC., P.O. Box 168, Eureka, IL 61530. Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701. Transporting *glass containers,* from Lincoln, IL to points in IN, KY, MI, MO

and OH, restricted to traffic originating at the facilities of Pierce Glass at Lincoln, IL. (Hearing site: Chicago, IL.)

MC 143099 (Sub-1F), filed November 19, 1979. Applicant: JOHN T. DODD, t.d.b.a. DODD TRUCKING & LEASING CO., 1374 Lake Avenue, Pasadena, MD 21122. Representative: James W. Patterson, 1200 Western Savings Bank Building, Philadelphia, PA 19107. Transporting *such commodities* as is dealt in and used by grocery and food business houses, 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, thence in a northerly direction along the Chesapeake Bay to the Atlantic Ocean, thence in a northerly direction along the Atlantic Coast to the Delaware Bay, thence along the west shore of the Delaware Bay and Delaware River to Delaware City, DE, thence in a northwesterly direction through Newark, DE, to the point of intersection of the MD–DE–PA State lines, thence in a westerly direction along the MD–PA State line to the Susquehanna River, thence in a northwesterly direction along the Susquehanna River to Columbia, PA, thence in a easterly direction to Lancaster, PA, thence in a northwesterly direction to Lebanon, PA, thence in a westerly direction to Newport, PA, thence in a southwesterly direction to Markleysburg, PA, thence in a southeasterly direction through Winchester, VA and Fredericksburg, VA, to Cape Charles, VA, including points on the above-described boundary line under continuing contract(s) with Acme Markets, Inc., of Philadelphia, PA. (Hearing site: Philadelphia, PA.)

MC 143978 (Sub-6F), filed November 9, 1979. Applicant: EMERSON DELIVERY, INC., P.O. Box 652, Cedar Rapids, IA 52406. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Transporting *printed material* between Cedar Rapids, IA on the one hand, and, on the other, points in CO, IL, IN, KS, MI, MN, MO, NE, ND, OH, SD and WI, under continuing contract(s) with Fisher Printers, Inc., of Cedar Rapids, IA. (Hearing site: Cedar Rapids, IA or Chicago, IL.)

MC 144008 (Sub-3F), filed November 23, 1979. Applicant: STORE TRANSFER & DELIVERY SERVICES, INC., 226 Mill Street, Poughkeepsie, NY 12601. Representative: Ronald I. Shapss, 450 Seventh Avenue, New York, NY 10001. Transporting *such commodities* as is dealt in by retail department stores, (except commodities in bulk), between New York, NY on the one hand, and, on the other, Flint and Lansing, MI, Evansville and Vincennes, IN, Paducah, KY and Huntington, WV under continuing contract(s) with Interstate Department Stores, of Lakewood, NJ. (Hearing site: New York.)

MC 144258 (Sub-3F), filed November 14, 1979. Applicant: PINEWOOD TRANSPORT, INC., P.O. Box 311, Glenwood, AR 71943. Representative: William G. Wright, P.O. Drawer 947, Arkadelphia, AR 71923. Transporting *wood dust, chips, bark and residuals in bulk* from the plant site of Georgia-Pacific Corporation at Glenwood, AR to the plane sites of Weyerhaeuser Company at Craig and Valiant, OK under continuing contract(s) with Georgia-Pacific Corporation, of Crossett, AR. (Hearing site: Hot Springs, AR.)

MC 144428 (Sub-8F), filed November 28, 1979. Applicant: TRUCKADYNE, INC., Route 16, Mendon, MA 01756. Representative: Joseph A. Reed (same address as applicant). Transporting (1) *paints, coatings, sealant, thinning compunds, mats and matting,* and (2) *materials* used in the manufacture of the commodities described in (1) above, (except in bulk), between the facilities of California Products Corp., of Cambridge, MA., on the one hand, and, on the other, points in CT, ME, NH, RI, VT and Albany, Schnectady and Rensselaer Counties, NY, under continuing contract(s) with California Products Corporation of Cambridge, MA.

MC 144828 (Sub-5F), filed November 21, 1979. Applicant: FEPCO TRUCKING, INC., 3458 Moreland Avenue, Conley, GA 30027. Representative: Archie B. Culbreth, Suite 202, 2200 Century Parkway, Atlanta, GA 30345. Transporting *foodstuffs and pet foods* from the acilities of Nabisco, Inc., at or near (1) Woodbury, GA to point in the U.S. (except AK, AZ, HI, ID, MT, NV, NM, OR and SD); and (2)(a) Buffalo, NY, (b) Denver, CO, (c) Morristown, IN, (d) Naperville, IL and (e) Niagara Falls, NY to the facilities of Nabisco, Inc. in AL, AR, GA, FL, LA, NC, SC, TN, VA and WV, under continuing contract(s) with Nabisco, Inc. of Hanover, NJ.

MC 144888 (Sub-10F), filed June 27, 1979. Applicant: BIL-RIC TRANSPORT SYSTEMS INC., 130 Somerset Street, Sommerville, NJ 08876. Representative: Joel J. Nagel, 19 Back Drive, Edison, NJ 08817. Transporting (1) *office equipment and office supplies,* and (2) *materials* used in the manufacture of the commodities in (1) above, (a) from St. Petersburg, FL, to Park Ridge, NJ, and Bardstown, KY, and (b) between Park Ridge, NJ, and Rochester, NY. (Hearing site: Newark, NJ, or New York, NY.)

MC 144888 (Sub-17F), filed November 19, 1979. Applicant: BIL-RIC TRANSPORT SYSTEMS, INC., 92 East Main Street, Sumerville, NJ 08876. Representative: Joseph F. Hoary, 121 South Main St., Taylor, PA 18517. Transporting *such commodities* as are manufactured, and distributed by retail grocery and drug stores (except commodities in bulk and foodstuffs) from the plantsites of Beacham Products Company at (a) Rockwood, MI, (b) Clifton, NJ, and (c) Morrisville, PA, to Rockwood, MI, Clifton, NJ, Morrisville, PA, Los Angeles, CA, Denver, CO, Savannah, GA, Chicago, IL, Kansas City, MO, Milwaukee, OR, Memphis, TN, and Dallas, TX, under a continuing contract(s) with Beacham Products Company, of Pittsburgh, PA. (Hearing site: New York, NY.)

MC 144989 (Sub-17F), filed November 27, 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. Transporting (1) *paper and paper products, plastic and plastic products,* (2) *materials, equipment and supplies* used in the distribution of the commodities, described in (1) above (except in bulk), between Florence, KY, Greensburg, IN, and St. Louis, MO and points in CA, IL, IA, KS, NM, MO, NE OR, TX and WA, under continuing contract(s) with Crown Zellerbach Corporation, of South Glens Falls, NY. (Hearing site: Dalton or Atlanta, GA.)

MC 145018 (Sub-10F), filed November 19, 1979. Applicant: NORTHEAST DELIVERY, INC., P.O. Box 127, Taylor, PA 18517. Representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, PA 17011. Transporting (1) *scrap felt, roofing felt,* and *materials used in the manufacture and distribution of roofing felt,* between Erie, PA, on the one hand, and, on the other, Gloucester, NJ and (2) *felt base floor covernings,* and *adhesives, cements, materials, equipment and supplies used in the installation thereof,* between Fullerton, Pa., on the one hand, and, on the other, points in OH, IN, MI, and IL. Condition: Applicant rquest cancellation of its corresponding Contract Carrier Authority under MC–135619, Sub No. 2.

MC 145359 (Sub-19F), filed November 13, 1979. Applicant: THERMO TRANSPORT, INC., P.O. Box 41587, Indianapolis, IN 46241. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. Transporting: (1) *Foil Containers,* From Shelbyville, KY to points in the U.S. (except AK and HI). (2) *Materials, equipment and supplies* used in the manufacture and distribution of foil containers, in the reverse

direction. (Hearing site: Indianapolis, IN.)

MC 145688 (Sub-4F), filed November 5, 1979. Applicant: FARMINGDALE TRUCKING CORPORATION, 22 Carnegie Drive, Smithtown, NY 11787. Representative: Lester R. Gutman, 805 McLachlen Bank Building, 666 Eleventh Street, NW, Washington, DC 20001. Transporting *wines and liqueurs,* from Baltimore, MD to points in the United States (except AK and HI), under a continuing contract(s) with Banfi Products, Inc., of Farmingdale, NY.

MC 145688 (Sub-5F), filed November 6, 1979. Applicant: FARMINGDALE TRUCKING CORPORATION, 22 Carnegie Drive, Smithtown, NY 11787. Representative: Lester R. Gutman, 805 McLachlen Bank Building, 666 Eleventh Street, NW, Washinton, DC 20001. Transporting *wines and liqueurs,* (1) from Kansas City, KS, to points in the United States (except AK and HI), and (2) from Pleasanton, CA to Kansas City, KS, and Farmingdale, NY, under continuing contract(s) with Banfi Products, Inc., of Farmingdale, NY. New York, NY)

MC 145729 (Sub-3F), filed November 6, 1979. Applicant: SYMPLEX LEASING, INC., 90 East 5th Street, Bayonne, NJ 07002. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. Transporting *(1) Stereos and turntables* from New York, NY to points in the U.S. (except AK and HI) and (2) *wood* products, from points in the United States, (except AK and HI) to Bayonne, Elizabeth and Jersey City, NJ, under continuing contract(s) with Sound Design Corporation, of Jersey City, NJ. (Hearing site: Newark, NJ.)

MC 145848 (Sub-2F), filed November 7, 1979. Applicant: CROSLAND TRUCKING, INC., 3170 Broadway, Ville Brossard, Quebec, Canada J4Z 2P5. Representative: Richard H. Streeter, 1729 H Street, NW, Washington, DC 20006. Transporting *building materials* (except in bulk) between ports of entry on the International Boundary Line between the United States and Canada in ME, NH, NY, and VT on the one hand, and, on the other, points in CT, DE, IL, IN, KY, ME, MD, MI, NH, NJ, NY, NC, OH, PA, RI, VT, VA, WV, WI and DC, under continuing contract(s) with Domtar Contruction Materials Group of Domtar Inc., of Montreal, Quebec, Canada. (Hearing site: Boston, MA, or Buffalo, NY.)

MC 145928 (Sub-5F), filed November 19, 1979. Applicant: PANTEGO DISTRIBUTING CO., INC., P.O. Box 176, Pantego, NC 27860. Representative: Peter A. Greene, 900 17th Street, N.W., Washington, DC 20006. Transporting *lumber and lumber products, and iron, steel and aluminum articles* between Philadelphia, PA, on the one hand, and, on the other, Newport News, VA. (Hearing site: Washington, DC.)

MC 146378 (Sub-3F), filed November 14, 1979. Applicant: PAUL HARPOLE TRUCK SERVICE, INC., 22 Wilshire Ct., Belleville, IL 62223. Representative: James R. Madler, 120 W. Madison St., Chicago, IL 60602. Transporting *tires,* and *machinery, equipment* and *supplies* used in the manufacture of tires between the facilities of The General Tire & Rubber Company at Mt. Vernon, IL, and Mayfield, KY, on the one hand, and, on the other, points in CA, IL, IN, KY, MI, MD, MO, OH, PA, NE, NJ, and WI. (Hearing site: Chicago, IL.)

MC 146428 (Sub-2F), filed November 13, 1979. Applicant: CARDINAL EXPRESS CORPORATION, 1304 Douglas Avenue, Racine, WI 53402. Representative: Richard C. Alexander, 710 North Plankinton Avenue, Milwaukee, WI 53203. Transporting *materials, equipment, and supplies,* used in the manufacture and distribution of farm tractors, and *attachments and parts* for farm tractors, between Chicago, IL, Davenport, IA, Rockford, IL, and Milwaukee, WI, on the one hand, and, on the other, Racine, WI.

MC 146788 (Sub-2F), filed July 25, 1979. Applicant: NORMAN JOHNSON d.b.a. JOHNSON TRUCKING, 913 South 13th Place, Norfolk, NE 68137. Representative: Lanny N. Fauss, P.O. Box 37096, Omaha, NE 68137. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *metal pipe and metal scrap,* between those points in the United States in and west of MI, OH, KY, TN, and AL, (except AK and HI), under continuing contracts(s) with Norfolk Iron and Metal Co., of Norfolk, NE. (Hearing site: Norfolk or Omaha, NE.)

MC 146789 (Sub-2F), filed July 30, 1979. Applicant: NORRIS ODEY, d.b.a. ODEY TRANSPORTATION, 104 Monroe Avenue, Norfolk, NE 68701. Representative: Lanny N. Fauss, P.O. Box 37096, Omaha, NE 68137. To operate as a *contract carrier,* by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *metal pipe and metal scrap,* between those points in the United States in and west of MI, OH, KY, TN, and AL (except AK and HI) under continuing contract(s) with Norfolk Iron and Metal Co., of Norfolk, NE. (Hearing site: Norfolk or Omaha, NE.)

MC 146898 (Sub-2F), filed November 7, 1979. Applicant: MICKS SERVICE INC., 2146 Camanche Avenue, Clinton, IA 52732. Representative: Carl E. Munson, 469 Fischer Building, Dubuque, Iowa 52001. Transporting *malt beverages,* from Peoria, IL, Detroit, MI, Minneapolis, MN, and Milwaukee, WI, to Clinton, IA, under continuing contract(s) with Hawkeye Beverage Inc., Clinton, IA. (Hearing site: Des Moines, IA or Chicago, IL.)

MC 147379 (Sub-4F), filed November 5, 1979. Applicant: GERALD LEE WEBER, AN INDIVIDUAL, d.b.a. JERRY WEBER TRUCKING, P.O. Box N, Akron, CO 80720. Representative: Nancy P. Bigbee, 1600 Lincoln Center Building, 1660 Lincoln Street, Denver, CO 80264. Transporting: *malt beverages* from Ft. Worth, TX, to Glenwood Springs, and Wolcott, CO, under continuing contract(s) with Orrison Frontier & Distributing, doing business as Orrison Distributing, Inc., of Glenwood Springs, CO. (Hearing site: Denver, CO.)

MC 147478 (Sub-1F), filed November 14, 1979. Applicant: STANLEY R. SOWER, d.b.a. TEESUN TRUCK LINE, P.O. Box 183, Hayti, SD 57241. Representative: J. Maurice Andren, 1734 Sheridan Lake Road, Rapid City, SD 57701. Transporting *fertilizer* from Minneapolis and St. Paul, MN, Omaha, NE, and Sioux City, IA to points in ND and SD.

MC 147989 (Sub-3F), filed November 16, 1979. Applicant: J. I. M., INC., 3811 Arden Drive, El Monte, CA 91731. Representative: John Ruan (same address as applicant). Transporting *iron and steel articles, concerete reinforced posts or poles* and *concrete piling* from points in CA to points in AZ, NV, and NM, under continuing contract(s) with Ameron Steel & Wire, of Etiwanda, CA. (Hearing site: Los Angeles or Riverside, CA.)

MC 148018 (Sub-2F), filed November 23, 1979. Applicant: JAMES S. BATT, d.b.a. BATT TRUCKING, P.O. Box 921, Caldwell, ID 83605. Representative: David E. Wishney, P.O. Box 837, Boise, ID 83701. Transporting *dry fertilizer,* in bulk, from Moab, Garfield and Wendover, UT to points in ID, OR and WA, under a continuing contract(s) with North Pacific Trading Co. of Portland, OR. (Hearing site: Boise, ID; or Portland, OR.)

MC 148029 (Sub-2F), filed November 1, 1979. Applicant: DORMAN TRANSPORT CORP., 105 3rd Street, Monroe, WI 53566. Representative: Steven K. Kuhlmann, 717 17th Street, suite 2600, Denver, CO 80202. Transporting *cheese, cookies, display racks, and packaging materials,* between those points in the United States in and east of MN, IA, AR, MO, and LA, under a continuing contract(s)

with N. Dorman & Co., Inc. of New York, of Syosset, NY, N. Dorman & Co., Inc. of Wisconsin, of Monroe, WI, Neptune Custom Cut Corp. of Neptune, NJ, Jeffery Cheese Company of Monroe, WI, and Hickory Cheese Company of Monroe, WI.

MC 148188 (Sub-6F), filed November 23, 1979. Applicant: RETAIL LEASING CORPORATION, d.b.a. RETAIL TRANSPORTATION COMPANY, a Corporation, 11301 Rockville Pike, Kensington, MD 20795. Representative: Edward F. Schiff, 1333 New Hampshire Ave. NW., Washington, DC 20036. Transporting *such commodities* as are dealt in and used by retail department stores, (except commodities, in bulk, in tank vehicles) from Los Angeles, CA to Cincinnati, Columbus and Worthington, OH, under continuing contract(s) with Gold Circle Stores, of Worthington, OH, Shillitos of Cincinnati, OH, and The Rike-Kumler Company, of Dayton, OH. (Hearing site: Washington, DC.)

MC 148188 (Sub-7F), filed November 23, 1979. Applicant: RETAIL LEASING CORPORATION, d.b.a. RETAIL TRANSPORTATION COMPANY, a corporation, 11301 Rockville Pike, Kensington, MD 20795. Representative: Edward F. Schiff, 1333 New Hampshire Ave. NW., Washington, DC 20036. Transporting *such commodities* as are dealt in and used by retail department stores, (except commodities, in bulk, in tank vehicles) between points in the United States (except AK and HI), under continuing contract(s) with The Limited Stores, Inc. of Columbus, OH. (Hearing site: Washington, DC.)

MC 148448 (Sub-1F), filed November 19, 1979. Applicant: DAVIS & SON MOBILE HOME MOVERS, INC., Route #1, Box 160, Glade Hill, VA 24092. Representative: Wilmer B. Hill, 805 McLachlen Bank Building, 666 Eleventh Street, NW., Washington, DC 20001. Transporting (1) *trailers designed to be drawn by passenger automobiles,* in initial movements, in truckaway service, and (2) *buildings, in sections mounted on wheeled undercarriages,* from Rocky Mount, VA, to points in DE, GA, KY, MD, NJ, NC, PA, SC, TN, VA, WV, and DC. (Hearing site: Rocky Mount or Roanoke, VA.)

MC 148449 (Sub-2F), filed November 16, 1979. Applicant: DARRELL G. CHAVIS, 20 Contact Court, Baltimore, MD 21220. Representative: James W. Patterson, 1200 Western Savings Bank Building, Philadelphia, PA 19107. Transporting *such commodities* as are dealt in and used by grocery and food business houses, 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, thence in a northerly direction along the Chesapeake Bay to the Atlantic Ocean, thence in a northerly direction along the Atlantic Coast to the Delaware Bay, thence along the west shore of the Delaware Bay and Delaware River to Delaware City, DE, thence in a northwesterly direction through Newark, DE, to point of intersection of the MD–DE–PA State lines, thence in a westerly direction along the MD–PA State line to the Susquehanna River, thence in a northwesterly direction along the Susquehanna River to Columbia, PA thence in an easterly direction to Lancaster, PA, thence in a northwesterly direction to Lebanon, PA, thence in a westerly direction to Newport, PA, thence in a southwesterly direction to Markleysburg, PA, thence in a southeasterly direction through Winchester, VA and Fredericksburg, VA, to Cape Charles, VA, including points on the above-described boundary line under continuing contract(s) with Acme Markets, Inc., of Philadelphia, PA. (Hearing site: Philadelphia, PA.)

MC 148528 (Sub-1F), filed November 29, 1979. Applicant: RAUNIKER, INC., 220 Fairway Drive, Carl Junction, MO 64834. Representative: Clyde N. Christey, KS Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612. Transporting *gasoline, gasohol, and diesel fuel,* (1) from the facilities of Farmland Industries, Inc., at or near Coffeyville, KS to points in Barton, Christian, Jasper, Lawrence, McDonald, Newton, and Vernon Counties, MO, and points in OK east of Interstate Hwy 35 and north of U.S. Interstate Hwy 40 (except Oklahoma City), (2) from the facilities of Sun Oil Co. at or near Tulsa, OK, and from the facilities of OKC Refining, Inc. at or near Okmulgee, OK, to points in Barton, Christian, Jasper, Lawrence, McDonald, Newton, and Vernon Counties, MO, and Cherokee, Labette, Montgomery, Crawford, Bourbon and Neosho Counties, KS, and (3) from pipeline terminals at or near Jasper and Mt. Vernon, MO to points in OK east of U.S. Interstate 35 and North of U.S. Interstate 40 (except Oklahoma City) and Cherokee, Labette, Montgomery, Crawford, Bourbon and Neosho Counties, KS.

MC 148638 (Sub-1F), filed November 13, 1979. Applicant: ELMO W. AND GARY D. CARLSON, d.b.a. CARLSON LEASING CO., 1229 Clarke Street, Clay Center, KS 67432. Representative: William B. Barker, 641 Harrison Street, P.O. Box 1979, Topeka, KS 66603. Transporting *feed and feed ingredients,* between points in Clay, Cloud, and Riley Counties, KS, on the one hand, and on the other, points in MO, NE, IA, OK, TX, AR, and CO. (Hearing site: Kansas City, KS.)

MC 148649F, filed November 13, 1979. Applicant: H & W INC., 2411 Lafayette Parkway, Opelika, AL 36801. Representative: William P. Jackson, Jr., 3426 N. Washington Boulevard, Post Office Box 1240, Arlington, VA 22210. Transporting *lumber,* from the facilities of Union Camp Corporation at or near Opelika, Chapman, and Thorsby, AL, to points in GA, FL, and TN, under continuing contract(s) with Union Camp Corporation of Wayne, NJ. (Hearing site: Washington, DC.)

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Decided: Feb. 9, 1980.

By the Commission, Review Board Number 3, Members Parker, Fortier and Hill.

MC 35807 (Sub-104F), filed October 18, 1979. Applicant: WELLS FARGO ARMORED SERVICE CORPORATION, P.O. Box 4313, Atlanta, GA 30302. Representative: Steven J. Thatcher (same address as applicant). *Contract carrier,* transporting *coin, currency, securities and food stamps,* between Cleveland, OH, on the one hand, and, on the other, points in Brooke, Hancock, Marshall, Ohio, Tyler and Wetzel Counties, WV, under continuing contract(s) with banks and banking institutions. (Hearing site: Cleveland, OH, or Wheeling, WV.)

MC 35807 (Sub-105F), filed October 15, 1979. Applicant: WELLS FARGO ARMORED SERVICE CORPORATION, P.O. Box 4313, Atlanta, GA 30302. Representative: Steven J. Thatcher (same address as applicant). Authority sought to operate as a *contract carrier,* by *Contract carrier,* transporting *precious metal* from De Lamar, ID, to San Francisco, CA, under continuing contract(s) with Earth Resources Company, Inc. (Hearing site: Boise, ID, or Salt Lake City, UT.)

MC 41116 (Sub-68F), filed October 19, 1979. Applicant: FOGLEMAN TRUCK LINE, INC., P.O. Box 1504, Crowley, LA 70526. Representative: Austin L. Hatchell, 801 Vaughn Bldg., Austin, TX 78701. *Contract carrier,* transporting *paper and paper products,* from the facilities of St. Regis Paper Co., at or near Ferguson, MS, to Quincy, IL, under continuing contract(s) with St. Regis Paper Co. (Hearing site: Houston or Dallas, TX.)

MC 114896 (Sub-82F), filed October 12, 1979. Applicant: PUROLATOR SECURITY, INC., 255 Old New Brunswick Rd., Piscataway, NJ 08854. Representative: Carl T. Kessler (same

address as applicant). *Contract carrier,* transporting: *jewelry and articles of unusual value,* between Newark, NJ, and points in Gloucester, Camden, Mercer, Middlesex, Monmouth, Morris, Ocean, Bergen, Union, and Passaic Counties, NJ, Lehigh, Montgomery, Bucks, and Delaware Counties, PA, Rockland County, NY, and New Castle County, DE, under continuing contract(s) with Bamberger's, Division of R. H. Macy Corporation, Inc., of Newark, NJ. (Hearing site: Washington, DC.)

MC 115667 (Sub-17F), filed October 22, 1979. Applicant: ARROW TRANSPORTATION SYSTEM, INC., 320 Seymour Blvd., North Vancouver, B.C. Canada V7J 2J3. Representative: Clyde H. MacIver, 1900 Peoples National Bank Bldg., 1415 15th Ave., Seattle, WA 98171. Contract carrier, transporting *general commodities,* in containers (except classes A and B explosives and empty containers), between points in WA and OR, restricted to the transportation of traffic having a prior or subsequent movement by water, under continuing contract(s) with Asia American Lines, of Seattle, WA, and ITEL Container Division, of Seattle, WA. (Hearing site: Seattle, WA.)

MC 125126 (Sub-5F), filed October 30, 1979. Applicant: CO-TRUX RENTALS, INC., R.F.D. #1, Honeyman St., Princeton, NJ 08540. Representative: Eugene M. Malkin, Suite 1832, 2 World Trade Center, New York, NY 10048. *Contract carrier,* transporting *such commodities as are dealt in by wholesale, retail and chain grocery and food business houses* (except frozen foods and commodities in bulk), from the facilities of the Clorox Company at or near Frederick, MD, to points in PA and WV, under continuing contract(s) with The Clorox Company of Oakland, CA. (Hearing site: New York, NY.)

MC 126346 (Sub-29F), filed October 19, 1979. Applicant: HAUPT CONTRACT, CARRIERS, INC., P.O. Box 1023, Wausau, WI 54401. Representative: Elaine M. Conway, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603. *Contract carrier,* transporting *such commodities* as are dealt in or utilized by manufacturers of ignition products, between points in the United States (except AK and HI), under continuing contract(s) with R.E. Phelon Company, Inc. (Hearing site: Chicago, IL, or Boston, MA.)

MC 128246 (Sub-56F), filed October 15, 1979. Applicant: SOUTHWEST TRUCK SERVICE, A corporation, P.O. Box A.D., Watsonville, CA 95076. Representative: William F. King, Suite 400, Overlook Bldg., 6121 Lincolnia Road, Alexandria, VA 22312. *Contract carrier,* transporting *foodstuffs,* (1) between the facilities of Holsum Foods at or near Industrial Airport, KS, Albert Lea, MN, Albany, GA, and Navasota, TX; and (2) from the facilities of Holsum Foods at or near Industrial Airport, KS, and Albert Lea, MN, on the one hand, and, on the other, points in AZ, AR, CO, IL, IN, IA, KS, MI, MN, MO, NE, NM, ND, OH, OK, SD, TX and WI, under continuing contract(s) with Holsum Foods, Industrial Airport, KS. (Hearing site: Kansas City, MO/KS, or Washington, D.C.)

MC 135007 (Sub-78F), filed October 15, 1979. Applicant: AMERICAN TRANSPORT, INC., 7850 "F" St., Omaha, NE 68127. Representative: Arthur J. Cerra, 2100 TenMain Center, P.O. Box 19251, Kansas City, MO 64141. *Contract carrier,* transporting *meat, meat products, meat byproducts and articles distributed by meat packing houses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Spencer Foods, Inc., at or near Oakland, IA and Omaha, NE, to points in AL, CT, DE, DC, FL, GA, IL, IN, KS, ME, MD, MO, NE, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV and WI, under continuing contract(s) with Spencer Foods, Inc., of Schuyler, NE. (Hearing site: Omaha, NE.)

MC 135007 (Sub-79F), filed October 22, 1979. Applicant: AMERICAN TRANSPORT, INC., 7850 "F" St., Omaha, NE 68127. Representative: Arthur J. Cerra, 2100 TenMain Center, P.O. Box 19251, Kansas City, MO 64141. *Contract carrier,* transporting *meats, meat products, meat byproducts and articles distributed by meat packing houses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Royal Packing Company at or near National Stockyards, IL and St. Louis, MO, to points in CT, DE, DC, ME, MD, MA, NH, NJ, NY, PA, RI, VT, VA and WV, under continuing contract(s) with Royal Packing Company, of National Stockyards, IL. (Hearing site: Omaha, NE.)

MC 138157 (Sub-196F), filed October 23, 1979. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC., d.b.a. SOUTHWEST MOTOR FREIGHT, P.O. Box 9596, Chattanooga, TN 37412. Representative: Partick E. Quinn (same address as applicant). Transporting *such merchandise as is sold and distributed by retail drug stores* (except commodities in bulk), between Atlanta, GA, Bedford Park and Chicago, IL, Dallas, TX, Los Angeles, CA, Portland, OR, and Denver, CO, on the one hand, and, on the other, points in GA, IL, MI, MO, NM, NJ, NY, NC, OH, PA and TX. (Hearing site: Los Angeles, CA.)

Note.—Dual operations may be involved.

MC 139206 (Sub-63F), filed October 22, 1979. Applicant: F.M.S. TRANSPORTATION, INC., 2564 Harley Dr., Maryland Heights, MO 63043. Representative: R. C. Mitchell (same address as applicant). *Contract carrier,* transporting (1) *air conditioners, washers, dryers, air cleaners, humidifying and heating equipment,* and (2) *materials, equipment, and supplies* used in the manufacture, distribution and repair of the commodities in (1) above, (except commodities in bulk, and those requiring special equipment), between the facilities of Fedders Corporation, at or near Effingham, IL, on the one hand, and, on the other, points in the United States (except AK and HI), under continuing contract(s) with Fedders Corp., of Edison, NJ. (Hearing site: St. Louis or Jefferson City, MO.)

MC 139206 (Sub-65F), filed October 31, 1979. Applicant: F.M.S. TRANSPORTATION, INC., 2564 Harley Dr., Maryland Heights, MO 63043. Representative: R. C. Mitchell (same address as applicant). *Contract carrier,* transporting (1) *metal hose and conduit, metal rods, bars, sheet and coils,* and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above, (except commodities in bulk, and those requiring special equipment), (a) between the facilities of the Anaconda Brass Div. of Anaconda Industries, at or near Mattoon, IL, on the one hand, and, on the other, Charlotte, NC, Cleveland, OH, Atlanta, GA, and Waterbury, CT, and (b) from Ansonia, CT, to Nacogdoches, TX, under continuing contract(s) with Anaconda Brass Div. of Anaconda Industries. (Hearing site: St. Louis, or Jefferson City, MO.)

MC 141046 (Sub-14F), filed October 22, 1979. Applicant: MASON O. MITCHELL d.b.a. M. MITCHELL TRUCKING, 1911 "I" St., LaPorte, IN 46350. Representative: Norman R. Garvin, 1301 Merchants Plaza, Indianapolis, IN 46204. *Contract carrier,* transporting *paper and paper products,* from the facilities of International Paper Company, at points in Androscoggin County, ME, to points in the United States (except AK and HI), under continuing contract(s) with International Paper Company, of New York, NY. (Hearing site: Indianapolis, IN, or Chicago, IL.)

MC 141436 filed October 25, 1979. Applicant: HARKER'S

TRANSPORTATION, INC., P.O. Box 1308, LeMars, IA 51031. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. To operate as a *contract carrier,* by motor *Contract Carrier,* transporting (1) *frozen foods,* (a) from the facilities of Harker's Wholesale Meat, Inc., at Orange City, IA, to points in the United States (except AK and HI), and (b) from the facilities of Harker's Wholesale Meat, Inc., at LeMars, IA, to points in AL, AZ, CA, CT, DE, FL, GA, LA, ME, MD, MA, MS, NV, NH, NJ, NY, NC, OR, PA, RI, SC, VT, VA, WA, WV, and DC; and (2) *frozen foods, and materials, supplies and equipment utilized in the manufacture and distribution of frozen foods* (except commodities in bulk), from points in the destination States named in (1)(b) above, to the facilities of Harker's Wholesale Meat, Inc., at or near Sioux City, Marshalltown, Orange City and LeMars, IA, under continuing contract(s) with Harker's Wholesale Meat, Inc., of LeMars, IA. (Hearing site: Omaha, NE.)

MC 143586 (Sub-5F), filed October 15, 1979. Applicant: RANGEN TRANSPORTATION, INC., P.O. Box 706, Buhl, ID 83316. Representative: Bruce W. Shand, 430 Judge Bldg., Salt Lake City, UT 84111. *Contract carrier,* transporting *animal and fish feed, animal and fish feed ingredients, fertilizer and fertilizer ingredients, chemicals, seeds and hatchery supplies,* between AZ, CA, CO, ID, MT, NM, NV, OR, UT, WA, and WY, under a continuing contract or contracts with Rangen, Inc. (Hearing site: Boise, ID.)

MC 143987 (Sub-1F), filed October 15, 1979. Applicant: M. KORSON & CO., INC., 91 Washington St., Somerville, MA 02145. Representative: James E. Mahoney, 148 State St., Boston, MA 02109. *Contract carrier,* transporting (1) *sugar, liquid and invert sugar products, corn syrup, vegetable oils,* and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above, between points in ME, NH, VT, MA, RI, CT, NY, NJ, PA, and OH, under continuing contract(s) with A. E. Staley Manufacturing Company, Cargill & Co., Inc., and Revere Sugar Corporation. (Hearing site: Boston, MA, or Providence, RI.)

MC 144496 (Sub-3F), filed October 30, 1979. Applicant: ECKS TRUCKING, INC., 659 Pleasant St., Norwood, MA 02062. Representative: James F. Martin, Jr., 8 W. Morse Rd., Bellingham, MA 02019. *Contract carrier,* transporting (1) *plastic articles, envelopes, and packaging machinery,* from Hyannis, MA, to points in the United States (except AK, HI, and MA); and (2) *materials, equipment, and supplies,* used in the manufacture and distribution of the commodities in (1) above, (except commodities in bulk), in the reverse direction, under continuing contract(s) with Sentinel Foam Products, Inc., and Packaging Industries, Inc., both of Hyannis, MA. (Hearing site: Boston, MA.)

MC 144497 (Sub-4F), filed october 29, 1979. Applicant: JOHN DAVID WEBSTER d.b.a. CENTRAL DISPATCH DISTRIBUTION, 1394 East 9th, Pomona, CA 91766. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609. *Contract carrier,* transporting *plastic sheeting,* from Detroit, MI, to points in AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA, WY, under continuing contract(s) with Staff Industries, Inc., of Detroit, MI. (Hearing site: Los Angeles, CA.)

MC 144747 (Sub-8F), filed October 30, 1979. Applicant: INTERSTATE EQUIPMENT CO., INC., 22821 N. 81st Ave., Peoria, AZ 85345. Representative: Phil B. Hammond, 3003 N. Central, Suite 1705, Phoenix, AZ 85012. *Contract carrier,* transporting *mineral spring water* (except in bulk), from the facilities of Poland Spring Corp. at Poland Spring, ME, to Chicago, IL, Detroit, MI, Jacksonville and Miami, FL, Dallas and Houston, TX, Las Vegas, NV, Los Angeles and San Francisco, CA, Portland, OR, Seattle, WA, Denver, CO, Milwaukee, WI, St. Louis, MO, and Atlanta, GA, under a continuing contract(s) with Poland Spring Corp. (Hearing site: Las Vegas, NV, or Phoenix, AZ.)

MC 145106 (Sub-13F), filed October 9, 1979. Applicant: EDINA CARTAGE CO., (a Missouri corporation) Front St., P.O. Box 42, Mauricetown, NJ 08329. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St. NW., Washington, DC 20001. *Contract carrier,* transporting (1) *glass products, metal products, plastic products, clay and clay products, feldspar, and talc* (except commodities in bulk), (2) *molds and machinery* used in the manufacture of glass products (except commodities in bulk), (3) *bottle coating systems* (except commodities in bulk), (4) *parts and accessories* for the commodities in (2) and (3) above, (except commodities in bulk); and (5) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1), (2), (3), and (4), (except commodities in bulk), between the facilities of Decora, Inc., at or near Montgomery City, MO, on the one hand, and, on the other, points in the United States (except AK and HI), under continuing contract(s) with Decora, Inc., of Montgomery City, MO. (Hearing site: Washington, DC.)

MC 145466 (Sub-5F), filed October 15, 1979. Applicant: BERYL WILLITS, 1145-33 Ave., Greeley, CO 80631. Representative: Richard S. Mandelson, Suite 1600 Lincoln Center, 1660 Lincoln St., Denver, CO 80264. *Contract carrier,* transporting, *water beds and materials, equipment, and supplies for the installation of water beds,* from Los Angeles, Orange, San Bernadino, Riverside, San Diego Counties, CA, and Mohave, Maricopa Counties, AZ, to points in Weld and Denver Counties, CO, and Salt Lake County, UT. (Hearing site: Denver CO.)

MC 146656 (Sub-9F), filed October 29, 1979. Applicant: KEY WAY TRANSPORT, INC., 820 S. Oldham St., Baltimore, MD 21224. Representative: Gerald K. Gimmel, Suite 145, 4 Professional Dr., Gaithersburg, MD 20760. *Contract carrier,* transporting, *plastic bottles, containers and closures, ethylene oxide, and laxative preparations,* between Easton, Elkridge, and Seat Pleasant, MD, on the one hand, and, on the other, points in MA, CT, RI, NJ, MD, DE, and VA, and Nashua, NH, the DC, those points in that part of PA on and east of Interstate Hwy 81 and on and south of Interstate Hwy 84, and those points in NY on and south of Interstate Hwy 84, under continuing contract(s) with Burton, Parsons and Company, Inc. (Hearing site: Washington, DC.)

MC 146836 (Sub-2F), filed October 22, 1979. Applicant: DE BETTA & SONS TRUCKING INC., 115 Shinbone Lane, Commack, NY 11725. Representative: Richard De Betta (same address as applicant). *Contract carrier,* 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 New York, NY, on the one hand, and, on the other, Atlanta, GA, Baltimore, MD, Hardford, CT, Boston, MA, Charlotte and Greensboro, NC, Cleveland and Dayton, OH, Detroit, MI, Dulles, VA, Greenville and Spartburg, SC, Miami, FL, and Philadelphia and Pittsburgh, PA, under continuing contract(s) with Seaboard World Airlines. (Hearing site: New York, NY, or Philadelphia, PA.)

MC 147077 (Sub-6F), filed October 9, 1979. Applicant: Q. T. TUGGLE d.b.a. CALIFORNIA WESTERN, 3325 Linden Ave., Long Beach, CA 90807. Representative: Milton W. Flack, 4311 Wilshire Blvd., Suite 300, Los Angeles, CA 90010. *Contract carrier,* transporting, (1) *steel pipe,* and (2) *fittings, when*

transported in mixed loads with steel pipe, from the facilities of M. E. Gray Co., at Bell Gardens, CA, the facilities of Plexco, at Fontana, CA, and the facilities of Mobile Pipe Coaters, at Durate, CA, to points in AZ, under continuing contract(s) with M. E. Gray Co. of Bell Gardens, CA. (Hearing site: Los Angeles, CA)

MC 147836F, filed October 22, 1979. Applicant: ROBERT B. ATOR d.b.a. BOB ATOR TRUCKING, Box 292, Orion, IL 61273. Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701. *Contract carrier,* transporting *feed ingredients,* from points in IA to Alpha, IL, under continuing contract(s) with Alpha, F.S., Inc., of Alpha, IL. (Hearing site: Chicago, IL, or St. Louis, MO.)

MC 148007 (Sub-1F), filed October 9, 1979. Applicant: RAPID HOLDINGS, LTD., d.b.a. RAPID TRANSFER, Box 518, Oliver, B.C., Canada VOH 1TO. Representative: William H. Grady, 1100 Norton Bldg., Seattle, WA 98104. *Contract carrier,* transporting *lumber, and sawmill supplies* and *machinery,* from ports of entry on the international boundary line between the United States and Canada, to those points in WA on and east of WA Hwy 97, under continuing contract(s) with Weyerhaeuser, Co. (Hearing site: Seattle or Spokane, WA.)

MC 148197 (Sub-2F), filed October 17, 1979. Applicant: GOLD LABEL FEEDS, Division of GOLDBERG FEED & GRAIN CO., a corporation, Box 427, West Fargo, ND 58078. Representative: Kip B. H. Erickson, 502 First National Bank Bldg., Fargo, ND 58126. *Contract carrier,* transporting (1) *liquid animal feed,* in bulk, in tank vehicles, from Bismarck and Fargo, ND, to points in SD, MN and MT; and (2) *liquid animal feed ingredients,* in bulk, in tank vehicles, in the reverse direction. (Hearing site: Fargo, ND, or St. Paul, MN.)

MC 148316 (Sub-2F), filed October 9, 1979. Applicant: MID-WEST POOL CAR SHIPPING ASSOCIATION, INC., 1911 19th St., P.O. Box 5686, Terminal Annex, Denver, CO 80217. Representative: Arthur J. Cerra, 2100 TenMain Center, P.O. Box 19251, Kansas City, MO 64141. *Contract carrier,* transporting *such commodities as are dealt in or sold by retail department and discount stores,* (except commodities in bulk), from the facilities of Mid-West Pool Car Shipping Association, Inc. at or near Denver, CO. to points in CO, under continuing contract(s) with Mid-West Pool Car Shipping Association, Inc., of Denver, CO. (Hearing site: Denver, CO, or Kansas City, CO.)

MC 148527F, filed October 9, 1979. Applicant: H. BRUCE BAGLEY and C. E. BAGLEY, a partnership, d.b.a. BAGLEY & SON, Route 6 Box 485–A, Anderson, IN 46011. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240. *Contract carrier* transporting *batteries and battery parts, and materials* used in the manufacture of batteries, (1) between the facilities of Prime Batteries, Inc., at Anderson, IN, on the one hand, and, on the other, points in KY, OH, TN, WI, IL, GA, MS, AL, SC, TX, and NC, and (2) between the facilities of Western Kentucky Batteries, Inc., at Benton, KY, on the one hand, and, on the other, points in OH, TN, IN, GA, MS, AL, SC, TX, and NC, under continuing contract(s) in (1) above with Prime Batteries, Inc., and in (2) above with Western Kentucky Batteries, Inc. (Hearing site: Indianapolis, IN.)

MC 148556F, filed October 9, 1979. Applicant: KEEBLER COMPANY, a corporation, 1 Hollow Tree Lane, Elmhurst, IL 60126. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. *Contract carrier,* transporting *foodstuffs* (except frozen and in bulk) between points in the United States (except AK and HI), under continuing contract(s) with Kellogg Company. (Hearing site: Washington, DC.)

MC 148557F, filed October 12, 1979. Applicant: GEEM TRANSPORT LIMITED, a corporation, 7701 West Jefferson, Detroit, MI 48209. Representative: S. B. Lederer (same address as applicant). *Contract carrier,* transporting *parts, materials, equipment, and supplies* used in the manufacture, production, distribution and servicing of motor vehicles and transportation construction equipment, between ports of entry on the international boundary line between the United States and Canada, on the one hand, and, on the other, points in the United States (except AK and HI), under continuing contract(s) with General Motors of Canada, Ltd. (Hearing site: Detroit, MI, or Washington, DC.)

MC 148566F, filed October 9, 1979. Applicant: MIDWEST FERTILIZER LTD. EXPRESS, a corporation, R.R. #2, Rock Rapids, IA 51246. Representative: Edward A. O'Donnell, 1004 29th St., Sioux City, IA 51104. *Contract carrier,* transporting *fertilizer, feed ingredients, and farm machinery,* between points in IA, IL, KS, MN, MO, NE, ND, SD, and WI, under continuing contract(s) with Midwest Fertilizer, Ltd., of Rock Rapids, IA. (Hearing site: Omaha, NE.)

MC 148577F, filed October 15, 1979. Applicant: ORVILLE HOWARD, INC., 1509 Manor Dr., Daytona Beach, FL 32019. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609. *Contract carrier,* transporting (1) *steel and steel articles,* from Roebling, NJ, to those points in the United States in and east of WI, IA, KS, OK, and TX, and (2) *materials, equipment, and supplies* used in the production and distribution of steel and steel articles, in the reverse direction, under continuing contract(s) with John A. Roebling Steel Corporation, of Roebling, NJ.

MC 148636F, filed October 30, 1979. Applicant: GOLDEN ARROW, INC., P.O. Box 726, Clifton, NJ 07015. Representative: Morton E. Kiel, Suite 1832, 2 World Trade Center, New York, NY 10048. *Contract carrier,* transporting *furniture and furnishings,* from points in Suffolk County, NY, New York, NY, and Brandon, VT, to points in the United States (except AK and HI), under continuing contract(s) with Workbench, Inc., of New York, NY. (Hearing site: New York, NY.)

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Decided: Feb. 14, 1980.

By the Commission, Review Board Number 3, Members Parker, Fortier and Hill.

MC 138026 (Sub-32F), filed November 19, 1979. Applicant: LOGISTICS EXPRESS, INC., Etiwanda and Slover Avenues, Fontanta, CA 92335. Representative: Patricia M. Schnegg, 707 Wilshire Boulevard, 1800 United California Bank Bldg., Los Angeles, CA 90017. Transporting of *argon,* from Plaquemine, LA to Oak Ridge, TN. (Hearing site: Los Angeles, CA.)

Note.—Any certificate issued shall be limited in point of time to a period of 5 years from its date of issuance.

MC 138157 (Sub-203F), filed November 20, 1979. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC., d.b.a. SOUTHWEST MOTOR FREIGHT, 2931 S. Market Street, Chattanooga, TN 37410. Representative: Patrick E. Quinn, P.O. Box 9596, Chattanooga, TN 37412. Transporting *floor covering materials and materials, equipment and supplies* used in the sale and distribution of floor coverings, (except commodities in bulk), from Chicago, IL, to points in TN. (Hearing site: Atlanta, GA.)

Note.—Dual operations may be involved.

MC 138157 (Sub-204F), filed November 20, 1979. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC., d.b.a. SOUTHWEST MOTOR FREIGHT, 2931 So. Market St., Chattanooga, TN 37410. Representative: Patrick E. Quinn, P.O. Box 9596, Chattanooga, TN 37412. Transporting *carpet and yarn and materials, equipment and supplies* used in the manufacture, sale and distribution of carpeting and yarn (except commodities in bulk), from points in GA, SC, TN, and MS, to points in AZ, CA, ID,

NV, OR, UT, WA, MT, WY, CO, OK, TX, and NM. (Hearing site: Atlanta, GA, or Washington, DC.)

Note.—Dual operations may be involved.

MC 138157 (Sub-205F), filed November 19, 1979. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC., d.b.a. SOUTHWEST MOTOR FREIGHT, 2931 S. Market St., Chattanooga, TN 37410. Representative: Patrick E. Quinn, P.O. Box 9596, Chattanooga, TN 37412. Transporting *floor covering materials and materials, equipment and supplies* used in the installaton of floor covering materials, between Alameda County, CA, on the one hand, and on the other, points in the United States in and east of MT, WY, CO and MN. (Hearing site: San Francisco, CA.)

Note.—Dual operations may be involved.

MC 139587 (Sub-25F), filed November 21, 1979. Applicant: BROWN REFRIGERATED EXPRESS, INC., P.O. Box 603, 21st and Sidney, Fort Scott, KS 66701. Representative: Wilburn L. Williamson, Suite 615-East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. Transporting *furniture parts and materials and supplies* used in the manufacture (except commodities in bulk), between points in the United States (except AK, CT, HI, ME, MA, NH, RI and VT). (Hearing site: Kansas City, MO, or St. Louis, MO.)

Note.—Dual operations may be involved.

MC 139917 (Sub-12F), filed November 19, 1979. Applicant: SEARAIL, INC., P.O. Box 909, Mobile, AL 36601. Representative: George M. Boles, 727 Frank Nelson Bldg., Birmingham, AL 35203. Over regular routes, transporting *general commodities* (except commodities in bulk, classes A and B explosives, household goods as defined by the Commission, and those requiring special equipment), between Pensacola, FL, and New Orleans, LA, (1) from Pensacola over U.S. Hwy 90 and Interstate Hwy 10 to New Orleans, and return over the same route, and (2) from Pensacola over U.S. Hwy 29 to junction U.S. Hwy 31 at or near Flomaton, AL, then over U.S. Hwy 31 to junction U.S. Hwy 90 and Interstate Hwy 10 at or near Spanish Fort, AL, then over U.S. Hwy 90 and Interstate Hwy 10 to New Orleans, and return over the same route, serving in (1) and (2) the intermediate points of Mobile, AL, Gulfport and Pascagoula, MS, and all intermediate points in Escambia County, FL, and all off-route points in Escambia County, FL. (Hearing site: Mobile or Birmingham, AL.)

Note.—Applicant intends to tack the authority sought with its permanent authority.

MC 141407 (Sub-2F), filed November 19, 1979. Applicant: CHARLES N. CASKEY, d.b.a. B & C TRANSFER, 4915 Stone Ave., Sioux City, IA 51106. Representative: A. J. Swanson, P.O. Box 1103, 300 S. Thompson Ave., Sioux Falls, SD 57101. Transporting *meats, meat products, meat byproducts, and articles distributed by meat packing houses,* as described in Sections A an 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) (1) from Hawarden, IA to points in SD, MN, NE, MO, KS, (2) from the facilities of Iowa Beef Processors, Inc. at or near Dakota City, NE to points in SD, MN, NE, KS, MO, and IA, and (3) between Sioux City, IA, on the one hand, and, on the other, points in SD, MN, NE, MO, and KS. (Hearing site: Sioux City, IA, or Sioux Falls, SD.)

MC 142096 (Sub-17F), filed October 1, 1979. Applicant: MILLER BROS. TRUCKING CO., INC., 4100 West Mitchell St., Milwaukee, WI 53215. Representative: James A. Spiegel, Olde Towne Office Park, 6425 Odana Rd., Madison, WI 53719. Transporting *glass containers, and equipment, supplies and accessories* for glass containers, between points in IL, IN, MI, and WI, restricted to the transportation of traffic originating at the facilities of National Can Corporation. (Hearing site: Milwaukee, WI.)

MC 143276 (Sub-22F), filed November 6, 1979. Applicant: WEAVER TRANSPORTATION COMPANY, a corporation, 5452 Oakdale Road, Smyrna, GA 30080. Representative: James L. Brazee, Jr., P.O. Box 32309, Decatur, GA 30032. Transporting *roofing and building materials, and materials, equipment and supplies* used in or incidental to the manufacture, installation and distribution of roofing and building materials, between the facilities of Georgia-Pacific Corporation, Gypsum Division, at or near Hampton, Henry County, GA, on the one hand, and, on the other, points in AL, FL, GA, KY, LA, MS, NC, SC, TN, and VA. (Hearing site: Atlanta, GA.)

MC 143276 (Sub-27F), filed November 21, 1979. Applicant: WEAVER TRANSPORTATION COMPANY, 5452 Oakdale Road, Smyrna, GA 30080. Representative: James L. Brazee, Jr., P.O. Box 32309, Decatur, Georgia 30032. Transporting *building paper, prepared roofing, prepared shingles, roofing asphalt, roofing cement and roofing paper, in straight or mixed shipments, roofing materials and dry felt,* from the facilities of Tamko Asphalt Products, Inc., at Tuscaloosa, AL, to points in KY, TN, NC, SC and GA. (Hearing site: Atlanta, GA.)

MC 144027 (Sub-18F), filed November 15, 1979. Applicant: WARD CARTAGE AND WAREHOUSING, INC., Rt. #4, Glasgow, KY 42141. Representative: Walter Harwood, P.O. Box 15214, Nashville, TN 37215. Transporting (1) *such commodities as are dealt in by wholesale and retail chain grocery food businesses, retail chain department stores and drug stores* (except frozen commodities and commodities in bulk), from the facilities of Colgate Palmolive Colgate Co., at or near Jeffersonville, IN, to points in KY, TN, CA, AL, and FL, and (2) *materials and supplies* used in the manufacture of the commodities in (1) above, in the reverse direction. (Hearing site: Louisville, KY.)

MC 144027 (Sub-19F), filed November 16, 1979. Applicant: WARD CARTAGE AND WAREHOUSING, INC., Rt. #4, Glasgow, KY 42141. Representative: Walter Harwood, P.O. Box 15214, Nashville, TN 37215. Transporting *household appliances, and equipment, materials and supplies* used in the manufacture and distribution of household appliances, (except commodities in bulk), from the facilities of the General Electric Company, at Appliance Park, Louisville, KY, to points in AR and TN. (Hearing site: Louisville, KY.)

MC 144186 (Sub-4F), filed November 15, 1979. Applicant: SUPERIOR TRANSFER, INC., 2669 Merchant Dr., Baltimore, MD 21230. Representative: Ronald N. Cobert, Suite 501, 1730 M St., NW., Washington, DC 20036. Transporting *general commodities,* (except household goods as defined by the Commission, commodities in bulk, Classes A and B explosives and commodities requiring special equipment), between the facilities of Streamline Shippers Association, Inc., at Baltimore, MD, on the one hand, and on the other, Atlanta, GA, and points in FL. (Hearing site: Washington, DC.)

MC 144186 (Sub-5F), filed November 21, 1979. Applicant: SUPERIOR TRANSFER, INC., 2669 Merchant Dr., Baltimore, MD 21230. Representative: Ronald N. Cobert, Esquire, Suite 501, 1730 M St., N.W., Washington, DC 20036. Transporting *cleaning and buffing compounds,* between the facilities of Cello Chemical Company at or near Harve de Grace, MD, on the one hand, and, on the other, Washington, DC, and Baltimore, MD. (Hearing site: Washington, DC.)

MC 144527 (Sub-8F), filed November 6, 1979. Applicant: BULS EYE TRANSPORT, INC., Suite 2424, 33 No. Dearborn St., Chicago, IL 60602.

Representative: Patrick H. Smyth, Suite 521, 19 So. LaSalle St., Chicago, IL 60603. Transporting *meats, meat products and meat byproducts, articles distributed by meat packing houses, and such commodities as are used by meat packers in the conduct of their business when destined to and for use by meat packers,* as described in Sections A, 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), from Archbold, Defiance, and Troy, OH, to points in CT, DE, FL, GA, KY, ME, MD, MA, NH, NJ, NY, NC, PA, RI, SC, TN, VT, VA, WV, and DC, restricted to the transportation of traffic originating at the facilities of Dinner Bell, Inc., and destined to the states indicated. (Hearing site: Toledo, OH, or Chicago, IL.)

MC 144606 (Sub-11F), filed November 29, 1979. Applicant: DUNCAN SALES & LEASING CO., INC., 714 East Baseline Rd., Buckeye, AZ 85326. Representative: Donald W. Powell, 1833 No. Third St., Phoenix, AZ 85004. Transporting *iron and steel articles,* (1) from Phoenix, AZ, to points in CA, CO, NM, NV, UT, and TX, and (2) from El Paso, TX, to points in AZ, CA, CO, NM, NV, and UT. (Hearing site: Phoenix, AZ, or Los Angeles, CA.)

MC 144827 (Sub-44F), filed November 16, 1979. Applicant: DELTA MOTOR FREIGHT, INC., 2877 Farrisview, P.O. Box 18423, Memphis, TN 38118. Representative: J. Max Harding, P.O. Box 82028, Lincoln, NE 68501. Transporting (1) *cellulose film, plastic film and paper film,* (a) from Grand Prarie, TX, to points in AR, MS, OK and Memphis, TN; and (b) between Grand Prairie, TX on the one hand, and, on the other, Atlanta, GA and (2) *materials, supplies and equipment* used in the manufacture of the foregoing commodities, from points in the US (except AK and HI) to Atlanta, GA. (Hearing site: Atlanta, GA.)

MC 145337 (Sub-9F), filed November 16, 1979. Applicant: P.M.E., LTD., Box 181, Group 261, R. R. 2, Winnipeg, Manitoba R3C 2E6. Representative: Gene P. Johnson, P.O. Box 2471, Fargo, ND 58108. Transporting *activated clay,* in bags, from ports of entry on the international boundary line between the United States and Canada, at points in MN and ND, to points in CA, MT, and PA. (Hearing site: Minneapolis or St. Paul, MN.)

MC 145786 (Sub-2F), filed November 13, 1979. Applicant: J. M. NATION TRUCKING, INC., P.O. Box 2452, Pampa, TX 79065. Representative: Robert K. Frisch, 4555 First National Bank Bldg., Dallas, TX 75202. Transporting *machinery, equipment, materials and supplies used in, or in connection with, the discovery, development, production and distribution of natural gas and petroleum and their products and byproducts,* restricted to the transportation of shipments weighing 5,000 lbs. or less, in hot shot service, between points in Dallas, Ector, Gray, Harris, Hutchinson, Midland, Potter, Randall, Roberts, Hemphill, Wheeler, Donley, Ochiltree, Lipscomb, Moore, and Tarrant Counties, TX, on the one hand, and, on the other, points in Beckham, Beaver, Blaine, Caddo, Canadian, Cleveland, Custer, Cimarron, Dewey, Ellis, Garfield, Greer, Harper, Kiowa, Kingfisher, Lincoln, Oklahoma, Roger Mills, Seminole, Stephens, Texas, Tulsa, Washita and Woodward Counties, OK; Chaves, Curry, Eddy, Harding, Lea, Quay, Roosevelt, San Miguel and San Juan Counties, NM; Stevens, Meade, Clark, Haskell, Grant, Stanton, Sedgwick, Butler, Morton, Barton, Finney, Rooks, Ellsworth and Seward Counties, KS; Lafayette, Calcasieu, Jefferson Davis, St. Charles, St. Bernard, St. Martin, St. James, St. Mary, Acadia, Caddo, Bossier and Terrebonne Parishes, LA; Natrona, Converse, Sweetwater, Laramie, Campbell and Carbon Counties, WY; Grand, Daggett, Duchesene and Uintah Counties, UT; Arapahoe, Crowley, Garfield, Jefferson, Moffat, Pueblo, Prowers and Rio Blanco Counties, CO; and Williams and McKenzie, Counties, ND. (Hearing site: Dallas, TX.)

MC 145957 (Sub-2F), filed November 8, 1979. Applicant: PETTIS TRUCKING COMPANY, INC., Rt. 4, Box 249-B, Brewton, AL 36426. Representative: Thomas M. Pettis (same address as applicant). Transporting (a) *slag and lime,* from points in Jefferson and Shelby Counties, AL, to points in Bay, Escambia, Okaloosa, Santa Rosa and Walton Counties, FL, (b) *sand and gravel,* from points in Montgomery County, AL, to points in Bay, Escambia, Okaloosa, Santa Rosa and Walton Counties, FL, (c) *road-building materials,* from points in Conecuh, Escambia and Monroe Counties, AL, to points in Bay, Escambia, Okaloosa, Santa Rosa and Walton Counties, FL, and to Mobile, AL, restricted to the transportation of traffic having a subsequent movement by water, and (d) *seashells,* from points in Bay, Escambia, Okaloosa, Walton and Santa Rosa Counties, FL, to points in AL. (Hearing site: Brewton or Montgomery, AL.)

MC 145997 (Sub-17F), filed November 16, 1979. Applicant: JEM EQUIPMENT, INC., P.O. Box 396, Alma, AR 72921. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701. Transporting *iron and steel gabions,* from the facilities of Terra Aqua Division of Bekaert Steel Wire Corporation, at or near Reno, NV, to points in the United States (except AK and HI). (Hearing site: Reno, NV, or Ft. Smith, AR.)

MC 146646 (Sub-56F), filed November 9, 1979. Applicant: BRISTOW TRUCKING CO., a Corporation, P.O. Box 6355 A, Birmingham, AL 35217. Representative: Henry Bristow, Jr. (same address as applicant). Transporting *construction materials and oil and chemical absorbent materials,* between the facilities of I.D.T. Corporation, at or near Summerville, SC, and points in the United States in and east of WI, IL, MO, AR, and LA. (Hearing site: Charleston, SC, or Birmingham, AL.) Condition: Person or persons who appears to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Charleston, SC, or Birmingham, AL.)

MC 146646 (Sub-57F), filed November 9, 1979. Applicant: BRISTOW TRUCKING CO., a Corporation, P.O. Box 6355A, Birmingham, AL 35217. Representative: Henry Bristow, Jr. (same address as applicant). Transporting (1) *furniture parts, components, and accessories,* and (2) *materials, equipment and supplies* used in the manufacture, sale and distribution of the commodities in (1) above, between points in the United States (except AK and HI). Condition: Person or persons who appears to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Joplin, MO, or Birmingham, AL.)

MC 146646 (Sub-58F), filed November 13, 1979. Applicant: BRISTOW TRUCKING CO., a Corporation, P.O. Box 6355A, Birmingham, AL 35217. Representative: Henry Bristow, Jr. (same address as applicant). Transporting *liquid bleach, and dish detergents, and materials, equipment and supplies* used in the manufacture, sale and distribution of the foregoing commodities, (except comodities in bulk), between the facilities of National Marketing Associates, Inc., at or near New Orleans, LA, and points in MS, AL, GA, TN, and FL. Condition: Person or persons who appears to be engaged in

common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: New Orleans, LA, or Birmingham, AL.)

MC 146646 (Sub-62F), filed November 16, 1979. Applicant: BRISTOW TRUCKING CO., a Corporation, P.O. Box 6355A, Birmingham, AL 35217. Representative: Henry Bristow, Jr. (same address as applicant). Transporting *lead, and materials, equipment and supplies* used in the processing of lead, (except commodities in bulk), between the facilities of Master Metals, Inc., at Cleveland, OH, on the one hand, and, on the other, points in the United States (except AK and HI), restricted to the transportation of traffic originating at and destined to the points indicated. Condition: Person or persons who appears to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Cleveland, OH, or Birmingham, AL.)

MC 146787 (Sub-4F), filed November 13, 1979. Applicant: DEAN ALBAUGH AND MICKEY ALBAUGH d.b.a. ALBAUGH FARMS R. R. 2, Ankeny, IA 50021. Representative: Thomas E. Leahy, Jr., 1980 Financial Center, Des Moines, IA 50309. Transporting *iron and steel articles and construction materials,* (except commodities in bulk), between the facilities of Contractors Steel Corporation, at Des Moines, IA, on the one hand, and, on the other, points in IN, KS, KY, MN, AR, IL, MO, ND, NE, OK, SD, TN, TX, and WI. (Hearing site: Omaha, NE, Kansas City, MO.)

MC 146807 (Sub-6F), filed November 19, 1979. Applicant: S n W ENTERPRISES, INC., 1 Passan Drive, Wilkes-Barre, PA 18702. Representative: Joseph F. Hoary, 121 So. Main St., Taylor, PA 18517. Transporting *wire products and dishwasher racks,* from Wilkes-Barre, PA, to Dallas, TX, Cucamonga, CA, and St. Louis, MO. (Hearing site: Wilkes Barre, PA.)

MC 146886 (Sub-3F), filed November 9, 1979. Applicant: CONLAN TRUCK LINES, INC., 6160 South 116th Street, Hales Corners, WI 53130. Representative: Richard A. Westley, Attorney, 4506 Regent Street, Suite 100, Madison, WI 53705. Transporting *health care products, beauty products, personal care products,* and *home cleaning products* (1) from the facilities of Shaklee Corporation at Chicago, IL, to points in MN, ND, SD, WI and the Upper Peninsula of MI; and (2) from Minneapolis, MN to points in MN, ND and SD, restricted to the transportation of traffic having a prior movement in interstate commerce from Chicago, IL. (Hearing site: Milwaukee, WI, or Chicago, IL.)

MC 14897 (Sub-2F), filed November 8, 1979. Applicant: LOOMIS COURIER SERVICE LTD., 3057 Grandview Hwy., Vancouver, B.C., Canada V5M 2E4. Representative: Jack R. Davis, 1100 IBM Bldg., Seattle, WA 98101. Transporting (a) *commercial documents, business records, accounting and audit media, automated data processing media and advertising materials,* and (b) *commercial paper, documents and written instruments* (except currency and negotiable securities) as are used in the business of banks and banking institutions, between points in King and Snohomish Counties, WA, on the one hand, and, on the other, ports of entry on the international boundary line between the United States and Canada, in WA. (Hearing site: Seattle, WA.)

MC 146927 (Sub-2F), filed November 20, 1979. Applicant: DIXIE TRANSPORT, INC., P.O. Box 1126, Hattiesburg, MS 39401. Representative: Donald B. Morrison, P.O. Box 22628, Jackson, MS 39205. Transporting *paper and paper products,* from the facilities of Scott Paper Company, at or near Mobile, AL, to points in LA and MS. (Hearing site: Mobile, AL, or Jackson, MS.)

MC 147096 (Sub-5F), filed November 20, 1979. Applicant: MADISON BROTHERS DELIVERY SERVICE, INC., 101 Indiana Ave., Toledo, OH 43602. Representative: Brian S. Stern, 2425 Wilson Blvd., Suite 367, Arlington, VA 22201. Transporting *foodstuffs* (except in bulk), and *animal foods,* in containers, from the facilities of Campbell Soup Company, at or near Napoleon, OH, to points in IN, KY, and MI, restricted to the transportation of traffic originating at the named origins and destined to the named destinations. (Hearing site: Toledo or Cleveland, OH.)

MC 147136 (Sub-5F), filed November 26, 1979. Applicant: TOMORROW TRANSPORT, INC., 1257 Central Ave., Hamilton, OH 45011. Representative: Jerry B. Sellman, 50 West Broad St., Columbus, OH 43215. Transporting *overhead garage doors and accessories,* from Russia, OH, to points in CA. (Hearing site: Washington, DC, or Columbus, OH.)

MC 147277 (Sub-2F), filed November 14, 1979. Applicant: RESERVE AGRI-BUSINESS, INC., Reserve, MT 59258. Representative: John J. Hemmingson, P.O. Box 95, Reserve, MT 59258. Transporting *anhydrous ammonia,* from (1) the facilities of Cominco American, Inc., at or near Velva, ND, to Reserve, MT, (2) Reserve, MT, to Williston, Minot and Sawyer, ND, (3) Velva, ND, to Conrad, Great Falls and Billings, MT, and (4) Velva, ND, and Reserve, MT, to ports of entry on the international boundary line between the United States and Canada, in MT and ND. (Hearing site: Billings or Great Falls, MT.)

MC 147816 (Sub-2F), filed November 23, 1979. Applicant: VALLEY TRAVEL CLUB, INC., 16927 Vanowen Street, Van Nuys, CA 91406. Representative: Milton W. Flack, 4311 Wilshire Blvd., Suite 300, Los Angeles, CA 90010. Transporting *passengers and their baggage,* in round-trip special or charter operations between points in Los Angeles County, CA, and Las Vegas, NV. (Hearing site: Los Angeles, CA.)

MC 148127 (Sub-4F), filed November 9, 1979. Applicant: LINEHAUL EXPRESS CORPORATION, P.O. Box 5078, Manchester, NH 03108. Representative: Neal R. Michaud (same address as applicant). Transporting *canned and preserved foodstuffs,* from the facilities of Heinz, U.S.A., at or near Holland, MI, to points in CT, ME, MA, NH, NJ, RI, VT, and NY on the east of NY Hwy 30, restricted to the transportation of traffic originating at the named origins and destined to the named States. (Hearing site: Concord, NH, or Boston, MA.)

MC 148207 (Sub-2F), filed November 13, 1979. Applicant: CASTLE COUNTRY TRANSPORTING, INC., P.O. Box 622, Price, UT 84532. Representative: D. Michael Jorgensen, P.O. Box 2465, Salt Lake City, UT 84110. Transporting *mobile and modular homes,* between points in Carbon, Emery, Grand, San Juan, Garfield, Wayne and Kane Counties, UT, on the one hand, and, on the other, points in CO, ID, NM, AZ, WY, NV, OR on and east of U.S. Hwy 97, and NE on and west of U.S. Hwy 281. (Hearing site: Salt Lake City, UT.)

MC 148317 (Sub-2F), filed November 20, 1979. Applicant: MICHAEL K., SR. & SHIRLEY A. HURLEY, d.b.a. HURLEY TRUCKING, 403 Juliene Way, Moscow, ID 83843. Representative: Winfred B. Moorer, 403 So. Jackson, Box 8489, Moscow, ID 83843. Transporting *roofing and fencing materials,* from points in ID, MT, OR, and WA, to points in UT and CO. (Hearing site: Spokane or Seattle, WA.)

MC 148336 (Sub-2F), filed November 19, 1979. Applicant: RUSSELLS' TRUCKING, INC., 351 Washburn Drive, Rock Springs, WY 82901. Representative: Neil O. Russell, 315 Taylor St., Apt. 2, Rock Springs, WY 82901. Transporting (1) *machinery,*

material, 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, material, equipment* and *supplies* used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and pickup thereof, restricted against the transportation of complete oil drilling rigs, between points in WY, CO, UT, ID, MT. (Hearing site: Cheyenne, WY, or Denver, CO.)

MC 148337 (Sub-3F), filed November 20, 1979. Applicant: WESTERKAMP TRUCKING, INC., Rt. 2, Pella, IA 50219. Representative: Robert R. Rydell, 1020 Savings and Loan Bldg., Des Moines, IA 50309. Transporting *meats, meat products, meat byproducts, articles distributed by meat packinghouses, and such commodities as are used by meat packers in the conduct of their business,* as described in Sections A, 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), from the facilities of Tama Meat Packing Corp., at Tama, IA, to points in CA and TN, and Chicago, IL. (Hearing site: Des Moines, IA, or Minneapolis, MN.)

MC 148616 (Sub-2F), filed November 23, 1979. Applicant: TRANSPORT WEST, INC., 2044 Law Lane, P.O. Box 2015, Eugene, OR 97402. Representative: Nick I. Goyak, 555 Benjamin Franklin Plaza, One Southwest Columbia, Portland, OR 97258. Transporting *limestone, calcium carbonate, and talcs,* from Lucerne Valley and Victorville, CA, to points in OR on and west of U.S. Hwy 97. (Hearing site: Portland, OR, or Seattle, WA.)

MC 148966F, filed November 27, 1979. Applicant: DROTZMANN, INC., 920 East Mead, Yakima, WA 98903. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. Transporting *meats, meat products, and meat byproducts, and articles distributed by meat packing houses,* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766, (except hides and commodities in bulk), from the facilities of Hygrade Food Products Corporation, at Storm Lake and Cherokee, IA, to points in CA, OR, and WA, restricted to the transportation of traffic originating at the named origins and destined to the named destination States. (Hearing site: Omaha, NE, or Minneapolis, MN.)

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Decided: Feb. 7, 1980.

By the Commission, Review Board Number 2, Members Eaton, Liberman, and Jensen. Member Jensen not participating.

MC 76 (Sub-19F), filed September 27, 1979. Applicant: MAWSON & MAWSON, INC., P.O. Box 248, Langhorne, PA 19047. Representative: Paul F. Sullivan, 711 Washington Bldg., Washington, DC 20005. Transporting (1) *iron and steel articles,* from the facilities of Dresser Industries, Inc., at or near Depew, NY, and the facilities of Pratt & Letchworth, at or near Buffalo, NY, to points in PA, OH, MD, NJ, DE, VA, IN, IL, WV, CT, MA, and RI, and those points in MI in and south of Oceana, Newaygo, Mecosta, Isabella, Midland, and Bay Counties, and (2) *materials, equipment, and supplies* (except commodities in bulk) used in the manufacture of the commodities named in (1) above, in the reverse direction. (Hearing site: Washington, DC.)

MC 76 (Sub-23F), filed October 12, 1979. Applicant: MAWSON & MAWSON, INC., P.O. Box 248, Langhorne, PA 19047. Representative: Richard C. McGinnis, 711 Washington Building, Washington, DC 20005. Transporting *tractors* (except truck tractors), (1) from the facilities used by Massey Ferguson, Inc., at points within the Baltimore, MD, and Philadelphia, PA, Commercial Zones, to points in NY, NJ, MD, PA, OH, and WV, and those in MI in and south of Oceana, Newaygo, Mecosta, Isabella, Midland, and Bay Counties, restricted to the transportation of traffic having a prior movement by water; and (2) from the facilities of Massey Ferguson, Inc., at or near Dearborn and Detroit, MI, to points in NY, NJ, MD, DE, VA, PA, OH, WV, CT, MA, and RI. (Hearing site: Chicago, IL.)

MC 76 (Sub-24F), filed October 9, 1979. Applicant: MAWSON & MAWSON, INC., P.O. Box 248, Langhorne, PA 19047. Representative: Paul F. Sullivan, 711 Washington Bldg., Washington, DC 20005. Transporting (1) *iron and steel articles,* from the facilities of R. C. Stanhope, Inc., at or near Pittsburgh, PA, to points in CT, MA, RI, NY, NJ, MD, DE, VA, WV, OH, ON, and IL, and those points in MI in and south of Oceana, Newaygo, Mecosta, Isabella, Midland, and Bay Counties, and (2) *materials, equipment, and supplies* (except commodities in bulk), in the reverse direction. (Hearing site: Washington, DC.)

MC 76 (Sub-26F), filed October 9, 1979. Applicant: MAWSON & MAWSON, INC., P.O. Box 248, Langhorne, PA 19047. Representative: Paul F. Sullivan, 711 Washington Bldg., Washington, DC 20005. Transporting (1) *iron and steel articles,* from the facilities of American Tank & Fabricating Co., at Cleveland, OH, to points in CT, MA, RI, NY, NJ, PA, DE, MD, and VA, and (2) *materials, equipment, and supplies* (except commodities in bulk), in the reverse direction. (Hearing site: Pittsburgh, PA.)

MC 4687 (Sub-26F), filed October 9, 1979. Applicant: BURGESS & COOK, INC., P.O. Box 458, Fernandina Beach, FL 32034. Representative: Sol H. Proctor, 1101 Blackstone Bldg., Jacksonville, FL 32202. Transporting *insulation,* from points in Nash County, NC, to points in AL, FL, GA, SC, MS, KY, LA and TN. (Hearing site: Jacksonville, FL.)

MC 5227 (Sub-59F), filed October 15, 1979. Applicant: ECKLEY TRUCKING, INC., P.O. box 201, Mead, NE 68041. Representative: A. J. Swanson, P.O. Box 1103, 300 S. Thompson Avenue, Sioux Falls, SD 57101. Transporting (1) *athletic* goods, parts and accessories for athletic goods, *adhesives, rubber articles,* and *hardware,* and (2) *materials, equipment* and *supplies* used in the manufacture and distribution of the commodities in (1) above, from (a) between Santa Ana, CA, on the one hand, and, on the other, those points in the United States in and east of MN, IA, NE, KS, OK, and TX, and, (b) from those ports of entry on the international boundary lines between the United States and the Republic of Mexico located in TX, to Chicago and Elk Grove Village, IL, and Maywood, NJ. (Hearing site: Omaha, NE, or Santa Ana, CA.)

MC 11207 (Sub-505F), filed October 10, 1979. Applicant: DEATON, INC., 317 Avenue W, Post Office Box 938, Birmingham, AL 35201. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, DC 20014. Transporting *pre-fabricated buildings,* knocked down, *and iron and steel articles,* between Pine Bluff, AR, on the one hand, and, on the other, points in AL, FL, GA, IL, IN, KY, LA, MI, MD, NS, NC, OH, PA, SC, TN, TX, VA, WI, and WV. (Hearing site: Little Rock, AR or Washington, DC.)

MC 26377 (Sub-28F), filed September 27, 1979. Applicant: LEONARDO TRUCK LINES, INC., 511 S. First St., Selah, WA 98942. Representative: Lawrence V. Smart, Jr., 419 N. W. 23rd Ave., Portland, OR 97210. Transporting *insulating materials,* from the facilities of Johns-Manille Sales Corp. at or near Willows, CA, to points in OR, WA and ID. (Hearing site: Portland, OR.)

MC 26396 (Sub-293F), filed October 3, 1979. Applicant: THE WAGGONERS TRUCKING, a corporation, P.O. Box 31357, Billings, MT 59107.

Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. To operate, as a *common carrier*, by motor vehicle, in foreign commerce only, over irregular routes, transporting *panels, wallboards, and roofing boards*, from Salt Lake City, UT, to ports of entry on the international boundary line between the United States and Canada in MN, ND, MT, ID, and WA. (Hearing site: Salt Lake City, UT, or Billings, MT.)

MC 26396 (Sub-298F), filed October 9, 1979. Applicant: THE WAGGONERS TRUCKING, a corporation, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Transporting *agricultural equipment and agricultural supplies*, from Cheyenne, WY, to points in MT, ID, OR, WA and UT. (Hearing site: Billings, MT.)

MC 26396 (Sub-304F), filed October 9, 1979. Applicant: THE WAGGONERS TRUCKING, a corporation, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Transporting *wrought iron pipe*, from Chicago, IL, to points in ND and SD. (Hearing site: Chicago, IL or Billings, MT.)

MC 26396 (Sub-305F), filed October 10, 1979. Applicant: THE WAGGONERS TRUCKING, a corporation, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. To operate as a *common carrier*, by motor vehicle, in foreign commerce only, over irregular routes, transporting *limestone* products (except commodities in bulk), from those ports of entry on the international boundary line between the United States and Canada, in ID, MT, ND, and WA, to points in ID, MT, ND, OR, and WA. (Hearing site: Billings, MT.)

MC 27817 (Sub-162F), filed October 9, 1979. Applicant: H. C. GABLER, INC., R.D. #3, P.O. Box 220, Chambersburg, PA 17201. Representative: Christian V. Graf, 407 North Front St., Harrisburg, PA 17101. Transporting *paper bags*, from Charleston, SC, to Baltimore, MD, Boston, MA, New York, NY, and Philadelphia, PA. (Hearing site: Washington, DC, or Harrisburg, PA.)

MC 42487 (Sub-951F), filed October 15, 1979. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Dr., Menlo Park, CA 94025. Representative: V. R. Oldenburg, P.O. Box 3062, Portland, OR 97208. Over regular routes, transporting *general commodities*, (except those of unusual value, classes A and B explosives, houshold goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Baton Rouge, LA and Iowa, LA, serving the intermediate points of Lafayette, Rayne and Crowley, LA: from Baton Rouge over Interstate Hwy 10 to Lafayette, LA, then over U.S. Hwy 90 to Iowa, and return over the same route, (2) between Lafayette, LA and New Iberia, LA, (a) over U.S. Hwy 90, serving all intermediate points, and (b) over LA Hwy 182, serving all intermediate points, (3) between New Iberia, LA and Kaplan, LA, over LA Hwy 14, serving the intermediate point of Abbeville, LA and serving junction LA Hwy 14 and LA Hwy 89 for purpose of joinder only, (4) between Crowley, LA and Kaplan, LA, serving no intermediate points: from Crowley over LA Hwy 13 to junction LA Hwy 14, then over LA Hwy 14 to Kaplan, and return over the same route, (5) between Lafayette, LA and Abbeville, LA, over U.S. Hwy 167, serving all intermediate points, (6) between Maurice, LA and junction U.S. Hwy 90 and LA Hwy 92, over LA Hwy 92, serving the intermediate points of Milton and Youngsville, LA, (7) between junction LA Hwy 182 and LA Hwy 89 and junction LA Hwy 14 and LA Hwy 89, over LA Hwy 89, serving the intermediate point of Younsville, LA, and (8) serving St. Martinville, LA and Breaux Bridge, LA as off-route points in connection with applicant's otherwise authorized regular-route operations. (Hearing site: New Orleans, LA.)

Note.—Applicant intends to tack the authority described above, with one another as well as with its other authority.

MC 51146 (Sub-765F), filed October 9, 1979. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, Green Bay, WI 54306. Representative: Neil A. DuJardin (same address as applicant). Transporting *such commodities* as are dealt in or used by manufacturers and distributors of shoes and footwear, from Taneytown, MD, Boston, MA, and Seattle, WA, to Milwaukee, WI. (Hearing site: Chicago, IL.)

MC 55896 (Sub-124F), filed October 12, 1979. Applicant: R–W SERVICE SYSTEM, INC., 20225 Goodard Rd., Taylor, MI 48180. Representative: John C. Scherbarth, 22375 Haggerty Rd., P.O. Box 400, Northville, MI 48167. 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), from Chicago, IL, to points in OH, on, south and west of a line beginning at the OH–IN State line, and extending along U.S. Hwy 30 to junction U.S. Hwy 23, and then along U.S. Hwy 23 to the OH–KY State line, restricted to transportation of traffic having a prior or subsequent movement by rail. (Hearing site: Detroit, MI.)

MC 57697 (Sub-21F), filed October 9, 1979. Applicant: LESTER SMITH TRUCKING, INC., 2645 East 51st Ave., Denver, CO 80216. Representative: David J. Lister, 3841 North Columbia Blvd., P.O. Box 17039, Portland, OR 97217. Transporting (1)(a) *commodities* which because of size or weight require the use of special equipment, and (b) *general commodities* (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment), in mixed shipments with the commodities named in (1)(a) above, (2) *self-propelled articles* (except automobiles, trucks and buses, other than construction equipment), in truckaway service, (3) *machinery, parts, and supplies* for self-propelled articles, (4) *metal articles*, (5) *non-ferrous pipe*, and (6) *construction materials*, between points in WY and CO, on the one hand, and, on the other, points in OK, AR, TX, and LA. (Hearing site: Denver, CO.)

MC 59206 (Sub-28F), filed October 9, 1979. Applicant: HOLLAND MOTOR EXPRESS, INC., 750 East 40th St., Holland, MI 49423. Representative: Kenneth De Vries (same address as applicant). Over regular routes, transporting *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Fort Wayne, IN and Toledo, OH, over U.S. Hwy 24, serving no intermediate points (2) between Fort Wayne, IN and Lima, OH, serving no intermediate points: from Fort Wayne over U.S. Hwy 30 to junction OH Hwy 309, then over OH Hwy 309 to Lima, and return over the same route, (3) between South Bend, IN and Toledo, OH, serving no intermediate points, (a) from South Bend over Interstate Hwys 80 and 90, and (b) over U.S. Hwy 20, to Toledo, and return over the same route, (4) between Niles, MI and Tekonsha, MI, over MI Hwy 60, serving no intermediate points, (5) between Jackson, MI and Cincinnati, OH, over U.S. Hwy 127, serving no intermediate points, (6) between Toledo, OH and Jackson, MI, serving no intermediate points: from Toledo over Interstate Hwy 23, to junction U.S. Hwy 223, then over U.S. Hwy 223 to junction U.S. Hwy 127 then over U.S. Hwy 127 to Jackson, and return over the same route, (7) between Fort Wayne, IN and Findlay, OH, serving no intermediate

points: from Fort Wayne over IN Hwy 14 to junction OH Hwy 613, then over OH Hwy 613 to junction OH Hwy 15, then over OH Hwy 15, to junction U.S. Hwy 224, then over U.S. Hwy 224 to Findlay, and return over the same route, (8) between Grand Rapids, MI and Saginaw, MI, serving no intermediate points: (a) from Grand Rapids over U.S. Hwy 131 to junction MI Hwy 46, then over MI Hwy 46 to Saginaw, and return over the same route, and (b) from Grand Rapids over U.S. Hwy 131 to junction MI Hwy 57, then over MI Hwy 57 to junction Interstate Hwy 75, than over Interstate Hwy 75 to Saginaw, and return over the same route, and (9) between South Bend, IN and junction U.S. Hwy 20 over IN Hwy 2, serving no intermediate points, as alternate routes for operating convenience only in (1) through (9) above. (Hearing site: Chicago, IL, or Washington, DC.)

Note.—Applicant intends to tack the above routes with its otherwise authorized regular routes.

MC 60066 (Sub-15F), filed October 9, 1979. Applicant: BEE LINE MOTOR FREIGHT, INC., 1804 Paul St., Omaha, NE 68102. Representative: Donald L. Stern, Suite 610, 7171 Mercy Rd. Omaha, NE 68106. Transporting (1) *shock absorbers,* from Cozad, NE, to Detroit, MI and Batavia, IL; and (2) *materials* used in the manufacture of shock absorbers, from Toledo, OH, to Cozad, NE. (Hearing site: Omaha, NE.)

MC 61396 (Sub-376F), filed October 12, 1979. Applicant: HERMAN BROS. INC., 2565 St. Marys Ave., P.O. Box 189, Omaha, NE 68101. Representative: Duane L. Stromer (same address as applicant). Transporting *cement,* from the facilities of Marquette Cement Co., at Cowan, TN, to points in AL, GA, KY, SC, NC, TN, VA, AR, FL, MO, OH, MS, IL, IN, and LA. (Hearing site: Omaha, NE, or Chattanooga, TN.)

MC 63417 (Sub-249F), filed September 27, 1979. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same address as applicant). Transporting (1) *plastic articles,* and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities named in (1) above (except commodities in bulk and those which because of size and weight require the use of special equipment), between the facilities of Fort Howard Paper Company, at or near Muskogee, OK, on the one hand, and, on the other, points in AL, AR, CO, FL, GA, IL, KS, KY, LA, MS, MO, NE, NM, NC, OK, SC, TN, TX, and VA. (Hearing site: Washington, DC.)

MC 63417 (Sub-250F), filed September 28, 1979. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same address as applicant). Transporting (1) *central heating and air conditioning equipment* (except commodities requiring special equipment), and (2) *parts* for the commodities in (1) above, (except commodities requiring special equipment), from Nashville, TN, to points in AL, FL, GA, IL, IN, KY, MD, MI, MS, NC, NY, OH, PA, SC, VA, WV, and DC. (Hearing site: Washington, DC.)

MC 63417 (Sub-251F), filed October 11, 1979. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same address as applicant). Transporting (1) *water heaters, heating boilers, hot water tanks, and solar heating panels,* from McBee, SC, to those points in the United States in and east of WI, IL, MO, and TX; and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above, in the reverse direction, restricted in (1) and (2) above against the transportation of commodities in bulk and those requiring special equipment. (Hearing site: Roanoke, VA.)

MC 63417 (Sub-252F), filed October 11, 1979. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. Box 13447, Roanoke, VA 24034. Representative: William E. Bain (same address as applicant). Transporting (1) *containers and container ends,* and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above, between points in the United States (except AK and HI), restricted to the transportation of traffic originating at or destined to the facilities of Reynolds Metals Co. (Hearing site: Roanoke, VA.)

MC 95876 (Sub-314F), filed September 27, 1979. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 56301. Representative: William L. Libby (same address as applicant). Transporting *building materials,* from the facilities of Cornell Corporation, at or near Cornell, WI, to points in IL, IN, MI, MN, OH, NV, NM, PA, VA, and WV, restricted to the transportation of traffic originating the named origin. (Hearing site: Minneapolis, MN or Madison, WI.)

MC 95876 (Sub-315F), filed September 27, 1979. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 56301. Representative: William L. Libby (same address as applicant). Transporting *brick and structural facing tile,* (1) from points in Bastrop County, TX to points in the United States (except AK and HI), and (2) from East Canton, OH, to points in MS, LA and TX. (Hearing site: Austin, TX, or Houston, TX.)

MC 95876 (Sub-316F), filed October 9, 1979. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, MN 56301. Representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, MN 55402. Transporting (1) *tractors,* (2) *industrial, construction, and excavating equipment,* (3) *material handling equipment,* and (4) *parts and attachments* for the commodities in (1), (2), and (3) above, from the facilities of J. I. Case Company, at or near (a) Racine and Wausau, WI, (b) Terre Haute, IN, (c) Burlington and Bettendorf, IA, and (d) Wichita, KS, to points in the states of AR, ID, IA, KS, LA, MN, MS, MO, MT, NE, ND, OK, OR, SD, TX, TN, WA and WY. (Hearing site: Milwaukee, WI, or Chicago, IL.)

MC 95876 (Sub-317F), filed: October 9, 1979. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 56301. Representative: William L. Libby (same address as applicant). Transporting *iron and steel articles* from Middletown, OH, to points in IA, MN, ME, ND, SD and WI. (Hearing site: Cincinnati, OH or Minneapolis, MN.)

MC 95876 (Sub-318F), filed October 9, 1979. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 56301. Representative: William L. Libby (same address as applicant). Transporting *welding equipment,* and *parts and accessories* for welding equipment, from Houston, TX to points in the United States (except AK and HI). (Hearing site: Houston, or Dallas, TX.)

MC 95876 (Sub-319F), filed October 9, 1979. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Ave. No., St. Cloud, MN 56301. Representative: William L. Libby (same address as applicant). Transporting *overhead cranes,* and *parts, accessories and attachments* for overhead cranes, from Houston, TX, to points in the United States (except AK and HI). (Hearing site: Houston, or Dallas, TX.)

MC 102567 (Sub-242F), filed: October 12, 1979. Applicant: McNAIR TRANSPORT, INC., 4295 Meadow Lane, P.O. Drawer 5357, Bossier City, LA 71111. Representative: Joe C. Day, 13403 Northwest Fwy., Suite 130, Houston, TX 77040. Transporting *molasses based liquid animal feed,* in bulk, in tank

vehicles, from Gretna, LA to points in AL and MS. (Hearing site: New Orleans, LA.)

MC 102567 (Sub-243F), filed October 15, 1979. Applicant: McNAIR TRANSPORT, INC., 4295 Meadow Lane, P.O. Drawer 5357, Bossier City, LA 7111. Representative: Joe C. Day, 13403 Northwest Fwy., Suite 130, Houston, TX 77040. Transporting *chemicals*, in bulk, in tank vehicles, (1) from the facilities of Union Carbide Corporation, at or near Taft, LA, to points in the United States (except AK, AR, HI, and LA), and (2) from points in the United States (except AK, HI, and LA), to the origin in (1) above. (Hearing site: Houston, TX.)

MC 105566 (Sub-210F), filed October 11, 1979. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1120, Cape Girardeau, MO 63701. Representative: Thomas F. Kilroy, Suite 406, Executive Bldg., 6901 Old Keene Mill Rd., Springfield, VA 22150. Transporting *general commodities* (except commodities in bulk), from the facilities used by Northeastern Pennsylvania Shippers Cooperative, Association, at points in (a) Broome, Chemug, and Steuben Counties, NY, and (b) Franklin, Lackawanna, Lehigh, Luzerne, Northampton, Tioga, and Wayne Counties, PA, to points in AZ, CA, CO, ID, IL, MI, MN, MO, MT, NV, NM, OR, TX, UT, WA, and WY. Condition: The certificate issued in this proceeding, to the extent it authorizes the transportation of classes A and B explosives, shall be limited in point of time to a period expiring 5 years from its date of issue. (Hearing site: Philadelphia, PA, or Washington, DC.)

MC 107107 (Sub-478F), filed October 11, 1979. Applicant: ALTERMAN TRANSPORT LINES, INC., 12805 N.W. 42nd Ave., Opa Locka, Fl 33054. Representative: Ford W. Sewell (same address as applicant). Transporting *such commodities* as are dealt in or used by grocery and food business or by agricultural feed business houses (except commodities in bulk), from Louisville, KY, Pittsburgh, PA, and Newark, DE, and points in MI and OH, to those points in the United States in and east of TX, OK, CO, NE, SD, and ND. (Hearing site: Chicago, IL.)

MC 107496 (Sub-1246F), filed October 10, 1979. Applicant: RUAN TRANSPORT CORPORATION, 666 Grand Ave., Des Moines, IA 50309. Representative: E. Check, P.O. Box 855, Des Moines, IA 50304. Transporting *chemicals and plastics*, in bulk, between the facilities of Borg-Warner Chemicals, Borg-Warner Corporation, at or near Ottawa, IL, on the one hand, and, on the other, points in the United States (except AK and HI). (Hearing site: Des Moines, IA, or Chicago, IL.)

MC 108937 (Sub-59F), filed October 15, 1979. Applicant: MURPHY MOTOR FREIGHT LINES, INC., 2323 Terminal Rd., St. Paul, MN 55113. Representative: Jerry E. Hess, P.O. Box 43640, St. Paul, MN 55164. Transporting *general commodities* (except those of unusual, classes A and B explosives, household goods as defined by the Commission, hides, commodities in bulk, and those requiring special equipment), serving the facilities of John Morrell & Co., at or near Easterville, IA, as an off-route point in connection with carrier's otherwise authorized regular route operations. (Hearing site: St. Paul, MN, or Chicago, IL.)

MC 109397 (Sub-478F), filed October 12, 1979. Applicant: TRI-STATE MOTOR TRANSIT CO., a Corporation, P.O. Box 113, Joplin, MO 64801. Representative: A. N. Jacobs (same address as applicant). Transporting (1) *machinery and machinery parts*, (2) *attachments* for the commodities in (1) above, (3) *equipment and accessories* used in the installation and maintenance of the commodities in (1) above, and (4) *iron and steel articles*, from points in Hablan County, TN, to points in the United States (except AK and HI). (Hearing site: Knoxville, TN.)

MC 109397 (Sub-479F), filed October 15, 1979. Applicant: TRI-STATE MOTOR TRANSIT CO., a Corporation, P.O. Box 113, Joplin, MO 64801. Representative: A. N. Jacobs (same address as applicant). Transporting (1) *machinery and machinery parts*, (2) *attachments* for the commodities in (1) above, (3) *equipment and accessories* used in the installation, operation, and maintenance of the commodities in (1) above, and (4) *metal articles*, from Nashville and Dickson, TN, to points in the United States including AK but excluding HI. (Hearing site: Nashville, TN.)

MC 113106 (Sub-80F), filed October 12, 1979. Applicant: THE BLUE DIAMOND COMPANY, a Corporation, 4401 East Fairmount Ave., Baltimore, MD 21224. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 15th St., N.W., Washington, DC 20005. Transporting *malt beverages*, and *materials, equipment and supplies* used in the manufacture and distribution of malt beverages (except commodities in bulk), (a) from the facilities of Pabst Brewing Company, at Newark, NJ, to points in PA, MD, DE, and DC, and those points in NY on and west of Interstate Hwy 81, and (b) between the facilities of Pabst Brewing Company, at points in Houston County, GA, on the one hand, and, on the other, points in NC, SC, VA, MD, and DC. (Hearing site: Washington, DC.)

MC 113106 (Sub-81F), filed October 12, 1979. Applicant: THE BLUE DIAMOND COMPANY, a Corporation, 4401 East Fairmount Ave., Baltimore, MD 21224. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 15th St., N.W., Washington, DC 20005. Transporting *such commodities* as are dealt in or used by manufacturers of glass and plastic products, (except commodities in bulk), between points in ME, NH, VT, MA, CT, RI, NY, NJ, PA, OH, DE, MD, VA, NC, SC, GA, FL, and DC, restricted to the transportation of traffic originating at or destined to the facilities of Metropak Container Corporation. (Hearing site: Washington, DC.)

MC 113267 (Sub-369F), filed September 27, 1979. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 3215 Tulane Rd., P.O. Box 30130 AMF, Memphis, TN 38130. Representative: Lawrence A. Fischer (same address as applicant). Transporting (1) *lawnmowers*, and (2) *material, equipment and supplies* used in the manufacture of lawnmowers (except commodities in bulk), (1) between Selma, AL, on the one hand, and, on the other, points in IN, IL, IA, MN, MO, and WI, restricted to the transportation of traffic originating at and or destined to the facilities of Southland Mower Company, at Selma, AL. (Hearing site: Birmingham, AL, or Memphis, TN.)

MC 113267 (Sub-370F), filed October 11, 1979. Applicant: CENTRAL & SOUTHERN TANK LINES, INC., 3215 Tulane Rd., P.O. Box 30130 AMF, Memphis, TN 38130. Representative: Lawrence A. Fischer (same address as applicant). Transporting *meats, meat products, meat by-products, and articles distributed by meat packing houses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities used by John Morrell & Co., at or near Montgomery, AL, to points in AR, FL, GA, IL, IN, IA, KS, KY, LA, MI, MS, MO, NC, OK, OH, SC, SD, TN, TX and WI, restricted to the transportation of traffic originating at the above named origin. (Hearing site: Chicago, IL, or Memphis, TN.)

MC 113406 (Sub-15F), filed October 9, 1979. Applicant: DOT LINES, INC., 1000 Findlay Road, P.O. Box 1526, Lima, Ohio 45802. Representative: Paul F. Beery, 275 East State St., Columbus, Ohio 43215. Transporting (1) *fiberboard or paperboard fillers*, (2) *fiberboard partitions*, and (3) *equipment, materials*

and supplies used in the manufacture of the commodities in (1) and (2) above (except commoditie in bulk), between Eaton, IN, on the one hand, and, on the other, points in OH. (Hearing site: Columbus, OH.)

MC 115557 (Sub-26F), filed October 12, 1979. Applicant: CHARLES A. McCAULEY, 308 Leasure Way, New Bethelem, PA 16242. Representative: Henry M. Wick, Jr., 2310 Grant Bldg., Pittsburgh, PA 15219. Transporting (1) *cardboard cartons and paper cartons,* and (2) *materials, equipment, and supplies* used in the manufacture of the commodities in (1) above, between the facilities of Cameo Container Corporation in Chicago, IL on the one hand, and, on the other, points in the United States including AK and HI. (Hearing site: Pittsburgh, PA or Washington, DC.)

MC 115826 (Sub-548F), filed October 12, 1979. Applicant: W. J. DIGBY, INC., 6015 East 58th Ave., Commerce City, CO 80022. Representative: Howard Gore (same address as applicant). Transporting *meats, meat products, meat byproducts, and articles distributed by meat packing houses,* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Iowa Beef Processors, at or near (a) Dakota City and West Point, NE, (b) Denison and Ft. Dodge, IA, and (c) Luverne, MN, to points in CO, IA, IL, IN, KS, KY, MI, MN, MO, ND, NE, OH, SD, and WI.

MC 115826 (Sub-549F), filed October 12, 1979. Applicant: W. J. DIGBY, INC., 6015 East 58th Ave., Commerce City, CO 80022. Representative: Howard Gore (same address as applicant). Transporting *general commodities* (except foodstuffs and commodities in bulk), between points in the United States (except AK and HI), restricted to the transportation of traffic originating at or destined to the facilities of Dutch Boy, Inc., Dutch Boy Paints, Baltimore Paint and Chemical, Synkoloid Co., Glow-Lite, Solar Electric, Rhodes Plastics, Clear Shield Plastics, Culman Products and Mueller Engineering and Manufacturing. Condition: Any certificate issued in this proceeding to the extent it authorizes the transportation of classes A and B explosives, shall be limited in point of time to a period expiring 5 years from its date of issue. (Hearing site: Denver, CO.)

MC 117676 (Sub-15F), filed October 11, 1979. Applicant: HERMS TRUCKING, INC., 620 Pear St., Trenton, NJ 08648. Representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, PA 19102. Transporting *limestone,* in bags, from Adams, MA, and Canaan and Falls Village, CT, to the facilities of American Biltrite, Inc., at Trenton, NJ. (Hearing site: Philadelphia, PA, or Washington, DC.)

Note.—Dual operations may be involved.

MC 119777 (Sub-420F), filed October 9, 1979. Applicant: LIGON SPECIALIZED HAULER, INC., Highway 85-East, Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer "L", Madisonville, KY 42431. Transporting (1) aluminum articles, (2) foil, doors, windows, door frames, overhead closures, and filters, and (3) materials, equipment and supplies used in the manufacture or distribution of the commodities in (1) and (2) above, between points in the United States (except AK and HI); restricted (a) to the transportation of traffic originating at or destined to facilities of Consolidated Aluminum Corp., and (b) restricted against the transportation of commodities in bulk. (Hearing site: St. Louis, MO.)

MC 119777 (Sub-421F), filed October 9, 1979. Applicant: LIGON SPECIALIZED HAULER, INC., Highway 85-East, Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer "L", Madisonville, KY 42431. Transporting *oils, greases, petroleum chemicals, and articles* used in the care and maintenance of automotive vehicles (except commodities in bulk), from St. Louis, MO, to points in AL, AZ, CA, CO, CT, DE, FL, GA, ID, IN, KY, LA, ME, MD, MA, MI, MN, MS, MT, NE, NH, MJ, MO, NM, NY, NC, ND, OH, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, and WY. (Hearing site: Cincinnati, OH.)

MC 119777 (Sub-422F), filed October 9, 1979. Applicant: LIGON SPECIALIZED HAULER, INC., Highway 85-East, Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer "L", Madisonville, KY 42431. Transporting *expanded plastic insulation,* from Kansas City, MO, to points in the United States (except AK and HI). (Hearing site: Kansas City, MO.)

MC 119777 (Sub-423F), filed October 15, 1979. Applicant: LIGON SPECIALIZED HAULER, INC., Highway 85-East, Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer "L", Madisonville, KY 42431. Transporting (1) *gravel* and *stone handling equipment, and* (2) *parts, attachments, and accessories* for the commodities described in (1) above, from the facilities of Sesco Engineering & Supply Corp., at or near North Kansas City, MO, to points in the United States (except AK and HI). (Hearing site: Kansas City, MO.)

MC 119827 (Sub-8F), filed October 9, 1979. Applicant: KEY LINE AIR FREIGHT, INC., 26600 Van Born Rd., Dearborn Heights, MI 48125. Representative: Richard Simpson (same address as applicant). Transporting *general commodities* (except of unusual value, classes A and B explosives, household goods as defined by the Commission commodities in bulk, and those requiring special equipment), (a) between points in Lapeer, Lenawee, Livingston, Macomb, Monroe, Oakland, St. Clair, Sanilac, Washtenaw and Wayne Counties, MI, on the one hand, and, on the other, points in Defiance, Fulton, Henry, Lucas, Ottawa and Williams Counties, OH, and (b) between points in Lapeer, Lenawee, Livingston, Macomb, Monroe, Oakland, St. Clair, Sanilac, and Washtenaw Counties, MI, on the one hand, and, on the other, Wayne County, MI, restricted in (a) and (b) above to the transportation of traffic originating at or destined to the facilities of the Ford Motor Company. (Hearing site: Chicago, IL or Washington, DC.)

MC 123407 (Sub-616F), filed October 15, 1979. Applicant: SAWYER TRANSPORT, INC., Sawyer Center, Route 1, Chesterton, IN 46304. Representative: H. E. Miller, Jr. (same address as applicant). Transporting *fencing, supplies and materials* used in the installation of fencing, from Gladstone and Stephenson, MI, to points in AL, AR, CO, FL, GA, IL, IN, IA, KS, KY, LA, MN, MS, MO, NE, NC, ND, OH, OK, SC, SD, TN, TX, VA, WV, and WI. (Hearing site: Chicago, IL.)

MC 124306 (Sub-74F), filed October 11, 1979. Applicant: KENAN TRANSPORT COMPANY, INCORPORATED, P.O. Box 2729, Chapel Hill, NC 27514. Representative: Richard A. Mehley, 1000 16th St. NW., Washington, DC 20036. Transporting *chemicals,* in bulk, in tank vehicles, between points in Spartanburg County, SC, on the one hand, and, on the other, points in AL, FL, GA, LA, NC, MS, PA, TN, TX, VA, and WV. CONDITION: Person or persons who appears to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Spartanburg, SC, or Washington, DC.)

MC 125417 (Sub-16F), filed October 9, 1979. Applicant: BULK FREIGHTWAYS, 8332 Wilcox Avenue, South Gate, CA 90280. Representative: Patricia M. Schnegg, 707 Wilshire Boulevard, 1800 United California Bank Building, Los

Angeles, CA 90017. Transporting *dry plastic materials,* in bulk, from points in Los Angeles and Orange Counties, CA, to points in AZ. (Hearing site: Los Angeles, CA.)

MC 125777 (Sub-262F), filed October 9, 1979. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Ave., Gary, IN 46406. Representative: Allan C. Zuckerman, 39 South LaSalle St., Chicago, IL 60603. Transporting *commodities used in the manufacture of glass and glass products,* in bulk, in dump vehicles, between points in the United States (except AK and HI), restricted to the transportation of traffic originating at or destined to the facilities of (a) Corning Glass Works, (b) Brockway Glass Company, Inc., and (c) the Ball Corporation. (Hearing site: Chicago, IL.)

MC 125996 (Sub-88F), filed October 15, 1979. Applicant: GOLDEN TRANSPORTATION, INC., P.O. Box 26908, Salt Lake City, UT 84125. Representative: Mac R. Reber (same address as applicant). Transporting *periodicals,* from Pewaukee, WI, to points in AZ, CA (except Los Angeles and San Francisco), CO (except Denver), IA, KS, MN, MO, OK, OR, and WA (except Seattle). (Hearing site: Chicago, IL.)

Note.—Dual operations may be involved.

MC 126826 (Sub-3F), filed October 12, 1979. Applicant: KENNETH SCHMIDT, 269 South Rebecca St., Saxonburg, PA 16056. Representative: Jerome Solomon, 3131 U.S. Steel Bldg., Pittsburgh, PA 15219. 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), moving on bills of lading of freight forwarders as defined in 49 U.S. Code § 10102 § 8, between Pittsburgh, PA, on the one hand, and, on the other, points in Lawrence County, PA. (Hearing site: Pittsburgh, PA.)

MC 129077 (Sub-3F), filed September 30, 1979. Applicant: APACA, INC., 423 Wyoming, SE., Albuquerque, NM 87123. Representative: Jack Smith, 420 Lomas Blvd., NW., Albuquerque, NM 87102. Transporting household goods as defined by the Commission, between points in NM. (Hearing site: Albuquerque, NM.)

MC 134467 (Sub-53F), filed October 9, 1979. Applicant: POLAR EXPRESS, INC., P.O. Box 845, Springdale, AR 72764. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman Street, Denver, CO 80203. Transporting (1) *paper and paper products* (except commodities in bulk), and (2) *materials, equipment and supplies* used in the manufacture and distribution of paper and paper products, between the facilities of Scott Paper Company, in AL, AR, DE, NJ, PA, and WI, on the one hand, and, on the other, points in PA, OH, IN, MI, IL, WI, NM, IA, MO, KS, CO, AR, TX, LA, MS, AL, FL, GA, NC, SC, and TN. (Hearing site: Philadelphia, PA, or Little Rock, AR.)

MC134467 (Sub-54F), filed, October 11, 1979. Applicant: POLAR EXPRESS, INC., P.O. Box 845, Springdale, AR 72764. Representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman St., Denver, CO 80203. Transporting *foodstuffs* (except in bulk), from points in Washington County, AR, to points in OK, CO, LA, TX, and NM. (Hearing site: Little Rock, AR.)

MC 134477 (Sub-372F), filed October 12, 1979. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Rd., West St. Paul, MN 55118. Representative: Thomas D. Fischbach, P.O. Box 43496, St. Paul, MN 55164. Transporting *meats, meat products, meat by-products, dairy products and articles distributed by meat packinghouses,* as described in Sections A, B, and C of Appendix I to the report in *Decriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), (1) from Estherville, IA to points in AL, FL, GA, IL, IN, KY, MI, MN, MO, NC, OH, SC, TN, and WI, and (2) from Sioux City, IA and Sioux Falls, SD, to points in IL, IN, MN, MO, and WI, restricted in (1) and (2) above to the transportation of traffic originating at the facilities of John Morrell & Co., at or near the above named origins and destined to the named destination states. (Hearing site: St. Paul, MN.)

MC 134477 (Sub-373F), filed October 15, 1979. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Rd., West St. Paul, MN 55118. Representative: Thomas D. Fischbach, P.O. Box 43496, St. Paul, MN 55164. Transporting *foodstuffs* (except commodities in bulk), from the facilaities of Schrafft Candy Co., at or near Boston and Woburn, MA, to points in AL, AR, DE, GA, IL, IN, IA, KS, KY, MD, MI, MN, MO, MS, NE, NC, ND, OH, PA, SC, SD, TN, VA, WV, WI, and DC. (Hearing site: St. Paul, MN.)

MC 134477 (Sub-374F), filed October 15, 1979. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Rd., West St. Paul, MN 55118. Representative: Thomas D. Fischbach, P.O. Box 43496, St. Paul, MN 55164. Transporting *toys, electronic games, furniture and plastic articles* (except commodities in bulk), from points in CT, DE, GA, KY, ME, MD, MA, MI, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, and WV, to Gary, IN. (Hearing site: St. Paul, MN.)

MC 134477 (Sub-375F), filed October 15, 1979. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Rd., West St. Paul, MN 55118. Representative: Thomas D. Fischbach, P.O. Box 43496, St. Paul, MN 55164. Transporting *(1) automobile parts* and (2) *materails and supplies,* used in the manufacture of automobiles (except commodities in bulk), from points in CT, DE, GA, KY, ME, MD, MA, NH, NJ, NY, NC, PA, RI, SC, TN, VT, VA, and WV, to the facilitates of Ford Motor Company, at or near St. Paul, MN. (Hearing site: St. Paul, MN.)

MC 135797 (Sub-261F), filed September 27, 1979. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant (same address as applicant). Transporting *foodstuffs* (except in bulk), from the facilities of Commercial Distribution Center at or near Kansas City, MO to points in AL, AR, FL, GA, KY, LA, MS, NC, SC and TN. (Hearing site: Kansas City, MO, or Washington, DC.)

MC 135797 (Sub-267F), filed October 15, 1979. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant (same address as applicant). Transporting *animal feed additives,* from Lawrenceville, GA, to points in the United States (except AK and HI). (Hearing site: Atlanta, GA, or Washington, DC.)

MC 135797 (Sub-270F), filed October 12, 1979. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 130, Lowell, AR 72745. Representative: Paul R. Bergant (same address as applicant). Transporting (1) *such commodities* as are dealt in by grocery and food business houses (except those commodities described in (2) below and commodities in bulk), and (2) *meats, meat products, meat byproducts, and articles distributed by meat packing-houses,* as defined in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209 and 766 (except hides and commodities in bulk), between Kansas City, KS, and points in the United States (except AK, HI, and KS). (Hearing site: Kansas City, KS, or Washington, DC.)

MC 136077 (Sub-20F), filed September 27, 1979. Applicant: REBER CORPORATION, 2216 Old Arch Rd., Norristown, PA 19401. Representative: Sheri B. Friedman, 1600 Land Title Bldg.,

100 South Broad St., Philadelphia, PA 19110. Transporting *limestone*, from the facilities of White Pigment Corporation, at West Manchester Township (York County), PA, to points in NJ, DE and MD. (Hearing site: Philadelphia, PA.)

MC 136786 (Sub-175F), filed October 12, 1979. Applicant: ROBCO TRANSPORTATION, INC., 4475 N.E. 3rd St., Des Moines, IA 50313. Representative: Stanley C. Olsen, Jr., 7400 Metro Blvd., Suite 411, Edina, MN 55435. Transporting (1) *foodstuffs*, and (2) *materials, equipment and supplies* used in the manufacture and distribution of foodstuffs (except commodities in bulk), (a) between Montgomery, AL, Lake Wales, FL, North Chicago, IL, Eau Claire, MI, Sulphur Spings, TX, and Kenosha, WI, and (b) between the points named in (a) above, on the one hand, and, on the other, points in AL, AR, CO, FL, GA, IL, IN, KS, KY, LA, MI, MN, MS, MO, NE, NM, ND, OH, OK, SD, TN, TX, and WY. (Hearing site: Minneapolis, MN, or Chicago, IL.)

MC 136786 (Sub-177F), filed October 10, 1979. Applicant: ROBCO TRANSPORTATION, INC., 4475 N.E. 3rd St., Des Moines, IA 50313. Representative: Stanley C. Olsen, Jr., 7400 Metro Blvd., Suite 411, Edina, MN 55435. Transporting (1) *paper and paper products*, and (2) *materials, equipment, and supplies* used in the production and distribution of the commodities in (1) above, (a) between the facilities of Scott Paper Company, at points in DE, NJ, NY, and PA, on the one hand, and, on the other, points in AR, IL, IN, IA, MN, MO, and WI, and (b) between the factilities of Scott Paper Company, at points in IL, IN, and WI, on the one hand, and, on the other, points in AR, IA, KS, MN, MO, OH, OK, and PA, restricted in (1) and (2) above to the transportation of traffic originating at or destined to the above named facilities.

MC 138157 (Sub-189F), filed October 15, 1979. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC. d.b.a. SOUTHWEST MOTOR FREIGHT, P.O. Box 9596, Chattanooga, TN 37412. Representative: Patrick E. Quinn (same address as applicant). Transporting (1) *food supplements, personal care products, and household care products*, (except commodities in bulk), and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) above, (except commodities in bulk), between Dayton, NJ and Phoenix, AZ, on the one hand, and, on the other, points in the United States (except AK and HI), restricted to the transportation of traffic originating at or destined to the facilities of Shaklee Corp. (Hearing site: San Francisco, CA.)

Note.—Duel operations may be involved.

MC 138297 (Sub-7F), filed October 9, 1979. Applicant: CENTRAL FLORIDA COACH LINES, INC., P.O. Box 127, Mountaintop, PA 18707. Representative: Joseph F. Hoary, 121 So. Main St., Taylor, PA 18517. Transporting *passengers and their baggage*, in the same vehicle with passengers, in special and charter operations, beginning and ending at Hazelton, PA, and points in its commercial zone, and extending to Orlando, Cocoa Beach, St. Augustine, and Tallahassee, FL, St. Louis, MO, Lexington, KY, Atlantic City, NJ, Fredericksburg, VA, and Lima, OH, and points in their respective commercial zones. (Hearing site: Wilkes Barre, PA.)

MC 139207 (Sub-13F), filed October 9, 1979. Applicant: MCNABB-WADSWORTH TRUCKING CO., INC., 305 S. Wilcox Dr., Kingsport, TN 37665. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th Street, NW., Washington, DC 20004. Transporting *petroleum products*, and *such commodities* as are used by service station operators (except commodities in bulk), from the facilities of Exxon Co., U.S.A., at or near Baton Rouge, LA, to points in TN, NC, and VA. (Hearing site: Memphis, TN.)

MC 139207 (Sub-14F), filed October 9, 1979. Applicant: MCNABB-WADSWORTH TRUCKING CO., INC., 305 S. Wilcox Dr., Kingsport, TN 37665. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th Street, NW., Washington, DC 20004. Transporting of *canned goods* from Moorehead, MS, to points in AL, GA, TN, KY, NC, SC, VA, and WV. (Hearing site: Jackson, MS.)

MC 139587 (Sub-23F), filed October 15, 1979. Applicant: BROWN REFRIGERATED EXPRESS, INC., 21st and Sidney, P.O. Box 603, Fort Scott, KS 66701. Representative: Wilburn L. Williamson, Suite 615, East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112. Transporting *salt beverages*, from St. Louis, MO to Frontenac, Arkansas City and Ft. Scott, KS. (Hearing site: Kansas City, MO.)

Note.—Dual operations may be involved.

MC 139906 (Sub-75F), filed October 9, 1979. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, 2156 West 2200 So., P.O. Box 30303, Salt Lake City, UT 84125. Representative: Richard A. Peterson, 521 So. 14th St., P.O. Box 81849, Lincoln, NE 68501. Transporting *aquariums, aquarium accessories, freeze dried brine shrimp*, and *household pet cages, supplies, and equipment* (except commodities in bulk, and those which because of size and weight require the use of special equipment), between the facilities of Metaframe, Inc., at or near East Paterson, Elmwood, Maywood and Lodi, NJ, to points in the United States (except AK and HI). (Hearing site: Lincoln, NE, or Salt Lake City, UT.)

Note.—Dual operations may be involved.

MC 139906 (Sub-76F), filed October 9, 1979. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, 2156 West 2200 So., P.O. Box 30303, Salt Lake City, UT 84125. Representative: Richard A. Peterson, 521 So. 14th St., P.O. Box 81849, Lincoln, NE 68501. Transporting *wearing apparel*, from the facilities of K-Mart Apparel Corp., at (a) North Bergen, NJ, (b) Carson, CA, and (c) Forest Park, GA, to points in the United States (except AK and HI). (Hearing site: Lincoln, NE, or Salt Lake City, UT.)

Note.—Dual operations may be involved.

MC 141877 (Sub-2F), filed October 9, 1979. Applicant: ROBERT J. RATHWAY AND WILLIAM C. PAULL, JR., a Partnership, d.b.a. WOLFE & WOLFE, 305 Crossland Ave., Uniontown, PA 15401. Representative: John A. Pillar, 1500 Bank Tower, 307 Fourth Ave., Pittsburgh, PA 15222. Transporting *pulverized limestone*, from Benwood, WV, to points in Belmont, Harrison, Monroe and Jefferson Counties, OH, Allegheny, Butler, Fayette and Westmoreland Counties, PA, and Harrison and Preston Counties, WV. (Hearing site: Pittsburgh, PA, or Washington, DC.)

MC 142827 (Sub-1F), filed October 9, 1979. Applicant: DE MARLIE TRUCKING, INC., P.O. Box 338, Reynolds, IL 61279. Representative: Jack H. Blanshan, Suite 200, 205 West Touhy Ave., Park Ridge, IL 60068. Transporting *meats, meat products, meat by-products and articles distributed by meat packinghouses* (except hides and commodities in bulk), as defined in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the facilities of Wilson Foods Corporation, at (1) Cedar Rapids, IA, to points in IL (except Chicago), IN, MI and OH, and (2) Monmouth, IL to points in IN, MI and OH, restricted in (1) and (2) above to the transportation of traffic originating at the above named origins and destined to the named destinations. (Hearing site: Chicago, IL.)

MC 142977 (Sub-5F), filed October 10, 1979. Applicant: HOOSIER FREIGHT LINES, INC., P.O. Box 16006, 1508 Crums Lane, Louisville, KY 40216. Representative: James K. Stayton, 3008 Preston Hwy, Louisville, KY 40217. Transporting (1) *automobile lifts, and*

parts and supplies for automobile lifts, from the facilities of Dover Corporation/Rotary Lift Division, at Madison, IN, to Cincinnati, OH, and Louisville, KY; and (2) *paints, steel, wiring, cardboard boxes, petroleum, petroleum products, and parts and supplies* for automobile lifts, in the reverse direction. (Hearing site: Louisville, KY, or Indianapolis, IN.)

MC 142977 (Sub-6F), filed October 10, 1979. Applicant: HOOSIER FREIGHT LINES, INC., P.O. Box 16006, 1508 Crums Lane, Louisville, KY 40216. Representative: James K. Stayton, 3008 Preston Hwy, Louisville, KY 40217. Transporting *paper and paper products,* (1) from the facilities of Kieffer Paper Company, at Brownstown, IN, to Louisville and Lewisport, KY, Cincinnati, OH, and (2) from Cincinnati, OH, and Louisville, KY, to the origin facilities in (1) above. (Hearing site: Louisville, KY.)

MC 144667 (Sub-11F), filed October 15, 1979. Applicant: ARTHUR E. SMITH & SON TRUCKING, INC., P.O. Box 1054, Scottsbluff, NE 69361. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. Transporting (1) *meats, meat products, meat by-products, and articles distributed by meat packing houses,* from Gering, Gordon, and Minden, NE and Glasgow, MT to points in the United States (except AK and HI); (2) *such commodities as are used by meat packing houses in the conduct of their business,* in the reverse direction; (3)(a) *hydraulic hoses and couplings, and farm equipment parts,* and (b) *materials, equipment and supplies used in the production and distribution of commodities in (3)(a),* between points in Scotts Bluff County, NE, on the one hand, and, on the other, points in the United States (except AK, HI and NE); and (4) *such commodities as are dealt in or used by agricultural and construction equipment dealers,* in the reverse direction. (Hearing site: Scottsbluff, NE, or Denver, CO.)

MC 144827 (Sub-36F), filed October 9, 1979. Applicant: DELTA MOTOR FREIGHT, INC., 2877 Farrisview, Box 18423, Memphis, TN 38118. Representative: Billy R. Hallum (same address as applicant). Transporting *canned vegetables,* from the facilities of Woldert Canning Co., at Lindale, TX, to points in AR, AL, GA, MS, NC, OK, SC, TN, and VA. (Hearing site: Dallas, TX.)

MC 144927 (Sub-24F), filed September 28, 1979. Applicant: REMINGTON FREIGHT LINES, INC., Box 315, U.S. 24 West, Remington, IN 47977. Representative: Warren C. Moberly, 777 Chamber of Commerce Bldg., Indianapolis, IN 46204. Transporting *sound recordings, sound recording tape, plastic articles* (other than expanded), *record sleeves, record jackets, and record labels* (1) between the facilities of Capitol Records, Inc., at (a) Glenbrook, CT, (b) Bethlehem, PA, (c) Winchester, VA, (d) Jacksonville and Niles, IL, (e) Rosselle and Cranford, NJ, (f) Los Angeles, CA, and (g) Madison Heights, MI, (2) from the facilities of Capitol Records, Inc., at Bethlehem, PA, to Linden, NJ, and Tappan, NY, (3) from points in CT, NY, NJ, and VA, to the facilities in (1) and (2) above, and (4) from the facilities of Capitol Records, Inc., at Niles, IL, to Minneapolis, MN. (Hearing site: Washington, DC, or Chicago, IL.)

MC 145857 (Sub-3F), filed October 9, 1979. Applicant: K & R TRUCKING CO., a Corporation, P.O. Box 63, Dacus Rd., Preston, GA 31824. Representative: Henry L. Crisp, P.O. Box J, Americus, GA 31709. Transporting (1) *agricultural lime and gypsum,* from points in Lee County, AL, and Hamilton, Madison, Taylor, Jefferson, Jackson, and Leon Counties, FL, to those points in GA on, south and west of a line beginning at the GA–AL State line and extending along Interstate Hwy 80 to junction Interstate Hwy 75, and then along Interstate Hwy 75 to the GA–FL State line, and (2) *lumber,* from points in Stewart, Webster, and Sumter Counties, GA, to points in AL, AR, FL, KY, LA, MS, NC, SC, TN, and VA. (Hearing site: Atlanta, GA, or Jacksonville, FL.)

MC 146176 (Sub-8F) filed October 9, 1979. Applicant: J & L TRANSPORT, INC., Rt. 1, Box 306, Almond, WI 54909. Representative: Wayne W. Wilson, 150 East Gilman St., Madison, WI 53703. Transporting *such commodities* as are manufactured, used, or dealt in by manufacturers, coverters, and printers of paper and paper products (except commodities in bulk), from Neenah, WI, and the facilities of Hoffmaster Co., Inc., at or near Oshkosh, WI, to points in AZ, CA, NV, OR, and WA. (Hearing site: Madison, or Oshkosh, WI.)

MC 146326 (Sub-8F) filed September 30, 1979. Applicant: JOHN ALGER, SR. d.b.a. ALGER TRANSPORTATION, 9811 Redman Ave., Omaha, NE 68134. Representative: Marshall D. Becker, Suite 610, 7171 Mercy Rd., Omaha, NE 68106. Transporting *cable and wire,* from Omaha, NE, to points in ND and SD. (Hearing site: Omaha, NE.)

MC 146646 (Sub-36F) filed October 9, 1979. Applicant: BRISTOW TRUCKING CO., a Corporation, P.O. Box 6355A, Birmingham, AL 35217. Representative: Henry Bristow, Jr. (same address as applicant). Transporting *unfrozen bakery goods,* from Marietta, OK, to New Rochelle, NY, Louisville, KY, Los Angeles, Corona, San Diego, and La Habra, CA, Phoenix, AZ, Biddeford, ME, Seattle, WA, and Woburn, MA. Condition: Person or persons who appears to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unecessary. (Hearing site: Oklahoma City, OK, or Birmingham, AL.)

MC 146646 (Sub-37F), filed October 15, 1979. Applicant: BRISTOW TRUCKING CO., a Corporation, P.O. Box 6355A, Birmingham, AL 35217. Representative: Mr. Henry Bristow, Jr. (same address as applicant). Transporting *construction materials and supplies* used in the manufacture and distribution of construction materials (except commodities in bulk) Between the facilities of the Celotex Corporation at or near Deposit, NY on the one hand and on the other points in the U.S. (excedpt AK and HI) Condition: Person or persons who appear to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(a) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Tampa, FL, or Birmingham, AL.)

MC 146646 (Sub-38F), filed October 9, 1979. Applicant: BRISTOW TRUCKING CO., a corporation, P.O. Box 6355 A, Birmingham, AL 35217. Representative: Henry Bristown, Jr., (same address as applicant). Transporting *construction materials, and supplies* used in the manufacture and distribution of construction materials (except commodities in bulk), between the facilities of the Celotex Corporation, at or near Paris, TN, to points in the United States (except AK and HI). Condition: Person or persons who appears to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Tampa, FL, or Birmingham, AL.)

MC 146646 (Sub-39F), filed October 9, 1979. Applicant: BRISTOW TRUCKING CO., a corporation, P.O. Box 6355 A, Birmingham, AL 35217. Representative: Henry Bristow, Jr. (same address as applicant). Transporting *construction materials,* (except in bulk), from the facilities of the Celotex Corporation, at Marrero, LA, to points in the United States (except AK and HI). Condition: Person or persons who appears to be

engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Tampa, FL, or Birmingham, AL.)

MC 146646 (Sub-46F), filed October 15, 1979. Applicant: BRISTOW TRUCKING CO., a corporation, P.O. Box 6355 A, Birmingham, AL 35217. Representative: Mr. Henry Bristow, Jr. (same address as applicant). Transporting *hardwood flooring* (1) from the facilities of Bruce Hardwood Floors, at or near Center, TX, to points in AL, AR, GA, LA, MS, and TN, and (2) from the facilities of Bruce Hardwood Floors, at or near Jackson and Nashville, TN, to Center, TX. Condition: Person or persons who appears to be engaged in common control between applicant and another regular carrier must either file an application under 49 U.S.C. 11343(A) of the Interstate Commerce Act, or submit an affidavit indicating why such approval is unnecessary. (Hearing site: Dallas, TX, or Birmingham, AL.)

MC 147047 (Sub-3F), filed September 27, 1979. Applicant: CAPITAL WIRE AND CABLE CORPORATION, d.b.a. CWC TRUCKING COMPANY, 910 10th St., Plano, TX 75074. Representative: William Sheridan, 1025 Metker, P.O. Drawer 5049, Irving, TX 75062. Transporting *empty cans,* from Philadelphia, PA, Chicago, IL, and St. Louis, MO, to Dallas, TX. (Hearing site: Dallas, TX, or Washington, DC.)

MC 147096 (Sub-4F), filed September 28, 1979. Applicant: MADISON BROTHER SERVICE, INC., 101 Indiana Ave., Toledo, OH 43602. Representative: Brian S. Stern, 2425 Wilson Blvd., Arlington, VA 22201. Transporting (1) *materials, equipment, and supplies* used in the manufacture, and assembly of motor vehicles, between Maumee, OH, on the one hand, and, on the other, Detroit, Saline, and Monroe, MI, Detroit Metropolitan Wayne County Airport, at or near Romulus, MI, and Detroit Willow Run Airport, near Ypsilanti, MI, and (2) *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, used motor vehicles, commodities in bulk, and those requiring special equipment), (a) between Detroit Metropolitan Wayne County Airport, at or near Romulus, MI, on the one hand, and, on the other, Monroe, MI, restricted to the transportation of traffic having a prior or subsequent movement by air, and (b) between Detroit, MI, on the one hand, and, on the other, Cleveland, Lima, and Maumee, OH, and (3) *engine castings,* between Detroit and Flat Rock, MI, on the one hand, and, on the other, Cleveland, OH, and points in Bath Township (Allen County), OH. (Hearing site: Detroit, MI, or Toledo, OH.)

MC 147497 (Sub-2F), filed October 9, 1979. Applicant: L. DAVIGNON & SONS TRUCKING, INC., Box 78, Salisbury, VT 05769. Representative: John R. Barrera, P.O. Box 391, Middlebury, VT 05753. Contract carrier, transporting (1) *cheese and cheese products* and (2) *materials, equipment and supplies* used in the manufacture of the commodities in (1) above, between Hinesburg, VT, on the one hand, and, on the other, points in MA, CT, RI, NY, PA, NJ, OH, IN, IL, MD, DE, WV, NC, SC, GA, FL, MI, VA, and DC, under continuing contract(s) with International Cheese Company, Inc. of Hinesburg, VT. (Hearing site: Middlebury, or Burlington, VT.)

MC 147856 (Sub-2F), filed October 9, 1979. Applicant: SHERRY STONEBRAKER d.b.a., J&S EXPRESS, 10534 Hilltop Rd., Omaha, NE 68134. Representative: Richard D. Howe, 600 Hubbell Bldg., Des Moines, IA 50309. Transporting *wallboard adhesives and caulking compounds,* and (2) *materials and supplies* used in the manufacture and distribution of the commodities in (1) above, between the facilities of Ohio Sealants Incorporated, at or near Mentor, OH, on the one hand, and, on the other, points in CA, CO, MD, MN, MI, NC, NY, NJ, TX, and UT. (Hearing site: Omaha, NE, or Des Moines, IA.)

MC 148337 (Sub-1F), filed October 12, 1979. Applicant: WESTERKAMP TRUCKING, INC., Route #2, Pella, IA 50219. Representative: Robert R. Rydell, 1020 Savings and Loan Bldg., Des Moines, IA 50309. Transporting *meats, meat products, meat byproducts, articles distributed by meat packing houses,* and *such commodities as are used by meat packers in the conduct of their business,* as defined in Sections A, C, and C in the 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 Pella, IA, to points in IL, WI, NE, MN, and OH. (Hearing site: Des Moines, IA, or Minneapolis, MN.)

MC 148387 (Sub-1F), filed October 12, 1979. Applicant: S.M.P. INC., 166 Sitgreaves St., Phillipsburg, NJ 08865. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. Transporting (1) *pipe and pipe fittings,* and (2) *materials, equipment, and supplies* used in the manufacture and sale of the commodities in (1) above, between the facilities of Atlantic States Cast Iron Pipe Co., at or near Phillipsburg, NJ, on the one hand, and, on the other those points in the United States in and east of MN, IA, MO, KS, OK, and TX. (Hearing site: Newark, NJ, or New York, NY.)

MC 148597F, filed October 9, 1979. Applicant: NORRIS SUPPLY COMPANY, INC.,. P.O. Box 2006, Sparks, NV 89431. Representative: J. Craig Sweeney (same address as applicant). Transporting (1) *petroleum products,* in bulk, and (2) *liquid bulk commodities* (except petroleum products), between points in NV and CA. (Hearing site: Carson City, or Washington, DC.)

MC 148606F, filed October 9, 1979. Applicant: SIERRA TRUCKING, INC., Rt 1, Box R18–F, Beaumont, TX 77706. Representative: Donald B. Henderson, 17010 Sugar Pine Dr., Houston, TX 77090. Transporting *material lifting equipment and accessories* for such equipment, between points in Calcasieu, Cameron, Beauregard, Jefferson Davis, Acadia, Allen, Verno, Caddo, DeSoto, Sabine, LaFayette, Evangeline, Rapides, and Nachitoches Parishes, LA, on the one hand, and, on the other, Beaumont, TX. (Hearing site: Houston, TX.)

Agatha L. Mergenovich,

Secretary.

[FR Doc. 80-7933 Filed 3-13-80; 8:45 am]

BILLING CODE 7035-01-M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-71]

Certain Anaerobic Impregnating Compositions and Components Therefor; Order To Certify Motion to Commission

The presiding officer in the above-captioned investigation is hereby ordered to certify Motion No. 71–30 to the Commission along with her recommendation regarding disposition of the motion.

The Secretary will transmit a copy of this order to the presiding officer and serve copies on each party of record to the investigation.

By order of the Commission.

Issued: March 11, 1980.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-7982 Filed 3-13-80; 8:45 am]

BILLING CODE 7020-02-M

Review of Certain Countervailing Duty Orders

Note.—This document supersedes the notice published at 45 FR 16051, March 12, 1980. Portions of that notice were

inadvertently omitted; the entire text appears below.

Section 104(b) of the Trade Agreements Act of 1979 in pertinent part provides:

(b) Other Countervailing Duty Orders.—

(1) Review by Commission Upon request.—In the case of a countervailing duty order issued under section 303 of the Tariff Act of 1930 (19 U.S.C. 1303):

(A) Which is not a countervailing duty order to which subsection (a) applies,

(B) Which applies to merchandise which is the product of a country under the Agreement, and

(C) Which is in effect on January 1, 1980, or which is issued pursuant to court order in an action brought under section 516(d) of that Act before that date,

the Commission, upon the request of the government of such a country or of exporters accounting for a significant proportion of exports to the United States of merchandise which is covered by the order, submitted within 3 years after the effective date of title VII of the Tariff Act of 1930 shall make a determination under paragraph (2) of this subsection.

(2) Determination by the Commission.—In a case described in paragraph (1) with respect to which it has received a request for review, the Commission shall commence an investigation to determine whether:

(A) An industry in the United States—

(i) Would be materially injured, or

(ii) Would be threatened with material injury, or

(B) The establishment of an industry in the United States would be materially retarded,

by reason of imports of the merchandise covered by the countervailing duty if the order were to be revoked.

It is the intention of the Commission to establish a schedule on or about April 30, 1980, for the conduct of investigations pursuant to section 104(b) encompassing requests for such investigations that have been received by March 28, 1980. In accordance with § 207.31 of the Commission's Rules of Practice and Procedure, among the factors considered by the Commission for establishing priorities of institution among such requests when the work before the Commission is such as to make immediate investigation in such cases impractical are:

(a) The trade interests of the United States;

(b) The length of time a countervailing duty order has been in effect (longest first);

(c) The volume of trade of the product in question; and

(d) The appropriateness of consolidation of investigations relating to like products.

Additional investigations, requests for which are received after March 28, 1980, and before December 31, 1982, will be scheduled at later dates.

Issued: March 11, 1980.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-7981 Filed 3-13-80; 8:45 am]

BILLING CODE 7020-02-M

DEPARTMENT OF LABOR

Employment and Training Administration

Federal-State Unemployment Compensation Program; New Extended Benefit Period in the State of Rhode Island

This notice announces the beginning of a new Extended Benefit Period in the State of Rhode Island, effective on March 9, 1980.

Background

The Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) established the Extended Benefit Program as a part of the Federal-State Unemployment Compensation Program. The Extended Benefit Program takes effect during periods of high unemployment in a State or the nation, to furnish up to 13 weeks of additional benefits to eligible individuals who have exhausted their rights to regular benefits under permanent State and Federal unemployment compensation laws. Part 615 of Title 20, Code of Federal Regulations, implements the statute (20 CFR Part 615).

In accordance with section 203(e) of the Act, the Rhode Island unemployment compensation law provides that there is a State "on" indicator in the State for a week if the head of the State employment security agency determines, in accordance with 20 CFR 615.12(e), that, for the period consisting of that week and the immediately preceding 12 weeks, the rate of insured unemployment under the State unemployment compensation law equalled or exceeded the State trigger rate. 20 CFR 615.12(b) or (c). The Extended Benefit Period actually begins with the third week following the week for which there is an "on"indicator. A benefit period will be in effect for a minimum of 13 consecutive weeks, and will end the third week after there is an "off" indicator.

Determination of "On" Indicator

The head of the employment security agency of the State of Rhode Island has determined that, for the period consisting of the week ending on February 23, 1980, and the immediately preceding 12 weeks, the rate of insured unemployment in the State equalled or exceeded the State trigger rate.

Therefore, an Extended Benefit Period commenced in that State with the week beginning on March 9, 1980.

Information for Claimants

The duration of Extended Benefits payable in the new Extended Benefit Period, and the terms and conditions on which they are payable, are governed by the Act and the State unemployment compensation law. The State employment security agency will furnish a written notice of potential entitlement to Extended Benefits to each individual who has established a benefit year in the State that will expire after the new Extended Benefit Period begins, and who has exhausted all rights under the State unemployment compensation law to regular benefits before the beginning of the new Extended Benefit Period. 20 CFR 615.13(d)(1). The State employment security agency also will provide such notice promptly to each individual who exhausts all rights under the State unemployment compensation law during the Extended Benefit Period, including exhaustion by reason of the expiration of the individual's benefit year. 20 CFR 615.13(d)(2).

Persons who believe they may be entitled to Extended Benefits in the State of Rhode Island, or who wish to inquire about their rights under the Extended Benefit Program, should contact the nearest State Employment Office of the Rhode Island Department of Employment Security in their locality.

Signed at Washington, D.C., on March 7, 1980.

Ernest G. Green,

Assistant Secretary for Employment and Training.

[FR Doc. 80-7869 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-30-M

Federal-State Unemployment Compensation Program; New Extended Benefit Period in the State of New Jersey

This notice announces the beginning of a new Extended Benefit Period in the State of New Jersey, effective on March 9, 1980.

Background

The Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) established the Extended Benefit Program as a part of the Federal-State Extended Unemployment Compensation Program. The Extended Benefit Program takes effect during periods of high unemployment in a State or the nation,

to furnish up to 13 weeks of additional benefits to eligible individuals who have exhausted their rights to regular benefits under permanent State and Federal unemployment compensation laws. Part 615 of Title 20, Code of Federal Regulations, implements the statue (20 CFR Part 615).

In accordance with section 203(e) of the Act, the New Jersey unemployment compensation law provides that there is a State "on" indicator in the State for a week if the head of the State employment security agency determines, in accordance with 20 CFR 615.12(e), that, for the period consisting of that week and the immediately preceding 12 weeks, the rate of insured unemployment under the State unemployment compensation law equalled or exceeded the State trigger rate. 20 CFR 615.12 (b) or (c). The Extended Benefit Period actually begins with the third week following the week for which there is an "on" indicator. A benefit period will be in effect for a minimum of 13 consecutive weeks, and will end the third week after there is an "off" indicator.

Determination of "On" Indicator

The head of the employment security agency of the State of New Jersey has determined that, for the period consisting of the week ending on February 23, 1980, and the immediately preceding 12 weeks, the rate of insured unemployment in the State equalled or exceeded the State tigger rate.

Therefore, an Extended Benefit Period commenced in that State with the week beginning on March 9, 1980.

Information for Claimants

The duration of Extended Benefits payable in the new Extended Benefit Period, and the terms and conditions on which they are payable, are governed by the Act and the State unemployment compensation law. The State employment security agency will furnish a written notice of potential entitlement to Extended Benefits to each individual who has established a benefit year in the State that will expire after the new Extended Benefit Period begins, and who has exhausted all rights under the State unemployment compensation law to regular benefits before the beginning of the new Extended Benefit Period. 20 CFR 615.13(d)(1). The State employment security agency also will provide such notice promptly to each individual who exhausts all rights under the State unemployment compensation law during the Extended Benefit Period, including exhaustion by reason of the expiration of the individual's benefit year. 20 CFR 615.13(d)(2).

Persons who believe they may be entitled to Extended Benefits in the State of New Jersey, or who wish to inquire about their rights under the Extended Benefit Program, should contact the nearest local office of the State Department of Labor and Industry in their locality.

Signed at Washington, D.C., on March 7, 1980.

Ernest G. Green,

Assistant Secretary for Employment and Training.

[FR Doc. 80-7868 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-30-M

Employment Transfer and Business Competition Determinations Under the Rural Development Act; Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75. In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.

4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice. Comments received after the two-week period may not be considered. Send comments to: Administrator, Employment and Training Administration, 601 D Street, N.W., Washington, D.C. 20013.

Signed at Washington, D.C., this 11th day of March 1980.

Earl T. Klein,

Director, Office of Program Services.

Applications Received During the Week Ending March 15, 1980

Name of Applicant and Location of Enterprise, and Principal Product or Activity

Palace Hotel Holding Corp., Ukiah, Calif.,—Hotel.

Hendrick Corp., Edinboro, Pa.—Manufacture of a patented building system for lower income house construction.

[FR Doc. 80-7972 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-30-M

Mine Safety and Health Administration

[Docket No. M-80-38-C]

C & B Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

The employees of the C & B Coal Company, Box 26, Manton, Kentucky 41648 have filed a petition to modify the application of 30 CFR 75.1710 (cabs and canopies) to the Mine No. 3 located in Floyd County, Kentucky. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

The substance of the petition follows:

1. The petitioners state that application of the standard to the roof

bolting machine used at this mine will result in a diminution of safety for them because:

a. The canopy would obscure the vision of the machine operator, making it difficult for him or her to observe top conditions and to bolt next to the rib.

b. The canopy to be used was not factory designed and installed and the petitioners fear the frame of the machine is too weak to withstand the additional load.

2. For these reasons the petitioners request a modification of the standard for the mine.

Request for Comments

Persons interested in this petition may furnish written comments on or before April 14, 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: March 3, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 80-7874 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-80-25-M]

Day Mines, Inc.; Petition for Modification of Application of Mandatory Safety Standard

Day Mines, Inc., Post Office Box 1010, Wallace, Idaho 83873 has filed a petition to modify the application of 30 CFR 55.9-22 (berms or guards) to its Leadville Mill located in Lake County, Colorado. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

The substance of the petition follows:

1. The petition concerns the requirement that berms or guards shall be provided on the outer banks of elevated roadways.

2. The maximum elevation of the Petitioner's roadway is ten feet.

3. Petitioner states that application of the standard will result in a diminution of safety for the following reasons:

(a) The berm will frequently cause snow to drift onto the roadway which will tend to obliterate it, reduce visibility, increasing icing and reduce traction, increase the hazard of using the roadway in the winter.

(b) Under certain winter conditions, petitioner is required to plow the roadway and push snow over the edge of the roadway. The berm would tend to restrict removal of snow from the roadway and plowing the roadway will tend to destroy the berm.

4. For these reasons, petitioner requests a modification of the standard for its mine.

Request for Comments

Persons interested in this petition may furnish written comments on or before April 14, 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: March 3, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 80-7875 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-80-16-C]

Doverspike Bros. Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

Doverspike Brothers Coal Company, R.D. 4, Box 271, Punxsutawney, PA 15767 has filed a petition to modify the application of 30 CFR 75.1710 (cabs and canopies) to its Dora No. 6 mine located in Jefferson County, PA. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

The substance of the petition follows:

1. Petitioner is mining a coal seam that varies in height from 30 to 41 inches with uneven roof and floor conditions. The actual mining height does not exceed 41 inches except in the one supply haulage entry.

2. Petitioner states that application of the standard would result in a diminution of safety for the miners affected for the following reasons:

a. The equipment operator could not maintain proper visibility or proper overall control for safe operation when confined in a cab or canopy;

b. The cabs or canopies could dislodge roof supports in the areas of uneven roof conditions.

3. For these reasons, petitioner requests a modification of the standard for his mine.

Request for Comments

Persons interested in this petition may furnish written comments on or before April 14, 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: March 3, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 80-7876 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-80-22-C]

Hamilton Coal Co., Inc.; Petition for Modification of Application of Mandatory Safety Standard

Hamilton Coal Company, Inc., Box 185, McDowell, Kentucky 41647, has filed a petition to modify the application of 30 CFR 75.1719 (illumination) to its Old Circle M#50 Mine located in Floyd County, Kentucky. This petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

The substance of the petition follows:

1. This petition concerns the installation of lighting on the petitioner's mining machines.

2. The petitioner states that due to the thinness of the seams there is not sufficient clearance between the top of the equipment and the mine roof to allow for installation of lighting

3. The petitioner states that if lighting were installed, it would have a blinding effect, thus causing a diminution of safety to those involve.

4. For these reasons, the petitioner requests a modification of the application of the standard.

Request for Comments

Persons interested in this petition may furnish written comments on or before April 14, 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: March 3, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 80-7877 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-80-31-C]

Little Bit Coal Enterprises, Inc.; Petition for Modification of Application of Mandatory Safety Standard

Little Bit Coal Enterprises, Inc., No. 1, Goble-Roberts Road, Prestonsburg, Kentucky 41653, has filed a petition to modify the application of 30 CFR 75.1719 (illumination) to its No. 1 mine located in Emma County, Kentucky. The petition is filed under section 101(c) of the

Federal Mine Safety and Health Act of 1977.

The substance of the petition follows:

1. This petition concerns the installation of lighting on the petitioner's mining machines.

2. The petitioner states that due to the thinness of the seams there is not sufficient clearance between the top of the equipment and the mine roof to allow for installation of lighting.

3. The miners crawl on their hands and knees and always have their heads close to the roof. If the lighting were installed, it would have a blinding effect, thus resulting in a diminution of safety to those involved.

4. For these reasons, the petitioner requests a modification of the application of the standard.

Request for Comments

Persons interested in this petition may furnish written comments on or before April 14, 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: March 3, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 80-7878 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-79-242-C]

Marion Coal Co., Inc.; Petition for Modification of Application of Mandatory Stafety Standard

Marion Coal Company, Inc., Post Office Box 583, Tracy City, Tennessee 37387, has filed a petition to modify the application of 30 CFR 75.1719 (illumination) to its No. 29 mine located in Marion County, Tennessee. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

The substance of the petition follows:

1. The petition concerns the illumination of underground working places in which self-propelled mining equipment is operated.

2. The petitioner states that extreme mining conditions introduce machine vibrations that result in frequent lighting failure, which will cause changes in light intensity that will blind miners in the area.

3. The petitioner further states that the foreman will suffer impaired performance due to continual changes in lighting levels.

4. The petitioner further states that low seam conditions will require light placement on the sides of equipment, which will require miners to face glare and cause maintenance problems which will reduce teamwork and morale.

5. Based on the above considerations, the petitioner states that compliance with the standard will result in diminution of safety to miners, and requests variance of application of the standard.

Request for Comments

Persons interested in this petition may furnish written comments on or before April 14, 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: March 3, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 80-7879 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-43-M

(Docket No. M-79-286-C)

Melody Mountain Coals, Inc.; Petition for Modification of Application of Mandatory Safety Standard

Melody Mountain Coals, Inc., Route 1W, Box 479, Virgie, Kentucky 41572 has filed a petition to modify the application of 30 CFR 75.1719 (illumination) to its Mine No. 1 located in Pike County, Kentucky. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

The substance of the petition follows:

1. The petitioner states that installation of lighting fixtures to its cutting machine would result in a diminution of safety for the miners affected for the following reasons:

a. Fire hazards exist because of the additional wiring required for the lights. The lights become a source of ignition for dust and gas explosions as well as creating an electrocution possibility.

b. The excessive amount of heat generated by the additional lighting causes extreme discomfort for the miners affected.

c. Glare resulting from the additional lighting tends to blind miners working in the vicinity of the affected equipment.

d. The light fixtures are bulky and take up needed space on the top and sides of the equipment and there is a danger that some miners could be caught between the extra light fixtures and the coal rib or roof.

2. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments on or before April 14, 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: March 3, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 80-7880 Filed 3-13-80; 8:45]

BILLING CODE 4510-43-M

[Docket No. M-79-226-C]

New River Company for Ohio-Atlas Construction Co.; Petition for Modification of Application of Mandatory Safety Standard

New River Company, P.O. Box 711, Mt. Hope, West Virginia 25880 has filed a petition in behalf of the Ohio-Atlas Construction Company to modify the application of 30 CFR 75.1400 (hoisting equipment) to the New River Company's Skelton Mine Shaft located in Raleigh County, West Virginia. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

The substance of the petition follows:

1. The petition concerns the construction of a concrete-lined shaft utilizing hoising facilities by means of a stiff-leg derrick used to raise and lower workers and materials in the shaft being constructed.

2. In the construction of this shaft, four concrete-lined entries are to be further extended to tie into existing mine entries at varied lengths to make the shaft operational and make it a functional part of the existing mine.

3. Petitioner proposes an alternative method that will provide the same measure of protection for the miners affected as that provided by the standard as follows:

a. Examination of the wire rope and hoist will be made on each shift.

b. The wire rope will be removed from service when any of the following conditions occur:

(1) The crown wear of the wire rope reaches 30%;

(2) Four broken wires in one rope lay;

(3) Three broken wires in one strand of one rope lay;

(4) Mechanical damage is evident from crushing, flattening, or kinking.

4. Petitioner states that installation of guide and safety catches to the hoist

would pose a hazard to the people being hoisted.

5. For these reasons, petitioner requests a modification of the standard for its mine.

Request for Comments

Persons interested in this petition may furnish written comments on or before April 14, 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.

Date: March 3, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 80-7881 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-80-17-C]

Spring Creek Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

Spring Creek Coal Company, P.O. Box 67, Decker, Montana 59025, has filed a petition to modify the application of 30 CFR 77.1400 (man hoists and elevators) to its Spring Creek Mine project located in Bighorn County, Montana. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

The substance of the petition follows:

1. The petition concerns the use of a crane with an enclosed skip to elevate workers in the construction of a coal storage facility 99 feet in the air, clear spanning 218 feet. Petitioner is attempting to connect two sections of roof beams for the coal storage facility. The connection requires 4 bolts that must be placed and tightened while the steel is in the air.

2. The use of safety nets is impossible because of the height and the lack of any structure to connect the nets to. Scaffolding is also not possible because of the height.

3. There are no articulating cranes available in this area with sufficient reach to attach a man basket to the boom and complete this bolting.

4. As an alternative method, which will at all times guarantee the safety of the miners affected, petitioner proposes to:

a. Elevate the workers in an enclosed skip secured to a safety hook with their safety lanyards hooked into a choker that is to be tied off above the hook,

b. Use two-way radio and hand signals for communication,

c. Have these men in full view of the crane operator and a secondary backup man at all times.

5. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments on or before April 14, 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: March 3, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 80-7882 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-79-284-C)

T & N Coal Co., Inc.; Petition for Modification of Application of Mandatory Safety Standard

T & N Coal Company, Inc., Craynor, Kentucky 41614, has filed a petition to modify the application of 30 CFR 75.1719 (illumination) to its #2 mine located in Floyd County, Kentucky. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

The substance of the petition follows:

1. This petition concerns the installation of lighting on the petitioner's mining machines.

2. The petitioner states that due to the thinness of the seams there is not sufficient clearance between the top of the equipment and the mine roof to allow for installation of lighting.

3. The miners crawl on their hands and knees and always have their heads close to the roof. If the lighting were installed, it would have a blinding effect, thus resulting in a diminution of safety to those involved.

4. For these reasons, the petitioner requests a modification of the application of the standard.

Request for Comments

Persons interested in this petition may furnish written comments on or before April 14, 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: March 3, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 80-7883 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-80-11-C]

Watson and Cassady Coal Co., Inc.; Petition for Modification of Application of Mandatory Safety Standard

Watson and Cassady Coal Company, Inc., Box 219, Betsy Layne, Kentucky 41605 has filed a petition to modify the application of 30 CFR 75.1719 (illumination) to its No. 2 mine located in Floyd County, Kentucky. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

The substance of the petition follows:

1. Petitioner is mining coal ranging from 36 to 40 inches in height.

2. Petitioner states that installation of lighting equipment results in a diminution of safety for the miners affected because of the adverse effect the lighting has on the miners when they travel throughout the mine. The miners have to adjust their eyes from very low light to extremely bright light.

3. For this reason, petitioner requests a modification of the standard for this mine.

Request for Comments

Persons interested in this petition may furnish written comments on or before April 14, 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: March 3, 1980.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 80-7884 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-43-M

Office of the Secretary

[TA-W-6756]

Armco Inc.; Metal Products Division, Summit Plant; 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 January 10, 1980 in response to a worker petition received on December 31, 1979 which was filed by the United Steelworkers of America on behalf of workers and former workers producing corrugated steel drainage pipe for Armco Inc., Metal Products Division #8, Ashland, Kentucky. The investigation revealed that workers are employed by Armco Inc., Metal Products Division, Summit Plant, Summit, Kentucky. 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.

Imports of corrugated steel drainage pipe are negligible.

A survey of principal importers of pipe and similar articles failed to reveal any importers of corrugated drainage pipe. The importers cite the bulkiness and weight of this product and the resulting high freight costs as reasons for negligible imports of corrugated steel drainage pipe.

The petition alleges that imports of lower-cost steel by other domestic firms producing corrugated drainage pipe have allowed those competing firms to sell their product at lower prices than the Summit plant, resulting in employment declines at that plant. Steel is not like or directly competitive with corrugated drainage pipe, therefore imports of steel by the competing firms cannot be considered to have contributed importantly to the decline in employment at the Summit plant within the meaning of Section 222(3) of the Trade Act of 1974.

Conclusion

After careful review, I determine that all workers of Armco Incorporated, Metal Products Division, Summit Plant, Summit, Kentucky 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 10th day of March 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-7835 Filed 3-13-80; 8:45]

BILLING CODE 4510-28-M

[TA-W-6743]

Bay Textile 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 January 10, 1980 in response to a worker petition received on December 20, 1979 which was filed by the Amalgamated Clothing and Textile Workers Union on behalf of workers and former workers producing textile yarns at the Bay Textile Corporation, Johnston, Rhode Island. In the following determination, without regard to whether any of the other criteria have been met, the following criterian has not been met:

That increases of imports of articles like or directly competitive with articles produces by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Imports of all yarns into the United States decreased during the first nine months of 1979 as compared to the same period in 1978. The ratio of imports to domestic production was below 2 percent each year during the period 1974–1978.

Results of a U.S. Department of Labor Survey of firms who represented a major portion of the Bay Textile Corporation's 1978 sales indicated that those customers who decreased their purchases of yarn from the subject firm in 1979 as compared to 1978 did not increases their purchases of imported yarn during this period.

Conclusion

After careful review, I determine that all workers of the Bay Textile Corporation, Johnston, Rhode Island 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 March 1980.

Harry J. Gilman,

Supervisory International Economist, Office of Foreign Economic Research.

[FR Doc. 80-7836 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6757-A-J]

Bethlehem Mines Corp., Kayford-Boone-Nicholas Division; 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 January 10, 1980 in response to a worker petition received on December 31, 1979 which was filed by the United Steel Workers of America on behalf of workers and former workers producing metallurgical coal at the Kayford and Boone Divisions of the Bethlehem Mines Corporation, Charleston, West Virginia. The investigation revealed that the petitioning mines are in the Kayford-Boone-Nicholas Division of Bethlehem Mines Corporation and that the petition was filed by the United Mine Workers of America. In the following determination, without regard to whether any of the 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.

Imports of metallurgical coal decreased absolutely and relatively from 1977 to 1978 and in the first nine months of 1979 compared to the like period of 1978. The ratio of imports to domestic production did not exceed 0.60 percent from 1974 through 1978.

In accordance with Section 222 of the Trade Act of 1974 and 29 CFR 90.2, a domestic article may be "directly competitive" with an imported article at a later stage of processing. Coke is metallurgical coal at a later stage of processing.

Imports of coke decreased absolutely and relatively in the first nine months of 1979 compared to the like period in 1978.

Production of metallurgical coal by mines in the Keyford-Boone-Nicholas Division increased from 1977 to 1978 and increased from 1978 to 1979. Partial year comparisons made to discount the impact of a four-month industry-wide strike from December 1977 to March 1978 and a wildcat strike in August 1977 also show sharp increases in production. Production increased during the period from April to November (excluding August) in 1978 compared to the same period in 1977, and in the period April through December 1979 compared to the like period of 1978. The cause of the closing of the Kayford Division was the loss of the use of its preparation plant. (Mines #114, #115, and #119 were closed earlier in 1978 and 1979 due to depletion of their coal reserves. Workers of these mines were denied eligibility to apply for adjustment assistance in August, 1979)

Appendix

Petition Number and Mine

TA-W-6757-A, #111 (Kayford County).
TA-W-6757-B, #113 (Kayford County).
TA-W-6757-C, #114 (Kayford County).
TA-W-6757-D, #115 (Kayford County).
TA-W-6757-E, #116 (Kayford County).
TA-W-6757-F, #118 (Kayford County).
TA-W-6757-G, #119 (Kayford County).
TA-W-6757-H, #121 (Kayford County).
TA-W-6757-I, #131 (Boone County).
TA-W-6757-J, #81 (Nicholas County).

Conclusion

After careful review, I determine that all workers at mines in the Kayford-Boone-Nicholas Division of the Bethlehem Mines Corporation, Charleston, West Virginia 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 10th day of March 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-7837 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6768]

Bulova Watch Co., Inc., Watch Manufacturing Division; 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 January 14, 1980 in response to a worker petition received on December 26, 1979 which was filed by the Tool and Diemakers Independent Union on behalf of workers and former workers producing watches at Bulova Watch Company, Incorporated, Watch Manufacturing Division, Jackson Heights, New York. The investigation revealed that the petitioning group of workers produce watch movements and spare parts. It is concluded that all of the requirements have been met.

U.S. imports of nonconventional watches increased absolutely and relative to domestic production in 1978 compared with 1977 and increased absolutely in the first nine months of 1979 when compared with the same period in 1978. The ratio of U.S. imports to domestic production was 137.5 in 1978.

Bulova Watch Company, Incorporated imports watch movements from its own foreign plants. Company imports increased from 1978 to 1979. These imported movements have assumed an increasingly larger share of all company watch movements in 1978 and 1979 and will be the sole source of all movements in early 1980. Production of watch movements at the Jackson Heights facility will cease at that time.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with watch movements produced at Bulova Watch Company, Incorporated, Watch Manufacturing Division, Jackson Heights, New York contributed importantly to the decline in sales or production and to the total or partial separation of workers of that division of the firm. In accordance with the provisions of the Act, I make the following certifications:

All workers of Bulova Watch Company, Incorporated, Watch Manufacturing Division, Jackson Heights, New York who became totally or partially separated from employment on or after February 28, 1980 and before June 30, 1980 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974. All workers who are totally or partially separated from employment after June 30, 1980 are denied eligibility to apply for adjustment assistance.

Signed at Washington, D.C., this 10th day of March 1980.

James F. Taylor,

Director, Officer of Management, Administration and Planning.

[FR Doc. 80-7838 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6759]

Canteen 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 January 10, 1980 in response to a worker petition received on December 20, 1979 which was filed on behalf of workers and former workers operating cafeteria facilities at the Canteen Corporation, Fenton, Missouri.

Canteen Corporation is engaged in providing vending and cafeteria services. Thus, workers of Canteen Corporation do not produce an article 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 Canteen Corporation 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.

Canteen Corporation and its customers have no controlling interest in one another. The subject firm is not corporately affiliated with any other company engaged in the production of a product.

All workers engaged in operating cafeteria facilities at Canteen Corporation are employed by that firm. All personnel actions and payroll transactions are controlled by Canteen Corporation. All employee benfits are provided and maintained by Canteen Corporation. Workers are not, at any time, under employment or supervision by customers of Canteen Corporation. Thus, Canteen Corporation, and not any

of its customers, must be considered to be the "workers' firm".

Conclusion

After careful review, I determine that all workers of Canteen Corporation, Fenton, Missouri 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 March 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-7839 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6745]

Chanin Clothing Co., Inc.; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 23 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 January 10, 1980 in response to a worker petition received on December 20, 1979 which was filed by the Amalgamated Clothing and Textile Workers Union on behalf of workers and former workers producing men's tailored clothing at Chanin Clothing Company, Incorporated. The investigation revealed that the plant produces primarily men's suits, sportcoats and pants. It is concluded that all of the requirements have been met.

U.S. imports of men's and boys' tailored dress coats and sportcoats increased absolutely and relative to domestic production from 1977 to 1978. U.S. imports of men's and boys' tailored suits are estimated to have increased relative to domestic production from 1978 to 1979. U.S. imports of men's and boys' dress and sport trousers and shorts increased absolutely and relative to domestic production from 1977 to 1978.

Sales of the manufacturers which contract orders to Chanin decreased from 1978 to 1979. The manufacturers do not purchase imported men's tailored clothing and do not employ offshore contractors to produce these garments.

A survey of customers of these manufacturers revealed that some customers decreased puchases of men's tailored clothing from the manufacturers and increased purchases of imported men's tailored clothing in 1979 compared with 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 men's tailored clothing, including suits, sportcoats, and pants produced at Chanin Clothing Company, Incorporated, New York City, New York 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 Chanin Clothing Company, Incorporated, New York City, New York who became totally or partially separated from employment on or after May 18, 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 7th day of March 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-7840 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6746 and 6747]

Claremont Clothes, Inc. and Clinton Swan Clothes, 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 January 10, 1980 in response to a worker petition received on December 20, 1979 which was filed by the Amalgamated Clothing and Textile Workers Union on behalf of workers and former workers producing men's tailored clothing at Claremont Clothes, Incorporated and Clinton Swan Clothes, Incorporated, New York City, New York. The investigation revealed that the plant produces primarily men's suits, sportcoats, pants and outerwear. It is concluded that all of the requirements have been met.

U.S. imports of men's and boys' tailored dress coasts and sportcoats increased absolutely and relative to domestic production from 1977 to 1978. U.S. imports of men's and boys' tailored suits are estimated to have increased relative to domestic production from 1978 to 1979. U.S. imports of men's and boys' dress and sport trousers and shorts increased absolutely and relative to domestic production from 1977 to 1978.

A survey of customers of Claremont Clothes, Incorporated and Clinton Swan Clothes, Incorporated revealed that some customers decreased purchases of men's tailored clothing from Claremont and Clinton Swan and increased purchases of imported men's tailored clothing in 1979 compared with 1978.

Conclusion

Aften careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with men's tailored clothing, including suits, sportcoats, pants and outerwear produced at Claremont Clothes, Incorporated and Clinton Swan Clothes, Incorporated, New York City, 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 Claremont Clothes, Incorporated, New York City, New York who became totally or partially separated from employment on or after December 11, 1978 and all workers of Clinton Swan Clothes, Incorporated, New York City, New York who became totally or partially separated from employment on or after April 6, 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 7th day of March 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-7842 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6735]

Crompton & Knowles Corp., Weaving Division; 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 January 9, 1980 in response to a worker petition received on January 2, 1980 which was filed by the United Steelworkers of America on behalf of workers and former workers producing castings and powerloom parts for textile machinery at the Crompton and Knowles Corporation, Weaving Division, Worcester, Massachusetts plant. 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 power looms decreased both absolutely and relative to U.S. production in 1979 compared to 1978.

The decline in employment at the Worcester plant is caused primarily by a domestic transfer of production from the Worcester plant to existing Crompton and Knowles plants in the South. Company sales of power looms and power loom parts increased in 1979 compared to 1978.

Conclusion

After careful review, I determine that all workers of the Worcester, Massachusetts plant of Crompton and Knowles Corporation, Weaving Division 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 March 1980.

Harry J. Gilman,

Supervisory International Economist, Office of Foreign Economic Research.

[FR Doc. 80-7843 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6736]

Culmo-Larkin Chrysler-Plymouth, 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 January 9, 1980 in response to a worker petition received on January 2, 1980 which was filed on behalf of workers and former workers selling, leasing and servicing automobiles at Culmo-Larkin Chrysler-Plymouth, Incorporated, Thomaston, Connecticut.

The investigation revealed that Culmo-Larkin Chrysler-Plymouth, Incorporated was engaged in providing the service of selling, leasing and servicing automobiles.

Thus, workers of Culmo-Larkin Chrysler-Plymouth, Incorporated did not produce an article 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 Culmo-Larkin Chrysler-Plymouth, Incorporated 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.

Culmo-Larkin Chrysler-Plymouth, Incorporated and its suppliers had no controlling interest in one another. The subject firm was not corporately affiliated with any other company.

All workers engaged in the sale, leasing and servicing of automobiles at Culmo-Larkin Chrysler-Plymouth, Incorporated were employed by that firm. All personnel actions and payroll transactions were controlled by Culmo-Larkin Chrysler-Plymouth, Incorporated. All employee benefits were provided and maintained by Culmo-Larkin Chrysler-Plymouth, Incorporated. Workers were not, at any time, under employment or supervision by the suppliers of Culmo-Larkin Chrysler-Plymouth, Incorporated. Thus, Culmo-Larkin Chrysler-Plymouth, Incorporated, and not any of its suppliers must be considered to be the "workers' firm".

Conclusion

After careful review, I determine that all workers of Culmo-Larkin Chrysler-Plymouth, Incorporated, Thomaston, Connecticut 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 March, 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-7844 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6644, 6713]

Essex Group Inc.; 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 investigations were initiated on December 20, 1979 and January 7, 1980 in response to worker petitions received on December 13, 1979 and January 7, 1980, respectively, which were filed on behalf of workers and former workers producing plastic parts for cars at the Elwood, Indiana plant of Essex Group, Incorporated (TA-W-6644), and on behalf of workers and former workers producing electromechanical parts for cars at the Mitchell, Indiana plant of Essex Group, Incorporated (TA-W-6713). The investigation revealed that the Elwood, Indiana plant produces plastic parts for automotive wire harnesses and the Mitchell, Indiana plant produces metal parts for automotive wire harnesses. 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.

Imported automobiles cannot be considered to be like or directly competitive with domestically produced automotive wire harnesses. Imports of automobile wire harnesses must be considered in determining import injury to workers producing components for automobile wire harnesses at the Elwood, Indiana and Mitchell, Indiana plants of Essex Group, Inc.

The Department of Labor conducted a survey of major automotive wire harness customers of Essex Group.

None of the customers surveyed increased purchases of imported automotive wire harnesses and decreased purchases of such wire harnesses from Essex from 1978 to 1979. Both the Elwood, Indiana and Mitchell, Indiana plants produce components which are sold by Essex as part of the automotive wire harness subassembly.

Conclusion

After careful review, I determine that all workers at the Elwood, Indiana and Mitchell, Indiana plants of Essex Group, Incorporated 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 5th day of March 1980.

Harry J. Gilman,

Supervisory International Foreign Economic Research.

[FR Doc. 80-7845 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6842]

Famous Maid Brassiere Co.; 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 January 24, 1980 in response to a worker petition received on January 18, 1980 which was filed by the International Ladies' Garment Workers Union on behalf of workers and former workers producing brassieres at Famous Maid Brassiere Company, Brooklyn, New York. It is concluded that all of the requirements have been met.

Evidence developed in the course of the investigation revealed that U.S. imports of brassieres, bralettes and bandeaux increased absolutely from 1977 to 1978 and continued to increase during the first three quarters of 1979 compared to the same period in 1978.

Imports of brassieres by Famous Maid increased from 1977 to 1978 and from 1978 to 1979. As a percentage of total sales by Famous Maid, imported brassieres increased from 1977 to 1978 and from 1978 to 1979. The increased reliance on imported brassieres by Famous Maid resulted in decreased production and employment at the Brooklyn production facility.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports of articles like or directly competitive with brassieres produced at Famous Maid Brassiere Company, Brooklyn, New York 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 Famous Maid Brassiere Company, Brooklyn, New York who became totally or partially separated from employment on or after January 14, 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 10th day of March 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-7846 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W6844]

Frolic Footwear; 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 January 24, 1980 in response to a worker petition received on January 18, 1980 which was filed by the United Food and Commercial Workers, Boot and Shoe Division, Local 728 on behalf of workers and former workers producing women's shoes at the Jonesboro, Arkansas plant of Frolic Footwear. In the following determination, without regard to whether any of the other criteria have been met, the following criterion has not been met:

That sales or production, or both, of the firm or subdivision have decreased absolutely.

Total company sales of women's shoes increased in value from 1978 to 1979. Company sales increased in value in the fourth quarter of 1979, compared with the same period of the previous year. Plant production and plant sales increased in quantity and value from 1978 to 1979. Average monthly employment of production workers at the plant increased from 1978 to 1979.

Conclusion

After careful review, I determine that all workers at the Jonesboro, Arkansas plant of Frolic Footwear 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 10th day of March 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-7847 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6690]

General Cable 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 January 4, 1980 in response to a worker petition received on December 21, 1979 which was filed by the International Brotherhood of Electrical Workers on behalf of workers and former workers producing bare copper wire at the St. Louis, Missouri plant of General Cable Company. 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 copper wire declined both absolutely and relative to domestic production in the January through September 1979 period when compared to the same period in 1978.

The investigation revealed that the St. Louis plant of General Cable Company produces bare copper wire for both transfer to other company plants for further processing and for sale to commercial customers. The Department surveyed only customers of bare copper wire who decreased their purchases from the St. Louis plant. The customers of the end products produced at other company plants were not surveyed because either the intracompany transfers from the St. Louis plant increased or sales of the end products increased from 1978 to 1979.

A Departmental survey of customers decreasing their purchases of bare copper wire from the St. Louis, Missouri plant of General Cable Company revealed that the customers did not purchase imported copper wire in 1978 or 1979.

Conclusion

After careful review, I determine that all workers of the St. Louis, Missouri plant of General Cable Company 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 March 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-7848 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6724]

General Electric Co.; Medical Systems Division; 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 January 8, 1980 in response to a worker petition received on December 26, 1979 which was filed on behalf of workers and former workers producing medical diagnostic equipment at the Milwaukee, Wisconsin plant of General Electric Medical Systems. The investigation revealed that the petition was filed on behalf of workers producing image intensifier tubes for X-ray machines at the Electric Avenue, Milwaukee, Wisconsin plant of the Medical Systems Division of the General Electric Company. It is concluded that all of the requirements have been met.

U.S. imports of X-ray tubes increased in 1978 compared with 1977 and increased in the first three quarters of 1979 compared with the same period of 1978.

General Electric's Medical Systems Division relied partially on imports as a source of image intensifier tubes in addition to producing them at its Electric Avenue plant in Milwaukee, Wisconsin in 1978 and 1979. Since January 1980 the company has been relying completely on imports to meet its requirements of image intensifier tubes.

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 image intensifier tubes for X-ray machinery produced at the Electric Avenue, Milwaukee, Wisconsin plant of General Electric's Medical Systems Division 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 Image Intensifier Tube Operations at the Electric Avenue, Milwaukee, Wisconsin plant of the Medical Systems Division of the General Electric Company who became totally or partially separated from employment on or after November 3, 1979 and before March 8, 1980 are eligible 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 March 1980.

Harry J. Gilman,

Supervisory International Economist, Office of Foreign Economic Research.

[FR Doc. 80-7849 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6705]

General Motors Corp., Delco Electronics Division; 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 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 January 7, 1980 in response to a worker petition received on December 17, 1979 which was filed on behalf of workers and former workers producing radios, tape players and engine controls for General Motors cars at the Kokomo, Indiana, plant of General Motors Corporation's Delco Electronics Division. The investigation revealed that the primary products: radios, speakers, engine controls, voltage regulators and ignition modules are for use in General Motors automobiles and trucks. 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.

The Kokomo, Indiana, plant of General Motors Corporation's Delco Electronics Division produces radios, speakers, engine controls, voltage regulators and ignition modules for use in the manufacture of General Motors automobiles and trucks. Since the products are specifically designed for General Motors automobiles and trucks and cannot be used in the manufacturer of other than General Motors models without design changes, the only imports of products "like or directly competitive" with the products produced at the Delco Electronics Division, Kokomo, Indiana would be imports of similar products by the General Motors Corporation for use in the manufacture of General Motors Automobiles and Trucks. General Motors does not import radios, speakers, engine controls, voltage regulators and ignition modules.

The products at the Kokomo, Indiana plant of Delco Electronics Division are used in the assembly of various General Motors automobiles and trucks. Workers at the Kokomo plant may be certified if a significant proportion of the plant's output is used in the production of General Motors automobiles or trucks which are determined to be importantly impacted by increased imports of like or directly competitive products. Investigations regarding workers producing General Motors automobiles and trucks are currently in progress (TA-W-6999—7083). Further consideration will be given to workers at the Kokomo, Indiana plant of General Motors Corporation's Delco Electronics

Division when a determination is made regarding the above mentioned investigations.

Conclusion

After careful review, I determine that all workers at the Kokomo, Indiana plant of General of General Motors Corporation's Delco Electronics Division 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 March 1980.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 80-7850 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6637 and TA-W-6637A]

Ginsburg Manufacturing Co., Inc. and Redmond Finishing Co., Inc.; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 USC 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 18, 1979 in response to a worker petition received on December 10, 1979 which was filed by the International Ladies' Garment Workers' Union on behalf of workers and former workers producing ladies' sleepwear at Ginsburg Manufacturing Company, Incorporated, New York, New York. The investigation was expanded to include Redmond Finishing Company, Incorporate (TA-W-6637A). It is concluded that all of the requirements have been met.

Ginsburg Manufacturing Company produces ladies' nightwear and robes. Redmond Finishing Company, a subsidiary of Ginsburg, produces fabric for Ginsburg.

U.S. imports of women's, girls', and children's nightwear increased absolutely from 1976 to 1977 and from 1977 to 1978. Imports decreased absolutely in the first nine months of 1979 compared to the same period in 1978.

U.S. imports of women's misses', and children's robes, dressing gowns, and housecoats increased absolutely from 1976 to 1977 and from 1977 to 1978. Imports decreased absolutely in the first nine months of 1979 compared to the same period in 1978.

The Department conducted a survey of customers which purchased ladies' nightwear and robes from Ginsburg Manufacturing Company, Incorporated. The survey revealed that customers of Ginsburg Manufacturing Company, Incorporated decreased purchases from the subject firm and increased purchases of imported ladies' nightwear and robes from 1978 to 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 ladies' nightwear and robes produced at Ginsburg Manufacturing Company, Incorporated, New York, New York and Redmond Finishing Company, Incorporated, East Stroudsburg, Pennsylvania 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 Ginsburg Manufacturing Company, Incorporated, New York, New York and Redmond Finishing Company, Incorporated, East Stroudsburg, Pennsylvania 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 7th day of March 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-7851 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6751]

Harry Irwin, 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 January 10, 1980 in response to a worker petition received on December 20, 1979 which was filed by the Amalgamated Clothing and Textile Workers Union on behalf of workers and former workers producing men's tailored clothing at Harry Irwin, Incorporated, New York, New York. It is concluded that all of the requirements have been met.

U.S. imports of men's and boys' tailored suits increased relative to domestic production in 1979 compared to 1978.

A survey of cutomers of Harry Irwin revealed that customers accounting for a significant proportion of the sales decline experienced by the subject firm decreased purchases of men's tailored clothing from Harry Irwin in 1979 compared to 1978 while increasing purchases of men's suits, topcoats and overcoats from foreign sources.

Conlusion

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 tailored clothing produced at Harry Irwin, 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 certificaiton:

All workers of Harry Irwin, Incorporated, New York, New York who became totally or partially separated from employment on or after March 31, 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 7th day of March 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-7852 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6752, TA-W-6752-A, TA-W-6752-B]

Highlander Sportswear, Inc.; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 USC 2273) the Department of Labor herein presents the results of an investigation regarding certification or 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 January 10, 1980 in response to a worker petition received on December 20, 1979

which was filed by the Amalgamated Clothing and Textile Workers Union on behalf of workers and former workers producing shearling coats and leather apparel at Highlander Sportswear, Incorporated, Newark, New Jersey (TA-W-6752). The investigation was expanded to include workers and former workers at the Clifton, New Jersey (TA-W-6752-A) and New York, New York (TA-W-6752-B) facilities of Highlander Sportswear, Incorporated. It is concluded that all of the requirements have been met.

U.S. imports of leather coats and jackets for men, women, and children increased in dollar value and rose relative to domestic production in 1978 from 1977. U.S. imports of leather apparel increased in dollar value and rose relative to domestic production in 1978 from 1977.

A Department survey revealed that some of the customers surveyed had reduced purchases from Highlander Sportswear and had increased purchases of imported leather coats in 1979 from 1978.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imnports of articles like or directly competitive with shearling coats and leather apparel produced at Highlander Sportswear, 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 Newark, New Jersey (TA-W-67542); Clifton, New Jersey (TA-W-6752-A); and New York, New York (TA-W-6752-B); facilities of Highlander Sportswear, Incorporated who became totally or partially separated from employment on or after January 25, 1980 are eligible 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 March 1980.

Harry J. Gilman,

Supervisory International Economist, Office of Foreign Economic Research.

[FR Doc. 80-7853 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6725]

International Coat Co.; Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 USC 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 January 8, 1980 in response to a worker petition received on December 31, 1979 which was filed on behalf of workers and former workers producing ladies' and juniors' outerwear at International Coat Company, Paterson, New Jersey. The investigation revealed that the plant produces primarily ladies' coats. It is concluded that all of the reqirements have been met.

U.S. imports of women's, misses' and children's coats and jackets increased both absolutely and relative to domestic production in 1978 compared to 1977.

The Department of Labor conducted a survey of the manufacturers for whom International Coat Company performed contract work. The survey revealed that manufacturers decreased orders with International Coat Company and increased imports of ladies' coats in 1979 compared to 1978. These manufacturers accounted for a substantial proportion of International Coat Company's decline in contract work from 1978 to 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 ladies' coats produced at International Coat Company, Paterson, New Jersey 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 International Coat Company, Paterson, New Jersey who became totally or partially separated from employment on or after December 27, 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 7th day of March 1980.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 80-7854 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6726]

Johnson Steel and Wire Company, 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 January 8, 1980 in response to a worker petition received on January 2, 1980 which was filed by the United Steelworkers of America on behalf of workers and former workers producing tire bead wire (high carbon steel wire), at the Johnson Steel and Wire Company, Incorporated, Akron, Ohio. The investigation revealed that the plant also produces oil tempered spring wire. 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.

The plant produced tire bead wire and oil tempered spring wire. Oil tempered spring wire accounted for about one-fifth of 1979 sales, and the investigation revealed that there were no declines in the employment of workers producing oil tempered spring wire. Employment declines occurred in December 1979 when the plant discontinued the production of tire bead wire.

Imports of bead wire decreased both absolutely and relative to domestic production in 1979 compared to 1978.

The Department of Labor conducted a survey of some of the tire bead wire customers of Johnson Steel and Wire Company, Inc., Akron, Ohio. The survey revealed that customers which decreased purchases of tire bead wire from Johnson Steel and Wire did not increase purchases of imported bead wire in 1979 compared to 1978.

Industry sources indicated that demand for bead wire slumped in 1979 primarily due to the decline in demand for original equipment tires caused by reduced automobile production. Additionally, there is a trend towards

production of smaller tires which use less bead wire.

Conclusion

After careful review, I determine that all workers of the Johnson Steel and Wire Company, Incorporated, Akron, 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 7th day of March 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-7855 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6727]

Johnson Steel and Wire 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 January 8, 1980 in response to a worker petition received on January 2, 1980 which was filed by the United Steelworkers of America on behalf of workers and former workers producing high carbon steel wire at the Johnson Steel and Wire Company, Incorporated, Worcester, Massachusetts. 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.

Employment declines at the Johnson Steel and Wire Company were primarily attributable to the discontinuance of tire bead wire production at the plant.

Production and sales of all wire products at the plant increased in 1978 compared to 1977 and in 1979 compared to 1978. Employment at the plant increased in 1979 compared to 1978. There were no significant employment declines until December 1979 when the production of tire bead wire was discontinued.

Imports of tire bead wire declined both absolutely and relative to domestic production in 1979 compared to 1978.

Industry sources indicated that demand for bead wire slumped in 1979 primarily due to the decline in demand for original equipment tires caused by reduced automobile production. Additionally, there is a trend toward production of smaller tires which use less bead wire.

The Department of Labor conducted a survey of some of the tire bead wire customers of Johnson Steel and Wire Company. The survey revealed that customers which decreased purchases of tire bead wire from Johnson Steel and Wire in 1979 compared to 1978 did not increase purchases of imported bead wire.

Conclusion

After careful review, I determine that all workers of the Johnson Steel and Wire Company, Incorporated, Worcester, Massachusetts 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 March 1980.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 80-7856 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6716]

Leather Mates, 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 January 8, 1980 in response to a worker petition received on December 20, 1979 which was filed by the Amalgamated Clothing and Textile Workers Union on behalf of workers and former workers producing leather apparel at Leather Mates, Incorporated, 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.

U.S. imports of leather apparel, including men's, boy's, women's, misses', juniors' and children's coats and jackets, decreased during the first nine months of 1979 compared to the first nine months of 1978.

A survey of manufacturers who contracted out work to Leather Mates was conducted by the Department. Survey results reveal that none of the manufacturers utilize foreign contractors or import finished leather apparel for domestic resale. Two of the largest manufacturers who contracted out work to Leather Mates experienced sales declines during 1979 compared to 1978. Secondary surveys of customers of these two manufacturers were therefore conducted by the Department. Results of these secondary surveys reveal that none of the customers of the manufacturers decreased purchases from the manufacturers while increasing purchases of imported leather apparel.

Conclusion

After careful review, I determine that all workers of Leather Mates, 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 10th day of March 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-7857 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6314]

M and M Valley Sportswear; Affirmative Determination Regarding Application for Reconsideration

On February 8, 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 M and M Valley Sportswear, Holsopple, Pennsylvania. This determination was published in the **Federal Register** on February 1, 1980, (45 FR 7349).

The petitioner claims that workers at M and M Valley Sportswear, Holsopple, Pennsylvania, were denied trade adjustment assistance while workers at Tidy Products, Columbia, Pennsylvania, TA-W-6453, were certified eligible for

trade adjustment assistance. Tidy Products was the sole manufacturer for which M and M Valley Sportswear worked in 1979.

Conclusion

After review of the application, I conclude that the claim of the petitioner is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, D.C., this 7th day of March 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-7858 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-7098]

Marc Trans, Inc.; Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 USC 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 February 12, 1980, in response to a worker petition received on January 24, 1980, which was filed by the Teamsters on behalf of workers and former workers of the Marc Trans, Inc., Rochester, Pennsylvania.

Marc Trans, Inc. is solely engaged in providing transportation services.

Thus, workers of Marc Trans, Inc. do not produce an article 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 Marc Trans, Inc. 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.

Marc Trans, Inc. and its customers have no controlling interest in one another. The subject firm is not corporately affiliated with any other company which produces an article.

All workers engaged in providing transportation services at Marc Trans, Inc. are employed by that firm. All personnel actions and payroll transactions are controlled by Marc Trans, Inc. All employee benefits are provided and maintained by Marc Trans, Inc. Workers are not, at any time, under employment or supervision by customers of Marc Trans, Inc. Thus, Marc Trans, Inc., and not any of its customers, must be considered to be the "workers' firm".

Conclusion

After careful review, I determine that all workers of Marc Trans, Inc., Rochester, 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 7th day of March 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-7859 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6450]

McDonnell Douglas Corp.; Affirmative Determination Regarding Application for Reconsideration

On February 8, 1980, the union 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 McDonnell Douglas Corporation, St. Louis, Missouri. This determination was published in the **Federal Register** on February 1, 1980, (45 FR 7349).

The union claims that workers engaged in the production of avionics doors at McDonnell Douglas were laid off because avionics doors were imported from Israel as part of an offset agreement made with Israel by McDonnell Douglas Corporation. According to the union, this committment allowed Israeli industry an opportunity to bid on selected components which they were judged qualified to produce. Further, the union provided the names of the separated workers it claims were adversely impacted by imports of avionic doors from Israel.

Conclusion

After review of the application, I conclude that the claim of the petitioner is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, D.C., this 5th day of March 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-7860 Filed 3-13-80; 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, or 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 March 24, 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 March 24, 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 10th day of March 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
Chrysler Corp., San Leandro Parts Depot (UAW).	San Leandro, Calif	2/29/80	2/26/80	TA-W-7,280	Distribution of automotive parts and accessories.
Chrysler Corp., Minneapolis Parts Depot (UAW).	Plymouth Village, Minn	2/29/80	2/26/80	TA-W-7,281	Distribution of automotive parts and accessories.
Chrysler Corp., Denver Parts Depot (UAW)	Denver, Colo	2/29/80	2/26/80	TA-W-7,282	Distribution of automotive parts and accessories.
Chrysler Corp., Los Angeles Parts Depot (UAW).	Fullerton, Calif	2/29/80	2/26/80	TA-W-7,283	Distribution of automotive parts and accessories.
Chrysler Corp., Boston Parts Depot (UAW)	Natick, Mass	2/29/80	2/26/80	TA-W-7,284	Distribution of automotive parts and accessories.
Chrysler Corp., Portland Parts Depot (UAW)	Beaverton, Oreg	2/29/80	2/26/80	TA-W-7,285	Distribution of automotive parts and accessories.
Chrysler Corp., New York Parts Depot (UAW).	Tappan, NY	2/29/80	2/26/80	TA-W-7,286	Distribution of automotive parts and accessories.
Chrysler Corp., Richmond Parts Depot (UAW)	Richmond, Va	2/29/80	2/26/80	TA-W-7,287	Distribution of automotive parts and accessories.
Chrysler Corp., Cleveland Parts Depot (UAW).	Solon, Ohio	2/29/80	2/26/80	TA-W-7,288	Distribution of automotive parts and accessories.
Chrysler Corp., Kansas City Parts Depot (UAW).	Kansas City, Mo	2/29/80	2/26/80	TA-W-7,289	Distribution of automotive parts and accessories.
Chrysler Corp., Atlanta Parts Depot (UAW)	Atlanta, Ga	2/29/80	2/26/80	TA-W-7,290	Distribution of automotive parts and accessories.
Chrysler Corp., Memphis Parts Depot (UAW)	Memphis, Tenn	2/29/80	2/26/80	TA-W-7,291	Distribution of automotive parts and accessories.
Chrysler Corp., Chicago Parts Depot (UAW)	Elkgrove Village, Ill	2/29/80	2/26/80	TA-W-7,292	Distribution of automotive parts and accessories.
Chrysler Corp., Indianapolis Parts Depot (UAW).	Indianapolis, Ind	2/29/80	2/26/80	TA-W-7,293	Distribution of automotive parts and accessories.
Chrysler Corp., Centerline Parts Depot (UAW)	Centerline, Mich	2/29/80	2/26/80	TA-W-7,294	Distribution of automotive parts and accessories.
Chrysler Corp., Warren Parts Depot (UAW)	Warren, Mich	2/29/80	2/26/80	TA-W-7,295	Distribution of automotive parts and accessories.
Chrysler Corp., Orlando Parts Depot (UAW)	Orlando, Fla	2/29/80	2/26/80	TA-W-7,296	Distribution of automotive parts and accessories.
Chrysler Corp., Brownstown Parts Depot (UAW).	Wyandott, Mich	2/29/80	2/26/80	TA-W-7,297	Distribution of automotive parts and accessories.
Belmont Garment Co. (workers)	Cambridge, Mass	2/27/80	2/15/80	TA-W-7,298	Men's rainwear and topcoats.
Berson & Co. (company)	Palmerton, Pa	2/19/80	2/15/80	TA-W-7,299	Women's and misses tops.
Vivitar Corp (workers)	Lyndhurst, N.J	2/27/80	2/13/80	TA-W-7,300	Photographic equipment.
Globe Industries, Oregon Ohio Plant (RWDSU).	Oregon, Ohio	2/29/80	2/25/80	TA-W-7,301	Sound deadening material.
Lear-Siegler, Lear Siegler Automotive Division (UAW).	Detroit, Mich	2/29/80	2/13/80	TA-W-7,302	Truck axle housing and tubes, transmission supports, frame crossmembers.
General Motors Corp., Chevrolet—Adrian (UAW).	Adrian, Mich	2/29/80	2/26/80	TA-W-7,303	Engine parts.
General Motors Corp., Oldsmobile Forge (UAW).	Lansing, Mich	2/29/80	2/26/80	TA-W-7,304	Cutlasses, Cutlasses Supremes, motor components.
General Motor Corp., Fisher Body Stamping (UAW).	Kalamazoo, Mich	2/29/80	2/26/80	TA-W-7,305	Forgings—steel door panels and various other forgings.
Gloucester Ice & Cold Storage Co. (workers)	Gloucester, Mass	2/29/80	2/25/80	TA-W-7,306	Pack fish in master cartons, freeze and store the fish.
Leslie Fay, Inc. (workers)	Lincolnton, N.C	2/22/80	2/19/80	TA-W-7,307	Finished fabric (knitted).
Merit Manufacturing Co. (workers)	Fall River, Mass	2/18/80	2/13/80	TA-W-7,308	Ladies' better dresses, also, ladies' skirts.
Lisa Scott Apparel, Inc. (company)	New York, N.Y	2/13/80	1/31/80	TA-W-7,309	Ladies' and men's apparel.
Whitestone Industries, Inc. (company)	New York, N.Y	2/13/80	1/31/80	TA-W-7,310	Ladies' and men's apparel.
Southern Appalachian Coal Co., Freeport Mine No. 1 (workers).	Julian, W. Va	2/28/80	2/25/80	TA-W-7,311	Metallurgical coal.
Southern Appalachian Coal Co., Bull Creek Mine No. 1 (workers).	Julian, W. Va	2/28/80	2/25/80	TA-W-7,312	Metallurgical coal.
Goldfields, Inc. (workers)	Signal Hill, Calif	2/20/80	2/14/80	TA-W-7,313	Hair dryers, curling irons, makeup mirrors, and hamburger cookers.
M. G. Kinsler Co., Inc. (ILGWU)	Springfield, Mass	2/26/80	2/22/80	TA-W-7,314	Ladies' coats.
Industrial Timer Corp. (IUE)	Parsippany, N.J	2/27/80	2/22/80	TA-W-7,315	Relays and timers, also, electronic equipment.
Collins & Catlin, Inc. (workers)	Port Huron Mich	2/19/80	2/12/80	TA-W-7,316	General contracting (bricklaying and carpentry).
Sunset Sportwear (ACTWU)	Seattle, Wash	2/18/80	2/15/80	TA-W-7,317	Men's, women's and children's outerwear.
General Safety Corp. (workers)	St. Clair Shores, Mich	2/26/80	2/19/80	TA-W-7,318	Safety belts.
Louis Goldstein (ILGWU)	New York, N.Y	2/22/80	2/14/80	TA-W-7,319	Ladies' coats.
Plasco Products, Inc. (company)	Worcester, Mass	2/29/80	2/26/80	TA-W-7,320	Hospital disposable garments.
Morris Levine & Son, Inc. (workers)	New York, N.Y	2/18/80	2/14/80	TA-W-7,321	Ladies' cloth coats, suits, and ladies' leather coats.
Seneca Glass Co. (American Flint Glass Workers Union).	Morgantown, W. Va	2/26/80	2/22/80	TA-W-7,322	Handmade glass.
Levy Goldklang, Inc. (company)	New York, N.Y	2/18/80	2/14/80	TA-W-7,323	Ladies' leather coats and jackets.
Sidley, Inc. (company)	New York, N.Y	2/18/80	2/14/80	TA-W-7,324	Ladies' leather coats and jackets.
Westinghouse Electric Corp. (IBEW)	Reform, Ala	2/27/80	2/22/80	TA-W-7,325	Photo flashes.
Preception Direction (ILGWU)	Hialeah, Fla	2/27/80	2/20/80	TA-W-7,326	Women's sportswear.
Wellfleet Knitting Mills (ILGWU)	Roselle N.J	2/27/80	2/22/80	TA-W-7,327	Sportswear.
Hardware Spring Corp. (workers)	Detroit Mich	2/29/80	2/25/80	TA-W-7,328	Torque rods, regulator springs, brockets, door checks.
Skagit Cedar Products, Inc. (workers)	Hamilton, Wash	2/28/80	2/23/80	TA-W-7,329	Cedar shakes for roofing.
The Homer Laughlin China Co. (International Brotherhood of Pottery & Allied Workers Union).	Newell, W. Va	2/28/80	2/26/80	TA-W-7,330	Earthware plates, cups, and saucers, also, china for hotels and hospitals.
Jan's Things (ACTWU)	New York, N.Y	2/26/80	2/22/80	TA-W-7,331	Ladies' dresses.
Orion's Belt, Inc. (workers)	Bloomington, Ind	2/27/80	2/22/80	TA-W-7,332	Leather belts.
Rancor, Inc., Worthington-Galena Plant (IAM & AW).	Columbus, Ohio	1/16/80	1/11/80	TA-W-7,333	All types of controls and valves.
Utica Cutlery Co., Inc. (USWA)	New York Mills, N.Y	2/29/80	2/25/80	TA-W-7,334	Stainless steel flatwear.
Utica Cutler Co., Inc. (USWA)	Utica, N.Y	2/29/80	2/25/80	TA-W-7,335	Fixed blade cutler.
Island Creek Coal Co., Big Creek No. 1 Mine (UMWA).	Sidney, Ky	2/11/80	2/7/80	TA-W-7,336	Metallurgical coal.
Island Creek Coal Co., Big Creek No. 2 Mine (UMWA).	Sidney, KY	2/11/80	2/7/80	TA-W-7,337	Metallurgical coal.
Northern Processors, Inc. (IAMAW)	Caribou, Maine	2/25/80	2/20/80	TA-W-7,338	Frozen potatoes, vegetables, and byproducts.
Sunshine Leonard (ACTWU)	New York, N.Y	2/26/80	2/22/80	TA-W-7,339	Ladies' dresses and some sportswear.
Maben Energy Corp., Maben Energy Mine (UMWA).	Maben, W. Va	2/26/80	2/22/80	TA-W-7,340	Metallurgical coal.

[FR Doc. 80-7841 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6771]

Metallurgical Exoproducts Corp., McKees Rocks, Pa.; 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 January 14, 1980 in response to a worker petition received on January 8, 1980 which was filed by the Industrial Union of Marine and Shipbuilding Workers of America, AFL–CIO, Local 61, on behalf of workers and former workers producing chemicals for steel products at Metallurgical Exoproducts Corporation, McKees Rocks, Pennsylvania. The investigation revealed that the plant primarily produces exothermic materials for use in the production of steel. 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.

The petition alleges that imports of steel and automobiles have reduced the demand for exothermic materials and contributed importantly to a decline in sales, production and employment at Metallurgical Exoproducts Corporation. However, imports of steel or automobiles are not "like or directly competitive" with exothermic materials within the meaning of section 222(3) of the Trade Act of 1974.

The investigation revealed that imports of exothermic materials are insignificant. A survey of the major domestic steel producers revealed that there are no significant imports of exothermic compounds into the United States.

Conclusion

After careful review, I determine that all workers of Metallurgical Exoproducts Corporation, McKees Rocks, 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 7th day of March 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-8001 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6802]

Northern Steel Co., Inc., Detroit, Mich.; 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 January 17, 1980 in response to a worker petition received on January 14, 1980 which was filed by the United Automobile, Aerospace and Agricultural Workers of America, Local #212 on behalf of workers and former workers cutting and warehousing steel for Chrysler automotive plants at Northern Steel Company, Incorporated, Detroit, Michigan. The investigation revealed that Northern Steel Company, Incorporated is a wholly-owned subsidiary of Chrysler Corporation. It is concluded that all of the requirements have been met.

In order to determine if increased imports contributed importantly to production and employment declines at the petitioning auxiliary plants of Chrysler Corporation, the Department sought to determine the degree to which each auxiliary plant was integrated into the production of Chrysler car and/or truck lines which have been subject to import injury. Where it was established that an auxiliary plant was substantially integrated into the production of trade-impacted Chrysler car or truck lines, the Department considered imports of like or directly competitive cars and trucks in determining import injury to workers at the auxiliary plant.

The Department determined that Northern Steel Company, Incorporated, a wholly-owned subsidiary of Chrysler Corporation, was substantially integrated into the production of one or more of the Chrysler car and truck lines which have been subject to import injury. During the 1977–1979 period, Northern Steel Company, Incorporated cut and warehoused sheet steel coils exclusively for use in the production of car and truck body parts at Chrysler's Eight-Mile and Outer Drive, Mack Avenue, Warren, and Sterling stamping plants. Production at all four of these plants declined significantly from MY 1978 to MY 1979 and/or in the final two quarters of MY 1979 compared to the same quarters of MY 1978. In the course of earlier investigations (TA–W–5986, 5988, 5998, and 6040), the Department determined that a significant portion of the total output of each of these four stamping plants was ultimately used in the production of trade-impacted Chrysler cars and trucks. Certifications were issued on behalf of workers at all four plants on November 6, 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 Aspen, Volare, Diplomat, LeBaron, Newport, New Yorker and St. Regis automobiles, pickup trucks, general utility light trucks, and utility vans produced by Chrysler Corporation contributed importantly to the decline in sales or production and to the total or partial separation of workers at Northern Steel Company, Incorporated, Detroit, Michigan. In accordance with the provisions of the Act, I make the following certification:

All workers of Northern Steel Company, Incorporated, Detroit, Michigan, who became totally or partially separated from

employment on or after March 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 10th day of March 1980.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 80-8002 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6775

Parkwear Manufacturing Co., Inc., West Roxbury, Mass.; 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 January 14, 1980 in response to a worker petition received on December 31, 1979 which was filed on behalf of workers and former workers producing women's skirts, blouses, jackets and blazers at Parkway Manufacturing Company, West Roxbury, Massachusetts. The investigation revealed that the firm changed its name to Parkwear Manufacturing Company, Incorporated on January 1, 1980. The plant produces primarily women's blazers. 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, misses' and children's coats and jackets decreased absolutely during the January–September period of 1979 compared to the corresponding period of 1978.

The Department of Labor conducted a survey of the customers of Parkwear Manufacturing Company, Incorporated. The survey revealed that manufacturers for whom Parkwear produced women's blazers did not contract with foreign sources or import women's blazers during 1978 or 1979. The manufacturers reported that their sales increased during 1979 as compared to 1978.

Conclusion

After careful review, I determine that all workers of Parkwear Manufacturing Company, Incorporated (formerly known as Parkway Manufacturing Company), West Roxbury, Massachusetts 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 March 1980.

Harry J. Gilman

Supervisory International Economist, Office of Foreign Economic Research.

[FR Doc. 80-8003 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6711]

St. Joe Zinc Co., Pittsburgh, Pa.; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on January 7, 1980 in response to a worker petition received on December 27, 1979 which was filed on behalf of workers and former workers at the St. Joe Zinc Company, Pittsburgh, Pennsylvania.

The petitioning group of workers was certified as eligible to apply for adjustment assistance in a determination issued on September 21, 1978 (TA–W–3455). Since workers of the St. Joe Zinc Company, Pittsburgh, Pennsylvania newly separated, totally or partially, from employment on or after July 1, 1977 (impact date) and before September 21, 1980 (expiration date of the certification) are covered by an existing determination, a new investigation would serve no purpose. Consequently, the investigation has been terminated.

Signed at Washington, D.C., this 3rd day of March 1980.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 80-8004 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6474]

Snob Fashions Inc., Jersey City, N.J.; Negative Determination Regarding Application for Reconsideration

By an application dated February 14, 1980, counsel for the petitioner requested administrative reconsideration of the Department of Labor's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance in the case of workers and former workers producing women's coats at Snob Fashions, Inc., Jersey City, New Jersey. The determination was published in the **Federal Register** on January 25, 1980, (45 FR 6216).

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.

Counsel for the petitioner claims that the Department's negative decision concerning Snob Fashions' petition for trade adjustment assistance is arbitrary, capricious and discriminatory since workers for two other contractors which do business with the subject firm's manufacture, have recently been certified eligible for trade adjustment assistance.

The Department's review indicated that workers of Snob Fashions, Jersey City, New Jersy were denied eligibility because they did not meet the "contributed importantly" test of the Trade Act of 1974. Only one manufacturer provided contract work for women's coats to Snob Fashions in 1978 and 1979. The Department's survey of this manufacturer indicated that this manufacturer increased its contract work with Snob Fashions in 1978 compared to 1977 and in the January to October 1979 period compared to the same period in 1978.

The Department does not consider counsel's claims as relevant in rebutting the basis of the Department's denial, since the manufacturer which provided contract work to the other two firms as well as Snob Fashions, decreased its orders with these two firms but increased its orders with Snob Fashions in the January to October 1979 period compared to the like period in 1978.

Snob Fashions Inc.'s production and sales increased in 1978 compared to 1977 and in the period January–October, 1979 compared to the same period in 1978. Under the Act in order to certify a worker group as eligible to apply for adjustment assistance, the Department must find that sales or production have declined.

Conclusion

After review of the application and the investigative file, I conclude that there has been no error or misinterpretation 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 10th day of March 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-8005 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6739]

Steel Parts Corp., Tipton, Ind.; 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 January 9, 1980, in response to a worker petition received on January 2, 1980 which was filed on behalf of workers and former workers producing automotive stampings at Steel Parts Corporation, Tipton, Indiana. The investigation revealed that the plant primarily produces automobile and truck door hinges, clutch plates and bushing components. 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.

The Department conducted a survey of customers of Steel Parts Corporation. None of the customers surveyed purchased imported clutch plates, and bushing components in 1978 and in 1979. Production of automobile and truck door hinges increased from 1978 to 1979.

Conclusion

After careful review, I determine that all workers of Steel Parts Corporation, Tipton, Indiana 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 March 1980.

James F. Taylor,

Director, Office of Management, Administration and Planning.

[FR Doc. 80-8006 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6589]

Universal Atlas Cement Co., Division of the United States Steel Corp., Buffington Plant, Gary, Ind.; 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 Buffington Plant, Universal Atlas Cement Division of the United States Steel Corporation, Gary, Indiana. The investigation revealed that there is a second plant on the grounds producing calcium aluminate cement but contact with the petitioners revealed that the petition was intended to cover only the gray and masonry cement plant. 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.

In November 1979 U.S. Steel announced plans to close 16 facilities in seven states as part of a nationwide retrenchment program in which operations described as noncompetitive will be phased out. Among the facilities being closed are three cement producing plants of the Universal Atlas Cement Division, including the Buffington plant.

The investigation disclosed that United States Steel decided to close the three cement plants because of obsolete equipment at the plants. Imports of cement did not contribute importantly to the decision to close the Buffington plant.

The petition alleges that imports of cement clinker from Canada caused the November 1979 layoff of workers at the Buffington plant. Clinker is an earlier stage of production in the manufacture of cement. The Buffington plant began importing clinker in June 1978 to supplement its own clinker production. Since clinker requires further processing before it can be sold as cement, the importation of clinker did not result in significant employment declines.

After the plant began importing clinker, employment increased in the third quarter of 1978 compared to the second quarter, and again in the fourth quarter compared to the third, and remained stable in the first quarter of 1979. Significant employment declines did not occur until November 1979 when the U.S. Steel Corporation announced plans to close the Buffington plant and began phasing out cement production. The investigation revealed that the Buffington plant's importation of clinker did not contribute importantly to U.S. Steel's decision to close the three cement facilities of the Atlas Cement Division.

The Department of Labor conducted a survey of some of the customers of the Buffington plant. The survey revealed that none of the respondents purchased imported cement or cement clinker. Several of the respondents stated that there were little or no imports of cement entering the local market during the past two years.

Conclusion

After careful review, I determine that all workers of the Buffington Plant, Universal Atlas Cement Division of the United States Steel Corporation, Gary, Indiana engaged in employment related to the production of gray and masonry cement 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 March 1980.

C. Michael Aho,

Director, Office of Foreign Economic Research.

[FR Doc. 80-8007 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-6847]

Valley Camp Coal Co., Alexander Mine, Moundsville, W. Va.; 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 groups eligibility requirements of Section 222 of the Act must be met.

The investigation was initiated on January 24, 1980 in response to a worker petition received on January 15, 1980 which was filed by the United Mine Workers of America on behalf of workers and former workers producing coal at the Valley Camp Coal Company, Alexander Mine, Moundsville, West Virginia. 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.

The ratio of imports of bituminous coal to U.S. production has remained below one percent in every year from 1973 through 1978. Imports decreased absolutely and relatively in the first nine months of 1979 compared to the first nine months of 1978.

The Department contacted all customers of the Alexander Mine of Valley Camp Coal Company. These customers do not purchase imported coal. The customers replaced the Alexander Mine with other domestic suppliers of bituminous coal.

Conclusion

After careful review, I determine that all workers of Valley Camp Coal Company, Alexander Mine, Moundsville, West Virginia 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 10th day of March 1980.

James F. Taylor,

Director, Office of Management Administration and Planning.

[FR Doc. 80-8008 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-28-M

Office of Pension and Welfare Benefit Programs

[Prohibited Transaction Exemption 80-13]

Exemption From the Prohibitions for Certain Transactions Involving the Stanley D. Crawford, D.D.S., P.C. Profit Sharing Plan, Located in Northglenn, Colo. (Exemption Application No. D-1476)

AGENCY: Department of Labor.

ACTION: Grant of individual exemption.

SUMMARY: This exemption permits the sale of a limited partnership interest in the First Mate Restaurant Ltd. (the Partnership) by the Stanley D. Crawford, D.D.S., P.C. Profit Sharing Plan (the Plan) to Stanley D. Crawford, a party in interest with respect to the Plain.

FOR FURTHER INFORMATION CONTACT: Paul R. Antsen of the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20216, (202) 523-6915. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On December 28, 1979 notice was published in the **Federal Register** (44 FR 76880) of the pendency before the Department of Labor (the Department) of a proposal to grant an exemption from the restrictions of section 406(a), 406 (b)(1) and (b)(2) of the Employee Retirement Income Security Act of 1974 (the Act) and from the taxes imposed by section 4975 (a) and (b) of the Internal Revenue Code of 1954 (the Code) by reason of section 4975(c)(1) (A) through (E) of the Code, for the sale of a limited partnership interest owned by the Plan to Stanley D. Crawford, a party in interest with respect to the Plan. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, D.C. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice states that any interested person might submit a written request that a public hearing be held relating to this exemption. The applicant has represented that he has complied with the requirements of the notification to interested persons as set forth in the notice of pendency. No public comments and no requests for a hearing were received by the Department.

The notice of pendency was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person with respect to a plan to which the exemption is applicable from certain other provisions of the Act and the Code. These provisions include any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his or her duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does the fact the transaction is the subject of an exemption affect the requirement of section 401(a) of the Code that a plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries.

(2) This exemption does not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code.

(3) This exemption is supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption or transitional rule is not dispositive of whether the transaction is, in fact, a prohibited transaction.

Exemption

In accordance with section 408(a) of the Act and section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975), and based upon the entire record, the Department makes the following determinations:

(a) The exemption is administratively feasible;

(b) It is in the interests of the Plan and of its participants and beneficiaries; and

(c) It is protective of the rights of the participants and beneficiaries of the Plan.

Accordingly, the restrictions of section 406(a), 406(b)(1), and 406(b)(2) of the Act and the taxes imposed by section 4975 (a) and (b) of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code shall not apply to the proposed cash sale of a limited partnership interest in the Partnership by the Plan for $24,250 plus 8% per annum from the date of acquisition by the Plan to Dr. Stanley D. Crawford, provided that the sales price is not less than the fair market value of the Plan's partnership interest at the time of sale.

The availability of this exemption is subject to the express conditions that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction to be consummated pursuant to this exemption.

Signed at Washington, D.C., this 6th day of March 1980.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 80-7525 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-29-M

Pension and Welfare Benefit Programs

[Prohibited Transaction Exemption 80-14, Exemption Application No. D-1470]

Exemption From the Prohibitions for a Certain Transaction Involving the General Welding Works, Inc.; Retirement Plan Located in Houston, Tex.

AGENCY: Department of Labor.

ACTION: Grant of individual exemption.

SUMMARY: This exemption permits the sale of real property by the General Welding Works, Inc., Retirement Plan and Trust (the Plan) to General Welding Works, Inc. (the Employer).

FOR FURTHER INFORMATION CONTACT: Ms. Linda Hamilton of the Office of Fiduciary Standards, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20216, (202) 523-7462. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On December 18, 1979, notice was published in the **Federal Register** (44 FR 74933) of the pendency before the Department of Labor (the Department) of a proposal to grant an exemption from the restrictions of sections 406(a) and 406(b) (1) and (2) of the Employee Retirement Income Security Act of 1974 (the Act) and from the taxes imposed by section 4975 (a) and (b) of the Internal Revenue Code of 1954 (the Code) by reason of section 4975(c)(1) (A) through (E) of the Code, for a transaction described in an application filed by the Employer. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, D.C. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition, the notice stated that any interested person might submit a written request that a public hearing be held relating to this exemption. No public comments and no requests for a hearing were received by the Department.

The applicant has represented that notice to interested persons has been given as set forth in the Notice of Proposed Exemption. The notice of pendency was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

Tax Consequences of Transaction

The Internal Revenue Service has determined that the purchase of a plan asset by the employer for an amount in excess of its fair market value will constitute a contribution to the plan to the extent of such excess. The deductibility of such a contribution by the employer must be determined in accordance with generally applicable Federal income tax rules.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person with respect to a plan to which the exemption is applicable from certain other provisions of the Act and the Code. These provisions include any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act which, among other things, require a fiduciary to discharge his or her duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does the fact the transaction is the subject of an exemption affect the requirement of section 401(a) of the Code that a plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries.

(2) This exemption does not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1)(F) of the Code.

(3) This exemption is supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption or transitional rule is not dispositive of whether the transaction is, in fact, a prohibited transaction.

Exemption

In accordance with section 408(a) of the Act and section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975), and based upon the entire record, the Department makes the following determinations:

(a) The exemption is administratively feasible;

(b) It is in the interests of the Plan and of its participants and beneficiaries; and

(c) It is protective of the rights of the participants and beneficiaries of the Plan.

Accordingly, the restrictions of sections 406(a) and 406(b) (1) and (2) of the Act and the taxes imposed by section 4975 (a) and (b) of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the sale to the Employer by the Plan of one six-acre parcel of real property located in the 6800 block of Katy Road, Houston, Texas for $219,767 in cash provided that this amount is not less than 110% of the fair market value of the property at the time of the sale.

The availability of this exemption is subject to the express condition that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transaction which is the subject of this exemption.

Signed at Washington, D.C., this 6th day of March 1980.

Ian D. Lanoff,

Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration, U.S. Department of Labor.

[FR Doc. 80-7526 Filed 3-13-80; 8:45 am]

BILLING CODE 4510-29-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (80-18)]

NASA Advisory Council (NAC); Space and Terrestrial Applications Advisory Committee (STAAC); Meeting

The Ad Hoc Informal Advisory Subcommittee on Geodynamics and Geology of the NAC-STAAC will meet on April 1 and 2, 1980, at NASA Headquarters, Room 226A, Federal Office Building 10B, 600 Independence Avenue SW., Washington, D.C. 20546. The meeting is open to the public. Members of the public will be admitted to the meeting on both days on a first-come, first-served basis and will be required to sign a visitors' register. The seating capacity of the meeting room is for 35 persons.

This Subcommittee, chaired by Dr. Michael Chinnery, is comprised of twelve members of the NAC-STAAC and will review and discuss the status of both the Geodynamics and the Non-Renewable Resources Programs including various specific activities within these programs as indicated in the approved agenda below:

April 1, 1980

Time and Topic

9:00 a.m.—Chairperson's remarks
9:30 a.m.—NASA's response to Subcommittee's Recommendations
11:00 a.m.—Fiscal Year 1981 Budget Review and Review of Resource Observation's Five Year Plan
11:45 a.m.—NASA Coordination With Federal Emergency Management Administration
1:30 p.m.—Non-Renewable Resources Program Philosophy and General Approach and Organization
2:30 p.m.—Non-Renewable Resources Program Issues
4:30 p.m.—Adjourn

April 2, 1980

Time and Topic

8:30 a.m.—Geodynamics Program Status
9:00 a.m.—Site Selection and Revisitation Schedule for Crustal Dynamics Measurements
9:30 a.m.—Intercomparison and Validation Results and Progress on Geodetic Measurements in California
10:00 a.m.—User Requirements for Gravity Field Measurements From Space
1:00 p.m.—Astronaut Photography From Shuttle
1:30 p.m.—Subcommittee Discussion on Program Activities and Future Plans
3:30 p.m.—Adjourn

For further information regarding the meeting, please contact James P. Murphy, Acting Executive Secretary of the Subcommittee, Washington, D.C. (202) 755-3848.

Russell Ritchie,

Deputy Associate Administrator for External Relations.

March 6, 1980.

[FR Doc. 80-7889 Filed 3-13-80; 8:45 am]

BILLING CODE 7510-01-M

[Notice (80-19)]

NASA Advisory Council (NAC); Space and Terrestrial Applications Advisory Committee (STAAC); Meeting

The *Ad Hoc* Informal Advisory Subcommittee on Satellite Communications Applications of the NAC-STAAC will meet on April 3, 1980 from 9:00 a.m. to 5:00 p.m. and from 9:00 a.m. to 1:00 p.m. on April 4, 1980, at NASA Headquarters, Room 226A, Federal Building 10B, 600 Independence Avenue, SW., Washington, DC 20546. The meeting is open to the public. Members of the public will be admitted to the meeting at 9:00 a.m. on both days on a first-come, first-served basis and will be required to sign a visitor's register. The seating capacity of the meeting room is for 35 persons.

This Subcommittee, comprised of twelve members of the NAC-STAAC including the Subcommittee Chairperson, Dr. John V. Harrington, will review the overall status of the Satellite Communications Program including activities in the 30/20 GHz band program and other issues.

The approved agenda for the meeting is as follows:

April 3, 1980

Time and Topic

9:00 a.m.—Introductory Remarks
9:30 a.m.—Program Overview
10:30 a.m.—Disposition Options for the 30/20 GHz Program
1:30 p.m.—Continue Discussion on Disposition Options for the 30/20 GHz Program
5:00 p.m.—Adjourn

April 4, 1980

Time and Topic

9:00 a.m.—Outline of a Potential Joint Program With Canada
11:00 a.m.—Old and New Business
11:30 a.m.—Conclusions and Recommendations
1:00 p.m.—Adjourn

For further information regarding the meeting, please contact Dr. S. H. Durrani, Communications Division, OSTA, NASA Headquarters, Washington, DC 20546, (202) 755-3421.

Russell Ritchie,

Deputy Associate Administrator for External Relations.

March 10, 1980.

[FR Doc. 80-7890 Filed 3-13-80; 8:45 am]

BILLING CODE 7510-01-M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Astronomy; Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Science Foundation announces the following meeting:

Name: Advisory Committee for Astronomy.

Date and time: April 2—9 am-5 pm, April 3—9 am-5 pm.

Place: Room 543, National Science Foundation, 1800 G Street, NW, Washington, DC 20550.

Type of meeting: Part Open—4/2—Open; 4/3 9 to 2—Open; 4/3—2 to 4 p.m.—Closed; 4/3—4 to 5 p.m.—Open.

Contact person: Dr. William E. Howard, Director, Division of Astronomical Sciences, Room 615, National Science Foundation, Washington, DC (202-632-5717).

Summaries minutes: May be obtained from the contact person at the above stated address.

Purpose of committee: To provide advice and recommendations concerning research programs, proposals, and projects in NSF funded astronomy with the objective of achieving the highest quality forefront research for the funds allocated. To provide advice and recommendations concerning short range and long range plans in astronomy, including a recommendation of relative priorities.

Agenda

April 2, 1980

A.M.
I. Introductory Remarks
II. Minutes of Previous Meeting
III. Short Status Reports
IV. Discussion of the Budget
P.M.
V. Instrumentation Report
VI. Research and Centers Sections Status Reports

April 3, 1980

A.M.
VII. Optical Centers' Telescope Plans
VIII. Research and Centers Sections Status Reports (continued)
IX. Prioritization of Astronomy Initiatives Plan
P.M. 2 to 4 p.m.
X. CLOSED—Review and evaluate astronomy proposals
XI. Discussion of Problems in Astronomy

XII. Critique of Meeting

Reason for closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b(c), Government in the Sunshine Act.

Authority to close meeting: This determination was made by the Committee Management Officer pursuant to provisions of Section 10(d) of Pub. L. 92-463. The Committee Management Officer was delegated the authority to make such determinations by the Director, NSF, July 6, 1979.

M. Rebecca Winkler,

Committee Management Coordinator.

March 11, 1980.

[FR Doc. 80-7977 Filed 3-13-80; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[Docket Nos. STN 50-483A and STN 50-486A]

Union Electric Co.; Receipt of Information for Antitrust Review of Operating License Application

The Union Electric Company filed Information for Antitrust Review of Operating License Application on January 21, 1980. This information was filed pursuant to § 2.101 of the Commission's Rules and Regulations and is in connection with Union Electric Company's plans to operate two pressurized water reactors on a site located in Callaway County, Missouri. The two reactors have been designated as Callaway Plant, Units 1 and 2.

The portion of the application filed contains antitrust information for review pursuant to NRC Regulatory Guide 9.3 to determine whether there have been any significant changes since the completion of the antitrust review at the construction permit stage.

On completion of staff antitrust review of the above-named application, the Director of Nuclear Reactor Regulation will issue an initial finding as to whether there have been "significant changes" under section 105c(2) of the Act. A copy of this finding will be published in the **Federal Register** and will be sent to the Washington and local public document rooms and to those persons providing comments or information in response to this notice. If the initial finding concludes that there have not been any significant changes, request for reevaluation may be submitted on or before May 13, 1980.

The results of any reevaluations that are requested will also be published in the **Federal Register** and copies sent to the Washington and local public document rooms.

A copy of the Information for Antitrust Review of Operating License Application is available for public examination and copying for a fee at the Commission's Public Document Room, 1717 H Street, NW., Washington, DC and at the local public document rooms in the Fulton City Library, 709 Market Street, Fulton, Missouri 65251 and in the Olin Library of Washington University, Skinker and Lindell Boulevard, St. Louis, Missouri 63130.

Any person who desires additional information regarding the matter covered by this notice or who wishes to have his views considered with respect to significant changes related to antitrust matters which have occurred in the licensee's activities since the construction permit antitrust reviews for the above-named plant should submit such requests for information or views to the U.S. Nuclear Regulatory Commission, Washington, DC 20555. Attention: Chief, Antitrust and Indemnity Group, Office of Nuclear Reactor Regulation, on or before May 6, 1980.

Dated at Bethesda, Maryland this 26th day of February, 1980.

For the Nuclear Regulatory Commission,

Olan D. Parr,

Chief, Light Water Reactors Branch No. 3, Division of Project Management.

[FR Doc. 80-6953 Filed 3-13-80; 8:45 am]

BILLING CODE 7590-01-M

POSTAL RATE COMMISSION

Notice of Visit

March 11, 1980.

Notice is hereby given that Commissioner Simeon M. Bright will visit the New Orleans (LA) Post Office on Friday, March 14, for the purpose of acquiring general knowledge of operations. A report will be on file in the Commission Docket Room.

David F. Harris,

Secretary.

[FR Doc. 80-7943 Filed 3-13-80; 8:45 am]

BILLING CODE 7715-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 21470, 70-6396]

Allegheny Power System, Inc., et al.; Proposal by Electric Utility Subsidiaries to Issue and Sell Common Stock to Parent Holding Company

In the matter of Allegheny Power System, Inc., 320 Park Avenue, New york, New York 10022; Monongahela Power Company, 1310 Fairmont Avenue, Fairmont, West Virginia 26554; the Potomac Edison Company, Downsville Pike, Hagerstown, Maryland 27140; and West Penn Power Company, Cabin Hill, Greensburg, Pennsylvania 15601.

March 10, 1980.

Notice is hereby given that Allegheny Power System, Inc. ("Allegheny"), a registered holding company, and three of its electric utility subsidiaries, Monongahela Power Company ("Monongahela"), The Potomac Edison Company ("Potomac Edison") and West Penn Power Company ("West Penn") have filed a joint application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Sections 6, 7, 9, 10 and 12 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transaction.

At present all the outstanding common stock of Monongahela, Potomac Edison and West Penn is owned by Allegheny. Those subsidiaries propose to issue and sell to Allegheny from time to time through December 31, 1980, and Allegheny proposes to acquire, additional common shares of the subsidiaries. In order to make such sale to Allegheny, Potomac Edision will be required to increase the number of its authorized common shares from 9,625,000 shares to 10,375,000 shares. The number of shares to be issued by each subsidiary and the consideration to be received are as follows:

Subsidiary and title of issue	Maximum No. of Shares	Cash consideration
Monongahela Common Stock—$50 par	500,000	$25,000,000
Potomac Edison Common Stock—no par	1,250,000	25,000,000
West Penn Common Stock—no par	1,000,000	20,000,000

The net proceeds of the issuance and sale of common stock by Monongahela, Potomac Edison and West Penn will be

used by each of them to operate their businesses as utilities, including the payment or prepayment of short-term debt outstanding and the continuation of their construction programs. It is expected that Monongahela will have $17 million; Potomac Edison, $22 million; and West Penn, $50 million of short-term debt outstanding on April 30, 1980. For the year 1980 gross construction expenditures, are estimated to be approximately $71 million in the case of Monongahela, $68 million in the case of Potomac Edison, and $137 million in the case of West Penn.

Allegheny proposes to obtain the additional funds necessary to purchase the aforesaid common stock of Monongahela Potomac Edison and West Penn from internal cash generation, short-term borrowings and the issuance and sale of other securities. As of November 30, 1979 Allegheny had no short-term debt outstanding.

The fees, commissions and expenses to be incurred in connection with the proposed transaction are estimated at $5,500. Various of proposed transactions are subject to the jurisdiction of the West Virginia Public Service Commission, the Ohio Public Utilities Commission, the Maryland Public Service Commission, the State Corporation Commission of Virginia, and the Pennsylvania Public Utility Commission. It is stated that no other state or federal regulatory authority, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than April 3, 1980, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices or orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-7988 Filed 3-13-80; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[License No. 04/04-0183]

Issuance of License; Western Financial Capital Corp.

On November 6, 1979, a notice was published in the **Federal Register** (44 FR 64145) stating that an application had been filed by Western Financial Capital Corporation, 308 Temple Avenue, North, Fayette, Alabama 35555 with the Small Business Administration (SBA), pursuant to Section 107.102 of the SBA Regulations governing small business investment companies (SBIC).

Interested parties were given until the close of business November 26, 1979, to submit their written comments to SBA. No comments were received.

Notice is hereby given that pursuant to Section 301(c) of the Small Business Investment Act of 1958, as amended, after having considered the application and all other pertinent information, the SBA issued License No. 04/04-0169 to Western Financial Capital Corporation to operate an SBIC on February 22, 1980.

(Catalog of Federal Domestic Assistance Program No. 59.01 Small Business Investment Companies)

Peter F. McNeish,

Deputy Associate Administrator for Finance & Investment.

[FR Doc. 80-7947 Filed 3-13-80; 8:45 am]

BILLING CODE 8025-01-M

[License No. 09/09-0209]

Builders Capital Corp.; Filing of Application for Approval of Conflict of Interest Transaction Between Associates

Notice is hereby given that Builders Capital Corporation (BCC), 2716 Ocean Park Boulevard, Santa Monica, California, 90406, a Federal Licensee under the Small Business Investment Act of 1958, as amended, has filed an application with the Small Business Administration pursuant to Section 107.1004 of the Regulations governing small business investment companies (13 CFR 107.1004 (1980)) for approval of a conflict of interest transaction.

BCC proposes to sell to William R. Watt, 2 South Portola, South Laguna, California, 92677 and Robert A. Spooner, 1981 Port Edward Circle, Newport Beach, California, 92660, a residential building project (Anaheim Hills One Limited Partnership) consisting of 87 condominium units, on approximately 21 acres, at 17942 Sky Park, Irvine, California, 92714. The book value of this asset is $1,022,355.49.

The project will be sold for $1.8 million including assumption of an underlying obligation of $532,000 for a net of $1,268,000.

The financing falls within the purview of Section 107.1004 of the Regulations because William R. Watt is a nephew of Ray A. Watt. BCC is wholly owned by Watt Industries, Inc. Ray A. Watt is a director of BCC and has beneficial ownership of 71.74 percent of the outstanding shares of Watt Industries, Inc. The licensee must demonstrate that the proposed terms of disposal are no less favorable to it than are obtainable elsewhere, pursuant to Section 107.1005 (a) of the Regulations.

Notice is hereby given that any person may, not later than (15 days from the date of publication of this Notice), submit written comments to the Deputy Associate Administrator for Finance and Investment, Small Business Administration, 1441 "L" Street, NW., Washington, D.C. 20416.

A copy of this Notice shall be published in a newspaper of general circulation in the Los Angeles Area.

(Catalog of Federal Assistance Programs No. 95.011, Small Business Investment Companies)

Dated: March 6, 1980.

John L. Werner,

Acting Deputy Associate Administrator for Finance and Investment.

[FR Doc. 80-7946 Filed 3-13-80; 8:45 am]

BILLING CODE 8025-01-M

[Proposed License No. 09/09-0262]

Round Table Capital Corp.; Application for a License To Operate as a Small Business Investment Company

Notice is hereby given of the filing of an application with the Small Business Administration purusant to Section 107.102 of the Regulations governing small business investment companies (CFR 107.102 (1980)), by Round Table Capital Corporation, 601 Montgomery Street, San Francisco, California 94111, for a license to operate as a small

business investment company (SBIC) under the provisions of the Small Business Investment Act of 1958, as amended (Act), (15 U.S.C. 101 et seq).

The proposed officers, directors and principal stockholders are:

Richard A. Dumke, 601 Montgomery Street, San Francisco, California 94111—President, Director
Thomas P. Toldrian, 601 Montgomery Street, San Francisco, California 94111—Vice President, Secretary, Director
Micheline Chau, 601 Montgomery Street, San Francisco, California 94111—Chief Financial Officer
Norman E. Dean, 40 Estrella Way, Novato, California 94947—Director
Paul J. Miller, 2700 Waltham Cross, Belmont, California 94002—Director
Round Table Pizza, Inc., 601 Montgomery Street, San Francisco, California 94111—100 Percent

The ten or more percent stockholders of Round Table Pizza, Inc., are:

Richard A. Dumke—35.5 percent
William R. Larson, 4180 Oak Hill Avenue, Palo Alto, California 94306—25 percent
JELC, Inc., 601 Montgomery Street, San Francisco, California 94111—30 Percent

The ten or more percent shareholders of JELC, Inc., are:

Richard A. Dumke—25 percent
William R. Larson—25 percent
Frederick L. Doar, 31 Estrella Way, Novato, California 94947—25 percent
Robert C. Scheidemann, 54 Legend Road, San Anselmo, California 94960—25 percent

The SBIC will begin operations with an initial capitalization of $500,000. The Applicant, which will be a California corporation, intends to make investments in small business concerns located throughout the western portion of the United States.

The Applicant contemplates a plan of operations which will provide financial assistance primarily to independently owned and operated Round Table Pizza, Inc., franchisees. Requests for financial assistance from qualified small business concerns which are not franchisees of Round Table Pizza, Inc., will also be considered. No financial assistance will be provided to persons or entities which are associated of Round Table Capital Corporation, as defined by Section 107.3 of the Regulations.

Round Table Pizza, Inc., is a franchisor which licenses qualified persons to operate pizza restaurants under the system, service marks, trade names and copyrights owned by Round Table Pizza, Inc.

Matters involved in SBA's consideration of the application, in view of the particular circumstances involved, include (1) the general business reputation and character of the proposed owners and management, (2) the reasonable prospects for successful operation of the new SBIC under such management (including adequate profitability and financial soundness, in accordance with the Act and Regulations), and (3) whether the proposed licensing action would be in furtherance of the purposes of the Act.

Notice is hereby given that any person may, not later than 15 days from the date of publication of this Notice, submit to SBA in writing comments on the proposed SBIC to: Deputy Associate Administrator for Finance and Investment, Small Business Administration , 1441 L Street, N.W., Washington, D.C. 20416.

A copy of this notice will be published in a newspaper of general circulation in San Francisco, Califorinia.

(Catalog of Federal Domestic Assistance Program No. 59,011, Small Business Investment Companies)

Dated: March 7, 1980.

John L. Werner,

Acting Deputy Associate Administrator for Finance and Investment.

[FR Doc. 80-7945 Filed 3-13-80; 8:45 am]

BILLING CODE 8025-01-M

Region I Advisory Council; Public Meeting

The Small Business Administration Region I Advisory Council, located in the geographical area of Providence, Rhode Island, will hold a public meeting at 12:00 noon, Wednesday, April 2, 1980, at the Governor Dyer Buffet House, Providence, Rhode Island, to discuss such business as may be presented by members, the staff of the U.S. Small Business Administration, and others attending.

For further information, write or call Charles J. Fogarty, District Director, U.S. Small Business Administration, 40 Fountain Street, Providence, Rhode Island 02903 (401) 528-4580.

Dated: March 7, 1980.

Michael B. Kraft,

Deputy Advocate for Advisory Councils.

[FR Doc. 80-7948 Filed 3-13-80; 8:45 am]

BILLING CODE 8025-01-M

Region II Advisory Council; Public Meeting

The Small Business Administration Region II Advisory Council, located in the geographical area of Hato Rey, Puerto Rico, will hold a public meeting at 9:30 a.m., on Wednesday, April 23, 1980, at the Federico Degetau Federal Building, Room 756, (7th floor), Carlos Chardón Avenue, Hato Rey, Puerto Rico, to discuss such matters as may be presented by members, staff of the Small Business Administration, or others attending.

For further information, write or call Wilfred Benítez-Robles, Acting District Director, U.S. Small Business Administration, Federico Degetau Federal Building, Room 691, Carlos Chardón Avenue, Hato Rey, Puerto Rico 00918—(809) 753-4218.

Dated: March 7, 1980.

Michael B. Kraft,

Deputy Advocate for Advisory Councils.

[FR Doc. 80-7949 Filed 3-13-80; 8:45 am]

BILLING CODE 8025-01-M

Region VIII Advisory Council; Public Meeting

The Small Business Administration Region VIII Advisory Council, located in the geographical area of Fargo, North Dakota, will hold a public meeting at 9:30 a.m., on Wednesday, April 23, 1980, at the Federal Building, Room 319, 653 Second Avenue North, Fargo, North Dakota, to discuss such business as may be presented by members, staff of the U.S. Small Business Administration, and others attending.

For further information, write or call Philip J. O'Jibway, District Director, U.S. Small Business Administration, Federal Building, 653 Second Avenue North, Fargo, North Dakota 58102—(701) 237-5771.

Dated: March 7, 1980.

Michael B. Kraft,

Deputy Advocate for Advisory Councils.

[FR Doc. 80-7950 Filed 3-13-80; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area #1804]

North Carolina; Declaration of Disaster Loan Area

Northampton County and adjacent counties within the State of North Carolina constitute a disaster area as a result of natural disasters as follows:

Excessive rain and flooding, May 1–June 15, 1979. Prolonged drought, July 15–October 1, 1979.

Eligible persons, firms, and organizations may file applications for loans for physical damage until the close of business on May 8, 1980, and for economic injury until the close of business on December 8, 1980, at:

Small Business Administration, District Office, 230 S. Tryon Street, Suite 700, Charlotte, North Carolina 28202.

or other locally announced location.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: March 7, 1980.

A. Vernon Weaver,

Administrator.

[FR Doc. 80-7975 Filed 3-13-80; 8:45 am]

BILLING CODE 8025-01-M

VETERANS ADMINISTRATION

Privacy Act of 1974; Systems of Records

The Privacy Act of 1974 (5 U.S.C., 552a(e)(4)) requires that all agencies publish in the **Federal Register**, a notice of the existence and character of their systems of records. Accordingly, the Veterans Administration published and adopted a notice of its inventory of personal records on September 27, 1977 (42 FR 49726).

Notice is hereby given that the Veterans Administration is adding a new system of records entitled "Dental Services for Former Prisoners of War–Va" (61VA136). Public Law 96–22, as codified in 38 U.S.C., section 612, provides that veterans of World War I, World War II, the Korean conflict, or the Vietnam era who are held as prisoners of war for period of not less than 6 months are entitled to receive all outpatient dental services and treatment, and related dental appliances for dental conditions or disabilities. The purpose of this new system of records is to enable VA health care facilities to make eligibility determinations for former POWs who make application for dental benefits.

The use of the information and data in this system is restricted solely to VA health care facilities and the office of the system manager and does not have any routine uses as defined by the Privacy Act of 1974 (5 U.S.C., 552a(a)(7)). Therefore, the requirement to give 30-days prior public notice before compiling this new system does not apply.

A "Report of New System" and an advance copy of the revised system notice were sent on December 19, 1979, to the Speaker of the House, the President of the Senate, and the Office of Management and Budget, as required by the provisions of 5 U.S.C., 552a(o) and guidelines issued by the Office of Management and Budget (40 FR 45877), October 3, 1975.

Notice is hereby given that this description is effective the date of approval by the Administration of Veterans Affairs (March 7, 1980).

Approved: March 7, 1980.

By direction of the Administrator:

Rufus H. Wilson,

Deputy Administrator.

New Systems Notice

61VA136

SYSTEM NAME:

Dental Services for Former Prisoners of War–VA.

SYSTEM LOCATION:

All health care facilities and VA Central Office. Address locations for VA facilities are listed in VA Appendix 1 at 42 FR 49762.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Veterans of World War II, the Korean conflict, or the Vietnam era who were held as prisoners of war for a period of not less than 6 months.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personal identification information related to the POW experience and identifying data, e.g., name, Social Security Number, claim number, service number, date of birth, data of death (if applicable), period of service, branch of service, entitlement code, aid and attendance or housebound status, number of service-connected disabilities, and number of days incarcerated as a POW.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 102, Pub. L. 96–22, June 13, 1979, as codified in 38 U.S.C., section 612.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Microfiche listings.

RETRIEVABILITY:

Indexed by veterans name with secondary verification by SSN (Social Security number) or service number.

SAFEGUARDS:

Access to the microfiche listing and readers is restricted to authorized VA employees on a need-to-know basis. The microfiche is maintained in protected drawers and protected from outside access by the Federal Protective Service.

RETENTION AND DISPOSAL:

Microfiche listings will be retained until such time as the purpose for which they were established has been served.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Medical Administration Service (136), VA Central Office, Washington, DC, 20420.

NOTIFICATION PROCEDURE:

An individual seeking information concerning the existence of record pertaining to him/herself should submit a written request or apply in person to the Director, Medical Administration Service (136), VA Central Office, Washington, DC 20420. Inquires should include the individual's full name and identification number (SSN, service, or claim).

RECORD ACCESS PROCEDURES:

Same as above.

CONTESTING RECORD PROCEDURE:

Same as above.

RECORD SOURCE CATEGORIES:

VA system of records 60VA07, Veterans Administration Repatriated American Prisoners of War.

[FR Doc. 80-7979 Filed 3-13-80; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 45, No. 52
Friday, March 14, 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

COMMISSION ON CIVIL RIGHTS.

DATE AND TIME: 2 to 5 p.m., Tuesday, March 18, 1980; 9 a.m. to 4 p.m., Wednesday, March 19, 1980.

PLACE: National Housing Center, 15th and M Streets NW., Washington, D.C.

STATUS: All portions open to public.

MATTERS TO BE CONSIDERED: March 18, 1980.

I. Approval of Agenda.
II. Approval of Minutes of Last Meeting.
III. Consideration of Program Planning Recommendations.

MATTERS TO BE CONSIDERED: March 19, 1980.

IV. Staff Director's Report.
A. Status of Funds.
B. Personnel Report.
C. Office Directors' Reports.
D. Correspondence
1. Letter from OMB Deputy Director John P. White.
2. Response from Secretary of Army Clifford Alexander.
V. Memorandum re National Immigration Report.
VI. Review of Analysis of Congressional Exemption from Federal EEO Laws.
VII. Report on Civil Rights Developments in the Southwest Region.
VIII. Ohio Advisory Committee Re-charter.
IX. Review of Arkansas Advisory Committee Report Entitled: "The Community Development Block Grant Program in Arkansas."
X. Approval of Handicapped Consultation Design.
XI. Approval of Second Hearing on Victims of Domestic Violence.
XII. Recommendation re Extension of Police Practices to Los Angeles.
XIII. Memorandum re Federal Affirmative Action Efforts Since Bakke.
XIV. Memorandum re Special Civil Rights Analysis of Federal Budget.

FOR FURTHER CONTACT PLEASE CALL: Charles Rivera or Barbara Brooks, Press and Communications Division (202) 254–6697.

[S–510–80 Filed 3–12–80; 10:44 am]
BILLING CODE 6335–01–M

2

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 11:30 a.m., March 14, 1980.

PLACE: 2033 K Street NW., Washington, D.C., eighth floor conference room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Enforcement Matter/Proposed public administrative proceeding.

CONTACT PERSON FOR MORE INFORMATION: Jane Stuckey, 254–6314.

[S–511–80 Filed 3–12–80; 12:10 pm]
BILLING CODE 6351–01–M

3

FEDERAL ENERGY REGULATORY COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 45 FR 15363; March 10, 1980.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., March 12, 1980.

CHANGE IN THE MEETING: The following item has been added:

Item Number, Docket Number, and Company

CAP–13. Bureau of Land Mangement's Proposed Regulations for Implementing Title V of the Federal Land Policy and Management Act of 1976.

Kenneth F. Plumb,
Secretary.

[S–506–80 Filed 3–12–80; 8:51 am]
BILLING CODE 6450–85–M

4

FEDERAL HOME LOAN BANK BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Vol. 44, FR, p. 15364, March 10, 1980.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 9:30 a.m., March 13, 1980.

PLACE: 1700 G Street NW., sixth floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202–377–6677).

CHANGE IN THE MEETING: The following item has been added to the agenda for the open meeting: Regulation on Management Official Interlocks.

Announcement is being made at the earliest practicable time.

No. 323, March 12, 1980.

[S–516–8 3–12–80; 3:12 pm]
BILLING CODE 6720–01–M

5

FEDERAL MARITIME COMMISSION.

TIME AND DATE: 10 a.m., March 20, 1980.

PLACE: Hearing room one, 1100 L Street NW., Washington, D.C. 20573.

STATUS: Parts of the meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Portions open to the public:

1. Agreement No. 6200–20: Modification of the U.S. Atlantic & Gulf/Australia-New Zealand Conference to extend its ratemaking authority to inland points in Australia, New Zealand, and South Pacific Islands.
2. Agreement 8370: Port of New York Ocean Freight Forwarders' Conference Agreement and Agreement 8380: West Gulf Ocean Freight Forwarders' Conference Agreement—Order to show why agreements should not be disapproved for lack of activity.
3. Agreement No. 8660–10: Petition of Pacific Coast European Conference for reconsideration of order of conditional approval.
4. Agreement No. 9973–5: Modification of Johnson ScanStar Combined Service Agreement to broaden its scope to include the Republic of Panama.
5. Petition for elimination of regulation of free time and demurrage charges on export cargo or promulgation of uniform regulation for all Atlantic and Gulf ports filed by the New york Terminal Conference and the Port Authority of New York and New Jersey.
6. Procedures and requirements for publishing currency adjustment surcharges in the event of changes in exchange rates—Proposed rules.
7. Informal Docket No. 708(I): J. T. Baker Chemical Company v. Polish Ocean Lines—Consideration of Settlement Officer's decision.
8. Informal Docket Nos. 628(I): Interpur, a Division of Dart industries, Inc. v. Barber Blue Sea Line; 629(I): Interpur, a Division of Dart Industries, Inc. v. Barber Blue Sea Line; 643(I): Dow Corning Corp. v. United States Lines, Inc.—Consideration of Settlement Officer's decision.

Portions closed to the public:

1. Docket No. 77-23: In the Matter of Agreement No. 10294—Decision on request for oral argument and possible consideration of the record.

2. Settlement Agreement between Sea-Land Service, Inc. and the Commission.

CONTACT PERSON FOR MORE INFORMATION: Francis C. Hurney, Secretary (202) 523-5725.

[S-509-80 Filed 3-13-80; 9:44 a.m.]

BILLING CODE 6730-01-M

6

FEDERAL RESERVE SYSTEM.

(Board of Governors.)

TIME AND DATE: 10 A.M., WEDNESDAY, MARCH 19, 1980.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Proposed statement to be presented to the Subcommittee on Consumer Affairs of the Senate Committee on Banking, Housing, and Urban Affairs regarding S. 1928, the "Fair Financial Information Practices Act of 1979".

2. Proposed statement to be presented to the Subcommittee on Commerce, Consumer, and Monetary Affairs of the House Committee on Government Operations regarding variable rate and renegotiable rate mortgages.

3. Proposed policy statement concerning financial factors in the formation of one-bank holding companies. (Proposed earlier for public comment; Docket No. R-0265.)

4. Any agenda items carried forward from a previously announced meeting.

Note.—Anyone planning to attend specifically for Items 1 and 2 should contact the office below on Tuesday, March 18, 1980, to assure that they have not been postponed due to a change in the date of the testimonies.

Note.—This meeting will be recorded for the benefit of those unable to attend. Cassettes will be available for listening in the Board's Freedom of Information Office, and copies may be ordered for $5 per cassette by calling (202) 452-3684 or by writing to: Freedom of Information Office, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452-3204.

Dated: March 11, 1980.

Theodore E. Allison,

Secretary of the Board.

[S-508-80 Filed 3-12-80; 9:43 a.m.]

BILLING CODE 6210-01-M

7

[USITC ERB-80-4]

INTERNATIONAL TRADE COMMISSION.

Executive Resources Board (ERB).

TIME AND DATE: 10 a.m., Monday, March 24, 1980.

PLACE: Room 117, 701 E Street NW., Washington, D.C. 20436.

STATUS: Closed to the public.

MATTERS TO BE CONSIDERED: Pursuant to the specific exemptions of 5 U.S.C. 552b(c)(2) and (6), on the authority of 19 U.S.C. 1335, and in conformity with 19 C.F.R. 201.36(b)(2) and (6), Commissioners Alberger, Moore, and Stern, as members of the Executive Resources Board (ERB), voted to hold a meeting of the Board in closed session as follows:

1. Old business.

a. Individual Development Plans for Candidate and Managerial Development Program Selectees.

b. Critical Elements and Standards for SES members.

2. SES staffing.

3. Future ERB initiatives.

A majority of the entire membership of the Board felt that this meeting should be closed to the public since: (1) the discussion would only concern internal personnel practice and procedures; and (2) the information discussed would be likely to disclose information of a personal nature which could constitute a clearly unwarranted invasion of personal privacy.

CONTRACT PERSON FOR MORE INFORMATION: Keneth R. Mason, Secretary (202) 523-0161.

8[S-512-80 Filed 3-12-80; 12:01 pm]

BILLING CODE 7020-02-M

8

NATIONAL SCIENCE BOARD.

DATE AND TIME: 1 p.m., March 20, 1980. Open Session. 8 a.m., March 21, 1980. Closed Session.

PLACE: National Science Foundation, room 540, 1800 G Street NW., Washington, D.C.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED AT THE OPEN SESSION:

1. Minutes—Open Session—213th Meeting.

2. Chairman's Report.

3. Director's Report.

a. Report on Grant & Contract Activity— 2/20—3/19/80.

b. Organizational and Staff Changes.

c. Congressional and Legislative Matters.

d. NSF Budget for Fiscal Year 1981.

e. Other Items.

4. Board Committees—Reports on Meetings.

a. Executive Committee.

b. Planning and Policy Committee.

c. Programs Committee.

d. Committee on Budget.

e. Committee on Minorities and Women in Science.

f. Committee on Role of NSP in Basic Research.

g. Committee on Fourteenth NSB Report.

h. Ad Hoc Committee on Big and Little Science.

i. Ad Hoc Committee on Deep Sea and Ocean Margin Drilling Programs.

5. NSF Advisory Groups and Annual Presentations at NSF.

a. Reports on Meetings.

b. Representation at Future Events.

6. Board Representation at Congressional Hearings.

7. Program Review—Ocean Sciences.

8. Grants, Contracts, and Programs.

9. Next Meeting: National Science Board, 215th Meeting, April 17-18, 1980.

MATTERS TO BE CONSIDERED AT THE CLOSED SESSION.

A. Minutes—Closed Session—213th Meeting.

B. Grants, Contracts, and Programs.

C. Alan T. Waterman Award.

D. Report of 1980 Ad Hoc Nominating Committee for Board Officers.

E. NSB and NSF Staff Nominees.

F. NSB Annual Reports.

G. NSF Budgets for Fiscal Year 1982 and Subsequent Years.

CONTACT PERSON FOR MORE INFORMATION: Miss Vernice Anderson, Executive Secretary, (202) 632-5840.

[S-515-80 Filed 3-12-80; 2:15 pm]

BILLING CODE 7555-01-M

9

NUCLEAR REGULATORY COMMISSION.

TIME AND DATE: March 12, 1980.

PLACE: Commissioners Conference Room, 1717 H Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

Wednesday, March 12—2 p.m.

Briefing on Environmental Assessment for Decontamination of TMI-2 Building Atmosphere (approximately 1½ hours, public meeting).

Replaces—Discussion of Management-Organization and Internal Personnel Matters—which is *cancelled.*

CONTACT PERSON FOR MORE INFORMATION: Walter Magee (202) 634-1410.

Roger M. Tweed,

Office of the Secretary.

[S-514-80 Filed 3-12-80; 1:59 pm]

BILLING CODE 7590-01-M

10

SECURITIES AND EXCHANGE COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 45 FR 14989, March 7, 1980.

STATUS: Closed meeting/open meeting.

PLACE: Room 825, 500 North Capitol Street, Washington, D.C.

DATE PREVIOUSLY ANNOUNCED: Tuesday, March 4, 1980.

CHANGES IN THE MEETING: Additional meeting/additional items.

The closed meeting scheduled for Tuesday, March 11, 1980, at 10 a.m. commenced at 9:30 a.m. and the following additional closed items were considered:

Regulatory matter bearing enforcement implications and formal order of investigation.

Consideration of *amicus* participation.

The following additional item will be considered at an open meeting scheduled for Thursday, March 13, 1980 at 10 a.m.:

Consideration of whether to grant the request of Baker, Glast, Riddle, Tuttle & Elliott for a waiver of imputed disqualification pursuant to 17 CFR 200.735-8(e). For further information, please contact Myrna Siegel at (202) 272-2430.

The following additional items will be considered at a closed meeting scheduled for Thursday, March 13, 1980, immediately following the open meeting:

Freedom of Information Act appeal.

Chapter X proceeding.

Commissioners Loomis, Evans, and Pollack determined that Commission business required the above changes and that no earlier notice thereof was possible.

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.

March 11, 1980.

[S-513-80 Filed 3-12-80; 12:10 pm]

BILLING CODE 8010-01-M

Reader Aids

Federal Register

Vol. 45, No. 52

Friday, March 14, 1980

INFORMATION AND ASSISTANCE

Questions and requests for specific information may be directed to the following numbers. General inquiries may be made by dialing 202-523-5240.

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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.)

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DOT/RSPA	LABOR		DOT/RSPA	LABOR
DOT/SLSDC	HEW/FDA		DOT/SLSDC	HEW/FDA
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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 "reminders" below identify documents that appeared in issues of the **Federal Register** 15 days or more ago. Inclusion or exclusion from this list has no legal significance.

Rules Going Into Effect Today

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Office of the Assistant Secretary for Community Planning and Development—

9730 2–13–80 / Community Development Block Grants; Performance Report and Related Revisions; Interim Rule

TRANSPORTATION DEPARTMENT

Coast Guard—

9930 2–14–80 / Sitka and Wrangell, Alaska; revocation as ports of documentation

10795 2–19–80 / Welding and brazing regulations for marine engineering; editorial amendment

Rules Going Into Effect March 15, 1980

COST ACCOUNTING STANDARDS BOARD

55123 9–25–79 / Cost accounting standards

TRANSPORTATION DEPARTMENT

Research and Special Programs Administration—

9184 2–11–80 / Liquefied natural gas facilities; new Federal safety standards

List of Public Laws

Last Listing March 10, 1980

This is a continuing listing of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (telephone 202–275–3030).

H.R. 6374 / Pub. L. 96–201 To authorize the President of the United States to present on behalf of the Congress a specially struck gold medal to Ambassador Kenneth Taylor. (March 6, 1980; 94 Stat. 79) Price $1.00.

S.J. Res. 43 / Pub. L. 96–202 To proclaim March 21, 1980, "National Energy Education Day". (March 8, 1980; 94 Stat. 80) Price $1.00.

S. 1850 / Pub. L. 96–203 To authorize the conveyance of lands in the city of Hot Springs, Arkansas (March 10, 1980; 94 Stat. 81) Price $1.00

H.J. Res. 434 / Pub. L. 96–204 To authorize and request the President to issue a proclamation designating April 6 through 12, 1980, "National Medic Alert Week". (March 11, 1980; 94 Stat. 83) Price $1.00.

The Federal Register

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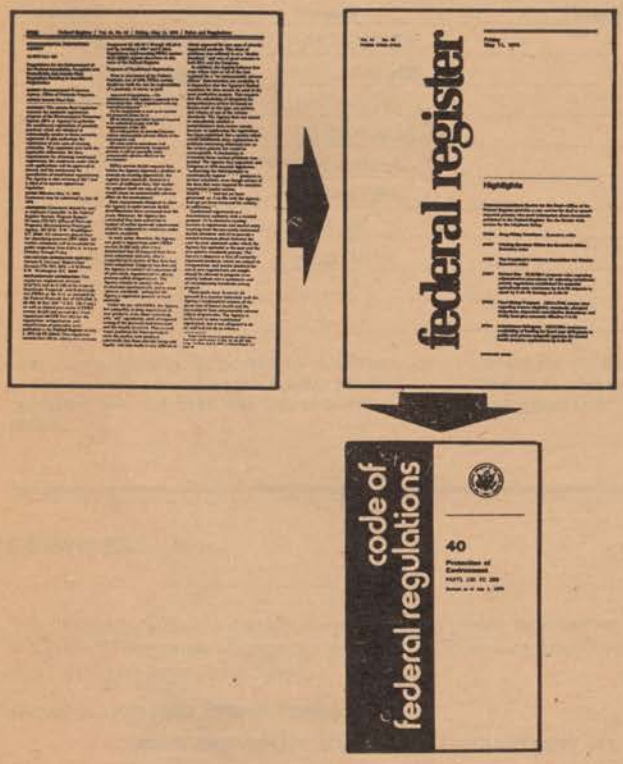

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federal register

Book 2 of 2 Books
Friday, March 14, 1980

16785 **Part II—Labor/ESA:**
Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

16832 **Part III—EPA**
Improving Government Regulations; Agenda of Regulations

16860 **Part IV—USDA/APHIS**
Animal Welfare; List of Licensed Dealers

16928 **Part V—Labor/ETA**
Allocations Under the Summer Youth Employment Program

16932 **Part VI—The President**
Executive Order 12198—Prescribing Amendments to the Manual for Courts-Martial, United States, 1969 (Revised Edition)

federal register

Friday
March 14, 1980

Part II

Department of Labor

Employment Standards Administration

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas Decisions to General Wage Determination Decisions

Modifications and supersedeas decisions to general wage determination decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the modifications and supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing general wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and supersedeas decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage & Hour Division, Office of Government Contract Wage Standards, Division of Construction Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Determination Decision.

New General Wage Determination Decisions

None.

Modifications to General Wage Determination Decisions

The numbers of the decisions being modified and their dates of publication in the **Federal Register** are listed with each State.

Alabama:	
AL78–1080	Sept. 22, 1978.
Florida:	
FL78–1052	May 26, 1978.
Illinois:	
IL79–2067	Aug. 24, 1979.
New Jersey:	
NJ78–3047	June 16, 1978.
Ohio:	
OH79–2048	May 11, 1979.
Pennsylvania:	
PA78–3071	Oct. 6, 1978.
PA78–3078	Oct. 20, 1978.
PA79–3000	Jan. 25, 1979.
PA79–3003	Mar. 9, 1979.
PA80–3012	Feb. 15, 1980.

Supersedeas Decisions to General Wage Determination Decisions

The numbers of the decisions being superseded and their dates of publication in the **Federal Register** are listed with each State. Supersedeas decision numbers are in parentheses following the numbers of the decisions being superseded.

Arkansas:	
AR80–4012 (AR80–4020)	Feb. 1, 1980.
California:	
CA78–5107 (CA80–5110)	July 7, 1978.
Indiana:	
IN77–2094 (IN80–2007)	May 27, 1977.
Maine:	
ME78–2159 (ME80–2009)	Nov. 17, 1978.
Oregon:	
OR78–5118 (OR–5109)	July 21, 1978.
Texas:	
TX79–4076 (TX80–4017)	Sept. 28, 1979.
TX79–4009 (TX80–4018)	Jan. 5, 1979.
TX79–4084 (TX80–4019)	Oct. 5, 1979.

Cancellation of General Wage Determination Decisions

None.

Signed at Washington, D.C. This 7th day of March 1980.

Dorothy P. Come,

Assistant Administrator, Wage and Hour Division.

BILLING CODE 4510–27–M

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #AL78-1080 - MOD. #4 (43 FR 43152 - September 22, 1978) Calhoun County, Alabama CHANGE: Electricians	$12.45	.55	3%+.40		½ of 1%
Decision #FL78-1052-Mod. #1 43 FR-22912-May 26, 1978) Dade County, Florida Change: Description of work to read: Highway Construction Projects (excluding tunnels, building structures in rest area projects and railroad construction; bascule, suspension and spandrel arch bridges; bridges designed for commercial navigation; bridges involving marine construction; and other major bridges)					

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. IL79-2067 - MOD. #3 (44 FR 49837 - August 24, 1979) Boone, Carroll, Deklab, JoDaviess, Lee, Ogle, Stephenson, Whiteside and Winnebago Counties, Illinois Change: Mod. #2, dated 12-14-79, Volume, 44, Page 72805 to Read Mod. #1 Mod. #3, dated 2-22-80. Volume 44, Page 12076 to Read Mod. #2					

MODIFICATION PAGE 3

DECISION NO. NJ78-3047 -Mod. #10

(43 FR 26235 - June 16, 1978) Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Monmouth, Ocean, and Salem Counties, New Jersey	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Bricklayers, Stone Masons, Marble Masons, Cement Masons, Plasterers, tile Layers, and Terrazzo Workers:					
Zone 2:					
Bricklayers, Stone Masons, Marble Masons, Tile Layers, and Terrazzo Workers	11.55	1.15	1.35		.01
Zone 3	12.05	.50	.60		
Carpenters, Millwrights, and Insulators:					
Zone 2:					
Carpenters and Insulators	12.13	8%	7%		½%
Millwrights	12.38	8%	7%		½%
Ironworkers - Structural, Ornamental, & Reinforcing					
Zone 4	11.71	1.24	2.16	1.04	.05
Line Construction - Railroad only:					
Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Monmouth, Ocean, and Salem Counties:					
Linemen	11.75	11%	8.7%		.2%
Line Equipment Operator	11.18	11%	8.7%		.2%
Groundmen Winch and Truck Operators	8.82	11%	8.7%		.2%
Groundmen	7.31	11%	8.7%		.2%
Dynamite Men	9.67	11%	8.7%		.2%
Transit Men	11.56	11%	8.7%		.2%
Street Light Mechanic	8.75	11%	8.7%		.2%
Plumbers and Pipefitters:					
Zone 1	12.35	.52	1.00	1.00	.10

MODIFICATION PAGE 4

DECISION NO. OH79-2048 - MOD. #4 (44 FR 27901 - May 11, 1979) Ashtabula, Cuyahoga, Lake, Lorain, Portage, Stark, & Summit Counties, Ohio	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Asbestos Workers:					
Ashtabula (Cities of Ashtabula & Geneva), Cuyahoga, Lake, & Lorain Cos.	15.04	.99			
Remaining Cos.	13.66	.60	.99		.02
Bricklayers; Stonemasons:					
Lake Co.	14.52	.70	1.00		75.00p/y
Carpenters & Millwrights;					
Piledrivermen; Soft Floor Layers:					
Lorain Co.:					
Carpenters; Soft Floor Layers	12.82	.70	1.00	b	.08
Cement Masons:					
Lake Co.	14.52	.70	1.00		75.00p/y
Electricians:					
Lake Co.:					
Commercial Construction	14.98	.85	3%+.70		.2%
Lorain (Except Columbia Twp.):					
Commercial Construction	13.95	.75	3%+1.00		.1%
Portage (Twps. of Atwater, Aurora, Brimfield, Deerfield, Franklin, Mantus, Randolph Ravenna, Rootstown, Shelbyville, Streetsboro, & Suffield), & Summit Cos.:					
Residential Construction	8.88	.74	3%+.20		.2%
Stark County:					
Residential Construction	9.40	.55	3%+.50		.3%

DECISION NO. OH79-2048 Cont'd	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Ashtabula Co. (Twps. of Colebrook, Wayne, Williamsfield, Orwell, & Windsor) & Portage (Remainder of Co.) Co.	14.29	.75	7%		.7%
Ashtabula Co. (Rem. of Co.):					
Commercial Construction	14.05	1.00	3%+1.00		.2%
Residential Construction	7.35	1.00	3%		.002%
Glaziers:					
Ashtabula, Cuyahoga, Lake & Lorain Cos.	14.53	.60	1.00		.01
Ironworkers:					
Ashtabula (NE ¼ of Co.)	13.00	1.86	1.01		.15
Ashtabula (except NE ¼ of Co.), Cuyahoga,, Lake, Lorain, Portage (excluding Ravenna Ordnance Depot), & Summit Cos.	13.72	1.05	1.45		.03
Line Construction:					
Ashtabula Co. (Twps. of Colebrook, Orwell, Wayne, Williamsfield, & Windsor); Portage Co. (Twps. of Charleston, Edinburgh, Freedom, Hiram, Nelson, Palmyra, Paris, & Windham)					
Cable Splicer Op.; Linemen; Pole Digging Equipment Op.	14.90	.70	3%		½%

DECISION NO. OH79-2048 Cont'd	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Groundmen	11.92	.70	3%		½%
Ashtabula Co. (Rem. of Co.):					
Cable Splicer; Equipment Op.; Line Truck Driver; Linemen	13.05	.90	3%+.85		½%
Cuyahoga & Lorain (Columbia Twp.) Cos.:					
Cable Splicers; Equipment Ops.; Linemen	15.43	.60	3%		½%
Truck Drivers (Winch) Groundmen	10.03	.60	3%		½%
Lorain (Rem. of Co.) Co.:					
Cable Splicers; Equipment Ops.; & Linemen	13.95	.75	3%+1.00		½%
Lake Co.:					
Equipment Operators; Linemen	14.98	.85	3%+.70		½%
Marble Setters:					
Lake Co.	14.52	.70	1.00		75.00p/y
Marble Setters' Finishers:					
Cuyahoga, Lake & Lorain Cos.	12.51		2.00		
Painters:					
Ashtabula, Cuyahoga, Lake, Portage (No. of East West Turnpike), & Summit (No. of East West Turnpike), Lorain (NE part):					
Brush; Rollers; Paperhangers	13.31	.82	1.00		.05
Swing Stage; Window Jack	13.61	.82	1.00		.05
Tapers	14.01	.82	1.00		.05

MODIFICATION PAGE 7

DECISION NO. OH79-2048 Cont'd	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Lorain (except NE Part):					
Commercial Construction:					
Brush	10.20	.85	.10	e	
Roller	10.70	.85	.10	e	
Taping	10.95	.85	.10	e	
Residential Construction:					
Brush	9.85	.85	.10	e	
Taping	10.60	.85	.10	e	
Portage Co. (Ravenna Ordnance Depot):					
Brush; Rollers; Waterproofing; Paperhanging; Wallwashing; Hydro Jet Cleaning; Steam Cleaning	12.45	.75	1.00		
Spray; Epoxy-mastic (Brush or Roller)	12.95	.75	1.00		
Swing; Interior Scaffold (over 30 ft.); Window Jacks & Safety belts	12.62	.75	1.00		
Drywall Taping	12.60	.75	1.00		
Open Structural Steel	12.66	.75	1.00		
Dipping (when permitted)	12.80	.75	1.00		
Epoxy - mastic (Spray	13.45	.75	1.00		
Paperhangers (Furnishing own Tools)	12.70	.75	1.00		

MODIFICATION PAGE 8

DECISION NO. OH79-2048 Cont'd	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Pipefitters:					
Ashtabula, Cuyahoga, Lake, & Lorain Cos.	13.61	1.31	1.30		.15
Plasterers:					
Lake Co.	14.52	.70	1.00		75.00p/y
Plumbers:					
Ashtabula, Cuyahoga, Lake, & Summit (No. of Rte. #303) Cos.:					
Commercial Building	14.13	.90	1.10		.02
Residential	8.35	.50	.30		.03
Lorain Co.	14.28	.80	.95		.05
Portage & Summit (So. of Rte. #303) Cos.	13.20	.85	1.20		.05
Stark Co.	13.32	.50	.70	f	.10
Roofers:					
Ashtabula, Cuyahoga, Lake, & Lorain Cos.	15.28	.25	.50		.05
Portage, Stark, & Summit Cos.	12.37	.94	.85		.02
Sheet Metal Workers:					
Lorain Co.	13.91	.85	1.20		.06
Sprinkler Fitters:					
Ashtabula, Cuyahoga, Lake, & Lorain Cos.	13.61	1.31	1.30		.15
Lake, Portage, Stark, & Summit Cos.	14.02	.75	1.05		.08
Steamfitters:					
Lorain Co.	14.28	.80	.95		.05
Terrazzo Workers:					
Lake Co.	14.52	.70	1.00		75.00p/y
Terrazzo Workers' Finishers:					
Cuyahoga, Lake, & Lorain Cos.	13.57		1.50		
Tile Setters:					
Lake Co.	14.52	.70	1.00		75.00p/y
Tile Setters' Finishers:					
Cuyahoga, Lake, & Lorain Cos.	13.04		2.00		

DECISION NO. OH79-2048
Cont'd

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Laborers (Ashtabula Co.):					
Sheeting & Shoring Men; Asphalt Rakers & Tampers; Dumpmen (Batch Truck); Signalmen; Concrete Workers; Building Wreckers; Tool Checkers; Carpenters' Tenders; Construction Laborers; All Work not Mentioned in Classifications below to be paid at the rate of Construction Laborers	11.85				
Spreader Box Men (asphalt); Stone Masons' Assistant; Plasterers or Mortar Mixers; Squeegee Man	12.00				
Air & Machine Driven Tool Op.; Industrial Sewer Cleaning; Sewer Pipe Layers; Bottom Men (6' & over); Power Driven Wheelbarrows & Sweepers; Brick Batter & Droppers; Burning & Cutting Torches; Mud Jacking of Floors	12.05				
Stackmen; Swinging Scaffold Men	12.15				
Tunnel Laborers	12.25				
Gunnite Operators	12.35				
Powder Blasters	12.40				

DECISION NO. OH79-2048
Cont;d

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Laborers (Lake County):					
Building & Construction	11.30	.70	.90		
Gunite Op.; Blasters & Shooters; Caissons; Wells; Cylinder Cofferdams; Mine Workers w/o Air; Swing Scaffolds; Acetylene Burners; Vibrators; Top Man on Free Standing Radial Stacks; Slip Forms Higher than 30'; Fire Brick Tenders	11.55	.70	.90		
Laborers (Stark County):					
Building & Construction; Signalmen; Flagmen; Tool Cribman; Carpenters' Tender; Finisher Tenders; Concrete Handler; Utility Construction Laborer; Guard Rail Erector	9.51	.80	.80		.10
Bottom Men; Scaffold Builder; Tunnel Laborers; Pipe Layers; Air & Power Driven Tools; Burner on Demolition; Swinging Scaffold; Mucker; Caisson Worker; Cofferdam Worker; Powder Men & Dynamite Blaster; Creosote Workers; Mortar Mixers; Form Setter; Mason Tender; Plasterers' Tenders; Hod Carrier; Laser Beam Set-Up Men	9.71	.80	.80		.10
Gunnite Operator	10.11	.80	.80		.10

MODIFICATION PAGE 11

DECISION NO. OH79-2048 Cont'd	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Power Equipment Operators					
Ashtabula, Cuyahoga, Lake, & Lorain Cos.:					
Group A	13.72	.96	1.00		.11
Group B	13.57	.96	1.00		.11
Group C	13.22	.96	1.00		.11
Group D	12.44	.96	1.00		.11
Group E	12.12	.96	1.00		.11
Group F	9.94	.96	1.00		.11
Portage, Stark, & Summit Cos.:					
Group A	13.44	.96	1.00		.11
Group B	13.28	.96	1.00		.11
Group C	12.93	.96	1.00		.11
Group D	12.12	.96	1.00		.11
Group E	11.79	.96	1.00		.11
Group F	9.58	.96	1.00		.11

MODIFICATION PAGE 12

DECISION NO. PA78-3071 Mod. No. 4 (43 FR 46477 - October 6, 1978) Erie County, Pennsylvania	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
Bricklayers	$13.00	.80	.60		.02
Electricians	13.65	.72	3%+.88	.75	1/2%
Laborers:					
Common laborers	10.00	9%	9%		3%
Mason tenders	10.30	9%	9%		3%
Line Construction:					
Linemen, Heavy Equipment Op.	12.37	.55	3%		3/8%
Winch truck op.	8.68	.55	3%		3/8%
Groundman	8.30	.55	3%		3/8%
Painters:					
Brush	10.30	.60	.50		.02
Structural Steel	11.05	.60	.50		.02
Spray	10.80	.60	.50		.02
Plumbers & Steamfitters	13.02	.75	1.05		.06
Sprinkler Fitters	13.55	.75	1.05		.08
Stonemasons	13.00	.80	.60		.02

DECISION NO. PA78-3078 MOD. NO. 3 (43 FR 49205 - October 20, 1978) Allegheny County, Pennsylvania	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Electricians (Single or two family houses walk-up garden type apartments up to and including 4 stories	8.65	.55	3%		

DECISION NO. PA79-3000 MOD. NO. 8	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
(44 FR 5625 - January 25, 1979)					
Butler, Cambria, Erie, Fayette, Mercer, Washington, Westmoreland Lawrence, Somerset, Allegheny, Beaver, Armstrong, Blair, Cameron, Centre, Clarion, Clearfield, Crawford, Forest, Greene, Indiana, McKean, Venango, Warren, Bedford, Jefferson, Clinton, Elk, Franklin, Fulton, Huntingdon, Mifflin & Potter Counties, Pennsylvania					
CHANGE:					
CARPENTERS					
ZONE 1	$11.75	8%	7%	5%	
ZONE 2	11.54	8%	7%	5%	
CARPENTER - WELDER					
ZONE 1	12.17	8%	7%	5%	
ZONE 2	11.96	8%	7%	5%	

DECISION NO. PA79-3003 MOD. NO. 3	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
(44 FR 13228 - March 9, 1979)					
Lawrence & Mercer Counties, Pennsylvania					
CHANGE:					
Electricians:					
Lawrence County	$13.57	6%	3%	1.00	1½%
Ironworkers:					
Structural, Ornamental & Reinforcing	13.00	.75	1.30		.09
Line Construction:					
Linemen, dynamite man, heavy equipment operator	12.37	.55	3%		3/8%
Winch truck operator	8.68	.55	3%		3/8%
Groundman	8.30	.55	3%		3/8%
PAINTERS:					
Commercial - shall include stores, schools, warehouses not in plant showrooms, churches, apartment buildings, commercial garage, office buildings:					
Brush & Roller	11.95	.75	1.10		
Spray	12.95	.75	1.10		
Industrial - shall include sewage treatment plants, water works or authorities, and power plants, all skelton steel, railroad and highway bridges, towers, tanks, storage tanks, furnances, machinery, corrugated ceiling and sidewalks, sheeting steel sash and all steel surfaces, offices and hospital, both interior and exterior:					
Brush & Roller	12.45	.75	1.10		
Spray	13.45	.75	1.10		

MODIFICATION PAGE 15

DECISION NO. PA80-3012 MOD. NO. 1 (45 FR 10595 - February 15, 1980) Armstrong, Allegheny, Beaver, Butler, Fayette, Indiana, Washington, Westmoreland Counties, Pennsylvania	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
Asbestos workers	$13.47	.85	1.25		.01
Elevator Constructors	11.635	.745	.56	a+b	.025
Elevator Constructors Helpers	8.14	.745	.56	a+b	.025
Elevator Constructors Helpers (Prob.)	5.82				
Line Construction:					
Linemen, dynamite man, heavy equipment operator	12.37	.55	3%		3/8%
Winch truck operator	8.68	.55	3%		3/8%
Groundman	8.30	.55	3%		3/8%

SUPERSEDEAS DECISION

STATE: ARKANSAS COUNTY: STATEWIDE
DECISION NO. AR80-4020 DATE: Date of Publication
Supersedes Decision No. AR80-4012 dated February 1, 1980 in 45 FR-7442
DESCRIPTION OF WORK: Construction, alteration, and/or repair of streets, highways, runways, and water and sewer utilities, (but does not include building structures on highway rest areas).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BRICKLAYERS	$5.75				
CARPENTERS	5.75				
CONCRETE FINISHER	5.75				
ELECTRICIANS	7.00				
IRONWORKERS:					
Structural	5.00				
Reinforcing	4.10				
LABORERS:					
Air tool operator	4.00				
Asphalt heater operator	4.00				
Asphalt raker	4.60				
Carpenter tender	4.10				
Chain saw operator	4.10				
Checker grade	4.25				
Concrete finisher tender	4.10				
Concrete joint sealer	4.10				
Concrete saw operator	4.10				
Form setter	4.30				
Laborer	3.10				
Pipelayer	4.25				
Powderman	5.00				
Vibratorman	4.00				
PAINTER	5.00				
PILE DRIVER LEADMAN	5.00				
POWER EQUIPMENT OPERATORS:					
Aggregate spreader operator	4.50				
Asphalt plant fireman	3.75				
Asphalt plant drier operator	3.75				
Batch plant operator	4.50				
BULLDOZER OPERATOR:					
Finish	5.50				
Rough	4.70				
Bull float operator	4.40				
Concrete curing machine operator	4.65				

Power Equipment Operators (cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Concrete mixer operator (less than 5 sacks)	$4.10				
Concrete mixer operator (5 sacks or over)	4.95				
Backhoe, operator -rubber tired (1 yard or less)	4.70				
Cherry picker operator	4.70				
Concrete paver operator	5.25				
Concrete spreader operator	5.25				
Crane, derrick, dragline, shovel, backhoe operator (1½ yd. or less)	5.50				
Crane, derrick, dragline, shovel, backhoe operator (over 1½ yd.)	5.75				
Crusher operator	4.40				
Distrubutor operator	4.40				
Drill operator (wagon or truck)	4.75				
Elevating grader operator	5.25				
Euclid or like equipment operator (bottom or end dump)	4.25				
Finishing machine operator	4.75				
Forklift operator	3.90				
Form grader operator	3.90				
Front end loader operator					
Finish	5.25				
Rough	4.70				
Hydro seeder operator	4.25				
Mechanic	5.50				
Motor Patrol Operator:					
Finish	5.50				
Rough	4.70				
Mulching machine operator	4.25				
Oiler and greaser	4.25				
Pile driver operator	4.90				
Pub mill operator	3.90				
Roller operator (self-propelled)	4.25				

Power Equipment Operators (cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Scraper Operator:					
Finish	$5.50				
Rough	4.70				
Sod slicing machine operator	3.85				
Stabilzer mixing machine operator	4.40				
Tractor operator (crawler type)	4.25				
Tractor operator (farm & wheel)	4.00				
Tractor operator wheel type (with attachments 1 yd. or under)	4.40				
Trenching machine operator	4.40				
STONEMASONS	5.75				
Truck Drivers:					
Distributor truck driver	4.30				
Semi-trailer	4.30				
Loyboy driver	4.75				
Transit mix truck driver	4.30				
Truck driver (heavy-maximum pay load in excess of 3000 lbs.)	4.00				
Truck driver (light-maximum pay load 3000 lbs.)	3.85				
Well drillers	5.50				

WELDERS--receive rate prescribed for craft performing operation to which welding is incidental.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(ii)).

SUPERSEDEAS DECISION

STATE: California

COUNTIES: Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Kings, Lake, Lassen, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo and Yuba

DECISION NUMBER: CA80-5110 DATE: Date of Publication

Supersedes Decision No. CA78-5107 dated July 7, 1978, in 43 FR 29444

DESCRIPTION OF WORK: Building Projects (does not include single family homes and apartments up to and including 4 stories), Heavy and Highway Projects and Dredging

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$15.01	$1.32	$1.30	$2.00	.11
BOILERMAKERS	15.21	1.175	1.25	1.00	.04
BRICKLAYERS; Stonemasons:					
Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Siskiyou, Solano, Sonoma, and Trinity Counties	15.02	1.50	1.83		.05
Alameda and Contra Costa Counties	14.45	1.65	1.25		.05
Fresno, Kings, Madera, Mariposa and Merced Cos.	14.40	1.40	1.30		
Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo and Yuba Counties	14.43	1.30	1.21		.25
Monterey and Santa Cruz Counties	14.65	1.65	1.40		
San Benito and Santa Clara Counties	14.45	1.65	1.25		.05
Alpine, Amador, Calaveras, San Joaquin, Stanislaus and Tuolumne Counties	14.20	1.19	1.85		.04
Tulare County	14.49	1.05	2.11		.10

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BRICK TENDERS:					
Fresno, Kings, Madera and Tulare Counties	$11.52	$1.30	$1.75		
CARPENTERS:					
Carpenters	13.33	1.605	1.95	1.30	.09
Hardwood Floor Layers; Power Saw Operators; Saw Filers; Shinglers; Steel Scaffold Erectors and/or Steel Shoring Erectors	13.48	1.605	1.95	1.30	.09
Millwrights	13.83	1.605	1.95	1.30	.09
Piledrivermen, bridge, wharf and dock builders	12.23	.84	1.26	.75	.04
CEMENT MASONS:					
Cement Masons	10.50	1.30	1.68	1.65	.05
Mastic; Magnesite; All Composition Maons	10.75	1.30	1.68	1.65	.05
Men working from swinging or slip form scaffolds	10.75	1.30	1.68	1.65	.05
DRYWALL INSTALLERS	13.60	1.605	1.95	1.20	.09
ELECTRICIANS:					
Alameda County:					
Electricians	17.46	1.30	3%+1.90		.082
Amador, Colusa, Sacramento, Sutter, Yolo, Yuba and those portions of Alpine, El Dorado, Nevada, Placer and Sierra Counties West of the Sierra Mountain Watershed:					
Electricians	17.05	.95	3%+2.50		.06
Lake Tahoe Area:					
Electricians	17.43	.99	3%+1.37		.08
Cable Splicers	19.07	.99	3%+1.37		.08
Butte, Glenn, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama and Trinity Counties:					
Electricians	14.555	1.40	3%+1.35		.04
Cable Splicers	16.01	1.40	3%+1.35		.04
Calaveras and San Joaquin Counties:					
Electricians; Technicians	16.66	1.13	3%+2.11		1/4%
Cable Splicers	18.07	1.13	3%+2.11		1/4%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS: (Cont'd)					
Contra Costa County:					
Electricians	$16.81	$1.40	3%+2.25		
Cable Splicers	18.56	1.40	3%+2.25		
Del Norte and Humboldt Counties:					
Electricians	13.10	1.10	3%+2.80		.04
Cable Splicers	14.15	1.10	3%+2.80		.04
Fresno, Kings, Madera and Tulare Counties:					
Electricains	15.20	1.01	3%+1.45		.05
Lake, Marin, Mendocino and Sonoma Counties:					
Electricians	16.45	1.11	3%+.30		.04
Cable Splicers	18.12	1.11	3%+.30		.04
Mariposa, Merced, Stanislaus and Tuolumne Counties:					
Electricians	15.47	1.00	3%+1.75		1/4%
Cable Splicers	17.02	1.00	3%+1.75		1/4%
Monterey County:					
Electricians	14.85	1.15	3%+3.41		.08
Cable Splicers	16.71	1.15	3%+3.41		.08
Napa and Solano Counties:					
Electricians	16.07	1.42	3%+2.00		.05
Santa Clara County:					
Electricians	16.80	1.32	3%+2.50		.07
Cable Splicers	18.90	1.32	3%+2.50		.07
San Benito and Santa Cruz Counties:					
Electricians	15.77	1.15	3%+3.41		.08
Cable Splicers	17.74	1.15	3%+3.41		.08
San Francisco County:					
Electricians	16.66	1.36	3%+1.255		.07
Cable Splicers	18.74	1.36	3%+1.255		.07
San Mateo County:					
Electricians	15.54	1.25	3%+1.75		.03
ELEVATOR CONSTRUCTORS	14.82	.745	.56	a	.025

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GLAZIERS:					
Alameda, Contra Costa, Lake, Marin, Mendocino, (Southern half of County from North of Ft. Bragg), Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano (S.W. from east of Fairfield) and Sonoma Counties	$15.25	$1.11	$2.32		.10
Alpine, Amador, Butte, Calaveras, El Dorado, Mariposa, Merced, (North of the City of Livingston) Modoc, Nevada, Placer, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Tuolumne, Yolo and Yuba Counties	12.931	.83	1.60		
Fresno, Kings, Madera and Tulare Counties and the remaining portions of Merced County	10.12	.94	1.04	.615	.05
IRONWORKERS:					
Fence Erectors	11.61	1.39	2.82	1.90	.07
Reinforcing	12.50	1.39	2.82	1.90	.07
Ornamental; Structural	12.50	1.39	2.82	1.90	.07
LATHERS:					
Alameda and Contra Costa Counties	14.51	1.31	2.00		.10
Butte, Colusa, Glenn, Humboldt, Lake (that portion of County from Lakeport up to County Line), Nevada, Placer, Plumas, Shasta, Sierra, Tehama and Trinity Counties	12.35	.86	1.30		.01
Calaveras and San Joaquin Counties	13.70	.93	.55		.01

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LATHERS: (Cont'd)					
Lake (from City of Lakeport down to County Line), Marin, Mendocino and Sonoma Counties	$15.71	$1.02	$1.35		.01
Monterey and Santa Cruz Counties	11.30	.68	.55		.01
San Francisco and San Mateo Counties	13.37	1.11	2.50	1.00	.02
San Benito and Santa Clara Counties	12.69	.98	1.75		
Fresno, Kings, Madera and Tulare Counties	14.20	.70	.70		
Mariposa, Merced, Stanislaus and Tuolumne Counties	11.85				.01
Amador, El Dorado, Sacramento and Yolo Cos.	11.92	.82	2.50	1.50	.02
LINE CONSTRUCTION:					
Contra Costa County:					
Groundmen	12.61	1.40	3%+2.25		
Line Equipment Operators	15.13	1.40	3%+2.25		
Linemen	16.81	1.40	3%+2.25		
Cable Splicers	18.56	1.40	3%+2.25		
Del Norte, Modoc and Siskiyou Counties:					
Groundmen	9.21	.45	3%+1.10	.10	1/2%
Headgroundman (Chipper); Powdermen; Jackhammermen	9.80	.45	3%+1.10	.10	1/2%
Line Equipment Men	11.21	.45	3%+1.10	.10	1/2%
Linemen Polesprayer; Heavy Line Equipment Men; Certified Lineman; Welder	13.01	.45	3%+1.10	.10	1/2%
Tree Trimmer	11.75	.45	3%+1.10	.10	1/2%
Cable Splicers	14.41	.45	3%+1.10	.10	1/2%
Fresno, Kings, Madera and Tulare Counties:					
Groundmen	14.74	.75	3%+.95		.05
Linemen; Line Equipment Operators	15.56	.75	3%+.95		.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION: (Cont'd)					
Calaveras and San Joaquin Counties:					
Groundmen	$12.05	$1.13	3%+2.11		
Line Equipment Operators	14.45	1.13	3%+2.11		
Linemen	16.06	1.13	3%+2.11		
Mariposa, Merced, Stanislaus and Tuolumne Counties:					
Linemen	15.47	1.00	3%+1.75		1/4%
Cable Splicers	17.02	1.00	3%+1.75		1/4%
Monterey County:					
Linemen; Technicians	14.95	1.15	3%+3.71		.06
Cable Splicers	16.81	1.15	3%+3.71		.06
Napa and Solano Counties:					
Linemen	12.07	.68	3%+1.10		.04
Cable Splicers	13.58	.68	3%+1.10		.04
Butte, Glenn, Lassen, Plumas, Shasta, Tehama and Trinity Counties:					
Groundmen	9.58	.87	1%+.705		.02
Linemen; Equipment Operators	11.98	.87	1%+.705		.02
Cable Splicers	13.18	.87	1%+.705		.02
Alameda County:					
Groundmen	13.19	1.05	3%+1.15		.03
Linemen	16.49	1.05	3%+1.15		.03
Line Equipment Operators	14.84	1.05	3%+1.15		.03
Amador, Colusa, Sacramento, Sutter, Yolo, Yuba and those portions of Alpine, El Dorado, Nevada, Placer, and Sierra Counties West of the Main Sierra Mountain Waterhsed:					
Groundmen	14.31	.95	1%+.85		1/2%
Linemen	17.89	.95	1%+.85		1/2%
Cable Splicers	19.68	.95	1%+.85		1/2%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION: (Cont'd)					
Lake, Marin, Mendocino and Sonoma Counties:					
Groundmen	$10.52	$1.11	3%+.80		.02
Line Equipment Operators	11.84	1.11	3%+.80		.02
Linemen	13.15	1.11	3%+.80		.02
Cable Splicers	14.50	1.11	3%+.80		.02
San Mateo County:					
Groundmen	13.21	1.25	3%+1.75		.03
Line Equipment Operators	13.99	1.25	3%+1.75		.03
Linemen	15.54	1.25	3%+1.75		.03
Cable Splicers	17.48	1.25	3%+1.75		.03
Humboldt County:					
Groundmen	9.20	1.10	3%+2.80		.04
Linemen	11.50	1.10	3%+2.80		.04
Cable Splicers	12.42	1.10	3%+2.80		.04
San Francisco County:					
Groundmen	14.16	1.36	3%+1.255		.07
Linemen; Technicians	16.66	1.36	3%+1.255		.07
Cable Splicers	18.74	1.36	3%+1.255		.07
San Benito and Santa Cruz Counties:					
Linemen	15.87	1.15	3%+3.71		
Cable Splicer	17.85	1.15	3%+3.71		
Santa Clara County:					
Groundmen	14.28	1.32	3%+2.50		.07
Linemen; Line Equipment Operators	16.80	1.32	3%+2.50		.07
Cable Splicers	18.90	1.32	3%+2.50		.07
MARBLE SETTERS	11.64	1.50	1.10	1.03	
PAINTERS:					
Alpine, Amador, Calaveras and San Joaquin Counties:					
Brush Spray; Sheetrock Taper; Swing Stage; Scaffold; Sandblaster Structural Steel	11.49	1.00	2.34	1.11	
Fresno, Kings, Madera and Tulare Counties:					
Brush; Tapers	11.61	.81	.20		
Spray; Structural Steel	12.11	.81	.20		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Mariposa, Merced, Stanislaus and Tuolumne Counties:					
Brush	$10.88	$1.55	.85	$1.00	.02
Swing Stage; Paperhangers; Bosun Chair; Steam Cleaning; Water Blasting	11.13	1.55	.85	1.00	.02
Spray; Sandblasting	11.38	1.55	.85	1.00	.02
Monterey, San Benito, San Mateo, Santa Clara and Santa Cruz Counties (excluding portions of Counties in the Lake Tahoe Area):					
Brush	15.15	1.50	2.00	.80	.06
Spray	15.65	1.50	2.00	.80	.06
Tapers	15.70	1.50	2.00	.80	.06
Lake Tahoe Area:					
Brush	14.43	.70	.75		.02
Spray; Paperhanger; Tapers	14.93	.70	.75		.02
Lake, Marin, Mendocino, San Francisco and Sonoma Counties:					
Brush	14.67	1.80	2.00	.80	.06
Spray	15.17	1.80	2.00	.80	.06
Tapers	15.72	1.80	2.00	.80	.06
Butte, Colusa, Glenn, Lassen (excluding the extreme SE Corner), Modoc, Plumas, Shasta, Siskiyou, Sutter, Tehama, Trinity and Yuba Counties:					
Brush; Pot Tenders; Rollers	9.35	.65	.70		
Spray; Sandblaster; Structural Steel; Swing Stage; Tapers	9.60	.65	.70		
Lassen County (that portion that lies Eastward of Hwy. #395, Northward to and including Honey Lake)					
Brush	14.43	.70	.75		.02
Spray; Paperhanger; Tapers	14.93	.70	.75		.02

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Alameda, Contra Costa, El Dorado, Napa, Nevada, Placer, and Yolo Counties (excluding portions of Counties in the Lake Tahoe Area):					
Brush	$14.90	$1.50	$ 2.00	.80	.06
Spray	15.40	1.50	2.00	.80	.06
Tapers	15.70	1.50	2.00	.80	.06
Del Norte and Humboldt Counties:					
Brush	9.15	.95	.50	1.00	
Spray; Sandblasters; Structural Steel; Swing Stage; Tapers; Paperhangers	9.40	.95	.50	1.00	
Parking Lot Striping Work and/or Highway Markers:					
Fresno, Kings and Tulare Counties:					
Traffic Delineating Device Applicator	10.72	.55	.40	b	
Wheel Stop Installer; Traffic Surface Sandblaster; Striper	10.33	.55	.40	b	
Slurry Seal Operation:					
Mixer Operator	10.33	.85	.50	b	
Squeegee Man	9.14	.85	.50	b	
Applicator Operator	9.14	.85	.50	b	
Shuttleman	9.14	.85	.50	b	
Top Man	7.60	.85	.50	b	
Remaining Counties:					
Traffic Delineating Device Applicator; Wheel Stop Installer; Traffic Surface Sandblaster	10.72	.85	.50	b	
Striper	11.82	.85	.50	b	
Slurry Seal Operation:					
Mixer Operator	10.72	.85	.50	b	
Squeegee Man	9.14	.85	.50	b	
Applicator Operator	9.14	.85	.50	b	
Shuttleman	9.14	.85	.50	b	
Top Man	7.60	.85	.50	b	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS:					
Alameda and Contra Costa Counties	$10.10	.745	$ 1.05		.03
San Mateo County	14.08	1.10	3.00		.06
Butte, Colusa, Glenn, Lassen (Southeastern half of Lassen County), Plumas, Sierra, Sutter, and Yuba Counties	9.79	.56	1.00		
Monterey County	12.31	1.00	.35		.01
Fresno, Kings, Madera and Tulare Counties	9.24	.90	1.50	1.11	
Alpine, Amador, Butte, Calaveras, Colusa, El dorado, Glenn, Lassen (Southeastern half), Nevada, Placer Plumas, Sacramento, San Joaquin, Sierra, Sutter, Yolo and Yuba Counties	11.59	.71	1.50		.01
San Francisco County	14.08	1.10	3.00		.06
Del Norte, Humboldt, Lassen (Northwestern half), Marin, Modoc, Napa, Shasta, Siskiyou, Solano, Sonoma, Tehama and Trinity Counties	10.65	.98	.80	1.25	.01
Mariposa, Merced, Stanislaus and Tuolumne Counties	9.05	.90	1.55	1.20	
PLASTERERS' TENDERS:					
Alameda and Contra Costa Counties	8.87	.60	1.10		
Fresno, Kings and Madera Counties	11.80	1.25	1.70		
San Francisco and San Mateo Counties	10.65	1.25	1.40	1.25	
Alpine, Amador, El Dorado, Nevada, Placer, Sacramento, Sierra and Yolo Counties	7.455	.455	1.40	.80	
Calaveras and San Joaquin Counties	11.61	1.25	1.70	1.00	
Marin County	8.32	.80	1.40	.90	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS' TENDERS: (Cont'd)					
Monterey County	$10.40	$1.25	$ 1.70		
San Benito, Santa Clara and Santa Cruz Counties	11.16	1.30	1.35		
Solano County	12.70	1.25	1.70	1.10	
Napa County	13.80	1.25		1.10	
PLUMBERS:					
Alameda County	16.35	1.40	2.52		.16
Contra Costa County	17/87	1.40	2.39		.26
PLUMBERS; Steamfitters:					
Amador (Northern half of County), Sacramento, Yolo, El Dorado, Nevada, Placer and Sierra Counties (excluding Lake Tahoe Area)	16.32	1.48	2.07		.14
Lake Tahoe Area	16.09	1.13	1.00		.10
Marin, Mendocino, San francisco and Sonoma Cos.	17.60	2.43	2.29		.20
Alpine, Amador (Southern portion of County), Butte, Calaveras, Colusa, Fresno, Glenn, Kings, Lassen, Madera, Mariposa, Merced, Modoc, Monterey, Plumas, San Joaquin, Santa Cruz, Shasta, Sierra, Siskiyou, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne and Yuba Counties	15.00	1.62	2.42		.10
Lake, Napa and Solano Cos.	17.64	1.40	2.39		.22
Del Norte and Humboldt Cos.	14.50	1.12	2.65		.10
San Benito and Santa Clara Counties	17.49	1.30	2.39		.22
San Mateo County	16.51	1.34	2.75		.25
ROOFERS:					
Alameda and Contra Costa Counties:					
Roofers	13.05	1.25	1.80	1.35	.10
Mastic Workers; Kettlemen (2 kettles W.o pumps)	13.30	1.25	1.80	1.35	.10
Bitumastic; Enamelers; Pipewrappers; Coal Tar built up	15.05	1.25	1.80	1.35	.10

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS: (Cont'd)					
Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus and Tuolumne Counties:					
Roofers (slate, tile composition and built up)	$12.15	$1.04	$ 1.00		
Felt Machine Operator	12.30	1.04	1.00		
Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Placer, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity and Yuba Counties:					
Roofers	13.35	1.22	.55		.10
Fresno, Kings, Madera and Tulare Counties:					
Roofers	13.10	.70	1.10		
Lake, Marin, Mendocino, Napa, Solano and Sonoma Counties:					
Roofers	12.43	1.10	1.40	2.43	.10
Mastic Workers; Kettlemen (2 kettles w/o pumps)	12.68	1.10	1.40	2.43	.10
Bitumastic; Enamelers; Pipewrappers; Coal Tar Pitch	14.43	1.10	1.40	2.43	.10
Del Norte and Humboldt Counties:					
Roofers	10.32	.40	.75	.35	
Monterey and Santa Cruz Counties:					
Roofers	13.30	1.40	1.15		
San Francisco and San Mateo Counties:					
Roofers	13.21	.80	1.50	1.90	.10
Mastic Workers; Kettlemen (2 kettles w/o pumps)	13.46	.80	1.50	1.90	.10
Bitumastic; Enamelers; Pipewrappers; Coal Tar	14.43	.80	1.50	1.90	.10

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS: (Cont'd)					
Amador, Sacramento and Yolo Counties:					
Roofers (slate, tile and composition)	$12.45	$1.19	$ 1.10	$2.00	.10
Enameler and Pitch	13.95	1.19	1.10	2.00	.10
San Benito and Santa Clara Counties:					
Roofers; Kettle (1 kettle)	12.88	.99	1.68		
SHEET METAL WORKERS:					
Alameda, Contra Costa, Napa and Solano Counties	13.10	1.23	2.52	12%	.05
Alpine, Calaveras and San Joaquin Counties	14.23	1.23	2.00		.01
Amador, Butte, Colusa, El Dorado, Glenn, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo and Yuba Counties	13.68	1.23	2.21		.13
Mariposa, Merced, Stanislaus and Tuolumne Counties	15.36	1.23	2.08		.04
Monterey, San Benito, Santa Clara and Santa Cruz Cos.	14.85	1.20	3%+2.21		.03
Del Norte, Humboldt, Lake Marin, Mendocino, San Francisco, Sonoma and Trinity Counties	14.78	1.38	2.00		.16
San Mateo County	14.39	1.23	2.20		.045
Modoc and Siskiyou Counties	13.715	.71	.61		.045
Fresno, Kings, Madera and Tulare Counties	13.74	1.23	1.38		.17

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SOFT FLOOR LAYERS:					
Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lassen (excluding Honey Lake Area), Merced (east of San Joaquin River), Plumas, San Joaquin, Shasta, Sacramento, Stanislaus, Sutter, Tehama, Trinity, Tuolumne, Yolo and Yuba Counties and those portions of El Dorado, Nevada, Placer and Sierra Counties (excluding Lake Tahoe Area)	$12.43	.89	$ 1.30	$1.25	.10
Honey Lake Area and Lake Tahoe Area	13.74	.70	.20		
Alameda, Contra Costa, Lake, Marin, Mendocino, Merced, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, solano and Sonoma Counties	14.13	.90	1.70		.10
SPRINKLER FITTERS:					
Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma Cos.	18.71	.75	2.55		.14
Remaining Counties	17.38	.75	1.05		.08
STEAMFITTERS:					
Alameda and Contra Costa Counties	15.68	1.40	2.39		.02
Del Norte and Humboldt Counties	12.75	1.12	2.65		.10
TERRAZZO WORKERS:					
Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Siskiyou, Solano, Sonoma and Trinity Counties	13.43	1.50	1.83	1.33	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TERRAZZO WORKERS (Cont'd)					
Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Sutter, Tehama, Yolo and Yuba Counties	$11.80	.80	.90		.25
TILE SETTERS:					
Alameda, Butte, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Marin, Mendocino, Modoc, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Mateo, Santa Clara, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Yolo and Yuba Counties	13.00	1.08	1.30	1.58	.115
Alpine, Amador, Calaveras, San Joaquin, Stanislaus and Tuolumne Counties	14.46	1.19	1.00	2.00	.04
Fresno, Kings, Madera, Mariposa, Merced and Tulare Counties	11.30	1.05	1.00		.05
Monterey and Santa Cruz Counties	15.44	1.48	1.64		
TILE FINISHERS:					
Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Siskiyou, Sonoma, Solano and Trinity Counties	11.00	.92	.73	10%	.03
Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Stanislaus, Sutter, Tehama, Yolo and Yuba Counties	8.00	.80	1.20		

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

a. Employer contributes 8% of basic hourly rate for over 5 years' service, and 6% of basic hourly rate for 6 months' to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

b. Employer contributes $.32 per hour to Holiday Fund plus $.22 per hour to Vacation Fund for the first year of employment; 1 year but less than 5 years $.42 per hour to Vacation Fund; 5 years but less than 10 years $.60 per hour to Vacation Fund; over 10 years $.80 per hour to Vacation Fund.

LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$10.605	$1.30	$ 1.75	$1.40	.10
Group 1(a)	10.83	1.30	1.75	1.40	.10
Group 1(b)	11.105	1.30	1.75	1.40	.10
Group 1(c)	10.655	1.30	1.75	1.40	.10
Group 1(d)	11.405	1.30	1.75	1.40	.10
Group 1(e)	11.155	1.30	1.75	1.40	.10
Group 1(f)	11.19	1.30	1.75	1.40	.10
Group 1(f)1	10.205	1.30	1.75	1.40	.10
Group 2	10.455	1.30	1.75	1.40	.10
Group 3	10.355	1.30	1.75	1.40	.10
(GUNNITE)					
Group 1	11.065	1.30	1.75	1.40	.10
Group 2	11.475	1.30	1.75	1.40	.10
Group 3	10.355	1.30	1.75	1.40	.10
(TUNNEL and SHAFT WORK)					
Group 1	12.625	1.30	1.75	1.40	.10
Group 2	12.265	1.30	1.75	1.40	.10
Group 3	12.055	1.30	1.75	1.40	.10
Group 4	11.915	1.30	1.75	1.40	.10
(WRECKING WORK)					
Group 1	10.605	1.30	1.75	1.40	.10
Group 2	10.455	1.30	1.75	1.40	.10
Group 3	10.355	1.30	1.75	1.40	.10
(HOUSEMOVING)					
Group 1	10.605	1.30	1.75	1.40	.10

LABORERS

Group 1: Asphalt Ironers and Rakers; Barko, Wacker and similar type Tampers; Buggymobile; Chainsaw, fialler, logloader and bucker; Compactors or all types; Concrete and Magnesite Mixer 1/2 yard and under; Concrete Pan Work; Concrete Saw; Concrete Sander; Cribber and/or Shoring; Cut Granite Curb Setter; Form Raisers; Slip Forms; Green Cutters, Headerboardmen, Hubsetters, Aligners; Jackhammer Operators; Jacking of pipe over 12 inches; Jackson and similar type Compactors; Kettlemen, Potmen and Men applying asphalt, lay-kold, creosote, lime, caustic and similar type materials; Lagging, Sheeting, Whaling, Bracking, Trench-jacking, hand-guided Lagging Hammer; Magnesite, Epoxyresin, Fiber-glass, Mastic Workers (wet or dry); Pavement Breakers and Spaders, including Tool Grinder; Pipelayers, Caulkers, Banders, Pipewrappers, Conduit Layers, Plastic Pipelayers; Post Hole Diggers - air, gas, and electric; Power Broom Sweepers; Power Tampers of all types (except as shown in Group 2); Ram Set Gun and Stud Gun; Riprap-stonepaver and Rock-slinger, including placing of sacked concrete and/or sand (wet or dry); Rotary Scarifier, multiple Head Concrete Chipper; Davis Trencher, 300 or similar type (and all small Trenchers); Roto and Ditch Witch; Roto-tiller; Sandblasters, Potman, man, Gunman, Nozzleman; Signalling and Rigging; Tank Cleaners; Tree Climbers; Vibra-screed, Bull Float in connection with Laborers' work; Vibrators; Dri-pak-it Machine; High Pressure Blow Pipe (1½" or over, 100 lbs. pressure over over); Hydro Seeder and similar type; Laser Beam in connection with Laborers' work

Group 1(a): Joy Drill Model TWM-2A; Gardener-Denver Model DH143 and similar type drills; Track Drillers; Jack Leg Drillers; Diamond Drillers; Wagon Drillers; Mechanical Drillers - all types regardless of type or method of power; Multiple Union Drills; Blasters and Powdermen; all work of loading, placing and blasting fo all power and explosives of whatever type regardless of method used for such loading and placing; High Scalers (including drilling fo same); Tree Topper; Bit Grinder

Group 1(b): Sewer Cleaners

Group 1(c): Burning and Welding

Group 1(d): Repair Trackmen and Road Beds (cut and cover work of subway after the temporary cover has been placed)

Group 1(e): Laborers on general construction work on or in Bell Hole Footings and Shaft

Group 1(f): Wire Winding Machine in Connection with Guniting or Shotcrete - Aligner

LABORERS (Cont'd)

Group 1(f)1: Wire Winding Machine in connection with Guniting or Shotcrete

Group 1(g); Contra Costa County Only: Pipelayers, Caulkers, Banders, Pipewrappers, Conduit Layers and Plastic Pipelayers; Pressure Pipe Tester, no joint pipe and stripping of same, including repair of voids, precast manhole setters, cast in place, manhole form setters

Group 2: Asphalt Shovelers; Cement Dumpers and handling dry cement or gypsum; Choke-setter and Rigger (clearing work); Concrete Bucket Dumper and Chuteman; Concrete Chipping and Grinding; Concrete Laborers (wet or dry); Chuck Tender; High Pressure Nozzleman, Adductors; Groutcrew; Hydraulic Monitor (over 100 lbs. pressure); Loading and unloading, carrying and hauling of all rods and materials for use in reinforcing concrete construction; Pittsburgh Chipper and similar type Brush Shredders; Sloper; Singlefoot, hand held, Pneumatic Tamper; All penmatic, air, gas and electric tools not listed in Groups 1 thorugh 1(f); Jacking of Pipe under 12 inches

Group 3: All Cleanup work of debris, grounds and buildings including but not limited to street cleaners; Cleaning and washing windows; Construction Laborers including bridge and general Laborers; Dumpman; Load Spotter; Fire Watcher; Street Cleaners; Gardeners, Horticultural and Landscape Laborers; Jetting; Limbers; Brush Loaders; Pilers, maintenance landscape laborers on new construction; Maintenance, Repair Trackmen and Road beds; Streetcar and Railroad Construction Track Laborers; Temporary air and water lines, Victaulic or similar; Tool Room Attendent; Fence Erectors; Guardrail Erectors; Pavement Markers (button setters)

(GUNNITE)

Group 1: Nozzleman (including Gunman, Potman); Rodmen; Groundman

Group 2: Reboundman

Group 3: General Laborers

LABORERS (Cont'd)

(TUNNEL and SHAFT WORK)

Group 1: Diamond Driller; Groundman; Gunite and Shotcrete Nozzlemen; Rodmen; Shaft Work and raise (below actual or excavated ground level)

Group 2: Bit Grinder; Blaster; Drillers, Powderman-heading; Cherry Pickermen - where car is lifted; Concrete Finisher in Tunnel; Concrete Screed Man; Grout Pumpman and Potman; Gunite and Shotcrete Gunmen and Potmen; Headermen; High Pressure Nozzleman; Miners - Tunnel, including Top and Bottom Man on Shaft and Raise work; Nipper Nozzleman on slick line; Sandblaster-potman (work assignment interchangeable) Steel Form Raisers and Setters; Timberman, Retimberman - wood or steel or substitue materials therefore; Tugger

Group 3: Cabletender; Chucktender; Powderman - Primer House; Vibratormen, Pavement Breakers

Group 4: Bull Gang - Muckers, Trackmen; Concrete Crew - includes rodding and spreading; Dumpmen (any mehtod); Grout Grew Reboundmen; Swamper

(WRECKING WORK)

Group 1: Skilled Wrecker (removing and salvaging of sash, windows, doors, plumbing and electric fixtures)

Group 2: Semi-skilled Wrecker (salvaging or other building materials)

Group 3: General Laborer (includes all cleanup work, loading, lumber, loading and burning of debris)

(HOUSEMOVING)

Group 1: Skilled Housemover

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS: DREDGING SCHEDULE I CLAMSHELL & DIPPE DREDGING (New Construction)					
Group 1: Bargeman; Deckhand; Fireman; Oiler:					
Area 1	$ 9.67	$1.07*	$ 1.78	.80	.14
Area 2	10.64	1.07*	1.78	.80	.14
Area 3	10.92	1.07*	1.78	.80	.14
Area 4	11.20	1.07*	1.78	.80	.14
Group 2: Deck Engineers; Deck Mate:					
Area 1	11.41	1.07*	1.78	.80	.14
Area 2	12.45	1.07*	1.78	.80	.14
Area 3	12.74	1.07*	1.78	.80	.14
Area 4	13.04	1.07*	1.78	.80	.14
Group 3: Welder; Mechanic Welder; Watch Engineer:					
Area 1	11.88	1.07*	1.78	.80	.14
Area 2	12.91	1.07*	1.78	.80	.14
Area 3	13.21	1.70*	1.78	.80	.14
Area 4	13.50	1.06*	1.78	.80	.14
Group 4: Clamshell Operator (up to and including 7 cu. yds. M.R.C.)(Long Boom Pay):					
Area 1	12.68	1.07*	1.78	.80	.14
Area 2	13.72	1.07*	1.78	.80	.14
Area 3	14.01	1.07*	1.78	.80	.14
Area 4	14.30	1.07*	1.78	.80	.14

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS: (CONT'D) DREDGING -- SCHEDULE I (CONT"D)					
Group 4-A: Clamshell Operator (over 7 cu. yds. M.R.C.)(Long Boom Pay):					
Area 1	$13.91	$1.07*	$ 1.78	.80	.14
Area 2	14.97	1.07*	1.78	.80	.14
Area 3	15.29	1.07*	1.78	.80	.14
Area 4	15.59	1.07*	1.78	.80	.14
SCHEDULE II HYDRAULIC SUCTION DREDGING AND ALL OTHER CLAMSHELL AND DIPPER DREDGING					
Group A-1: Bargeman; Deckhand; Leveehand; foreman; Oiler:					
Area 1	9.65	1.07*	1.78	.80	.14
Area 2	10.62	1.07*	1.78	.80	.14
Area 3	10.90	1.07*	1.78	.80	.14
Area 4	11.18	1.07*	1.78	.80	.14
Group A-2: Winchman (stern winch on dredge); Deckmate; Deck Engineer:					
Area 1	10.70	1.07*	1.78	.80	.14
Area 2	11.70	1.07*	1.78	.80	.14
Area 3	12.00	1.07*	1.78	.80	.14
Area 4	12.28	1.07*	1.78	.80	.14
Group A-3: Watch Engineer; Welder; Welder Mechanic:					
Area 1	11.39	1.07*	1.78	.80	.14
Area 2	12.43	1.07*	1.78	.80	.14
Area 3	12.73	1.07*	1.78	.80	.14
Area 4	13.02	1.07*	1.78	.80	.14

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS: (CONT'D)					
SCHEDULE II - (CONT'D)					
Group A-4:					
Leverman; Clamshell Operator:					
Area 1	$12.34	$1.07*	$ 1.78	.80	.14
Area 2	13.38	1.07*	1.78	.80	.14
Area 3	13.67	1.07*	1.78	.80	.14
Area 4	13.96	1.07*	1.78	.80	.14

AREA DEFINITIONS FOR DREDGING, SCHEDULES I and II

Four Centers designated: City Halls of Okland, San Francisco, Sacramento and Stockton, California

Area 1: Up to 20 road miles from said Centers

Area 2: More than 20 road miles to and including 80 road miles from said Centers

Area 3: Outside of 30 road miles from said Centers

Area 4: An area extending 25 road miles from shoreline of Lake Tahoe.

TOW BOATS (Dredging): Work on slef-propelled vessesl (except skiffs powered by outboard motors) engaged in towing and shifting of barges, vessels and water borne craft or in the transportation by water of personnel, materials, equipment and supplies:					
Deckhand/Mechanics	10.86	.84	1.35	1.18	
Operator Mechanic/Watch Engineer	12.17	1.23	1.45	1.18	
TOW BOATS: Work on self-propelled vessels):					
Boat Operators	12.17	1.23	1.45	1.18	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS: (Piledriving)					
Group 1	$10.68	$1.99*	$ 2.50	$1.35	.29
Group 1(a)	11.09	1.99*	2.50	1.35	.29
Group 1(b)	11.34	1.99*	2.50	1.35	.29
Group 2	11.34	1.99*	2.50	1.35	.29
Group 2(a)	12.25	1.99*	2.50	1.35	.29
Group 3	12.61	1.99*	2.50	1.35	.29
Group 3(a)	13.12	1.99*	2.50	1.35	.29
Group 4	13.78	1.99*	2.50	1.35	.29
Group 5	13.99	1.99*	2.50	1.35	.29

*Includes $.39 per hout to Pensioned Health and Welfare Fund.

POWER EQUIPMENT OPERATORS (Cont'd)
Piledriving

Group 1: Assistant to Engineer (Fireman, Oiler, Deckhand)

Group 1(a): Compressor Operator

Group 1(b): Truck Crane Oiler

Group 2: Tugger Hosit (hoisting material only)

Group 2(a): Compressor Operator (2-7); Generator (100 K.W. or over); Pump (2-7); Welding Machine (2-7) (powered other than by electricity)

Group 3: Deck Engineer; Fork Lift; A-Frame; Self-propelled Boom type lifting device

Group 3(a): Heavy Duty Repairman and/or Welder

Group 4: Operating Engineer in lieu of Assistant to Engineer Tending Boiler or Compressor attached to Crane Piledriver; Operator of Piledriving Rigs, Skid or Floating and Derrick Barges; Operator of diesel or gasoline powered Crane Piledriver (w/o boiler) up to and including 1 cu. yd.; Truck Crane, up to and including 25 tons hoisting material only

Group 5: Operator of diesel or gasoline powered Crane Piledriver (w/boiler) over 1 cu. yd.; Operator of Crane (w/steam, flash boiler, pump or compressor attached); Operator of steam powered Crawler or Universal type driver (Raymond or similar type); Truck Crane, over 25 tons hoisting material or performing piledriving work

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	Education and/or Appr. Tr.
	AREA 1	AREA 2				
Group 1	$10.63	$12.40	$ 1.99*	$2.50	$1.35	.29
Group 2	11.04	12.81	1.99*	2.50	1.35	.29
Group 3	11.29	13.06	1.99*	2.50	1.35	.29
Group 4	11.94	13.71	1.99*	2.50	1.35	.29
Group 5	12.19	13.96	1.99*	2.50	1.35	.29
Group 6	12.37	14.14	1.99*	2.50	1.35	.29
Group 7	12.55	14.32	1.99*	2.50	1.35	.29
Group 8	13.07	14.84	1.99*	2.50	1.35	.29
Group 9	13.33	15.10	1.99*	2.50	1.35	.29
Group 10	13.59	15.36	1.99*	2.50	1.35	.29
Group 10-A	13.73	15.50	1.99*	2.50	1.35	.29
Group 11	13.94	15.71	1.99*	2.50	1.35	.29
Group 11-A	15.36	17.07	1.99*	2.50	1.35	.29
Group 11-B	15.64	17.41	1.99*	2.50	1.35	.29
Group 11-C	16.01	17.78	1.99*	2.50	1.35	.29

*Includes $.39 per hour to Pensioned Health and Welfare Fund.

POWER EQUIPMENT OPERATORS (Cont'd)
Areas I and II (Cont'd)

Group 1: Assistants to Engineers (Brakeman; Fireman; Heavy Duty Repairman Tender; Oiler; Deckhand; Signalman; Switchman; Tar Pot Fireman); Partsman (heavy duty repair shop parts room)

Group 2: Compressor Operator; Concrete Mixer (up to and including 1 yard); Conveyor Belt Operator (tunnel); Fireman Hot Plant; Hydraulic; Monitor; Mechanical Conveyor (handling building materials); Mixer Box Operator (concrete plant); Pump Operator; Spreader Boxman (with screeds); Tar Pot Fireman (power agitated)

Group 3: Box Operator (bunker); Helicopter Radioman (Signalman); Motorman; Locomotive; Oiler; Ross Carrier (construction job site); Rotomist Operator; Screedman (except asphaltic concrete paving); Self-propelled, automatically applied concrete curing machine (on streets, highways, airports and canals); Trenching Machine (maximum digging capacity 3 ft. depth); Tugger Hoist,single drum; Truck Crane Oiler

Group 4: Ballast Jack Tamper; Ballast Regulation; Ballast Tamper Multi-purpose; Boxman (aspahlt plant); Elevator Operator (inside); Fork Lift or Lumber Stacker (construction job site); Line Master; Lubrication and Service Engineer (mobile and grease rack); Material Hoist (1 drum); Shuttlecar; tie Spacer; Towermobile

Group 5: Compressor Operator (over 2); Concrete Mixers (over 2 yards); Concrete Pumps or Pumpcrete Guns; Generators; Grouting Machine; Press-weld (air operated); Pumps (over 2); Welding Machines (powered other than by electricity)

Group 6: BLH Lima Road Pactor or similar; Boom Truck or Dual Purpose A-Frame Truck; Concrete Batch Plants (wet or dry); Concrete Saws (slef-propelled unit) on streets, highways, airports and canals; Drilling and Boring Machinery, vertical and horizontal (not to apply to Waterliners, Wagon Drills or Jackhammers); Gradesetter, Grade Checker (mechanical or other-wise); Highline Cableway Signalman; Locomotives (steam of over 30 tons); Maginnis Internal Full Slab Vibrator (on airports, highways, canals and warehouses); Mechanical Finishers (concrete) (Clary, Johnson, Bidwell Bridge Deck or simolar types); Mechanical Burm, Curb and/or Curb and Gutter Machine, concrete or aspahlt; Portable Crusher; Post Driver (M-1500 and similar); Power Jumbo Operator (setting slip forms, etc. in tunnels); Roller; Screedman (Barber-Greene and similar)(asphaltic concrete paving); Self-propelled Compactor (single engine); Self-propelled Pipeline Wrapping Machine, Perault, CRC, or similar types); Slip Forms Pumps (lifting device for concrete forms); Small Rubber Tired Tractor; Surface Heater

POWER EQUIPMENT OPERATORS (Cont'd)
AREAS I and II (Cont'd)

Group 7: Concrete Conveyor or Concrete Pump, Truck or equipment mounted (boom length to apply); Concrete Conveyor, building site; Deck Engineers; Dual Drum Mixer; Fuller Kenyon Pump and similar types; Gantry Rider (or similar); Hydra-hammer (or similar); Material Hoist (2 or more drums); Mechanical Finishers or Spreader Machine (asphalt, Barber-Greene and similar); Mine or Shaft Hoist; Mixermobile; Pavement Breaker with or without Compressor Combination; Pipe Bending Machine (pipelines only); Pipe Cleaning Machine (tractor propelled and supported); Pipe Wrapping Machine (tractor propelled and supported); Refrigeration Plant; Roller Operator (finish asphalt); Self-propelled boom type lfiting device (center mount) (10 tons or less M.R.C.); Self-propelled Elevating Grader Plane; Slusher Operator; Small Tractor (with boom) Soil Tester; Truck type Loader

Group 8: Armor-Coater (or similar); Asphalt Plant Engineer; Cast-in-place Pipe Layign Machine; Combination Slusher and Motor Operator; Concrete Batch Plant (multiple units); Dozer; Heading Shield Operator; Heavy Duty Repairman and/or Welder; Ken Seal Machine (or similar); Kolman Loader; Loader (up to 2 yards); Mecahnical Trench Shield; Portable Crushing and Screening Plants; Push Cat; Rubber Tired Earth-moving Equipment (up to and including 45 cu. yards "struck" M.R.C.) Euclids, T-Pulls, DW-10, 20, 21, and similar; Rubber Tired Dozer; Self-propelled Compactor with Dozer; Sheepfoot; Timber Skidder (rubber tired or similar equipment); Tractor drawn Scraper; Tractor Trenching Machine; Tri-batch Paver; Tunnel Mole Boring Machine; Welder; Woods-mixer (and other similar Pugmill equipment)

Group 9: Canal Finger Drain Digger; Chicago Boom; Combination Mixer and Compressor (Gunite); Combination Slurry Mixer and/or Cleaner; Highline Cableway (5 tons and under); Lull Hi-lift or similar (20 ft. or over); Mucking Machine (rubber tired, rail or track type); Tractor (with boom) (D-6 or larger and similar)

POWER EQUIPMENT OPERATORS (Cont'd)
AREAS I and II (Cont'd)

Group 10: Boom-type Backfilling Machine; Bridge Crane; Cary-lift (or similar); Chemical Grouting Machine, truck mounted); Combination Backhoe and Loader (up to and including 1/2 cu. yd. M.R.C.); Derrick (2 operators required when swing engine remote from hoist); Derrick Barges (except excavation work); Do-Mor Loader; Adams Elegrader; Elevating Grader; Heavy Duty Rotary Drill Rig (including Caisson Foundation work and Euclid Loader and similar tipe; Robbins type drills); Koehring Skooper (or similar); Lift Slab Machine; (Vagtborg and similar types); Loader (2 yds. up to and inlcuding 4 yds.); Locomotive, 100 tons (single or multiple units); Multiple Engine Earthmoving Machine (Euclids, Dozers, etc.)(no Tandem Scraper); Pres-stress Wire Wrapping Machine; Reservoir-Debris Tug (self-propelled floating); Rubber-tired Scraper, slef-loading (paddle wheels, etc.); Shuttle Cat (reclaim station); Single engine Scraper over 45 yds.; Soil Stabilizer (P & H or equal); Sub-grader (Gurrier or other automatic type); Tractor, Compressor Drill Combination; Track Laying type Earth Moving Machine (single engine with Tandem Scrapers); Train loading station; Trenching Machine, multi-engine with sliping attachment, Jeffco or similar; Facuum Cooling Plant; Whirley Crane (up to and including 25 tons); Chief or Party

Group 10-A: Backhoe (Hydraulic) (up to aind including 1 cu. yd. M.R.C.); Backhoe (Cable) (up to and including 1 cu. yd. M.R.C.); Combination Backhoe and Loader, over 3/4 cu.yd. M.R.C.); Continyous Flight Tie Back Auger (up to and including 1 cu. yard) (Crane attached); Cranes (not over 25 tons, Hammerhead and Gantry); Grade-alls (up to and including 1 cu. yd.); Power Shovels, Clamshells, Draglines (up to and including 1 cu. yd. M.R.C.); Power Blade (single engine); Slef-propelled Boom-type Lifting Device (center mount) (over 10 tons); Rubber-tired Scraper, self-loading (paddle wheel twin engine); CMI Dual Lane Auto Grader SP30 or similar

POWER EQUIPMENT OPERATORS (Cont'd)
AREAS I and II (Cont'd)

Group 11: Automatic Concrete Slip Form Paver; Automatic Railroad Car Dumper; Canal Finger Drain Backfiller; Canal Trimmer; Canal Trimmer w/ditching attachments; Cranes (over 25 tons up to and including 125 tons); Continuous Flight Tie Back Auger, over 1 cu. yd. (including Crane); Drott Travelift, 650-A-1 or similar (45 tons or over); Highline Cableway (over 5 tons); Loader (over 4 yards, up to and including 12 cu. yds.); Power Blade (multi-engine); Power Shovels, Clamshells, Draglines, Backbackhoes, Grade-alls (over 1 yard and up to and including 7 cu. yds. "Struck" M.R.C.); Rubber-tired Earthmoving Machines (multiple propulsion power units and two or more Scrapers (up to and inlcuding 75 cu. yds. "struck" M.R.C.); Self-propelled Compactor (with multiple propulsion power units); Single engine Rubber-tired Earthmoving Machines (with Tandem Scrapers); Slip Form Paver (concrete or asphalt); Tandem Cats; Tower Cranes Mobile; Trencher (pulling attached shield); Universal Liebher and Tower Cranes (and similar types); Wheel Excavator (up to and including 750 cu. yd. per hour); Whirley Crane (over 25 tons)

Group 11-A: Band Wagons (in conjunctionwith Wheel Excavator); Cranes (over 125 tons); Loader (over 12 cu. yds.; up to and including 18 cu. yds.); Power Shovels and Draglines (over 7 cu. yds., M.R.C.); Rubber Tired Multi-purpose Earth Moving Machines (2 units over 75 cu. yds. "struck" M.R.C.); Wheel Excavator (over 750 cu. yds. per hour)

Group 11_b: Loader (over 18 cu. yds.)

Group 11-C: Operator of Helicopter (when used in erection work); Remote Controlled Earthmoving Equipment

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BULK CEMENT SPREADER (w/wo Auger, under 4 yds. water level); Buss or Manhaul Driver; Concrete Pump Machine; Concrete Pump Truck (when Flat Rack Truck is used appropriate Flat Rack rate shall apply); Dump (under 4 yds. water level); Dumpcrete Truck (under 4 yds. water level); Dumpster (under 4 yds. water level); Escort or Pilot Car Driver; Nipper Truck (when Flat Rack Truck is used appropriate Flat Rack rate shall apply); Pickups; Skids (debris Box, under 4 yds. water level); Team Drivers; Trucks (dry per-batch concrete mix, under 4 yds. water level); Warehousemen	$10.725	$1.395	.74	$1.00	
TEAMSTER Oiler and/or Greaser and/or Service Man	10.80	1.395	.75	1.00	
BULK CEMENT SPREADER (w/wo Auger, 4 yds. and under 6 yds. water level); Dump (4 yds. and under 6 yds. water level); Dumpcrete (4 yds. and under 6 yds. water level); Dumpster (4 yds. and under 6 yds. water level); Skids (Debris Box, 4 yds. and under 6 yds. water level); Single Unit Flat Rack (2axle unit); Industrial Lift Truck (mechanical Tailgate); Trucks (Dry Pre-batch Concrete Mix, 4 yds. and under 6 yds. water level)	10.82	1.395	.75	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
JETTING TRUCK and WATER TRUCK (under 2,500 gallons)	$10.825	$1.395	.75	$1.00	
ROAD OIL TRUCKS OR BOOT MAN	10.845	1.395	.75	1.00	
LIFT JITNEYS, Fork Lift	10.855	1.395	.75	1.00	
TRANSIT MIX, AGITATOR (under 6 yards)	10.875	1.395	.75	1.00	
FUEL and/or GREASE TRUCK Driver or Fuelman	10.89	1.395	.75	1.00	
TRUCK REAPIRMAN HELPER	10.895	1.395	.75	1.00	
VACUUM TRUCK, under 3,500 gallons	10.905	1.395	.75	1.00	
SCISSOR TRUCK; Single Unit Flat Rack (2 axle unit); Industrial Lift Truck 9Mechanical Tailgate); Small Rubber Tired Tractor (when used within Teamsters' jurisdiction)	10.92	1.395	.75	1.00	
JETTING TRUCK and WATER TRUCKS, 2,500 gallons, under 4,000 gallons	10.935	1.395	.75	1.00	
COMBINATION WINCH TRUCK With HOIST; Transit Mix Agitator (6 yards and under 8 yards)	10.975	1.395	.75	1.00	
VACUUM TRUCK, 3,500 gallons and under 5,500 gallson	10.985	1.395	.75	1.00	
RUBBER-TIRED MUCK CAR (not self-loaded)	10.995	1.395	.75	1.00	

TRUCK DRIVERS: (cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BULK CEMENT SPREADER (w/wo Auger, 6 yds. and under 8 yds. water level); Dump (6 yds. and under 8 yds. water level); Dumpcrete (6 yds. and under 8 yds. water level); Dumpster (6 yds. and under 8 yds. water level); Skids (Debris Box, 6 yds. and under 8 yds. water level); Trucks (Dry Pre-batch Concrete Mix, 6 yds. and under 8 yds. water level)	$11.02	$1.39	.75	$1.00	
A FRAME, WINCH TRUCK; Buggymobile; Jetting and Water Truck (4,00 gallons and under 5,000 gallons); Rubber Tired Jumbo	11.035	1.39	.75	1.00	
HEAVY DUTY TRANSPORT (high bed)	11.04	1.39	.75	1.00	
ROSS HYSTER and SIMILAR STRADDLE CARRIER	11.065	1.39	.75	1.00	
TRANSIT MIX AGITATOR (8 yds. through 10 yds)	11.075	1.39	.75	1.00	
VACUUM TRUCK (5,500 gallons and under 7,500 gallons)	11.085	1.39	.75	1.00	
JETTING TRUCK and WATER TRUCK (5,000 gallons and under 7,000 gallons)	11.135	1.39	.75	1.00	
COMBINATION BOOTMAN and ROAD OILER	11.165	1.39	.75	1.00	
TRANSIT MIX AGITATOR (over 10 yds. through 12 yds.)	11.175	1.39	.75	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BULK CEMENT SPREADER (w/wo Auger, 8 yds. and including 12 yds. water level); Dump (8 yds. and including 12 yds. water level); Dumpcrete (7 yds. and including 12 yds. water level); Self-propelled Street Sweeper with self-contained refuse bin; Skids (Debris Box, 8 yds. and including 12 yds. water level); Snow Go and/or Snow Plow; Truck (Dry Pre-batch Concrete Mix, 8 yds. and including 12 yds. water level); Dumpster (8 yds. and including 12 yds. water level)	$11.26	$1.39	.75	$1.00	
HEAVY DUTY TRANSPORT (Gooseneck Lowbed)	11.27	1.39	.75	1.00	
TRANSIT MIX AGITATOR (over 12 yds. through 17 yds.)	11.275	1.39	.75	1.00	
AMMONIA NITRATE DISTRIBUTOR DRIVER and MIXER; Bulk Cement Spreader (w/wo Auger, over 12 yds and inlcuding 18 yds. water level); Dump (over 12 yds. and including 18 yds. water level); Dumpcrete (over 12 yds. and including 18 yds. water level); Dumpster (over 12 yds. and including 18 yds. water level); Trucks (Dry Prebatch Concrete Mix, over 12 yds. and including 18 yds. water level)	11.30	1.39	.75	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DOUBLE GOOSENECK (7 to more acles); Heavy Duty Transport Tiller Man	$11.32	$1.395	.75	$1.00	
P.B. or SIMILAR TYPE SELF-LOADING TRUCK	11.36	1.395	.75	1.00	
TRANSIT MIX AGITATOR (over 14 yds. through 16 yds.)	11.375	1.395	.75	1.00	
BULK CEMENT SPREADER (w/wo Auger, over 18 yds. and including 24 yds. water level); Combination Dump and Dump Trailer; Dump (over 18 yds. and including 24 yds. water level); Dumpcrete (over 18 yds. and including 24 yds. water level); Dumpster (over 18 yds. and including 24 yds. water level); Skid (Debris Box, over 17 yds. and including 24 yds. water level); Transit Mix Agitator (over 12 yds. through 16 yds.); Trucks (Dry Pre-batch Concrete Mix, over 17 yds. and including 24 yds. water level)	11.405	1.395	.75	1.00	

TRUCK DRIVERS: (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BULK CEMENT SPREADER (w/wo Auger, over 14 yds. and including 35 yds. water level); Dump (over 24 yds. and inlcuding 35 yds. water level); Dumpcrete (over 24 yds. and including 35 yds. water level); Dumpster (over 24 yds. and including 35 yds. water level); DW 10's, 20's, 21's and other similar cat type, Terra Cobra, LeTourneapulls, Tournarocker, Euclid and similar type equipment when pulling fuel and/or Grease Tank Trailers or other misc. Trailers; Skids (Debris Box, over 24 yds. and including 35 yds. water level); Trucks (Dry Pre-batch concrete Mix, over 24 yds. and including 35 yds. water level)	$11.46	$1.395	.75	$1.00	
TRUCK REPAIRMAN	11.395	1.395	.75	1.00	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS: (Cont'd)					
BULK CEMENT SPREADER (w/wo Auger, over 35 yds. and including 50 yds. water level); Dump (over 35 yds. and including 50 yds. water level); Dumpcrete (over 35 yds. and including 50 yds. water level); Dumpster (over 35 yds. and including 50 yds. water level); Skids (Debris Box, over 35 yds. and including 50 yds. water level); Trucks (Dry Pre-batch Concrete Mix, over 35 yds. and including 50 yds. water level)	$11.61	$1.395	.75	$1.00	
DW 10's, 20's, 21's and other similar cat type, Terra Cobra, LeTourneau Pulls, Tournorocker, Euclid and similar type equipment while pulling Aqua/Pak or water Tank Trailers	11.71	1.395	.75	1.00	
BULK CEMENT SPREADER w/wo Auger, over 50 yds. and under 65 yds. water level); Dump (over 50 yds. and under 65 yds. water level); Dumpcrete (over 50 yds. and under 65 yds. water level); Dumpster (over 50 yds. and 65 yds. water level); Helicopter Pilot (when transporting men or materials); Skids (Debris Box, over 50 yds. and under 65 yds. water level); Trucks (Dry Pre-batch Concrete Mix, over 50 yds. and under 65 yds. water level)	11.76	1.395	.75	1.00	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS: (Cont'd)					
BULK CEMENT SPREADER (w/wo Auger, over 65 yds. and including 80 yds. water level); Dump (65 yds. and including 80 yds. water level); Dumpcrete (over 65 yds. and including 80 yds. water level); Dumpster (65 yds. and including 80 yds. water level); Skids (Debris Box, 65 yds. and including 80 yds. water level); Trucks (Dry Pre-batch Concrete Mix, 65 yds. and including 80 yds. water letel)	$11.91	$1.395	.75	$1.00	
BULK CEMENT SPREADER (w/wo Auger, over 80 yds. and including 95 yds. water level); Dump (over 80 yds. and including 95 yds. water level); Dumpcrete (over 80 yds. and including 95 yds. water level); Dumpster (over 80 yds. and including 95 yds. water level); Skids (Debris Box, over 80 yds. and including 95 yds. water level); Trucks (Dry Pre-batch Concrete Mix, over 80 yds. and including 95 yds. water level)	12.06	1.395	.75	1.00	

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

AREA DEFINITIONS for POWER EQUIPMENT OPERATORS

AREAS I and II

**AREA I: All areas included in the description defined below which is based upon township and range lines of Areas I and II.

Commencing in the Pacific Ocean on the extension of the Southerly line of Township 19S.
Thence easterly along the Southerly line of Tonwship 19S, crossing the Mt. Diabolo Meridian to the S.W. cornero of township 19S, range 6E, Mt. Diablo base line and meridian,
Thence Southerly to the S.W. corner of township 20S, range 6E,
Thence Easterly to the S.W. corner of township 20S, range 13E,
Thence Southerly to the S.W. corner of township 21S, range 13E,
Thence Easterly to the S.W. corner of township 21S, range 17E,
Thence Southerly to the S.W. corner of township 22S, range 17E,
Thence Easterly to the S.E. corner of township 22S, range 17E,
Thence Southerly to the S.W. corner of township 23S, range 18E,
Thence Easterly to the S.E. corner of township 23S, range 18E,
Thence Southerly to the S.W. ocrner of township 24S, range 19E, falling on the Southerly line of Kings County, thence Easterly along the southerly boundary of Kings County and the Southerly boundary of Tulare County, to the S.E. corner of township 24S, range 29E,
Thece Northerly to the N.E. corner of township 21S, range 29E,
Thence Westerly to the N.W. corner of township 21S, range 29E,
Thence Northerly to the N.E. corner of township 13S, range 28E,
Thence Westerly to the N.W. corner of township 13S, range 28E,
Thence Northerly to the N.E. corner of township 11S, range 27E,
Thence Westerly to the N.W. corner of township 11S, range 27E,
Thence Northerly to the N.E. corner of township 10S, range 26E,
Thence Westerly to the N.W. corner of township 10S, range 26E,
Thence Northerly to the N.E. corner of township 9S, range 25E,
Thence Westerly to the N.W. corner of township 9S, range 25E,
Thence Northerly to the N.E. corner of township 8S, range 24E,
Thence Westerly to the N.W. corner of township 8S, rangw 24E,
Thence Northerly to the N.E. corner of township 6S, range 23E,
Thence Westerly to the S.E. corner of township 5S, range 19E,
Thence Northerly to the M.E. corner of township 5S, range 19E,
Thence Westerly to the N.W. corner of township 5S, range 19E,
Thence Northerly to the N.E. corner of township 3S, range 18E,
Thence Westerly to the N.W. corner of township 3S, range 18E,
Thence Northelry to the N.E. corner of township 2S, range 17E,
Thence Westerly to the N.W. corner of township 2S, range 17E,

AREA DEFINITIONS for POWER EQUIPMENT OPERATORS (Cont'd)
AREAS I and II

AREA I: (Cont'd)

Thence Northerly crossing the Mt. Diablo Baseline to the N.E. corner of township 2N, range 16E,
Thence Westerly to the N.W. corner of township 2N, range 16E,
Thence Northerly to the N.E. corner of township 3N, range 15E,
Thence Westerly to the N.E. corner of township 3N, range 15E,
Thence Northerly to the N.E. corner of township 4N, range 14E,
Thence Westerly to the N.W. corner of township 4N, range 14E,
Thence Northerly to the N.E. corner of township 5N, range 13E,
Thence Westerly to the N.E. corner of township 5N, range 13E,
Thence Northerly to the N.E. corner of township 10N, range 12E,
Thence Easterly to the S.E. corner of township 11N, range 14E,
Thence Northerly to the N.E. corner of township 11N, range 14E,
Thence Westerly to the N.E. corner of township 11N, range 10E,
Thence Northerly to the N.E. corner of township 15N, range 10E,
Thence Easterly to the S.E. corner of township 16N, range 11E,
Thence Northerly to the N.E. corner of township 16N, range 11E,
Thence Easterly to the S.E. corner of township 17N, range 14E,
Thence Southerly to the S.W. corner of township 14N, range 14E,
Thence Easterly to the S.E. corner of township 14N, range 15E,
Thence Southerly to the S.W. corner of township 13N, range 16E,
Thence Easterly to the S.E. corner of township 13N, range 16E,
Thence Southerly to the S.W. corner of township 12N, range 17E,
Thence Easterly along the Southern Line to township 12N to the Eastern boundary of the State of California,
to the State of California to the N.E. corner of township 17N, range 18E,
Thence Westerly to the N.W. corner of township 17N, range 11E,
Thence Northerly to the N.E. corner of township 20N, range 10E,
Thence Westerly to the N.W. corner of township 20N, range 20E,
Thence Northerly to the N.E. corner of township 21N, range 9E,
Thence Westerly to the N.W. corner of township 21N, range 9E,
Thence Northerly to the N.E. corner of township 22N, range 8E,
Thence Westerly to the N.W. corner of township 27N, range 8E,
Thence Northerly to the S.W. corner of township 27N, range 8E,
Thence Easterly to the S.E. corner of township 27N, range 8E,
Thence Northerly to the N.E. corner of township 28N, range 8E,
Thence Westerly to the N.W. corner of township 28N, range 7E,
Thence Northerly to the N.E. corner of township 30N, range 6E,
Thence Westerly to the N.W. corner of township 30N, range 1E,
Thence Northerly along the Mt. Diablo Meridian to the N.E. corner of township 34N, range 1W,
Thence Westerly to the N.W. corner of township 34N, range 6W,
Thence Southerly to the N.E. corner of township 32N, range 7W,
Thence Westerly to the N.W. corner of township 32N, range 7W,
Thence Southerly to the S.W. corner of township 30N, range 7W,
Thence Easterly to the S.E. corner of township 30N, range 7W,

AREA DEFINITIONS for POWER EQUIPMENT OPERATORS
AREAS I and II

SREA I: (Cont'd)

Thence Southerly to the S.W. corner of township 16N, range 6W,
Thence Easterly to the S.E. corner of township 16N, range 6W,
Thence Southerly to the S.W. corner of township 14N, range 5W,
Thence Westerly to the S.E. corner of thownhip 14N, range 7W,
Thence Northerly to the N.E. corner of township 14N, range 7W,
Thence Westerly to the N.W. corner of township 14N, ragne 7W,
thence Northerly to the N.E. corner of township 15N, range 8W,
Thence Westerly to the S.E. corner of township 16N, range 12W,
Tehnce Northerly to the N.E. corner of township 16N, range 12W,
thence Westerly to the N.W. corner of township 16N, range 12W,
Thence Northerly to the N.E. corner of township 18N, range 12W,
Thence Westerly to the N.W. corner of township 18N, range 14W,
Tehnce Southerly to the S.W. corner of towhsnip 18N, range 14W,
Thence Easterly to the S.E. corner of township 18N, range 14W,
Thence Southerly to the S.W. corner of township 16N, range 13W,
thence Westerly to the N.W. corner of township 15N, range 14W,
Thence Southerly to the S.W. corner of township 14N, range 14W,
Thence Easterly to the S.E. corner of township 14N, range 14W,
Thence Southerly to the S.W. corner of township 13N, range 13W,
Thence Easterly to the S.E. corner of township 13N, range 13W,
Thence Southerly to the S.W. corner of township 11N, range 12W,
Thence Easterly to the S.E. corner of township 11N, range 12W,
Thence Southerly along the Eastern line of eange 12W, to the Pacific Ocean excluding that portion of Northern California Within Santa Clara County included within the following line:
Commencing at the N.W. corner of township 6S, range 3E, Mt. Diablo Baseline and Meridian:
Tehnce in a Southerly direction to the S.W. corner of township 7S, range 3E,
Thence in a Easterly direction to the S.E. corner of township 7S, range 4E,
Thence in a Northerly direction to the N.E. corner of township 6S, Range 4E,
Thence in a Westerly direction to the N.W. corner of township 6S, range 3E, to the point of beginning which portion is a part of Area 2.

AREA 1: also includes that portion of Northern Calfiornai within the following lines:
Commencing in the Pacific Ocena on an extension of the Southerly line of township 2N, Humboldt Baseline and Meridian:
Thence Easterly along the Southerly line of township 2N, to the S.w. corner of township 2N, range 1W,
Thence Southerly to the S.W. corner of township 1N, range 1W,

AREA DEFINITIONS for POWER EQUIPMENT OPERATORS
AREAS I and II (Cont'd)

AREAI: Cont'd)

Thence Easterly along the Humboldt baseline to the S.W. corner of towhship 1N, range 2E,
Thence Southerly to the S.W. corner of township 2S, range 2E,
Thence Easterly to the S.E. corner of township 2S, range 2E,
Thence Southerly to the S.W. corner of towhsnip 4S, range 3E,
Thence Easterly to the S.E. corner of township 4S, range 3E,
Thence Northerly to the N.E. corner of township 2S, range 3E,
Thence Westerly to the N.W. corner of township 2S, range 3E,
Thence Northerly crossing the Humboldt baseline to the S.W. corner of township 1N, range 3E,
Thence Easterly along the Humboldt baseline to the S.E. corner of township 1N, ragne 3E,
Thence Northerly to the N.E. corner of township 9N, range 3E,
Thence Westerly to the N.W. corner of township 9N, range 2E,
Thence Northerly to the N.E. corner of township 10N, range 1E,
Thence Westerly along the NOrtherly line to township 10N, into the Pacific Ocean.

AREA I: also includes that portion of Northern California included within the following lines:
Commencing at the Northerly boundary of the State of California at the N.W. corner of township 48N, range 7W, Mt. Diablo Baseline and Meridian:
Thence Southerly to the S.W. corner of township 44N, range 7W,
Thence Easterly to the S.E. corner of township 44N, range 7W,
Thence Southerly to the S.W. corner of township 43N, range 6W,
Thence Easterly to the S.E. corner of township 43N, range 5W,
Thence Northerly to the N.E. corner of township 48N, range 5W, on the Northerly boundary of the State of California,
Thence Westerly along the Northerly boundary of the State of California to the point of beginning.

AREA II: All area not inlcuded within AREA I as defined.

SUPERSEDEAS DECISION

STATE: INDIANA COUNTY: DELAWARE
DECISION NO.: IN80-2007 DATE: Date of Publication
Supersedes Decision No. IN77-2094 dated May 27, 1977 in 42 FR 27551
DESCRIPTION OF WORK: Residential Construction Consisting of single family homes and apartments up to and including 4 stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
AIR CONDITIONING AND HEATING MECHANICS	$7.50				
BRICKLAYERS	10.00				
CARPENTERS	6.68				
CARPET LAYERS	6.10				
CEMENT MASONS	6.00				
DRYWALL FINISHERS	6.00				
DRYWALL HANGERS	6.00				
ELECTRICIANS	6.00				
INSULATION INSTALLERS	5.01				
LABORERS	4.00				
PAINTERS	6.74				
PLUMBERS	10.30	.60	.50		.04
ROOFERS	6.23				
SHEET METAL WORKERS	7.50				
TILE SETTERS	7.00				
TRUCK DRIVERS	5.00				
POWER EQUIPMENT OPERATORS:					
Backhoes	7.00				
Bulldozers	7.00				
Graders	7.00				
Mechanics	7.00				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

SUPERSEDEAS DECISION

STATE: MAINE COUNTY: YORK
DECISION NO. ME80-2009 DATE: Date of Publication
Supersedes Decision No. ME78-2159, dated November 17, 1978 in 43 FR 53959
DESCRIPTION OF WORK: Building Construction Projects

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS:					
Carpenters	$ 9.34	.65	.70		.03
Dock Builders	10.19	.65	.70		.03
Millwrights	10.19	.65	.70		.03
CEMENT MASONS	8.69				
ELECTRICIANS	11.70	.75	3%+.25		.02
GLAZIERS	6.55				
IRONWORKERS	10.65	1.15	1.35		.04
LABORERS:					
Laborers	7.61	.70	1.00		.10
Mason Tenders	7.77	.70	1.00		.10
PLUMBERS/Pipefitters	11.40	.73	.55		.02
ROOFERS	6.34				

SUPERSEDEAS DECISION

STATE: Oregon COUNTIES: Lane, Linn, and Marion
DECISION NUMBER: OR80-5109 DATE: Date of Publication
Supersedes Decision No. OR78-5118 dated July 21, 1978, in 43 FR 31569
DESCRIPTION OF WORK: Residential projects consisting of single family homes and apartments up to and including 4 stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BRICKLAYERS:					
Lane and Linn Counties	$12.75	.75	.75		.08
Marion County	12.94	.75	.85		.15
CARPENTERS	8.70				
ELECTRICIANS:					
Lane County (Western part)	15.45	.90	3%+2.00		.04
Lane County (Eastern Part), Linn and Marion Counties	18.05	.90	3%+2.00		.06
LABORERS	6.50				
PAINTERS:					
Painters	10.82	.55	.70		.10
Tapers	11.42	.55	.70		.10
PLUMBERS:					
Lane County(city of Florance)	16.33	.81	1.65		.10
Lane County (except City of Florence) Linn and Marion Counties	16.52	.91	1.60		.15
POWER EQUIPMENT OPERATORS:					
Asphalt Roller	10.96	1.00	1.21	.50	.05
Blade, Finish	11.34	1.00	1.21	.50	.05
Loader, 4 cu. yds. or less	11.12	1.00	1.21	.50	.05
ROOFERS	9.00				
SHEET METAL WORKERS:					
Lane County	13.715	.71	.61		.045
Linn and Marion Counties	14.24	3%+.98	1.28	1.00	.08
SOFT FLOOR LAYERS	10.435	.50	.90	*	.08
TRUCK DRIVERS:					
Dump Trucks under 6 cu. yds.	10.29	.68	.70	.88	.05

*FOOTNOTE:
Soft Floor Layers:
4% of all gross wages to be placed to the credit of employees with less than one year of service; 6% of all gross wages to be placed to the credit of employees with more than one year of service.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards clauses 29 CFR, 5.5(a)(i)(ii)

SUPERSEDEAS DECISION

STATE: Texas COUNTIES: Statewide
DECISION NUMBER: TX80-4017 DATE: Date of Publication
Supersedes Decision No. TX79-4078, dated September 28, 1979, in 44 FR 56109
DESCRIPTION OF WORK: See "Area Covered by Various Zones"

	ZONE 1 Basic Hourly Rates	ZONE 2 Basic Hourly Rates	ZONE 3 Basic Hourly Rates	ZONE 4 Basic Hourly Rates	ZONE 5 Basic Hourly Rates
Air Tool Man	$ -	$ -	$4.00	$ -	$3.50
Asphalt Heaterman	5.60	4.65	4.00	3.85	3.50
Asphalt Raker	5.00	5.00	4.70	4.00	4.30
Asphalt Shoveler	-	3.50	4.25	-	-
Batching Plant Scaleman	5.50	5.25	5.00	5.25	4.25
Batterboard Setter	-	-	-	-	4.00
Carpenter	5.50	5.95	5.05	5.00	5.05
Carpenter Helper	5.00	5.00	4.00	4.00	3.50
Concrete Finisher (Paving)	6.50	6.50	5.30	5.20	5.00
Concrete Finisher Helper (Paving)	4.50	4.60	4.00	4.25	4.50
Concrete Finisher (Structures)	6.00	5.35	5.05	4.45	4.70
Concrete Finisher Helper (Structures)	5.10	4.75	4.00	3.95	3.85
Concrete Rubber	-	-	4.60	3.35	3.95
Electrician	6.85	8.10	7.50	8.50	8.50
Electrician Helper	-	-	-	5.45	4.80
Fireman	-	-	-	-	-
Form Builder (Structures)	5.20	5.55	4.95	4.35	5.15
Form Builder Helper (Structures)	4.20	-	3.90	4.00	4.15
Form Liner (Paving and Curb)	6.25	-	4.00	4.75	4.05
Form Setter (Paving and Curb)	5.95	5.50	5.00	4.70	5.00
Form Setter Helper (Paving and Curb)	-	4.00	3.50	3.80	4.00
Form Setter (Structures)	6.30	5.50	5.15	4.80	4.75
Form Setter Helper (Structures)	4.50	4.50	4.00	3.85	3.95
Laborer, Common	3.90	3.50	3.50	3.35	3.30
Laborer, Utility Man	4.55	4.35	4.15	3.80	3.65
Manhole Builder, Brick	4.00	4.50	-	-	4.00
Mechanic	6.05	5.50	5.25	6.00	5.00
Mechanic Helper	4.60	4.10	4.05	4.00	4.35
Oiler	5.00	5.00	4.50	4.20	4.55
Serviceman	5.05	4.70	4.35	4.50	3.75
Painter (Structures)	4.60	-	6.00	5.50	4.90
Painter Helper (Structures)	-	-	3.50	4.35	-

	ZONE 1	ZONE 2	ZONE 3	ZONE 4	ZONE 5
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
Piledrivermen	$ -	$ -	$ -	$4.25	$4.35
Pipelayer	5.60	4.50	4.05	4.05	4.00
Pipelayer Helper	4.35	3.50	3.75	3.60	3.50
Pneumatic Mortarman	-	-	-	-	-
Powderman	6.15	5.50	5.00	5.00	4.90
Powderman Helper	-	-	3.50	3.45	3.40
Reinforcing Steel Setter (Paving)	4.50	-	5.50	-	4.50
Reinforcing Steel Setter (Structures)	5.75	6.10	5.10	4.40	5.45
Reinforcing Steel Setter Helper	4.25	-	3.75	3.75	3.90
Steel Worker (Structural)	-	-	-	-	4.50
Steel Worker Helper (Structural)	-	-	-	-	4.15
Sign Erector	-	-	4.00	3.70	5.30
Sign Erector Helper	-	-	3.50	-	-
Spreader Box Man	5.50	5.10	4.40	4.40	4.00
Swamper	3.90	4.55	4.25	4.00	4.00
POWER EQUIPMENT OPERATORS:					
Asphalt Distributor	5.75	5.00	4.65	4.60	4.35
Asphalt Paving Machine	5.70	4.70	4.75	4.50	4.95
Broom or Sweeper Operator	3.90	4.00	4.85	4.25	3.50
Bulldozer, 150 HP and less	5.00	4.50	4.50	4.70	4.50
Bulldozer, over 150 HP	5.75	5.80	5.25	5.00	5.00
Concrete Paving Curing Machine	5.25	-	-	4.25	4.00
Concrete Paving Finishing Machine	6.25	4.35	-	4.65	-
Concrete Paving Form Grader	5.25	-	-	-	-
Concrete Paving Gang Vibrator	-	-	-	-	4.60
Concrete Paving Grinder	-	-	-	-	5.50
Concrete Paving Joint Machine	-	-	-	-	-
Concrete Paving Joint Sealer	-	-	-	-	-
Concrete Paving Longitudinal Float	-	-	-	-	-
Concrete Paving Mixer	5.00	-	-	-	4.10
Concrete Paving Saw	5.50	4.00	4.50	4.50	3.85

	ZONE 1	ZONE 2	ZONE 3	ZONE 4	ZONE 5
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
POWER EQUIPMENT OPERATORS: (Cont'd)					
Concrete Paving Spreader	$ -	$ -	$ -	$ -	$4.35
Paving Sub Grader	-	-	4.25	-	-
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	5.65	5.50	4.90	4.85	4.80
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY and over)	6.30	6.00	5.75	5.75	5.65
Crusher or Screening Plant Operator	5.60	4.80	4.70	4.75	4.85
Elevating Grader	6.00	4.00	4.10	-	3.50
Form Loader	-	-	-	4.75	-
Foundation Drill Operator (Crawler Mounted)	5.60	5.85	8.00	4.00	7.70
Foundation Drill Operator (Truck Mounted)	6.15	7.00	7.50	4.40	6.50
Foundation Drill Operator Helper	4.75	4.50	3.95	-	3.75
Front End Loader (2½ CY and less)	5.20	4.75	4.45	4.00	4.25
Front End Loader (Over 2½ CY)	5.75	5.20	5.25	5.15	5.05
Mixer (Over 16 CF)	-	-	-	-	4.50
Mixer (16 CF and less)	-	-	-	-	-
Motor Grader Operator, Fine Grade	6.30	6.75	6.50	6.20	6.00
Motor Grader Operator	6.00	6.00	5.30	5.25	5.10
Pump Crete	-	-	-	-	-
Roller, Steel Wheel (Plant-Mix Pavements)	4.85	4.25	4.20	4.00	3.85
Roller, Steel Wheel (Other Flat Wheel or Tamping)	4.60	4.45	3.95	3.85	3.80
Roller, Pneumatic (Self-Propelled)	4.45	4.00	3.80	3.75	3.60
Scrapers (17 CY and less)	5.05	4.55	4.50	4.50	4.30
Scrapers (Over 17 CY)	5.50	5.00	5.35	5.45	4.90
Self-Propelled Hammer	-	-	-	-	-
Side Boom	-	-	-	-	4.20

	ZONE 1	ZONE 2	ZONE 3	ZONE 4	ZONE 5
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
POWER EQUIPMENT OPERATORS: (CONT'D)					
Tractor (Crawler type) 150 HP and less	$ 4.10	$ 4.05	$4.00	$4.00	$3.75
Tractor (Crawler type) over 150 HP	5.15	4.50	4.70	4.50	5.00
Tractor (Pneumatic) 80 HP and less	4.25	4.00	3.70	4.00	3.60
Tractor (Pneumatic) over 80 HP	4.30	4.55	4.15	4.50	4.35
Traveling Mixer	4.75	4.25	4.00	4.15	3.50
Trenching Machine, Light	-	4.20	4.35	4.25	4.00
Trenching Machine, Heavy	-	-	5.75	4.75	5.00
Wagon Drill, Boring Machine or Post Hole Driller Operator	4.90	4.60	4.50	4.50	4.00
TRUCK DRIVERS:					
Single Axle, Light	4.45	4.05	3.95	3.85	3.60
Single Axle, Heavy	4.50	4.10	-	4.30	-
Tandem Axle or Semitrailer	4.55	-	4.00	-	3.85
Lowboy-Float	5.50	5.00	4.95	4.40	4.70
Transit-Mix	-	-	4.25	-	-
Winch	-	-	4.25	-	3.90
Vibrator Man (Hand type)	3.90	-	-	3.45	-
Welder	6.30	5.40	5.00	5.15	5.00
Welder Helper	-	3.50	-	3.50	4.50

	ZONE 6	ZONE 7	ZONE 8	ZONE 9	ZONE 10
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
Air Tool Man	$ 3.35	$ 3.50	$3.25	$3.55	-
Asphalt Heaterman	4.00	4.50	3.60	4.25	4.05
Asphalt Raker	4.40	4.80	4.35	5.00	5.30
Asphalt Shoveler	4.10	3.80	-	4.25	4.00
Batching Plant Scaleman	4.50	5.75	4.75	5.50	5.50
Batterboard Setter	-	4.55	-	-	-
Carpenter	4.50	5.40	5.50	5.60	5.70
Carpenter Helper	3.35	4.25	4.25	4.10	4.50
Concrete Finisher (Paving)	5.00	4.50	5.15	5.50	5.50
Concrete Finisher Helper (Paving)	3.35	3.50	4.50	4.75	4.00
Concrete Finisher (Structures)	4.00	4.50	5.50	6.00	5.65
Concrete Finisher Helper (Structures)	3.35	3.55	3.90	4.00	4.00
Concrete Rubber	3.50	3.50	4.35	4.00	3.85
Electrician	7.50	6.55	6.75	8.90	8.25
Electrician Helper	-	3.50	-	4.00	5.10
Fireman	-	-	-	-	-
Form Builder (Structures)	4.25	5.05	5.25	4.50	6.00
Form Builder Helper (Structures)	3.35	4.00	4.80	4.00	4.70
Form Liner (Paving and Curb)	3.70	4.75	4.00	-	6.00
Form Setter (Paving and Curb)	3.85	4.50	4.60	4.65	5.00
Form Setter Helper (Paving and Curb)	3.45	4.00	3.50	3.75	4.00
Form Setter (Structures)	4.35	4.35	5.00	5.75	5.75
Form Setter Helper (Structures)	3.35	3.50	4.50	4.00	4.50
Laborer, Common	3.35	3.50	3.10	3.25	3.85
Laborer, Utility Man	3.80	3.95	4.05	3.50	4.30
Manhole Builder, Brick	3.85	4.75	-	-	-
Mechanic	4.35	5.75	5.75	5.25	5.90
Mechanic Helper	3.95	4.20	4.00	4.10	5.00
Oiler	3.95	4.20	5.00	4.50	5.00
Serviceman	4.25	4.65	4.50	4.75	4.55
Painters (Structures)	4.50	5.00	4.90	-	-
Painter Helper (Structures)	-	3.50	-	-	-
Piledrivermen	4.75	5.95	5.25	4.00	6.00

	ZONE 6	ZONE 7	ZONE 8	ZONE 9	ZONE 10
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
Pipelayer	$ 3.45	$ 4.30	$4.45	$5.50	$5.10
Pipelayer Helper	3.35	3.50	3.50	3.30	4.00
Pneumatic Mortarman	-	-	-	-	4.00
Powderman	5.00	6.00	4.95	5.50	5.45
Powderman Helper	-	4.25	-	-	-
Reinforcing Steel Setter (Paving)	-	-	-	-	5.00
Reinforcing Steel Setter (Structures)	4.30	3.80	4.75	5.25	5.40
Reinforcing Steel Setter Helper	3.75	3.50	3.95	3.75	4.25
Steel Worker (Structural)	-	5.75	4.50	-	5.00
Steel Worker Helper (Structural)	-	-	3.70	-	4.25
Sign Erector	3.65	-	4.75	4.65	4.60
Sign Erector Helper	3.45	-	4.00	3.30	3.90
Spreader Box Man	4.20	4.25	4.25	4.60	4.85
Swamper	-	-	4.25	4.55	4.40
POWER EQUIPMENT OPERATORS:					
Asphalt Distributor	4.20	4.75	4.65	4.65	5.35
Asphalt Paving Machine	4.25	5.30	5.00	5.10	5.60
Broom or Sweeper Operator	4.25	3.60	4.20	4.50	3.85
Bulldozer, 150 HP and less	3.85	4.50	4.45	4.75	5.00
Bulldozer, over 150 HP	4.85	5.50	5.15	5.00	5.90
Concrete Paving Curing Machine	-	-	4.00	5.00	5.05
Concrete Paving Finishing Machine	4.25	-	-	-	5.75
Concrete Paving Form Grader	-	-	-	-	-
Concrete Paving Gang Vibrator	-	-	-	-	-
Concrete Paving Grinder	-	-	-	-	-
Concrete Paving Joint Machine	-	-	-	-	-
Concrete Paving Joint Sealer	-	-	-	-	-
Concrete Paving Longitudinal Float	-	-	-	-	5.00
Concrete Paving Mixer	-	-	-	-	6.50
Concrete Paving Saw	-	-	-	4.75	4.50
Concrete Paving Spreader	-	-	-	-	5.25

	ZONE 6	ZONE 7	ZONE 8	ZONE 9	ZONE 10
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
POWER EQUIPMENT OPERATORS: (CONT'D)					
Paving Sub Grader	$ -	$ -	$ -	$ -	$5.25
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	4.50	5.20	4.85	4.50	5.65
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY and over)	5.50	6.00	6.40	6.50	6.25
Crusher or Screening Plant Operator	-	4.55	4.75	4.60	5.05
Elevating Grader	-	4.00	-	-	-
Form Loader	-	-	3.25	-	5.00
Foundation Drill Operator (Crawler Mounted)	7.60	-	5.75	-	-
Foundation Drill Operator (Truck Mounted)	5.25	-	5.25	4.50	6.75
Foundation Drill Operator Helper	3.75	-	4.50	4.25	4.25
Front End Loader (2½ CY and less)	4.00	4.30	4.00	4.65	5.05
Front End Loader (Over 2½ CY)	4.40	5.00	5.20	5.00	6.15
Mixer (Over 16 CF)	-	4.75	-	-	-
Mixer (16 CF and less)	-	-	-	-	4.40
Motor Grader Operator, Fine Grade	5.50	6.55	6.55	6.55	6.65
Motor Grader Operator	4.75	5.30	5.50	5.30	5.70
Pump Crete	-	-	-	-	-
Roller, Steel Wheel (Plant-Mix Pavements)	4.00	4.75	4.00	4.50	5.15
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	3.75	4.00	4.00	4.50	5.00
Roller, Pneumatic (Self-Propelled)	3.75	3.55	3.50	3.85	4.50
Scrapers (17 CY and less)	4.00	4.50	4.25	4.50	5.00
Scrapers (over 17 CY)	4.25	5.00	5.00	5.00	5.55
Self-Propelled Hammer	-	-	-	-	5.50
Side Boom	-	-	-	-	3.85
Tractor (Crawler type) 150 HP and less	3.75	4.10	3.75	3.30	4.00

	ZONE 6	ZONE 7	ZONE 8	ZONE 9	ZONE 10
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
POWER EQUIPMENT OPERATORS: (Cont'd)					
Tractor (Crawler type) over 150 HP	$ 4.95	$ 5.10	$4.00	$4.60	$5.75
Tractor (Pneumatic) 80 HP and less	3.50	3.85	3.75	3.70	4.00
Tractor (Pneumatic) over 80 HP	3.90	4.00	4.25	4.85	5.00
Traveling Mixer	3.85	4.00	-	4.10	4.90
Trenching Machine, Light	3.75	5.10	4.50	4.00	5.00
Trenching Machine, Heavy	-	5.50	6.00	4.45	6.00
Wagon Drill, Boring Machine or Post Hole Driller Operator	4.75	4.30	5.15	4.20	5.00
TRUCK DRIVERS:					
Single Axle, Light	3.35	3.50	3.50	4.00	4.05
Single Axle, Heavy	-	4.00	3.50	4.00	4.70
Tandem Axle or Semitrailer	3.35	4.25	3.50	4.00	4.75
Lowboy-Float	4.35	4.50	-	4.80	5.50
Transit-Mix	-	-	-	-	5.00
Winch	3.50	4.50	-	-	5.00
Vibrator Man (hand type)	3.45	3.50	-	-	-
Welder	4.50	5.00	5.35	5.25	5.50
Welder Helper	3.75	4.25	-	3.60	-

	ZONE 11	ZONE 12	ZONE 13	ZONE 14	ZONE 15
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
Air Tool Man	$ 3.60	$ -	$3.80	$3.50	$ 5.45
Asphalt Heaterman	4.75	4.50	4.00	-	4.00
Asphalt Raker	6.50	4.75	4.80	4.00	5.20
Asphalt Shoveler	3.60	4.25	4.20	-	4.00
Batching Plant Scaleman	5.65	5.50	5.50	4.00	6.00
Batterboard Setter	3.60	-	-	-	6.00
Carpenter	6.10	5.55	5.90	5.50	7.00
Carpenter Helper	4.30	4.40	4.00	4.40	4.95
Concrete Finisher (Paving)	5.80	5.50	6.00	5.75	6.45
Concrete Finisher Helper (Paving)	5.50	4.50	4.55	5.00	5.00
Concrete Finisher (Structures)	5.60	5.50	5.55	5.75	6.35
Concrete Finisher Helper (Structures)	4.35	4.45	4.40	4.75	4.70
Concrete Rubber	3.50	4.60	4.50	-	4.25
Electrician	8.65	9.00	5.00	7.00	8.70
Electrician Helper	5.45	-	-	5.50	6.60
Fireman	4.50	-	3.70	-	-
Form Builder (Structures)	5.50	5.20	5.50	5.60	5.85
Form Builder Helper (Structures)	4.55	3.60	4.00	4.50	4.75
Form Liner (Paving and Curb)	5.45	4.75	6.25	-	5.80
Form Setter (Paving and Curb)	5.40	4.75	5.00	5.00	5.75
Form Setter Helper (Paving and Curb)	4.75	4.35	4.00	4.00	4.00
Form Setter (Structures)	5.35	5.50	5.85	6.50	6.20
Form Setter Helper (Structures)	4.20	4.20	4.00	5.00	4.75
Laborer, Common	3.50	3.60	3.65	3.50	4.00
Laborer, Utility Man	4.15	4.10	4.00	4.00	4.00
Manhole Builder, Brick	5.50	-	6.50	-	6.10
Mechanic	6.00	6.00	6.00	5.50	6.95
Mechanic Helper	4.50	4.50	5.00	5.10	5.20
Oiler	4.95	4.50	5.25	5.00	5.20
Serviceman	4.50	4.50	4.90	5.25	5.65
Painter (Structures)	5.50	5.25	-	-	8.50
Painter Helper (Structures)	3.75	-	-	-	4.40
Piledrivermen	-	5.25	7.00	5.00	6.95

	ZONE 11	ZONE 12	ZONE 13	ZONE 14	ZONE 15
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
Pipelayer	$ 4.55	$4.50	$4.80	$4.60	$ 5.25
Pipelayer Helper	4.00	3.75	-	4.00	4.50
Pneumatic Mortarman	-	-	-	-	-
Powderman	5.00	4.25	-	3.75	-
Powderman Helper	-	-	-	-	-
Reinforcing Steel Setter (Paving)	5.00	4.80	-	-	5.00
Reinforcing Steel Setter (Structures)	5.20	4.50	5.00	5.60	5.65
Reinforcing Steel Setter Helper	4.00	4.15	4.00	-	4.00
Steel Worker (Structural)	4.40	4.50	-	-	6.00
Steel Worker Helper (Structural)	3.90	-	-	-	4.00
Sign Erector	4.75	-	-	-	4.95
Sign Erector Helper	4.00	-	-	-	-
Spreader Box Man	5.00	5.00	5.00	4.40	5.00
Swamper	3.60	-	-	-	-
POWER EQUIPMENT OPERATORS:					
Asphalt Distributor	5.60	5.00	5.30	4.50	5.25
Asphalt Paving Machine	5.90	5.00	5.60	4.75	6.35
Broom or Sweeper Operator	3.75	3.95	3.90	4.00	4.20
Bulldozer, 150 HP & less	4.75	5.00	5.50	4.40	5.75
Bulldozer, over 150 HP	5.95	5.50	6.00	6.00	6.65
Concrete Paving Curing Machine	5.00	5.00	6.00	-	5.50
Concrete Paving Finishing Machine	5.45	5.25	-	-	6.00
Concrete Paving Form Grader	4.00	6.00	-	-	4.25
Concrete Paving Gang Vibrator	-	5.25	-	-	-
Concrete Paving Grinder	-	-	-	-	-
Concrete Paving Joint Machine	-	4.50	-	-	5.50
Concrete Paving Joint Sealer	4.00	4.75	-	-	5.50
Concrete Paving Longitudinal Float	6.00	-	-	-	6.00
Concrete Paving Mixer	6.25	4.50	-	-	6.75
Concrete Paving Saw	5.25	4.40	-	-	5.50
Concrete Paving Spreader	5.10	4.00	-	-	6.25
Paving Sub Grader	5.75	4.00	-	-	5.75

	ZONE 11	ZONE 12	ZONE 13	ZONE 14	ZONE 15
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
POWER EQUIPMENT OPERATORS: (CONT'D)					
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	$ 5.40	$5.55	$5.50	$6.00	$ 6.20
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY and over)	6.65	6.00	6.35	7.00	7.10
Crusher or Screening Plant Operator	4.50	4.50	-	4.50	5.00
Elevating Grader	-	4.25	-	-	-
Form Loader	5.75	3.75	-	-	-
Foundation Drill Operator (Crawler Mounted)	6.50	-	-	-	8.50
Foundation Drill Operator (Truck Mounted)	6.40	7.75	7.25	5.00	6.00
Foundation Drill Operator Helper	4.00	6.45	-	4.25	4.00
Front End Loader (2½ CY and less)	4.95	5.00	4.50	4.50	5.50
Front End Loader (over 2½ CY)	6.10	5.60	5.50	5.45	6.40
Mixer (Over 16 CF)	5.85	4.90	-	4.50	5.75
Mixer (16 CF and less)	-	-	-	4.50	5.10
Motor Grader Operator, Fine Grade	6.70	6.20	6.55	6.85	7.00
Motor Grader Operator	5.45	5.50	5.50	5.35	6.25
Pump Crete	3.75	-	-	-	5.00
Roller, Steel Wheel (Plant-Mix Pavements)	5.85	4.50	4.50	4.20	5.20
Roller, Steel Wheel (Other-Flat Wheel or Tamping)	4.75	4.40	4.50	4.50	5.20
Roller, Pneumatic (Self-propelled)	4.70	4.30	4.50	4.35	4.95
Scraper (17 CY and less)	5.20	4.50	5.00	5.00	5.30
Scrapers (over 17 CY)	5.50	5.00	5.75	5.65	6.00
Self-Propelled Hammer	-	-	-	-	-
Side Boom	-	4.00	5.00	-	4.25
Tractor (Crawler type) 150 HP and less	4.75	4.45	4.10	-	5.50
Tractor (Crawler type) over 150 HP	5.00	4.90	5.75	4.75	6.00

	ZONE 11	ZONE 12	ZONE 13	ZONE 14	ZONE 15
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
POWER EQUIPMENT OPERATORS: (CONT'D)					
Tractor (Pneumatic) 80 HP and less	$ 4.00	$4.25	$4.00	$3.65	$ 4.50
Tractor (Pneumatic) over 80 HP	4.75	4.50	5.00	4.70	5.00
Traveling Mixer	5.00	4.00	4.55	4.25	5.00
Trenching Machine, Light	4.60	-	-	-	5.60
Trenching Machine, Heavy	5.25	5.00	-	-	6.50
Wagon Drill, Boring Machine or Post Hole Driller Operator	4.50	4.35	-	3.75	5.25
TRUCK DRIVERS:					
Single Axle, Light	4.35	4.00	4.50	4.00	4.80
Single Axle, Heavy	4.70	4.50	4.85	4.00	5.15
Tandem Axle or Semitrailer	4.85	-	-	4.00	-
Lowboy-Float	5.00	-	5.75	-	4.85
Transit-Mix	4.85	4.25	-	-	5.50
Winch	4.50	-	-	-	5.00
Vibrator Man (hand type)	4.00	4.10	-	-	-
Welder	5.25	4.40	4.50	6.00	6.80
Welder Helper	4.30	-	-	4.35	5.75

	ZONE 16				
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
Air Tool Man	$ -				
Asphalt Heaterman	5.00				
Asphalt Raker	5.00				
Asphalt Shoveler	-				
Batching Plant Scaleman	4.65				
Batterboard Setter	-				
Carpenter	6.10				
Carpenter Helper	5.50				
Concrete Finisher (Paving)	7.00				
Concrete Finisher Helper (Paving)	5.50				
Concrete Finisher (Structures)	6.75				
Concrete Finisher Helper (Structures)	5.75				
Concrete Rubber	-				
Electrician	8.20				
Electrician Helper	5.25				
Fireman	-				
Form Builder (Structures)	5.45				
Form Builder Helper (Structures)	4.50				
Form Liner (Paving and Curb)	-				
Form Setter (Paving and Curb)	6.00				
Form Setter Helper (Paving and Curb)	-				
Form Setter (Structures)	5.50				
Form Setter Helper (Structures)	4.50				
Laborer, Common	4.45				
Laborer, Utility Man	4.90				
Manhole Builder, Brick	-				
Mechanic	7.25				
Mechanic Helper	4.45				
Oiler	5.50				
Serviceman	4.45				
Painter (Structures)	8.00				
Painter Helper (Structures)	5.00				

	ZONE 16				
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
Piledrivermen	$ 5.80				
Pipelayer	5.75				
Pipelayer Helper	5.50				
Pneumatic Mortarman	-				
Powderman	-				
Powderman Helper	-				
Reinforcing Steel Setter (Paving)	4.75				
Reinforcing Steel Setter (Structures)	5.70				
Reinforcing Steel Setter Helper	-				
Steel Worker (Structural)	5.50				
Steel Worker Helper (Structural)	-				
Sign Erector	4.50				
Sign Erector Helper	-				
Spreader Box Man	5.00				
Swamper	4.50				
POWER EQUIPMENT OPERATORS:					
Asphalt Distributor	5.00				
Asphalt Paving Machine	6.25				
Broom or Sweeper Operator	4.45				
Bulldozer, 150 HP and less	7.00				
Bulldozer, over 150 HP	7.50				
Concrete Paving Curing Machine	-				
Concrete Paving Finishing Machine	6.50				
Concrete Paving Form Grader	-				
Concrete Paving Gang Vibrator	-				
Concrete Paving Grinder	-				
Concrete Paving Joint Machine	-				
Concrete Paving Joint Sealer	-				
Concrete Paving Longitudinal Float	-				
Concrete Paving Mixer	-				
Concrete Paving Saw	-				

	ZONE 16				
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
POWER EQUIPMENT OPERATORS: (Cont'd)					
Concrete Paving Spreader	$ -				
Paving Sub Grader	-				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	6.20				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY and over)	7.50				
Crusher or Screening Plant Operator	-				
Elevating Grader	-				
Form Loader	-				
Foundation Drill Operator (Crawler Mounted)	-				
Foundation Drill Operator (Truck Mounted)	-				
Foundation Drill Operator Helper	-				
Front End Loader (2½ CY and less)	5.00				
Front End Loader (Over 2½ CY)	6.90				
Mixer (Over 16 CF)	5.50				
Mixer (16 CF and less)	-				
Motor Grader Operator, Fine Grade	7.50				
Motor Grader Operator	6.50				
Pump Crete	-				
Roller, Steel Wheel (Plant-Mix Pavements)	6.00				
Roller, Steel Wheel (Other Flat Wheel or Tamping)	4.50				
Roller, Pneumatic (Self-Propelled)	4.50				
Scrapers (17 CY and less)	5.00				
Scrapers (Over 17 CY)	6.00				
Self-Propelled Hammer	-				
Side Boom	-				

	ZONE 16				
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
POWER EQUIPMENT OPERATORS: (CONT'D)					
Tractor (Crawler type) 150 HP and less	$ -				
Tractor (Crawler type) over 150 HP	6.00				
Tractor (Pneumatic) 80 HP and less	-				
Tractor (Pneumatic) over 80 HP	4.50				
Traveling Mixer	6.50				
Trenching Machine, Light	-				
Trenching Machine, Heavy	-				
Wagon Drill, Boring Machine or Post Hole Driller Operator	-				
TRUCK DRIVERS:					
Single Axle, Light	5.25				
Single Axle, Heavy	-				
Tandem Axle or Semi-trailer	-				
Lowboy-Float	7.75				
Transit-Mix	7.10				
Winch	-				
Vibrator Man (hand type)	-				
Welder	6.85				
Welder Helper	-				

AREA COVERED BY VARIOUS ZONES

ZONE 1 - Archer, Armstrong, Baylor, Briscoe, Carson, Castro, Childress, Clay, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hardeman, Hartley, Hemphill, Hutchinson, Lipscomb, Montague, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler, Wichita & Wilbarger Counties

DESCRIPTION OF WORK: Heavy (excluding tunnels & dams) and Highway Projects (does not include building structures in rest area projects)

ZONE 2 - Bailey, Borden, Cochran, Cottle, Crosby, Dawson, Dickens, Fisher, Floyd, Foard, Gaines, Garza, Hale, Haskell, Hockley, Jones, Kent, King, Knox, Lamb, Lubbock, Lynn, Motley, Scurry, Shackelford, Stephens, Stonewall, Terry, Throckmorton, Yoakum & Young Counties

DESCRIPTION OF WORK: Heavy (excluding tunnels & dams) and Highway Projects (does not include building structures in rest area projects)

ZONE 3 - Andrews, Brown, Callahan, Coke, Coleman, Comanche, Concho, Crane, Crockett, Eastland, Ector, Erath, Glasscock, Howard, Irion, Kimble, Loving, Martin, McCulloch, Menard, Midland, Mills, Mitchell, Nolan, Reagan, Runnels, San Saba, Schleicher, Sterling, Sutton, Taylor, Tom Green, Upton, Ward & Winkler Counties

DESCRIPTION OF WORK: Heavy (excluding tunnels & dams) and Highway Projects (does not include building structures in rest area projects)

ZONE 4 - Brewster, Culberson, El Paso*, Hudspeth, Jeff Davis, Pecos, Presidio, Reeves & Terrell Counties

DESCRIPTION OF WORK: Heavy (excluding tunnels & dams), Water & Sewer Lines and Highway Projects (does not include building structures in rest area projects)

*Not to be used for Heavy Projects in El Paso County

ZONE 5 - Atascosa, Bandera, Bexar, Comal, Dimmit, Edwards, Frio, Guadalupe, Kendall, Kerr, Kinney, LaSalle, Maverick, McMullen, Medina, Real, Uvalde, Val Verde, Wilson & Zavala Counties

DESCRIPTION OF WORK: Heavy (excluding tunnels & dams) and Highway Projects (does not include building structures in rest area projects)

ZONE 6 - Brooks, Cameron, Duval, Hidalgo, Jim Hogg, Kenedy, Starr, Webb, Willacy & Zapata Counties

DESCRIPTION OF WORK: Heavy (excluding tunnels & dams) and Highway Projects (does not include building structures in rest area projects) & Incidental Shore Work.

ZONE 7 - Aransas, Bee, Calhoun, DeWitt, Goliad, Jackson, Jim Wells, Karnes, Kleberg, Lavaca, Live Oak, Nueces, Refugio, San Patricio & Victoria Counties

DESCRIPTION OF WORK: Heavy (excluding tunnels & dams) and Highway Projects (does not include building structures in rest area projects) & Incidental Shore Work

ZONE 8 - Austin, Bastrop, Blanco, Burnet, Caldwell, Colorado, Fayette, Gillespie, Gonzales, Hays, Lee, Llano, Mason, Travis & Williamson Counties

DESCRIPTION OF WORK: Heavy (excluding tunnels & dams) and Highway Projects (does not include building structures in rest area projects)

ZONE 9 - Bell, Bosque, Coryell, Falls, Freestone, Hamilton, Hill, Lampasas, Limestone, McLennan & Navarro Counties

DESCRIPTION OF WORK: Heavy (excluding tunnels & dams) and Highway Projects (does not include building structures in rest area projects)

ZONE 10 - Cooke, Denton, Hood, Jack, Johnson, Palo Pinto, Parker, Sommervell, Tarrant* & Wise Counties

DESCRIPTION OF WORK: Heavy (excluding tunnels & dams), Water & Sewer Lines and Highway Projects (does not include building structures in rest area projects)

*Not to be used for Heavy Projects in Tarrant County

ZONE 11 - Collin, Dallas, Ellis, Grayson & Rockwall Counties

DESCRIPTION OF WORK: Heavy (excluding tunnels, dams & work performed on the site of water or sewage treatment facilities) and Highway Projects (does not include building structures in rest area projects)

ZONE 12 - Bowie, Camp, Cass, Delta, Fannin, Franklin, Gregg, Harrison, Hopkins, Hunt, Kaufman, Lamar, Marion, Morris, Rains, Red River, Rusk, Smith, Titus, Upshur, Van Zandt & Wood Counties

DESCRIPTION OF WORK: Heavy (excluding tunnels & dams) and Highway Projects (does not include building structures in rest area projects)

ZONE 13 - Anderson, Angelina, Cherokee, Henderson, Houston, Jasper, Nacogdoches, Newton, Panola, Polk, Sabine, San Augustine, San Jacinto, Shelby, Trinity & Tyler Cos.

DESCRIPTION OF WORK: Heavy (excluding tunnels & dams) and Highway Projects (does not include building structures in rest area projects) & Incidental Shore Work

ZONE 14 - Brazos, Burleson, Grimes, Leon, Madison, Milam, Robertson, Walker & Washington Cos.

DESCRIPTION OF WORK: Heavy (excluding tunnels & dams) and Highway Projects (does not include building structures in rest area projects)

ZONE 15 - Brazoria, Fort Bend, Galveston, Harris, Matagorda, Montgomery, Waller & Wharton Counties

DESCRIPTION OF WORK: Highway Projects (does not include building structures in rest area projects)

ZONE 16 - Chambers, Hardin, Jefferson*, Liberty & Orange* Counties

DESCRIPTION OF WORK: Heavy Projects (excluding tunnels & dams) and Highway Projects (does not include building structures in rest area projects) & Incidental Shore Work

*Not to be used for Heavy Projects & Incidental Shore Work in Jefferson & Orange Cos.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Cameron, Hidalgo, Starr & Willacy

DECISION NO.; TX80-4018

DATE: Date of Publication

Supersedes Decision No. TX79-4009, dated January 5, 1979, in 44 FR 1681.

DESCRIPTION OF WORK: Building Projects (does not include single family homes & garden type apartments up to & including 4 stories). (Use current heavy & highway general wage determination for Paving & Utilities Incidental to Building Construction).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$11.94	.55	.70		
BOILERMAKERS	11.05	.80	1.00		.02
BRICKLAYERS	6.00				
CARPENTERS	5.11				
CEMENT MASONS	3.50				
ELECTRICIANS	6.425				
GLAZIERS	3.55				
IRONWORKERS:					
Structural & ornamental	3.50				
Reinforcing	4.02				
LABORERS:					
Common laborers	3.10				
Air tool operators	3.10				
Mason tenders	3.10				
Mortar mixers	3.10				
Plasters' tenders	3.10				
PAINTERS	4.19				
PLASTERERS	7.00				
PLUMBERS & PIPEFITTERS	9.30	.55	.30		.07
ROOFERS:					
Roofers	4.06				
Kettlemen	4.40				
SHEET METAL WORKERS	4.23				
SPRINKLER FITTERS	12.79	.75	1.05		.08
TILE SETTERS	3.75				
TRUCK DRIVERS	3.10				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidential.					

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: Texas

COUNTY: Howard

DECISION NO.: TX80-4019

DATE: Date of Publication

Supersedes Decision No. TX79-4084, dated October 5, 1979 in 44 FR 57630.

DESCRIPTION OF WORK: Building (including Residential) Projects.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BRICKLAYERS	$7.00				
CARPENTERS	6.10				
CEMENT MASONS	5.00				
ELECTRICIANS	7.40	.30	1%		1/10%
IRONWORKERS, Structural & ornamental	10.00	.55	1.40		.10
LABORERS:					
Laborers	3.10				
Mason tenders	3.50				
PAINTERS	4.50				
PLUMBERS	4.26				
ROOFERS	4.00				
SHEET METAL WORKERS	5.25				
TILE SETTERS	4.00				
TRUCK DRIVERS	3.10				
WELDERS -receive rate prescribed for craft performing operation to which welding is incidental.					

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

INCIDENTAL PAVING & UTILITIES (BUILDING CONSTRUCTION)
INCIDENTAL PAVING & UTILITIES & SITE PREPARATION (RESIDENTIAL CONSTRUCTION)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Air Tool Man	$4.00				
Asphalt Heaterman	4.00				
Asphalt Raker	4.70				
Asphalt Shoveler	4.25				
Batching Plant Scaleman	5.00				
Carpenter	5.05				
Carpenter Helper	4.00				
Concrete Finisher (Paving)	5.30				
Concrete Finisher Helper (Paving)	4.00				
Concrete Finisher (Structures)	5.05				
Concrete Finisher Helper (Structures)	4.00				
Concrete Rubber	4.60				
Electrician	7.50				
Form Builder (Structures)	4.95				
Form Builder Helper (Structures)	3.90				
Form Liner (Paving and Curb)	4.00				
Form Setter (Paving and Curb)	5.00				
Form Setter Helper (Paving and curb)	3.50				
Form Setter (Structures)	5.15				
Form Setter Helper (Structures)	4.00				
Laborer, Common	3.50				
Laborer, Utility Man	4.15				
Mechanic	5.25				
Mechanic Helper	4.05				
Oiler	4.50				
Serviceman	4.35				
Painter (Structures)	6.00				
Painter Helper (Structures)	3.50				
Pipelayer	4.05				
Pipelayer Helper	3.75				
Powderman	5.00				
Powderman Helper	3.50				
Reinforcing Steel Setter (Paving)	5.50				
Reinforcing Steel Setter (Structures)	5.10				

DECISION NO. TX80-4019

INCIDENTAL PAVING & UTILITIES (BUILDING CONSTRUCTION)
INCIDENTAL PAVING & UTILITIES & SITE PREPARATION (RESIDENTAL CONSTRUCTION)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Reinforcing Steel Setter Helper	$3.75				
Sign Erector	4.00				
Sign Erector Helper	3.50				
Spreader Box Man	4.40				
Swamper	4.25				
Power Equipment Operators:					
Asphalt Distributor	4.65				
Asphalt Paving Machine	4.75				
Broom or Sweeper Operator	4.85				
Bulldozer, 150 HP & Less	4.50				
Bulldozer, over 150 HP	5.25				
Concrete Paving Saw	4.50				
Paving Sub Grader	4.25				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (less than 1½ CY)	4.90				
Crane, Clamshell, Backhoe, Derrick, Dragline, Shovel (1½ CY and over)	5.75				
Crusher or Screening Plant Op.	4.70				
Elevating Grader	4.10				
Foundation Drill Operator (Crawler Mounted)	8.00				
Foundation Drill Operator (Truck Mounted)	7.50				
Foundation Drill Operator Helper	3.95				
Front End Loader (2½ CY and Less)	4.45				
Front End Loader (Over 2½ CY)	5.25				
Motor Grader Op., Fine Grade	6.50				
Motor Grader Operator	5.30				
Roller, Steel Wheel (Plant-Mix Pavements)	4.20				
Roller, Steel Wheel (Other Flat Wheel or Tamping)	3.95				
Roller, Pneumatic (Self-Propelled)	3.80				

INCIDENTAL PAVING & UTILITIES (BUILDING CONSTRUCTION)
INCIDENTAL PAVING & UTILITIES & SITE PREPARATION (RESIDENTIAL CONSTRUCTION)

Power Equipment Operators: (cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Scrapers (17 CY and Less)	$4.50				
Scrapers (Over 17 CY)	5.35				
Tractor (Crawler Type) 150 HP and Less	4.00				
Tractor (Crawler Type) over 150 HP	4.70				
Tractor (Pneumatic) 80 HP and Less	3.70				
Tractor (Pneumatic) over 80 HP	4.15				
Traveling Mixer	4.00				
Trenching Machine, Light	4.35				
Trenching Machine, Heavy	5.75				
Wagon Drill, Boring Machine or Post Hole Driller Operator	4.50				
Truck Drivers:					
Single Axle, Light	3.95				
Tandem Axle or Semitrailer	4.00				
Lowboy-Float	4.95				
Transit-Mix	4.25				
Winch	4.25				
Welder	5.00				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1)(ii).

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federal register

Friday
March 14, 1980

Part III

Environmental Protection Agency

Improving Government Regulations; Agenda of Regulations

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL No. 1433-1]

Improving Government Regulations; Agenda of Regulations

AGENCY: Environmental Protection Agency.

ACTION: Agenda of regulations.

SUMMARY: The Agency periodically publishes an Agenda which summarizes significant regulations under development. The purpose is to keep interested parties informed of the progress of these regulations. The Agenda includes new regulations, existing regulations which the Agency is reviewing or revising, and also certain non-regulatory actions which the Agency believes are important enough to be listed.

FOR FURTHER INFORMATION CONTACT: For information on a regulation in the Agenda, please contact the person listed next to the regulation.

We have tried to change this Agenda in response to comments on our previous Agenda. If you have further suggestions for improving this publication, or need general information about the Agenda, please call or write to David Sahr, Environmental Protection Agency, PM-223, Washington, D.C. 20460, (202) 755-2693.

If you want to be on the mailing list for the Agenda of Regulations, please call or write to Penelope Parker, Environmental Protection Agency, PM-223, Washington, D.C. 20460.

SUPPLEMENTARY INFORMATION:

Background

On March 23, 1978, President Carter signed Executive Order 12044, *Improving Government Regulations,* which establishes certain new procedures that executive agencies must follow in developing their regulations. One of these new procedures is publishing an agenda of the significant regulations that the agency has under development. EPA published its most recent Agenda of Regulations on June 8, 1979, 44 FR 33332. EPA will publish its next Agenda in June 1980, and thereafter in December and June on a semi-annual basis.

Regulations Covered in the Agenda

We have attempted to include all significant regulations which the Agency is currently developing. Regulations enter this development process when the Assistant Administrator for a program office, e.g. water quality, sends a Start Action Notice (SAN) form to senior management. This notice informs the rest of the Agency that the program office is starting work on a new regulation. If the new regulation is classified significant, it will appear in the Agenda.

The Agenda includes all regulations which are scheduled for publication as a proposal or final rule within the coming year. Where possible, it also includes regulations with scheduled actions that are more than a year away. In addition, it includes actions which are *not* regulations, but which nonetheless represent major policy decisions, such as policy statements or Agency guidelines.

Regulations which appeared in our last Agenda but which are no longer under consideration appear in a separate section at the end of the Agenda. They will be deleted from future Agendas.

Two hundred and thirty-three regulation entries appear in this Agenda. The Agency has completed forty of these. They will be dropped from future Agendas. Approximately 40% of all the entries in this Agenda are for changes to existing regulations rather than for completely new regulations.

Agency Classification of Regulations

EPA's system for classifying regulations is described in detail in *Improving Environmental Regulations; Final Report Implementing Executive Order 12044,* 44 FR 30988 (May 29, 1979). The Agency assumes that all regulations are significant, unless they are:

(1) Administrative or procedural in nature;

(2) Minor amendments to existing regulations;

(3) Regulatory actions resulting from highly specific Congressional mandates that leave EPA no discretion to evaluate alternatives (e.g., deadline changes);

(4) EPA actions or regulations developed by State and local governments (such as State Implementation Plans); or

(5) Pesticide tolerances and regulations to exempt pesticides from the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

The Agency further divides significant regulations into routine and major regulations. Major regulations are those that are likely to have a substantial impact in any of several areas, including health, ecology, the economy, particular communities or regions, and the activities of other Federal and State agencies. Major regulations receive extra attention from the Agency's senior management. Some non-regulatory actions which appear in the Agenda are unclassified.

Explanation of Information in the Regulatory Agenda

There are four columns of information for each entry in the Agenda.

The *first* column contains the title, the Start Action Notice (SAN) number, and the docket number of the regulation. The Agency assigns the SAN number to a new significant regulation when the program office begins work on it. The SAN number prevents confusion if the title of a regulation changes, or if there are other similarly-titled regulations. For those regulations which have them, the docket number is useful in getting access to files on the regulation which are open to the public.

The *second* column contains most of the descriptive information on the regulation. It includes entries under the following categories:

Description: This entry describes the problem addressed by the regulation and explains the need for the regulation.

CFR Changes: This entry identifies the subpart where the final regulation will appear, in volume 40 of the Code of Federal Regulations (CFR). In some cases, it also specifies how the regulation will change an already existing subpart (revising the subpart, adding to it, or deleting from it).

Statutory Authority: This entry lists the sections of the statutes which authorize the regulation. (See the section below entitled *Summary of Contents* for abbreviations of the titles of the statutes.)

Classification: This entry identifies the regulation as either "major", "routine" or "unclassified". (For explanation of these terms see the section above on *Agency Classification of Regulations.*)

Analysis: EPA prepares a standard economic analysis for *all* significant regulations. This entry indicates whether the Agency plans to perform any additional special analyses, *i.e.* a Regulatory Analysis, an Urban and Community Impact Analysis (UCIA), or an Environmental Impact Statement (EIS). We have dropped this category for those regulations which will not involve any of these three special analyses.

The *third* column lists the person at EPA to contact for additional information on the regulation.

The *fourth* column lists documents published in the **Federal Register** in connection with the regulation, and provides the timetable for future actions. Published documents include: (i) The Advance Notice of Proposed Rulemaking, which describes the purpose of the proposed action and the

issues and alternatives which the Agency will consider; (ii) The Notice of Proposed Rulemaking, which describes the rule which the Agency proposes to publish; and (iii) The Final Rule as published. In many cases, the timetable for future actions is only tentative.

The Agenda uses the following abbreviations:

Advance Notice of Proposed Rulemaking	ANPRM
Notice of Proposed Rulemaking	NPRM
Notice of Reproposal	RPRM
Interim Final Rule	IFR
Final Rule	FR

Organization of the Agenda

The Agenda lists regulations by the titles we give to our major pollution control program areas, e.g., air, water quality, solid wastes. Within each program area the regulations are ordered numerically by section number of the authorizing legislation. For example, all air regulations under Section 108 of the Clean Air Act will appear before those under Section 111. The program areas and their authorizing legislative acts appear in the *Summary of Contents* below.

Summary of Contents

Program area	Legislation
Air	The Clean Air Act (CAA), The Motor Vehicle Information and Cost Savings Act (MVICSA)
Drinking Water	The Safe Drinking Water Act (SDWA)
Noise	The Noise Control Act (NCA)
Pesticides	The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), The Food, Drug and Cosmetics Act (FDCA)
Radiation	The Atomic Energy Act (AEA), The Public Health Service Act (PHSA), Uranium Mill Tailings Radiation Control Act (UMTRCA)
Solid Waste	The Resource Conservation and Recovery Act (RCRA)
Toxic Substances	The Toxic Substances Control Act (TSCA)
Water	The Clean Water Act (CWA), The Marine Protection, Research, and Sanctuaries Act (MPRSA)
Joint Programs	Regulations with multiple statutory authorities
General	The National Historic Preservation Act and Executive Order 12114

Regulations Deleted from the Previous Agenda

After listing all significant regulations currently under consideration, the Agenda lists all the regulations which appeared in the last Agenda but which are now no longer under consideration. These regulations will not appear in our next Agenda.

The information given on these regulations is less detailed than for those still under consideration. Generally, the Agenda gives the date and **Federal Register** citation, if any, of the last action on the regulation, and explains why the Agency is deleting the regulation from the Agenda. The explanation is usually that the regulation has been completed.

Reviews of Existing Regulations

EPA is conducting a comprehensive review of its existing regulations, as required under Executive Order 12044. In any case, the Agency reviews many of its regulations under statutory or judicial mandate; a large proportion of the regulation entries in this Agenda are actions to satisfy these requirements.

EPA is also reviewing existing regulations not subject to these requirements, as part of its Regulation Screening Project. During the last year, the Agency has screened approximately two-thirds of its regulations, to determine which should be revised, reviewed more intensively, or eliminated.

This Agenda includes significant regulations which EPA has begun to revise as a result of the Screening Project. Future Agendas will include other regulations which the Agency decides to revise as a result of its Screening Project. EPA's normal requirements under executive Order 12044 will aply to these regulations.

EPA will publish a complete list of regulations the Agency has screened under this program, and of the action it will take on each regulation (minor revisions, intensive review, elimination, or no change). This list will appear in the **Federal Register** at a later date.

Henry E. Beal,

Director, Standards and Regulations Division.

March 7, 1980.

BILLING CODE 6560-01-M

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
	AIR		

We have already or are now developing the items below under the authority of Sections 108 and 109 of the Clean Air Act (CAA), which directs the Administrator to establish National Ambient Air Quality Standards (NAAQS). To write a NAAQS for a pollutant, we first prepare a criteria document, which contains the latest scientific knowledge on the kind and extent of public health and welfare problems caused by the pollutant in the air. If we revise the criteria document, we may find it necessary to change the NAAQS.

A National Primary Ambient Air Quality Standard defines the maximum amount of an air pollutant which in the judgment of the Administrator provides an adequate margin of safety to protect the public health. A National Secondary Ambient Air Quality Standard defines levels of air quality which the Administrator judges necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

Review of NAAQS for Carbon Monoxide (SAN No. 1001)	A. **Description**: This rule reviews the health basis for control of this pollutant. This task involves preparation of an updated criteria document and an analysis of whether or not EPA should revise the standard. B. **Classification**: Major. C. **Statutory Authority**: CAA 108. D. **CFR Change**: Revision to 40 CFR 50. E. **Analysis**: EIS, UCIA, REG. ANALYSIS.	Joe Padgett EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5204 Comm: 919-541-5204	NPRM: 3/80 FR: 7/80
Review of NAAQS for Sulfur Oxides (SAN No. 1002)	A. **Description**: A review of the health basis for control of this pollutant will require preparation of an updated criteria document and an analysis of whether or not EPA should revise the standard. B. **Classification**: Major. C. **Statutory Authority**: CAA 108. D. **CFR Change**: Revision to 40 CFR 50. E. **Analysis**: EIS, UCIA, REG. ANALYSIS.	Joe Padgett EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5204 Comm: 919-541-5204	NPRM: 5/80 FR: 12/80
Review of NAAQS for Total Suspended Particulates (SAN No. 1003)	A. **Description**: A review of the health basis for control of this pollutant will require preparation of an updated criteria document and an analysis of whether or not EPA should revise the standard. B. **Classification**: Major. C. **Statutory Authority**: CAA 108. D. **CFR Change**: Revision to 40 CFR 50. E. **Analysis**: EIS, UCIA, REG. ANALYSIS.	Joe Padgett EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5204 Comm: 919-541-5204	NPRM: 5/80 FR: 12/80
Review of NAAQS for Nitrogen Dioxide (SAN No. 1004)	A. **Description**: The NAAQS for nitrogen dioxide is undergoing review. Under the CAA amendments, the decision of whether or not to revise the standard must address both the short-term and long-term effects of nitrogen dioxide and other nitrogen species in the air, particularly nitrates and nitric acid aerosol. B. **Classification**: Major. C. **Statutory Authority**: CAA 108. D. **CFR Change**: 40 CFR 50. E. **Analysis**: EIS, UCIA, REG. ANALYSIS.	Joe Padgett EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5204 Comm: 919-541-5204	NPRM: 4/80 FR: 11/80
Restructure CFR Parts 51, 52 (SAN No. 1503)	A. **Description**: This rule will update and make consistent Part 51 and restructure Part 52 on State Implementation Plans. No substantive changes will result. This change will streamline the rules and improve the language and organization. B. **Classification**: Routine. C. **Statutory Authority**: CAA 110. D. **CFR Change**: Revision to 40 CFR 51, 52.	Richard Rhoads EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5251 Comm: 919-541-5251	NPRM: 1/81 FR: 7/81
Minimum Requirements for Stationary Air Operating Permits (SAN No. 1520)	A. **Description**: This rule will specify minimum requirements for State operating permit programs. B. **Classification**: Major. C. **Statutory Authority**: CAA 110(a)(2)(D). D. **CFR Change**: 40 CFR 51.	Robert L. King EPA (EN-341) Washington, DC 20460 FTS: 8-755-2582 Comm: 202-755-2582	NPRM: 4/81 FR: 1/82

We are developing performance standards to control emissions from the following industries under Section 111(b) of the CAA. This section requires that the Administrator develop and periodically update New Source Performance Standards (NSPS) for stationary sources which significantly contribute to air pollution. The NSPS are based on the best systems demonstrated to continually reduce emissions, taking into account costs and energy requirements. The standards will apply to both new sources and existing sources which are modified after approval of the regulation.

NSPS-Petroleum Liquid Storage Vessels (SAN No. 1006, Docket No. OAQPS 78-2)	A. **Description**: The revised standard proposes the use of double seals rather than single seals on floating roofs. It will eliminate one of the two types of seal currently in use. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: Revision to 40 CFR 60.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 43FR21616(5/18/78) FR: 3/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
NSPS: Glass Manufacturing (SAN No. 1007, Docket No. OAQPS 79-2)	A. **Description**: This regulation addresses the problem of particulate emissions from new glass manufacturing furnaces. The Governor of New Jersey requested that EPA develop national standards. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 44FR34840(6/15/79) FR: 5/80
NSPS: Internal Combustion Engines (SAN No. 1008, Docket No. OAQPS 79-5)	A. **Description**: These regulations will require the application of best demonstrated technology to control nitrogen oxide emissions from stationary internal combustion engines. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 44FR43173(7/23/79) FR: 9/80
NSPS: Non-Metallic Mineral Operations (SAN No. 1009)	A. **Description**: This regulation will control particulate emissions from quarrying operations and related facilities. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 4/80 FR: 3/81
NSPS: Organic Solvent Cleaners (SAN No. 1010, Docket No. OAQPS 78-12)	A. **Description**: This rule will control evaporative emissions from metal cleaning and degreasing operations. It will also require States to act under section 111(d) to control some specific solvent emissions from existing sources. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 3/80 FR: 11/80
NSPS: Industrial Surface Coating: Automobile Assembly Plants (SAN No. 1111)	A. **Description**: This regulation will control volatile organic compound emissions from coating operations in the auto and light-truck industries. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 44FR57792(10/5/79) FR: 9/80
NSPS: Synthetic Organic Chemical Manufacturing—Fugitive Emissions (SAN No. 1112)	A. **Description**: This rule will control fugitive emissions from the manufacture of organic chemicals. There will be other synthetic organic chemical manufacturing standards. The first process standard is scheduled for proposal in January '81. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 7/81
NSPS: Industrial Surface Coating: Cans (SAN No. 1113)	A. **Description**: This regulation will establish emission standards for volatile organic emissions from can-coating operations. B. **Classification**: Major. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 7/81
NSPS: Industrial Surface Coating: Pressure Sensitive Tapes and Labels (SAN No. 1114, Docket No. A-79-38)	A. **Description**: This regulation will establish emission standards for volatile organic emissions from pressure-sensitive tapes and labels coating operations. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 3/80 FR: 1/81
NSPS: Industrial Surface Coating: Metal Furniture (SAN No. 1115)	A. **Description**: This regulation will establish emission standards for volatile organic emissions from metal furniture operations. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 5/80 FR: 3/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
NSPS: Industrial Suface Coating: Metal Coils (SAN No. 1598)	A. **Description**: This rule will control emissions of volatile organic compounds from metal coil industrial surface coating operations. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 7/81
NSPS: Industrial Surface Coating: Large Appliances (SAN No. 1599)	A. **Description**: This regulation will control volatile organic compounds emissions from industrial surface coating operations for large appliances. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 7/81
NSPS: Lead-Acid Battery Manufacture (SAN No. 1116, Docket No. OAQPS 79-1)	A. **Description**: This regulation will establish standards for lead emissions from lead-acid battery manufacturing facilities. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 45FR2790(1/14/80) FR: 11/80
NSPS: Phosphate Rock Operations (SAN No. 1118, Docket No. OAQPS 79-6)	A. **Description**: This regulation will control the emission of particulate matter from phosphate rock processes. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 44FR62914(11/1/79) FR: 8/80
NSPS: Dry Cleaning (SAN No. 1119, Docket No. A-79-30)	A. **Description**: This regulation will control hydrocarbon emissions from dry cleaning establishments. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 6/80 FR: 4/81
NSPS: Publication Rotogravure Printing (SAN No. 1120)	A. **Description**: This regulation will control emissions of volatile organic compounds from large-scale rotogravure printing operations. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 4/80 FR: 2/81
Primary Aluminum Plant Fluoride Control—Existing Sources (SAN No. 1121, Docket No. OAQPS 78-10)	A. **Description**: These are guidelines for State control of fluoride emissions from existing aluminum plants. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111(d). D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 44FR21754(4/11/79) FR: 3/80
NSPS: Industrial Boilers (SAN No. 1586)	A. **Description**: This regulation will establish standards of performance for industrial boilers. EPA will base the emission standards upon the best system—given costs—of continuous emission reduction. B. **Classification**: Major. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS, REG. ANALYSIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 10/80 FR: 8/81
NSPS: AmmoniumSulfate Production (San No. 1587, Docket No. A-79-31)	A. **Description**: This rule will control particulate emissions from the production of ammonium sulfate. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 45FR7758(2/4/80) FR: 11/80
NSPS: Ammonium Nitrate Fertilizer Production (SAN No. 1588)	A. **Description**: This rule will control particulate emissions from production of ammonium nitrate fertilizer. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 11/80 FR: 9/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
NSPS: Bulk Gasoline Terminals (SAN No. 1589, Docket No. OAQPS 78-2)	A. **Description**: This rule will control volatile organic compound emissions from gasoline distribution operations. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 10/80 FR: 6/81
NSPS: Sodium Carbonate Manufacture (SAN No. 1590)	A. **Description**: This regulation will control particulate emissions from production of sodium carbonate. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 8/80 FR: 6/81
NSPS: Asphalt Roofing Manufacture (SAN No. 1591, Docket No. A-79-39)	A. **Description**: This rule will control particulate emissions from the manufacture of asphalt roofing. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 4/80 FR: 3/81
NSPS: Urea Production (SAN No. 1592)	A. **Description**: This rule will control particulate emissions from the production of urea. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 7/81
We are developing emission standards for hazardous air pollutants under Section 112 of the CAA. This section requires that the Administrator develop National Emission Standards for Hazardous Air Pollutants (NESHAPS) for emissions that cause or contribute to air pollution which results in an increase in mortality or in serious or incapacitating illness. The standards will apply to both new sources and existing sources.			
NESHAPS: Petroleum Refinery/Chemical Plant (SAN No. 1126)	A. **Description**: This regulation will control the emission of benzene from fugitive emission sources such as pumps and valves at chemical plants and petroleum refineries. B. **Classification**: Routine. C. **Statutory Authority**: CAA 112. D. **CFR Change**: 40 CFR 61. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 8/81
NESHAPS: Maleic Anhydride Manufacture (SAN No. 1127)	A. **Description**: This regulation will control the emission of benzene from process vents in the manufacture of maleic anhydride. B. **Classification**: Routine. C. **Statutory Authority**: CAA 112. D. **CFR Change**: 40 CFR 61. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 3/80 FR: 12/80
NESHAPS: Ethylbenzene/Styrene Manufacture (SAN No. 1128 & 1129, Docket No. A-79-49)	A. **Description**: This regulation will control the emission of benzene from process vents in the manufacture of ethylbenzene and styrene. B. **Classification**: Routine. C. **Statutory Authority**: CAA 112. D. **CFR Change**: 40 CFR 61. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 6/80 FR: 4/81
NESHAPS: Benzene Storage (SAN No. 1593)	A. **Description**: This regulation will control benzene emissions resulting from the storage of pure benzene. B. **Classification**: Routine. C. **Statutory Authority**: CAA 112. D. **CFR Change**: 40 CFR 61. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 8/81
NESHAPS: Listing of Arsenic as a Hazardous Air Pollutant (SAN No. 1300)	A. **Description**: EPA is conducting a health risk assessment of arsenic emissions. If the Agency determines that these emissions (primarily from copper smelters) are hazardous, then it will list arsenic under section 112 as a hazardous air pollutant and propose emissions standards. B. **Classification**: Routine. C. **Statutory Authority**: CAA 112. D. **CFR Change**: 40 CFR 61.	Joe Padgett EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5204 Comm: 919-541-5204	NPRM: 9/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
NESHAPS: Listing of Coke Oven Emissions as Hazardous Air Pollutant (SAN No. 1594)	A. **Description**: A health risk assessment of coke oven emissions is being conducted. If it is determined that these emissions are hazardous then they will be listed under section 112 as hazardous air pollutants and emission standards will be proposed. B. **Classification**: Routine. C. **Statutory Authority**: CAA 112. D. **CFR Change**: 40 CFR 61.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80
NESHAPS: Airborne Radionuclides (SAN No. 1595, Docket No. A-79-11)	A. **Description**: This regulation will be the first of a series of regulations which place limits on the release of airborne radionuclides from those sources which pose a significant health risk to the general public. B. **Classification**: Major. C. **Statutory Authority**: CAA 112. D. **CFR Change**: Addition to 40 CFR 61.	William Mills EPA (ANR-460) Washington, DC 20460 FTS: 8-557-0704 Comm: 703-557-0704	NPRM: 12/80 FR: 6/81
Airborne Carcinogens (SAN No. 1596)	A. **Description**: This regulation will establish the procedures to be used in identifying, assessing, and regulating substances in the air which increase the risk of cancer to the general population. B. **Classification**: Major. C. **Statutory Authority**: CAA 112. D. **CFR Change**: 40 CFR 61.	Joe Padgett EPA (MD-12) Research Triangle Park, NC 27711 FRS: 8-629-5204 Comm: 9/9-541-5204	ANPRM: 44FR58662(10/10/79) NPRM: 44FR61620(10/26/79) FR: 3/80
Primary Nonferrous Smelter Orders (SAN No. 1301, Docket No. DSSE-78-1)	A. **Description**: This regulation governs the issuance of nonferrous smelter orders. It allows smelters to defer their compliance with the applicable sulfur dioxide emission limitations under State Implementation Plans. The regulation allows this deferral as long as certain financial conditions exist and certain interim requirements are met. B. **Classification**: Routine. C. **Statutory Authority**: CAA 119. D. **CFR Change**: 40 CFR 57.	David Rochlin EPA (EN-341) Washington, DC 20460 FTS: 8-755-2542 Comm: 202-755-2542	NPRM: 44FR6284(1/31/79) FR: 3/80
Noncompliance Penalties (SAN No. 1302, Docket No. EN-79-1)	A. **Description**: The purpose of the noncompliance penalty is to recover, in an administrative penalty assessment, the economic value that a delay in compliance may have to the owner of a noncomplying source. The penalty should encourage source owners to come into compliance more quickly by removing these benefits of delay. Increased rates of compliance should lead to an improvement in air quality. B. **Classification**: Routine. C. **Statutory Authority**: CAA 120. D. **CFR Change**: 40 CFR 66, 67. E. **Analysis**: REG. ANALYSIS.	Robert Homiak EPA (EN-341) Washington, DC 20460 FTS: 8-755-2580 Comm: 202-755-2580	NPRM: 44FR17309(3/21/79) RPRM: 44FR34524(6/15/79) FR: 3/80
Regulations Providing for State/Local Consultation (SAN No. 1304)	A. **Description**: The regulations will request that the States provide a satisfactory process of consultation for local governments, elected officials, and Federal land managers. They will require that the States choose a lead planning organization to coordinate the State Implementation Plan revisions for oxidants (smog) and carbon monoxide. B. **Classification**: Unclassified. C. **Statutory Authority**: CAA 121. D. **CFR Change**: 40 CFR 51.	John Hidinger EPA (ANR-445) Washington, DC 20460 FTS: 8-755-0481 Comm: 202-755-0481	NPRM: 43FR21466(5/18/78) FR: 7/80
Stack Height Regulations (SAN No. 1303, Docket No. A-79-01)	A. **Description**: The Clean Air Act requires that the Agency determine stack heights which will be acceptable for credit of pollution dispension under State Implementation Plans. The Agency will make this determination by limiting stack height on the basis of good engineering practices (GEP). B. **Classification**: Major. C. **Statutory Authority**: CAA 123. D. **CFR Change**: 40 CFR 51. E. **Analysis**: EIS, REG. ANALYSIS.	Richard Rhoads EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5251 Comm: 919-541-5251	NPRM: 5/80 FR: 12/80
Prevention of Significant Deterioration: Set II Pollutants (SAN No. 1306)	A. **Description**: These regulations will provide guidelines for States to develop plans which limit emissions of carbon monoxide, nitrogen oxides, and lead in areas designated attainment for ozone, lead and nitrogen dioxide. B. **Classification**: Major. C. **Statutory Authority**: CAA 165, 166. D. **CFR Change**: 40 CFR 51. E. **Analysis**: REG. ANALYSIS.	Richard Rhoads EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5251 Comm: 919-541-5251	ANPRM: 3/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
Visibility Plan Requirements (SAN No. 1307, Docket No. A-79-40)	A. **Description**: EPA is preparing a report for Congress and guidelines which will require that State Implementation Plans address visibility problems. B. **Classification**: Major. C. **Statutory Authority**: CAA 165, 169(a). D. **CFR Change**: 40 CFR 51. E. **Analysis**: EIS, REG. ANALYSIS.	Richard Rhoads EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5251 Comm: 919-541-5251	NPRM: 5/80 FR: 11/80
Section 202 of the Clean Air Act requires that EPA develop emission standards for cars, trucks and other mobile sources of air pollution.			
Requirements to Build Demonstration Cars Meeting 0.4 gram/mile NOx Standard (SAN No. 1308, Docket No. OMSAPC78-2)	A. **Description**: All manufacturers with at least a 0.5% share of the U.S. passenger car market will have to build research vehicles which emit not more than 0.4 grams of nitrogen dioxide per mile. EPA published this regulation in interim final form for the 1979 model year and will publish it in final form for the 1980 model year. B. **Classification**: Routine. C. **Statutory Authority**: CAA 202. D. **CFR Change**: 40 CFR 85.	Robert Wagner EPA Ann Arbor, MI 48105 FTS: 8-374-8279 Comm: 313-668-4279	NPRM: 44FR7780(2/7/79) FR: 3/80
Heavy-Duty Diesel Particulate Standards (SAN No. 1310, OMSAPC 78-3)	A. **Description**: Although these standards are required by the Clean Air Act for 1981 models, development of a new heavy-duty test-procedure to be used as the basis for a standard delayed progress. Promulgation of the transient heavy-duty test procedure allows work to procede on the standard. The Agency intends to have a standard for the 1985 model year. B. **Classification**: Major. C. **Statutory Authority**: CAA 202. D. **CFR Change**: 40 CFR 86. E. **Analysis**: EIS, REG. ANALYSIS.	Merrill Korth EPA Ann Arbor, MI 48105 FTS: 8-374-8200 Comm: 313-668-4200	NPRM: 5/80 FR: 4/81
Heavy Duty Evaporative Emission (SAN No. 1312, Docket No. OMSAPC 79-1)	A. **Description**: The Clean Air Act requires that EPA promulgate a test procedure to require measurement of evaporative emissions from vehicles. EPA is also developing standards for heavy-duty gasoline vehicles which will regulate fuel evaporation emissions beginning in model year 1983. B. **Classification**: Routine. C. **Statutory Authority**: CAA 202(a). D. **CFR Change**: 40 CFR 86. E. **Analysis**: EIS, REG. ANALYSIS.	Tim Mott EPA Ann Arbor, MI 48105 FTS: 8-374-8208 Comm: 313-668-4208	NPRM: 3/80 FR: 12/80
Emission Regulations for 1983 and Later Model Year Light-Duty Trucks (SAN No. 1313, Docket No. OMSAPC 79-2)	A. **Description**: The Clean Air Act requires standards for 6000-8500 pound trucks that will cause a 90% reduction in hydrocarbons and carbon monoxide emissions from baseline by 1983 and a 75% reduction of nitrogen dioxide emissions from baseline by 1985 model year. The same standards will be applied to trucks under 6000 pounds GVWR. B. **Classification**: Major. C. **Statutory Authority**: CAA 202(a). D. **CFR Change**: 40 CFR 86. E. **Analysis**: EIS, REG. ANALYSIS.	Richard Munt EPA Ann Arbor, MI 48105 FTS: 8-378-8378 Comm: 313-668-4378	NPRM: 44FR40784(7/12/79) FR: 6/80
NOx Gaseous Emission Regulations for 1985 and Later Model Year Heavy Duty Engines (SAN No. 1315, Docket No. OMSAPC 78-4)	A. **Description**: The Clean Air Act requires EPA to establish emission standards for heavy-duty vehicles (over 6000 pounds GVWR). A 75% reduction for nitrogen dioxide beginning with model year 1985 is scheduled. EPA has developed a new test procedure for measuring exhaust emissions which will be used to measure baseline emissions. B. **Classification**: Major. C. **Statutory Authority**: CAA 202(a)(3). D. **CFR Change**: 40 CFR 86. E. **Analysis**: EIS, REG. ANALYSIS.	Chet France EPA Ann Arbor, MI 48105 FTS: 8-374-8338 Comm: 313-668-4338	NPRM: 6/80 FR: 12/80
Interim High Altitude Requirements (SAN No. 1316, Docket No. A-79-14)	A. **Description**: The regulations set requirements for cars to meet high altitude standards for 1981-83 models. B. **Classification**: Routine. C. **Statutory Authority**: CAA 202(a),(f). D. **CFR Change**: 40 CFR 86. E. **Analysis**: EIS.	Richard Wilcox EPA Ann Arbor, MI 48105 FTS: 8-374-8390 Comm: 313-668-4390	ANPRM: 44FR27700(5/11/79) NPRM: 45FR5988(1/24/80) FR: 9/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
Importation of Motor Vehicles and Motor Vehicle Engines (SAN No. 1317, Docket No. EN-79-9)	A. **Description**: These revised regulations allow only certified vehicles and engines to be imported, except that an individual may import an uncertified version for one time only. The purpose is to improve the effectiveness and administration of EPA's present regulation. The proposal will be published in the *Federal Register* after Customs and Treasury complete reviewing it. B. **Classification**: Routine. C. **Statutory Authority**: CAA 203. D. **CFR Change**: 40 CFR 85.	Gerald C. Kraus EPA (EN-340) Washington, DC 20460 FTS: 8-472-9413 Comm: 202-472-9413	NPRM: Spring 1980
Amendments to Entry and Access Provisions of EPA Regulations Controlling Air Pollution From Mobile Sources (SAN No. 1521, Docket No. EN-79-15)	A. **Description**: The regulation implements the Supreme Court's decision in *Marshall v Barlows, Inc.* by amending the "Entry and Access" provisions of mobile source program regulations to make them consistent with the Court's ruling. B. **Classification**: Routine. C. **Statutory Authority**: CAA 203, 206, 208, 301. D. **CFR Change**: 40 CFR 80, 85, 86.	Stephen J. Turchen EPA (EN-340) Washington, DC 20460 FTS: 8-472-9417 Comm: 202-472-9417	NPRM: 4/80 FR: 7/80
Tampering Enforcement Regulations (SAN No. 1601, Docket No. EN-80-3)	A. **Description**: These regulations will clarify EPA's enforcement policy against tampering with the emission control systems of motor vehicles. B. **Classification**: Routine. C. **Statutory Authority**: CAA 203(a)(3), 301. D. **CFR Change**: 40 CFR 85.	Barbara C. Giliberti EPA (EN-340) Washington, DC 20460 FTS: 8-472-9350 Comm: 202-472-9350	ANPRM: 5/80 NPRM: 2/81 FR: 8/81
Regulations Defining Certificate of Conformity (SAN No. 1318)	A. **Description**: The regulations identify certain components and specifications required for motor vehicle certification, including the parameters of allowable deviation of parts and the specification for the certification tests. B. **Classification**: Routine. C. **Statutory Authority**: CAA 206(a). D. **CFR Change**: 40 CFR 86.	Mark Siegler EPA (EN-340) Washington, DC 20460 FTS: 8-472-9417 Comm: 202-472-9417	NPRM: 39FR44246(12/23/74) FR: 7/80
Selective Enforcement Auditing of Motorcycles (SAN No. 1319)	A. **Description**: This regulation would help to ensure that motorcycles to be distributed into commerce are in compliance with applicable emissions standards. It has not yet been determined if this regulation will proceed beyond the ANPRM stage. B. **Classification**: Unclassified. C. **Statutory Authority**: CAA 206(a), 208, 301. D. **CFR Change**: 40 CFR 86.	Stephen Turchen EPA (EN-340) Washington, DC 20460 FTS: 8-472-9417 Comm: 202-472-9417	ANPRM: 43FR1108(1/6/78)
1984 High Altitude Standards (SAN No. 1322, Docket No. EN-79-7)	A. **Description**: These regulations require all vehicles to meet standards at all altitudes beginning with 1984 models. B. **Classification**: Unclassified. C. **Statutory Authority**: CAA 206(f). D. **CFR Change**: 40 CFR 86. E. **Analysis**: EIS, REG. ANALYSIS.	Richard Wilcox EPA Ann Arbor, MI 48105 FTS: 8-374-8390 Comm: 313-668-4390	NPRM: 9/80 FR: 6/81
Emissions Design and Defect Warranty (SAN No. 1324, Docket No. MSED-78-1)	A. **Description**: This regulation will insure that owners are able to take advantage of the 207(a) warranty and that dealers and manufacturers understand their liability. It will also establish uniform procedures for administering the warranty and require owners to be informed of its coverage. B. **Classification**: Routine. C. **Statutory Authority**: CAA 207(a)(1), 301(a)(1), 203(a)(4), 204, 205. D. **CFR Change**: 40 CFR 85.	Rick Friedman EPA (EN-340) Washington, DC 20460 FTS: 8-472-9350 Comm: 202-472-9350	ANPRM: 41FR50566(11/16/76) NPRM: 5/80 FR: 10/81
Aftermarket Parts Certification (SAN No. 1325, Docket No. EN-79-8)	A. **Description**: This regulation establishes a procedure that allows autoparts manufacturers voluntarily to certify that use of their parts will not increase vehicle emissions or void the owner's emission warranty. B. **Classification**: Routine. C. **Statutory Authority**: CAA 207(a)(2), 301. D. **CFR Change**: 40 CFR 85.	David Feldman EPA (EN-340) Washington, DC 20460 FTS: 8-472-9350 Comm: 202-472-9350	ANPRM: 39FR40192(11/14/74) NPRM: 44FR46686(8/8/79) FR: 5/80
Vehicle Maintenance and Use Regulations (SAN No. 1517, Docket No. EN-79-11)	A. **Description**: These regulations will insure that manufacturers require only appropriate maintenance of emission-related components and that owners are fully informed of their maintenance burden and resulting liabilities. B. **Classification**: Routine. C. **Statutory Authority**: CAA 207(a)(3)(A), 301(a)(1), 203(a)(4)(B) & (C), 204, 205, 206, D. **CFR Change**: 40 CFR 85 Subpart V.	Richard Friedman EPA (EN-340) Washington, DC 20460 FTS: 8-472-9350 Comm: 202-472-9350	ANPRM: 3/80 NPRM: 11/80 FR: 7/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
Short Test for Emission Warranties (SAN No. 1326, Docket No. EN 79-6)	A. **Description**: This regulation establishes procedures to test emissions from light-duty trucks and vehicles in conjunction with inspection/maintenance programs. The public comment period has been reopened to allow manufacturers an opportunity to comment on EPA data which became available after the proposal. B. **Classification**: Routine. C. **Statutory Authority**: CAA 207(b). D. **CFR Change**: 40 CFR 86.	Richard Dash EPA Ann Arbor, MI 48105 FTS: 8-374-8412 Comm: 313-668-4412	NPRM: 42FR26742(5/25/77) FR: 4/80
Emission Control (Performance) Warranty (SAN No. 1327, Docket No. EN-79-6)	A. **Description**: These regulations require manufacturers to warrant the emissions performance of new motor vehicles under certain conditions. B. **Classification**: Routine. C. **Statutory Authority**: CAA 207(b),, 203, 204, 205, 301. D. **CFR Change**: 40 CFR 85.	David Feldman EPA (EN-340) Washington, DC 20460 FTS: 8-472-9350 Comm: 202-472-9350	NPRM: 42FR26742(5/25/77) RPRM: 44FR23764(4/20/79) FR: Spring 1980
Allowable Maintenance for Light Duty Vehicles (SAN No. 1597)	A. **Description**: The Clean Air Act requires that automobile manufacturers furnish to the purchaser written instructions for proper use and maintenance of new motor vehicles and engines. This regulation will determine the content of those instructions on the basis of maintenance which is likely to be performed and which is necessary. B. **Classification**: Unclassified. C. **Statutory Authority**: CAA 207(c)(3). D. **CFR Change**: 40 CFR 86.	Robert Maxwell EPA Ann Arbor, MI 48105 FTS: 8-374-8322 Comm: 313-668-4322	NPRM: 9/80 FR: 9/81
Fuels and Fuel Additives Testing Regulations (SAN No. 1328)	A. **Description**: These protocols will help determine effects of fuel and fuel additives on public health and emission control devices. B. **Classification**: Unclassified. C. **Statutory Authority**: CAA 211. D. **CFR Change**: 40 CFR 79.6.	Matt Bills EPA (RD-680) Washington, DC 20460 FTS: 8-426-4452 Comm: 202-426-4452	NPRM: 6/80 FR: 12/80
High Altitude Performance Adjustments (SAN No. 1329)	A. **Description**: This regulation sets procedures for approval of manufacturers' adjustments to light duty cars and trucks built for high altitude operation. B. **Classification**: Routine. C. **Statutory Authority**: CAA 215. D. **CFR Change**: 40 CFR 86.	Thomas Ball EPA Ann Arbor, MI 48105 FTS: 8-374-8280 Comm: 313-668-4280	NPRM: 45FR6012(1/24/80) FR: 9/80
Turbine Aircraft Gaseous Emissions Retrofit and Modification of 1973 Standards (SAN No. 1330, Docket No. OMSAPC 78-1)	A. **Description**: This regulation proposes revisions in emission standards for commercial aircraft to reduce hydrocarbons, carbon monoxide and nitrogen oxide. B. **Classification**: Routine. C. **Statutory Authority**: CAA 231. D. **CFR Change**: 40 CFR 87. E. **Analysis**: EIS.	Richard Wilcox EPA Ann Arbor, MI 48105 FTS: 8-374-8390 Comm: 313-668-4390	NPRM: 43FR12615(3/24/78) FR: 6/80
Regional Consistency (SAN No. 1331, Docket No. OAQPS 79-11)	A. **Description**: The Clean Air Act requires that EPA provide for consistent implementation by Regional Offices. B. **Classification**: Routine. C. **Statutory Authority**: CAA 301. D. **CFR Change**: 40 CFR 56. E. **Analysis**: EIS.	Darryl Tyler EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5425 Comm: 919-541-5425	NPRM: 44FR13043(3/9/79) FR: 3/80
	DRINKING WATER		
Control of Organic Contaminants in Drinking Water by Granular Activated Carbon Systems (SAN No. 1201)	A. **Description**: The regulation will require use of granular activated carbon (GAC) or equivalent technology in those public water systems subject to contamination by synthetic organic chemicals. B. **Classification**: Major. C. **Statutory Authority**: SDWA 1412. D. **CFR Change**: 40 CFR 141. E. **Analysis**: REG. ANALYSIS.	Joe Cotruvo EPA (WH-550) Washington, DC 20460 FTS: 8-472-5016 Comm: 202-472-5016	ANPRM: 41FR28991(7/14/76) NPRM: 43FR5756(2/9/78) RPRM: 8/80
Technical Amendments to the National Primary Drinking Water Regulations (SAN No. 1202, Docket No. FRL 1230-3)	A. **Description**: These amendments adjust the previously published National Interim-Primary Drinking Water regulations. They will provide additional flexibility for community water systems to comply with the microbiological Maximum Contaminant Level (MCL) and will also provide non-community systems with modified requirements for microbiological MCL, turbidity monitoring, and nitrate MCL. There will also be modifications to public notification procedures and new requirements for community water systems to monitor and report sodium levels. B. **Classification**: Routine. C. **Statutory Authority**: SDWA 1412. D. **CFR Change**: Revisions to 40 CFR 141.	Joe Cotruvo EPA (WH-550) Washington, DC 20460 FTS: 8-472-5016 Comm: 202-472-5016	NPRM: 44FR42246(7/19/79) FR: 6/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
DRINKING WATER—Continued			
Maximum Contaminant Levels for Certain Organic Chemicals Found in Ground Water (SAN No. 1567)	A. **Description**: The regulation will establish the Maximum Contaminant Level (MCL) for certain organic chemicals that are most commonly found in drinking water drawn from groundwater sources and that may have adverse effects on human health. The Safe Drinking Water Act requires the Agency to establish these contaminant levels. B. **Classification**: Major. C. **Statutory Authority**: SWDA 1412. D. **CFR Change**: Additions to 40 CFR 141.	Joe Cotruvo EPA (WH-550) Washington, DC 20460 FTS: 8-472-5016 Comm: 202-472-5016	ANPRM: 41FR28991(7/14/76) NAS Recommendations: 42FR35764(7/11/77) NPRM: 8/80
Underground Injection Control Program Regulations (SAN No. 1205)	A. **Description**: These regulations are intended to protect underground drinking water supplies from contamination caused by improper underground injection of fluids. States can apply for primary enforcement authority if they meet the minimum criteria specified in the regulations. The regulations may require a permit program to ensure that there is a case-by-case determination. B. **Classification**: Major. C. **Statutory Authority**: SWDA 1421(a). D. **CFR Change**: 40 CFR 146. E. **Analysis**: EIS, REG. ANALYSIS.	Tom Belk EPA (WH-550) Washington, DC 20460 FTS: 8-426-3934 Comm: 202-426-3934	NPRM: 44FR23738(4/20/79) FR: 4/80
Technical Amendments to the Implementation Regulations for the Interim Primary Drinking Water Regulations (SAN No. 1549)	A. **Description**: These regulations define the implementation and enforcement requirements for the National Interim Primary Drinking Water Regulations. These requirements will apply to States which choose to operate the Public Water System Supervision Program. EPA amended the Primary Drinking Water Regulations in 1979 and will issue additional amendments in June 1980. This set of amendments will update the Implementation Regulations to correspond with the changes in Primary Drinking Water Regulations and will make minor changes to clarify and simplify the language. B. **Classification**: Routine. C. **Statutory Authority**: SDWA 1413-1416, 1445, 1450. D. **CFR Change**: 40 CFR 142.	James F. Manwaring EPA (WH-550) Washington, DC 20460 FTS: 8-472-4152 Comm: 202-472-4152	NPRM: 39FR33228(8/7/75) FR: 40FR2916(1/20/76) IFR: 43FR5372(2/8/78) FR: 6/80
NOISE			
Noise Emission Standards for Buses (SAN No. 1170, Docket No. ONAC 77-6)	A. **Description**: This regulation sets noise emission standards for new interstate, city, and school buses. B. **Classification**: Routine. C. **Statutory Authority**: NCA 5 & 6. D. **CFR Change**: Additions to 40 CFR 205. E. **Analysis**: EIS.	Kenneth Feith EPA (ANR 490) Washington, DC 20460 FTS: 8-557-2710 Comm: 703-557-2710	NPRM: 42FR45775(9/12/77) FR: 6/80
Noise Emission Standards for Wheel & Crawler Tractors (SAN No. 1172, ONAC 77-2)	A. **Description**: This regulation sets noise emission standards for new wheel and crawler tractors manufactured primarily for construction applications. B. **Classification**: Unclassified. C. **Statutory Authority**: NCA 5 & 6. D. **CFR Change**: Addition to 40 CFR 204. E. **Analysis**: EIS.	Henry Thomas EPA (ANR-490) Washington, DC 20460 FTS: 8-557-7743 Comm: 702-557-7743	NPRM: 42FR35803(7/11/77) FR: 12/82
Noise Emission Standards for Motorcycles (SAN No. 1173, Docket No. ONAC 77-10)	A. **Description**: This regulation sets noise emission standards for new motorcycles and new motorcycle replacement exhaust systems distributed in commerce. B. **Classification**: Major. C. **Statutory Authority**: NCA 5 & 6. D. **CFR Change**: Additions to 40 CFR 205. E. **Analysis**: EIS, REG. ANALYSIS.	Henry Thomas EPA (ANR-490) Washington, DC 20460 FTS: 8-557-7743 Comm: 703-557-7743	NPRM: 43FR10822(3/15/78) FR: 7/80
Importation of Noise Emitting Products (SAN No. 1178)	A. **Description**: This regulation is being written in conjunction with the U.S. Customs Service to control, under NCA section 9, the importation of products regulated under NCA sections 6, 8. B. **Classification**: Routine. C. **Statutory Authority**: NCA 9. D. **CFR Change**: 40 CFR 208.	Timothy Dwyer EPA (EN-387) Washington, DC 20460 FTS: 8-557-7470 Comm: 703-557-7470	NPRM: 1/81 FR: 1/82
Administrative Hearing Procedures (SAN No. 1176)	A. **Description**: EPA is writing this regulation to lay the groundwork for procedures for hearings to issue remedial orders under NCA section 11(d). These are adjudicatory hearings under the Administrative Procedures Act (5 USC 554). B. **Classification**: Routine. C. **Statutory Authority**: NCA 11. D. **CFR Change**: 40 CFR 210.	Timothy Dwyer EPA (EN-387) Washington, DC 20460 FTS: 8-557-7470 Comm: 703-557-7470	IFR: 43FR34132(8/3/78) FR: 10/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	NOISE—Continued		
Low Noise Emission Products (SAN No. 1177, Docket No. ONAC 77-7)	A. **Description**: If a product has a low noise emission level, it may be entitled to special consideration in Federal purchasing. This regulation establishes guidelines for determining these low levels. B. **Classification**: Routine. C. **Statutory Authority**: NCA 15. D. **CFR Change**: Additions to 40 CFR 203, 204, 205. E. **Analysis**: EIS.	Henry Thomas EPA (ANR 490) Washington, DC FTS: 8-557-7743 Comm: 703-557-7743	NPRM: 42FR27441(5/27/77) FR: 8/80
Interstate Rail Carrier Noise Standards Revision-Property Line Standard (SAN No. 1179A, Docket No. ONAC 80-1)	A. **Description**: This regulation sets noise emission standards for railroad facilities. This is one of two sets of interstate rail carrier standards. This regulation establishes property-line standards. B. **Classification**: Major. C. **Statutory Authority**: NCA 17. D. **CFR Change**: 40 CFR 201. E. **Analysis**: EIS, REG. ANALYSIS.	Robert Rose EPA (ANR 490) Washington, DC 20460 FTS: 8-557-7666 Comm: 703-557-7666	NPRM: 44FR22960(4/17/79) NPRM: 44FR25268(4/30/79) FR: 1/81
Special Local Conditions (SAN No. 1180, Docket No. ONAC 76-11)	A. **Description**: This regulation establishes procedures that a State may use to adopt otherwise pre-empted State & local noise regulations applying to rail and motor carriers. A State may use these procedures when special local conditions make it necessary to adopt these pre-empted regulations. B. **Classification**: Routine. C. **Statutory Authority**: NCA 17(c)2 & 18(c)2. D. **CFR Change**: 40 CFR 201.	Henry Thomas EPA (ANR 490) Washington, DC 20460 FTS: 8-557-7743 Comm: 703-557-7743	NPRM: 41FR52317(11/29/76) RPRM: 1982
	PESTICIDES		
Pesticide Registration Guidelines (SAN Nos. 1141-1148) specify the test data standards and reporting and labeling requirements for registration applications for pesticide products.			
Pesticide Registration Guidelines: Introduction (SAN No. 1141)	A. **Description**: This action states the general purpose of the guidelines and specifies the degree of flexibility in their requirements and in the use of interim data. It also defines terms used throughout the guidelines, and sets out requirements for keeping data and test samples at laboratories. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 3. D. **CFR Change**: 40 CFR 163 Subpart A.	Bill Preston EPA (TS-769) FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 43FR29696(7/10/78) FR: 7/80
Experimental Use Permits (SAN No. 1142)	A. **Description**: This action specifies that data and labeling must be submitted in support of an application for an experimental use permit. It also defines procedures which must be followed to obtain a permit. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 3. D. **CFR Change**: 40 CFR 163 Subpart I.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 3/80 FR 10/80
Chemistry Requirements (SAN No. 1143)	A. **Description**: This regulation covers requirements for data on chemistry of active ingredients, residues of pesticides in feed and food crops, formulation components, manufacturing impurities, and environmental fate of pesticides. B. **Classification**: Major. C. **Statutory Authority**: FIFRA 3. D. **CFR Change**: 40 CFR 163 Subpart D.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 43FR29696(7/10/78) FR: 5/80
Hazard Evaluation: Wildlife and Aquatic Organisms (SAN No. 1144)	A. **Description**: This action covers data requirements for studies of pesticide effects on birds, wild animals, fish, and other aquatic animals. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 3. D. **CFR Change**: 40 CFR 163 Subpart E.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 43FR29696(7/10/78) FR: 6/80
Hazard Evaluation: Humans and Domestic Animals (SAN No. 1145)	A. **Description**: This regulation specifies data requirements for studying the effects of pesticides in laboratory animals. The subpart on "Good Laboratory Practices" prescribes practices for laboratories to follow when they conduct tests with pesticides for registration purposes. These practices will assure that the laboratories submit properly developed and accurate data. B. **Classification**: Major. C. **Statutory Authority**: FIFRA 3. D. **CFR Change**: 40 CFR 163, Subpart F.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 43FR37336(8/22/78) NPRM: 3/80 FR: 9/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	PESTICIDES—Continued		
Product Performance (SAN No. 1146)	A. **Description**: This action specifies the data that registrants must submit to demonstrate that pesticide products will control pests as specified in label claims. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 3. D. **CFR Change**: 40 CFR 163 Subpart G.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 3/80 FR: 1/81
Label Development and Improvement (SAN No. 1147)	A. **Description**: This action describes all essential parts of a pesticide product label. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 3. D. **CFR Change**: 40 CFR 163 Subpart H.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 6/80 FR: 3/81
Hazard Evaluation: Non-Target Plants and Micro-Organisms (SAN No. 1148)	A. **Description**: This action prescribes data required to evaluate adverse effects on nontarget areas; it also provides guidance to submit data on spray draft and phytotoxicity. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 3. D. **CFR Change**: 40 CFR 163 Subpart J.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 3/80 FR: 11/80
Modification of Regulations for Pesticides Registration, Classification, and Incorporation of Generic Standards (SAN No. 1524)	A. **Description**: These regulations will revise procedures and requirements for the registration of pesticides. This proposal would revise the regulations covering the registration of new pesticide chemicals and products, the registration and re-registration of old pesticide chemicals and products, and the classification and rebuttable presumption against registration (RPAR) processes. B. **Classification**: Major. C. **Statutory Authority**: FIFRA 3(c)(2)(C). D. **CFR Change**: 40 CFR 162 Subpart A.	Henry Jacoby EPA (TS-767) Washington, DC 20460 FTS: 8-755-2562 Comm: 202-755-2562	ANPRM: 44FR76311(12/26/79) NPRM: 10/80 FR: 9/81
Other Regulatory Restrictions (SAN No. 1558)	A. **Description**: This regulation will consider alternatives to labeling for minimizing the health hazards of pesticides. B. **Classification**: Unclassified C. **Statutory Authority**: FIFRA 3(d)(1)(C)(*ii*). D. **CFR Change**: 40 CFR 162.11 C5.	John Street EPA (TS-767) Washington, DC 20460 FTS: 8-426-2510 Comm: 703-426-2510	ANPRM: 4/80 FR: 2/81
State Registration to Meet Special Local Needs (SAN No. 1153)	A. **Description**: This regulation defines the scope of state jurisdiction to register pesticides for uses that Federal registrations do not cover. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 24(c). D. **CFR Change**: 40 CFR 162.	Phil Gray EPA (TS-770-M) Washington, DC 20460 FTS: 8-472-9400 Comm: 202-472-9400	NPRM: 44FR46414(8/7/79) FR: 6/80
Closed System Packaging (SAN No. 1523)	A. **Description**: The objective of this rule is to reduce the hazards associated with the transfer, mixing, and loading of pesticides. These hazards have resulted in adverse effects on pesticide mixers and loaders of certain classes of pesticides. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 25(c)(3). D. **CFR Change**: Addition to 40 CFR 162.	William Jacobs EPA (TS-767) Washington, DC 20460 FTS: 8-755-4851 Comm: 202-755-4851	ANPRM: 44FR54508(9/20/79) NPRM: Late 1980 FR: Early 1981
New Regulations State Primacy (SAN No. 1563)	A. **Description**: This regulation will establish procedures for state primacy in enforcing provisions of FIFRA. It will spell out the system which EPA will use to grant or rescind this authority to the states. B. **Classification**: Unclassified. C. **Statutory Authority**: FIFRA 26, 27. D. **CFR Change**: EPA will later assign a CFR Part Number to this regulation.	Joseph Virgilio EPA (EN-342) Washington, DC 20460 FTS: 8-472-3701 Comm: 202-472-3701	ANPRM: 3/80
Tolerance Revocation Program (SAN No. 1560)	A. **Description**: This regulation prescribes methods for revoking tolerance petitions when a pesticide registration is canceled. B. **Classification**: Routine. C. **Statutory Authority**: FDCA 408, 409. D. **CFR Change**: Deletions from 40 CFR 180.147 (DDT), 180.135 (dieldrin),. 180.137 (aldrin), 180.140 (BHC)	Jesse Mayes EPA (TS-767) Washington, DC 20460 FTS: 8-755-9315 Comm: 202-755-9315	NPRM: 4/80 FR: 7/80
	RADIATION		
Guidance for Occupational Radiation Exposure (SAN No. 1161, Docket No. A-79-46)	A. **Description**: This guidance updates existing (1960) radiation occupational exposure limits for workers at Federal facilities and those facilities inspected by Federal agencies. B. **Classification**: Major. C. **Statutory Authority**: AEA 274(h). D. **CFR Change**: This action will not be codified in CFR.	Luis Garcia EPA (ANR 460) Washington, DC 20460 FTS: 8-557-8224 Comm: 703-557-8224	NPRM: 4/80 FR: 3/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	RADIATION—Continued		
Transuranic Elements (SAN No. 1162)	A. **Description**: This guidance to Federal agencies establishes dose rate limits for people exposed to transuranic elements in the general environment. The guidance considers both human inhalation and human ingestion of transuranium elements, and establishes a maximum dose rate to lungs and bones for members of the general population. The recommendations also provide for a dose rate limit to lungs and bones for the most exposed segment of the population. This dose rate limit can be associated with an estimated maximum risk of one additional death per million persons continuously exposed at this rate per year. EPA has approved this guidance and has sent it to the President for signature. B. **Classification**: Routine. C. **Statutory Authority**: AEA 274(h). D. **CFR Change**: This action will not be codified in CFR.	Gordon Burley EPA (ANR 460) Washington, DC 20460 FTS: 8-557-8610 Comm: 703-557-8610	NPRM: 42FR60956(11/3/77) FR: Pending
Environmental Standards for High-Level Radioactive Wastes (SAN No. 1163)	A. **Description**: This regulation will set standards to govern the licensing, design, and operation of permanent, high-level radioactive waste storage facilities. The enforcement of these standards will be the responsibility of the Nuclear Regulatory Commission, which may choose to issue additional regulations. B. **Classification**: Major. C. **Statutory Authority**: AEA 274, Reorganization Plan #3 of 1970. D. **CFR Change**: 40 CFR 191. E. **Analysis**: EIS, REG. ANALYSIS.	Dan Egan EPA (ANR 459) Washington, DC 20460 FTS: 8-557-8610 Comm: 703-557-8610	NPRM: 5/80 FR: 5/81
Environmental Criteria for Radioactive Wastes (SAN No. 1164)	A. **Description**: The criteria are general guidance to Federal agencies on definitions of radioactive wastes and factors they should consider in evaluating disposal modes and sites. B. **Classification**: Major. C. **Statutory Authority**: AEA 274(h). D. **CFR Change**: This action will not be codified in CFR.	Robertson Augustine EPA (ANR 458) Washington, DC 20460 FTS: 8-557-8950 Comm: 703-557-8950	NPRM: 43FR53262(11/15/78) FR: 5/80
Federal Guidance for Protective Action Guides for Accidental Airborne Releases of Radioactivity (SAN No. 1514, Docket No. A-79-11)	A. **Description**: This guidance will provide emergency action levels to be used in cases of accidental release of airborne radionuclides. It will minimize the risk to the health and safety of the general public following potential radioactivity releases from accidents at nuclear power plants, from accidents during the transport of radioactive materials, and from other events that may cause airborne releases of radioactive material. B. **Classification**: Major. C. **Statutory Authority**: AEA 274. D. **CFR Change**: This action will not be codified in CFR. E. **Analysis**: EIS, UCIA.	Allen Richardson EPA (ANR 460) Washington, DC 20460 FTS: 8-557-8927 Comm: 703-557-8927	NPRM: 12/80 RPRM: 9/81
Radiofrequency Radiation Guidance (SAN No. 1525)	A. **Description**: This guidance will serve to limit exposure to radiofrequency monitoring radiation which poses a potential health risk. B. **Classification**: Unclassified. C. **Statutory Authority**: AEA 274(h). D. **CFR Change**: This action will not be codified in CFR. E. **Analysis**: EIS.	David Janes EPA (ANR 461) Washington, DC 20460 FTS: 8-427-7604 Comm: 301-427-7604	NPRM: 2/81
Environmental Standards for Uranium Mill Tailings (Inactive Sites) (SAN No. 1166, Docket No. A-79-25)	A. **Description**: This regulation defines standards for the clean-up and disposal of uranium mill tailings from inactive sites. Based on the EPA standards, the Department of Energy will take remedial action. B. **Classification**: Major. C. **Statutory Authority**: UMTRCA 206(2a), AEA 275(2a). D. **CFR Change**: 40 CFR 192. E. **Analysis**: EIS.	Stan Lichtman EPA (ANR 458) Washington, DC 20460 FTS: 8-557-8927 Comm: 703-557-8927	NPRM: 4/80 FR: 7/80
Environmental Standards for Uranium Mill Tailings (Active Sites) (SAN No. 1166A)	A. **Description**: The administrator is required to issue generally applicable standards for protecting the public health and safety, and the environment, from certain radiological and nonradiological hazards of uranium. These are the hazards associated with processing, keeping, transfering, and disposing of uranium byproduct material at sites which either (a) process the uranium ore primarily for its source material content or (b) dispose of the uranium byproduct material. B. **Classification**: Major. C. **Statutory Authority**: UMTRCA 208 AEA 275(b). D. **CFR Change**: 40 CFR 192.	Stan Lichtman EPA (ANR 458) Washington, DC 20460 FTS: 8-557-8927 Comm: 7-3-557-8927	NPRM: 9/80 FR: 12/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
SOLID WASTE			
Subtitle C of the Resource Conservation and Recovery Act (RCRA) requires EPA to establish a nationwide program to manage hazardous wastes from generation to ultimate disposal. The U.S. District Court for the District of Columbia has approved a schedule of dates in 1980 for Agency issuance of final regulations. (Note: EPA will provide for RCRA 3005 and 3006 [SAN Nos. 1195 and 1196] in the Consolidated Permit Regulations to be promulgated in April 1980. EPA will provide notification under RCRA 3010 [SAN No. 1197] by a Notice in the *Federal Register*, rather than by regulation.			
Hazardous Waste Criteria—Identification and Listing (SAN No. 1191, Docket No. 3001)	A. **Description**: This regulation defines wastes for control under the nationwide hazardous waste management program. The regulation will define criteria for identifying hazardous wastes, based on ignitability, corrosiveness, reactivity, and toxicity. The regulation will also list wastes and processes which are likely to generate hazardous wastes. B. **Classification**: Major. C. **Statutory Authority**: RCRA 3001. D. **CFR Change**: 40 CFR 261. E. **Analysis**: EIS, REG. ANALYSIS.	Alan Corson EPA (WH-565) Washington, DC 20460 FTS: 8-755-9187 Comm: 202-755-9187	ANPRM: 42FR22332(5/2/77) NPRM: 43FR58946(12/18/78) FR: 4/80
Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (SAN No. 1194, Docket No. 3004)	A. **Description**: This regulation requires facilities that manage hazardous waste to meet certain standards for operating practices, location, and design. These standards have been set to protect the quality of air, surface-water, and groundwater. B. **Classification**: Major. C. **Statutory Authority**: RCRA 3004. D. **CFR Change**: 40 CFR 264, 265, 266. E. **Analysis**: EIS, REG. ANALYSIS.	John Lehman EPA (WH-565) Washington, DC 20460 FTS: 8-755-9185 Comm: 202-755-9185	ANPRM: 42FR22332(5/2/77) NPRM: 43FR58946(12/18/78) FR(Phase I): 4/80 FR(Phase II): 9/80
Guidelines for Federal Procurement Practices (SAN No. 1200, Docket No. 6002(e))	A. **Description**: These guidelines are to help Federal agencies ensure procured products contain as much recycled material as possible. Section 6002(e) of RCRA directs EPA to prepare these guidelines to help maximize the energy and materials that the Federal Government recovers from solid waste. B. **Classification**: Routine. C. **Statutory Authority**: RCRA 6002(e). D. **CFR Change**: 40 CFR.	John Heffelfinger EPA (WH-565) Washington, DC 20460 FTS: 8-755-9206 Comm: 202-755-9206	NPRM: Late 1980
TOXIC SUBSTANCES			
EPA is writing regulations under four sections of the Toxic Substances Control Act (TSCA): under Section 4, standards for the development of test data and rules that require the testing of specific chemical substances and mixtures; under Section 5, premanufacture notification rules and premanufacture testing guidance; a series of specific control acitons under Section 6, including chemical hazard labeling warnings; and under Section 8, reporting and recordkeeping requirements.			
Test Rules for Chemical Substances and Mixtures (SAN No. 1130)	A. **Description**: This regulation establishes general provisions and requirements for testing. It covers the scope, purpose, authority, and applicability of testing requirements. It offers appropriate definitions, and it deals with confidentiality, public access to information, compliance and revision, and modification of test standards. B. **Classification**: Major. C. **Statutory Authority**: TSCA 4. D. **CFR Change**: 40 CFR 770.	Denise Swink EPA (TS-792) Washington, DC 20460 FTS: 8-755-4894 Comm: 202-755-4894	NPRM: 44FR27334(3/9/79) FR: 8/80
Identification of Chemical Substances and Mixtures to Be Tested (SAN No. 1131)	A. **Description**: This regulation will require specific chemical substances and mixtures, (both individually and by chemical category), to be tested for specified health and environmental effects. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 4. D. **CFR Change**: 40 CFR 771.	Denise Swink EPA (TS-792) Washington, DC 20460 FTS: 8-755-4894 Comm: 202-755-4894	NPRM: 5/80
Standards for Development of Chronic Health Effects Data (SAN No. 1132)	A. **Description**: This regulation sets standards for (1) testing for oncogenic and non-oncogenic chronic effects and (2) good laboratory practices (GLP) for health effects testing. The chemical specific test rules will refer to these standards. B. **Classification**: Major. C. **Statutory Authority**: TSCA 4. D. **CFR Change**: 40 CFR 772.	Denise Swink EPA (TS-792) Washington, DC 20460 FTS: 8-755-4894 Comm: 202-755-4894	NPRM: 44FR27334(5/9/79) FR: 8/80
Standards For Development of Test Data (SAN No. 1461)	A. **Description**: This regulation sets standards for tests to determine health effects. The effects covered include acute and sub-chronic toxicity, mutagenicity, teratogenicity, and reproduction effects. The chemical specific test rules will refer to these standards. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 4. D. **CFR Change**: 40 CFR 772.	Denise Swink EPA (TS-792) Washington, DC 20460 FTS: 8-755-4894 Comm: 202-755-4894	NPRM: 44FR44054(7/26/79) FR: 8/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	TOXIC SUBSTANCES—Continued		
Standards for Development of Test Data (SAN No. 1462)	A. **Description**: This regulation will set standards for tests to determine physical and chemical properties, environmental fate, and ecological effects. The chemical specific test rules will refer to these standards. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 4. D. **CFR Change**: 40 CFR 772.	Denise Swink EPA (TS-792) Washington, DC FTS: 8-755-4894 Comm: 202-755-4894	NPRM: 4/80
Premanufacture Notice Rules and Forms (SAN No. 1134)	A. **Description**: This regulation establishes procedures for chemical manufacturers to submit notices to EPA prior to manufacturing new chemical substances for commercial purposes. The regulation also includes notice forms which stipulate the data that manufacturers must submit and the format for their submissions. B. **Classification**: Major. C. **Statutory Authority**: TSCA 5. D. **CFR Change**: 40 CFR 720.	Blake Biles EPA (TS-794) Washington, DC 20460 FTS: 8-426-3936 Comm: 202-426-3936	NPRM: 44FR2242(1/10/79) Interim policy: 44FR28564(5/15/79) RPRM: 44FR59764(10/16/79) FR: Fall 1980
Asbestos-Containing Material in Schools (SAN No. 1519)	A. **Description**: The rule will require removing certain friable asbestos-containing materials from school buildings. It will also require marking and periodically re-evaluating the remaining friable asbestos to protect school children and school employees from all unreasonable risks of exposure to asbestos. B. **Classification**: Major. C. **Statutory Authority**: TSCA 6. D. **CFR Change**: EPA will later assign a CFR Part Number to this regulation.	Larry Longanecker EPA (TS-794) Washington, DC 20460 FTS: 8-755-1422 Comm: 202-755-1422	ANPRM: 44FR54676(9/20/79) NPRM: 5/80 FR: 10/80
Asbestos-Containing Materials in Commercial Buildings and Commercial Vessels (SAN No. 1550)	A. **Description**: This regulation will reduce/eliminate unreasonable risks of exposure to asbestos in commercial vessels and commercial buildings. A risk assessment study is due for completion in September 1980. B. **Classification**: Major. C. **Statutory Authority**: TSCA 6. D. **CFR Change**: EPA will later assign a CFR Part Number to this regulation.	Larry Longanecker EPA (TS-794) Washington, DC 20460 FTS 8-755-1422 Comm: 202-755-1422	ANPRM: 1/81 NPRM: 6/81
Chemical Hazard Warning Labels (SAN No. 1530)	A. **Description**: This rule would require chemical manufacturers and importers to affix warning labels to containers they distribute in commerce. The required labels would inform industrial users of hazardous chemical substances and mixtures about certain acute health and safety hazards, including cancer hazards. The primary purpose is to assure that workers know: (1) the recognized hazards, (2) the measures that should be taken to avoid or control exposure, and (3) the steps to be taken if exposure occurs. B. **Classification**: Major. C. **Statutory Authority**: TSCA 6(a)(3). D. **CFR Change**: 40 CFR 765. E. **Analysis**: REG. ANALYSIS.	Irwin L. Auerbach EPA (TS-794) Washington, DC 20460 FTS: 8-755-8963 Comm: 202-755-8963	NPRM: 3/80
Follow-up of New Chemical Substances (SAN No. 1531)	A. **Description**: This rule will establish procedures and data reporting requirements to be used in issuing significant new use rules and follow-up reporting rules related to new chemical substances. B. **Classification**: Major. C. **Statutory Authority**: TSCA 8, 5(a)(2). D. **CFR Change**: EPA will later assign a CFR Part Number to this regulation.	Blake Biles EPA (TS-794) Washington, DC 20460 FTS: 8-426-3936 Comm: 202-426-3936	ANPRM: 3/80 NPRM: 12/80 FR: Summer 1981
Preliminary Assessment Information (SAN No. 1137, Docket No. OTS-082004)	A. **Description**: This rule is the first in a series of reporting regulations designed to obtain information for pre-regulatory assessment on toxic substances. The rule would apply to manufacturers of 2300 chemicals, requiring them to fill out a short form on general production, use and exposure for the chemicals. Additional chemicals will be subject to this rule in later amendments. More detailed information will be the subject of separate section 8(a) rules. B. **Classification**: Major. C. **Statutory Authority**: TSCA 8(a). D. **CFR Change**: 40 CFR 712.	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-755-4854 Comm: 202-755-4854	ANPRM: 44FR37517(6/27/79) NPRM: 3/80 FR: 9/80
Reporting Identities of Trade Name Chemical Products (SAN No. 1518)	A. **Description**: This rule will require certain manufacturers and processors to report the chemical identities of specific trade name chemical products. EPA will use this information to assign chemical names to certain substances reported for the inventory on section 5 premanufacture requirements. B. **Classification**: Unclassified. C. **Statutory Authority**: TSCA 8(a) and 8(b). D. **CFR Change**: 40 CFR 719.	Suzanne M. Rudzinski EPA (TS-793) Washington, DC 20460 FTS: 8-755-5851 Comm: 202-755-5851	NPRM: 4/80 FR: 9/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	TOXIC SUBSTANCES—Continued		
Standards for Excluding Small Manufacturers and Processors from TSCA 8(a) (SAN No. 1529)	A. **Description**: This rule will establish a general standard which the Administrator can use under most section 8(a) rules to specify which manufacturers and processors qualify as "small" for the purpose of exemptions. B. **Classification**: Unclassified. C. **Statutory Authority**: TSCA 8(a). D. **CFR Change**: 40 CFR 712.	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-755-4854 Comm: 202-755-4854	ANPRM: 4/80 NPRM: 9/80 FR: 3/81
General Assessment Information-Reporting 8 (a) (SAN No. 1551)	A. **Description**: This rule will require chemical manufacturers and processors to supply information on their products—including exposures, by-products, and toxicity. EPA and other agencies will use the information to identify chemicals for possible regulation. B. **Classification**: Major. C. **Statutory Authority**: TSCA 8(a). D. **CFR Change**: 40 CFR 712.	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-755-4854 Comm: 202-755-4854	ANPRM: 3/80 NPRM: 9/80 FR: 3/81
Asbestos Use and Substitutes Reporting (SAN No. 1552)	A. **Description**: This rule will use the reporting authority of section 8(a) to obtain information on the industrial and commercial uses of asbestos fiber. EPA will use this information to support regulation of asbestos under TSCA section 6. B. **Classification**: Major. C. **Statutory Authority**: TSCA 8(a). D. **CFR Change**: 40 CFR 713.	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-755-4854 Comm: 202-755-4854	ANPRM: 44FR60061(10/17/79) NPRM: 4/80 FR: 10/80
Detailed Assessment Information Reporting 8(a) (SAN No. 1553)	A. **Description**: This is the third in a series of reporting regulations to obtain pre-regulatory assessment information. This rule will help provide detailed information on chemicals for which regulatory controls are being developed. The rule will apply to chemical manufacturers and processors. B. **Classification**: Major. C. **Statutory Authority**: TSCA 8(a). D. **CFR Change**: 40 CFR 712(D).	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-755-4854 Comm: 202-755-4854	ANPRM: 3/80 NPRM: 12/80 FR: 5/81
Records and Reports of Allegations of Significant Adverse Reactions to Health or the Environment (SAN No. 1138, Docket No. OPTS-083001)	A. **Description**: This regulation will establish procedures for recording and reporting allegations of adverse reactions to health or the environment. B. **Classification**: Major. C. **Statutory Authority**: TSCA 8(c). D. **CFR Change**: 40 CFR 717.	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-755-4854 Comm: 202-755-4854	ANPRM: 42FR56686(3/11/77) NPRM: 3/80 FR: 12/80
Health and Safety Data Reporting (SAN No. 1139, Docket No. OTS-084003)	A. **Description**: This rule would require chemical manufacturers, processors, distributors, and others who possess health and safety studies on specifically listed chemicals to submit them to EPA. EPA will use these studies to assess the health and environmental effects of the chemicals and to determine what kind of testing rules the agency should promulgate under section 4(a) of TSCA. EPA will amend this rule from time to time by adding to the list of chemicals subject to this rule. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 8(d). D. **CFR Change**: 40 CFR 716.	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-755-4854 Comm: 202-755-4854	NPRM: 44FR77470(12/31/79) FR: 9/80
	WATER		
Statewide 208 Dredged or Fill Regulatory Programs (SAN No. 1401)	A. **Description**: This regulation will allow States to administer the section 404 permit program as it applies to waters that are not traditionally navigable. It implements provisions of the 1977 Amendments (to the Clean Water Act) which transfer this authority from the U.S. Army Corps of Engineers to the States. Under a statewide 208 regulatory program, a State will be able to control discharges flexibly, with Best Management Practices that it can develop to reflect local conditions. B. **Classification**: Routine. C. **Statutory Authority**: CWA 208(B)(4). D. **CFR Change**: Addition to 40 CFR 35.1500.	John Cross EPA (WH-554) Washington, DC 20460 FTS: 8-755-2114 Comm: 202-755-2114	NPRM: 6/80 Final: 11/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER—Continued		

The Clean Water Act and a modified consent decree in *NRDC v. Costle*, 12 ERC 1833 (D.D.C. 1979), require that EPA develop guidelines to control toxic substances in industrial effluents. Section 307(a) of the Act identifies 65 toxic pollutants; they are listed in Table 1 of Committee Print 95-30 of the Committee on Public Works and Transportation, House of Representatives.

Section 304 requires that EPA determine the best available technology (BAT) to control toxic pollutants from existing point sources. BAT will consist of the most effective technology which can still be economically achieved by the affected industries. EPA will also determine best conventional technology (BCT) which industries can use on conventional pollutants which do not require BAT.

Under Section 306 of the Act, EPA is establishing new source performance standards (NSPS) for new plants. Under Sections 307(b) and 307(c), EPA will set pretreatment standards for both existing and new sources which discharge into municipal waste treatment systems. These sets of standards will in most cases require technologies equivalent to BAT.

Major issues raised in setting effluent guidelines are:

(1) Identification of the major pollutants discharged to and from treatment systems;
(2) Determination of the major technology options to control these pollutants;
(3) Determination of the capital and annual costs of the technology options; and
(4) Determination of the resulting economic impacts.

EPA is developing guidelines for each of the industries listed below.

Iron and Steel Manufacturing (SAN No. 1405)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 420.	Ed Dulaney EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 11/80 FR: 6/81
Petroleum Refining Point Source Category (SAN No. 1406)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 419.	John Lum EPA (WH-522) Washington, DC 20460 FTS: 8-426-2707 Comm: 207-426-2702	NPRM: 44FR75926(12/21/79) FR: 6/80
Timber Products Processing (SAN No. 1407)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 429.	Richard E. Williams EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: 44FR62810(10/31/79) FR: 7/80
Steam Electric Power Generating Point Source Category (SAN No. 1408)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 423. D. Analysis: REG. ANALYSIS.	John Lum EPA (WH-552) Washington, DC 20460 FTS: 8-426-2707 Comm: 202-426-2707	NPRM: 5/80 FR: 12/80
Leather Tanning and Finishing (SAN No. 1409)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 425.	Donald F. Anderson EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 44FR38746(7/2/79) Final: 11/80
Nonferrous Methods Manufacturing Point Source Category (SAN No. 1410)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 421.	Patricia Williams EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 9/80 FR: 4/81
Paint Formulation (SAN No. 1411)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 446.	James Berlow EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: 45FR912(1/3/80) FR: 7/80
Ink Formulation (SAN No. 1411A)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 447.	James Berlow EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: 45FR928(1/3/80) Final: 7/80
Ore Mining and Dressing Point Source Category (SAN No. 1413)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 440.	B. Matthew Jarrett EPA (WH-552) Washington, DC 20460 FTS: 8-426-2707 Comm: 202-426-2707	NPRM: 9/80 FR: 4/81
Coal Mining Point Source Category (SAN No. 1414)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307 501. C. CFR Change: 40 CFR 434.	Dennis Rudy EPA (WH-552) Washington, DC 20460 FTS: 8-426-2707 Comm: 202-426-2707	NPRM: 9/80 FR: 3/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER—Continued		
Organic Chemicals (SAN No. 1415)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 414. D. Analysis: UCIA.	E. H. Forsht EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 10/80 Final: 5/81
Inorganic Chemicals Manufacturing Point Source Category (SAN No. 1416)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 415.	Elwood Martin EPA (WH-552) Washington, DC 20460 FTS: 8-426-2582 Comm: 202-426-2582	NPRM: 3/80 FR: 9/80
Textile Mills (SAN No. 1417)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 410.	James Berlow EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: 44FR62204(10/29/79) FR: 6/80
Plastics & Synthetics (SAN No. 1418)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 416.	E. H. Forsht EPA (WH-512) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 10/80 FR: 5/81
Pulp, Paper, and Paperboard (SAN No. 1419)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 430. D. Analysis: REG. ANALYSIS.	Robert Dellinger EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: 10/80 FR: 5/81
Rubber Processing (SAN No. 1420)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 428. D. Analysis: REG. ANALYSIS.	J. S. Vitalis EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 44FR75016(12/18/79) Final: 11/80
Soap and Detergents Manufacturing (SIC 2841) (San No. 1421)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 417. D. Analysis: REG. ANALYSIS.	E. H. Forsht EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	
Auto and Other Laundries (SAN No. 1422)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 444.	Elwood Martin EPA (WH-552) Washington, DC 20460 FTS: 8-426-2582 Comm: 202-426-2582	NPRM: 9/80 Final: 3/81
Miscellaneous Chemicals: Adhesives and Sealants (SAN No. 1423)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307 & 501. C. CFR Change: 40 CFR 456.	Elwood Forsht EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	
Miscellaneous Chemicals: Explosives Manufacturing (SAN No. 1424)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 457.	Elwood Martin EPA (WH-552) Washington, DC 20460 FTS: 8-426-2582 Comm: 202-426-2582	NPRM: 7/80 FR: 2/81
Miscellaneous Chemicals: Gum and Wood (SAN No. 1425)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307 501. C. CFR Change: 40 CFR 454.7.	William Thomson EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: 44FR68710(11/29/79) FR: 6/80
Miscellaneous Chemicals: Pesticides (SAN No. 1426)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 455.	George Jett EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 10/80 FR: 5/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER—Continued		
Miscellaneous Chemicals: Pharmaceuticals (SAN No. 1427)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 439.	Joe Vitalis EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 7/80 FR: 1/81
Electroplating (SAN No. 1428)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 413. D. Analysis: UCIA.	Richard Kinch EPA (WH-552) Washington, DC 20460 FTS: 8-426-4617 Comm: 202-426-4617	NPRM: 9/80 FR: 4/81
Photographics (SAN No. 1429)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 459.	John Newborough EPA (WH-552) Washington, DC 55460 FTS: 8-426-4617 Comm: 202-426-4617	NPRM: 11/80 FR: 6/81
Mechanical Products (SAN No. 1430)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 433.	Richard Kinch EPA (WH-552) Washington, DC FTS: 8-426-4617 Comm: 202-426-4617	NPRM: 9/80 FR: 4/81
Electrical & Electronic Products (SAN No. 1431)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307. C. CFR Change: 40 CFR 469.	Richard Kinch EPA (WH-552) Washington, DC 20460 FTS: 8-426-4617 Comm: 202-426-4617	NPRM: 12/80 FR: 7/81
Metal Moulding and Casting Foundries (SAN No. 1432)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 464.	John Williams EPA (WH-552) Washington, DC 20460 FTS: 8-426-2582 Comm: 202-426-2582	NPRM: 9/80 FR: 4/81
Copper Forming (SAN No. 1433)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 468.	John Williams EPA (WH-552) Washington, DC 20460 FTS: 8-426-2582 Comm: 202-426-2582	NPRM: 11/80 FR: 6/81
Battery Manufacturing (SAN No. 1434)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 461.	Mary Belefski EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 12/80 FR: 7/81
Coil Coating (SAN No. 1435)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 465.	Rex Reges EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 10/80 FR: 5/81
Plastic Molding and Forming (SAN No. 1436)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 463.	Rex Reges EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 8/81 FR: 3/82
Porcelain Enameling (SAN No. 1437)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 466.	Kathryn Lowry EPA (WH-552) Washington, DC 20460 FTS: 8-426-2582 Comm: 202-426-2582	NPRM: 11/80 FR: 6/81
Aluminum Forming (SAN No. 1438)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501. C. CFR Change: 40 CFR 467.	Patricia Williams EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 11/80 FR: 6/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER—Continued		
Nonferrous Metals Forming (SAN No. 1568)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501. C. **CFR Change**: 40 CFR 471.	Patricia Williams EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 11/82 FR: 6/83
Fruits and Vegetables (SAN No. 1569)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307. C. **CFR Change**: Revisions to 40 CFR 407.	Donald F. Anderson EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 12/80
Poultry (SAN No. 1602)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307. C. **CFR Change**: Revisions to 40 CFR 432.	Arthur Shattuck EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 3/81
Beverages (SAN No. 1603)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501. C. **CFR Change**: Additions to 40 CFR 438.	Arthur Shattuck EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 6/81
Edible Oils (SAN No. 1572)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501. C. **CFR Change**: Additions to 40 CFR 462.	Arthur Shattuck EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 9/81
Dairy (SAN No. 1573)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 316. C. **CFR Change**: Revisions to 40 CFR 405.	William M. Sonnett EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: (BCT) 12/80
Meat Packing (SAN No. 1574)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 316. C. **CFR Change**: Revision to 40 CFR 432.	Al Dysinger EPA (WH-552) Washington, DC 20460 FTS: 8-426-6770 Comm: 202-426-6770	NPRM: Fall 1980 FR: Spring 1981
Beet Sugar Processing (SAN No. 1575)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 316. C. **CFR Change**: Revision to 40 CFR 409.	William M. Sonnett EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: Fall 1981
Grain Mills (SAN No. 1576)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 316. C. **CFR Change**: Revision to 40 CFR 406.	William M. Sonnett EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: Fall 1981
Cane Sugar Refining (SAN No. 1577)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 316. C. **CFR Change**: Revisions to 40 CFR 409.	William M. Sonnett EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	FR: 12/80
Revision of Water Quality Standards Regulation (SAN No. 1441)	A. **Description**: This regulation may require States to adopt Water Quality Standards for some toxic pollutants covered by ambient water quality criteria. One effect of this will be that dischargers (both municipal and industrial) may have to install treatment technology beyond that required by Best Practical Wastewater Treatment Technology (BPWTT) or Best Available Technology (BAT) guidelines. B. **Classification**: Major. C. **Statutory Authority**: CWA 303. D. **CFR Change**: 40 CFR 35.1550. E. **Analysis**: REG. ANALYSIS.	David Sabock EPA (WH-585) Washington, DC 20460 FTS: 8-245-3030 Comm: 202-245-3030	ANPRM: 43FR29588(7/10/78) NPRM: 5/80 Final: 5/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER—Continued		
Quality Criteria for Water: Volume II (SAN No. 1442)	A. **Description**: The consent decree in *NRDC v. Train* requires that EPA establish ambient water quality criteria for 65 pollutants. The States will refer to this guidance when they establish water quality standards. This guidance is an important Agency decision. B. **Classification**: Unclassified. C. **Statutory Authority**: CWA 304. D. **CFR Change**: This action will not be codified in CFR..	Frank Gostomski EPA (WH-585) Washington, DC FTS: 8-245-3042 Comm: 202-245-3042	NPRM(27): 44FR15926(3/15/79) NPRM(26): 44FR43660(7/25/79) NPRM(12): 44FR56628(10/1/79) FR: 9/80
Addition of Ammonia to Toxics List (SAN No. 1578)	A. **Description**: This action considers adding ammonia to the section 307(a) list of toxic pollutants. B. **Classification**: Routine. C. **Statutory Authority**: CWA 307(a). D. **CFR Change**: This action will not be codified in CFR..	Frank Gostomski EPA (WH-585) Washington, DC 20460 FTS: 8-245-3042 Comm: 202-245-3042	NPRM: 45FR803(1/3/80) FR: 9/80
Reportable Quantities of Oil Discharge (SAN No. 1579)	A. **Description**: This revision will extend reporting requirements for oil discharges from 12 miles to 200 miles offshore and will provide for statutory exemptions. B. **Classification**: Routine. C. **Statutory Authority**: CWA 311(b). D. **CFR Change**: Revision to 40 CFR 110.	Hans Crump-Wiesner EPA (WH-548) Washington, DC 20460 FTS: 8-245-3045 Comm: 202-245-3045	ANPRM: 6/80 NPRM: 11/80 FR: 2/81
Designation of Carcinogens as Hazardous Substances (SAN No. 1580)	A. **Description**: This regulation identifies substances which pose a threat of cancer to people who drink from water sources which contain discharges of hazardous substances. In conjunction with CFR Part 117, it makes possible prompt discovery and clean-up of discharges. This regulation is required by section 311. B. **Classification**: Major. C. **Statutory Authority**: CWA 311(b)(2)(A). D. **CFR Change**: Addition to 40 CFR 116.	Joseph Lewis EPA (WH-585) Washington, DC 20460 FTS: 8-245-0581 Comm: 202-245-0581	ANPRM: 44FR10270(2/16/79) NPRM: 4/80 Final: 10/80
Designation of Human Acute Toxicants as Hazardous Substances (SAN No. 1581)	A. **Description**: Section 311 requires the Agency to develop and if necessary amend regulations that identify hazardous substances which present imminent danger to human health when discharged into U.S. waters. Accordingly, this regulation amends CFR Part 116 by identifying additional toxic substances which pose a threat to people when discharged into drinking water sources. B. **Classification**: Major. C. **Statutory Authority**: CWA 311(b)(2)(A). D. **CFR Change**: Additon to 40 CFR 116.	Joseph Lewis EPA (WH-585) Washington, DC 20460 FTS: 8-245-0581 Comm: 202-245-0581	FR: 43FR10474(3/13/78) NPRM: 6/80 FR: 2/81
Determination of Reportable Quantities for Carcinogenic Hazardous Substances (SAN No. 1582)	A. **Description**: This regulation provides the reporting requirements necessary under section 311 for substances designated in CFR Part 116 as hazardous. B. **Classification**: Major. C. **Statutory Authority**: CWA 311(b)(4). D. **CFR Change**: Addition to 40 CFR 117.	Joseph Lewis EPA (WH-585) Washington, DC FTS: 8-245-0581 Comm: 202-245-0581	ANPRM: 44FR10271(2/16/79) NPRM: 4/80 Final: 10/80
Determination of Reportable Quantities for Human Acute Toxicants (SAN No. 1583)	A. **Description**: This regulation provides the reporting requirements necessary under section 311 for substances identified as hazardous in CFR Part 116. B. **Classification**: Major. C. **Statutory Authority**: CWA 311(b)(4). D. **CFR Change**: Addition to 40 CFR 117.	Joseph Lewis EPA (WH-585) Washington, DC 20460 FTS: 8-245-0581 Comm: 202-245-0581	FR: 44FR50766(8/29/79) NPRM: 6/80 FR: 2/81
Liability Limits for Small Onshore Hazrdous Substances Storage Facilities (SAN No. 1512)	A. **Description**: This action amends CFR Part 113 which sets liability limits for small onshore oil storage facilities by providing a similar limit for small hazardous substances storage facilities. It will set forth eligibility criteria for limitations of liability to less than $50 million. It should help small facilities to obtain liability insurance. B. **Classification**: Routine. C. **Statutory Authority**: CWA 311(f)(2). D. **CFR Change**: Addition to 40 CFR 113.	James Kohler EPA (WH-585) Washington, DC 20460 FTS: 8-245-3036 Comm: 202-245-3036	NPRM: 5/80 Final: 12/80
Hazardous Substances Pollution Prevention for Facilities Subject to Permitting Requirements of Section 402 (SAN No. 1451)	A. **Description**: This regulation's purpose is to prevent spills of hazardous substances. It sets forth requirements for the Spill Prevention Control and Countermeasure Plans for facilities which (a) are not related to transportation, and (b) which handle hazardous substances, and (c) are subject to NPDES permits. The Agency will set the date for the final rule when the Cost Impact Analysis is completed. B. **Classification**: Routine. C. **Statutory Authority**: CWA 311(j)(1)(C). D. **CFR Change**: 40 CFR 151.	Thomas Charlton EPA (WH-548) Washington, DC FTS: 8-245-3045 Comm: 202-245-3045	NPRM: 43FR39276(9/1/78)

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER—Continued		
Oil Pollution Prevention Regulation (SAN No. 1584)	A. **Description**: This revision to 40 CFR 112 will extend EPA's oil pollution authority from three miles to two hundred miles offshore. B. **Classification**: Routine. C. **Statutory Authority**: CWA 311(j)(1)(C). D. **CFR Change**: Revisign to 40 CFR 112.	Thomas Charlton EPA (WH-548) Washington, DC 20460 FTS: 8-245-3045 Comm: 202-245-3045	NPRM: 3/80
Reduced Maximum Clean-up Liabilities for Discharges of Oil and Hazardous Substances from Land-Based Facilities (SAN No. 1447)	A. **Description**: This regulation will establish maximum limits of liability that range from $8 million to $50 million for certain classes of facilities that measurably reduce the risk that their discharge might damage the environment. The facilities covered by this regulation are those that have begun beneficial engineering practices or discharge treatment or control. B. **Classification**: Routine. C. **Statutory Authority**: CWA 311(q). D. **CFR Change**: EPA will later assign a CFR Part Number to this regulation..	James Kohler EPA (WH-585) Washington, DC 20460 FTS: 8-245-3036 Comm: 202-245-3036	NPRM: 6/80 Final: 2/81
Gray Water Discharges from Commercial Vessels on the Great Lakes (SAN No. 1448)	A. **Description**: These rules establish secondary treatment or equivalent requirements for commercial vessels navigating the Great Lakes. B. **Classification**: Major. C. **Statutory Authority**: CWA 312(c)(2)(B). D. **CFR Change**: 40 CFR 140.	Jonathan Amson EPA (WH-585) Washington, DC 20460 FTS: 8-245-3036 Comm: 202-245-3036	NPRM: 1/81 FR: 12/81
Drinking Water Intake Zone Exemptions (SAN No. 1449)	A. **Description**: This notice establishes the factors which States must consider in petitioning the Agency for authority to designate drinking water intake zones. Vessels are prohibited from discharging their sewage into zones with this designation. B. **Classification**: Unclassified. C. **Statutory Authority**: CWA 312(f)(4)(B). D. **CFR Change**: This action will not be codified in CFR..	Jonathan Amson EPA (WH-585) Washington, DC 20460 FTS: 8-245-3036 Comm: 202-245-3036	NOTICE: 44FR54111(9/18/79)
Ocean Discharge Criteria (SAN No. 1454)	A. **Description**: These regulations are guidelines designed to protect marine resources and their life from the harmful effects of pollution. They look to workable land based alternatives and to recycle/reuse technologies to limit marine pollution. The Agency will use these guidelines to evaluate all NPDES permit applications that involve discharges from point sources into the territorial seas, contiguous zone, and ocean. B. **Classification**: Routine. C. **Statutory Authority**: CWA 403(c). D. **CFR Change**: Revisions to 40 CFR 220-27.	Kenneth Farber EPA (WH-586) Washington, DC 20460 FTS: 8-472-5746 Comm: 202-472-5746	IFR: 44FR65751(11/15/79) NPRM: 45FR9548(2/12/80) FR: 7/80
Guidelines for Specification of Disposal Sites for Dredged or Fill Material (SAN No. 1455)	A. **Description**: These guidelines provide the substantive criteria and the evaluative tools for selecting a disposal site for dredged or fill material having an acceptable (or negligible) environmental impact. The section 404 program is the principal means for protecting waters of the United States from degradation through physical modification. The program also plays a key role in protecting water quality from chemical pollution and in protecting fish and wildlife. Interim Final Guidelines were published in 1975. These revised guidelines are necessary to bring in new scientific information, experience from program operation, and statutory changes to the program (1977 amendments to the Act). B. **Classification**: Routine. C. **Statutory Authority**: CWA 404(b)(1). D. **CFR Change**: Revision to 40 CFR 230.	David Davis EPA (WH-585) Washington, DC FTS: 8-472-3400 Comm: 202-472-3400	IFR: 40FR41292(9/5/75) NPRM: 44FR54222(9/18/79) FR: 5/80
Guidelines for Specification of Disposal Sites for Dredged or Fill Material (Revision of Chemical and Biological Testing and Mixing Zone Determinations) (SAN No. 1585)	A. **Description**: This rulemaking will revise part of the section 404(b)(1) guidelines: (1) To bring the 1975 Interim Final Guidelines up to date—in the light of new research and management information on testing procedures, and (2) To provide a format for the testing procedures; which will be clearer for both applicants and permitting officials. B. **Classification**: Unclassified. C. **Statutory Authority**: CWA 404(b)(1). D. **CFR Change**: Revision to 40 CFR 230.	David Davis EPA (WH-585) Washington, DC FTS: 8-472-3400 Comm: 202-472-3400	IFR: 40FR41292(9/5/75) NPRM: 44FR54222(9/18/79) ANPRM: 3/80 NPRM: 9/80 Final: 2/81
Sludge Management Guidelines (SAN No. 1459, Docket No. 405)	A. **Description**: The regulations will provide guidelines for the disposal and use of wastewater treatment plant sludge, including the distribution and marketing of fertilizers and soil conditioners derived from sewage sludge. The fall 1980 proposal will apply to the distribution and marketing of sewage products. Additional proposals on other sludge management will come later. B. **Classification**: Major. C. **Statutory Authority**: CWA 405. D. **CFR Change**: 40 CFR 258. E. **Analysis**: UCIA.	Emery C. Lazar EPA (WH-564) Washington, DC 20460 FTS: 8-755-9120 Comm: 202-755-9120	NPRM: Fall 1980 FR: Fall 1981

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER—Continued		
Requirements for Application for 301(c) Variances (SAN No. 1404)	A. **Description**: Section 301(c) of the Clean Water Act provides for waivers on economic grounds of the strict requirements of BAT controls for non-toxic, non-conventional pollutants. This regulation will establish application ground rules and national criteria for granting variances from BAT requirements. B. **Classification**: Routine. C. **Statutory Authority**: CWA 301(i)(B). D. **CFR Change**: Addition to 40 CFR 125.	Ed Kramer EPA (EN-336) Washington, DC 20460 FTS: 8-755-0750 Comm: 202-755-0750	NPRM: 4/80 FR: 12/80
Amendments to General Pretreatment Regulation (SAN No. 1502)	A. **Description**: These amendments, written under a settlement agreement with industry plaintiffs who sued EPA, clarify the existing General Pretreatment Regulation (43FR27736 - June 26, 1978). B. **Classification**: Routine. C. **Statutory Authority**: CWA 307. D. **CFR Change**: 40 CFR 403.	William R. Diamond EPA (EN-336) Washington, DC 20460 FTS: 8-755-0750 Comm: 202-755-0750	NPRM: 44FR62260(10/29/79) NPRM: 45FR3063(1/16/80) FR: 6/80
	JOINT PROGRAMS		
Consolidated Rules of Practice Governing the Assessment of Civil Penalties (SAN No. 1140)	A. **Description**: These rules provide procedural guidelines for the conduct of formal adjudications in several different programs. They prescribe uniform procedures for these several programs and will reduce paperwork, inconsistency, and burden on regulated persons. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 16, FIFRA 14, RCRA 3008, MPRSA 105, CAA 211. D. **CFR Change**: Deletions from 40 CFR 80, 168, 226, - Addition to 40 CFR 22.	Steve Leifer EPA (EN 342) Washington, DC 20460 FTS: 8-755-0970 Comm: 202-755-0970	NPRM: 43FR34730(8/4/78) FR: 3/80
Consolidated Permit Regulations (SAN No. 1460)	A. **Description**: This regulation integrates program descriptions, state program requirements and procedures for decision-making for four EPA regulatory programs: Hazardous Waste Management Program under RCRA; Underground Injection Control Program under SDWA; National Pollutant Discharge Elimination System; and the Section 404 (Dredge or Fill) Program under CWA. It also consolidates permit issuance procedures for EPA-issued Prevention of Significant Deterioration permits under CAA. Each of the above statutes requires EPA to promulgate regulations to establish a permitting program. B. **Classification**: Major (RCRA, SDWA). C. **Statutory Authority**: CWA 402, RCRA 3005, SDWA 1421, CAA 165. D. **CFR Change**: 40 CFR 122-124. E. **Analysis**: EIS (SDWA, RCRA), REG. ANALYSIS (RCRA ONLY).	Ed Kramer EPA (EN 336) Washington, DC 20460 FTS: 8-755-0750 Comm: 202-755-0750	NPRM (RCRA): 44FR34244(6/14/79) NPRM (SDWA): 41FR36730(8/31/76) RPRM (SDWA): 44FR23738(4/20/79) FR: 4/80
	GENERAL		
Assessing the Environmental Effects of EPA Actions Abroad (SAN No. 1565)	A. **Description**: Presidential Executive Order 12114 requires each Federal agency to publish procedures for assessing the effects of its activities outside the United States. EPA has complied by integrating these procedures with the existing NEPA/EIS regulations, which already provide for assessing the effects of EPA activities. B. **Classification**: Routine. C. **Statutory Authority**: Presidential Executive Order 12114. D. **CFR Change**: 40 CFR 1 (Subpart J).	Thomas R. Sheckells EPA (A-104) Washington, DC 20460 FTS: 8-755-0790 Comm: 202-755-0790	NPRM: 44FR68776(11/29/79) FR: 3/80
Historic Preservation Regulations (SAN No. 1566)	A. **Description**: On January 30, 1979, the Advisory Council on Historic Preservation promulgated regulations that direct Federal agencies to establish procedures for implementing historic preservation requirements. EPA will comply by adding a new subpart to the NEPA regulations. This makes sense, since subpart C of NEPA already deals with historic preservation requirements in a preliminary way. B. **Classification**: Routine. C. **Statutory Authority**: National Historic Preservation Act. D. **CFR Change**: 40 CFR 6.	Thomas R. Sheckells EPA (A-104) Washington, DC 20460 FTS: 8-755-0790 Comm: 202-755-0790	NPRM: 5/80 FR: 10/80

REGULATIONS DELETED FROM THE PREVIOUS AGENDA

Title and SAN(#)	Statutory Authority/CFR	Reason Deleted	Date & Cite of Last Action
AIR			
NSPS-Fossil Fuel Steam Generators (SAN No. 1005)	CAA 111/40 CFR 60	Completed	FR: 44FR33580(6/11/79)
List of New Source Performance Standards (SAN No. 1123)	CAA 111(f)/40 CFR 60	Completed	FR: 44FR49222(8/21/79)
1979 Listing of Radioactive Pollutants (SAN No. 1305)	CAA 112, 122/No CFR cite	Completed	FR: 44FR76738(12/27/79)
Light-Duty Diesel Particulate Standards (SAN No. 1309)	CAA 202/40 CFR 86	Completed	FR: 3/5/80
HC & CO Emission Standards for Heavy Duty Vehicles (Over 8500 Pounds) (SAN No. 1314)	CAA 202(a)(3)/40 CFR 86	Completed	FR: 45FR4136(1/21/80)
Testing Retrofit Devices for Fuel Economy Performance (SAN No. 1333)	MVICSA 511/40 CFR 85	Completed	FR: 44FR17946(3/23/79)
NAAQS – Photochemical Oxidants (SAN No. 1000)	CAA 108/40 CFR 50	Completed	FR: 44FR8234(2/8/79)
NSPS – Gas Turbines (SAN No. 1117)	CAA 111/40 CFR 60	Completed	FR: 44FR52792(9/10/79)
Guidelines for Existing Kraft Pulp Mills (SAN No. 1122)	CAA 111(d)/40 CFR 60	Completed	FR: 44FR29828(5/22/79)
NESHAPS: Asbestos-Iron Ore Beneficiation (SAN No. 1124)	CAA 112/40 CFR 61	Postponed indefinitely.	
NESHAPS: Vinyl Chloride (SAN No. 1125)	CAA 112/40 CFR 61	Postponed indefinitely.	FR: 42FR29005(6/7/77)
Test Procedures for Measuring Heavy Duty Evaporative Emissions (SAN No. 1311)	CAA 202(a)/40 CFR 86	Combined with SAN No. 1312.	
Engine Parameter Adjustment Regulations (SAN 1321)	CAA 206(b)/40 CFR 86	Completed	FR: 44FR2960(1/12/79)
Monitoring Regulations (SAN No. 1332)	CAA 319/40 CFR 52, 53, 58, 60	Completed	FR: 44FR27558(5/10/79)
DRINKING WATER			
National Secondary Drinking Water Regulations (SAN No. 1203)	SDWA 1412(c)/40 CFR 143	Completed	FR: 44FR42195(7/19/79)
NOISE			
Noise Emission Standards for Truckmounted Solid Waste Compactors (SAN No. 1171)	NCA 5 & 6/40 CFR 204	Completed	FR: 44FR56524(10/1/79)
Labeling: Hearing Protectors (SAN No. 1174)	NCA 8/40 CFR 211	Completed	FR: 44FR56130(9/28/79) FR: 45FR8272(2/6/80)

REGULATIONS DELETED FROM THE PREVIOUS AGENDA

Title and SAN(#)	Statutory Authority/CFR	Reason Deleted	Date & Cite of Last Action
NOISE—Continued			
Labeling: General Provisions (SAN No. 1175)	NCA 8/40 CFR 211	Completed	FR: 44FR56120(9/28/79)
Interstate Rail Carrier Noise Standards Revision: Source—Specific Rail Yard Standards (SAN No. 1179)	NCA 17/40 CFR 201	Completed	FR: 45FR1252(1/4/80)
PESTICIDES			
Pesticide Use Restrictions (SAN No. 1149)	FIFRA 3/40 CFR 162	Completed	FR: 44FR45131(8/1/79)
Registration Data Compensation (SAN No. 1151)	FIFRA 3(c)(1)(D)/40 CFR 162	Completed	FR: 44FR27945(5/11/79)
Conditional Registration Regulation (SAN No. 1150)	FIFRA 3(c)(7)/40 CFR 162	Completed	IFR: 44FR27932(5/11/79)
State Experimental Use Permits (SAN No. 1152)	FIFRA 5(f)/40 CFR 172	Completed	FR: 44FR41783(7/18/79)
Exemption of New Human Drugs (SAN No. 1155)	FIFRA 25(c)(2)/40 CFR 162	Completed	FR: 44FR32684(6/7/79)
RADIATION			
Protective Action Guidelines for Nuclear Emergencies *(SAN No. 1160)*	AEA 274(h)/No CFR Cite	Combined with SAN No. 1514	
Recommendations Regarding Florida Phosphate Tailings (SAN No. 1165)	PHSA 301/No CFR Cite	Completed	Recommendations: 44FR38664 (7/2/79)
SOLID WASTE			
Standards Applicable to Generators of Hazardous Waste (SAN No. 1192)	RCRA 3002/40 CFR 262	Completed	FR: 45FR12724(2/26/80)
Standards Applicable to Transporters of Hazardous Waste (SAN No. 1193)	RCRA 3003/40 CFR 263	Completed	FR: 45FR12737(2/26/80)
Development and Implementation of State Solid Waste Management Plans (SAN No. 1198)	RCRA 4002(b)/40 CFR 256	Completed	FR: 44FR45066(7/31/79)
Criteria for Classification of Solid Waste Disposal Facilities (SAN No. 1199)	RCRA 4004(a)/40 CFR 257	Completed	FR: 44FR53438(9/13/79)
TOXIC SUBSTANCES			
Premanufacture Testing Guidance (SAN No. 1133)	TSCA 5/No CFR Cite	Not a regulation	

REGULATIONS DELETED FROM THE PREVIOUS AGENDA

Title and SAN(#)	Statutory Authority/CFR	Reason Deleted	Date & Cite of Last Action
	TOXIC SUBSTANCES —Continued		
PCB's Manufacture and Distribution (SAN No. 1135)	TSCA 6(e)/40 CFR 761	Completed	FR: 44FR31514(5/31/79)
Chlorofluorocarbon Emissions (SAN No. 1136)	TSCA 6/40 CFR 760	Completed	FR: 43FR11318(3/17/78)
	WATER		
Water Quality Management Regulations (SAN No. 1400)	CWA 106, 208, 303(e)/40 CFR 35	Completed	FR: 44FR30016(5/23/79)
Printing and Publishing Services (SAN No. 1412)	CWA 301, 304, 306, 307/40 CFR 448	Postponed indefinitely. Tentative finding is that no significant amounts of toxic pollutants are present.	
Modification of Secondary Treatment Requirements for Marine Discharge (SAN NO. 1402)	CWA 301(h)/40 CFR 125	Completed	FR: 44FR34784(6/15/79)
Best Conventional Pollutant Control Technology: Reasonableness of Existing Effluent Limitation Guidelines (SAN No. 1443)	CWA 304(b)/40 CFR 405–409, 411, 412, 418, 422, 424, 426, 427, 432	Completed	FR: 44FR50732(8/29/79)
Revision of Hazardous Substances Discharge Regulations (SAN No. 1446)	CWA 311/40 CFR 118	Completed	FR: 44FR50766(8/29/79)
Clean Lakes Program (SAN No. 1450)	CWA 314/40 CFR 35	Completed	FR: 45FR7788(2/5/80)
Extension of Pollution Control Deadlines for Publicly-Owned Treatment Works (SAN No. 1403)	CWA 301(i)/40 CFR 125	Completed	FR: 44FR32854(6/7/79)
Best Management Practices (SAN No. 1444)	CWA 304(e)/40 CFR 125	Completed	FR: 44FR32854(6/7/79)
NPDES Permits (SAN No. 1452)	CWA 402/40 CFR 122–125	Completed	FR: 44FR32854(6/7/79)
Second Round Permits (SAN No. 1453)	CWA 402/40 CFR 124	Completed	FR: 43FR58066(12/11/78)

[FR Doc. 80–7677 Filed 3–13–80; 8:45 am]
BILLING CODE 6560–01–C

federal register

Friday
March 14, 1980

Part IV

Department of Agriculture

Animal and Plant Health Inspection Service

Animal Welfare List of Licensed Dealers

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

Animal Welfare; List of Licensed Dealers

Pursuant to the provisions of the Animal Welfare Act (7 U.S.C. 2131 *et seq.*), and the regulations thereunder (9 CFR Part 2), notice is hereby given that the dealers listed below are licensed under said Act:

(Sec. 3, 80 Stat. 351, as amended (7 U.S.C. 2133))

Done at Washington, D.C., this 10th day of March 1980.

J. K. Atwell,

Acting Deputy Administrator, Veterinary Services.

BILLING CODE 3410-34-M

ALABAMA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 6A42	BARKER, NM	BROKEN PINE RABBITRY	RT 1 BOX 59A	CHELSEA 35043
* 6AA22	BRADFORD, N	BRADFORD KENNELS	RT 3 BOX 644	WARRIOR 35180
* 6AR35	BREWER, T	TROPICAL PET CENTER	1437 MONTGOMERY HIGHWAY	BIRMINGHAM 35216
* 6A423	CLARK, R & N	THE BUNNY BARN & WORM RANCH	PO BOX 156	AUTAUGAVILLE 36003
* 6A413	COOK, R & I	R & L KENNELS	PO BOX L	ALICEVILLE 35442
* 6A411	EMERSON, J		RT. 5	HAMILTON 35570
* 6AR37	FOURNIER, SF	PET SAFARI	100 BROADWAY	HOMEWOOD 35209
* 6AR24	FOWLER, TW		RT 2 BOX 459A	THEODORE 36582
* 6AR33	HUNGER, J	NOAH'S ARK	5010 NAIL DR.	HUNTSVILLE 35810
* 6A426	HURST, R	TRIPLE R RABBITRY	219 BAKER DRIVE	EUFAULA 36027
* 6AAR	JOHNSON, C		RT 3 BOX 16A	LUVERNE 36049
* 6AR3R	LEE, RF	LEE'S RABBITTRY	PO BOX 544	THEODORE 36582
* 6AA21	NELSON, YR		305 WHITING CT	DAPHNE 36526
* 6AA1	NORWOOD, H		2309 31ST STREET SW	BIRMINGHAM 35221
* 6AR27	PORT OF PETS		606 BROOKWOOD VILLAGE	BIRMINGHAM 35209
* 6A424	RANDLE, F	R & Y RABBITRY	RT 2 BOX 191A	AUBURN 36830
* 6A41R	SCOTT, D & A	OWL HOLLOW KENNELS	RT. 7	FORT PAYNE 35967
* 6AR10	SCOTT, DRWM	S R S PET CENTER	1119 6TH AVE. SE	DECATUR 35601
* 6AR12	SPILLER PET CENTER		36 MCFARLAND MALL	TUSCALOOSA 35401
* 6AA16	TALLENT, F & M	TALLENT'S RABBIT FARM	RT. 2 BOX 184	CENTRE 35960
* 6A412	TAYLOR, RG		PO BOX 68	WINFIELD 35594
* 6A425	TREANOR, S		1454 FLEETWOOD DR EAST	MOBILE 36605
* 6AA7	WAGER, MW		1707 FAIRMONT ST	DOTHAN 36301
* 6A417	WELLS, G		BOX 368 WELLS CIR, NE	RAINESVILLE 35986
* 6AR7	WHITE, CG	ALAQUATICS PET CENTER	1012 3RD AVE W	BIRMINGHAM 35204

ARIZONA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* A6A15	ABRAHAMS, DL		2742 E. SOUTHERN	PHOENIX 85040
* A6A11	COX, N&G	BORDER-N-KENNELS	BOX 144	NACO 85620
* A6R10	DUNBAR, KL	DUNBAR'S KAY DOT RABBITRY	6710 N WAYCROSS	TUCSON 85704
* A6A20	ELLIOT, L R M		RT 1 BOX 231	CHANDLER 85224
* A6A2R	FITZPATRICK, P	FITZ-BRIM BREEDING RANCH	5315 W TANGERINE RD	TUCSON 85704
* A6A10	HENRY, L	HENRY'S KENNELS	P.O. BOX 72	BUCKEYE 85326
* A6R19	HIGGINS, R	A-A DOGGIE DUDE RANCH	1301 W. HATCHER RD.	PHOENIX 85021
* A6AQ	JETER, MM & WS	SOUTHWESTERN RESEARCH ANIMALS	4834 E GLENN ST	TUCSON 85712
* A6R20	LUDLOW, G	GREG LUDLOW & ASSOCIATES	STAR RT 117	PAYSON 85541
* A6A32	MERTES, R & J	A RABBITRY & SUPPLY	PO BOX 8498-CRR	TUCSON 85738
* A6R17	NOLAN, AJ	THE PET CORRAL	RT 1 BOX 38	SAFFORD 85546
* A6A7	OLLSON, LM	OLLSON'S RARE BIRD FARM	RT 1 BOX 152	GLENDALE 85301
* A6R25	OLSON, G & J	OLSON'S RABBITRY	RT 1 BOX 434	FLAGSTAFF 86001
* A6R23	OLSON, K	BLUE RIBBON RANCH	622 N FORGEUS	TUCSON 85716
* A6A31	ROBERTSON, J		3547 W REDFIELD RD	PHOENIX 85023
* A6R22	ROBINS, A & KINSTLER, A	PHOENIX 85015	1717 W. STELLA LA.	
* A6A27	SCARBOROUGH, TL	PHOENIX TROTTING PARK	RT 2 BOX 619	BUCKEYE 85326
* A6A30	SINGLETON, R & E	STATE SECURITY KENNELS	RT 1 BOX 39	HIGLEY 85236
* A6R1	SOUTHWESTERN SCIENTIFIC C O		4345 E. IRVINGTON RD	TUCSON 85714
* A6RR	WAHRENDORF, W & K	PET'S PARADISE	4631 W TIERRA BUENA	GLENDALE 85306
* A6A8	WATSON, C	WATSONS DOBERMANS	BOX 653	PIMA 85543
* A6A13	YARDLEY, W&S		6001 W. MEDLOCK DR	GLENDALE 85301

ARKANSAS

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 71A56	ALLEN, H		R 4 BOX 25	GRAVETT 72736
* 71A87	ANDREWS, E & L	KYE-TANG KENNEL	904 N.W. L STREET	BENTONVILLE 72712
* 71R22	ANIMAL BEHAVIOR ENTERPRISES INC		4800 ALBERT PIKE	HOT SPRINGS 71901
* 71A62	BAIRD, P	MARTIN CREEK KENNELS		WILLIFORD 72482
* 71A60	BAKER, L		1103 P ST	BARLING 72923
* 71R35	BAKER, MR. & MRS. ANDREW	PEACEFUL VALLEY KENNELS	RT 1 BOX 368	BENTONVILLE 72712
* 71A104	BARNES, MR. & MRS. G.L.		P.O. BOX 646	SILOAM SPRING 72761
* 71A74	BENEGAR, HJ & LC		RT 2	HUNTSVILLE 72740
* 71A99	BISHOP, R		610 NORTH ST	ASHDOWN 71822
* 71A102	BLAKEMAN, AC	TWIN OAKS KENNEL	STAR RT	VAN BUREN 72956
* 71A28	BLOXHAM, M	BLOXHAM PUPPY RANCH	R 4	ROGERS 72756
* 71R32	BRITTON, J	FARWAY FARMS	P.O. BOX 113	FLORAL 72534
* 71R34	BROWN, K	LAZY VK KENNELS	BOX 421	GENTRY 72734
* 71A92	BRUCE D & I		2310 CHURCH ST.	BARLING 72923
* 71A105	BUHLER, F	BUHLERS ARK	RT 2 BOX 652	GOULD 71643
* 71R19	C.R. RABBIT RANCH		RT 1 BOX 162-C	JACKSONVILLE 72076
* 71A76	CAMPBELL, F		1809 N SHORT L ST	FT SMITH 72901
* 71EC	CHATTERTON, F	HILLSIDE KENNEL	DELMAR STAR ROUTE	HARRISON 72601
* 71R12	CHERRY, M	CHERRY'S RABBITRY	STAR ROUTE 7	SEARCY 72143
* 71A112	COLLINS, MR & MRS D		RT 2 BOX 215	PEA RIDGE 72751
* 71A58	COOPER, S		3301 JOHNSON	FT. SMITH 72904
* 71R8	CORBIT, MRS JM	CORBIT RABBITRY	RT 2	SEARCY 72 43
* 71A78	CREWS, JD	WEATHER WATCH KENNELS	ROUTE 1 BOX 143C	WEST FORK 72774
* 71R25	DALTON, WR & WILKINS, D	D & D KENNELS	RT 2 BOX 49	NASHVILLE 71852
* 71A34	DAVIS, WJ & JP	JANBILS KENNELS		GARFIELD 72732
* 71A75	DECKER, WE	CHESTNUT CREEK KENNEL	BOX 4192	FAYETTEVILLE 72701
* 71A79	EHRHART, A	ROMANEE KENNELS	R 1	MT VERNON 72111
* 71A108	FLYNT, TW		RT 6 BOX 444	FAYETTEVILLE 72701
* 71A80	FORD, P	ALMOSTA KENNEL	R 1	WEST FORK 72774
* 71A82	FULTON, A	PINE TREE KENNEL	BOX 175	OMAHA 72662
* 71R30	GARNER, S & G	FOURCHE VALLEY KENNEL	STAR RT	HARVEY 72841
* 71A106	GLENN'S KENNELS		RT 2	WESTFORK 72744
* 71A9	GORSLINE, CR		RT 2 BOX 6A	GRAVETTE 72736
* 71A113	GRIGSON, T		RT 2 BOX 96	LINCOLN 72744
* 71R31	HAYS, P		STAR ROUTE	VAN BUREN 72956
* 71AA	HOLCO, INC		PO BOX 186	FAYETTEVILLE 72701
* 71A88	HOLLAND, D	HOLLAND KENNELS	RT 2	LINCOLN 72744
* 71A63	HUBBARD, M	DOUBLE M KENNEL	PO BOX 389	MOUNTAINSBURG 72946
* 71R36	HUGHES, C & L	CHARLYNN'S KENNELS	RR1,BOX 87A	ROGERS 72756
* 71A101	HUNT, J	TATERBUGS ENGLISH BULLDOGS	523 N MILL ST	SPRINGDALE 72764
* 71A93	JACOBS, A	MORNING STAR KENNEL	RT 2 BOX 270A	BENTONVILE 72712
* 71A25	JESTER, A	JESTER KENNEL	RT 4	BENTONVILLE 72712
* 71A32	JESTER, W	FLYING W KENNELS	R 4	BENTONVILLE 72712
* 71AA1	JONES, K & D	ROCKY TOP KENNEL	R 1	WEST FORK 72774
* 71A103	KORWES, W & R	FERNDALE FERRET FARM	23001 CHANDLER DR.	LITTLE ROCK 72210
* 71A19	KRATZ, D	R&D RABBITRY	RT 2 BOX 22 9	MALVERN 72104
* 71A20	LAMONT, F	LAMONT KENNELS	RT. 2 BOX J 121	FT. SMITH 72916
* 71R7	LANGSTON, M	OZARK MALAMUTE KENNEL	BOX 254	MAMMOTH SPRINGS 73554
* 71A30	LASWELL, T	TOO-RIC KENNELS	PO BOX 418	GENTRY 72734
* 71A114	LAWRENCE, D		RT 4 BOX 380	FAYETTEVILLE 72701
* 71A111	LEE, R & S		RT 1 BOX 331	SILOAM SPRINGS 72761

ARKANSAS

LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 71A70	LEHMAN, R	ROSA KENNELS	PO BOX 562	SPRINGDALE 72764
* 71A60	LEONARD, K		RT 2 BOX 177	GRAVETTE 72736
* 71A90	LIPE, D		STAR RT BOX 1618	VAN BUREN 72956
* 71A31	MARRS, DRH		PO BOX 66	COLT 72326
* 71A109	MARTIN, A	MAPLE HILL FARM	RT 1 BOX 31	SULPHUR SPRINGS 72768
* 71A98	MAY, J & V		107 I ST NE	BENTONVILLE 72712
* 71A107	MC MASTER, F		GENERAL DELIVERY	CEDARVILLE 72932
* 71A55	MCARDELL, L	LANDELL KENNELS	BOX 99	CANE HILL 72717
* 71A100	MCCOWN, M	OZARK'S SHADOW	RT 2 BOX 2688	GENTRY 72734
* 71A72	MCMASTERS, JD	MCMASTERS KENNELS		SULPHER SPRINGS 72768
* 71R1	MILLER, M	MA-HA KENNELS	BOX 111 RT N	YELLVILLE 72687
* 71A91	MOORE, C	RITZ COMMUNITY	RT 7 NELLIE DIST	MENA 71953
* 71A27	MOREFIELD, D	DAISY KENNELS	BOX 283	GENTRY 72734
* 71A52	MORRIS, S	CANINES FINEST KENNEL	R 2 BOX 314	PIGGOTT 72454
* 71R24	NOLAN, G & A	WILDWOOD KENNEL	STAR ROUTE	VAN BUREN 72956
* 71PF	PEL-FREEZ RABBIT MEAT INC		PO BOX 68	ROGERS 72756
* 71A15	PHILLIPS, D	PHILLIP'S KENNELS	RT. 4	ROGERS 72756
* 71A11	PLATT, R	PLATT'S KENNELS	R 2	PRAIRIE GROVE 72753
* 71A35	PROPHET, FRA	PROPHET KENNELS	809 NORTH 16TH ST	VAN BUREN 72956
* 71A97	REMINGTON, H	HUGH REMINGTON KENNELS	RT 2	PRARIE GROVE 72753
* 71RC	ROBISON, R	BRYANT COVE KENNEL	RT 1 BOX 47	CASA 72025 .
* 71A26	ROUSE, GF	ROUSE KENNEL	RT 1	FARMINGTON 72730
* 71A29	SAGARSEE, P		RT 1 LOST BRIDGE RD127	GARFIELD 72732
* 71A42	SANDERSON, G		RR 1	LONDON 72847
* 71A86	SHADY REST KENNELS	SHADY REST KENNELS	RT 3 BOX 28	MAMMOTH SPRINGS 72554
* 71A89	SHEPARD C		2601 SO. 56 ST.	FT. SMITH 72903
* 71R29	SHEPARD, M	ROSEWOOD KENNEL	RT. 1 BOX 367	ALMA 72921
* 71A10	SINGLETON, R		RT 2 BOX 51A	FAYETTEVILLE 72701
* 71SS	SMALL STOCK INDUSTRIES, I NC		PO BOX 157	PEA RIDGE 72751
* 71A36	SMITH, GRD		RT 1 BOX 31	GRAVETTE 72736
* 71A95	SMYTHE, W & D	SHADOW VALLEY KENNELS		R 1 BX 318
* 71A51	SPERLING, D	WINN CREEK KENNELS	RT 1 BOX 281	WINSLOW 72959
* 71A73	STEPHENS, T		RT 1 BOX 107	PEA RIDGE 72751
* 71R1A	STRATTON, T	ARK. COON HOUND KENNELS	HWY 94N	RODGERS 72756
* 71FR	STRIEGLER, CT	FLINT RIDGE KENNEL	RT 2	FAYETTEVILLE 72701
* 71A85	SUTTON, R&L	SHAN-RIC SHELTIES	RT 1 BOX 155	LOWELL 72745
* 71A23	TALBURT, RI		R 3 BOX 50 A	GRAVETTE 72736
* 71A66	TAYLOR, T & N		PO BOX 345	WALNUT RIDGE 72476
* 71A9A	TEMPELMEYER, R & YANCEY, R	DRACHENFELS KENNELS	BOX 281 RT 1	PRARIE GROVE 72753
* 71A4A	TISDALE, G		RT 2 BOX 290	GENTRY 72734
* 71A65	TREE HILL RABBITRY, INC		BOX 141	GRANNIS 71944
* 71A24	WALKER, T		RT 3 BOX 47	GRAVETTE 72736
* 71A39	WARD, R	WARD'S KENNELS	RT 2 BOX 231	GRAVETTE 72736
* 71A71	WARNER, F		RT 1	GENTRY 72734
* 71A96	WEBB, J	WEBB'S KENNEL	P.O. BOX 65	HIWASSE 72739
* 71A50	WINNINGHAM, RM		RT 3	GENTRY 72736
* 71A1A	WORMUTH, M&C	WORMUTH KENNELS	RT 2 BOX 39	MOUNTAINBURG 72946

CALIFORNIA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 93R46	ABERNATHY, JD		175 EAST ST	NORCO 91760
* 93R44	AM NAT'L HERPETOLOGICAL SOC.		PO BOX 240	GLENDORA 91740
* 93R85	ANDREWS, WT & E		1187 MERRILL RD	SAN JUAN BAUTISTA 95045
* 93R32	AYER, JS	JUNGLE JIM'S PET SHOP	321 N MT SHASTA BLVD	MT SHASTA 96067
* 93R89	BADALAMENTI, J & BEAR, B	THE MOUSE FACTORY	13574 PUMICE ST	NORWALK 90650
* 93A75	BARDINI, M		3261 FAY AVE.	LOS ANGELES 90034
* 93A81	BARR, B & M		1515 ARDMORE AVE.	MODESTO 95350
* 93R42	BENTLEY, E & E	VALLEY LABORATORY SUPPLY	4903 BAIN ST	MIRALOMA 91752
* 93R87	BERG, R & L	O'BRIENS GUARD DOG SERVICE	9836 FLORIN RD	SACRAMENTO 95826
* 93A4R	BERGIN, R & P	THE GOLDEN HARE	PO BOX 3167	CARMEL 93921
* 93R79	BISHOP, G&C	BISHOP'S PET CENTER	1777 WINCHESTER BLVD.	CAMPBELL 95008
* 93R84	BLISS, C	CAREY'S WILD ANIMALS	3510 EL RICON WAY	SACRAMENTO 95825
* 93R10	BOND, LE	GLOBAL SEA LIONS	PO BOX 464	SANTA BARBARA 93102
* 93A78	BORDEN, D & J		8908 W VELMA LN.	TRACY 95376
* 93A76	BRISTOW, W & T	CHER MAR KENNEL	4855 PIONEER AVE.	HUGHSON 95326
* 93R9	BURNS, TS	NATIONAL RESEARCH RESOURCES	1033 CALLE MESITA	BONITA 92002
* 93R7	CAL-LUMINUM, INC.		11835 S MORNING AVE	DOWNEY 90241
* 93R26	CAMPBELL, AR	ARC RABBITRY	11203 ROSWELL AVE	POMONA 91766
* 93A66	CANINE COUNTRY CLUB, INC		42116 4TH STREET EAST	LANCASTER 93534
* 93R61	CHRISTENSEN, F & G	CALIFORNIA BIOLOGICAL SUPPLY CO	PO BOX 1736	VISTA 92083
* 93A46	CORR, CP	QUALITY HAMSTERS	PO BOX 5691	OXNARD 93031
* 93A61	COSTLEY, I		931 FRANZI CT	MODESTO 95351
* 93A73	COVELLO, A	STEVINSON RABBITRY	23981 SECOND AVE.	STEVINSON 95374
* 93R29	CURD, ME	CURD'S CAVIARY & ANIMAL SUPPLY	787 S 4TH AVE	LA PUENTE 91746
* 93R17	DAHL BIOLOGICAL SUPPLY, INC		25 HEGENBERGER PL	OAKLAND 94621
* 93R74	DALRI, JR., CS	EXOTICS OF CALIFORNIA	4586 ROSS GATE WAY	PLEASANTON 94566
* 93R5	DE BRONDY, L	CASA DE PETS	PO BOX 1663	STUDIO CITY 91604
* 93R6	DENIO'S ROSEVILLE FARMERS MKT.		PO BOX 999	ROSEVILLE 95678
* 93R86	DOYLE, M		13641 ERWIN ST	VAN NUYS 91401
* 93R54	DUNN, R	L.A. PETS	13419 MONTAGUE	ARLETA 91331
* 93R48	ENGLISH, V	LEOPARD CAT INFORMATION CENTER	PO BOX 3632	HOLLYWOOD 90028
* 93A51	ERDTSIECK, AA	SAFE HAVEN RABBITRY	205 BAILEY AVE.	SANTA ROSA 95401
* 93A88	FORCE, J D		179 E. CORDOBA	SAN CLEMENTE 92672
* 93A1R	FREMAN, NF&MI	LIT RABBITRY	5552 FREEDOM BLVD	APTOS 95003
* 93R51	GIACINTO, J	EXOTIC ANIMALS	19400 SANTA RITA	TARZANA 91356
* 93R69	GILLETTE, W & N	PARADISE HAMSTERY	2912 PARADISE RD	MODESTO 95351
* 93R4	GOEBEL, AR	CAMEL FACTORY	1996 N MAIN	PORTERVILLE 93257
* 93R58	GOERFL, FL		PO BOX 4198	THOUSAND OAKS 91360
* 93R43	GOERFL, L		PO BOX 4198	THOUSAND OAKS 91359
* 93R88	GRAYSON, W & V		872 RESOTA ST	HAYWARD 94545
* 93R83	HALL, C	HALL'S SECURITY DOGS	7915 FOLSOM BLVD	SACRAMENTO 95826
* 93AR9	HATTENSCHWILLER, G	RANCHO GATO	28477 GOETZ RD	QUAIL VALLEY 92380
* 93A22	HENDRICKS, W & G	CREST CAVIARY	4133 OAK GROVE SCHOOL RD	RAYMOND 93653
* 93A3	HERBERT, V & M	HERBERT'S RABBITRY	PO BOX 364	PLYMOUTH 95669
* 93A6A	HOLLOMAN, C & JC		1600 E. MONTE VISTA	CERES 95307
* 93A5A	JOLLY, BM	RETRON PETS	8341 DENNI ST.	CYPRESS 90630

CALIFORNIA

LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 93A60	JOLLY, RT		8341 DENNI ST.	CYPRESS 90630
* 93R20	JUNGLELAND PETS, INC. #1	JUNGLELAND PETS	6099 SAN JUAN AVE	CITRUS HEIGHTS 95610
* 93A86	JUSTESEN, L		16306 GUNNERSON	LAKE ELSINORE 92330
* 93R3	JUSZYK, C&J		PO BOX 3262	THOUSAND OAKS 91359
* 93R90	K-9 DOGS OF SACRAMENTO, INC.		1912 O STREET	SACRAMENTO 95814
* 93EK	KEARLEY, ED		P.O. BOX 2089	TURLOCK 95380
* 93A11	KELLEY, JO		609 F ST	GALT 95632
* 93HK	KNUDSEN, HH		12488 S HARLAN RD	LATHROP 95330
* 93A57	KURZ, E		2970 WOOD VALLEY RD	SONOMA 95476
* 93A79	LIFE SCIENCES ASSOCIATES		4526 LOBOS AVE.	SAN JOSE 95111
* 93A80	LOEWEN, SR, AD & HN	FLYING COUGAR RANCH	8340 RECLAMATION RD	UPPERLAKE 95485
* 9349	LOMA LINDA UNIVERSITY		ANIMAL CARE FACILITY	LOMA LINDA 92354
* 93R45	MAGNOLIA BIRD FARM INC		8990 CERRITOS AVE	ANAHEIM 92804
* 93R71	MARTINEZ, M	BASICALLY BIRDS	1549 SO MARSHALL	ALPINE 92001
* 93A88	MEADORS, W		19637 MARIPOSA	PERRIS 92370
* 93A83	MERWIN, JF	HILLS OF HOME RANCH	20837 DEERHORN VALLEY RD	JAMUL 92035
* 93A69	MEYERRICK, CRF	CFM RABBITRY	1447 MIDWAY RD	VACAVILLE 95688
* 9347	MILLER, DR	RANCHO DE CONEJO	1345 SUNSET DR	VISTA 92083
* 93R36	MISSION LABORATORY SUPPLY INC		PO BOX 456	ROSEMEAD 91770
* 93R80	MOOTNICK, A	GIRRONS&GALLINACEOUS BIRD CT	BOX 93	CHATSWORTH 91311
* 93A29	NANNINI, LJ		315 B ST	COLMA 94014
* 93A31	NORTHRUP, T	KING & NORTHRUP KENNEL	3035 S. TRINITY	KERMAN 93630
* 93A62	OSCISLAWSKI, L&M	L&M PETS & SUPPLIES	15917 SIERRA VISTA CT.	LA PUENTE 91744
* 93R68	PACIFIC BIRD & SUPPLY CO		629 S JUNE ST	LOS ANGELES 90005
* 93R13	PARROT MOUNTAIN, INC.		PO BOX 246	RANCHITA 92066
* 93A87	PHILLIPS, J	PHILLIPS RABBITRY	333 TWIN LANES	SOQUEL 95073
* 93R91	POREC, R J MAPLES, T		18597 ORANGE ST	BLOOMINGTON 92316
* 93R17	ROSKILLY, GR	GLENS PETS & PET SUPPLY	12137 LOPEZ CANYON RD	SAN FERNANDO 91342
* 93R81	RUNDEL, RS	SONOMA INSTITUTE OF ANIMAL BEHAVIOR	23570 ARNOLD DR	SONOMA 95476
* 93R76	SAENZ, G	GERRY'S DOGS	2416 YOUNG ST	STOCKTON 95205
* 93A82	SAND, WC & RH		10442 MOUNTAIN LION LANE	GRASS VALLEY 95945
* 93A71	SCHWAB, FL	MAR FREDRICKS RABBITRY	1245 ALAMO AVE.	MODESTO 93351
* 9348	SIMONSEN LABORATORIES INC		1180C DAY RD	GILROY 95020
* 93A42	SIMUNEK, R&J		872 BUSCH DRIVE	VISTA 92083
* 93A28	SINNETT, AH	WAGGIN TAIL KENNEL	3324 BARNHART RD	DENAIR 95316
* 93A32	SNYDER, JW	CARRIAGE TRADE KENNELS	PO BOX 163	MARIPOSA 95338
* 93R56	SPANGLER, PD	WESTERN PACIFIC BIOL SUPPLY	3372 W HARVARD ST	SANTA ANA 92704
* 93R66	SPARROW, F & M	CROWN ANIMALS	250 SECOND AV	SAN LEANDRO 94577
* 93R19	STANFORD RESEARCH INSTITUTE		333 RAVENSWOOD AVE	MENLO PARK 94025
* 93A78	STARR, P	ELKHORN RABBITRY	5265 STARR WAY	WATSONVILLE 95076
* 93A93	TAYLOR, S	RIVERHOLE LLAMASARY	5100 VOLKERTS RD	SEBASTOPOL 95472
* 93R67	TRENT, GRM	TRENT'S CAVIARY	506 FAIRLAND AVE	MODESTO 95351
* 935C	UNIV OF S CALIFORNIA		UNIVERSITY PARK	LOS ANGELES 90007
* 93A26	USREY, ARD	PEACEFIELD FARMS	562 MIMOSA AVE.	VISTA 92083
* 93R1A	VALLEY PET SUPPLY		1200 ZEPHYR AVE	HAYWARD 94544
* 93R16	WESTERN SCIENTIFIC SUPPLY ,INC		PO BOX 681	WEST SACRAMENTO 95691
* 93A17	WESTERVELT, MR	NITARELL RABBITRY	29215 TAYLOR AVE	HAYWARD 94544
* 93A77	WHITTEN, MC	PETS UNLIMITED	536 E TAYLOR RD	CERES 95307
* 93RA2	WILLIAMS, A	ANDIE'S CRITTERS & VARMINTS	5542 COFFEE RD	MODESTO 95355
* 93A16	ZIGLAR, HG & EI	FZH CAVIARY	BOX 93	WILLIAMS 95987

COLORADO

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 84838	COLORADO FERRETS, INC		33601 STRANSKY RD.	EVERGREEN 80439
* 84461	DUNKER, L & M	CO SCHOOL FOR DOGS/DUNKER K EN.	450 DATE	AKRON 80720
* 84833	ELARS BIOPHARMACEUTICS IN C.		225 COMMERCE DR	FORT COLLINS 80524
* 84449	ENOS, H&M	ROCKY MOUNTAIN RABBITRY	3704 RICHMOND DR.	FORT COLLINS 80521
* 84835	ESSARY, A R F	TAG-A-LONG DOG RANCH	RT 1 BOX 5-C	LA ANIMAS 81054
* 84411	FREEMYER, ML	HIGH PLAINS KENNELS	RT 2 BOX R-15	HAXTUN 80731
* 84455	HILL, RA	SEDALIA HILLS RABBITRY	2998 W WOLFENBERGER RD.	SEDALIA 80135
* 84465	HOWLAND, R & D	HAVEN OF HAPPINESS KENNEL	PO BOX 595	HOLLY 81047
* 84839	LEVIN, K & G	PAMPERED PETS	3081 SO SPRUCE WAY	DENVER 80231
* 84467	MCGEE, J & M	MCGEE KENNELS	RT 1 BOX 21	HOLLY 81047
* 84430	MILLIKEN, JT	RIPPLES DOG RANCH	RT 2 BOX 151	ROCKY FORD 81067
* 84816	MURPHY, MJ		BOX 280	WINDSOR 80550
* 84837	PANKOSKI, E	TRIPLE P. RABBITRY	29846 E. 131 ST. AVE.	COMMERCE CITY 80022
* 84462	PARK, JE	BIOLOGICAL RESEARCH LABORAT ORIES	6700 SIMMS PO BOX 1374	ARVADA 80002
* 84428	PATTERSON, JF	PATTERSON KENNELS	R 2 BOX 76	YUMA 80759
* 84466	SANDNER, M & S	SANDNER'S DOG'S N PUP'S	PO BOX 65	KIT CARSON 80825
* 84444	SINDT, L&A	SINDT'S ACE HI KENNELS	RT 1	PEETZ 80747
* 84448	STEELE, MT		101 E 1ST ST	OTIS 80743
* 84460	WERNSMAN, G & R		RT 1 BOX 74C	HAXTUN 80731
* 84460	WOLFF, M		RT 3	HAXTUN 80731
* 84432	WOODS, E	ALLDOG KENNEL	BOX 112	EASTLAKE 80614
* 84438	WOOLINGTON, F & BOSSEN, D	AICHER'S RABBITRY	BOX 5	HEREFORD 80732
* 84468	ZAMORA, I	JULIE'S COCKER RANCH	ROAD 20796 HWY 50	ROCKY FORD 81067

CONNECTICUT

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 1643	BEAUREGARD, R		525 SKOKORAT RD	BEACON FALLS 06403
* 16R20	BERARDO, TR	TENDER LOVE & CARE PETS & P L	69 MERIDEN RD.	WATERBURY 06705
* 16R24	GALLUP, G	C & G PETS	4 BECKER PL.	VERNON 06066
* 16R23	GONDEK, DW	TROPICAL ISLE	149 BELLRIDGE RD	GLASTONBURY 06033
* 16410	HIBBARD, P	WILD MAN RABBITRY	112 GRASSY HILL RD.	EAST LYME 06333
* 16R17	JOHNSON, D & STROUT, F	INTER PET	GATEWAY CENTER	WILTON 06897
* 16R21	MENDES, LA	NATURE TRAIL PETS	77 MERIDEN RD	WATERBURY 06705
* 16R22	PARLEE, W & PATTERSON, T	EXOTIC FIN & FEATHER	529 BORNSIDE AVE	E HARTFORD 06108
* 1642	TODD, FW	BIRCHWOOD KENNELS	551 SKOKORAT RD	BEACON FALLS 06403
* 16R18	TROPICAL FISH EMPORIUM		GATEWAY CENTER	WILTON 06897

DELAWARE

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 5087	BATLEY, RD	LITTLE ACRE ANIMAL FARM	RT. 2 BOX 33AA	SEAFORD 19973
* 5085	BEACHY, L		RD 1	GREENWOOD 19950
* 5081	HAZEL DEL FARMS INC		RD 1 BOX 198C	HARTLY 19953
* 5086	PERSINGER, L	LARRY'S BEAGLES	BOX 1182 AIRPORT RD	SEAFORD 19973
* 5082	WISSEMAN, CE & SON	FLORA-DEL RANCH	PO BOX 81	GREENWOOD 19950

FLORIDA

LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
58GR	ASKARI, NW		1225 N.W. 17TH PL.	MIAMI 33167
58DT	BAETJER, R	CHRISTIAN'S COMPOUND	RT 1 BOX 40	FELLSMERE 32948
58RY	BARTECKI, M	THE PAMPERED PET	1104-C KEY PLAZA	KEY WEST 33040
58FU	BAYS, E & R	SUNRISE AQUARIUM	1805 S. 33RD ST.	FT. PIERCE 33450
58RK	BLACK, RW	HOLLYWOOD B&R PET SHOP	7351 ARTHER ST.	HOLLYWOOD 33024
58AD	BOMAR INDUSTRIES INC.		2751 SUNSET BLVD.	NAPLES 33942
58CQ	BOONE, DR	ROCK & WOOD	10470 SW 66 ST	MIAMI 33173
58CS	BRAMCO INC		P.O. BOX 205	GIBSONTON 33534
58GS	BRYANT, A & J	JODY'S RABBITRY	RT 2 BOX 333	WAUCHULA 33873
58GO	BRYANT, P	ARCADIA SMALL ANIMALS	RT 1 BOX 380	ARCADIA 33821
58GC	BUCK, WE		RR #1 BOX 242	FLORAL CITY 33636
58AF	CAMPBELL, WH		740 LAKESIDE DR SW	LARGO 33540
58CI	CARRIER, W		RT. 3 BOX 410	STUART 33494
58CW	CARVER, C	CARVERS WILD ANIMAL FARM	P.O. BOX 608	GIBSONTON 33534
58AG	CHARLES P CHASE CO INC		7200 NW 46TH ST.	MIAMI 33166
58GE	COOPER,P	PAT'S K-9 KENNEL	120 DAIRY RD	AUBURNDALE 33823
58RA	CUMMINGS, ML	CUMMINGS RABBITRY	1101A GERACI RD	LUTZ 33549
58GJ	DAMM, JA	ALPINE RANCH & KENNEL	BOX 1002	NEWBERRY 32669
58AA	DAWSON RESEARCH CORPORATION		PO BOX 8272	ORLANDO 32806
58CN	DORSON, N	DORSON'S PETTING ZOO	RT 3 BOX 194F	PENSACOLA 32504
58RX	DONALDSON, DRJ	JEANNE & DONNIE'S PET PARLOR	P.O. BOX 662	ROCKLEDGE 32955
58FE	DOUGLAS, S & ENGLER, M	MARLOT BREEDING FARM	RT 5 BOX 130 A1	ORLANDO 32807
58RL	DOWNS, MD	SPRING HILL KENNEL	R 5 BOX 8AA	QUINCY 32351
58GB	EVERGLADES HUNTING RANGE INC		2101 NE 63RD ST	FT LAUDERDALE 33319
58DD	FL MONKEY SANCTUARY, INC.		PO BOX 1357	VENICE 33595
58AU	FLORIDA ALLIGATOR FARM		RT 1 BOX 236	CALLAHAN 32011
58AS	FLORIDA REPTILE LAND		RT 1 BOX 312	LAWTEY 32058
58HP	FRANK M THOMPSON, INC		10515 VILLANOVA RD	JACKSONVILLE 32218
58RE	FTF		PO BOX 1321	BRADENTON 33506
58AL	GATORS OF MIAMI INC		5500 NW 74TH AVE	MIAMI 33166
58GI	GEIGER, JW & CR		1110 GEIGER CEMETERY RD	ZEPHYRHILLS 33599
58FM	GILLER, LA		5365 SW 76TH AVE	DAVIE 33328
58CX	GLOBAL FISH IMPORTS		7381 N.W. 74TH ST.	MIAMI 33166
58GW	GOLDSTINE, R	FISH NUT HUT	2475 LAUREL LANE	LAKE PARK 33410
58CJ	GRANBERRY, HM&RE	ANIMAL KINGDOM	PO BOX 225	WINTER PARK 32790
58GH	GRAY, CH	PETLAND CLEARWATER	1858 A US 19N	CLEARWATER 33515
58GG	GRAY, CR	PETLAND NORTHGATE	9019 N FLORIDA AVE	TAMPA 33604
58EY	GREENBERG, L	PURR-FECT PETS OF S FLORIDA	4651 SW 163 AVE	FORT LAUDERDALE 33313
58FB	GRODZINSKI, F	HIDDEN ACRES RABBITRY	RT 4 BOX 380	OCALA 32671
58DP	GROUT, FWRJA	GROUT'S PET SHOP	2900 30TH AVE N	ST PETE 33713
58GX	HALDI, R & GONZALEZ R	LAS PALMAS FARMS	26820 SW 187 AVE	HOMESTEAD 33031
58RV	HAND, L	VANISHING SPECIES	RT. 2 BOX 20	TRENTON 32093
58FG	HARRIS, F	TATLS & SCALES	1035 HIGHLAND AVE	LARGO 33540
58CZ	HATFIELD, KIRJC	EXOTIC FELINE FARM	1991 SW 136TH AVE	DAVIE 33325
58FM	HEROLD, WL	DAISY'S PET CENTER	PO BOX A097A	ORLANDO 32856
58FA	HORTON, D		RT 1 BOX 18A43	BUNNELL 32010
58RS	HOUSE OF HAMSTERS		282 NW 2ND ST	DEERFIELD BEACH 33441
58RQ	INTERNATIONAL FINS, INC		3040 SW 4TH AVE	FT. LAUDERDALE 33315
58DA	JOHSTON, R		PO BOX 186	ELLENTON 33532
58RO	JULIAN, LL	STUART PET CTR	880 S FED HWY	PALM CITY 33490
58AV	KELLEY, KC	KEL FARM	RT 1 BOX 106A	ALACHUA 32615
58AR	KINDT, CR	EXOTIC CATS AND CROSSBREEDS	18055 DUBOIS RD	JUPITER 33458
58HQ	KOVNER, R		290 SW 56ST	MARGATE 33068
58RM	L.D. PUPPY SHOP, INC.		4302 SW 8TH ST	MIAMI 33134
58FU	LANGIERI, RM	RRC RANCH	9065 S TAMIAMI TRAIL	VENICE 33595
58FN	LARAKIS, A		INGHAM RD BOX 22 RTE 1	NEW SMYRNA BEACH 32069
58FQ	LAYMAN, L		190 SUNSET DR	CASSELBERRY 32707
58DZ	LIBBY, SR., R & I		5600 OGDEN AVE	ORLANDO 32810
58HC	LIFE FELLOWSHIP CHURCH IN C		RT 1 BOX 64-N	SEFFNER 33584
58GF	LIGHTSEY CATTLE CO		2230 SAM KEEN RD.	LAKE WALES 33853
58HM	LUCAS, D & P	LUCAS ANIMAL FARM	PO BOX 187	GROVELAND 32736
58GZ	LUV ON A LEASH, INC		41 POMPANO FASHION SQ	POMPANO BEACH 33060
58CT	MAGRAY, D		6710 NW 7TH COURT	MARGATE 33063
58GP	MANATEE RABBIT FARM		3141 27TH ST. E.	BRADENTON 33508
58FS	MANN, HD	BUD'S ANIMALS	RR 2 BOX 2510	ST. CLOUD 32769
58RI	MARSH, J	HAPPYLAND PET SHOP	RT. 1 BOX 28	FT PIERCE 33450
58AP	MARTINEZ, I		3705 SW 130 AVE	MIAMI 33175
58RW	MCAULEY, RL	ROGER'S PET PARADISE	2714 APT. 4 S. MAC DILL AV	TAMPA 33609
58FO	MIAMI RARE BIRD FARM INC		189 CARIBBEAN RD	NAPLES 33940
58HG	MORRIS, A & SMITH, S	S & M ENTERPRISES	651 NE 27TH ST	POMPANO BEACH 33064
58CH	NEELD, A	SNAKE PIT	5507 ALTA ST.	JACKSONVILLE 32208
58GT	NEIDHOEFER, J	FINE FISH FARMS, INC.	3475 N.W. 187TH ST.	OPA LOCKA 33056
58RR	NELSON, R		4800 NW 5 CT	PLANTATION 33317
58GQ	NEWMAN, D		1107 HWY. 92W	SEFFNER 33584
58CE	NOELL, RM & AM	NOELL'S ARK CHIMPANZEE FARM	PO BOX 396	TARPON SPRINGS 33589
58HL	NORTON, R		4650 SW 126 AVE	FT LAUDERDALE 33331
58DE	PARAMOUNT AQUA PETS/PRODS INC		5452 JET VIEW CIRCLE	TAMPA 33614
58AD	PARROTT, JD & HATFIELD, KT	EXOTIC FELINE FARM	2455 NE 184 TERR	MIAMI 33160
58GK	PET BIRDS INC		7223 NW 43ST	MAIMI 33166

FLORIDA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 58AQ	PET FARM INC	BLUE RIBBON PET FARM	7000 NW 69 AVE	MIAMI 33166
* 58DH	PET HAVEN, INC.		3321 N FED HWY	POMPANO BEACH 33064
* 58AW	PET RANCH OF AMERICA		145 E. MERRITT AVE.	MERRITT ISLAND 32952
* 58RF	PINTO, A		1615 NW 30TH AVE	MIAMI 33125
* 58GU	POWELL, D	WAUCHULA HILLS RABBITRY	RT #1 BOX 225	WAUCHULA 33873
* 58CH	POWELL, GD		621 PLUM ST. SOUTH	ST. PETERSBURG 33707
* 58HE	RATNER, S	ONE OF THE FAMILY INC	4551 PONCE DE LEON BLVD	CORAL GABLES 33146
* 58FE	RAY SINGLETON & CO		PO BOX 248	RIVERVIEW 33569
* 58AC	RESEARCH LIVESTOCK LABS, INC		3400 N.W. 191 ST.	MIAMI 33055
* 58HH	RHODES, D	COURT HILL KENNELS	RT 2 BOX 357C	GAINESVILLE 32602
* 58FT	RICE, L	BOB'S PUPPY CENTER	2945 N. EDGEWOOD	JACKSONVILLE 32205
* 58HF	RICHARDS, H	RICHARDS RABBIT RANCH	RT 1 BOX 327	QUINCY 32351
* 58AI	RIDER, JR, VD		RR 2 BOX 515	BROOKSVILLE 33512
* 58FR	ROBERTS FISH FARM, INC.		PO BOX 650038	MIAMI 33165
* 58GY	ROBERTS, J & T	THE RABBIT HUTCH	19001 SW 240 ST	HOMESTEAD 33031
* 58GA	RODRIGUEZ, D		12700 SW 194 AVE	MIAMI 33187
* 58HB	ROONEY, G	ANIMAL BAZAAR	1 BROADWAY	FT MYERS BEACH 33931
* 58GD	ROSS, WS & HODGKINSON, SA	HAMSTERVILLE OF ORLANDO	3832 MILFORD AVE	ORLANDO 32809
* 58FV	ROTH, R	ANIMALS OF DISTINCTION	RT 4 BOX 241	FT PIERCE 33450
* 58GL	SIGNORELLI, NM		12200 SW 46TH ST	MAIMI 33175
* 58FF	SLOCUM, II, RR & L	DBA QUALITY BIRD COMPANY	6950 NW 70TH ST	MIAMI 33166
* 58DW	SMITH, JR, DC	SHANK'S PET LAND	RT. 1 BOX 374	ARCADIA 33821
* 58HN	SMITH, R & G		13100 SW 216TH ST	GOULDS 33170
* 58AJ	SOUTH AMERICAN PRIMATES, INC		PO BOX 970768	MIAMI 33197
* 58RR	SPINOSO, PJ		4215-53RD AVE N	ST. PETERSBURG 33714
* 58HJ	STERRINS, N & R	LAKE KER RABBIT RANCH	RT 3 BOX 555	FT MCCOY 32637
* 58FL	STEWARD, A		5750 SW 100 AVE	DAVIE 33314
* 58FD	STEWART, B	RAINBOW KENNELS	RT 1 BOX 127A	DOVER 33527
* 58HK	SUNSHINE CREATIONS OF FL INC	PET POURRI	8369 SW 40TH ST	MIAMI 33155
* 58AM	TAMPA LIVESTOCK DISTRIBUTORS, INC		PO BOX 22007	TAMPA 33622
* 58AX	THE PET CORNER, INC.		PO BOX 14454	FORT LAUDERDALE 33302
* 58AZ	TROPICAL ANIMALS DIST, INC		156 N.W. 37TH STREET	MIAMI 33127
* 58HI	ULVAND, I	HOME AQUATICS	1370 NW 193 TERR	MIAMI 33169
* 58HO	VOSLER, S & FESS, K	MARMOSET BREEDING FARM INC	PO BOX 1104	RIVERVIEW 33569
* 58FW	WARD, M	GARDENVILLE SMALL STOCK FARM	RT 3 BOX 337	RIVERVIEW 33569
* 58HA	WARD, M		P.O. BOX 86	O'BRIEN 32071
* 58FJ	WHITE, M	RAUTA RABBITS	550 VALENCIA AVE, APT 8	CORAL GABLES 33134
* 58GV	WILDLIFE DISTRIBUTORS INC		PO BOX 25515	FORT LAUDERDALE 33320
* 58DI	WOLF, R	JOY'S PETLAND	56 S EDISON MALL SHOPPING CTR	FORT MYERS 33901
* 58HD	WOOD, R R P		6300 FIRESTONE RD	JACKSONVILLE 32210
* 58AH	ZITO, JJ	TIGER PARK	RT. 1 BOX 345A	LAKE WALES 33853

GEORGIA

LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
57A29	BRANAM, T		RT 2	RINGGOLD 30736
57A4	COOK, WL		5250 MACLAND RD RT 1	POWDER SPRINGS 30073
57A25	CRAWFORD, JW	BUSY BEE RABBITRY	RT 2 BOX 110A	CARLTON 30627
57A7	DASHER, C	RICH DARK BREEDING RESERVE	RT 1 BOX 443 HWY 11	ROUND OAK 31080
57A1	DAVIES, H		PO BOX 107	STOCKBRIDGE 30281
57A21	DUGGER, JR., DR	DUGGER'S RABBITRY	4571 SCARBROUGH RD	COLLEGE PARK 30349
57A11	GILREATH, C & H	THE CIRCLE (G) RABBIT RANCH	RT. 1 BOX 486	MONROE 30655
57A15	LAWTON, M		PO BOX 116	MOUNTAIN CITY 30562
57A30	LUNSFORD, C & V	L & L COMPANY	PO BOX 792	CLAYTON 30525
57A12	MARTIN, FB		RT 3 BOX 47	FLOWERY BRANCH 30542
57A19	PICKELSIMER, C	FT MOUNTAIN GERBIL RANCH	R 1 BOX 28	CHATSWORTH 30705
57A24	POSS, RC		410 E BROAD ST	SPARTA 31087
57A31	VARNES, J		RT 1 BOX 82	WARMSPRING 31830

IDAHO

LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
82A3	ADAMS, C & E	ARK LAB ANIMALS	2215 N 8 ST	COEUR D'ALENE 83814
82R2	FERDINAND ZOO & ANIMAL FARM, INC.		PO BOX 303	NAMPA 83651
82A19	JOYCE, J & S	BRIARWOOD KENNELS	RT 2 BOX 8983	BLANCHARD 83804
82R5	KORN, J & S	CHF A GROWING CONCERN	BOX 201	CAMBRIDGE 83610
82R1	LEWIS-CLARK ANIMAL SHELTER INC		PO BOX 804	LEWISTON 83501
82A2	MEEKS, ERV		RT 2	POST FALLS 83854
82A5	NOBLE, C	NOBLE KENNELS	RT 4	RUPERT 83350
82R6	STAV, F	SAGEBRUSH KENNELS	RT 1 BOX 113	ARCO 83213
82A4	WHITE, J&G	WHITE'S WARRIT RANCH	BOX 193	KOOTENAI 83840
82A11	WYCKOFF, E	WYCKOFF KENNELS	7016 HILL RD	BOISE 83703
82A18	YOUNG, D & K	KATIE'S KENNEL	RT 2 BOX 50	SHELLEY 83274

ILLINOIS

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 33A240	ALLEN, L			NIOTA 62358
* 33R97	ANIMAL WORLD INC		7525 N HARLEM AVE	NILES 60648
* 33A205	APPLEBY, AL	AA CATTERY	BOX 99 404 W MYRTLE ST	ELIZABETH 61028
* 33R33	ARK PET CENTER		5753 N CLARK	CHICAGO 60660
* 33R154	BADER, J			SCALES MOUND 61075
* 33R139	BALGEMANN, DF & WONG, MWK	NATURE-LIFE CO	954 COOKANE AVE	ELGIN 60120
* 33A78	BARTLETT, JW		RR 1 BOX 54	SPRINGFIELD 62707
* 33R149	BATTLES, D&M	WHITE OAK KENNELS	RR 3	VANDALIA 62471
* 33R5	BEAN, GF & HK	JERI-ELEN KENNELS	ROUTE 7	MT VERNON 62864
* 33A150	BENNETT, WR & VJ	HILLTOP KENNEL	14317-139 AVE. COURT W.	TAYLOR RIDGE 61284
* 33R48	BOERFL, FW	SLEEPY HOLLOW KENNELS & CAT TERY	RT 2 BOX 73	MUNDELEIN 60060
* 33A172	BOEHM, M & G	GMB CAVIES	31 PINE TRAIL	FAIRVIEW HTS 62208
* 33A127	BONER, RS	BONER'S KENNEL	R2 BOX 66	CREAL SPRINGS 62922
* 33A239	BROOKS, K & C		RT 6 BOX 310	NEWTON 62448
* 33A168	BROWN, RM		R2 BOX 206	NORRIS CITY 62869
* 33A229	BUSHMAN, DH & R	DOG PATCH KENNELS	BX 121 RT 1	MILLEDGEVILLE 61051
* 33A178	COCHRAN, J	JOAN COCHRAN KENNELS	1018 E NORTH AVE	OLNEY 62450
* 33R164	COE-PALM BIO. SUPPLY		1130 MILWAUKEE AVE	CHICAGO 60622
* 33R74	CONSOLIDATED PET SUPPLY, INC		956 W. HURON	CHICAGO 60622
* 33A245	COOPER, C & R	COOPER BROS. KENNEL	1403 INDIANA	WINDSOR 61957
* 33R167	CWAYGEL, JM	SATLFIN PET SHOP	104 HESSEL BLVD	CHAMPAIGN 61820
* 33R114	DALE, DM	DALE'S KENNEL	R 1 BOX 159	MACEDONIA 62860
* 33A21	DANIELS, EJ	DANIELS KENNELS	RR 2	COLCHESTER 62326
* 33A242	DAVIS, D	BOOMER'S RABBITRY	5602 N ARROW DRIVE	PEORIA 61614
* 33A244	DAVIS, G		123 W JEFFERSON	MASON CITY 62664
* 33R148	DAY, A	DAY'S KENNEL	221 N 5TH ST	GREENVILLE 62246
* 33R71	DEBOLT, MD		BOX 9	STEWARDSON 62463
* 33R161	DORILL, JM		RR #2	VALMEYER 62295
* 33A193	ECHTERNKAMP, FW		R 4	QUINCY 62301
* 33A23	FEWELL, D&M	MERRY DAWN KENNEL	RR 2	MINONK 61760
* 33R170	FISHER SCIENTIFIC CO		711 FORBES AVE	PITTSBURGH 15219
* 33A224	FRITCHIE, D	FRITCHIES KENNEL	105 E MAIN	BIRDS 62415
* 33A233	FRYMAN, FJ		RR 1	WEST SALEM 62476
* 33A213	FURR, W&M	FURR'S KENNEL	BOX 28	SCIOTA 61475
* 33A184	GAJEWSKI, T		RR 1	WOODLAWN 62898
* 33A10	GENERAL FOODS CORP.		GAINES NUTRITION CENTER RT 3	ST ANNE 60964
* 33R162	GERHARDT, S	HAPPY HILL KENNEL	RR BOX 18	NIOTA 62358
* 33A35	GREGORY, EJ	GREGORY KENNEL	R 1	BLUFORD 62814
* 33R18	HALE, R		1340 WALNUT	CARTHAGE 62321
* 33R110	HANNA, E	TROPICAL TREASURES	3842 W. 147TH ST.	MIDLOTHIAN 60445
* 33R171	HARLIN, CM	KAROLYN'S KENNELS	R 1	HOPEDALE 61747
* 33A220	HARVEY, J	ECHO VALLEY DANES	R #4 BOX 255	MARSHALL 62441
* 33A212	HAYES, JK & MA	HAYES'S KENNEL	RT 1	ROCHELLE 61068
* 33R175	HENDEE, C	HENDEE ZOOLOGICAL CO	1944 A LEHIGH	GLENVIEW 60025
* 33A208	HICKMAN, D&R		RT 1 BOX 139	STEWARDSON 62463
* 33A7A	HITCOCK, L & J	SUNDOWN KENNELS	RR 1	NAUVOO 62354
* 33R141	HOCHMUTH, W	SUBURBAN PET CITY	6343 W CERMAK	BERWYN 60402
* 33A84	HODGE, IO	HODGE'S KENNEL		BELKANAP 62908
* 33A123	HOLMES, HN & R	GUNSMOKE KENNELS	RR1	PAWNEE 62558
* 33A235	HUFFMAN, E & KUNKEL, R	ED AND BLAIRS CAVIARY	BOX 62	SORENTO 62086
* 33R174	HUSEMANN, D & C		BOX 49 RR 1	COATSBURG 62325
* 33R155	HUTCHINS, A		RT. 8 BOX 328	DECATUR 62522
* 33R153	IMBODEN, H	COUNTRY ROAD KENNELS	RT. 3	ROBINSON 62454
* 33R46	ISAACS, R&A	ISAACS RABBITRY	202 N WELCH ST	HILLSBORO 62049
* 33R21	ISAACS, TF	ISAACS LAB STOCK	1011 N WALNUT	LITCHFIELD 62056
* 33A19	JACKSON, L	JACKSON KENNEL	R 4	MACOMB 61455
* 33A180	JOHNSON, H	HILLCREST KENNEL	R2	BUNCOMBE 62912
* 33R158	JOHNSON, R	HARDROCK GAME FARM	RR 4 BOX 248 NIMTZ RD.	ROCKFORD 61111
* 33A149	JOHNSTON, D	GREEN ACRE PETS	RR 4	CARLINVILLE 62626
* 33A161	JONES, DA	JONES KENNELS	RR 1	FOWLER 62338
* 33R122	JURY, K	GOODMAN KENNELS	620 S. BURCHARD	FREEPORT 61032
* 33A4	KAISER, H		RR 3 BOX 130	PANA 62557
* 33A232	KEERAN, M & G	KEFRAN'S KENNELS	R.R.	INDUSTRY 61440
* 33A41	KEIRN, RJ	POLLARD RABBITRY	PO BOX 222	HURST 62949
* 33A177	KELLEY, JA & D	KELLEYS RABBITRY	RR-4	MARSHALL 62441
* 33A206	KESLER, M	KELS-RU KENNELS	1007 E NORTH AVE	OLNEY 62450
* 33A225	KIEFER, F		709 ST ANTHONY ST	EFFINGHAM 62401
* 33A163	KILL, MF		RR 2	LIBERTY 62347
* 33R77	KRAUSE, PC&MC	NOAH'S ARK PET CENTERS	2430 EAST OAKTON ST	ELK GROVE 60007
* 33R165	LAPINE SCIENTIFIC CO.		6001 S. KNOX AVE	CHICAGO 60629
* 33R138	LEMEN, Y	COUNTRY KENNELS	2420 WEST MACON	DECATUR 62522
* 33A129	LEWIS, CF		1003 1ST AVE	MENDOTA 61342
* 33R169	LEWIS, R		RR #2	ROBINSON 62454
* 33A218	LITTLE, GH	LITTLE ACRES KENNEL	RR 2	LA HARPE 61450
* 33R80	LOMAX, G			OPDYKE 62872
* 33R1	MACMILLAN SCIENCE CO., INC		8200 SOUTH HOYNE AVE	CHICAGO 60620
* 33A101	MARKS, DJ	DIANA MARKS SM. ANIMAL BREEDER	3311 W. DICKENS	CHICAGO 60647
* 33A246	MCDUFFIE, CE	MCDUFFIE'S RABBITRY	RR 1	MAHOMET 61853
* 33A15	MCKAY, MM	COLONIAL KENNELS	R 1 BOX 34A	QUINCY 62301
* 33R42	MCKINZIE, R&F	MCKINZIE KENNELS	ROUTE 7 BOX 136	CENTRALIA 62801
* 33A171	MCMURTREY, G		RR 1	POCAHONTAS 62275

ILLINOIS

LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 33R131	MCNARR, F	MCNARR KENNEL	PO BOX 376	ROBINSON 62454
* 33R41	MCWHORTER, M	WILDWOOD KENNELS	RR 1 BOX 173	MAKANDA 62958
* 33R157	MIDWEST AQUARIUM, INC.		639 NORTH THOMAS DR.	BENSENVILLE 60106
* 33A215	MILLER, P		23321 261 ST. N.	CORDOVA 61242
* 33A196	MOSSMAN, L		BOX 547	RIDGWAY 62979
* 33R55	MOTSINGER, R	MOTSINGER KENNELS	RR 2	ST JOSEPH 61873
* 33R173	MOWEN, L	MOWEN'S KENNEL	R 1	CLAYTON 62324
* 33A226	MUELLER, R		301 N SPRUCE	STEWARDSON 62463
* 33R119	MUNTZ, DK	DONS BAIT AND BUNNY FARM	RR 1 BOX 270	CARROLLTON 62016
* 33A167	MYERS, EA		RR 2 BOX 93	CARMI 62821
* 33A133	NEUMANN, R		R 2	GREENVILLE 62246
* 33R146	O'HARE TROPICAL IMPORTS, INC.		10915C FRANKLIN AVE	FRANKLIN PARK 60131
* 33R120	PAWLEY, P	ZOOLOGICAL CENTER, INTERNATIONAL	15W506 W 63RD	HINSDALE 60521
* 33R11	PEPPER, MM	PEPPERIDGE ZOO FARM	RR 2	DANVILLE 61832
* 33R90	PHILLIPS, T	PHILLIPS SALE CO	RR 1	GOOD HOPE 61438
* 33A234	PRASUN, I	L & R RABBIT RANCH	RT 1 BOX 82	TAYLORVILLE 62568
* 33A26	RAPP, C	RAPP'S SNOW WHITE ESKIMOS	RT 1	BLUFORD 62814
* 33A227	REED, PC		RT 2 BOX 186	TOLEDO 62468
* 33R38	RESEARCH INDUSTRIES CORP		P.O. BOX 128	MONEE 60449
* 33A209	RICHARDS, JA		311 AVONDALE	CHAMPAIGN 61820
* 33A241	RUE, MRS. A	AUDREY'S HIGHWAY KENNEL	PO BOX 46	FLAT ROCK 62427
* 33R168	ROULAND, H & P	P/J TROPICAL & PETS	1048 W GREENWOOD	JACKSONVILLE 62650
* 33A217	ROWE, PARRO	ROWES RABBITRY	6380 N GUN CLUB RD RT 3	MORRIS 60450
* 33A86	RUNQUIST, C	RUNQUIST'S KENNELS	R 2 BOX 178A	MENDON 62351
* 33A132	RUSSELL, H	RUSSELLS' KENNEL	RR #1	RUNCOMBE 62912
* 33A7	SANCHEZ, B	BEN'S PUPPYLAND	113 BABCOCK ST	ELBURN 60119
* 33A176	SANDERS, BJ	TIPTOP KENNEL	RT 2	MULKEYTOWN 62865
* 33A243	SANDERS, D & WRIGHT, A		RR 1 BOX 144	BUFFALO 62515
* 33R163	SARGENT-WELCH SCIENTIFIC CO.		7300 N LINDER AVE	SKOKIE 60077
* 33R150	SCHAFER, AM	SCHAFERS KENNELS	303 S WARD ST	BENTON 62812
* 33A20	SCIENTIFIC SMALL ANIMAL LAB & FARM INC		401 W GOLF RD	ARLINGTON HEIGHTS 60005
* 33R159	SHORT, M		PO BOX 712	MT VERNON 62864
* 33A111	SIKKEMA, C	TLC PUPPY NURSERY	BOX 183	LYNDON 61261
* 33A211	SIKKEMA, LRD	PUPPY LOVE ACRES	RT 2	WALNUT 61376
* 33R103	SMITH-DOUGLASS DIV BORDEN CHM		RR 1	ELGIN 60120
* 33R160	SMITH, CF	B & G KENNELS	106 N WASHINGTON	SIDNEY 61877
* 33A221	SMITH, P	KAMP KREEK KENNEL	RR 4	MACOMB 61455
* 33R172	STANFIELD, J		RR #2	PARIS 61944
* 33A207	STEFFEN, D		RT 3	EFFINGHAM 62401
* 33R63	STEINMETZ, CR		BOX 205 409 WEST OAK ST	PALMYRA 62674
* 33A197	SUTTON, A			LYNDON 61261
* 33R83	THOMAS, L&R			STRASBURG 62465
* 33A28	THOMPSON RESEARCH FOUNDATION		PO BOX 128	MONEE 60449
* 33R152	TOMS, SJ	ST KENNELS	RR 2	BENTON 62812
* 33A236	VOIGTLANDER, D		802 W. PENNSYLVANIA	URBANA 61801
* 33R56	WARREN, LN		PO BOX 125	PANA 62557
* 33R8	WARSAW COON HUNTERS ASSOC			WARSAW 62379
* 33A77	WEBER, JRK	JEWEL-KEN KENNEL	RT 3 BOX 210	RFD RUD 62278
* 33A181	WHITE, G		RT 4 BOX 460	MARION 62959
* 33A247	WINSLOW, W		1301 SO 3RD ST WEST	SHELBYVILLE 62565
* 33A237	WINSOR, M & L	WINSOR SMALL ANIMAL BREEDER	3836 N MARSHFIELD AVE.	CHICAGO 60613
* 33A169	WOLFF, MR		RR 2	FLORA 62839
* 33R166	YEAMAN, F & J		RT 1 BOX 20	OWANECO 62555

INDIANA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 32R40	BANE, G		BOX 25	MEDORA 47260
* 32A55	BENNETT, N		RR 1 BOX 371	COLUMBUS 47201
* 32R30	BERGH, CM	PET STATION	1202 JOHNSON ST	ELKHART 46514
* 32A50	BLEEMEL, HJ		5361 E STOP 11 RD	INDIANAPOLIS 46227
* 32R21	BOTKIN, M		RR 1	SELMA 47383
* 32A29	BROOKING, M		RR 17	BEDFORD 47421
* 32A49	CANNON, GW		RR 2	ROSEDALE 47874
* 32A30	CARVER, L	CARVER KENNELS	RR 12 BOX141	BEDFORD 47421
* 32R35	CLARK, OF		225-400 E	DANVILLE 46122
* 32R34	COBB, S	DOG CITY, USA	1410 E 153RD AVE	CROWN POINT 46307
* 32A1	COVAL, D & M	PIN OAK FARM	RR 3	SHERIDAN 46069
* 32R37	COX, C		PO BOX 600	FARMERSBURG 47850
* 32R44	DAY, M	DAY-Z-MAY	RR 4	NORTH MANCHESTER 46962
* 32R23	DEMAREE, JT	J.T. DEMAREE PET FARMS	RR 1 BOX 66	MADISON 47250
* 32R29	DENNISTON, K	LAWRENCE COUNTY KENNELS	RR 17 BOX 562	BEDFORD 47421
* 32A66	ELROD, RG	WHITE KNIGHT KENNEL	R 2 BOX 450	SALEM 47167
* 32A3	ENGLE LABORATORY ANIMALS, INC.		RR 1 BOX 23	FARMERSBURG 47850
* 32A12	ESSIG, MK		R2	NOBLESVILLE 46060
* 32R8	FIELDS, A	FIELDS KENNELS	RR 3	PORTLAND 47371
* 32A8	FISHER, R		RR 1	SHIRLEY 47384
* 32R1A	FLINT, L & BOOTH, J	CLIFTY ACRES ZOO FARM	RT. 5 BOX 143	MADISON 47250
* 32A52	FOX, D		RT 3 BOX 277	MORGANTOWN 46160
* 32A65	GLESSNER, RALPH	GLESSNER RABBITRY	RR 2 BOX 13	MONTPELIER 47359
* 32A56	GREENE, G		RR #2 BOX 208	SHELBURN 47859
* 32R27	GREINER, J&M		RT 2	CONNERSVILLE 47331
* 32A48	GUEBEL, VJ		RR 1 BOX 109	HAUBSTADT 47639
* 32A63	HARLAN INDUSTRIES, INC		PO BOX 29176	INDIANAPOLIS 46229
* 32A37	HARRELL, A		RR 17	BEDFORD 47421
* 32A45	HARTINGER, R		1111 WEST MAIN ST	MADISON 47250
* 32A64	HUNTER, J R D & A	HUNTER HILL KENNELS	PO BOX 44	COVINGTON 47932
* 32R38	ILIFF, LF	ILIFF FARMS	RR 5 BOX 257	PORTLAND 47371
* 32A23	IRVING, CC	IRVING GAME FARM	RR 6	GREENFIELD 46140
* 32R17	J&J ANIMAL LAND,INC.	J&J GAME FARM	BOX 78	LAKE CICOTT 46942
* 32A25	JOHNSON, MRD	JOHNSON BUNNY RANCH	R 1 BOX 376A	WILKINSON 46186
* 32A6	KUIPER, G	KUIPERS RABBIT RANCH	5317 W 41ST ST	GARY 46408
* 32R20	LACKEY, JC		101 N GLADSTONE AVE	COLUMBUS 47201
* 32A11	MANN, HW		R2 VIENNA RD	MADESVILLE 47638
* 32R42	MANOR, G	MANOR'S COUNTRY KENNEL	RT 2	PORTLAND 47371
* 32A67	MARTIN, J & L	LEJUPEKA KENNELS	RR 2 BOX 406C	PENDLETON 46064
* 32A6A	MCCAMMON, L		RT 23 BOX 255	TERRE HAUTE 47802
* 32R31	MIDWEST REPTILES & ANIMAL SALES INC		P.O. BOX 239	FT WAYNE 46801
* 32R2A	MODESITT, WR	NORTHSIDE KENNELS	RR 16 BOX 4	BRAZIL 47834
* 32A2A	MOORFIELD, R	WOLF-A-DOG KENNEL	RT 8 BOX 340	HUNTINGTON 46750
* 32A36	MORELAND, T		RR 24 BOX 28A	TERRE HAUTE 47802
* 32A19	MORRIS, RE		1215 VIRGIL BLVD	PRINCETON 47670
* 32A2	MURPHY BREEDING LABS., INC.		RR 3 BOX 485	PLAINFIELD 46168
* 32A62	NELSON, M & C	COUNTRYLANE KENNELS	RR 2 BOX 296	SALEM 47167
* 32R36	NOE, D		R #1	RISING SUN 47040
* 32A9	PARKE, RA	PARKEWOOD KENNELS	RR 10 BOX 94	GREENFIELD 46140
* 32A61	PRUNTY, V			AVACO 47421
* 32R22	RIEDEL, L		RT 8 BOX 183	GREENSBURG 47240
* 32A57	ROSE, W	ROSE KENNEL	R #1	DILLSBORO 47018
* 32R26	SCHNEPP, RE	LAZY S KENNELS	RR 5	DECATUR 46733
* 32R43	SCOTT, J	SCOTTS KENNELS	2900 WASHINGTON AVE	TERRE HAUTE 47803
* 32R33	SEARS, E	FROSTY ROSE KENNEL	RR 12 BOX 337	BEDFORD 47421
* 32A32	SEARS, FR	HIGH PLATTE KENNEL	RR 12 BOX 337	BEDFORD 47421
* 32A47	SEWARDS, R M	KY-LIN FARM	BOX 272 R 2	SPENCERVILLE 46788
* 32R11	SMITH, GT		R 1 BOX 138A	GALVESTON 46932
* 32A15	SMITH, MD		3750 W 97TH ST	CARMEL 46032
* 32A58	STAHL, K	REDWOOD KENNELS	1198 N STATE	SULLIVAN 47882
* 32R30	STEVENS, S		R 17 BOX 363	BEDFORD 47421
* 32R9	STEWART, R	STEWART'S PET SHOP	1013 S WALNUT	BLOOMINGTON 47401
* 32A53	SUTHERLAND, HJ		143 HILLCREST DR	VINCENNES 47591
* 32R6	THOMPSON, N&N	SPEEDWAY PET SHOP	3566 W 16TH ST	INDIANAPOLIS 46222
* 32A60	TREIBLE, J		RR 2 BOX 20	NORTH MANCHESTER 46962
* 32A33	TUMILTY, LL		505 N. CARVER ST	GREENSBURG 47240
* 32A58	WELLS, R & H	FLYING W KENNELS	R 2 BOX 346	LAWRENCEBURG 47025
* 32R41	WELLS, J		R16 W ALLEN RD	FORT WAYNE 46825
* 32A42	WHITE, TW		R 2	MITCHELL 47446
* 32R1	WILSON, DW	WILSON SMALL ANIMAL FARM	PO BOX 65	VINCENNES 47591
* 32R9	WINDSOR, AS	WINDSOR BIOLOGY GARDENS	4399 E MOORE'S CREEK RD	BLOOMINGTON 47401
* 32R12	WOOD, HARMI		RR 4 BOX 450	ALEXANDRIA 46001
* 32A51	WOODINGS, M		RR 23 BOX 203	TERRE HAUTE 47802
* 32A59	ZARSE, C		RT 1 BOX 34	WHITESTOWN 46075
* 32A27	ZENTZ, D	SILVER LAWN KENNELS	RR 2	NAPPANEE 46550
* 32R2	ZOOK, HW	MAPLE HILL KENNEL	BOX 350	MORGANTOWN 46160

IOWA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 42UAC	A & M KENNELS		BOX 217	VENTURA 50482
* 42YU	ACKERMAN, L&K		115 N 5TH AVE	VILLISCA 50864
* 42MAR	AGANS, SD & WR		RR 2	CRESTON 50801
* 42YX	ALLSUP, AR		RT 2 BOX 83C	CHELSEA 52215
* 42FAW	ANDERSEN, ML			DELAWARE 52036
* 42AAP	ANDERSON, CA		4017 W 31ST ST	SIOUX CITY 51103
* 42NAV	ANDERSON, MG		RR 1	DAYTON 50530
* 42RC	ANDEWAY, J		RT 1	PLANO 52581
* 42RAP	ANDREASEN, J		RR 2 BOX 140	AUDUBON 50025
* 42VAU	ANKENY, R		RR 2	BUFFALO CENTER 50424
* 42AAN	ARENDS, M		RR 1	DIKE 50624
* 42MAD	ARENDS, T & M		RR 2 BOX 188	SAC CITY 50583
* 42PAT	ARKLAND, D&S	ARKLAND KENNEL	RR 2	ELDORA 50627
* 42GAP	ARNOLD, CW		RR 1	SHANNON CITY 50861
* 42VC	ASHER FARM KENNELS	ASHER FARM KENNELS	RR 2	WAPELLO 52653
* 42SAZ	ASK, D & M		RR 4 BOX 214	HARLAN 51537
* 42EU	AUERBACH, L&ER		RT 1	LEWIS 51544
* 42UAR	AULT, W		21 CARTER LAKE CLUB	CARTER LAKE 68110
* 42SX	BAIRD, RA		R 2 MORTON MILLS	VILLISCA 50864
* 42LAS	BAKER, D		RT 2	HARTLEY 51346
* 42RAU	BAUDLER, J			FONTANELLE 50846
* 42JY	BECKER, W&C	BECKER KENNELS	RR 1	KNOXVILLE 50138
* 42PAD	BEDWELL, SL	BEDWELL'S BLINE KENNEL	RT 2	ST. CHARLES 50240
* 42WAJ	BELKNAP, S		R 2	MEDIAPOLIS 52637
* 42MW	BENTON, DG & RE		RR 3 BOX 49	GUTHRIE CENTER 50115
* 42WAK	BERHOW, R & M	M & R KENNELS	1601 SO. BROADWAY	EMMETSBURG 50536
* 42NAD	BIEGHLER, R	ARTIC NOOK KENNEL	1245 E 33RD	DES MOINES 50310
* 42WAN	BINGHAM, G		RT 1 BOX 11C	CHARITON 50049
* 42JAZ	BLACK, N	DOGGIE ROOM & GROOM	HY 69 N	AMES 50010
* 42IAZ	BLACKFORD, E & A		RR 2	ST CHARLES 50240
* 42GAS	BLACKFORD, J		RT 1	INDIANOLA 50125
* 42BQ	BLACKMAN, RT		310 FIRST ST	LEWIS 51544
* 42WAF	BLANK, M & MOURLAM	BLANK AND MOORLAN PET KENNELS	RR 2	GOODELL 50439
* 42TO	BLANSHAN, CK		RR 1 BOX 137	SCRANTON 51462
* 42AC	BOCKENSTEDT, HF		RT 1	EARLVILLE 52041
* 42RAY	BOHL, TJ	BOHL'S K-9 KENNELS	RR 2	LAKE MILLS 50450
* 42SAX	BOLL, R & AD		BOX 67	ARION 51520
* 42RAC	BOOCK, G & R		RR 1	HOLSTEIN 51025
* 42TAX	BOSWELL, M & C		RT 4	CORNING 50841
* 42VAS	BOWN, A & D		RT 2	REINBECK 50669
* 42RAZ	BOYSEN, M	BOYSEN KENNEL	RR 1	DANBURY 51019
* 42QAR	BRADLEY, M&D	DUSTY ROAD KENNEL	RR 1 BOX 224	WEVER 52658
* 42GT	BRAND, CD		RT 3	NEWTON 50208
* 42TAH	BRANDHORST, JL		4105 MCKELLER RD	WATERLOO 50702
* 42PR	BRANDT, FF & B	SNOPEKE KENNEL	BOX 637	WALNUT 51577
* 42KD	BRANT, I		RR 1	GLIDDEN 51443
* 42KAW	BREUER, DM		BOX 123	SPERRY 52650
* 42NV	BRITTEN, H		RT 1	CRESTON 50801
* 42TAN	BROOKHART, G	CRAWFORDSVILLE KENNELS	RT 1 BOX 9	CRAWFORDSVILLE 52621
* 42AR	BROSHAR, F	H POINT KENNEL		EXLINE 52555
* 42JAJ	BROWN, RP		RR 1	DOW CITY 51528
* 42KO	BURG, LJ	BURG KENNELS	BOX 69	BRIDGEWATER 50837
* 42MAY	BURK, FL		RR 1	HAMILTON 50116
* 42DK	BURNETT, E		RR 2	KNOXVILLE 50138
* 42RU	BUSSEY, M			BUSSEY 50044
* 42DX	BUTTLER, TL		RR 1 BOX 125	GUTHRIE CENTER 50115
* 42WAD	BUTTS, D & P	PENDAY KENNELS	BOX 571	GREENVILLE 51343
* 42NAU	CAMERON, DRJ	HOLLYLANE KENNELS	4425 WEST ST	SIOUX CITY 51103
* 42UAG	CAMPBELL, V	CAMPBELL COUNTRY KENNELS	RT 1	KESWICK 50136
* 42ZU	CARPENTER, DG		RR 2	MAXWELL 50161
* 42RAM	CASTEEL, T		1213 SOUTH 10TH	BURLINGTON 52601
* 42KP	CHALMERS, J	JULIA'S FARM KENNELS	RT 5 BOX 106	IOWA CITY 52240
* 42TAG	CHALUPA, M		RT 1	WASHINGTON 52353
* 42PAK	CHAPMAN, B & BLETL, J		RR	KINGSLEY 51028
* 42FAH	CHATFIELD, RA		RURAL ROUTE 2 BOX 258	KEOKUK 52630
* 42RAR	CHRISTENSEN, E&K		806 PRAIRIE ST.	GUTHRIE CENTER 50115
* 42NP	CLARK, AM	CLARK'S KENNEL	401 WATERS ST	ALDEN 50006
* 42VAD	CLARK, B		RR 3	CARLISLE 50047
* 42IAP	CLARK, C	CLARK'S KENNEL	RR 1	PROMISE CITY 52583
* 42HQ	CLATTERBUCK, M		RT 2	ANITA 50020
* 42UAL	CLAUSEN, DA		RR 1	IDA GROVE 51445
* 42CAH	CLEVELAND, RW		P.O. BOX 109	LAKE VIEW 51450
* 42QN	COCKBURN, RW&D		RT 1	CORRECTIONVILLE 51016
* 42HH	CODDINGTON, L	BALTON KENNEL	RR 1	HASTINGS 51540
* 42DAR	CONNER, W & N		R 5 BOX 204	MT PLEASANT 52641
* 42GA	CONRAD, FL&D	E L CONRAD & SON		KENTA 52248
* 42CH	COOPER, CS	COOPER KENNELS	PO BOX 117	MYSTIC 52574
* 42DAA	COOPER, WD		RURAL ROUTE 2	NORWALK 50211
* 42SAR	CRAVEN, D		BOX 201	OGDEN 50212
* 42JAT	CRAWFORD, DP			GRIMES 50111
* 42FZ	DAMON, D	DAMON'S KENNELS	RR 4	KNOXVILLE 50138
* 42PAZ	DAVIS, RRJ		RR 1 BOX 100A	BRONSON 51007
* 42KAF	DAVIS, VM		909 E HOWARD ST	CRESTON 50801
* 42TAI	DE BRUIN, D		RT 5	ALBIA 52531
* 42RX	DE FOSSE, C		RR 2	MEDIAPOLIS 52637
* 42HAT	DEAN, AL		1810 LINCOLN	CEDAR FALLS 50613

IOWA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 42CAN	DEBOLT, RK	LLOYDS KENNELS	RT 1 BOX 4	NEOLA 51559
* 42SAN	DEBRUIN, M & B		RT. 2	OSKALOOSA 52577
* 42LB	DEBRUIN, R	OAKVIEW GAME FARMS	RT 2	PRAIRIE CITY 50228
* 42KAO	DEETH, L		2106 WEST 4TH	PERRY 50220
* 42RG	DELONG, R&L	ROLIN HILLS	RT 5	OSCEOLA 50213
* 42TAE	DESEMINA, NL	PRIMACANA KENNELS	3835-40TH	DES MOINES 50310
* 42VAC	DEVORE, P			PROMISE CITY 52583
* 42VAR	DEVORE, W		RT 1	PROMISE CITY 52583
* 42DI	DIERENFIELD, R		RR 3	STORM LAKE 50588
* 42TAC	DIRKS, K	K D KENNELS	RR 1 BOX 17	FONDA 50540
* 42LG	DODD, D&R		RT 4 BOX 98	BOONE 50036
* 42NX	DOLIESLAGER, G		1360 N. MAIN	SIOUX CENTER 51250
* 42UAP	DOMINICK, GJ		RR 3	AUDUBON 50025
* 42CAW	DONAHUE, K		224 OAKS ST	NORTH ENGLISH 52316
* 42MAH	DOORNINK, W		RR 4	LE MARS 51031
* 42UAA	DOWNING, D & C		509 WEST 7TH ST	ADAIR 50002
* 42AAA	DOYEN, T & J		RR 1	MANSON 50563
* 42WF	DRAPER, P		RT. 2	PRESCOTT 50859
* 42VN	DREESZEN, F		RR 1	CUSHING 51018
* 42KA	DUDLEY, WL	DUD-LEE'S KENNELS	RT 2	CRESTON 50801
* 42SZ	DUELING, JF		RT 1	ALLERTON 50008
* 42DR	DUELING, R		RT 1 BOX 325	ALLERTON 50008
* 42PAL	DUGGER, R	DUGGER FUR FARM	RT 1	BARNES CITY 50027
* 42JAN	DUIT, AD		R 1 BOX 11	MONTICELLO 52310
* 42QAV	DUMKRIEGER, F&M		BOX 33	SOLDIER 51572
* 42DAH	EADES, DM		RT 2	ANITA 50020
* 42FAA	EADES, PF		524 SUPERIOR	STORM LAKE 50588
* 42YB	EARLES, R	IOWA SMALL ANIMAL ENTERPRISES	1720 SO 17TH ST	FT DODGE 50501
* 42EO	ECK, DA	SUGAR CREEK KENNEL	RR 1	MONTROSE 52639
* 42JAK	ECKHOFF, R		RR 1	SIBLEY 51249
* 42LAT	ECKLOR, P	MISTY MEADOW KENNELS	RT4	MARSHALLTOWN 50158
* 42SAU	EHLERS, D	LOVE FARM KENNELS	RR 1 BOX 181	MARATHON 50565
* 42GL	ELBERT, G			RODMAN 50580
* 42HR	ELLIS, NJ		BOX 265 RT 2	OTTUMWA 52501
* 42QH	ELLWANGER, R		BOX 148 R1	GRAND JUNCTION 50107
* 42HM	ELSNER, A		615 ONEIDA ST	STORM LAKE 50588
* 42ZO	EMMONS, M & SCHLIENZ, S	BRIARCREEK KENNEL	RR 1 BOX 83	SOLON 52333
* 42AAX	ERICKSON, C & H	KALYN KENNELS	R 1	KELLEY 50134
* 42QAG	FALES, L	FALES KENNELS	BOX 278	ALBERT CITY 50510
* 42PAW	FARNUM, NR		RT 1	CARLISLE 50047
* 42VAJ	FARRELL, R		RR 2	ELKADER 52043
* 42TAY	FAWCETT, J	CROSSVIEW KENNELS	RT 3	NEW SHARON 50207
* 42LAK	FERRISS, WJ	FERRISS WILD ANIMAL FARM	RT 1	TOLEDO 52342
* 42RS	FINCH, ARD		RR 1	KELLY 50134
* 42QAQ	FISHER, D	FISHER KENNELS	R 1 BOX 116	WEST POINT 52656
* 42XS	FITZPATRICK, K	HI VU KENNELS	RT 2	DENISON 51442
* 42SA	FLANAGAN, H		102 WEST 1ST ST	LEON 50144
* 42WAR	FLAUGH, C & V		RR 3	NORWALK 50211
* 42MAO	FORESMAN, R		RR 2	AUDUBON 50025
* 42QAD	FORTUNE, JL		RT. 3	CHARITON 50049
* 42JO	FOWLER, D		RR 1	CINCINNATI 52549
* 42DR	FOX, CC		R 2	FOREST CITY 50436
* 42CM	FOX, J	FOX'S FORBOSH KENNELS	RT 3	CENTERVILLE 52544
* 42AH	FOX, JR., E		RT 5	FOREST CITY 50436
* 42TAR	FRENO, TL	FRENO'S DORES	69-36TH AVE SW	CEDAR RAPIDS 52404
* 42ZC	FUHRMEISTER, L		RR 2	IOWA CITY 52240
* 42JAV	FULLENWORTH, G	FULLENWORTH KENNEL	RR	STORM LAKE 50588
* 42TAA	G T KENNELS		RR 1	SPENCER 51301
* 42XK	GARDNER, MJ		R-2	DIAGONAL 50845
* 42AN	GARNER, D		RT. 5	OSCEOLA 50213
* 42GAU	GATES, P & P		2119 BOYD ST	DES MOINES 50317
* 42FAG	GIGLER, R	BARB'S KENNELS	RR	TITONKA 50480
* 42UAT	GIHRING, R	SHADY ACRES	RR 1	VINTON 52349
* 42SY	GILBERT, H			KEOSAUQUA 52565
* 42JAS	GILMORE, RL		4090 NE 46TH	DES MOINES 50317
* 42GAK	GLASS, JL		RR 1	BROOKLYN 52211
* 42QT	GLASS, RH		RR 1	MARSHALLTOWN 50158
* 42QAD	GODDARD, KA	K-ANN'S KENNEL	RR 2 BOX 23	DEWITT 52742
* 42SAQ	GOKEN, CJ		RT. 1 BOX 78	DYSART 52224
* 42VAN	GOOD, C & D	SUMMIT VIEW KENNELS	RR 4 BOX 179	CHEROKEE 51072
* 42GV	GOODELL, S		BOX 124	MILLERTON 50165
* 42NAS	GOODWIN, BM		RR 2 BOX 122	GLIDDEN 51443
* 42NAH	GOODWIN, J		402 WOODMANESE ST	MACEDONIA 51549
* 42MJ	GOSCH, M & E	GOSCH'S K-9S	RR 2	IDA GROVE 51445
* 42QAW	GRADY, RRD	DEE'S KENNEL	RR 1 BOX 73	OTHO 50569
* 42KAQ	GRAEVE, FH		RR 1	EARLING 51530
* 42VJ	GRAEVE, MA		RR 1	DEFIANCE 51527
* 42VAA	GRAU, C	MARDI-GRAU KENNEL	RR 2	NEWELL 50568
* 42MN	GRAY, JT & JA		RR 1	DUNLAP 51529
* 42UAQ	GREEN, C & V		RR 1	LITTLE ROCK 51243
* 42FM	GREEN, M		RR 1	PLANO 52581
* 42FAM	GREIMANN, RL			KELLERTON 50133
* 42TAY	GRIFFITH, CE		RR 2 BOX 104	AUDUBON 50025
* 42UAT	GROEN, L		RR 1 BOX 36	LITTLE ROCK 51243
* 42VE	GROTEWOLD, D		RR 2	LAKE MILLS 50450
* 42CAU	GRUENHAGEN, G		RT 2	WALCOTT 52773
* 42PH	GUDE, J		RR 28	EXIRA 50076

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LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
42JG	HALL, H R H		RR 3	VILLISCA 50864
42JB	HAMRICK, HM		RT 1	ACKWORTH 50001
42XO	HANNY, R		601 WALKER ST.	WOODBINE 51579
42RU	HANSEN, D&D	HANSEN KENNELS	RR 3	EXIRA 50076
42GAV	HARDISTY, D		RR 3	CORNING 50841
42HI	HARRINGTON, EF		RR 1	BLAKESBURG 52536
42RJ	HARRIS, R	Y-WYRE KENNELS		GRAND RIVER 50108
42DAL	HARRIS, S R D	WOODSIDE KENNELS	RR 2	WOODBINE 51579
42VAY	HARTE, LF & D	HARTELAND KENNELS	RR 1	REMSEN 51050
42RAW	HATTON, DRJ		RT 1 BOX 110A	CORNING 50841
42MAN	HAUF, L		508 NO DIVISION	STUART 50250
42CAR	HAUGE, D		RR BOX 62	HUXLEY 50124
42QO	HAVICK, M		RT 1	SHELBY 51570
42CAV	HAYES, C & GRAHAM, C	WOLF POINT KENNEL	RR 1	ACKWORTH 50001
42PAM	HEADLEY, K&D	HAMILTON CO	RR 1	ELLSWORTH 50075
42UAM	HFIL, L		RT 1	MARSHALLTOWN 50158
42OH	HERRIG, M		RR 2	DENISON 51442
42FT	HESS, J M		RT 1	WASHINGTON 52353
42TAR	HESS, K		307 S 7TH ST	DUNLAP 51529
42QAY	HEUSER, L & C		RR 1	MANSON 50563
42RU	HICKMAN, LR		103 STEFLE	CORYDON 50060
42IIN	HIGHLAND, DE	HIGHLAND KENNEL	RT4 BOX 217	HARLAN 51537
42CQ	HIXENBAUGH, R	LAKEVIEW KENNEL		PLANO 52581
42TAH	HOAGLAND, L		BOX 318	SHANNON CITY 50861
42SF	HOLST, C	CHAR-DU-KENNELS	RR 1	KEYSTONE 52249
42UAF	HOLST, L	QUALITY OIL CO.	BOX 10	BOLTON 50039
42XO	HOLTORF, DR		RR	CALLENDER 50523
42KZ	HOLTZ, RJ	BOTNA VALLEY KENNELS	RR 2	AVOCA 51521
42WE	HOMANDBERG, A			INWOOD 51240
42HAF	HOOVER, R		140A-13TH ST	MILFORD 51351
42WR	HOOVER, FR		BOX 154	OTHO 50569
42QS	HORMAN, C	HORMAN'S SUNNY DALE KENNELS	RT 3	PELLA 50219
42LAT	HUFFER, J		RT 1	ST. CHARLES 50240
42FAW	HUISMAN, D	HUISMAN AQUATIC'S	1404 HIGHWAY 60 S	SHELDON 51201
42AAQ	HUMMEL, CA		RT 4	WINTERSET 50273
42IIAY	HUMMEL, D & V		RT 1 BOX 212	STANTON 51573
42DAV	HUSSEY, R & D	WOODLAWN KENNELS	618 PETERSON ST.	ALTA 51002
42VAR	JACOBS, K		RT #2	OAKLAND 51560
42XO	JACOBSON, A&J	WINNEBAGO CO	RR 1	LAKE MILLS 50450
42WAC	JACOBSON, R & P	HILLTOP KENNEL	RT. 3 BOX 215A	COUNCIL BLUFFS 51501
42SAA	JAMES, E		RT. 1	MALVERN 51551
42KAM	JANSEN, D		RT 1	SIOUX CENTER 51250
42RAX	JANSSEN, S		RR 2	LAKE CITY 51449
42WAI	JANSSEN, S & R		BOX 45A	DOON 51235
42SR	JARVIS, JA		719 3RD AVE N	MT VERNON 52314
42RAC	JENNINGS, P		RT 1 BOX 1838	CHARITON 50049
42VAK	JENSEN, J & L		RT #1 BOX 163	WIOTA 50274
42LAE	JOBE, JA	BY-JOBE KENNELS & STABLE	BOX 281	TABOR 51653
42DAO	JOHNSON, G	RED BRIDGE KENNEL	RR 1 BOX 49	SMITHLAND 51056
42MQ	JOHNSON, H & R	LEE REE KENNELS	RR 4	GRINNELL 50112
42FAU	JOHNSON, JRJ	JO & JONS KENNEL	206 W DES MOINES ST	ELDON 52554
42AU	JOHNSON, KC		RR 2	ALBIA 52531
42GAC	JOHNSON, LR		1623 VICTORIA	HARLON 51537
42SAR	JOHNSON, T	JOHNSONS KENNELS	BOX 453	GRAETTINGER 51342
42KAK	JOHNSTON, LL	PINE KNOLL KENNEL	506 WEST STANFORD ST	JEFFERSON 50129
42ZF	JONES, NJ		RT 1	ACKWORTH 50001
42CR	JUDGE, L	JUDGES KENNELS		MORAVIA 52571
42IIQ	KAMERMAN, A			ORANGE CITY 51041
42GAF	KAMRATH, RM	KAMRATH KAT N KANINE KORNER	1015 CARRIAGE HILL DR	CLINTON 52732
42HAP	KANNEGIETER, CH		1103 GREY ST	APLINGTON 50604
42WAL	KARSTENS, V		RR 1 BOX 52	LAKEVIEW 51450
42OJ	KAUFFMAN, H	KAUFFMAN KENNELS		WAYLAND 52654
42IAQ	KAUFFMAN, J		R 1 BOX 114	WAYLAND 52654
42RK	KELLEY, MMRRG	KELLEY'S KENNELS		KELLERTON 50133
42FAT	KELLY, B			CLARENCE 52216
42NV	KENKEL, L & A		RR 2 BOX 73	HARLAN 51537
42GAR	KING, S		R 2	WEST POINT 52656
42SAV	KINNEY, G & M	HORSE SHOE KENNELS	RR 1	LEWIS 51544
42MAC	KLAHUNDE, M & K	CEDARWOOD KENNELS	RR 1	HONEY CREEK 51542
42LX	KLASS, RJ	HI-KLASS KENNELS	RR 4	FT DODGE 50501
42MAC	KLOBNAK, V		BOX 178	HAMILTON 50116
42RAO	KNUDSON, M		RR 3	RED OAK 51566
42HAS	KOONTZ, DL & P	PAT-O-PAL KENNEL	RT 1	PROLE 50229
42LV	KOTZ, G		RR 1	KIRON 51448
42AAS	KRABILL, A		RT 3	MT PLEASANT 52641
42WK	KRAGE, S	PERRY VALLEY KENNELS	7410 PERRY CREEK RD	SIOUX CITY 51108
42DAK	KRAGELUND, M		RT 1	WIOTA 50274
42TAZ	KRAMER, J	KRAMER KENNELS	RT 5 BOX 147	OSAGE 50461
42DAK	KRAMER, V			ESTHERVILLE 51340
42NAF	KRAUSE, F	KRAUSE SUNRISE KENNEL	RR 1 BOX 20	MASSENA 50853
42LF	KRAUSE, R		RR 1	FENTON 50539
42RR	KROGSTAD, P		BOX 880	ELK HORN 51531
42QQ	KROSCH, RF	KROSCHDALE KENNELS	RT 2	KINGSLEY 51028
42TQ	KROUGH, RH		928 CEDAR ST	STORY CITY 50248
42VZ	KRUID, F			MAURICE 51036

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* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 42HAQ	KRUID, G		BOX 108	IRETON 51027
* 42IR	KRUSE, GM		R 1	SALEM 52649
* 42VAH	KUIKEN, V		RR #1 BOX 29	MAURICE 51036
* 42DAA	LAKE, DL		RR 2	GUTHRIE CENTER 50115
* 42UAX	LALONE, L & R		RR 1	ARTHUR 51431
* 42PS	LANG, JH & JL		502 N MARION AVE	WASHINGTON 52353
* 42DAM	LANG, R&C	LANG'S KENNEL	1816 E 12TH ST	DES MOINES 50316
* 42FAD	LANGEL, LV		RR 1	TEMPELTON 51463
* 42DL	LANGSTRAAT JR, H		RT 1	OTLEY 50214
* 42RAJ	LARSEN, C&D		RR 2	AUDUBON 50025
* 42FAD	LATTA, F		RT 1	MONTICELLO 52310
* 42RAA	LAURITSEN, S & S		RR 2	EXIRA 50076
* 42JR	LAVERMAN, D & K		RR 1	SULLY 50251
* 42TAR	LEAS, ND	LUTZHAUS KENNELS REG	5532 ASHWORTH RD	WEST DES MOINES 50265
* 42AW	LEE, E	LEES KENNEL	106 LEE ST	SEYMOUR 52590
* 42FE	LEINEN, TJ	PARSOLISH KENNELS		HARPER 52231
* 42MV	LINMAN, R		RR 1	ARTHUR 51431
* 42AAJ	LITTLE, LD		BOX 186	BARNES CITY 50027
* 42RS	LIVINGSTON, M&S	WINCREST KENNEL	ROUTE 3	INDIANOLA 50125
* 42DAI	LIVINGSTON, M&K		BOX 87	FARRAGUT 51639
* 42VAW	LONG, T & T		BOX 16	SHARPSBURG 50867
* 42GW	LOYNACHAN, T		RT 3	CHARITON 50049
* 42HAH	LUNDSTROM, D		BOX 311	SPIRIT LAKE 51360
* 42WAP	LUTHER, P		RR 1	JEFFERSON 50129
* 42FZ	LYNCH, H		RR 1	W BRANCH 52358
* 42AQ	LYONS, W		RT 1	EXLINE 52555
* 42TAX	MADSEN, S		RR 1	AUDUBON 50025
* 42PJ	MARLIN, G	MARLIN WILD ANIMAL FARM	RT 1	CRESTON 50801
* 42CAR	MAUDLIN, P			REDDING 50860
* 42DV	MCCLAIN, A	MCCLAIN KENNELS	RR 1 BOX 7	HARRIS 51345
* 42SL	MCCOMBS, SD		RT 1	ACKWORTH 50001
* 42KAS	MCCREARY, JA		RR 1	MT AYR 50854
* 42XC	MCCULLOUGH, N		RT 2 BOX 71	MOULTON 52572
* 42FAD	MCDERMOTT, J	SWISS MOOR ST BERNARDS	RR 1	CHARLOTTE 52731
* 42FG	MCDERMOTT, R		RT 2	ATLANTIC 50022
* 42PR	MCDONALD, F		RT 2	ALBIA 52531
* 42HAY	MCGRANN, J		RT 1	MYSTIC 52574
* 42TS	MCINTOSH, R&S	SANRON KENNELS		FARMINGTON 52626
* 42FAJ	MCKAMEY, N		RR 1 BOX 185	BETTENDORF 52722
* 42TR	MCNAIR, D&C	MCNAIR'S POODLES	RT 1 BOX 90	N LIBERTY 52317
* 42TA	MEADE, MG		RT 6 LINDER LN	IOWA CITY 52240
* 42NAC	MEANS, V		BOX 241	CARBON 50839
* 42TQ	MEEVES, PF		RR 1	IDA GROVE 51445
* 42JE	MEYER, A		70 ALLVIEW DRIVE SW	CEDAR RAPIDS 52404
* 42LAR	MEYER, K		RT 1	BRANDON 52210
* 42FAF	MICHAEL, FD		RT 2	ELKHART 50073
* 42PAV	MICHELS, S		RR 1	ROYAL 51357
* 42MI	MILES, D & J		RR 2	IDA GROVE 51445
* 42GAN	MILLER, DW		RR #2	KENTA 52248
* 42VAG	MILLER, G		RR 2 BOX 325	KALONA 52247
* 42AAC	MILLER, JF & J		RR 1	DUNLAP 51529
* 42WAA	MODLER, R	RUAN'S KENNEL	RR 1	WALCOTT 52773
* 42UAS	MOEYKENS, M & G		RR 1 BOX 253	HUMBOLDT 50548
* 42TAT	MOORE, JD		R 2 BOX 688	WAPELLO 52653
* 42FAC	MOORE, M		BOX 226 RT 1	CENTERVILLE 52544
* 42TAU	MORGAN, R & D		BOX 3 RR 1	OTO 51044
* 42UJ	MORMAN, R		BOX 122	DAWSON 50066
* 42CV	MORRISON, L		RR 1	GRAND RIVER 50108
* 42RY	MORRISON, MC	MORRISON RABBITRY	RR 1	WEST LIBERTY 52776
* 42MAV	MORSE, AC		RR 2	MARION 52302
* 42LC	MOULDS, SE	WESTROAD KENNEL	RR #1 BOX 31	LAKE CITY 51449
* 42TAQ	MOWRY, MRS. S		PO BOX 23	CINCINNATI 52549
* 42JD	MOYER, PL&RM		RT 1	PROLE 50229
* 42VAF	MULLIGAN, M	WILCOX WOLF PARK	RT 1	DEEP RIVER 52222
* 42IX	NARIGON, AG	NARIGON RENE KENNEL'S OF PR ESCOTT	BOX 184	PRESCOTT 50859
* 42DG	NEALEY, CM		RR 2	DANVILLE 52623
* 42RZ	NEJDL, PN	LEDJEN HILLS KENNEL	PO BOX 1185	CEDAR RAPIDS 52406
* 42RAI	NELSON, D			LINN GROVE 51033
* 42UAK	NELSON, G & M	SPRING RIDGE FUR FARM	R 1	BIRMINGHAM 52535
* 42RAN	NELSON, LD		800 NORTH ST	WALNUT 51577
* 42WAH	NEPERENY, M & M			STRATFORD 50249
* 42DY	NICKELL, L		ROUTE 2 BOX 146	ALLERTON 50008
* 42UAD	NIENHAUS, M R R	DOGHAU KENNEL	RR 2 BOX 100	FT ATKINSON 52144
* 42NB	NIKKEL, L		RR 1	SULLY 50251
* 42DAY	NORDBY, M&D		RT 1	KIMBALLTON 51543
* 42FD	NORMAN, PE&CM	NAMRON KENNELS	RT 1A BOX 166	AFTON 50830
* 42DO	O'BRIEN, D&M		RT 1	RUSSELL 50238
* 42QAF	OLDENKAMP, K&M	OLDENKAMP KENNELS	RR 2	ORANGE CITY 51041
* 42MD	OVERTON, P			ALLERTON 50008
* 42RP	OVIATT, RO & K	OVIATT KENNELS	BOX 47	MAGNOLIA 51550
* 42HE	PAPLOW, M		RR 2	SIBLEY 51249
* 42NW	PARDEKOOPER, R		RR	LINDEN 50146
* 42QC	PATTEN, ABBE		RR 1	AUBURN 51433
* 42DQ	PECOY, R		RR #1	ROCKWELL CITY 50579
* 42LAD	PELZER, LJ		RT. 2 BOX 140	GRISWOLD 51535
* 42EAG	PENNINGS, C		RR 2	ORANGE CITY 51041
* 42UR	PENNINGS, M			ORANGE CITY 51041
* 42PP	PETERSON, RW		RR #1	GLIDDEN 51443

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***				
42RAM	PHILLIPS, RJ	R.J. KENNELS	RFD 1	ROSE HILL 52586
42RW	PHILLIPS, MK	PHILLIPS KENNELS	R-2 BOX 191 TOWNSHIP RD	KEOKUK 52632
42TAK	PIERCE, R		RT 1	COLFAX 50054
42MH	PILLING, DG			MEDIAPOLIS 52637
42MK	PILOT GROVE KENNEL & SUPPLY INC		BOX 70	HOUGHTON 52631
42JAG	PLUMB, D	PLUMB'S KENNEL	ROUTE 1	HARLAN 51537
42UAN	POL, M		RT 1	SULLY 50251
42NE	POLDBERG, D & M		RR 2 BOX 66	HARLAN 51537
42WQ	PORTER, A & F		BOX 582	DAYTON 50530
42SAY	PORTER, R			CUMBERLAND 50843
42WR	PORTER, FF		RR 2	LACONA 50139
42UAU	POWERS KENNEL		BOX 18	TABOR 51653
42TAL	PRONOP, J & J		117 WASHINGTON ST	ROCKWELL CITY 50579
42NAI	PULVER, R		RT 1 BOX 23A	RUNNELS 50237
42KAU	PURDUM, G&J		RT. 1 HWY. 14	NEWTON 50208
42VAD	PURVIS, G & K		RR 2	SEYMOUR 52590
42JAY	QUALE, I		1438 E DUNKERTON RD	WATERLOO 50701
42UX	RANKIN, M		1454 F 21ST ST	DES MOINES 50317
42GAM	RED ROCK COON HUNTERS ASSN		RT 1	LACONA 50139
42MAQ	REED, L	LE-RE KENNEL	RT 5 BOX 341	CHARITON 50049
42LA	REIMER, M	REIMER KENNEL	ROUTE 1A	AFTON 50830
42PZ	REMILLARD, DS		RR #3	ALTA 51002
42LAV	REYNOLDS, R		RT 2	CARLISLE 50047
42AZ	RHOADS, L	RHOADS KENNEL		NUMA 52575
42SO	RHODES, W		RD #1	KALONA 52247
42AAD	RICE, JC		RR #5	WATERLOO 50701
42DA	RICHARDSON, T	J&R KENNELS	RT 1	LINEVILLE 50147
42GAA	RICHEY, P&E	BULL CREEK KENNELS	BOX 31	CARBON 50839
42KAX	ROBERTSON, GL&KB	TURKEY CREEK KENNELS	R 1	ATLANTIC 50022
42FAX	ROBEY, L&J		RR 2	NEVADA 50201
42NP	ROCKHOLD, M&V			ALLERTON 50008
42IF	ROEGLIN, L	ROEGLIN KENNELS	R-2	KEOKUK 52632
42RJ	ROETMAN, G	COACHLITE KENNELS		HULL 51239
42MG	ROSENTHAL, C&J	CHARLEY HORSE ACRES	RR 1	STORM LAKE 50588
42MY	ROSSMANITH, M		RR 1	GOWRIE 50543
42UT	ROYCE, S		RR 1 BOX 122	GRAND JCT 50107
42VAM	ROYER, L		RR #3	GUTHRIE CENTER 50115
42FAC	ROYSTER, DRP	LAZY R KENNEL	RR 1	DUNCOMBE 50532
42CAI	ROZENDAAL, EA		RT 1	LYNNVILLE 50153
42GO	RUBY, IC		RR 3	NEW SHARON 50207
42QAH	RUDE, M&R	R&R BUNNY BARN	RR 1	ELLSWORTH 50075
42LAD	RUPP, DF		RT 2	CORNING 50841
42LAN	SANDERS, JRG	RAINTREE KENNELS	208 MAE ST BOX 1093	STORM LAKE 50588
42RAT	SANDERS, RRJ		RT 1 BOX 53B	COUNCIL BLUFFS 51501
42LM	SAVAGE, D	CEDAR CROFT KENNEL		SALEM 52649
42QO	SCANLAN, DP		930 N CENTER ST	LAKE CITY 51449
42VAP	SCHAFTIL, L	CEDAR STONE KENNEL	R 1 BOX 230	LECLAIR 52753
42IW	SCHENK, N	PUPPY VILLA	RR 1	SIOUX CENTER 51250
42AD	SCHERRING, FB		RT 2 BOX 118	EARLVILLE 52041
42CAQ	SCHMITH, D		1214 MAPLE	HULL 51239
42ZA	SCHOSSOW, DL		RT 1	LAURENS 50554
42LAH	SCHOTT, JR&TM	OAKRIDGE ACRES	RR 1 BOX 71	OTHO 50569
42RG	SCHRADER, P MRS.	SCHRADER KENNELS	RR #2	BATTLE CREEK 51006
42KAE	SCHULTZ, FF&JV	ALOHA ACRES KENNELS	RR 2 BOX 191	SAC CITY 50583
42LJ	SEA, J	SEA'S PRAIRIE JCT KENNELS	RT 2	HEDRICK 52563
42FAS	SEIVERT, E	SEIVERT KENNELS INC.		SANBORN 51247
42EAZ	SHADA, G & M	SHANSI KENNEL	RR 1	CENTER POINT 52213
42TAW	SHANNON, RJ	OAK RIDGE KENNELS	R-2 BOX 159	SIGOURNEY 52591
42GD	SHARP, R	R&R SHARP KENNELS	RT 2	CHARITON 50049
42MP	SHARP, SI		RT 1	ARION 51520
42XT	SHEETS, VM&WF	CHARES KENNELS	RR 2	IOWA CITY 52240
42RAK	SHIELDS, E&E	SHIELDS KENNEL	RT 1 BOX 6	LOGAN 51546
42LAP	SHINKLE, F & A	SHINKLE COUNTRY ACRES	RT 3	CORNING 50841
42ND	SIEFKEN, E		RR 2	GILMORE CITY 50541
42VAV	SIEMER, T	LITTLE ACRE'S KENNEL	RR #1	DOW CITY 51428
42WAD	SIETSTRA, MRS W		RR 1	BOYDEN 51234
42IM	SIMPSON, L	SIMPSONS TOY KENNEL	BOX 9441	SPIRIT LAKE 51360
42TAW	SMITH, DC & MM		2010 SE 61ST AVE	DES MOINES 50320
42FAL	SMITH, GK	WOLF HAVEN KENNELS	BOX 116	ROWAN 50470
42FAM	SMITH, K&M			WASHTA 51061
42VAX	SMITH, R		RT 1	ALBIA 52531
42PAN	SONDAG, G		BOX 147	BRANDON 52210
42TI	SORENSEN, FKM		RT 2 BOX 58	COON RAPIDS 50058
42FAL	SPINA, BA	TU SHOW PEKINGESE & SHIH TZU	1822 HAMILTON STREET SW	CEDAR RAPIDS 52404
42HAU	SPITLER, D	SPITLER-DOG & HUNTING SUPPLY	BOX 95	BLAIRSBURG 50034
42SAP	SPORRER, M		RR 1	DENISON 51442
42TAV	SPRENGER, R & K		RT 2	FREDERICKSBURG 50630
42HAP	STAUFFER, ML	MAJARTA KENNEL	RR 1 BOX 122	FONDA 50540
42DAR	STEFFEN, M&M	STEFFEN'S DOBERMAN	RR 1	RUTHVEN 51358
42TAL	STEFFENS, J		RR #1	MACEDONIA 51549
420A	STILL, JJ	STILL'S KENNEL	RR 2 PO BOX 240	SCRANTON 51462

IOWA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 42DAP	STIMSON,F	FRIENDLY ACRES POMS		BLANCHARD 51630
* 42KE	STOLTZFUS JR, J		RR 3	IOWA CITY 52240
* 42CY	STRAIGHT, P			KELLERTON 50133
* 42PAX	STREIT, J & WINKOWITSCH, J	KINICK KENNELS		SIBLEY 51249
* 42KH	STRICKLAND, D		RT 1 BOX 174	ANITA 50020
* 427Y	STRIEGEL, F	STRIEGELS TOY DOGS	RR 1 BOX 129	EARLY 50535
* 42TAM	STRUNK, C & P		RR 1	SOMERS 50586
* 42PAG	STRUVE, D			VAN HORNE 52346
* 42FR	STUEKERJUERGEN, JJ&JV	CORNER VIEW KENNELS	RR #1 BOX 155A	DONNELLSON 52625
* 42RAT	STUFFLEBEAN, R&J	RIVER VIEW KENNEL	RR 2	DUNCOMBE 50532
* 42UAK	SUNKEN, JL	SUNKENS GREENBELT KENNELS I	821 SO 3RD ST	IOWA FALLS 50126
* 427K	SUNKEN, P	SUNKENS GREENBELT KENNELS	RR 2	IOWA FALLS 50126
* 42QAA	TAYLOR, DJ		RR 2	NEOLA 51559
* 42QAF	TAYLOR, J	YEAGER CREEK YORKIES	5010 SW 8TH ST	DES MOINES 50315
* 42KG	TESTROET, P&L	COUNTRY KENNELS	BOX 89	AUDUBON 50025
* 42UZ	TESTROETE, G	ARLO FARMS		SIOUX CENTER 51250
* 42XN	THACKER, J	BRAVO COUNTRY KENNELS	RR 1	DOUDS 52551
* 42TAD	THIEL, MRS. F		201 NORTH 16TH ST,	ADEL 50003
* 42YF	THUMPSON, CRF	CHARESTA'S KENNEL	RR #1	RANDOLPH 51649
* 42RAG	THOMPSON, DA		RR 1	RIPPEY 50235
* 42WAG	THOMPSON, J		RR 3	BOONE 50036
* 42TN	THOMSEN, P	THOMSEN KENNELS	RR 4	HARLAN 51537
* 4277	TILLER, WW	TILLER ENTERPRISE	5801 MARK ST	PAPILLION 68046
* 42HAA	TITUS, FR & K	FOUR T KENNEL	RR 1 BOX 172	COLFAX 50054
* 42CO	TJADEN, G		RURAL ROUTE	FLOYD 50435
* 42XR	TRAVIS, AL			LEWIS 51544
* 42GU	TRINKLE, W & I	TRINKLE SPRINGDALE KENNELS	ROUTE 5	ALBIA 52531
* 42KAH	TROWER, L		RT 1 BOX 64	GRAND RIVER 50108
* 42SAD	TROWER, P	BUFFALO WALLOW KENNELS	RR 1 BOX 126B	KELLERTON 50133
* 42VAL	TYSSELING, M & C	TYSSELING KENNELS	RT 2	PELLA 50219
* 42GK	ULMER, M&S		BOX 136	ARION 51520
* 42VAT	VAN DER POL, M & B		RR 1	MONROE 50170
* 42JAD	VAN DER VLIET, B		RR 1	SIOUX CENTER 51250
* 42FAV	VAN DORLAND, W		RT 1	EDDYVILLE 52553
* 42SAL	VAN DRUNEN, P		RT. 2	PELLA 50219
* 42LAF	VAN GORP, SR., L		RT 1	REASNOR 50232
* 42JM	VAN HOUWELINGEN, RJ		RR 3	PELLA 50219
* 42MAJ	VAN KOOTEN, G&H		RT 3	OSKALOOSA 52577
* 42SAF	VAN LANINGHAM, D		R 4 BOX 105E	FAIRFIELD 52556
* 42SAE	VAN LANINGHAM, S	DAVIS COUNTY KENNELS	R 4	BLOOMFIELD 52537
* 42KAT	VAN WYK, ARC		RT. 4	PELLA 50219
* 42PAU	VAN ZEE, R	VALLEY VIEW KENNELS	RT 2 BOX 18	ROCK VALLEY 51247
* 42FI	VAN ZOMEREN, J		RR 3	OSKALOOSA 52577
* 42QZ	VANCE, MA	SUMMITVILLE KENNELS	RR #2 BOX 163	KEOKUK 52632
* 42RV	VANDEN BERG, G & M	VAN'S KENNELS	RT 5	ALBIA 52531
* 42MAD	VANDER SCHAAF, RM		1217-6TH ST	HULL 51239
* 42LAQ	VANDEWATER, LJ		RR 2 BOX 169	GREENFIELD 50849
* 42UAJ	VANWYK, LM		RT 1	SULLY 50251
* 42NAY	VAUGHN, AM		RR 4 BOX 58A	DAVENPORT 52804
* 42VM	VERMEY, R&J		RT 1	SULLY 50251
* 42JAR	VERMEER, MD		R 2	HULL 51239
* 42PAP	VERSCHUURE, DM	VERSCHUURE KENNEL	RT 1	LEIGHTON 50143
* 42NM	VOEGE, D		RR 1	MANILLA 51454
* 42NG	VOS, R	JE-RO-NA-KENNEL	BOX 36 CLAREMORE MOBILE HM PK	SIBLEY 51249
* 42JT	WALDRON, KM	BROOKVIEW KENNELS	BOX 75	AYRSHIRE 50515
* 42WAF	WALKER, G R N		RT 1	BARNES CITY 50027
* 42CZ	WALLER, CD			KELLERTON 50133
* 42NAR	WALRAT, I	IADOWA KENNELS	RT 5 BOX 173	OSCEOLA 50213
* 42EK	WEAR, FRJ	HAPPY VALLEY SALES	1434 SPRUCE ST	IOWA CITY 52240
* 42UAZ	WEAVER, ML		BOX 130	RIPPEY 50235
* 42LAU	WEBB, P			KELLERTON 50133
* 42YA	WEHRSPAN, K	KAY'S KENNEL	515 NICKELLANE	EAGLE GROVE 50533
* 42WI	WETSSHAAR, JR		ROUTE 2	CRESTON 50801
* 42RV	WELSCH, JM		RR 1 BOX 49	GREENFIELD 50849
* 42FS	WELSH, JM	WELSH'S KENNELS	RR 1	BLAKESBURG 52536
* 42AV	WELSH, R	WELSH KENNELS		MYSTIC 52574
* 42DE	WHEELOCK, PF	VALI-VU KENNELS	RT 4 BOX 216	BOONE 50036
* 42DAJ	WIESE, LRN	CLEMENTINE'S KENNEL	RFD 1	HOLSTEIN 51025
* 42CB	WILLEY, EF	BLACK SHADOW KENNEL	800 E COLUMBUS	MT AYR 50854
* 42RF	WILLIAMS, I			LARCHWOOD 51241
* 42GA	WILSON, GS		ROUTE 2	ALLERTON 50008
* 42SP	WINEY, C		R 1	DELOIT 51441
* 42RAF	WISHMEYER, N		604 N. MAIN	SEYMOUR 52590
* 427T	WITTKAMP, L		BOX 944	CHEROKEE 51012
* 427J	WOOD, F			EXLINE 52555
* 42DAR	WOOD, LF		RR 2	CASTANA 51010
* 42HX	WOOD, MJ		RR 1	CINCINNATI 52549
* 42PO	WOOD, ML	YORKWOOD KENNELS	838 OAK ST	AINSWORTH 52201
* 42TAU	WOODS, RM		RT 1	CARLISE 50047
* 42GAX	WOSORA, N			MONMOUTH 52309
* 42SAS	WUNSCHEL, D & P		RR 1 BOX 25	IDA GROVE 51445
* 42DAF	WYNJA, C			SIOUX CENTER 51250
* 42DAT	WYNN, JF	WYNN KENNELS	BOX 295 RR 4	W BURLINGTON 52655

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* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 42FAY	YARRINGTON, B		RR #2	CORNING 50841
* 42VAZ	YARRINGTON, R & S	YARRINGTON'S KENNELS		BRIDGEWATER 50837
* 42GAH	YOUNG, AE&LA		1813 G STREET	IOWA CITY 52240
* 42PAH	YOUNG, JM	WINDY ACRES KENNELS	R 1 BOX 4C	SPERRY 52650
* 42UAV	YOUNG, K, R & J		RT 2	SEYMOUR 52590
* 42DAZ	ZENOR, L		RT 1	OGDEN 50212
* 42QAZ	ZOFT, J&P		RR 2	HULL 51239
* 42UW	ZOMERMAAND, J	ROYAL DUTCH KENNELS	BOX 1	STRUBLE 51057
* 42RAV	ZORTMAN, G	KNOB HILL KENNELS	RR 1 BOX 195	HORNICK 51026
* 42TAJ	ZUMACH, G	ZUMACH KENNEL	BOX 123 RR 1	FONDA 50540
* 42PAY	ZYLSTRA, K		RR 2	ROCK VALLEY 51247

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* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 4RAY33	AREL, A R M		RR 1	HOLTON 66436
* 4RAQR3	ADEE, E		RR 1 BOX 31	OAK HILL 67472
* 4RAL15	ADKINS, N & L		RT 1	CLIFTON 66937
* 4RAJ37	ALBER, G		RT 1	STERLING 67579
* 4RARR1	ALEXANDER, J & L		1013 LOCKSTONE CT BOX 12 12	JUNCTION CITY 66441
* 4RAP08	ALEXANDER, M		PO BOX 145	GARFIELD 67529
* 4RAA56	ALL-KEN KENNELS	ALL-KEN KENNELS	RT 1	SOLDIER 66540
* 4RAD55	ALLEN, HM		RT. 1 BOX 11A	ST. GEORGE 66535
* 4RAR60	ALLEN, WJ & G	CASA DE PERO KENNEL		CENTRALIA 66415
* 4RAB15	AMON, J			NETAWAKA 66516
* 4RAVQ1	AMOS, E R DEWEY, A		R 1	OSWEGO 67356
* 4RAJ57	AREL, PE		R.R. 2 BOX 5-B	SEDAN 67361
* 4RAX20	AREA, R & G		RR 1	MAYETTA 66509
* 4RAS27	AREA, RM			HAVENSVILLE 66432
* 4RAY40	ASHTON, I R R		BOX 64	POWHATTAN 66527
* 4RAH04	ASKINS, DM		RT 5	WINFIELD 67156
* 4RAW42	ASPINWALL, PA	ASPINWALL'S DOG KENNEL	RR 2 BOX 202	VALLEY FALLS 66088
* 4RAR46	AURAND, M	AURAND'S KENNEL	RR 1 BOX 111A	BELLEVILLE 66935
* 4RAR90	AUTRY, C & J	C & J KENNELS	RR 1	VALLEY FALLS 66088
* 4RAR33	AVIS, RAJM	SOUTH WIND KENNELS	R 1 BOX 44	BELLEVILLE 66935
* 4RAF11	AYERS, F R M		RT 2 BOX 61	WELLSVILLE 66092
* 4RAK15	BADDERS, LC	GREENLAWN KENNELS	614 MYRTLE	PRATT 67124
* 4RAK29	BAIRD, IR		RT 2	DODGE CITY 67801
* 4RAS02	BAKER, AY		R1	IOLA 66749
* 4RAV54	BALLARD, CL		R 1 BOX 95	HAVANA 67347
* 4RAW89	BAMBERGER, DA	PRAIRIE PEKES	RT 2 BOX 280	JETMORE 67854
* 4RBZ04	BANAKA, J	WAGGIN TAIL PUPPY FARM	RT 2	NETAWAKA 66516
* 4RBA48	BANKS, CL	SELRAHC KENNELS		WHITING 66552
* 4RAL03	BANTZ, HA		RR 1	HOWARD 67349
* 4RAW21	BARCLAY, R R K		102 SO. PLUMMER	CHANUTE 66720
* 4RATR1	BARKER, F & N	BUSY B KENNEL	RT 1 BOX 42	LARNED 67550
* 4RAA50	BARNES, L	DELTA KENNELS	RT 2	VALLEY FALLS 66088
* 4RAMA5	BARNES, L R PATTON, D		RT 1	WETMORE 66550
* 4RAJ55	BARNETT, M		R 3 BOX 66	COLBY 67701
* 4RAT55	BARRICKLOW, MG	BARRICKLOW KENNELS	RT 1	RAYMOND 67573
* 4RBA09	BARTA, PA		RR 2 BOX 185	INDEPENDENCE 67301
* 4RAZ36	BARTLEY, S & J	J & S RABBITRY		WAMEGO 66457
* 4RBR01	BATES, GP	K-9 KENNELS	S STAR RT	GARDEN CITY 67846
* 4RAH67	BAUGHN, D		RT 4 BOX 21	CHANUTE 66720
* 4RAY24	BEACH, R	BEACH'S KENNEL	RR 3	LAWRENCE 66044
* 4RBB25	BEAGLES, G	RESEARCH RABBITRY	R 1 BOX 20	GALENA 66739
* 4RAW65	BEAL, R&R	R&R KENNELS	RT 2	EFFINGHAM 66023
* 4RAAR6	BEAM, RF		RT 3	HOLTON 66436
* 4RALR2	BEAMAN, CL		RT 1	WHITING 66552
* 4RAV76	BEAVER, N & DAY, SL	WOODWIND KENNELS	PO BOX 16	LAHARPE 66751
* 4RAB95	BECK, G			CORNING 66417
* 4RAA59	BECK, NE	SUNNYSIDE KENNELS	BOX 335	ATTICA 67009
* 4RAY02	BECK, VF & L		RT 1	CORNING 66417
* 4RAE85	BECKMON, R & E		BOX 114	COLONY 66015
* 4RAR20	BEHRENS, G		RT 3	MARYSVILLE 66508
* 4RAM29	BELL, MS		P.O. BOX 123	BEVERLEY 67423

KANSAS

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 48AB42	BENDER, N			WETMORE 66550
* 48AT69	BENEDICT, C & F		RT 3	ELKHART 67950
* 48AH25	BENNETT, P		RT 2 BOX 129	VALLEY CENTER 67147
* 48AC95	BERG, GT		RR 1	BLAINE 66410
* 48AD21	BERG, H			WHEATON 66551
* 48AD46	BERG, L			ONAGA 66521
* 48AD27	BERG, M	MILTON BERG KENNELS		BLAINE 66410
* 48AD26	BERG, W			BLAINE 66410
* 48VA04	BERGES, D		BOX 81	ONAGA 66521
* 48AK83	BERGMAN, A		RT 1	BAILEYVILLE 66404
* 48AB62	BERGMAN, M		RR	BAILEYVILLE 66404
* 48AK84	BERGMAN, RR		RT, 1 BOX 96	SENECA 66538
* 48AZ37	BERLIN, D		RT 2	OSAWATOMIE 66064
* 48AF64	BERNRITTER, R		RR	HAVENSVILLE 66432
* 48AI39	BERNTSEN, RM		RT 1	LA HARPE 66751
* 48AQ25	BERRY, EW		RR 2 BOX 106	RUSSELL 67665
* 48AJ86	BEST, KRA		207 N POMEROY	HILL CITY 67642
* 48AQ74	BICKEL, RR	BICKEL KENNELS	RT 1	DODGE CITY 67801
* 48AJ34	BILLINGS, GL		RT 2	DOWNS 67437
* 48AE27	BILLINGS, WRV	SARAKI SEVERA KENNEL	BOX 35	LANCASTER 66041
* 48AH69	BIRCHER, LF		2504 N. 8TH	INDEPENDENCE 67301
* 48AW50	BISHOP, DAI		RT 1 BOX 123	HAVENSVILLE 66432
* 48AC66	BLACK, M&M		RFD 1	FRANKFORT 66427
* 48BB45	BLACKBURN, ML	BLACKBURN'S HOUND HOLLOW	RT, 4	INDEPENDENCE 67301
* 48AY95	BLACKWOOD, C		R 1	SOLDIER 66540
* 48AI74	BLAIR, M&G	GAND M KENNELS	RT 1 BOX 235	PITTSBURG 66762
* 48AJ09	BLAND, R			LUCAS 67648
* 48APR6	BLANKINSHIP, CA		RR 2	SEDAN 67361
* 48AZ32	BLANTON, J		RT 1	TROY 66087
* 48AE48	BLANTON, LJ		RR 1	TROY 66087
* 48AE36	BLANTON, WM		RR 2	ROBINSON 66532
* 48AD18	BLENN, L			WESTMORELAND 66549
* 48AH51	BLOOM, DF	SUNDANCE SETTERS	LAKE O'SHAWNO	CARBONDALE 66414
* 48AH58	BLUMENSTEIN, ND	LAKEVIEW KENNELS	RT 2 BOX 24	COFFEYVILLE 67337
* 48AP31	BLUTHARDT, A		RT 1	ST GEORGE 66535
* 48AM24	BODEN, N			HAVENSVILLE 66432
* 48AM30	BOEKEN, T & F		BOX 1	LORRAINE 67459
* 48AV60	BOETTCHER, R & V	BLUESTEM KENNEL	RR 5 BOX 165H	EMPORIA 66801
* 48AE06	BOLAN, B		RT, 1	LYNDON 66451
* 48AW02	BOLAND, F	BOLAND KENNEL	RFD	ALTON 67623
* 48AV71	BOLDT, W	BOLDT KENNELS		CHASE 67524
* 48AF99	BOLEN, F			MOUND CITY 66056
* 48AA93	BOLING, D		RT 1	HOYT 66440
* 48AY29	BOLLIG, S		310 E 4TH	CHANUTE 66720
* 48AX56	BONE, P	PAUL'S KENNELS	R 4 BOX 21	GIRARD 66743
* 48AK48	BONTRAGER, D		RR 1	WHITING 66552
* 48AR39	BONTRAGER, P		RT 1	WETMORE 66550
* 48AT73	BOSS, J		309 GRAHAM BOX 106	LEONARDVILLE 66449
* 48AY92	BOSSE, L		R 1	WHEATON 66551
* 48AM42	BOWEN, ML & CW		RR 1	SYLVIA 67581
* 48RR04	BOX, VI		423 E. MILL	COLUMBUS 66725
* 48RA26	BOYD, RK	BOYDS KENNELS	RR 1 BOX 37	SEATTIE 66406
* 48AG38	BOYER, M & HOUSE, H	HOUSEBOYS KENNELS	507 SW 4TH	ABILENE 67410
* 48AG65	BOZONE, GJ		9201 S BROADWAY	WICHITA 67233
* 48AY39	BRACKEN, P & G		RT 1	FALL RIVER 67047
* 48AN21	BRANCHE, N	BRANCHE KENNEL	1209 W 21ST	JUNCTION CITY 66441
* 48RR60	BRAZZLE, WRB	MEADOW WINDS KENNELS	1203 14TH ST	WAMEGO 66547
* 48AA45	BREAKER, K	BREAK-R-DA KENNELS	R 1 BOX 46	DOUGLASS 67039
* 48AQR2	BREES, H		420 E 16TH	CONCORDIA 66901
* 48AF67	BREES, DG		RT 1	EMMETT 66422
* 48AC	BRINK, C		RT 2 BOX 13	PAOLA 66071
* 48AY73	BRINKLEY, NL		R 3	WAVERLY 66871
* 48AH26	BRISKEY, G		5707 S SENECA	WICHITA 67217
* 48AW67	BROWN, H&P	YANKEE HILL KENNELS	6645 SE WOODRING RD.	BERRYTON 66409
* 48AT96	BROWN, M		RT 4	BELOIT 67420
* 48AS79	BROWN, PF & AJ		RT, 4 BOX 58	CHANUTE 66720
* 48AT88	BROWN, WRE		BOX 21	PERU 67360
* 48AY22	BRUINGTON, J & L		R 1	LIBERTY 67351
* 48AA40	BRUNA, A	BRUNA'S DOG KENNEL		HANOVER 66945
* 48AX41	BRUNA, A & L		RR 1 BOX 183	WATERVILLE 66548
* 48AD14	BRUNKOW, C&J		RT 2	WAMEGO 66547
* 48AM90	BRYANT, M&G	BRYANT'S KENNELS	RR 5 BOX 70	HUTCHISON 67501
* 48AR51	BUCKLEY, M		1947 S STREET	BELLEVILLE 66935
* 48AX06	BUCKNER, S		201 W MILL	COLUMBUS 66725
* 48AX71	BUNCH, P & J	BUNCH ELKHOUNDS	1104 N GRANT	LIBERAL 67901
* 48AG66	BURCH, R		BOX 54	ROXBURY 67476
* 48AX48	BURD, F	WONDER KENNELS	RT 1	JENNINGS 67643
* 48AI75	BURDICK, R & W		109 E 20TH ST	PITTSBURG 66762
* 48AH17	BURRIS, E&S		3311 W 4TH ST	HUTCHISON 67501
* 48AN19	BURRIS, J	T J KENNELS	RT 1 BOX 65	PLAINVILLE 67663
* 48AZ12	BURT, A		1168 3 WOODLAND	SALINA 67401
* 48RA20	BURTON, WW	BURTON'S KENNELS	RT 2 WEST PARK ST	DODGE CITY 67801
* 48AF54	BUTTERBAUGH, M			AURORA 67417
* 48AR21	BUTSCHLE, JR WARFL	WILL-LOU KENNELS	RT 2 BOX 42	SALINA 67401
* 48AH96	BUZARD, JC & V		RR 1 BOX 78	MCCUNE 66753
* 48AS63	BUZARD, R		R1	WEIR 66781
* 48RA01	C & P KENNELS INC		BOX 128	BARNES 66933
* 48AL58	CALLAWAY, JR&F		312 CAMPBELL ST	IOLA 66749

KANSAS

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 48AI12	CAMARATTA, E		BOX 123	BRONSON 66716
* 48AR98	CAMERON, E R D	KITTYLAND PERSIANS	2045 MISSION RD	SALINA 67401
* 48AH27	CAMPBELL, TM	RENEGADE FRONTIER KENNELS	4403 W PAWNEE	WICHITA 67209
* 48AD01	CANFIELD, W	CANFIELD KENNELS	RT. 1 BOX 220	CLIFTON 66937
* 48AY46	CAREY, BR		1201 MONEY AVE LOT L9	AUGUSTA 67010
* 48AY64	CARGILE, J	J-BAR KENNEL	RT 2	NEODOSHA 66757
* 48AP44	CARLBURG, I		RT 2 BOX 25	FREDONIA 66736
* 48AX52	CARLTON, W R J		RT. 1 BOX 8	JUNCTION CITY 66441
* 48AF69	CARSON, RF		RT. 2 BOX 84	BERRYTON 66409
* 48AT71	CARTER, J	CARTER'S KENNELS	R 2	BELOIT 67420
* 48AS14	CARTER, K R D	K & D KENNELS	ROUTE 2	IOLA 66749
* 48AA57	CHANNEL, AL	CHANN KENNELS		CENTRALIA 66415
* 48AV81	CHAPIN, MRP		RT 2	WASHINGTON 66968
* 48AB80	CHAPMAN, CM		3538 SEWARD AVE	TOPEKA 66616
* 48AH28	CHASE, VM		6308 S SENECA	WICHITA 67217
* 48AQ94	CHEGWIDDEN, D		R 2	RUSSELL 67665
* 48AX66	CHICK, L		1720 NICKERSON BLVD.	HUTCHINSON 67501
* 48AG41	CIBOLSKI, D		RR 1	AGENDA 66930
* 48AM26	CLANTON, M		RR 2 BOX 188C-1	NEODESHA 66757
* 48AI47	CLARK, F		P.O. BOX 736	MILDRED 66055
* 48AF27	CLARK, L		R 1 BOX 115	GLASCO 67445
* 48AA26	CLARK, LIRT	L & T KENNEL	BOX 111	GREENLEAF 66943
* 48AT12	CLARK, MA		R 1	TROY 66087
* 48AJ43	CLARK, RI R ML		418 N 3RD	STOCKTON 67669
* 48AZ25	CLAUSEN, C			PORTIS 67474
* 48AS73	CLAUSSEN, D R G		312 1/2 W FREMONT	MEDICINE LODGE 67104
* 48AD47	CLAY, C R M		RR 1	ONAGA 66521
* 48AR59	CLAY, J		R 1	ONAGA 66521
* 48AR37	CLAY, LSREM		R 4	PARSONS 67357
* 48AZ07	CLAYCAMP, F		RT 1 BOX 38	GOFF 66428
* 48AB73	CLAYCAMP, F R E		RR 1	GOFF 66428
* 48AA49	CLAYCAMP, FR		RT 3 BOX 43A	SENECA 66538
* 48AY50	CLOTHIER, M R G	WALNUT CREEK KENNEL	RT 3 BOX 174	GREAT BEND 67530
* 48AH18	CLOTHIER, J R J	JAY CEE'S KENNEL	501 WESTRIDGE	HUTCHINSON 67501
* 48AB23	CLOUSTON, V	CLOUSTON KENNELS	RT 1	NESS CITY 67560
* 48AA11	COBERLY, ARM		RT 1	DIGHTON 67839
* 48AF07	COLE, R	COLES KENNEL		BEVERLY 67423
* 48AJ95	COLLE, C R D	CAMDEN KENNELS	RT 1 BOX 146	MEDICINE LODGE 67104
* 48AY66	COLSTON, G		BOX 147	HAMILTON 66853
* 48AW51	COMBS, MRC	COMBS KENNEL	R 1	CENTRALIA 66415
* 48AR86	COMPTON, SC&ML		R 5	HIAWATHA 66434
* 48AL76	CONARD, C	TIMKEN KENNELS		TIMKEN 67582
* 48AY77	CONAN, CJ & MJ	M & C KENNEL	RR 1	SUPERIOR 68978
* 48AT11	COOK, MKP		RT 3 BOX 56	FORT SCOTT 66701
* 48AL05	COOPER, K		RR 2	CHAPMAN 67431
* 48AA54	COOPMAN, R	COOPY'S KENNELS	RR 3	WAVERLY 66871
* 48AZ30	CORNWELL, L R SCHOEN, R		RT 2 BOX 28	OSBORNE 67473
* 48AX08	COTTONGIM, D		R 2 BOX 10	CHERRYVALE 67335
* 48AC18	COTTRELL, A			CORNING 66417
* 48AR22	COUCHMAN, M&G	TEGALA KENNEL'S	315 SOWARD	WINFIELD 67156
* 48AW04	COUNTRYMAN, D&R	DA-RE-LI KENNELS	RT 1 BOX 75	ESBON 66941
* 48AA62	COVERDALE, GV		RR 2	SOLDIER 66540
* 48AR84	COX, R & M		RT 1	ELK CITY 67344
* 48AJ51	CRAFT, CC		RT 1	EDSON 67733
* 48AY83	CRAIN, J	A-LF-JFANS KENNELS	RT 1 BOX 72A	CHETOPA 67336
* 48AK32	CRANE, RF		NORTH STAR ROUTE	DODGE CITY 67801
* 48AC42	CROME, G			HERKIMER 66433
* 48AC43	CROME, G			HERKIMER 66433
* 48AC33	CROME, K			BREMEN 66412
* 48AA58	CRONE, A	ALBERTA CRONE KENNELS	RT 1	GREAT BEND 67530
* 48AA98	CRONE, R		RT 3	GREAT BEND 67530
* 48AG02	CROSS, D		RT 2	CENTRALIA 66415
* 48AC09	CROSS, R		RR 1 BOX 137	SENECA 66538
* 48AY76	CROWLEY, J		520 NO WALNUT	GREENSBURG 67054
* 48AJ20	CULBERTSON, J		RT. 4 BOX 169	FREDONIA 66736
* 48AEA7	CUNNINGHAM, DL		RT 1	PRINCETON 66078
* 48AC06	DALINGHAUS, DF		RT 3 BOX 37	SENECA 66538
* 48AA99	DALINGHAUS, MF		RR 1	BAILEYVILLE 66404
* 48AMA1	DANIELS, V			POWHATTAN 66527
* 48AC45	DAR-MAR INC		PO BOX 383	MARYSVILLE 66508
* 48AD9R	DAVIDSON, A		RT 1	BURLINGAME 66413
* 48AD78	DAVIS, D			LUCAS 67648
* 48AM12	DAVIS, JR&N		RT 3 BOX 450	INDEPENDENCE 67301
* 48AH29	DAVIS, T&E		901 E 58TH ST SOUTH	WICHITA 67216
* 48AX94	DEAN, L & CROSSON, B & B	CROSSON KENNEL	RT 3	MINNEAPOLIS 67467
* 48AN50	DEBEY, L	MEL-LENA KENNEL	816 W. BEALE ST.	DOWNS 67437
* 48AD79	DEETER, CK		1520 NE 54 RT 5	TOPEKA 66617
* 48AA40	DEINLEIN, K		RT 2 BOX 188E	NEODESHA 66757
* 48AN29	DEKAT, M		RT 1	ST GEORGE 66535
* 48AP07	DELKER, ML		RR 2	JETMORE 67854
* 48AZ01	DENK, C		RT 1	AGENDA 66930
* 48AF52	DERUSSEAU, S	SONIDEE-CATTERY	BOX 215	CLYDE 66938
* 48AB64	DETERS, GA		BOX 2	BAILEYVILLE 66404
* 48AC02	DETERS, I		BOX 127	BAILEYVILLE 66404
* 48AN30	DETHERAGE, D		RT. 1 BOX 203	LAWRENCE 66044
* 48AW08	DETTKE, D&M		R 4	MARYSVILLE 66508
* 48AA66	DEVADER, R&M		RT 1	HOLTON 66436
* 48AFR2	DICK, LFRED		7401 PARKVIEW	KANSAS CITY 66109

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* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 48AN37	DICKSON, RD		RT 2 BOX 111	INDEPENDENCE 67301
* 48AA43	DITMARS, L	DITMARS' KENNELS	R 1 BOX 132	WASHINGTON 66968
* 48AL69	DOEPKE, GL		R 2	HUMBOLDT 66748
* 48AJ26	DOLEZAL, RM&R	R&R KENNELS	RT 1 BOX 76	KANOPOLIS 67454
* 48AW28	DONALS, R&P	DONALS KENNELS	RT 4	WINFIELD 67156
* 48AD99	DORR, D		RR 2	BURLINGAME 66413
* 48AR38	DORSEY, DI&W	DORSEYS PERSIANS	750 SOUTH SANTA FE	SALINA 67401
* 48AG44	DOTY, RL & S	ARDEE KENNELS	RT 2 BOX 156	SALINA 67401
* 48AA37	DOUPNIK, H	ELK CREEK KENNELS	BOX 73	AGENDA 66930
* 48AD85	DREYER, M		4124 NE SEWARD RT 4	TOPEKA 66605
* 48AA41	DUENSING FI R V		BOX 116	BREMEN 66412
* 48AK93	DUFT, WC		RT 1	STERLING 67579
* 48AA52	DULING, D		RT 1	WALNUT 66780
* 48AD66	DUNCAN, DE	DUNCAN'S KENNELS	RT 2	WAMEGO 66547
* 48AX65	DUNHAM, T & M		RFD 1	HAMILTON 66853
* 48AY18	DUNIGAN, J		2540 S.E. 32 ST	TOPEKA 66605
* 48AE25	DUNN, NL		RT 2	EFFINGHAM 66023
* 48AA23	DYE, RH		RT 3 WILROADS GARDENS	DODGE CITY 67801
* 48AS55	EAKINS, AL		RT. 1 BOX 73A	CLYDE 66938
* 48AF28	EAKINS,J		R 1 BOX 74	CLYDE 66938
* 48AH42	EATON, L		R1 BOX 146	SCAMMON 66773
* 48AY93	ECKELS, R	ECKELS KIDS' PUPPY PALACE	RT 1	NESS CITY 67560
* 48AY15	ECKELS, WJ RF		321 N 6TH	NESS CITY 67560
* 48AZ21	EDMONSON, D R P	DAYBREAK KENNEL	RT 2 BOX 40	LOUISBURG 66053
* 48AX01	EGGERS, I	FAIRVIEW KENNELS	RT 1 BOX 91	BELLEVILLE 66935
* 48AM79	EIFERT, A	ANNAROSA KENNEL		EUREKA 67045
* 48AI42	ELDER, G	JERRYS KENNELS	RT 1	HUMBOLDT 66748
* 48AW23	ELDER, J&L	L&J KENNEL	RR	NORROWVILLE 66958
* 48AV42	ELLISON, D&P	SILVER CREEK KENNEL	BOX 82	PRESTON 67569
* 48AB93	ELMORE, W&J	FLAGG KENNELS	1301 N 21ST	INDEPENDENCE 67301
* 48AD90	ELNIFF, R&R	TRIPLE CREEK KENNELS	R 1	JAMESTOWN 66948
* 48AE99	ELSTROM, TR&M	EL CLOUD KENNEL	RT 1	CONCORDIA 66901
* 48AZ05	EMERSON, M & L	INGLESTONE KENNEL	RT 2 BOX 87	BURRTON 67020
* 48AZ22	ENGELKE, C		RFD 2	KENSINGTON 66951
* 48AB63	ENGELKEN, R & M		RT 2	GOFF 66428
* 48AL17	ENGELKEN, L		RT 1	FRANKFORT 66427
* 48AY90	ENGLER, J & R	ENGLER-KENNEL	8735 SW INDIAN HILLS	TOPEKA 66604
* 48AY35	ENGLISH, C & J	ENGLISH'S KENNEL	PO BOX 104	NEAL 66863
* 48AC12	ENNEKING, L		512 S. 8TH	SENECA 66538
* 48AN49	ENNEKING, MJ	ENNEKING KENNEL		CENTRALIA 66415
* 48AY16	ENRIGHT, C & MRS. NEIL		RT 1	SOLOMON 67480
* 48AG03	EVANS, EM&RL		RT 1	MARYSVILLE 66508
* 48AL92	EVARTS, VD	EVARTS KENNELS	318 MAIN	WALTON 67151
* 48AI60	FADELY, L		RT 1	SEDAN 67361
* 48AT37	FAIRBANKS, R&N & CLANTON, E		RR 2 BOX 87C	NEODESHA 66757
* 48AF08	FALDER, LA			BEVERLY 67423
* 48AD22	FALK, DI			WHEATON 66551
* 48AT87	FANKHAUSER, LJ & MM		RT 2	MADISON 66860
* 48AN42	FANN, MJ		TUTTLE CREEK TR CT LOT 5 7	MANHATTAN 66502
* 48AW05	FARLEY, J&J	JE-MI-JAC KENNELS	RT 1	TESCOTT 67484
* 48AM76	FARMER, J & M		RT 1 BOX 51B	ALTOONA 66710
* 48AX58	FARR, G		RT. 1	OBERLIN 67749
* 48AA80	FEE, H		423 N KANSAS	COLUMBUS 66725
* 48AC34	FELDHAUSEN, FL		RT. 1	BREMEN 66412
* 48AY71	FELDKAMP, K & M		RT 1	CENTRALIA 66415
* 48AX32	FENGEL, ML		RT. 1	OAKHILL 67472
* 48AI45	FEWINS, LS		RR 2 BOX 35	MORAN 66755
* 48AX55	FEWINS, P & D		R 2	HUMBOLDT 66748
* 48AE37	FINGER, F		RT 1	POWHATTAN 66527
* 48AE29	FINGER, R&H		1696 3RD	HORTON 66439
* 48AS06	FINLEY, T		RT 2	HERINGTON 67449
* 48AX44	FINLEY, M	FINLEY KENNELS	RT 1	MORGANVILLE 67468
* 48AH98	FINLEY, V&L		BOX 165	WALNUT 66780
* 48AQ20	FINNEY, JL&MK	HILLSIDE KENNELS	BOX 185	ELK CITY 67344
* 48AV40	FISCHER, A			WHEATON 66551
* 48AT41	FITZMAURICE, A & D		RT 2	HUMBOLDT 66748
* 48AH48	FLETCHER, J&P	KAN-DO KENNEL	981 WINDOOR	CANON CITY 81212
* 48AV67	FLICKINGER, JA & DEAL, K		RR 1	HARVEYVILLE 66431
* 48AJ96	FORD, WA		323 S OAK	MEDICINE LODGE 67104
* 48AX04	FORESTER, G & M		R 4	FT. SCOTT 66701
* 48AM02	FOWLER, D		P.O. BOX 1502	LIBERAL 67901
* 48AK26	FOWLER, P		758 S CAIN	LIBERAL 67901
* 48AH44	FRAME, P		618 BOX ELDER	MULVANE 67110
* 48AS39	FRASER, R	BARB FRASER KENNEL	BOX 28	AMES 66931
* 48AY03	FRASER, J & R		RT 5	CLAY CENTER 67432
* 48AA30	FRAUENFELDER, RG		RR 1	WAKEFIELD 67487
* 48AJ18	FREEMAN, S		RT 1 BOX 1	FREDONIA 66736
* 48AW16	FREIDENBERGER, ARA	FREIDENBERGER KENNELS	BOX 52	BISON 67520
* 48AV52	FRENCH, W		RT 2	HIAWATHA 66434
* 48AY86	FULLER, J & F	STARBOND ACRES	RT 2 BOX 161	SYLVAN GROVE 67481
* 48AF76	FUND, J		RR 1	NETAWAKA 66516
* 48AA08	FUNKE JR, E		RR 2	WASHINGTON 66968

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LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 48AY55	GAERTZEN, S	SUNNY ACRES	RT 1	BUHLER 67522
* 48AR41	GARRISON, RK & SONS		BOX 218	LINCOLN 67455
* 48AM03	GATES, M	GATES KENNELS	BOX 65	HAZELTON 67061
* 48AT18	GAY, R & P		R 1 BOX 385A	GARDNER 66030
* 48AC97	GEER, M		RT 1	CLAY CENTER 67432
* 48AZ06	GEHLEN, A R C	ACE KENNELS	106 E SECOND ST	MEDICINE LODGE 67104
* 48AM71	GEIER, C		RT 4	GIRARD 66743
* 48AR27	GIBBS, L	TWIN RIVERS KENNEL	PO BOX 414	NEODESHA 66757
* 48AX80	GIDEON, A R D	POTAGOLD CATTERY	RT 1	PAXICO 66526
* 48AW41	GIEFER, C&L		210 SOUTH 32ND ST	PARSONS 67357
* 48AJ77	GIEFER, M		RR 1	KINGMAN 67068
* 48AR87	GILBERT, M		RT. 1 BOX 58-A	REXFORD 67753
* 48AY20	GILLIS, H R W		BOX 55 R#3	AUGUSTA 67010
* 48AI93	GILMORE, G		RT 2	LARNED 67550
* 48AH45	GLENN, VL	GLENNEDEN KENNELS	R 1	MAYFIELD 67103
* 48AS83	GOERTZEN, V	VBK KENNELS	RR 1	INMAN 67546
* 48AX08	GOLDEN, TL		RT 3 BOX 29AA	LAWRENCE 66044
* 48AT11	GOOD, TJ		BOX 45	LAKE CITY 67071
* 48AM89	GOODIN, RD		RT 2	DERBY 67037
* 48AM38	GOODWIN, M		BOX 113	SUMMERFIELD 66541
* 48AX60	GORDON, T & C		R 4 BOX 111	COFFEYVILLE 67337
* 48AK72	GOSNELL, J		508 LINCOLN	INDEPENDENCE 67301
* 48AK64	GRANNEMANN, R		RT 2	WALNUT 66780
* 48AV21	GRANT, EL		402 NO LOGAN PO BOX 331	ATTICA 67009
* 48AW57	GRAVEN, R&J	GRAVEN KENNELS	RR 4 WEST RIVER RD	PRATT 67124
* 48AJ44	GRECIAN, NV			PALCO 67657
* 48AJ92	GRIFFITH, JL	GRIFFITH'S KENNELS	RT 1 BOX 17	WAKEENEY 67672
* 48AR61	GRIFFITHS, R&L	GRIFF'S KENNELS		CENTRALIA 66415
* 48AX19	GUHR, H&D	FOX WOOD KENNELS	RT 3 BOX 139	HILLSBORO 67063
* 48AR16	GUILFOYLE, MD	EMERALD VALLEY KENNELS	RR 3 BOX 77	GARNETT 66032
* 48AW36	GULLEY, M&C	GULLEYS KENNEL	RTE 3 BOX 159A	LAWRENCE 66044
* 48AY51	GUNN, NJ		320 CRESTLINE DR	LAWRENCE 66044
* 48AR39	GUNNELLS, M	ROCKY TOP KENNELS	RT. 1 BOX 98	CARBONDALE 66414
* 48AJ78	GURTNER, H		RT 2	KINGMAN 67068
* 48AH49	HALL, J&J		2107 IDA ST.	WICHITA 67211
* 48AA79	HAMMERLY, AJ		R 2	MERIDEN 66512
* 48AW58	HAMMON, L	COUNTRY KENNELS	RT 1	CONCORDIA 66901
* 48AY72	HANEL, K		RR	COURTLAND 66939
* 48AW59	HANEY, ERV	HANEY LANE	BOX 1	CONWAY SPRINGS 67031
* 48AV34	HANN, I&M	HANNS KENNEL	R 1	PERU 67360
* 48AN68	HARDESTY, A		RT 2	GARNETT 66032
* 48AI10	HARMON, J		RT 1	ALTAMONT 67330
* 48AQ48	HARRIS, RA		BOX 165	CLIFTON 66937
* 48AP73	HARRIS, SR	WHITE ROCK KENNELS		BURR OAK 66936
* 48AH31	HARRY, M		1140 DAYTON	WICHITA 67213
* 48AG45	HARTENSTEIN, M		1005 NW 4TH	ABILENE 67410
* 48AG05	HARTER JF & MJ	SWISS FIRE KENNEL	RT 2	PERN 66408
* 48AN52	HARTMAN, CL		620 W NEW YORK ST	SMITH CENTER 66967
* 48AW17	HARTMAN, K&G	K&G KENNELS	RFD	SHIELDS 67874
* 48AR29	HARTMAN, KC & ML	HARTMAN KENNELS		SHIELDS 67874
* 48AY19	HATCH, EL		RT 4 BOX 215	LAWRENCE 66044
* 48AJ06	HATCH, MK	HATCHES KENNEL	206 N GROVE	YATES CENTER 66783
* 48AP67	HAUG, G	FALL VIEW KENNEL	BOX 41	COTTONWOOD FALLS 66845
* 48AG70	HAUG, L	HAUG KENNELS	210 NW 10TH	ABILENE 67410
* 48AF77	HAUG, WL		5831 NW BRICKYARD RD	TOPEKA 66618
* 48AE51	HAUGHENBERRY, H		R 2	HOLTON 66436
* 48AC03	HAUGSNESS, N E	POODLE ETCETERA	901 HENRY ST.	ATCHISON 66002
* 48AG31	HAVERKAMP, A		R 3 BOX 73	SENECA 66538
* 48AR86	HAVERKAMP, EW		RT 1	CORNING 66417
* 48AB77	HAVERKAMP, R		BOX 337	CENTRALIA 66415
* 48AA02	HAY, FF			ONAGA 66521
* 48AY31	HAYDOCK, ES		1334 RUTEN DR	FREDONIA 66736
* 48AX34	HEGER, RK	HEGER'S KENNEL	RT 1 BOX A1	HUGOTON 67951
* 48AR85	HEIMAN, T		RR 3 BOX 139	SENECA 66538
* 48AT28	HEIMERMAN, J		R 2	PRETTY PRAIRIE 67570
* 48AZ40	HELLER, J	WINDY RIDGE KENNEL	RFD 1	HUNTER 67452
* 48AA07	HELMRECHT, D&M	DEN-MAR KENNELS	BOX 386 WEST 8TH ST	BELOIT 67420
* 48AW88	HENDERSON, RJ & S		BOX 2	SOLOMON 67480
* 48AX89	HENNINGSEN, R	IONIA KENNELS		MANKATO 66956
* 48AQ29	HENRY, JA		505 S. 3RD ST.	SENECA 66538
* 48AX03	HENRY, KJ		RT 1	CENTRALIA 66434
* 48AV08	HERDER, G R R		RT 1	HUMBOLDT 66748
* 48AV39	HERRMAN, HRW		309 WESTERN	ONAGA 66521
* 48AM20	HESTER, K		RT 1	PLEVNA 67568
* 48AX13	HILL, A&J	BURNTWOOD HILLS KENNEL	RR 1	BENKELMAN 69021
* 48AK38	HILL, F		RT 1	JETMORE 67854
* 48AR76	HILLYARD, G	G&M PUPPY LOVE DIST	RT 1 BOX 130	NEODESHA 66757
* 48AG94	HINDE, CF		BOX 94	CASSODAY 66842
* 48AG47	HINDE, MC		222 W 7TH	FLORENCE 66851
* 48AS01	HINDERER, VM	HINDERER'S KENNELS	RT 1 BOX 144	WAKARUSA 66546
* 48AA96	HITTLE, SR., R & A		RR 2 BOX 10A	MAYETTA 66509
* 48AK16	HODGKINSON, R		RR 2	PRATT 67124
* 48AC77	HOLLIMAN, LL		RT. 1 BOX 49	WATERVILLE 66548
* 48AI63	HOLROYD, H		RT 1	SEDAN 67361

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* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 48R897	HOLTERMAN, J & S	VILLAGE PET SHOP	812 NO CLAHOUN	LIBERAL 67901
* 48AQ44	HOLTHAUS, A		RT 1	SENECA 66538
* 48AP47	HOLTHAUS, C		RR 3 BOX 135	SENECA 66538
* 48AW18	HOLTHAUS, JL		RT 3	SENECA 66538
* 48AG07	HOLTHAUS, JM		ROUTE 1	SENECA 66538
* 48AV65	HOLTHAUS, KJ		RR 1 BOX 123	SENECA 66538
* 48AI04	HOOBLER, A & B		RT 2	OSWEGO 67356
* 48AL46	HOWARD, F		RT 2	ONAGA 66521
* 48AT51	HOWARD, R&G	MISTY MORNING KENNELS	R1 BOX 81C	NEOSHO RAPIDS 66864
* 48RA72	HOWE, E	HOWE'S KENNEL		KERBER 66970
* 48AG48	HOWIE, JE&R	J&R PETS	RT 3	ABILENE 67410
* 48RR85	HUFF, A	H & H PET SHOP	515 MATTHEW	CONCORDIA 66901
* 48AZ31	HUFFLES, S & S	S & S KENNEL	PO BOX 131	MERIDEN 66512
* 48AC22	HUGHES, PL		RT 2	SOLDIER 66540
* 48AD09	HUGUNIN, LL		RT 1 BOX 53	LEONARDVILLE 66449
* 48AK95	HULL, KW	HULL'S KENNELS	RT. 2 BOX 200	BELLEVILLE 66935
* 48RA43	HULSEY, J & P	LAZY H KENNELS	RT 2 BOX 29	CANTON 67428
* 48AN66	HUMBOLT, L		BX121	ELK CITY 67344
* 48AA63	HUND, MA		307 IOWA	HOLTON 66436
* 48AY09	HURT, R & M	RO MAR KENNELS	R 4, BOX 251	CHANUTE 66720
* 48AL21	HUSTON, JR	ESTES GATE KENNEL	RT 1	MILFORD 66514
* 48AR01	HUTTON, D		307 W BRADLEY	SEDAN 67361
* 48AW29	ILLINGWORTH, DE & R	ILLINGWORTH CATTERY	627 PARK PLACE	SALINA 67401
* 48AY88	IRVIN, MI		RR 1	HOYT 66440
* 48AW98	IRWIN, MD	HAVEN HILL KENNEL	R 1 BOX 98	TECUMSEH 66542
* 48AI64	JACKSON, D&J	JU-JA'S KENNELS	RT 1 BOX 18	SEDAN 67361
* 48AL79	JACKSON, KJ		RR 3	BURLINGTON 66839
* 48AY98	JACKSON, L		RT 2	CLIFTON 66937
* 48AX93	JACKSON, RF		BOX 125	HARVEYVILLE 66431
* 48AI53	JACOBS, VS		BOX 175	PAWNEE ROCK 67567
* 48AV51	JAHAY, J&M		RT 1	HAZELTON 67061
* 48AA19	JANDERA, RF		RR 1 BOX 57	HANOVER 66945
* 48RR59	JENSEN-SALSBERY LABS.		2000 SOUTH 11TH ST	KANSAS CITY 66103
* 48AD51	JOHNSON, AE		RT 1	RANDOLPH 66554
* 48AJ23	JOHNSON, C & V	LAZY-J KENNELS		LEBANON 66936
* 48AS11	JOHNSON, IS & RJ		RR 1 BOX 63	OLSBURG 66520
* 48AR96	JOHNSON, N	TUJA CATTERY	RT 1	FORMOSO 66942
* 48AD86	JOHNSON, P	HILL TOP KENNELS	6333 NW TOPEKA	TOPEKA 66617
* 48AV50	JOHNSTON, M&T		R 2 BOX 31	COFFEYVILLE 67337
* 48AB29	JONES JR, HH		ROUTE 1	NETMORE 66550
* 48RA10	JONES KENNELS INC			NETAWAKA 66516
* 48AX85	JONES, AM		3315 N 115TH ST	KANSAS CITY 66109
* 48AC30	JONES, CJ	KEN-LYN KENNELS	RR 1 BOX 24	BEATTIE 66406
* 48AP97	JONES, E		BOX 234	MCCUNE 66753
* 48AY68	JONES, HC		RT 1	STARK 66775
* 48AM06	JONES, L		509 S EXCHANGE	ST JOHN 67576
* 48AY41	JONES, R		R 1	ELK CITY 67344
* 48AW87	JONES, W&M		RR 2	DOUGLASS 67039
* 48RR67	JOSSERAND, J&L	LOU JAC PETS	7550 SO. BROADWAY	WICHITA 67233
* 48AD72	KAHRS, G		RT. 1 BOX 212	CLIFTON 66937
* 48AY65	KAMER, JR, M & F		4440 N.E. CROCO RD	TOPEKA 66617
* 48AX22	KASSELMAN, W & L	KASSELMAN KENNELS	RT. 1 BOX 105	OLSBURG 66520
* 48AP02	KBM KENNELS	KBM KENNELS	ROUTE 1	CLIFTON 66937
* 48AM75	KEBERT, CD		RT 4	FREDONIA 66736
* 48AX30	KEEGAN, D & K		RT. 1	BAILEYVILLE 66404
* 48AQ91	KEISWETTER, D&H		RFD #2	NORTON 67654
* 48AN33	KELLENBERGER, G		RT 1	SABETHA 66534
* 48AZ10	KELLER, P	BLUE HILL KENNEL	BOX 143	HUNTER 67452
* 48AA15	KELLEY, W	KHIL KENNELS	RT 2 BOX 55	CLIFTON 66937
* 48AV92	KELLY, GL & DA	COUNTRY KENNELS	RT 1	HOLTON, 66436
* 48AH09	KEMP, D&F		RT 1 BOX 187	DEXTER 67038
* 48AT32	KENNEDY, ML	L&M KENNEL	316 S DOUGLAS	LYONS 67554
* 48RA55	KENNY'S KENNELS		R 2	ST JOHN 67576
* 48AE02	KERNS, GL		RR 4 BOX 159A	OSAGE CITY 66523
* 48AT85	KERR, ML		R1	SILVER LAKE 66539
* 48RB54	KIEFFER, J	MACONDA KENNELS	BOX 102	GLEN ELDER 67446
* 48AK11	KILGORE, T		RT 1	MULLINVILLE 67109
* 48AT68	KILLOREN, F	KILLOREN KENNELS		POWHATTAN 66527
* 48RR14	KING, D	LUMBERT'S KENNELS	RT 1 BOX 270	WINFIELD 67156
* 48AS66	KING, JL & MJ	KING'S KENNELS	RTE 1 BOX 71	SCOTT CITY 67871
* 48AX96	KINNAMON, D & D	KINNAMON'S KENNELS	RT 4 BOX 102	INDEPENDENCE 67301
* 48AK56	KINNEY, AR		PO BOX K	MERIDEN 66512
* 48AM65	KINZIE, R		RTE 1 BOX 56	SAWYER 67134
* 48AF45	KIRK, F & K		BOX 216	SCANDIA 66966
* 48AS46	KIRK, JO		RT 1 BOX 48	COLUMBUS 66725
* 48AY08	KIRKMAN, JJ & G		ROUTE 1	VALLEY FALLS 66088
* 48AG73	KISSINGER, D		RR 1 BOX 275	MULVANE 67110
* 48AY94	KLASSEN, RE		RT 1	INMAN 67546
* 48RR55	KLINGENBERG, K&E	RETKEN KENNELS	ROUTE 4 BOX 215	LAWRENCE 66044
* 48AZ18	KLINKE, S & M		822 BERTRAND	MANHATTAN 66502
* 48AI88	KNAPP, HW & B	SHADY OAKS KENNEL	RT 3	CHANUTE 66720
* 48AI78	KNOPP, VJ & J		RT 1 BOX 190A	HAYS 67601
* 48RA24	KNOX, RD	ROSNOX KENNELS	PO BOX 147	VALLEY FALLS 66088
* 48AT04	KNOX, RL	KNOX'S COUNTRY KENNELS	R 1	AGENDA 66930
* 48AD28	KOCH, RJ			BLAINE 66410
* 48AE58	KOCH, DM		RT 1	BAILEYVILLE 66404
* 48AC26	KOCH, T		RT 2	AXTELL 66403

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* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 48AG74	KOEHN, M&MJ	KOEHN KENNEL	RT 2 BOX 68	MOUNDRIDGE 67107
* 48AR07	KOEHN, R&RCE		R2 BOX 808	INDEPENDENCE 67301
* 48AK41	KONECNY, V			LINCOLNVILLE 66858
* 48AT63	KORNFIELD, A & J	HIGHLANDER COLLIES	ELM ST	EVEREST 66424
* 48AP83	KRAFT, PL		RR #1	JETMORE 67854
* 48AX99	KRAUSE, R & C		1115 E 11TH AVE	HUTCHINSON 67501
* 48AE39	KREBS, CF & SON		RT 1	POWHATTAN 66527
* 48AT52	KREHBIEL, D & D	KREHBIEL'S KENNELS	RT 2	KINGMAN 67068
* 48AK22	KRTER, LM&AL		BOX 323 1217 BIRCH	ASHLAND 67831
* 48AC27	KROGMAN, E	KROGMAN'S KENNELS		AXTELL 66403
* 48RR32	KRUCKENBERG, SM		2851 OREGON	MANHATTAN 66502
* 48AG32	KUEHL, FRC	KUEHL & KUEHL		ONAGA 66521
* 48AD11	KUEHL, L			ONAGA 66521
* 48AX50	KUHN, W & C		1423-21ST STREET	GREAT BEND 67530
* 48AW40	KUNZLER JE & MCKINLEY RS	K&M RABBITRY	RT 1 BOX 143	GARDNER 66030
* 48AE73	KURTZ, R		RR 2 BOX 38	EUDORA 66025
* 48AY07	LAKESIDE ACRES KENNEL		RR 3	KINGMAN 67068
* 48AY59	LAKOSA KENNELS			COURTLAND 66939
* 48RR43	LAMBERT, RE	LAMBRIAR KENNELS	GEN DEL	MAHASKA 66955
* 48AY49	LANGSTON, LE	L & S KENNEL	RR 2	OSKALOOSA 66066
* 48AN85	LANOUE, J		RR 3	CONCORDIA 66901
* 48AN59	LANTIS, RW	A-L KENNELS	BOX 624 RT 3	OTTAWA 66067
* 48AZ43	LARRISON, F		426 E. 6TH	HOLTON 66436
* 48AAR1	LARSEN, D & D	LARSEN KENNELS	RT 2	HOLTON 66436
* 48AT53	LARSH, S		BOX 97	LONGTON 67352
* 48RA36	LARSON, J	LARSON KENNELS	R 3 BOX 44	LAWRENCE 66044
* 48AP13	LARSON, LOREE		RR 1	WATERVILLE 66548
* 48AZ19	LAUGHLIN, S & R		RT 3	HALTON 66436
* 48AI65	LAWRENCE, E	SILVER STAR KENNELS	RR #1 168-AA	SEDAN 67361
* 48AQ99	LAWRENCE, J		RT.2 BOX 264	WINFIELD 67156
* 48AG11	LEAMING, E			PLEASANTON 66075
* 48AX77	LECLAIR, J&R		RT 2 BOX 80	CLYDE 66938
* 48AQ31	LEE, ME		NO 1 PARK PL	MEDICINE LODGE 67104
* 48AM26	LEIDIG, W		RT 3	CLAY CENTER 67432
* 48AW45	LEIS, JA		RR 1	GARDEN PLAIN 67050
* 48AY07	LEWMAN, V & R	R-VEE KENNEL	RR 1	DELIA 66418
* 48AP12	LIERZ, J		RT 1 BOX 145	FRANKFORT 66427
* 48AB44	LIERZ, LA		BOX 162	WETMORE 66550
* 48AY23	LINDEN, RF & R	BUNNY'S COUNTRY KENNEL	RR 2 BOX 54	CUMMINGS 66016
* 48AC46	LINKUGEL, D		RT 2	MARYSVILLE 66508
* 48AS12	LINNEMAN, F	LOCHE LINNHE KENNELS	103 N MONROE	SMITH CENTER 66967
* 48AY60	LITKE, B & S		RT. 1	ALTA VISTA 66834
* 48AV78	LITTLE, R	DUSTY ACRES KENNEL	R.R.1	CENTRALIA 66415
* 48AI35	LOEHR, A & J	LOEHR KENNELS	801 N GROVE	YATES CENTER 66783
* 48AW46	LOGUE, D&R	LOGUE'S KENNEL	R 2 HOLLYWOOOD ADD	DODGE CITY 67801
* 48AV62	LONG, C		RT 1 BOX 100	WESTMORELAND 66549
* 48AA71	LONG, E			CIRCLEVILLE 66416
* 48AT54	LONG, M&F		R 1	SEVERANCE 66081
* 48AG75	LONG, P&R	PINE VALLEY KENNELS	RT 1	PECK 67120
* 48AT05	LOOSE, FF		PO BOX A	NASHVILLE 67112
* 48AZ29	LOTZ, D	DEE'S KENNEL	RT 1 BOX 68	EDNA 67342
* 48AZ26	LOVELAND, M	RED HOUSE	R 1 BOX 138	RILEY 66531
* 48AQ76	LOWE, CR		RR #2 BOX 140	CHANUTE 66720
* 48AH85	LOWE, M	MFL'S KENNELS	RT 4 BOX 12	GIRARD 66743
* 48AZ02	LOWE, V & M		R 2 BOX 250	CHANUTE 66720
* 48AH81	LUCKE, E		RT 2	GIRARD 66743
* 48AH80	LUCKE, L		RT 1	GIRARD 66743
* 48AT09	LUFF, CL & BLAIR, NM	COUNTRY KENNELS	BOX 7	CORNING 66417
* 48AY87	LUHMAN, GW & DM		RT 1	RICHMOND 66080
* 48AT67	LUMLEY, T&N		RT 1 BOX 79	PERU 67360
* 48AS28	LUSK, RL		RT 2	OLPE 66865
* 48AY36	LUTHER, F & E & A	LU'S KENNELS	R 2 BOX 167	CHANUTO 66720
* 48AX18	LUTHI, H&S		RR 2	MADISON 66860
* 48AT91	LYONS, V&R	HAPPY VALLEY KENNELS	RT 1 BOX 199	OSAWATOMIE 66064
* 48AB05	LYTLE, JJ&F		RT 2	HOLTON 66436
* 48AZ38	MACOTTE, P & T		RFD 2 BOX 159	MARYSVILLE 55508
* 48AH78	MADL, C		RT 1	WALNUT 66780
* 48RR08	MAIKE ENTERPRISES INC	SANDY'S KENNELS	RT 2 BOX 91	ALMA 66401
* 48AN83	MAIKE, A		R 1 BOX 108	ALMA 66401
* 48AJ52	MAKINGS, A	DA-AN KENNELS	RT 2 BOX 110A	GOODLAND 67735
* 48AR07	MALM, GA		RT 2	VALLEY FALLS 66088
* 48AP45	MANZ, C		RT 1	ESKRIDGE 66423
* 48AA20	MARCOTTE, V		RT 1	ALLEN 66833
* 48AZ33	MARING, F & J		RT 1	WAMEGO 66547
* 48AX53	MARK, T & G	MARK'S KENNELS	R 1	BURLINGTON 66839
* 48AH11	MARLER, E	TURKEY CREEK KENNEL	RT 2	BURDEN 67019
* 48AD97	MARPLE, LR		BOX 207	WAKARUSA 66546
* 48AD05	MARSHALL, IL	MARSHALL'S KENNELS	RR 1	EMMETT 66422
* 48RA09	MARSHALL, P		11810 HOLLINGSWORTH RD	PIPER 66109
* 48AG33	MARTEN, RC		RT 2	ONAGA 66521
* 48AZ27	MASSEY, T & WOLFF, L		RR 1	CEDAR 67024
* 48AF04	MAY, RL		RT 1	MANKATO 66956
* 48VA06	MAYFIELD, AR	DRAGONHEIR KENNELS	5635 S VANDALE	WICHITA 67217
* 48AI54	MC CARTER, M&G	COUNTRY HOME KENNEL	RT 1 BOX 55	GREAT BEND 67530
* 48AG52	MCADAM, FE		RT 3	HOLTON 66436
* 48AD90	MCBURNEY, TM		5345 NW TOPEKA AVE	TOPEKA 66617
* 48AQ32	MCCALL, EM&PM		RT 1 BOX 59	CEDAR VALE 67024
* 48AY53	MCCALL, JL & S		RR 1 BOX 89A	CEDAR VALE 67024
* 48AX29	MCCLASKEY, M & D	MAC'S KENNELS	RR 3	GIRARD 66743

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* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 48AT62	MCCLINTOCK,TA		RR1	HOLTON 66436
* 48AM64	MCCLURE, T	SING SANDY RANCH	RT 1	KINGMAN 67068
* 48BBA6	MCCORKLE, C & D	COUNTRY ACRES KENNELS	5301 S WOODLAWN	DERBY 67037
* 48AT46	MCCORMICK, RD	MI-DE-PA KENNELS	R 2 BOX 91C	LOUISBURG 66053
* 48AI32	MCCORMICK, VT&CE		R 1	YATES CENTER 66783
* 48AM97	MCDANIEL, DL			EDSON 67733
* 48AP50	MCDONALD, W		RT. 5	ABILENE 67410
* 48AC50	MCGEENEY, A & F		RT 2	SUMMERFIELD 66541
* 48AV12	MCGINTY, F&E	SIX MILE KENNEL	RT 2 BOX 61	GREAT BEND 67530
* 48AW53	MCGRATH, J&J			EMMETT 66422
* 48AX51	MCKIBBEN, F & M		RT 1 BOX 168	GARNETT 66032
* 48AG13	MCKIBBEN, MJ		RT 2	GARNETT 66032
* 48AD38	MCNALLY, DT			HAVENSVILLE 66432
* 48AX75	MCNICKLE, R&C	M KENNELS	RT 2	CHERRYVALE 67335
* 48ALA1	MCPHAIL, E		BOX 725	ASHLAND 67831
* 48AY67	MEINEKE, C		244 WEST 8TH	GARNETT 66032
* 48AX36	METTLEN, D & A		RT. 1	SYLVAN GROVE 67481
* 48AX41	MEYERS, M & R		BOX 67-2A	SUBLETTE 67877
* 48AV59	MICHAUD, M&L		1427 WASHINGTON,	EMPORIA 66801
* 48AY27	MICHEL, P & J		RT 2 BOX 4	LUDELL 67744
* 48AX42	MID-CONTINENT RESEARCH, I NC.		13813 JOHNSON DR BOX 318 4	SHAWNEE 66203
* 48AV32	MILES, C&M		RT 2 BOX 289	BELLEVILLE 66935
* 48AY04	MILLER, C & M		RT 2	CONCORDIA 66901
* 48AY99	MILLER, D		2408 LYNNRAE	WICHITA 67210
* 48AS03	MILLER, PL	MILLROCK KENNELS	RT 1	HUTCHINSON 67501
* 48AX61	MILLER, V & N		RT. 1	BLUE MOUND 66010
* 48AT77	MILLER,R&C		BOX 5	SCRANTON 66537
* 48AI83	MILLS, ARP	MILLS KENNELS	R 4 1700 WEST OAK	INDEPENDENCE 67301
* 48AR78	MILLS, EM			CENTRALIA 66415
* 48AZ41	MILLS, S	MILLS KENNEL		SHARON SPRINGS 67758
* 48AW38	MITCHELL, C&S	KINGDOM KENNELS	RT 1	VALLEY FALLS 66088
* 48AW54	MIZER, AM			JENNINGS 67643
* 48AC93	MOFFITT, RG & B		RT 2 BOX 96	WASHINGTON 66968
* 48AN62	MONTGOMERY, EM		RR 3	OTTAWA 66067
* 48AN12	MOODY, GW		RT 1	HOLTON 66436
* 48AR54	MOORE, JF		409 W VERMONT	OSBORNE 67473
* 48AF56	MOORE, LK		BOX 214	HIGHLAND 66035
* 48AD16	MOORE, PL		RT 2	WESTMORELAND 66549
* 48RB77	MOORE,MF	D & M KENNELS	R 1	UNIONTOWN 66779
* 48AW71	MOOTS, P&S	LAZY M KENNEL	RT 5 BOX 141	HUTCHINSON 67501
* 48BA91	MORLAND, LJ		207 E SOUTHERN BLVD	GIRARD 66743
* 48AP78	MORRELL, V & C		BOX 179	BLUE MOUND 66010
* 48AQ84	MORRIS KENNELS	MORRIS KENNELS	RT 1	WOLCOMB 67851
* 48AJ19	MORRIS, E		RT 2	FREDONIA 66736
* 48AV94	MORRISON, KJ		150 COTTONWOOD DR,	COLBY 67701
* 48AV83	MOSER, D & G		RT 1 BOX 135	WASHINGTON 66968
* 48AY78	MOSES, J	MOSES KENNEL	1040 VALLEY DR	HOXIE 67740
* 48AS30	MOSHER, HD & M	MOSHERS KENNELS	RT 1	MERIDEN 66512
* 48AX67	MOSIER, S & D	MOSADOS DOGS	RT. 1 BOX 101	STERLING 67579
* 48AR58	MOSTELLER, D			BERN 66408
* 48BA61	MULLER, C	IZZY'S POODLE PARLOR	R 1	SOLOMON 67480
* 48AY79	MUNK, P	TERRY KENNELS	BOX 4	MENLO 67746
* 48AI95	MURDIE, LE	SIR LIL LIN KENNEL	BOX 153	GARFIELD 67529
* 48AW94	MURPHY, S		400 WEST 12TH ST	JUNCTION CITY 66401
* 48BB06	MYERS, J&G	MYERS KENNELS	R 1	ELSMORE 66732
* 48AL71	NELSON, RA	NELSON KENNEL	824 CENTRAL PO BOX 156	HUMBOLDT 66748
* 48AD02	NEWELL, L			CLIFTON 66937
* 48AZ20	NEWHALL, S	NEWHALL'S KENNELS	RR 1	GREAT BEND 67530
* 48AA85	NEWMAN, DH	LAKE VIEW KENNELS	ROUTE 1	HOLTON 66436
* 48AT86	NEWMAN, R		PO BOX 173	VALLEY FALLS 66088
* 48AP25	NEWTON, F&W		1315 N. PLK ST.	TOPEKA 66608
* 48AI68	NIBLACK, TRE	NIKHAN HILLSIDE KENNELS	RT 2 BOX 17	SEDAN 67361
* 48AX49	NICHOLS, C		RT. 3	RUSSELL 67665
* 48AY89	NIEMEIER, R		RT 1 BOX 169	WATERVILLE 66548,48AY89
* 48AY91	NOBLE, D		RT 2	WALNUT 66780
* 48AC17	NOLTE, C		RR 1	CORNING 66417
* 48AW24	NONDORF, J&M	SHADY LANE KENNELS	R 1	SCANDIA 66966
* 48AZ13	NORDQUIST, K & J	NORDQUIST'S KENNELS	RT 1 BOX 100	WATERVILLE 66548
* 48AZ16	NORRIS, DL	D & K KENNEL	BOX 155	WINCHESTER 66097
* 48AV22	NORRIS, LG		RR 1	ROSSVILLE 66533
* 48AV23	NORRIS, LK		RR 1 BOX 38	WINCHESTER 66097
* 48AN53	NOYES, C&L		BOX 147	JAMESTOWN 66948
* 48AY61	NUFER, L & Y	CHEZ CHATTES CATTERY	1201 MO. DRIVE	DODGE CITY 67801
* 48AW93	NUNEZ, C & MURPHY, C		RT 4 BOX 119	CHANUTE 66720
* 48AX97	OBERHELMAN, N		3039 JAMES ST	MANHATTAN 66502
* 48AY70	OBOKNY P & K	WALNUT VALLEY KENNEL	RR 2	TIMKEN 67582
* 48AZ14	ODLE, K & KOONTZ, R	O.K. KENNELS	RFD	GLEN ELDER 67446
* 48AX79	OFTINGER, R			GREEN 67447
* 48AY48	OGLE, D & J		306 E 6TH	CHERRYVALE 67535
* 48AX74	OGLE, DRP		RT 4 BOX 89	FREDONIA 66736
* 48AC91	OHLDF, M		RT 1 BOX 59	PALMER 66962
* 48AP57	OLLER, M&M	SHADY NOOK KENNEL	BOX 214	CUNNINGHAM 67035
* 48AC28	OLSON, GRE		RT 1	AXTELL 66403
* 48AA94	OSHEA, N			MAYETTA 66509
* 48AK69	OSNER, M	OSNER KENNELS	RR 2	CUNNINGHAM 67035
* 48AB40	OSTERHAUS, MA		BOX 72	WETMORE 66550
* 48AK48	OSWALD, R		315 N SECOND	CONWAY SPRINGS 67031

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***				
48W03	OTTE, G&J	WALNUT VALLEY KENNELS	RR 1 BOX 229	GREAT BEND 67530
48N26	OULLETTE, A		807 SOUTH C	WASHINGTON 66968
48R96	OWENS, H&V	IVA PUPPIES	1233 N. 59TH ST.	KANSAS CITY 66102
48R49	PALECEK, M	MARGE KENNEL	RT 1	MUNDEN 66959
48S18	PALENSKE, R & T	COUNTRYSIDE KENNELS	RT 3	SCOTT CITY 67871
48M56	PALMER, G		ROUTE 4	ABILENE 66509
48T23	PALMER, K		RT. 1 BOX 6	COFFEYVILLE 67337
48F32	PALMQUIST, L & L	PALMRIDGE FARM KENNEL	R R 2	CONCORDIA 66901
48W48	PARADIES, A		BOX 148	MAYETTA 66509
48Y12	PARRETT, R & M	PARRETTS KENNEL	R 1	CIRCLEVILLE 66416
48V31	PATTERSON R & JESSEPH R	R R R KENNEL	BOX 267	CHASE 67524
48Q15	PATTERSON, D & D		RT 2	ANTHONY 67003
48B11	PATTERSON, J		PARALLEL RD	NETAWAKA 66516
48E46	PEDEN, R	PEDEN KENNELS	RT 2	TROY 66087
48Z42	PERKINS, S	CRITTER CLINIC	615 N 2ND	HILL CITY 67642
48X54	PETERS, D R A		RR 1 BOX 29	CUBA 66940
48S88	PETERS, D & J		RT 1 BOX 30	OLSBURG 66520
48J39	PETERS, W		BOX 52	LITTLE RIVER 67457
48I97	PETERSON, H		BOX 23	GARFIELD 67529
48R31	PETERSON, L		RT 1 BOX 59	SYLVAN GROVE 67481
48K91	PFEFFER, RF	LEE BOB'S KENNEL	RR 1	HOYT 66440
48A44	PHILLIPS, C R F	HAPPY HOLLOW KENNEL	3355 N 115TH	KANSAS CITY 66109
48H38	PHIPPS, R		7233 IDA	WICHITA 67233
48X37	PICKETT, RJ		R 1	LONGTON 67352
48T60	PILAND, DR		RT 1 BOX 81	MACKSVILLE 67557
48Y84	PILKINGTON, DP		RT 1	MOUND VALLEY 67354
48N58	PISERCHIA, C	CAROL'S KENNELS	PO BOX 63	KINCAID 66039
48Y26	PITMAN, RL		303 POPLAR PO BOX 274	MINNEOLA 67865
48R19	PITZER, WJ	PITZERS KENNELS	RT 1	CONCORDIA 66901
48W10	PLATTNER, D		R 1	ONEIDA 66522
48A69	POLLOCK, E			SOLDIER 66540
48X98	POOL, SM		RT 2	MCCUNE 66753
48W76	PORTENIER, M & D	FORT RISSELL KENNELS	RT 3 BOX 12A	PHILLIPSBURG 67661
48R15	PORTER, IRA		RT 1	GOFF 66428
48R74	PORTER, V	PORTER EQUIPMENT CO	RR 1	CLAY CENTER 67432
48Z28	PRALLE, J R C	SPRING CREEK KENNELS	RT 3 BOX 27	MARYSVILLE 66508
48R57	PRIER, MF			RUHLER 67522
48V68	PRINCE, A&M		1233 WEST 18TH ST.	JUNCTION CITY 66441
48J12	PTACEK, ER	CEDAR CREEK KENNEL	RT 3	RUSSELL 67665
48W82	PUGH, M		RT 2 BOX 183	MAYETTA 66509
48M15	PULLIAM, LL		7524 IDA	WICHITA 67233
48J48	PYWELL, CW	PYWELL'S KENNELS	402 S MERIDIAN	PLAINVILLE 67663
48R65	QUIRK, W	QUIRKS KENNELS	RR 2	READING 66868
48N96	RAILE, C&I	T C RAILE'S ROYAL PUPPY KENNEL	R 1 BOX 372	ST FRANCIS 67756
48R72	RAINBOLT, MM & S		RT 1	ELLINWOOD 67526
48W07	RAINS, WRL		R 1 BOX 178	COFFEYVILLE 67337
48R76	RAMSEY, VM	SANDY RIDGE KENNEL	RT 5 BOX 152	HUTCHINSON 67501
48Y01	RAVEN, MM		RT 2 BOX 10	FONA 67342
48Q34	RAY, RL & A		RT 1	VALLEY FALLS 66088
48E63	REED, LS		BOX 514 RR 1	TONGANOXIE 66086
48D82	RENFRO, DJ		1131 N KANSAS AVE	TOPEKA 66608
48D83	RENFRO, GS	RENFRO'S KENNELS	1135 N KANSAS AVE	TOPEKA 66608
48W56	RENN, JCRT		R 2 BOX 270-D	PITTSBURG 66762
48Y06	RESCHKE, V & TREGELLAS, D	RESCHKE KENNEL	RT 3	SOLOMON 67480
48G56	REYNOLDS, R&S		RT 4	ABILENE 67410
48I25	REYNOLDS, F&V	VI'S POM HOUSE	BOX 86	LONGTON 67352
48T44	REYNOLDS, P		BOX 111	CUBA 66940
48A22	RICARD, W			WASHINGTON 66968
48R27	RICE, N		RT 1	MERIDEN 66512
48H20	RICH, J		4801 N HALSTEAD	HUTCHINSON 67501
48Y03	RICHARDSON, WD		3119 N HALSTEAD	HUTCHINSON 67501
48Z08	RICKARD, L		RT 1 BOX 33	PARADISE 67658
48G57	RITTEL, J	RITTEL'S KENNEL	RR 1 BOX 66	CHAPMAN 67431
48H71	RITZ, GL		RT 2 BOX 15	ERIE 66733
48Y85	ROBERTSON, A R M	M-A KENNEL	BOX 32	NETAWAKA 66516
48R70	ROBINSON, MERJK	MAR KA KENNEL	601 N BOYD	CALDWELL 67022
48F60	RODGERS, JF	JER MAY KENNELS	RT 1	CONCORDIA 66901

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***				
* 48R878	ROEVER, A			ODELL 68415
* 48AX83	ROLES, H & ED		RT 1 BOX 154-A	MAYETTA 66509
* 48AN55	ROLLENHAGEN, HE			WESTMORELAND 66549
* 48AD58	RONSSE, F		RR 1	ST MARY'S 66536
* 48AD73	ROSE, L			WASHINGTON 66968
* 48RB38	ROSS, F		BOX 6	PAWNEE ROCK 67567
* 48AZ03	ROSSON, V & F	ROSSON KENNELS	RT 1	EDNA 67342
* 48RA16	ROTTINGHAUS, G		RR 3	SENECA 66538
* 48AC11	ROTTINGHAUS, GF		RR 1 BOX 28	BERN 66408
* 48AR91	ROUDYBUSH, P		RR 1	ST GEORGE 66535
* 48AR94	ROUSE, G	CEE-MAR KENNEL	RT 4	BELOIT 67420
* 48AI71	ROUTH, V		RT 1	SEDAN 67361
* 48AG19	ROWLAND, S & J		RT 1	MARYSVILLE 66508
* 48AS24	RUDOLPH, D	RUDOLPHS KENNELS	RT 1	LINCOLNVILLE 66858
* 48AA49	RUFFTI, PL		306 E. 8TH ST.	FRANKFORT 66427
* 48AR10	RULE, A	RULES KENNELS	RR 2	NORTON 67654
* 48RR87	RULE, J & P		702 N YORK	OBERLIN 67749
* 48AX62	RULE, P & K		RT 3	NORTON 67654
* 48AY11	RULE, R & F		RT 3	NORTON 67654
* 48AT08	RUSH, J		R 1	BENDENA 66008
* 48AS40	RUSSELL, OV		R 3 BOX 164	FREDONIA 66736
* 48AF34	SALLMAN, F	SALLMAN KENNELS	BOX 64	AURORA 67417
* 48AT97	SALYER, SL	HAPPY HILL KENNELS	RFD 1 BOX 157F	LAWRENCE 66044
* 48AGR0	SAND, L	OLEO ACRES KENNEL	RR 3 BOX 63A	MCPHERSON 67460
* 48AE22	SANDERS, JE	POTTER VIEW KENNEL	R 3 BOX 79	ATCHISON 66002
* 48AGA1	SANFORD, BR&JM		RT 2 BOX 158	BELLEVILLE 66935
* 48AGR2	SATTERTHWAITE, P	SATTERTHWAITE KENNELS	RT 2	UDALL 67146
* 48AG58	SAUCIER, R		RT 3	ABILENE 67410
* 48AW99	SAUVAGE, H & M			HAVENSVILLE 66432
* 48AX27	SAUVAGE, KE	ROCK HILL KENNEL	RR 1	ONAGA 66521
* 48AA60	SAVAGE, I		RR 2	SOLDIER 66540
* 48AA13	SAWIN, DE		RT 1	WASHINGTON 66968
* 48AT50	SCHAFFTER, JM&SA		RR 1	ARLINGTON 67514
* 48AK03	SCHIFF, D & J			SHARON 67138
* 48AR93	SCHMELZLE, GJ		RR 1 BOX 36	CORNING 66417
* 48AY05	SCHMIDT, RA		RT 2 BOX 47	NEWTON 67114
* 48AG20	SCHMITZ, L		RT 1	BAILEYVILLE 66404
* 48AG21	SCHMITZ, R			BAILEYVILLE 66404
* 48AZ34	SCHRAG, D & C	ALAS-KAN KENNELS	RT2 BOX 126	MAUNDRIDGE 67107
* 48AZ39	SCHRAG, M		RT4 BOX 38	GALVA 67443
* 48AP94	SCHULTEJANS, C & R		RT 2	GOFF 66428
* 48AX26	SCHWARZ, H		BOX 672	COLBY 67701
* 48AR09	SCHWINN, M	S&S KENNELS	R 1 BOX 166C	ST GEORGE 66535
* 48RR30	SCOTT, MD		R 1 BOX 43	MANKATO 66956
* 48AF20	SCOTT, MORJE	JARL'S KENNELS	RT 2 BOX 43	MANKATO 66956
* 48AP38	SCOTT, RE		320 SO. LORRAINE	HUTCHINSON 67501
* 48AH74	SEARS, ZL		RT 1 BOX 20	ERIE 66733
* 48AT47	SEE, WL&T	WHEATLAND COLLIE FARM	RT 1	SCOTT CTY 67871
* 48RR80	SEEVER, H		RT 1	TRAY 66087
* 48RR69	SELFRIDGE, K&J	SELFRIDGE PUPPY FARM	BOX 215	DIGHTON 67839
* 48AJ71	SELM, EN & DM	SHADY CORNER PUPPY FARM	RT 2 BOX 102	ATTICA 67009
* 48AY62	SHAFFER, CA		211 EAST FREMONT	BURLINGAME 66413
* 48RR03	SHARP, MJ	SHARP KENNEL	PO BOX 8	ELK FALLS 67345
* 48AT33	SHEAHAN, E		RR 1 528 WEST G ST.	KINGMAN 67068
* 48AW75	SHEETS, D&C	CHAR D KENNELS	RT 1 BOX 221	ASSARIA 67416
* 48AA48	SHELL, H		BOX 133 RR 2	VALLEY FALLS 66088
* 48AJ36	SHIELDS, F	PUPPY LOVE KENNEL		GLADE 67639
* 48RR82	SHROYER, D	NORTH GATE KENNELS	RR 2	MILTONVALE 67466
* 48AF93	SHUGHART, DL	DELTAIRE KENNELS	ROUTE 1 BOX 207	PERRY 66073
* 48RR53	SHULL, C&M		RT 2 BOX 253	CHERRYVALE 67335
* 48AL31	SHUTE, E	JERI'S KENNELS	RT 1	RED CLOUD 68970
* 48AI48	SINCLAIR, F OR K		RT 2	IOLA 66749
* 48AW81	SINCLAIR, HL		311 SO VERMONT	IOLA 66749
* 48AY34	SINCLAIR, JR & MF	OWL CREEK KENNEL	R 1 BOX 170	HUMBOLDT 66748
* 48AL32	SIPES, M		RT 1	ST MARYS 66536
* 48AY96	SKELTON, L R J	SANTA FE KENNEL	RT 3	LARNED 67550
* 48AZ23	SLOAN, MR & MRS	KAPRICKORN KENNELS	RT 2 WEST PARK	DODGE CITY 67801
* 48AP37	SMART, LE	SMART'S HILLTOP KENNELS	RR 1 BOX 102	BURLINGTON 66839
* 48AE96	SMETHERS, GM & LW		RR 2	GARNETT 66032
* 48AI99	SMILEY, G	SMILEY'S KENNELS	RT 1	LARNED 67550
* 48AI98	SMILEY, GL		BOX 158	PAWNEE ROCK 67567
* 48RA08	SMITH ENTERPRISES, INC		RT 1 BOX 80RR	GARDEN PLAIN 67050
* 48AH13	SMITH, CS		RT 1	CAMBRIDGE 67023
* 48AF36	SMITH, DA			SCOTTSVILLE 67477
* 48RA73	SMITH, E		RT 2	ERIE 66733
* 48RA18	SMITH, H	YOCKEY CREEK KENNEL	RT 1 BOX 149	DELPHOS 67436
* 48AV75	SMITH, J&R	WINDY HOLLOW KENNELS	RFD1, BOX 76	FAIRVIEW 66425
* 48AY42	SMITH, JW & CA		RT 1	EDNA 67342
* 48AF37	SMITH, L	SMITH'S KENNELS	RT 3	CLYDE 66938
* 48AW48	SMITH, LRT		BOX 148	JAMESTOWN 66948
* 48AR05	SMITH, M		605 NO PRAIRIE	ST JOHN 67576
* 48RR63	SMITH, MF		RT 3 BOX 66	LYONS 67554
* 48AY54	SMITH, MR	SMITH'S KENNEL	RR 1	DELIA 66418
* 48AY75	SMITH, OW		501 BEECH	OTTAWA 66067
* 48AX25	SMITH, V		RT. 1	PLEASANTON 66075
* 48AM96	SMITH, ZM		705 N SYCAMORE	IOLA 66749
* 48AV17	SNODGRASS, VRG		923 KING	ATCHISON 66002
* 48AX24	SNYDER, M & F		RT. 4	BELOIT 67420

KANSAS

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 48AG23	SOBBA, DJ		RR 1	RICHMOND 66080
* 48AX09	SOLZE, R&J			UTICA 67584
* 48AY14	SOMMER, M		217 OHIO	NEODESHA 66757
* 48RA84	SOUTHERLAND, R & SELLS, J	VALLEY VIEW KENNELS	PO DRAWER R	SEDAN 67361
* 48RA05	SPARKS, R	SPARKS KENNELS INC	RT 4 BOX 1154	SALINA 67401
* 48AQ81	SPEAR, A & D	LAZY S KENNEL	RT 1	CONCORDIA 66901
* 48AX91	SPEER, R & S		RT 2 BOX 77	ELK CITY 67344
* 48AE19	SPITTLER, LM	SPITTLES KENNELS	ROUTE 1	ALTA VISTA 66834
* 48AW62	SPRESSER, A&N	SPRESSER KENNELS	5TH & MINN. ST	SELDEN 67757
* 48AT31	STACKLEY, F & P	HOSTA'S KENNEL	R 4	EL DORADO 67042
* 48AX68	STAIR, J		R 2 BOX 2820	INDEPENDENCE 67301
* 48AR74	STALLBAUMER, J		R R 2 BOX 16	SENECA 66538
* 48AK85	STALLBAUMER, P		RT 1	CENTRALIA 66415
* 48AR73	STALLBAUMER, R		RT. 1 BOX 21	SENECA 66538
* 48AE81	STANDISH, S		9015 KANSAS AVE	KANSAS CITY 66111
* 48AV90	STANGE, LH		R 1	ELSMORE 66732
* 48AR89	STEINLAGE, F		RT 1	CORNING 66417
* 48AR50	STEINLAGE, M		1105 WALNUT ST.	SENECA 66538
* 48AY17	STELLWAGEN, L & R		RT 1	SILVER LAKE 66539
* 48RA50	STEPHENS, M	STEPHENS KENNELS	RT 1 BOX 130A	INDEPENDENCE 67301
* 48AA73	STEVENS, ATRGR	STEVENS KENNELS	R 1	VALLEY FALLS 66088
* 48AX16	STEVENSON, VRJ		R 1	NIOTAZE 67355
* 48AT72	STOCK,V		RT 1 BOX 61	BEATTIE 66406
* 48AC87	STOLTE, E		RT 1 BOX 140	LINN 66953
* 48RA28	STONE, LK			LEONARDVILLE 66449
* 48AX92	STOPPEL, M		RT 1	RUSSELL 67665
* 48AE33	STRAHM, JD & G	GRJ KENNELS	RT 5	HIAWATHA 66434
* 48AX47	STRAWN, P & J	STRAWN'S KENNELS	R 4	YATES CENTER 66783
* 48AP35	STREICH, S		615 W. 5TH APT.1	TOPEKA 66621
* 48AG85	STUHLSATZ, JP		RT 1	GARDEN PLAIN 67050
* 48AH06	SURERA, A & OM		RT 1 BOX 58	CALDWELL 67022
* 48AY58	SUMNER, I & N		RR 1	HAVENSVILLE 66432
* 48AL44	SUTTON, C	SKYVIEW KENNEL	RT 1	MARYSVILLE 66508
* 48AP17	SWARTZ, H&N		BOX 115	ALEXANDER 67513
* 48AW01	SWEARINGIN, DG		R 3	INDEPENDENCE 67301
* 48AP28	SWEET, MY	SWEET'S CATTERY	RT 2 BOX 43	FORMOSO 66942
* 48AY82	SWIERCINSKY, L		RR 1	REPUBLIC 66964
* 48AT07	SWIHART, R		BOX P-73	QUINTER 67752
* 48AA70	SWISHER, G		RR 1 BOX 868	DELIA 66418
* 48AV45	SYNDGROUND, R & C	THE KENNEL	99 N 61ST ST	KANSAS CITY 66102
* 48AE56	TANGEMAN, V	TANGEMANS KENNELS	RT 1	CORNING 66417
* 48AG86	TATE, L	TATE'S KENNELS	BOX 125	SCANDIA 66966
* 48AG60	TAYLOR, IL & EA		RT 1	SOLOMON 67480
* 48AL72	TEETZEN, WE		R 1 BOX 23	JUNCTION CITY 66441
* 48BB68	TERFLINGER, MRK		R 1 BOX 40	MCCUNE 66753
* 48AY21	TESELLE, JL	TESELLE'S KENNELS	BOX 191	DOWNS 67437
* 48AN06	TESSENDORF, I		RR 1 BOX 74	CIRCLEVILLE 66416
* 48AZ24	TESSENDORF, R		RT 1 BOX 177	PERRY 66073
* 48AP42	TETER, R&D	OAR-RICH HORSE FARM	RT 1	HAIZE 67101
* 48AH47	THAREL, L		RT 2 BOX 731	MULVANE 67110
* 48AZ11	THE BRANDT FAMILY		RFD 1 BOX 18	PHILLIPSBURG 67661
* 48BA21	THERACON INC		PO BOX 1493	TOPEKA 66601
* 48AR57	THIEME, L			BERN 66408
* 48AR30	THIEME, M		RT. 1	WETMORE 66550
* 48AA51	THIRY, RM		RT 1 BOX 104	MCLOUTH 66054
* 48AV14	THOMPSON, A		RT 3 BOX 450	INDEPENDENCE 67301
* 48AQ63	THOMPSON, A		612 IOWA	HOLTON 66436
* 48AW55	THOMPSON, OM & FA	HILLSIDE KENNEL	RT 2	CONCORDIA 66901
* 48AJ73	THOMPSON, S	TOY ACRES KENNELS	RT 2	HARPER 67058
* 48RA14	TINKLIN DOG KENNEL INC		RT 2	GOFF 66428
* 48AK67	TODD, J R O		RT 2	FORMOSO 66942
* 48AY10	TOLIVER, ME		511 OAK	OVENBROOK 66524
* 48AJ54	TOMPKINS, A&V	TNT KENNELS	BOX 115	ATHOL 66932
* 48AJ74	TOWER, ME	T 3 KENNELS	RT 1	ANTHONY 67003
* 48RA13	TRAILANE KENNELS INC		RT 1	SOLDIER 66540
* 48BB99	TREGELLAS, D & SMITH, L	ELK HORN KENNELS	RT 2	HAVILAND 67059
* 48AK57	TROUTMAN, D & N		BOX 14	ALTOONA 66710
* 48AT80	TRUHLICKA, TL	TSC KENNELS	RT 1 BOX 90	BARNES 66933

KANSAS

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 48AY38	TUCKER, K		RT 1, BOX 5	WELDA 66091
* 48AR20	TUCKER, U	TUCKER ST BERNARD FARM	RT 1 BOX 5	WELDA 66091
* 48AR92	TURK, DJ		RT 1	BARNES 66933
* 48AZ09	TUTTLE, M & R		RT 2	INDEPENDENCE 67301
* 48AD19	UBEL, B		RT 2	WESTMORELAND 66549
* 48AE12	ULLERY, I		RR 2	SCRANTON 66537
* 48AE14	ULLERY, S		RR 2	SCRANTON 66537
* 48AX12	UNRUH, CJ			ARLINGTON 67514
* 48AL96	USHER, CR		309 BRADLEY RR 2	SEDAN 67361
* 48AA99	UTTINGER, JR	DICK'S ANIMAL WORLD	16144 EAST KELLOGG	WICHITA 67230
* 48AC02	VAIL KENNEL, INC		2220 VAIL ST	TOPEKA 66608
* 48AE34	VAN EPPS, J		ROUTE 1	ROBINSON 66532
* 48AA25	VAN GOSEN, A		RT 2 BOX 52	MCLOUTH 66054
* 48AA55	VAN LOENEN, GO		BOX 153	BOGUE 67625
* 48AS56	VINSONHALER, A		509 N A STREET	SMITH CENTER 66967
* 48AT41	VISONHALER, J		RT. 1 BOX M1	GAYLORD 67638
* 48AG61	VLK, W	VLK'S HAMSTERY	704 N. CEDAR RT. 3	MARION 66861
* 48AN77	VOIT, C		BOX 111	NAVARRE 67469
* 48AR34	WACKER, LRR	SMOKY RIVER KENNELS	BOX 73	KANOPOLIS 67454
* 48AV28	WAGNER, D		305 UTAH ST	HIAWATHA 66434
* 48AJ84	WATTE, D		RT 2	KINGMAN 67068
* 48AF96	WALBRIDGE, R		ROUTE 2	MCLOUTH 66054
* 48AR84	WALKER, CL		5355 SO WOODLAWN	DERBY 67037
* 48AP51	WALKER, DCRJS	HIGHLAND CREEK KENNEL	BOX 472	MACKSVILLE 67557
* 48AA56	WALKER, R&P	SILVERDALE KENNELS	RT 1 BOX 62	MACKSVILLE 67557
* 48AX35	WALTON, S		R 4 BOX 102A	FREDONIA 66736
* 48AK73	WARD, CRF		RT 1	ELK CITY 67344
* 48AQ38	WARD, LH			COLONY 66015
* 48AW80	WARING, D & M		3011 REDWOOD	PARSONS 67357
* 48AL98	WARNICA, RF		RT 1 BOX 51	MARION 66861
* 48AV10	WARREN, I	W-6 KENNELS	RT 2	IOLA 66749
* 48AR98	WASSENBERG, A	BLACKTOP KENNELS	RT 1	BAILEYVILLE 66404
* 48AF40	WATERMAN, F&N		RR 1 BOX 135	GLASCO 67445
* 48AS90	WATKINS, G & A		RT 1	HOLTON 66436
* 48AA50	WEATHERHEAD, D	D & J KENNELS	ROUTE 2	CONCORDIA 66901
* 48AT65	WEBB, W & D	WJ KENNELS	2421 NO 6TH	DODGE CITY 67801
* 48AV46	WEBER, WRJ		115 N CHESNUT	BELOIT 67420
* 48AK62	WEBSTER, A & R		R1 BOX 59E	FORT SCOTT 66701
* 48AS70	WEBSTER, M&W		R 2 BOX 102	CHANUTE 66720
* 48AY69	WEDEL, S	DOG PATCH KENNELS	RR 2 BOX 52	MCPHERSON 67460
* 48AN60	WEIXELMAN, RD		5943 NW LEEDY RD	TOPEKA 66618
* 48AX38	WELLS, M & S		FORT DODGE RD.	DODGE CITY 67801
* 48AE41	WENGER, VC		RT 1	POWHATTAN 66527
* 48AW92	WEST, RR	WEST KENNELS	RT 2	COLONY 66015
* 48AS81	WESTHOFF, N R J		RT 1 BOX 95	ERIE 66733
* 48AX23	WHITE, R & S		1101 SO. HIGHLAND	CHANUTE 66720
* 48AA74	WHITED, PD	PAT'S CANINE BOUTIQUE	603 N JACKSON	PRATT 67124
* 48AT26	WHITMAN, D		1528 E 22ND ST	TOPEKA 66605
* 48AI77	WIDMAR, G	THE WIDMAR'S	RT 3 BOX 61	GIRARD 66743
* 48AW83	WIESNER, DJ		316 N. CEDAR	HOISINGTON 67544
* 48AC98	WIETHARN, C		RR 1	CLAY CENTER 67432
* 48AI73	WIGTON, R	WIGTON'S CHIHUAHUAS	RT 2 BOX 106	COLUMBUS 66725
* 48AK96	WILKINS, P			MILTONVALE 67466
* 48AS35	WILLIAMS, E R I		315 W BUFFALO	GIRARD 66743
* 48AG35	WILLIAMS, L		ROUTE 4	HIAWATHA 66434
* 48AY81	WILLIAMS, T & OLDRIDGE, E	WILL-O POODLE PALACE	RT 5	HIAWATHA 66434
* 48AS85	WILSON, F	LAZY ACRES KENNELS	BOX 109D RT 2	LOUISBURG 66053
* 48AC01	WILSON, G & D	ELMSOOD KENNELS	R 1 BOX 28	JEWELL 66949
* 48AW79	WILSON, L		RR 1	SCRANTON 66537
* 48AY74	WILTFONG, RE		BOX 283	LONGTON 67352
* 48AH54	WINT, VJ & L		RT 4	INDEPENDENCE 67301
* 48AA95	WISE, JL	PATS POODLE	1827 N MAIN	ST JOHN 67576
* 48AX76	WISE, WRJ	WINDY HILL KENNEL	RR 3 BOX 152A	LAWRENCE 66044
* 48AW08	WISEMILLER, W&R	RUMAX KENNELS	RT. 3 BOX 17	SABETHA 66534
* 48AD17	WITT, FJ		ROUTE 2	WAMEGO 66547
* 48AW66	WITTEN, T&C		RT 4 BOX 255	CHANUTE 66720
* 48AC88	WOERNER, R		RR 1 BOX 82	LINN 66953
* 48AG25	WOLF, P		BOX 46	MORGANVILLE 67468
* 48AW74	WOLFE, AL & L		1314 LAWRENCE	HAYS 67601
* 48AY63	WOOD, DL		SHADYLANE KENNEL	KANSAS CITY 66109
* 48AV85	WOODS, D&E	D&L KENNELS	BOX 421	ELKHART 67950
* 48AW19	WORM, L			WEBBER 66970
* 48AJ99	WORTMAN, L		RT 1 BOX 111	MEDICINE LODGE 67104
* 48AJ91	WRAY, JA	WRAY'S KENNELS	RT 2	NORTON 67654
* 48AW37	WRAY, WRJ		315 OKLAHOMA	LAWRENCE 66044
* 48AV01	WRIGHT, JG	WRIGHT-WAY KENNELS	RT 1 BOX 90	HOME 66438
* 48AS82	WRISLEY, LK	LYNNETTE PRAIRIE KENNELS	227 E. 4TH	HUTCHINSON 67501
* 48AW39	WROSCH, G&V			MCLOUTH 66054
* 48AC73	WULLSCHLEGER, P		RT. 1 BOX 958	HOME 66438
* 48AW96	YACKO, L		302 OAK ST	CAWKER CITY 67430
* 48AM50	YARNELL, V		R 1 BOX 196	ERIE 66733
* 48AR45	YONNING, RJ		RT 2	WESTMORELAND 66549
* 48AY87	YOUNG, CC	COYOTE HILL KENNEL	RR 2	EUREKA 67045
* 48AX40	ZABEL, F & D	FLO - EZ FARMS	RFD 1	WHEATON 66551
* 48AM20	ZEINER, F		1000 RICE RD	TOPEKA 66607
* 48AJ82	ZERGER, C R &		500 AVENUE A WEST	KINGMAN 67068
* 48AZ35	ZERGER, M & K	KANDY KANE KENNELS	RR 2 BOX 147A	MOUNDRIDGE 67107

KENTUCKY

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 61R5	BLACK, D		R 1	SEDALIA 42079
* 61R9	HOFFMAN, J	A-1 TROPICAL FISH & PET CENTER	BOX 501	CORBIN 40701
* 61A5	LUCAS, P		RT. 11 BOX 8	BEATTYVILLE 41311
* 61RA	NORTHCUTT, MF	GOODWILL KENNELS	RT 5 BOX 109	CYNTHIANA 41031
* 61R3	ROBERTS, WC	REST PETS & LABORATORY ANIMALS	P.O. BOX 631	SHEPHERDSVILLE 40165
* 61R6	ROBINSON, R	W KY RABBIT AND WORM RANCH	ROUTE 2	WEST PADUCAH 42086
* 61RH	SMITH, L & KELLEY, C	S & S RES ANIMALS, HILLTOP KENNELS	PO BOX 151	LAGRANGE 40031
* 61R2	WILLIAMS, JU	WILLIAMS KY CAVIES	7811 DOBSON RD	FERN CREEK 40291
* 61A6	WOOD, JK		RT 1	BAGDAD 40003

LOUISIANA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 72R1	BISTINEAU TROPICAL FISH, INC		PO BOX 5897	BOSSIER CITY 71010
* 72A15	FLROD, N	REDWOOD KENNEL	RT 1 BOX 30	WINNSBORO 71295
* 72A12	GOYLE, JH		RT 1	MT HERMON 70450
* 72A10	GUILLOT, C		RT 2 BOX 143	WALKER 70785
* 72R4	GULF SOUTH RESEARCH INSTITUTE		PO BOX 1177	NEW IBERIA 70560
* 72A4	HARTNESS, I		903 N CENTER ST	RUSTON 71270
* 72R2	OZONE PET SUPPLY		PO BOX 786	LACOMBE 70445
* 72A14	SMITH, DK		RT 1 BOX 1085	LAKE CHARLES 70601
* 72A6	SUMNER, C & F	ALPHA KENNELS	RT 1 BOX 29	IDA 71044
* 72R5	WAUBUN LABORATORIES		DRAWER C	SCHRIEVER 70395

MAINE

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 11A7	BOUCHER, AF	WIDE-A-WAY RABBITRY	23 SPEIRS ST	WESTBROOK 04092
* 11A10	DENICOLA, G & G	BIG BUNNY BUSINESS	RFD 1 BOX 143	CORINNA 04928
* 11A39	GOLDMAN, M & E	LUCKY FOOT RABBITRY	RFD 1	BURNHAM 04922
* 11A3	HEIKKINEN, DA		RT 1 BOX 157	TURNER 04282
* 11A28	KELLY, FC		52 WESTMINSTER ST	PORTLAND 04103
* 11A6	LINE ROAD AUCTION, INC		RFD 1 LINE RD	GORHAM 04038
* 11A40	LOTHRIDGE, K	RED PINE RABBITRY	RT 1A	GARDINER 04345
* 11A17	MACDONALD, A & W	NE BIOMED LABS INC.	RR #1 INLAND FARM DR	SO WINDHAM 04082
* 11A35	MAINS, R	MAINS PEKINGESE KENNEL	LINE RD RFD #1	GORHAM 04038
* 11A27	MCLAREN, GRR		RFD 1 BOX 115	HARRISON 04040
* 11A3	PERLEY, HD	WHITE ANIMAL FARM	SEAVEY LANDING RD	SCARBOROUGH 04074
* 11A37	POORS, R	DRIFTWOOD RABBITRY	WALTHAM RD	ELLSWORTH 04605
* 11A10	SEGALL, S	HOMEBRIKE ENTERPRISE	RD 2 BOX 120-A	GREENE 04236
* 11A9	SHAWLEY, J & J	COTTONTAILS	130 FALVEY ST	BANGOR 04401
* 11A15	SKIRICKI, J		5 SAYWARD ST	KENNEBUNK 04043
* 11A16	SMITH, LM		BUXTON RD	SACO 04072
* 11A33	SMITH, M	TWIN OAKS RABBITRY	CHUTE RD	SO. WINDHAM 04082
* 11A36	VARGA, S	HARMONY HILL RABBITRY	RFD 1 BOX 141	CORNISH 04020
* 11A2	WAYCOTT, SR NE		BUXTON ROAD	SACO 04072
* 11A23	WILLIAMS, FE		RFD 5 OLD BRUNSWICK RD	GARDINER 04345
* 11A4	WRIGHT, R		HEATH RD	KENNEBUNK 04043

MARYLAND

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 51CM	CHAUVENET, DS		BOX 454	CHESTERTOWN 21620
* 51AD	COMMANDO FARMS		PO BOX 1281	LANDOVER 20785
* 51AP	EASTERN PET & HOBBY SHOP INC		423 EASTERN BLVD	BALTO 21221
* 51AA	ECKERT, WL		HARNEY ROAD	TANEYTOWN 21787
* 51AR	FRYE, WE	R & H RABBITRY	13700 TRAVILAH RD	ROCKVILLE 20850
* 51AU	GEORGES PET SHOP, INC		5397 ANNAPOLIS ROAD	BLADENSBURG 20710
* 51CR	HAHN, RA	LITTLE THINGS UNLIMITED	RT 3 BOX 126	THURMONT 21788
* 51CS	HICKMAN, F		RT. 1 BOX 760	CHESTERTOWN 21620
* 51CD	J.F.M. RESEARCH, INC.		3930 KNOWLESAVE	KENSINGTON 20795
* 51CH	KENNEDY, L		30A N LOCUST ST	HAGERSTOWN 21740
* 51CQ	L&M PETS INC		RT 6 BOX 384	FREDERICK 21701
* 51AQ	LATTA, RR	R&F FARMS	7859 CLARK STATION RD	SEVERN 21144
* 51CK	LITTON BIONETICS INC		5516 NICHOLSON LANE	KENSINGTON 20795
* 51AD	TROPICAL FISH CITY INC		13312 LAUREL BOWIE RD	LAUREL 20811

MASSACHUSETTS

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 1A813	BACHAND, R	BIRDLAND AVIARY	22 LAURA KEENE RD.	ACUSHNET 02743
* 1A860	BARDWSKY, CP	CRITTERS N CAGES INC	1978 ROCK VALLEY RD	HOLYOKE 01040
* 1A872	BERRY, R	BOB'S BUNNY BARN	161 MATFIELD ST	W BRIDGEWATER 02379
* 1A878	BIO-RES INC/BIO-RES CONS INC		9 COMMERCIAL AVE.	CAMBRIDGE 02141
* 1A845	BOSTON PET SUPPLY		200 FIRST STREET	CAMBRIDGE 02142
* 1A822	BOWS, RC	ART/BREEDING LAB.	364 CHATHAM W DR	BROCKTON 02401
* 1A859	BRANCONNIER, D		1 MAPLE STREET	SPENCER 01562
* 1A826	CHARLES RIVER BREEDING LABORATORIES, INC		251 BALLARDVALE STREET	WILMINGTON 01887
* 1A825	CONNECTICUT VALLEY BIOLOGICAL SUPPLY COMPANY, INC		VALLEY ROAD	SOUTHAMPTON 01073
* 1A829	CZEPIEL, JS		26 PADEREWSKI ST	CHICOPEE 01013
* 1A851	DUSSEAULT, J & T		1765 RAY ST	TAUNTON 02780
* 1A830	ELM HILL BREEDING LAB		71 ELM ST	CHELMSFORD 01824
* 1A81	EXOTIC FISH & PET WORLD, INC		49 RUSSELL STREET	HADLEY 01035
* 1A83	FAY JR, AL		11 RAYMOND RD	BURLINGTON 01803
* 1A826	FERRIS, PG		195 N MAIN ST	MIDDLETON 01949
* 1A84	FINCH, AC	PINELAND FARM KENNELS	93 LEONARD ST	RAYNHAM 02767
* 1A879	FITZGERALD, F		834 KING PHILIP ST.	FALL RIVER 02724
* 1A822	GAULITZ, DF		154 PINE ST	FRANKLIN 02038
* 1A850	GEORGE C. THORSEN, INC.		110 TURNPIKE RD	FAYVILLE 01745
* 1A880	GRAPH-TECH, INC.		ONE DIX ST.	WORCESTER 01609
* 1A862	HILLIARD, D		214 TYLER ST	PITTSFIELD 01201
* 1A823	JENKS, FH		21 JAMES ST	FEEDING HILLS 01030
* 1A861	JURCZYK, J		OAK ST.	MONSON 01057
* 1A86	KATZ, S		9 STRAWBERRYHILL LN	DANVERS 01923
* 1A87	LANDRESS, M	MARGARET'S HOME FARM	BARTON HEIGHTS	GREENFIELD 01301
* 1A82	MASSON, PP	MASSON'S SMALL ANIMAL FARM	75 GOODHUE AVE	DRACUT 01826
* 1A83	PERRY, TD		84 WINTER ST	MARLBORO 01752
* 1A852	PLATT, AR	PINE ACRE RABBITRY	299 EAST MAIN ST	NORTON 02766
* 1A819	RESEARCH RES & SERV FDN I NC		1 PINE HILL DR	SOUTHBOROUGH 01772
* 1A877	RODDY, J		30 VINAL ST	DRACUT 01826
* 1A876	RUSHFORTH, A & A	HARE HAVEN RABBITRY	711 PLYMOUTH ST	MIDDLEBORO 02346
* 1A81A	THOMAS FAZIO LABS, INC.		117 S. MAIN ST	BERKLEY 02780
* 1A855	TUCKER F & WOODFORD FJ	RESEARCH DONOR SERVICE	908 HANCOCK ST	ABINGTON 02351
* 1A85A	TUFTS-NEW ENGLAND MED CTR INC		171 HARRISON AVE	BOSTON 02111
* 1A81A	TUMBLEBROOK FARM, INC		RFD 1 BOX 9	WEST BROOKFIELD 01585

MICHIGAN

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 34AD24	ALBER, H		RR 5	ANN ARBOR 48104
* 34AD13	ANN ARBOR BIOLOGICAL CENTER, INC		6780 JACKSON ROAD	ANN ARBOR 48103
* 34AD35	BAILEY, F		6385 ALASKA AVE	ALTO 49302
* 34AD13	BEEKMAN, A		3865 N PILLOW RD	MUSKEGON 49445
* 34AD29	BEHLEN, H	BEHLEN'S RABBITRY	3160 E HOUGHTON LAKE RD	LAKE CITY 49651
* 34AD8	BLACK LAGOON INC		504 N MAIN ST	ROYAL OAK 48067
* 34AD26	COOPER, FJ		12595 BUDD RD	BURT 48417
* 34AD37	CUNNINGHAM, C	OAKRIDGE KENNELS	415 N. GROVER RD	MUSKEGON 49442
* 34AD29	DAY, LA	DAYS RABBIT FARM	7688 N SHERIDAN RD	EDMORE 48829
* 34AD24	DESHONE, JRM	PARADISE COVE ANIMALS	PO BOX 566	PINCONNING 48650
* 34AD5	DETTMER, DJ	DETTMERS BUNNY PATCH	BOX 109 GARFIELD RD	CARSON CITY 48811
* 34AD32	DIXON, D	D.J. PETS	2300 FRED MOORE HWY	ST CLAIR 48079
* 34AD11	EWERT ENTERPRIES	EWERT ENTERPRIES	2059 S. 3RD ST	NILES 49120
* 34AD25	FREEMAN, CF	WIN SHUR'S	4100 W WALTON	DRAYTON PLAINS 48020
* 34AD43	HENNIP, W		3398 18TH	WAYLAND 49348
* 34AB	HODGINS, CF & FR	HODGINS KENNEL	6300 LANGE RD	HOWELL 48843
* 34AD16	HUNT, DJ		6237 VINTON AVE	COMSTOCK PARK 49321
* 34AD8	INTERNATIONAL ANIMAL EXCHANGE, INC		1489 E NINE MILE RD	FERNDALE 48220
* 34AD19	INTERNTL RES & DEV CORP		500 N MAIN ST	MATTAWAN 49071
* 34AD27	JAENICKE, JC & TG	BETTY'S PET & GDN. CTR.	PO BOX 501	HOUGHTON LAKE 48629
* 34AD30	KAMPFERT, WR	BILL'S MAGIC MANUFACT. CO.	36443 UPLAND CT	WAYNE 48184
* 34AD36	KUCERA, L R J	LJK RABBITRY	P.O. BOX 143	IRONS 49644
* 34AD5	LABORATORY ANIMALS INC		P.O. BOX 2467	GRAND RAPIDS 49501
* 34JK	LABORATORY RESEARCH ENTERPRISES, INC		6321 SOUTH 6TH STREET	KALAMAZOO 49009
* 34AD4	LANGSHAW, N & D	LANGSHAW FARMS	R1 BOX 256	AUGUSTA 49012
* 34AD33	LEMPICKI, L	HOUSE OF PETS NO 2	29500 FORD ROAD	GARDEN CITY 48135
* 34AD31	MACK, C & D		8416 BECKER RD.	CEDAR SPRINGS 49319
* 34AD38	MARTIN, RE	PECULIAR PETS	5150 HIGHLAND RD	PONTIAC 48054
* 34AD33	MI DEPT OF PUBLIC HEALTH	BUR OF DIS CONTROL & LAB SERVICES	3500 N LOGAN ST PO BOX 30035	LANSING 48909
* 34AD34	MISSLER, G		537 TECUMSEH ST	DUNDEE 48131
* 34AD42	PRENTICE, V		411 SO ALP ST	BAY CITY 48706
* 34FF	RADZILOWSKI, E	MEADOWBROOK FARMS & CO	10533 GRATIOT ROAD	RICHMOND 48062
* 34AD39	ROOD, C & N	AUTUMN KENNELS	4726 WHEELER RD	STANDISH 48658
* 34AD40	SCHNEIDER, L & B	HI-HOPES KENNELS	2224 S ENNIS RD	ITHACA 48847
* 34AD11	SHANKIN, E	SHANKINS RABBITRY	13547-28 MILE RD	WASHINGTON 48094
* 34AD38	STURGILL, C		8140 DUNN RD	MUNITH 49259
* 34AD26	TAFT, MT	A & M KENNELS	RT. 1 BOX 467	ESCANABA 49829
* 34AD41	TERPENING, J		908 ELSWORTH RD	PETOSKEY 49770
* 34AD21	ULRICH, ME		RR 2 POLK RD.	STANWOOD 49346
* 34AD25	VITEK, R & C	VITEK'S RABBITRY	R 2 1670 S AIRPORT RD	ST. JOHNS 48879
* 34AD3	WALLACE, KD	OAKHILL RABBIT RANCH	1753 106 AVE	OTSEGO 49078
* 34RS	WOUDENBERG, RJ&RL	R & R RESEARCH	RR 2 19256 W KENDAVILLE RD	HOWARD CITY 49329

MINNESOTA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 41A157	ABRAHAMSON, P & K	P & K KENNELS	RR 1	CANTON 55922
* 41R86	ALLIED BIOMEDICAL CO., IN C.		1001 18TH ST SW	AUSTIN 55912
* 41R70	ANDERSON, RS	ROGERS GAME FARM	RR 2 BOX 171	STARBUCK 56381
* 41A82	RANKE, HW	HAROLD'S RABBITRY	206 S HICKORY ST	LESTER PRAIRIE 55354
* 41AF	RFISF, M	RFISF KENNELS	410 CREEK LANE	JORDAN 55352
* 41R100	RENIGNI, K			COTTON 55724
* 41A2R	RENIGNI, KS	THE SKUNK WORKS		COTTON 55724
* 41A174	RERGLAND, K		RR 1 BOX 21	ELLENDALE 56026
* 41R31	RIO LAR CORPORATION		5228 CENTERVILLE ROAD	ST PAUL 55110
* 41R47	BLAINE MIDWAY ALL PETS IN C.		10911 RADISSON RD. NE	BLAINE 55434
* 41A143	BLETH, JF & ZB	SNOWCREST KENNEL	RT 8 BOX 552	BEMIDJI 56601
* 41A141	BRANDT, V	PRETTY PINK CATTERY	135 CLINTON ST	MINNEAPOLIS 55504
* 41A51	BRAUN, D		R 2 BOX 198	WORTHINGTON 56187
* 41R63	BROLIN, R & D	BROLIN PETS	1229 PORTLAND AVE.	ST. PAUL 55104
* 41R9R	BROWN, J & M	MINNESOTA PINES KENNELS	RT 3 BOX 43	WORTHINGTON 56187
* 41R2A	BRUST, PS	OAK CREST KENNELS	4770 S ROBERT ST.	INVER GROVE HGTS 55075
* 41R60	BUTLER, DP	BUTLER'S ARIST ARAB KEN	RT 1 BOX 51	BRAINERD 56401
* 41R67	CAPRANOS, T	T&T HAMSTER HUT	1920 4TH AV NW	AUSTIN 55912
* 41R1	CHANCE, W		RT 3	ST. JOSEPH 56374
* 41RR	CITY OF ST. JAMES	CITY OF ST JAMES	1002 7TH AVE N	ST JAMES 56081
* 41A176	CUPERUS, R & S	OAK RIDGE KENNEL	RR 3	JACKSON 56143
* 41431	DAVIDSON, GN	DAVIDSON'S FUR FARM	ROUTE 2 BOX 128	ANNANDALE 55302
* 41R23	DEAKINS, H	NEWFOUNDLAND KENNEL & FARM	RTE 1	PARK RAPIDS 56470
* 41A166	DICKMAN, D & M	OAK GROVE KENNELS	R 1 BOX 79A	PIERZ 56364
* 41A104	DIEPOLD,R		RR1	STEWART 55385
* 41A17A	DODDS, C & W	BOOGAROO RANCH	RT 1 BOX 111	CLEARBROOK 56634
* 41R6A	DRAEGER, D & MORTENSON, F	DAD & MACK PETS	14915 CROSSTOWN BLVD.	ANOKA 55303
* 41R56	EGGERSTEIN, R	CC FARM & KENNEL	R 2	ANNANDALE 55302
* 41A163	EHRHORN, JR., H	NORTH COUNTRY KENNEL	RR 4 BOX 165	GRAND RAPIDS 55744
* 41A12R	ERICKSON, K	KAY JO'S COCKERS	15647 TERRITORIAL RD	MAPLE GROVE 55369
* 41RA	FERGUSON, R		RT 1	CLEARWATER 55320
* 41R99	FISCHER, R & R	ALEXANDRIA KENNELS	RT 7	ALEXANDRIA 56308
* 41R6R	FISHER, R	GEM ANIMAL FARMS	BOX 236	HUTCHISON 55350
* 41A151	FRINK, DM		RT 2	PALISADE 56469
* 41R79	GIESE, C	OAK RIDGE GAME FARM		DONNELLY 56235
* 41A102	GLESNE, D	EVANSLAND KENNELS		SUNBURG 56289
* 41R76	GULDEN, M & S	THE DOG HOUSE	RT 1	KANDIYOHI 56251
* 41A167	HARREN, A & M	J & J ENTERPRISES	R 4 BOX 126	AUSTIN 55912
* 41RA	HAMLETT I & MYERS C	OAK CREST RABBITRY	5725 BLAKE RD. APT 206	EDINA 55436
* 41A114	HARRINGTON, D		RR 2	CALEDONIA 55921
* 41R7R	HAWLA, C & S	HAWLA'S ROYAL OAK KENNELS	RT. 2 BOX 154A	ROYALTON 56373
* 41A29	HERNESS, G	SEWELL LAKE KENNEL	BOX 34	DALTON 56324
* 41R104	HIPPEND, M		2526 S BRIDGE ST	NEW ULM 56073
* 41AE	HIPPERT, D		RT. 1	KASSON 55944
* 41R87	HOCHMAYR, F&T	DEER FOREST	BOX 46	NISSWA 56468
* 41R53	HOFHNE, KF			PINE ISLAND 55963
* 41A20	HURNER, R	HURNER HOUSE KENNEL	R4 BOX 125	PIPESTONE 56164
* 41A125	HUNTER, P & W	HUNTER'S MAPLELAND KENNEL	RT 1 BOX 148	WAVERLY 55390
* 41R41	INTERNATTIONAL BIOLOGICS, INC.		531-9TH ST NW	NEW BRIGHTON 55112
* 41A93	JOHNSON, FM		RT 2 BOX 33	SAUK CENTRE 56378
* 41A162	JONES, G & C	WISHBONE CREEK KENNEL	RT 2 BOX 227	LAKE CRYSTAL 56055
* 41A175	KIEL, R & S	PINE ACRES KENNEL	RR 3	PINE CITY 55063
* 41A147	KLENKE, N		NORTH OAK STREET	RACINE 55967
* 41R55	KRAFT, KG	KRAFT'S GAME FARM	RR 1	RACINE 55967
* 41A25	KROHNBERG, LF		RR 2	BLOOMING PRAIRIE 55917
* 41R39 AND CO F O KRUEGER, RE	KROHNBERG, LF		RR 2	BLOOMING PRARIE 55917
* 41A9R	LACY, RI	3-K GERBIL RANCH	2498 COHANSEY ST	ST PAUL 55113
* 41441	LAMBERTSON, V		BOX 173 RR 2	STEWART 55385
* 41A172	LARSEN, T & D	TRYOLIAN KENNELS	RT 1	CUSHING 56443
* 41A146	LATZIG, A	LATZIG MINK RANCH	RT. 1 BOX 87	HOWARD LAKE 55349
* 41R93	LOSS, MT	TOTAL LOSS GAME FARM	RT 10 BOX 63	BRAINERD 56401
* 41A164	LOUCKS, R		R 7 BOX 370	MANKATO 56001
* 41R2R	LUCHT, W		R 3	OSSEO 55369
* 41AE AND C11 F O KASSON 55944 AH C34	MADSEN, DK	MADSEN SHOOTER SUPP	921 E 8TH	SPENCER 50301
* 41R90	MALZAHN, JW		850 GREAT PLAINS, BLVD	CHASKA 55318
* 41A105	MATTER, A	MATTER'S KENNEL	RT 5 BOX 92	AUSTIN 55912
* 41R3R	MATY, AL		1075 OTTO	ST PAUL 55116
* 41A83	MATZ, H & FREDERICK, S	MATZ FUR FARM		WALTERS 56092
* 41R27	MCALLISTER, RAJ		3669 140TH ST NW	PRIOR LAKE 55372
* 41A111	MCCONKEY, GW	C & J KENNELS	RR 2	BREWSTER 56119
* 41R96	MELLEMA, N		R4 BOX 38	WORTHINGTON 56187
* 41RR1	MENNING, R	MENNING HILLTOP KENNELS	RR 1 BOX 300C	EDGERTON 56128
* 41A121	MILLER, T&JRCHAMPLIN, F	MILL-CHAMP KENNELS	RT 3 BOX 87A	AUSTIN 55912
* 41R73	MINNESOTA PET BREEDERS, INC	CRUMP KENNELS	RT 2 BOX 102	GLYNDON 56547
* 41R16	MUNICIPAL & PRIVATE SERVICE INC		506 11TH AVENUE NORTH	MINNEAPOLIS 55411

MINNESOTA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 41852	MURMY, MW	THE PET MENAGERIE	RT. 1 BOX 147	TWO HARBORS 55616
* 41A117	OLSON, RS	G-D KENNEL		KANDIYOHI 56251
* 41819	PANKRATZ, MM			MT LAKE 56159
* 41885	PAPLOW, D & C		RT 1 BOX 102	FULDA 56131
* 41855	PERRY, L&M		ROUTE 1 BOX 164	MORA 55051
* 41825	PINE CREST KENNELS		RR 1	KASSON 55944
* 41A158	PUDENZ, JA	NORTHWIND KENNEL	RR 1	JEFFERS 56145
* 41A107	RADKE, D		RT 1	BROWNTON 55312
* 41835	REEK, DG	REEKS TROPICAL FISH & SUPPLY	530 NIAGARA LANE NO.	WAYZATA 55441
* 41872	RENNER, MI		STAR RT BOX 118	DETROIT LAKES 56501
* 41830	RIEFF, GW	GOPHER STATE CAVIARY	862 ATLANTIC ST	ST PAUL 55106
* 41886	RUUK, M	BIG STONE KENNELS	RT 1	BEARDSLEY 56211
* 41A120	RUTHER, L & L	VERMILLION RIVER KENNEL	20649 CHIPPENDALE AVE W	FARMINGTON 55024
* 41897	RUTLEDGE, R	CHUCHI KENNELS	ISLAND VIEW RT	INTERNATIONAL FALLS 56649
* 41R103	SAWYER, S	WILDWOOD ARABIAN AND KENNEL		BACKUS 56435
* 41840	SCHADE, E & L	AQUARIUS KENNELS	RR 1	RUTHTON 56170
* 41834	SCHEILLER, SM	RODENT RANCH	4088 HWY. 52N	MINNEAPOLIS 55422
* 41A133	SCHEMPER, RJ & MJ		RR 3 BOX 230	WORTHINGTON 56187
* 41A115	SCHOONOVER, DF	OAKLANE KENNELS		HOLLANDALE 56045
* 41817	SCHROEDER, A		RT 1 BOX 154	KIESTER 56051
* 41A138	SCHULTZ, A & A		RR 3 BOX 104	WORTHINGTON 56187
* 41A173	SELTUN, G		RR1 BOX 32	WALTERS 56092
* 41AD	SERGER, ML		RT. 2	WATKINS 55389
* 41R48	SIFERS, D	CIMARRC KENNELS	BOX 251 RT 2	MORRIS 56267
* 41892	SPARK, M		RR 3	GLENWOOD 56334
* 41A171	STEPHEN & VICKI VOLVY		RT 2 BOX 187	CHASKA 55318
* 41A156	STOKES, JP & LJ	SUNSHINE KENNEL	RT 4 BOX 78	BEMIDJI 56601
* 41830	STROM, H		ROUTE 1	RANDALL 56475
* 41847	STROMBERG, L	STROMBERG PETS UNLIMITED	50 LAKES RT	PINE RIVER 56474
* 41859	STYLE PETS UNLIMITED OF MINNESOTA	MINN. VALLEY PETS	RT 1 BOX 194	CLEVELAND 56017
* 41883	SWANSON, J. R & M	ROCKY TOP KENNELS	RR 2	WINDOM 56101
* 41A13	SWANSON, WF	OAK RIDGE KENNELS	1640 GAME FARM RD N	MOUND 55364
* 41R102	TAYLOR'S PETS II INC		R2 BOX 122	PERHAM 56573
* 41857	THOMPSON, R	THOMPSON'S GAME FARM	RR 1	WINDOM 56101
* 41817	TILBURY, J		R 1	GRASSTON 55030
* 41849	TOENGES, CH		RR 1	ALDEN 56009
* 41866	TRINKO, JR., J		7611 KNOX AVE. NO. 217	RICHFIELD 55423
* 41A6A	TROM, AL	STOCKBURY KENNELS	RFD 1 BOX 176	BLOOMING PRAIRIE 55917
* 41R101	TROUMBLY, R	TROUT LAKE DEER FARM	RT 1 BOX 211T	BOVEY 55709
* 41A168	TVEIT, T & S		RT 1 BOX 89	KIESTER 56051
* 41861	URBACH, I&P		R 3 BOX 77	FRAZEE 56544
* 41891	VAN DER SCHAAF, MJ	M & M KENNELS	RR 1	WOODSTOCK 56186
* 41884	VIESSMAN, M	BOW WOW VILLAGE	R. R. 3	LUVERNE 56156
* 41AR1	VINAR, SR., DJ & AR	D & A KENNEL	RT 2	WATKINS 55389
* 41A160	WALKER, VD		RT 1 BOX 121	WARBA 55793
* 41A170	WARNKE, T		9943 221ST AVE NW	ELK RIVER 55330
* 41870	WEINKAUF D	DOUBLE D KENNEL	RR 1 BOX 85	EAGLE LAKE 56024
* 41880	WENSMANN, G&A	HIGHLAND HILLS KENNEL	BOX 200 RT 1	MELROSE 56352
* 41875	WENZEL, W	A & W KENNELS	RT 1	ALPHA 56111
* 41A161	WILSON, IK	PUPPY GARDEN	323 19TH ST SE	BRAINERD 56401
* 41870	WRIGHT, NS		RR 1	GRAND MEADOW 55936
* 41859	ZELINSKY, A & G	CEDAR RIDGE KENNEL	ROUTE 1 BOX 237	MANKATO 56001

MISSISSIPPI

LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
65476	BENTZ, EJ	PET POURRI KENNELS	RT 2 BOX 6R	LONG BEACH 39560
65R1	BICKHAM, RD	YELLOW BIRD FARM	RT 2 BOX 186G	PURVIS 39475
65417	BROOKS, CL		RT. 1 BOX 74A	MATHISTON 39752
65422	GRAYSON, W	LOVE-N-CARE KENNELS	RT. 1 BOX 184	QUITMAN 39355
65R5	GRECO, S	THE MENAGERIE	2885 MCDOWELL RD	JACKSON 39212
65469	HARNESS, K	KERMIT KENNELS	RT 5,BOX 197-D	VICKSBURG 39180
65421	HORN, RW	HILLHAVEN KENNELS	PO BOX 444	RIDGELAND 39157
65475	HUFFMAN, J	WHIPPOORILL FARM KENNELS	RT 2	GRAND JUNCTION 38039
6546	JOHNSTON, JC	JOHNSTON'S CHOWS	640 PICKETT ST	GREENVILLE 38701
65448	JONES, MR		ROUTE 2 BOX 17	BRAXTON 39744
65411	LAMPLEY, J		2729 AIRDALE ST	GREENVILLE 38701
6545	LEWIS, DF	TRIPLE-A KENNEL	RT 2 BOX 109	COLUMBIA 39429
65JH	MARTIN, JG		125 MARTIN ST	RIPLEY 38663
6547	PARKER, TP		RT 1 BOX 169	LAWRENCE 39336
6544	REYER, H	DOGWOOD KENNELS	RT 2 BOX 305	COLUMBIA 39429
6545R	SIMMONS, J & BYRD, J	J & J KENNELS	RT 1 BOX 311-D	COLUMBIA 39429
65435	STEINHAUSER, R & J	RIJJAM CATTERY & KENNELS	RT 1 BOX 604	LELAND 38756
65427	SWEARINGIN, D	SWEARINGIN KENNELS	RT 2 BOX 231A	RUTH 39662
65431	THOMPSON, PL		RT 1 BOX 201	LUMBERTON 39455
654A	VANLANDINGHAM, ML	V&R ANIMAL SHELTER	PO BOX 133	VARDAMAN,38878
6583	VIALL, CG	PET KINGDOM	BOX 32	DELHI 71233
65420	WHATLEY, D		RT. 1 BOX 53A	BROOKLYN 39425
65437	WILLIAMS, JA	TAR RIVER KENNELS	RT 1 BOX 154	CROSBY 39633
65449	WINNINGHAM, MRS, J		RT 1, BOX 166	MENDENHALL 39114

MISSOURI

LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
43BAV	ACKMANN, A & M	NORM-AL ACRES KENNEL	RT 1 BOX 3A	ROSEBUD 63091
4374U	AHOLT, JRA	AHOLT'S KENNEL	RR 1	GLASGOW 65254
430X	ALLEN, W		RR 2	LUCERNE 64655
432V	ANDERSON, MA		ROUTE 2 BOX 177	ELKLAND 65644
4300	ANEST, JL		RR 3	KIRKSVILLE 63501
43LAN	ANIMALS AND POULTRY, INC		PO BOX 423 RR 2	GRAY SUMMIT 63039
43GFF	APSHER, M	KANCHETT KENNEL	RT 1	IONIA 65335
43YAP	ARR, M & KITCH, SF	TRIPLE T KENNEL	RT 1	GRANBY 64844
43XAF	ARMSTRONG, C	ARMSTRONG KENNEL	R 4 BOX 179	ROCKPORT 64482
43TC	AYE, F		RT 1 BOX 23	WILLOW SPRINGS 65793
4300N	BAILEY, D	HILLTOP KENNEL	RT 1 BOX 116	BLACKBURN 65321
430AE	BANKER, AM	BANKER KENNELS	RT 1	CLARK 65243
43WV	BARNETT, RT		RT. 1	LOWRY CITY 64763
43EAE	BARNFIELD, W	B&B WAN KENNELS	BOX 158	CROCKER 65452
43T4S	BAUM, F		RT 2	AURORA 65605
4300A	BEACH, M		RT 1	UNIONVILLE 63565
43CCS	BEALMER, M & D		RR 2	ATLANTA 63530
43FAF	BEARDEN M		RR 3	SALISBURY 65281
43IAE	BECHTOLD, ML		RT 1	KIDDER 64649
43HAF	BECKETT, ML & MW	SO BIG KENNEL	R 7 BOX 354	JOPLIN 64801
43PAU	BEHRENDS, R		R2 BOX 165-9	OZARK 65721
4300K	BELL'S KENNEL		RTE. 2 BOX 161	HAMILTON 64644
43LAK	BERNARD, L		RT 1	FAIR GROVE 65648
43UAT	BERRYHILL, RRJ	RRJ KENNEL	RT 1	IRWIN 64754
43T4F	BERWICK, P		HOBSON STAR RT 2 BOX 62	ROLLA 65401
43GGF	BEVERLIN, S & C		RT 1 BOX 231	SHELL KNOB 65747
434D	BIAS, KF		RT. 2	HOLTS SUMMIT 65043
43KL	BILLUPS, G		RFD 1	CANTRIL 52542
43WJ	BIXENMAN, ES		RR 2 BOX 76	RYNUMVILLE 65238
43PAV	BLACKETER, E		RT 4 BOX 144	BOLIVAR 65613
43RR	BLAINE, PL		BOX 188 RFD 3	MEMPHIS 63555
43VAF	BLAINE, PRM		RR 1	GREENTOP 63546
43HAK	BLAKELEY, RW		6701 NE 48TH ST	KANSAS CITY 64119
43RAD	BLANKENSHIP, L	BLANK'S KENNEL	RT 1	SMITHTON 65350
43MC	BORGHARDT, RD		ROUTE 1	IANTHA 64753
43XAK	BOWERS, W&M		RT 2	PRINCETON 64673
43FFJ	BOWMAN, R	BOWMAN'S RED PALACE KENNELS		ROCKY COMFORT 64861
43RAF	BRADSHAW, ME		RT 1	BIRCHTREE 65438
43RS	BRAGG, C		RFD 1	NOVINGER 63559
43WAR	BRAUER, FRR	BRAUERVILLE KENNEL	RT 3	COLE CAMP 65325
431AW	BRAWNER, L		RR 2	GREENTOP 63546
43XE	BRAZEAL, RNRL		RT. 2	MANSFIELD 65704
43WAM	BRODERSON, M			OTTERVILLE 65348
43RAR	BROOKS, C	BROOKS PUPPY EMPORIUM	RT. 1 BOX 348A	WEBB CITY 64870
43SAD	BROOKS, RRM	BROOKS KENNELS	RT 3 BOX 280 B	BOLIVAR 65613
43SAX	BROWN, CG & SK			DUNNEGAN 65640
43VAD	BROWN, E		RT 1 BOX 92	HOLDEN 64040
43HHF	BROWN, G	REBEL RIDGE KENNEL		DARLINGTON 64438
43WAN	BROWN, JT	SYCAMORE ACRES KENNEL	3741 N. GRANT	SPRINGFIELD 65803
43EEF	BROWN, L		RT 2 BOX 352	ASH GROVE 65604
43S4K	BROZ, R	VMK KENNEL	RT 1 BOX 126A	HAWK POINT 63349
430L	BRUCE, GL		RR 6	UNIONVILLE 63565

MISSOURI

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 43PN	BRYANT, T			BARING 63531
* 43VAA	BUCKNER, M		RR 1 BOX 50	HUMPHREYS 64646
* 43MAH	BUEHLER, BJ		RR 2 BOX 20	AURORA 65605
* 43DAQ	BURD, L		RT 1	MFTA 65058
* 43FE	BURKHARDT, F		R 4	MACON 63552
* 43YAF	BURKS, GA	A&B KENNEL	RT. 7 BOX 225-D	SPRINGFIELD 65802
* 43YAF	BURKS, MF	LEE MARELLE KENNEL	RT 1 BOX 245	SELIGMAN 65745
* 43FEW	BURNS, R		RR 1	ANABEL 63431
* 43WAH	BURNS, J & MENDLETON, D		RT 1	BUTLER 64730
* 43GGC	BURROWS, JL		RT 1 BOX 351	PEARIDGE 72751
* 43FFW	BUSCHKOETTER, C		RR 1	HUNTSVILLE 65259
* 43NU	BUSHNELL, JR, L		RR1	QUEEN CITY 63561
* 43IN	BUTLER, M		RT 3 BOX 203K	CARTHAGE 64836
* 43RRM	BYERS, C		RT. 3 BOX 216	PRINCETON 64673
* 43TAP	BYERS, S	SUE BEE'S DOG KENNEL	RT 1 BOX 265	TROY 63379
* 43IL	CAMDEN, RN		RR 1	GLENWOOD 63541
* 43KAO	CAMPBELL, F		RT 2 BOX 226	WILLARD 65781
* 43DDE	CAMPBELL, ME		124 E HELM ST	BROOKFIELD 64628
* 43XAA	CARENDER, H&C	MART-N-DALE ACRES	RT 1	RUSSELLVILLE 65074
* 43KAZ	CARTER, M		RR 1	ELMER 63538
* 43GGG	CASSIDY, F	CASSIDY'S KENNELS		EXCELLO 65247
* 43FAY	CATES SR, ME		RT 10 BOX 823	SPRINGFIELD 65803
* 43DDG	CHAMBERS, J	ROCKING CHAIR RANCH	ROUTE 1	AMSTERDAM 64723
* 43DDH	CHAPMAN, B		RT 1 BOX 108	JANE 64846
* 43SAM	CHIOLERIO, L	CHIOLERIO'S KENNEL	RT 1	MARCELINE 64658
* 43TAL	CHRISTENSEN, W		RT 1	KEYTESVILLE 65261
* 437S	CHRISTMAN, M		BOX 93 RFD 1	BETHEL 63434
* 43HD	CLAIR, JP		RFD 2 BOX 60	HURDLAND 63547
* 43RA	CLAPP, L		RT. 4	BUTLER 64730
* 43PW	CLARK, FJ		RT 2	MERCER 64661
* 43UAQ	CLARKE, K		RR 1	ANABEL 63431
* 43FFM	CLARY'S KENNEL			LA GRANGE 63448
* 43GAX	CLAXTON, R		RI BOX 2464	SEYMOUR 65746
* 43FER	CLEM, C	CLEM'S K-9 KENNELS	RR 1 BOX 86	HUMPHREY 64646
* 43DDS	CLEVENGER, C & L	CLEVENGER COUNTRY KENNEL	RR 2	BRAYMER 64624
* 43FEQ	CLEVENGER, D		RT 1	BRAYMER 64624
* 43LAG	CLICKNER, C		RR 1	CARIO 65239
* 43EF	CLUBINE, HM		BOX 126	GREENTOP 63546
* 43FFF	COCKRUM, Z & MORGAN, J	SHELBINA KENNELS		SHELBINA 63468
* 43RRW	COFFEY, K		RT. BOX 183	EXETER 65647
* 43RRY	COFFMAN, S & C		RR 1	CALLAO 63534
* 43DAV	COLCLAZIER, L	EDGEWOOD KENNELS	R 2	ROGERSVILLE 65742
* 43KM	COLLIS, G	WHITE OAK KENNEL	RR 2	QUEEN CITY 63561
* 43CCE	COLVILLE, J		BOX 211	PINEVILLE 64856
* 43QAG	CONSTANT, R R J	CONSTANT KENNEL	RT 5	CHILLICOTHE 64601
* 43RZ	COOK, A		RR 6	KIRKSVILLE 63501
* 43LAU	COOK, C&S	SHADY DELL KENNEL	RT 2 BOX 272	ASH GROVE 65604
* 43MK	COOK, DA		RT 1	LANCASTER 63548
* 43ZAR	COOKSEY, RRL		RT 5 BOX 61	TRENTON 64683
* 43GGH	COULTER, A R D	COULTER KENNEL	RT 1 SO 169 HWY	ST JOSEPH 64507
* 43QAX	COURTNEY, D	TLC KENNEL	RTE 2 BOX 175	TIPTON 65081
* 43DDX	CRAWFORD, H & D		RR 1 BOX 21	GIBBS 63540
* 43YAG	CREECH, CC	TRIPLE C KENNELS	RT 1 BOX 146	EOLIA 63344
* 43NV	CRUMP, A		BOX 5	LANCASTER 63548
* 43MAC	CULLER, R		ROUTE 2	SHELBYVILLE 63469
* 43HN	CULLUM, J		RT 1	UNIONVILLE 63565
* 43GGI	CUMMINGS, V		RT 1 BOX 33	CARL JUNCTION 64834
* 43VAU	DARROWSKI, E	CATADAMAR KENNEL	RT 2	GRANBY 64844
* 43JAP	DAGGS, RC		RFD 1 BOX 40	EWING 63440
* 43RAT	DANIELS, RF	RACINE 64858	RR 2 BOX 231	BOX 887
* 43QH	DANNEMAN, CJ		RR 4	SALISBURY 65281
* 437AY	DAVENPORT, LK	DAVENPORT K KENNEL	BOX 37	DIAMOND 64840
* 437T	DAVIS, LH		R 2 BOX 125	MILLER 65707
* 437AG	DAWSON, RD & CH	CAMP BRANCH KENNEL	RR 1	REVIER 63532
* 43RBE	DECKER, R&P		RT 1	BONNE TERRE 63628
* 43DW	DETERLING, IS		BOX 18 RT 1	QUEEN CITY 63561
* 43FF	DELANEY, P		RT 2	GREEN TOP 63546
* 43LU	DENTSON, EJ		RT 1 BOX 140-A	NEOSHO 64850
* 43SAR	DEVRIES, J&A			LOOSE CREEK 65054
* 43SAH	DITTON, JF	JEREC KENNELS	RT 1	WAVERLY 64096
* 43RD	DOSS, G			FREISTATT 65654
* 43FFC	DOUGLAS, M & R		R 1 BOX 242	SELIGMAN 65745
* 43WAA	DOUGLAS, VR		RT 2	LINCOLN 65338
* 43SM	DOWELL, D		RT 2	BROOKFIELD 64628
* 43LQ	DOZIER, J	HILLY HAVEN KENNEL	RT 3	COLUMBIA 65201
* 43LAQ	DREBES, HL		RFD 3	PALMYRA 63461
* 43YAJ	DUESCHLE, ML		RT 1	CENTERTOWN 65023
* 43GGZ	DUFF, S		2600 PARIS ROAD	COLUMBIA 65201
* 43FAH	DUNCAN, MG		RR 1 BOX 16	ROLCKOW 64427
* 43GQ	DUNLAP, ME	BURDETT'S KENNELS	6942 E 58TH ST	KANSAS CITY 64129
* 43YAT	DYE, A		RFD 3	EDINA 63537
* 43DP	EASTER, RG	EASTER ANIMAL FARMS	PO BOX 297	LIBERAL 64762
* 43RAH	EATON, AM	EATON KENNELS	RT 2 BOX 214	ST PETERS 63376
* 43QAR	EDLEN, L		RFD 1	ALEXANDRIA 63430
* 43XAL	EDWARDS, L&EV		RT 1 BOX 95	AURORA 65605
* 43HHA	EHRART, P			CAULDFIELD 65626
* 43FFK	FICHOR, F & V		RFD 1	MAYWOOD 63454
* 43HAW	ELDER, C		R 2 BOX 27	GILMAN CITY 64642
* 43LAH	ELDRIDGE LAB. ANIMAL, INC		BOX 398 RT 1	HARNHART 63012

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* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 43DDR	FLIENWOOD, RD	ROCKY VALLEY KENNEL	STAR RT, BOX 11	PINEVILLE 64856
* 43OG	ELLIS, A		RT 1 BOX 130X	PINEVILLE 64856
* 43HAR	ELLIS, CC		POB 76	DUENWEG 64841
* 43OK	ELLIS, EF		RT 3	ANDERSON 64831
* 43GZ	ELLIS, J	J & J KENNEL	RT 1 BOX 81D	JOPLIN 64801
* 43KAR	EMMERT, WRE		R 2	AURORA 65605
* 43TA	ENGLAND H	H & L KENNEL	ROUTE 2	CENTRALIA 65240
* 43HHG	ENGLAND, J		RR 2	CENTRALIA 65240
* 43HY	ENGLAND, JH	JU-LES-RANS KENNELS	ROUTE 2	CENTRALIA 65240
* 43PR	ERWIN, L		R 1	BRASHEAR 63533
* 43UAC	ESSICK, R&D	ROONDUCKS PUPPY FARM	BOX 129	HIGHLANDVILLE 65669
* 43UAD	ESSICK, MC		RT 1 BOX 170	HIGHLANDVILLE 65669
* 43FQ	EURITT, O	OAK GROVE KENNEL	RT 1	KIRKSVILLE 63501
* 43DAR	EVERMAN, JR., FW		RT 2	GALLATIN 64640
* 43CCZ	EWART, FM & NM		RFD 3 BOX 143	KAHOKA 63445
* 43FFL	EWING, C & P		RT 2	NEVADA 64772
* 43VAJ	FAIRBANKS, L & B		RT 1	KING CITY 64463
* 43KU	FEHLING, RJ	R J'S KENNEL	RT 1	ARMSTRONG 65230
* 43QAS	FELIN, C	HILLCREST KENNEL	RR 2	ELKLAND 65644
* 43GB	FENIMORE, JM		RR 4	LA PLATA 63549
* 43UAU	FIELD, M		RR 2 BOX 77	MOUND CITY 64470
* 43GGT	FIGGE, A W		BOX 85, R 1	LANCASTER 63548
* 43IQ	FLAXBEARD, V & DICKENS, W			ROCKY COMFORT 64861
* 43DJ	FORD, L		RR 2	GLENWOOD 63541
* 43MAZ	FORNER, M		1665 CATALINA	SPRINGFIELD 65804
* 43HHE	FORSTER, J & B	MISTY MEADOWS KENNEL	RT 8 BOX 156 P	CAMDENTON 65020
* 43HS	FOSTER, DD	WHITE GATE KENNELS	RR 3	MACON 63552
* 43SP	FOSTER, HM	RETTA'S CANINE KENNEL	RT 4	CENTRALIA 65240
* 43HZ	FOSTER, J	CEDAR HILL KENNEL	ROUTE 4	CENTRALIA 65240
* 43KAF	FOSTER, J	VALLEY HIGH KENNELS	RR 5 BOX 30	UNIONVILLE 63565
* 43CAR	FRANCIS, P	HILLTOP KENNELS	RR 2 BOX 236	PIERCE CITY 65723
* 43ML	FRIEDEN, VJ		RFD 3 BOX 55	KAHOKA 63445
* 43QAI	FRIEL, JT	FRIEL'S KENNEL	RT 3	NEVADA 64772
* 43FR	FRIEND, P	PA PAW'S KENNEL	RT 1 BOX 765	BOIS D'ARC 65612
* 43TF	FRY, J		RT 3	ELDON 65026
* 43ZAM	FUGATE, J		RR 2	CALLAO 63534
* 43IAR	GALLET, DM		RT, 1	COLLIN 64738
* 43DAY	GALLOWAY, CV		RR 1	PURDY 65734
* 43SAA	GERKE, T		RT 1	BUNCETON 65237
* 43LAR	GIBBS, ARP	GIBBS SMALL DOG KENNEL	RT 2	FRANKFORD 63441
* 43VAM	GIBSON, S		RT 1	IAMONI 50140
* 43XAR	GOOCH, MRP		RR 2	PURDIN 64674
* 43SQ	GOODWIN, T		PO BOX 15	KNOX CITY 63446
* 43NY	GOSSETT, LRJ		RT 1 BOX 205	CALHOUN 65323
* 43WAJ	GREER, RRL		RT 2	KNOB NOSTER 65336
* 43WG	GRUENEFELD, W		RT 1 BOX 140	JONESBURG 63351
* 43GGD	GURLEY, R		RT 2	PURDY 65734
* 43FFN	HAIGH, J & B		HOWERTON	EDINA 63537
* 43VAR	HALL, KE		R 1	GOODMAN 64843
* 43HHH	HALL, L	HALL'S KENNEL	RT 3 BOX 30	PURDIN 64674
* 43GGK	HALL, R & D		RR 1	HUNTSVILLE 65259
* 43UAV	HALLEY, T		RR 1	UNIONVILLE 63565
* 43LK	HAMILTON, LH		RT 1 BOX 181	GOODMAN 64843
* 43VAZ	HAMM, VRD	GIN-DALE KENNEL	RT 3 BOX 260	BOLIVAR 65613
* 43HM	HAMMOND, DE	H & M KENNELS	PO BOX 64	RUTLEDGE 63563
* 43RL	HARMON, AM	DUN-ROVIN KENNELS	RT 1	SYRACUSE 65354
* 43DDD	HARRELL, D & N		ROUTE 1	ROCKY COMFORT 64861
* 43TAC	HARRIS, DL		RT 2 BOX 203	JAMESPORT 64648
* 43FAX	HARRIS, S		RT ONE	STARK CITY 64866
* 43UW	HARRISON, J		RT 2	MARCELINE 64658
* 43WAD	HARRISON, M		328 E CHICAGO	MARCELINE 64658
* 43GAR	HAWKINS, MR		ROUTE 1	FULTON 65251
* 43FEU	HAYDOCK, J		RT 2 BOX 163-02	OZARK 65721
* 43NAJ	HELMS, L		RT 1	MOORESVILLE 64664
* 43HAX	HENDERSON, J	CLEAR LAKE KENNEL	RT 1	JAMESPORT 64642
* 43VN	HENDERSON, R		RT 2	JAMESPORT 64648
* 43UAE	HENDERSON, S	GROOVY ACRES KENNEL	RT 1 BOX 130	EWING 63440
* 43FFX	HENRY, S		RT 1	CONGILL 64637
* 43EET	HENSLEY, DE		RT 4	GRANT CITY 64456
* 43SAI	HERRING, J	JAMEY'S KENNEL	RR 2	STEWARTSVILLE 64490
* 43FY	HERRING, J		RT 1 BOX 134	EVERTON 65646
* 43KJ	HETTINGER, FW		RFD 2	RUTLEDGE 63563
* 43RG	HETTINGER, R		RR 1	BRASHEAR 63533
* 43CCW	HILBURN, J & STILL, C	HI-VALLEY KENNEL	R #1 BOX 205E	EXETER 65647
* 43EEV	HILL, K		RR 3	GREEN CASTLE 63548
* 43FFH	HILL, R		RT 1 BOX 612A9	CEDAR HILL 63016
* 43ZR	HILL, R		RR #1	AMORET 64772
* 43XM	HILLERMAN, J&W	HILLERMAN KENNELS	706 INDIANA	MONTROSE 64770
* 43GGS	HODGES, J D		RT 3 BOX 192	MT. VERNON 65712
* 43FAX	HOEFENER, D	SANDYS KENNEL		LATHAM 65050
* 43PC	HOFFER, RJ&AD		RFD 1 BOX 34	EWING 63440
* 43KP	HOFFER, MJ		RT 2	GREENFIELD 65661
* 43VAZ	HOLLINGSWORTH, S	HOLLINGSWORTH'S KENNEL	RT 1	HARTSBURG 65039
* 43FEL	HOWE, E		R 3	ELDORADO SPRINGS 64744
* 43YAM	HOWERTON, D		RFD 1	HURDLAND 63457
* 43FN	HOWERTON, MY		R #1 BOX 98	NIXA 65714
* 43CCY	HOYT, L		RR 2	BROOKFIELD 64628
* 43FFG	HUFFMAN, D		RR 3 BOX 48F	WILLOW SPRINGS 65793

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* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 43WH	HUFFSTUTLER, RR	OZARK RESEARCH SUPPLIER	RR 3	VIENNA 65582
* 43HE	HUGHES, J&S	DO RO TRI KENNELS	RT 1	PURDY 65734
* 43YAN	HUGHS, LC		RT 5	TRENTON 64683
* 43XAT	HUGHS, LL		RR 1 BOX 5	BRIMSON 64626
* 43IY	HULEN, FW		RR 1	LANCASTER 63548
* 43EAR	HUMPHREY, T		BOX 26	MONTICELLO 63457
* 43TAG	HUNOLT, J		BOX 167	BRASHEAR 63533
* 43VP	HUNOLT, L			BARING 63531
* 43GAD	HUNT, JS & GR	FIRETOWER KENNELS	RT 1 BOX 65	NOEL 64854
* 43LAT	HUTCHISON, K		RT 1	VERSAILLES 65084
* 43FAG	HYLE, D&P	HYLE KENNEL	RT 4	UNIONVILLE 63565
* 43FES	INOUYE, H	BELL ACRE KENNEL	RT ONE BOX 262	MILLER 65707
* 43EAV	JACKSON, E		R1	HARWOOD 64750
* 43YAD	JAMES, E		RT. 4	CHILLICOTHE 64601
* 43KAT	JAMISON, L&S		9730 WINSLOW PL	KANSAS CITY 64131
* 43UP	JARMAN, M		RT 1	MONROE CITY 63456
* 43MN	JEFFRIES, E		RT 1	GREENTOP 63546
* 43CCL	JENNINGS, CE & E		RR 1	BEVIER 63532
* 43FFI	JENSEN, MRS I		BOX 228 117 E WINSON	CORDER 64021
* 43GGQ	JOHNS, T		RT. E. BOX 517	CAULFIELD 65626
* 43FED	JOHNSON FARMS INC.		RT 1	BUCKLIN 64631
* 43HAM	JOHNSON, MM		RT 1	MEADVILLE 64659
* 43RRZ	JOHNSON, W	WIL-A-WAN KENNEL	RT. 1 BOX 49-A	WEBB CITY 64870
* 43VU	JOHNSTON, N		RR1	POWERSVILLE 64672
* 43KAN	JOHNSTON, W			ELKLAND 65644
* 43LL	JONES, DA		RT 2	PARIS 65275
* 43RBP	JONES, JL	J & S HILLTOP KENNELS	R 1 BOX 68A	SENECA 64865
* 43DC	JONES, MF		RFD 1	LANCASTER 63548
* 43WAX	JONES, W		BOX 268	ELDON 65026
* 43XAR	JOYCE, SA		RR 2	GREEN RIDGE 65332
* 43KA	JUSTICE, E		RT 4 BOX 130	EDINA 63537
* 43HP	KELSEY, DB		STAR RT BOX 185	MINDENMINES 64769
* 43CCQ	KEMP, RJ		RT 3	LOCKWOOD 65682
* 43JU	KENNEDY, R & L		R 1 BOX 125	JERICO SPRINGS 64756
* 43HHR	KENSLOW, C & T	CAL-TAM KENNEL	RT 3 BOX 268	VERSAILLES 65084
* 43HU	KERBY, E		RR 2	GLENWOOD 63541
* 43EEG	KERR, H & D		RT 1 BOX 285	OZARK 65721
* 43RRU	KERR, O		RT. 3	COLE CAMP 65325
* 43EEN	KERSHNER, R	KERSHNER KENNELS	RT 1	AMSTERDAM 64723
* 43HV	KIDDOO, MM		RFD 2 BOX 54	MEMPHIS 63555
* 43DAX	KIMMEL, J & L		RR 6	UNIONVILLE 63565
* 43RBD	KING, M & K		RR 1	MACON 63552
* 43RJ	KINZER, T		RT 2 BOX 131	SHELBINA 63468
* 43JN	KIRBY, K		RR #4	PITTSBURG 66762
* 43VAN	KLINETORF, B	KENNEL OF LOVE	RT 1	WILLIAMSBURG 63388
* 43DAW	KNIGHT, R		RT 2 BOX 64A	MOUNTAIN VIEW 65548
* 43DDW	KNIGHT, R		RT 2 BOX 64A	MTN. VIEW 65548
* 43CCF	KNIGHT, W & THORNTON, A	A-W KENNELS	RT. 1 BOX 162B	NEOSHO 64850
* 43FEK	KNOWLES, A		RR 1	ANABEL 63431
* 43CAP	KOCH, JG & KG	JULI'S KENNEL	RT 1	HAMBURG 51640
* 43ZAI	KOCH, PJ		RT 5 BOX 199	TRENTON 64683
* 43RAQ	KOWIESKI, FL	HOUND HAVEN KENNEL	BOX 119 A HAYDEN RD	DIXON 65459
* 43JK	KRAMER, J	KRAMER KENNELS	R 1	APPLETON CITY 64724
* 43FAT	KROLL, FRD	HALF-A-HILL KENNEL	RT 2 BOX 255	CONWAY 65632
* 43TAP	KS		RT 1 BOX 115	MULBERRY 66756
* 43GGL	LACK, F R J	CRIPPLE CREEK RABBITRY	RT 1 BOX 21	AURORA 65605
* 43YY	LAFEVERS, G		SS RT BOX 73	WEST PLAINS 65775
* 43DG	LAIRD, GI		RT 2	HURDLAND 63547
* 43FFR	LAMB, J		BOX 426	LANCASTER 63548
* 43RAG	LANGERUD, F		RT 2 BOX 95	PARIS 65275
* 43XAP	LANSAW, S		1201 ORR	JOPLIN 64801
* 43NI	LATIMER, NS	CEDARWOOD KENNELS	PO BOX 854	KIRKSVILLE 63501
* 43TAS	LAYTHAM,F		RT 1 BOX 189	MORERLY 65270
* 43RH	LEE-DON KENNEL INC	LEE-DON KENNELS INC	116 COUNTRY CLUB DR	TRENTON 64683
* 43GGU	LEE, R		RR 1	CENTRALIA 65240
* 43GGV	LEE, T		RR 1	CENTRALIA 65240
* 43WZ	LEFTRIDGE, L			CLARENCE 63437
* 43DDJ	LEWIS, DM			PINEVILLE 64856
* 43ZP	LEWIS, E		RFD 2	HURDLAND 63547
* 43GGM	LEWIS, FF	LEWIS KENNEL	RT 4 BOX 154	SEDALIA 65301
* 43DD	LEWIS, VM&SMART, M		500 CHESTNUT	HOLDEN 64040
* 43DAX	LIEDORF, D		1145 PINE	BROOKFIELD 64628
* 43GGY	LIGHT, R & L	LIGHT RABBITRY	BOX 264	BELL 65013
* 43FFC	LIGHTFOOT, S	DAWNETTE'S KENNEL		POLK 65727
* 43RR	LINDQUIST, GF	QUALITY RESEARCH DOGS	RT 1	HALLSVILLE 65255
* 43MAF	LINDQUIST, IRK		RR 2	GREENTOP 63546
* 43FZ	LINDQUIST, L	LINDQUIST KENNELS	RR 1	GREENTOP 63546
* 43TAU	LINDSEY, Y		RFD 1	BETHEL 63434
* 43ZI	LINK, J		RT 2 BOX 135	BILLINGS 65610
* 43RAS	LINKEMANN, LF	LINKS KENNEL	RT 1	MEADVILLE 64659
* 43TAJ	LISLE, S		RT 1	TRENTON 64683
* 43GAZ	LIVEZEY, JA		R 1	FAIRPLAY 65649

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* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 43XAQ	LIVEZEY, T		R #1 BOX 59A	FAIR PLAY 65649
* 43GGN	LLOYD, J		RT 1 BOX 327A	SELIGMAN 65745
* 43FI	LONG, A			ROCKY COMFORT 64861
* 43JV	LONG, J		RT 4 BOX 354	EL DORADO SPRINGS 64744
* 43CI	LONG, M & L			ROCKY COMFORT 64861
* 430D	LOVE, J		RFD 1	NEWARK 63458
* 43VZ	LOWE, ML		BOX 122 R 1	GREENTOP 63536
* 430AU	LOYD, E	RED BARN KENNEL	RT 1 BOX 43	LA RUSSELL 64848
* 43RAM	LUCKY LOCUST FARMS INC		12529 CONWAY RD	ST LOUIS 63141
* 43RRT	LUEDDERS, P		RT. 1	HALLSVILLE 65255
* 43DAZ	MABERRY, B		RT 2	DAWN 64638
* 43YC	MADISON, LF		RR 3 BOX 320	LAMAR 64759
* 43ZAM	MALEAR, R		RT 1 BOX 687	ELDON 65026
* 430AP	MANKEY, H&AR		RR 2	CALLAO 63534
* 43JP	MANN, V		407 E 4TH ST	APPLETON CITY 64724
* 43EEZ	MANSKER, N	OAK HILL MANSION	NO 1 OAKHILL DR	MACON 63552
* 430AR	MAPLES, J&N		RT. 5 BOX 125	TRENTON 64683
* 43UAH	MARRS, D & EC		RT 1	S PICKARD 64679
* 43CCM	MARSH, KF	MARSH'S RABBITRY	3338 OLD BAUMGARTNER RD	ST LOUIS 63129
* 43FFF	MARSHALL, Z		BOX 574	CAULFIELD 65626
* 43BAZ	MARSHELL, JL	STAR J KENNELS	ROVER RT BOX 226	W PLAINS 65775
* 43KAL	MARTENS, E		RR 4	KIRKSVILLE 63501
* 43JAE	MARTIN, RIRDNHN, DJ		RT 1 MARTIN RD	SMITHVILLE 64089
* 43BAC	MAST, FH		RT 2 BOX 226	JAMESPORT 64648
* 43KAV	MATTINGLY, DW		RT 1 BOX 220	ST MARYS 63673
* 43BAS	MAWBY, FR	SHO-ME KENNELS	RT. 2	GRAIN VALLEY 64029
* 43KW	MCREE, K&F	MCREE KENNELS	RT 1	BRAYMER 64624
* 43HAV	MCARIDE, F		ROUTE 2	MADISON 65263
* 430DA	MCCAMMON, C		RT 1 BOX 336	AMORET 64722
* 437AV	MCCANN, D R S		RR 2	CALLAO 63534
* 43FFO	MCCLEARY, JA		RT 4 BOX 2948	NEOSHO 64850
* 43FFY	MCCOY, C	OAK CREEK KENNEL	RT 1 BOX 185A	LAMON 50140
* 43FJ	MCCOY, GE		R 1	LEBANON 65536
* 43TAE	MCCULLAH, JR		RT 2 BOX 329	ASH GROVE 65604
* 43FEJ	MCCULLICK, L		RT 2	ELDORADO 64744
* 43CCC	MCHAFFIE, T R D	VALLEY VIEW KENNELS	STAR RT. BOX 81	BRUNER 65620
* 43XV	MCINTOSH, DE&S		RT 1 BOX 55	MACOMB 65702
* 43KAH	MCKARNIN, R&JE		8528 BLUE RIDGE EXT	KANSAS CITY 64138
* 43HHC	MCMAUAMA, J R D	D & J KENNELS	RR 2	CENTRALIA 65240
* 43GAJ	MCNEELY, G		RT 1	JAMESON 64647
* 43GGW	MEAD, E R W		118N BARR	CENTRALIA 65240
* 43SK	MEANS, G		RT 1	ATLANTA 63530
* 43CAF	MEEKER, RM		RR 1	GREENTOP 63546
* 43FFV	MEEKER, RR		1211 WIGGINS	TRENTON 64683
* 43GGR	MERSHON, E & P	BRIAR HILL RABBITRY	RT 1 BOX 343	TROY 63379
* 43FEY	MESSINGER, G	BOONSLICK ENTERPRISES	610 SPRUCE	BOONVILLE 65233
* 43WAR	METSKER, P&D	PERDOT ACRES	RT 2 BOX 120	TROY 63379
* 43SF	MIDDLETON, RF		RFD 2	LANCASTER 63548
* 43KY	MILLER, L		R 3	SHELBYVILLE 63469
* 43XAY	MILLER, WL	HICKORY HILL SHEPERDS	RT 1 BOX 163	FRANKFORD 63441
* 43PAR	MILLTON, WK & WOODARD, K	MILLWOOD KENNELS		HOLIDAY 65258
* 43CCO	MILLTRONS, T R M	BLUE RIDGE KENNELS	STAR ROUTE BOX 82	BRUNER 65620
* 43RC	MINOR, J	COLONIAL ACRES RABBITRY	RT 1	MONETT 65708
* 43QJ	MINOR, L		321 E ROGERS	MONROE CITY 63456
* 43NAS	MITCHELL, OH	MITCHELLS KENNEL	RT 2 BOX 176	MOUNTAIN GROVE 65711
* 43DDM	MITCHELL, R R M		RFD 1 BOX 16	FAIR GROVE 65648
* 43EK	MONCRIFF, RJ		RT 4	KIRKSVILLE 63501
* 43XA	MONER, M&F		RR 1	MEADVILLE 64659
* 43VAT	MONTGOMERY, GM	MONTGOMERY KENNEL	RT 1 BOX 73A	FAIRVIEW 64842
* 43UD	MOOTS, F		RR3	KIRKSVILLE 63501
* 43QAL	MORGAN, FV & MJ		R3 BOX 60	JOPLIN 64801
* 43XAG	MORRIS, J&F		RT 8 BOX 156P	CAMDENTON 65020
* 43KZ	MORROW, M		RFD 1	KNOX CITY 63446
* 43FP	MOSS, P		RT 2 BOX 660	LAMAR 64759
* 43SX	MOUTRAY, E		3740 PETTIS RD	ST JOSEPH 64503
* 43RRC	MUCK, L		RT 1	MEADVILLE 64659
* 43ON	MULLER, C&D		RR 1	ROCKPORT 64482
* 43TAC	MULVANIA, L&NR	SUNVALLEY FARM KENNEL	RR 1	ROCKPORT 64482
* 43DDF	MUSGRAVE, AE		RT. 1 BOX 443	GOODMAN 64843
* 43CCW	MUSSER, S	ECHO MEADOWS RABBITRY/CAV.	RT 1 BOX 32	TUNAS 65764
* 43R8R	NEFF, TRM	NEFF'S BLUE HAVEN KENNELS	RT 2	HIGGINSVILLE 64037
* 43IX	NELSON, M		RR 2	MACON 63552
* 43SAP	NELSON, MA		RR 1	ATLANTA 63530
* 43VQ	NEUENSCHWANDER, A&J		R 2 BOX 968	DEEPWATER 64740
* 43QAJ	NEWMAN, RM & DJ	FOX RIVER KENNELS	RFD 3 PO BOX 28	KAHOKA 63445
* 43NK	NICHOLS, K		RR 1	STURGEON 65284
* 43RQ	NORDEEN, V	NORDEEN KEESHONDEN	RT 3	MIDDLETOWN 63359
* 43CX	NORTON, D		1508 WASHINGTON	UNIONVILLE 63565
* 43KQ	NORTON, J		RFD 1	KNOX CITY 63446
* 43LR	NORTON, JR		BOX 82	AUXVASSE 65231
* 43KR	NORTON, V		RFD 1	KNOX CITY 63446
* 43R8H	NOTEWARE, DE	DAN-DEE'S KENNEL	RT. 1	HUMANVILLE 65674
* 43EEP	NOVINGER, S	SANDRA'S KENNEL	RR 1	NOVINGER 63559
* 43FAO	NYCUM, S		NOBLETON	EDWARDS 65326
* 43RU	OAK HILL KENNELS		4242 SHAWNEE DR.	BROOKLINE 65619
* 43GAS	OBRIEN, C		BOX 151	LEWISTOWN 63452
* 43CCK	ODLAND, D		RT 5 BOX 186	NEOSHO 64850
* 43DAZ	OPR, A&K		RT 1	KIDDER 64649

MISSOURI

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 43WAS	OSBORN, DR	OSBORNS KENNEL	RT 3	CALIFORNIA 65018
* 43MF	OSHNER, S			KNOX CITY 63446
* 43DAM	OTHIC, MRS		RT 1	BROOKFIELD 64628
* 43SAF	OWENS, JF	OWENS PATTY KENNEL	PO BOX 1	OSCEOLA 64776
* 43GGJ	PARDA, S		601 W BRANDWAY	MADISON 65263
* 43YAR	PARK, J		RT 3	OSCEOLA 64776
* 43TG	PARMLEY, W		R 1	GREENCASTLE 63546
* 43PG	PARRISH, EF		R 1	NEWARK 63458
* 43HI	PARTIN, CRF		RT 1	MACON 63552
* 43DDP	PASENKE, F		RT. 7 BOX 230-A	SPRINGFIELD 65802
* 43RF	PASS PETS UNLIMITED		2305 MILLPARK DR.	MARYLAND HEIGHTS 63043
* 43NAP	PATRICK, MJ		RT 1 BOX 170	REED'S SPRING 65737
* 43RRS	PAWLAK, F & C	F & C RABBITRY	2809 OLD HUNNING RD.	HIGH RIDGE 63049
* 43DU	PAYNE, L&L		R 1 BOX 165-3	OZARK 65721
* 43QAC	PAYNE, M	V & M CAVIES	RT 2 BOX 193	UTTERVILLE 65348
* 43RRD	PAYTON, J	PAYTON KENNELS	RR 3 BOX 227A	NOVINGER 63559
* 43MAD	PAYTON, L		R5 BOX 286	NEOSHO 64850
* 43MAD	PEARCY, T		RT 1	JAMESTOWN 65046
* 43ZL	PEART, J	PEART'S KENNEL	RT 1	SALISBURY 65281
* 43CAX	PENDLETON, O		RT 3 BOX 127	DIXON 65459
* 43GK	PERLOW, P&E	THE LIL COUNTRY KENNEL	BOX 66	TROY 63379
* 43LD	PERRY, DD	D-D KENNELS	RFD 1	KNOX CITY 63446
* 43R8N	PERRY, J		RR 1	BRASHEAR 63533
* 43EU	PETERS, H		RT 1	KEYTESVILLE 65261
* 43WN	PFEIFER, MS		711 ADAIR ST	BEVIER 63532
* 43SAY	PHELPS, RM			ANABEL 63431
* 43TA7	PIERCE, E&O		RR 2 BOX 152A	MOBERLY 65270
* 43RAU	POOL, S R N	POOL KENNELS	BOX 57	CAIRO 65239
* 43CN	POOR, MRS J		RFD 1	NOVELTY 63460
* 43XAX	POOR, RL		RR 3	MACON 63552
* 43FH	POPE, J		RT 1	ROTHVILLE 64676
* 43SG	PORTER, J		RT 2	DAWN 64638
* 43PAK	PORTER, JH		RT 1	BUTLER 64730
* 43WAK	POTTER, H		RT.2 BOX 90	CALIFORNIA 65018
* 43QAY	POWELL, CF		R 1 BOX 223	WEBB CITY 64870
* 43GGP	PRICE, D		607 W HAMPSHIRE	KING CITY 64463
* 43JQ	PRICE, N		RR 1 BOX 82	MENDON 64660
* 43YAM	PRICE, P	HARMONY ACRES KENNEL	RR 1	RAVENWOOD 64479
* 43TAY	PURDUN, D & V		R 1 BOX 77	GRANT CITY 64456
* 43R8F	PURTELL, J&J	PURTELL'S DBL J KNL	RT. 3 BOX 71	PRINCETON 64673
* 43UU	PUTTHOFF & SMITH, J	PUTTHOFF KENNELS	7TH & INDIANA	MONTROSE 64770
* 43XAC	RANK, S	S & J KENNELS	RT 1	LINCOLN 65338
* 43KS	RANSDELL, M		RT 2	HOLLIDAY 65258
* 43JAY	RATLIFF, J			SHELBYVILLE 63469
* 43NA	REDMAN, JR., R.		RT 2	KING CITY 64463
* 43WAW	REED, M&D	MIKES CANINES	PO BOX 243	DIAMOND 64840
* 43DV	REED, MD		RT 1 BOX 579A	SPRINGFIELD 65803
* 43LP	REED, MJ	REEDGATE KENNEL	RT 2 BOX 179	LAMAR 64759
* 43WAG	PFINDEL, G & V		BOX 242	LANCASTER 63548
* 43CCA	REYNOLDS, GA & R	JORDON RIVER KENNELS	RR 1 BOX 184	JERICO SPRINGS 64756
* 43GGR	RHINE, R & P		RT. E. BOX 585	CAULFIELD 65626
* 43FFP	RICHARDSON, JR		RT 1	MONROE CITY 63456
* 43XU	RICHARDSON, KM		RT 1	BLYTHEDALE 64425
* 43XAT	RIDER, G	RIDER KENNEL	RT 2	WALKER 64790
* 43YAU	RIDER, W R L	PLEASANT INN KENNELS	BOX 156P	BRONAUGH 64728
* 43XAM	RILEY, G & C	HILLTOP KENNELS	RR 3	MACON 63552
* 43WA	RINEHEART, M		RR 2	MILAN 63556
* 43DDR	RIVERSIDE EGG RANCH, INC		RR 3 BOX 670	O'FALLON 63366
* 43TS	ROBERSON, R		BOX 25 RFD 1	WILLIAMSTOWN 63473
* 43TX	ROBERTS, K		RFD 3	AUTLEDGE 63563
* 43HAL	ROBERTS, W		RT 1	ASHGROVE 65604
* 43YAS	ROBERTSON, DI		RFD 2 BOX 126A	LEWISTOWN 63452
* 43FFZ	ROBINSON, R		RT 3 BOX 271	LAMAR 64759
* 43RAG	ROGERS, W&S	ROWAN HU KENNEL	RT. 3 BOX 118 DDD	ROGERSVILLE 65742
* 43VAL	ROMINE, F	ROMINE FARMS	RT 2	CENTRALIA 65240
* 43FFH	ROSE, K			LIBERAL 64762
* 43TY	ROSS, J		RR2	DOWNING 63536
* 43CCR	RUDHOFF, J & F	RUDHOFF'S KENNEL	RT. 1	NEW FRANKLIN 65274

MISSOURI

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 43FT	RUMMERFIELD, DG		413 N. BALTIMORE	KIRKSVILLE 63501
* 43NAH	RUSH, R&GARDNER, LC	SHADY OAKS KENNEL		TUSCUMBIA 65082
* 43TAX	RYALS, GR		PO BOX 224	UNIONVILLE 63565
* 43UE	SALMENS, RL		RT 3	FULTON 65251
* 43TB	SANDEFUR, L		RT 1	GREENTOP 63546
* 43ZC	SANDERS, J & P & D		RT 2	NIXA 65714
* 43CAS	SANDRETTO, AD		RR 2	GREEN CASTLE 63544
* 43GW	SCHELL, AV		RT. 1 BOX 92	JASPER 64755
* 43RAN	SCHLOMAN, J R J		RR 2 BOX 178	HIGGINSVILLE 64037
* 43KD	SCHMITTER, P&D		RR 3	LANCASTER 63548
* 43PAZ	SCHOWENGERDT, G		RR 1 BOX 443	ROLLA 65401
* 43DR	SCHRAGE, MR		RFD 1	EDINA 63537
* 43ZAR	SCHROEDER, LF	HILLTOP RABBITRY	P.O. BOX 33	HOUSE SPRINGS 63051
* 43DDQ	SCHULTE, M		RR 3 BOX 670	OFALLON 63366
* 43XAH	SCHUTTE, J&M	THISTLEDOWN KENNELS	BOX 25	KEARNEY 64060
* 43RW	SCOTT, LG	JONLEA KENNELS	RT 3 BOX 206	CALIFORNIA 65018
* 43W4F	SCOTT, VRS		RT 2	GREENTOP 63546
* 43TAR	SCOTT, WRE	SUNNY HILL RABBITRY	ROUTE 3	FAYETTE 65248
* 43FFR	SCRIVNER, S		RT 1 BOX 388F	STRAFFORD 65757
* 43DAG	SEAY, JRJ		RR 5	KIRKSVILLE 63501
* 43HAI	SEDERBURG, MD		RFD-1	MT STERLING 52573
* 43RAC	SELLENRIEK, A & D	RABBITS TOO INC	R 2 BOX 211	ST. CHARLES 63301
* 43NAN	SELLENS, L		RT. 1 BOX 90	BETHEL 63434
* 43HHD	SEVIER, F		RT 3 BOX 55	PURDIN 64674
* 43PL	SHARP, SW		400 N FULTON ST	EDINA 63537
* 43FU	SHATZER, BD		BOX 124	ANABEL 63431
* 43XY	SHAW, I			DOWNING 63536
* 43LT	SHEARER, I		RFD 1	KNOX CITY 63446
* 43VAK	SHELTON, CRM	BLUE RIDGE KENNEL	PO BOX 236	GOODMAN 64843
* 43DDC	SHOULTS, NL	POM-A-DOR POMERANIANS	RR 2	LANCASTER 63548
* 43JR	SHULTZ, FL		RFD 2 BOX 113	BUTLEDGE 63563
* 43YAC	SILLMAN, CR	CAR-DEL KENNELS	RT 3 BOX 20	WILLOW SPRINGS 65793
* 43YAZ	SILVEY, A		BOX 396	LANCASTER 63548
* 43DDI	SIMMONS, R & J	R & J KENNEL	RR 1 BOX 60	UNION STAR 64494
* 43TAI	SKIRVIN, M H		BOX 17	ELSBERRY 63343
* 43FFD	SLONICKER, L		RT 1 BOX 123	
* 43PAY	SMART, DF		R 4 BOX 63	CAMERON 64429
* 43XR	SMITH, AV		RT 1	HIGBEE 65257
* 43UAG	SMITH, EWRMF		RR 2 BOX 379A	EL DORADO SPRINGS 65744
* 43XAW	SMITH, G	SKYVIEW KENNELS	R 1	DIAMOND 64840
* 43WAL	SMITH, H	DU-JARO KENNELS	RT 1 BOX 205	CALIFORNIA 65018
* 43EED	SMITH, W & M		RT 2	MORERLY 65270
* 43CCV	SNEED, W & D		2347 W KERR	SPRINGFIELD 65803
* 43NAX	SPAIN, JE	LYNN-DEE-LOU KENNELS	RT 4 BOX 564	CARTHAGE 64836
* 43SI	SPARKMAN, J R M	FLYING ACRES KENNEL	RT 1 BOX 118	BROOKLINE 65619
* 43SI	SPARKMAN, JRT	FLYING ACRES KENNELS	RT 1 BOX 118	BROOKLINE 65619
* 43DH	SPARKS, F		RR 6	UNIONVILLE 63565
* 43FFQ	SPFER, S		RT 1 BOX 68	WASHBURN 65772
* 43ZAD	ST CLAIR, SR		RR 1	MORERLY 65270
* 43GAY	ST. CLAIR, S		RFD 1 BOX 90	WYACONDA 63474
* 43VAV	STAHL, ML		RT 1	SYRACUSE 65354
* 43ZAF	STALKER, C	PJ'S KENNEL	RT 1	HALFWAY 65663
* 43RY	STENDER, RF & MJ=		19500.00	LAPLATA 63549
* 43PAM	STEPHENSON, M	DOG PATCH KENNELS	8903 NE 106TH TER LOT 53	KANSAS CITY 64157
* 43ZAK	STEWART, B	STEWART'S KENNEL	RT 1	EUGENE 65032
* 43DDU	STILL, V	STILLS ROLLING ACRES KENNEL	RT #1	EXETER 65647
* 43DAD	STOKES, FJ		RT 1	VERSAILLES 65084
* 43ZAA	STONE, B	WILDAR KENNEL	RR 2 BOX 200	MOUND CITY 64470
* 43YS	STRIBLING, D		RR 4	KIRKSVILLE 63501
* 43ER	STRICKLER, E		RFD 1 BOX 137	KAHOKA 63445
* 43FFS	STUMPFF, AJ		RT 3	CASSVILLE 65625
* 43EEF	SUMPTER, C		R 2 BOX 135	HIGBEE 65257
* 43FFR	SUTTON, JF	BIG CREEK KENNEL	RT 1 BOX 79	BUNKER 63629
* 43X4F	SWANN, D		BOX 21	KNOX CITY 63446
* 43YAA	SWETMAN, CL	PINE-TREE KENNEL	RT 1 BOX 251	ROLLA 65401
* 43IK	SWOFFORD, Y		RT 2	EXETER 65647
* 43TAM	SYKES, G		RT. 1	DAWN 64638
* 43PAY	TAYLOR, CJ & CO	POM KEF KENNELS	RR 3 BOX 99A	ODESSA 64076
* 43HAA	TAYLOR, DJ&HM	TY-PHIL-DON'S KENNEL	RT 7 BOX 306	SPRINGFIELD 65802
* 43PAL	THOMAS, J	OZARK HONEY DEW KENNEL	RR 1 BOX 129	ELKLAND 65644
* 43XAJ	THOMAS, L & D	OZARK KENNELS	RT 1 BOX 274	EDWARDS 65326
* 43PAA	THORESON, S	THORESON KENNEL	RT 4	EL DORADO SPRINGS 64744
* 43KG	THROCKMORTON,R		R 2, BOX 138	LARELLE 63447
* 43YT	TRACY, L	TRACY'S GUARDIAN KENNELS	RT 1	WINSTON 64689
* 43MAQ	TRIPLETT, E		RR 2	LANCASTER 63548
* 43MAP	TURNER, T	GREEN VALLEY KENNEL	PO BOX 14	QUENNEG 64841
* 43N4R	URFER, WR	URFER KENNELS	STAR RT 2 BOX 135A	BRANSON 65616
* 43GS	VAN HOOZER, V		RR 1	OSBORN 64474
* 43UZ	VAUGHN, R & VINYARD, J	GOLDEN RULE KENNEL	RT 2 BOX 299	ELDORADO SPRINGS 64744
* 43PCG	VEATCH, L		RR 1	COATSVILLE 63535
* 43UAI	VEATCH, PP		PO BOX 68	GLENWOOD 63541
* 43GGA	VETTER, F & N		RT 1 BOX 180	STARK CITY 64866
* 43HHI	WADLEY, M		RT 2 BOX 233	ANDERSON 64831
* 43HG	WAIT, IM		BOX 802 N HWY 63	KIRKSVILLE 63501
43VAC	WALKER, CK		RR 1	LIBERAL 64762
43RHX	WALKER, MRS, WM.	GREEN ACRES KENNELS	RT. 1 BOX 166	HUMANSVILLE 65674
43TH	WALLACE, G&R		R 1	NOVINGER 63559
43MX	WAMSLEY, D		RFD 1	NEWARK 63458

MISSOURI

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 43DAI	WARD, P	SHANA ACRES KENNEL	R 1	CLEVER 65631
* 43DAU	WATTS, KL		RT. 4 BOX 58	BUTLER 64730
* 43DT	WEAVER, RA		RR 1	GLENWOOD 63541
* 43IU	WEAVER, F			CLARENCE 63437
* 43CCJ	WEBER, G	SUNDOWNER KENNEL	RT 1 BOX 215	GOODMAN 64843
* 43KAD	WEBER, MD&KD	WEBER KENNELS	RR 1	GREENTOP 63546
* 43FFA	WEEK, J	SHADY OAK KENNEL	R 1 BOX 275	JOPLIN 64801
* 43CCH	WEIMER, JRD		RR 3	MACON 63552
* 43DAL	WELBORN, CR		RR 4	BUTLER 64730
* 43RP	WELLMAN, E	WELLMANS KENNEL	RT 1	KIRKSVILLE 63501
* 43HA	WELLS, M		RR 3	MACON 63534
* 43FR	WELSH, NM		RR 1	GLENWOOD 63541
* 43DDV	WEST, C & L	C & L TEDDY BEAR BARN	2275 ASHBY RD	OVERLAND 63114
* 43DDL	WESTMORELAND, SM		RR 1	KIRKSVILLE 63501
* 43RBL	WHEELER, R & M	WHEELER'S KENNEL	RT. 2	NORBORNE 64668
* 43GP	WHITE, WC	WHITE WOOD KENNELS	RT 2 BOX 197	ELKLAND 65644
* 43GGX	WHITE, WT		RT 5 BOX 23A	TRENTON 64683
* 43EEM	WHITLOW, J		RT 2 BOX 203-A	BILLINGS 65610
* 43YAR	WIENHAUS, LM		RT 4	SALISBURY 65281
* 43RAE	WILKINSON, RL & RJ	RD-REL KENNELS	RR 6 BOX 154	CARTHAGE 64836
* 43UL	WILLIAMS, CE		1802 E NORMAL	KIRKSVILLE 63501
* 43GGD	WILLIAMS, M	WILLIAMS LITTLE ACRE KENNEL	RT 6 BOX 372	CARTHAGE 64836
* 43CCT	WILSON, C&D		RT 1 BOX 125A	AURORA 65605
* 43PM	WILSON, J		BOX 27	FRANKFORD 63441
* 43QAP	WILSON, SC	OUR GANG KENNEL	RTE 1	BOIS D'ARC 65612
* 43PAN	WILSON, VM		RR 1 BOX 190R	ELKLAND 65644
* 43YN	WINANS, OV&E		RT 1 BOX 90	CARTHAGE 64836
* 43EEA	WINKLER, U			ALEXANDRIA 63430
* 43CCU	WINTER, W	WINTERVALE KENNELS	RT 2 BOX 166	STRAFFORD 65757
* 43FC	WISDOM, JW		RR 3	MACON 63552
* 43GAP	WOLFINGTON, H		RR 1	MULBERRY 66756
* 43TAJ	WOOD, A			BETHEL 63434
* 43EEW	WOOD, J	PJ'S PET FARM	RR 2	LAPLATA 63549
* 43BAL	WOOD, J		RR 2	LA PLATA 63549
* 43MR	WOOD, JC	WOOD KENNELS	RT 1	LA PLATA 63549
* 43TE	WOOD, M		RFD 1	BETHEL 63434
* 43RAC	WOOD, P		RR1	BRASHEAR 63533
* 43FJ	WOODS, WF		1333 E WALNUT	NEVADA 64772
* 43VAY	WOODY, D & A			GALT 64641
* 43RBI	WORTHINGTON, BJ		RT. 1	ELDORADO SPRINGS 64744
* 43FFT	WORTHINGTON, W		R 2 BOX 27A	ELDORADO SPRINGS 64744
* 43YV	WRIGHT, CE	4 ACRE KENNELS	ROVER RT	WEST PLAINS 65775
* 43UAD	YOUNG, FK		RR 3	NOVINGER 63559
* 43WK	YOUNG, HD	SUNNY SLOPE FARM		ROCHEPORT 65279
* 43NN	ZUSPANN, V		RFD 3 PO BOX 34	EDINA 63537

MONTANA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 81A2	CORBETT, P & C	SAFARI COUNTRY	RT 62 BOX 3205	LIVINGSTON 59047
* 81A11	HOUSEMAN, FR	HOUSEMAN'S RARRITRY	RR 2 MULLAN RD	MISSOULA 59801
* 81A7	ROSECRANS, RC		PO BOX 950	HAMILTON 59840
* 81A10	WALKER, T&F		1775 NORTH LN	DILLON 59725
* 81A8	WEGNER, H & E	WEGNER KENNELS	2095 WASHINGTON ST	BILLINGS 59101

NEBRASKA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 47AR42	ANDERSON, GP & SR	HIGHLAND FARMS	RT 2	PLATTSMOUTH 68048
* 47AC77	ANDERSON, S & D	SUN SHINE KENNEL	BOX 143	CLEARWATER 68726
* 47A93	ANDREWS, M&M		RT 1 BOX 106	ALBION 68620
* 47AC96	ANGELL, D & D		1014 6TH ST	FAIRBURY 68352
* 47AC60	ASH, L		802 WEST 27TH	SCOTTSBLUFF 69361
* 47AB32	BAILEY, LL	L&L KENNELS		EDGAR 68935
* 47A97	BECK, M	SANDHILLS KENNELS	STAR ROUTE	PARKS 69041
* 47A98	BEMIS, J			SURPRISE 68667
* 47AC97	BENNETT, C & S		RT 4	FAIRBURY 68352
* 47AC86	BLANK, H & M	BAR 20 KENNELS	RFD1	AINSWORTH 69210
* 47AC11	BLECHA, D		RT 3 BOX 100	HUMBOLDT 68376
* 47AB74	BLOBAUM, P & M		RT 4	FAIRBURY 68352
* 47AC04	BOHLING, A&W		RT.3	TECUMSEH 68450
* 47AC36	BOYKIN, GL	SILVER VALLEY ACRES KENNEL	P.O. BOX 276	EDGAR 68935
* 47AC35	BRAUCH, GN		RT 1	HEBRON 68370
* 47AB30	BREEDEN, JF	BREEDEN'S KENNELS	RR# 1	STEELE CITY,68440
* 47A84	BROSH, DRM	BROSHS KENNELS	RR 3	PENDER 68047
* 47A92	BRUNING, S	BRUNING KENNELS	R2 BOX 14	SHICKLEY 68436
* 47AC69	BUSCH, RL		RR 3	KEARNEY 68901
* 47B34	CENTRAL BIOLOGICAL CO		8935-7-J ST	OMAHA 68172
* 47AB66	CHLOUPEK, R		RT 1 BOX 65	LITCHFIELD 68852
* 47A88	COOK, L		RT 1	SUTHERLAND 69165
* 47AC75	COOK, MR	PAWNEE KENNELS	RT 1	PLEASANT DALE 68423
* 47AC92	CUDNEY, G & C	ROCK RIDGE KENNEL	RR3 BOX 51	FALLS CITY 68355
* 47A17	CUMRO, S	INDIAN CREEK KENNELS	BOX 13	ODELL 68415
* 47B20	CYRGUS, INC.		3710 D ST	OMAHA 68107
* 47AB63	DARROW, CE		RT 4 BOX 17	FAIRBURY 68352
* 47A72	DAUBERT, F		6229 S 43RD	OMAHA 68107
* 47AC44	DEKE, R	TRIPLE D FARM	RT. 1 BOX 17	OMIOWA 68416
* 47B29	DELLEN INC		8447 LAKE ST	OMAHA 68134
* 47A53	DIETZ, R	HILLTOP KENNELS	RT 2 BOX 59	ORLEANS 68966
* 47AC70	DIETZ, J		RT 1 BOX 111	ORLEANS 68966
* 47A86	DIETZ, JR		RFD 1	STAMFORD 68977
* 47A44	DUENSING, LJ		RR 1 BOX 46	BYRON 68325
* 47AC30	DUNNING, GP & DD		324 S. 6TH ST.	WYMORE 68466
* 47A41	DURST, GD & LJ		BOX 8	VIRGINIA 68458
* 47AC18	DVORAK, G&C	DVORAK'S KENNELS	RR 2	ATKINSON 68713
* 47AC06	ECKSTEIN, LJ		RR 1	SCHUYLER 68661
* 47AB38	EICHENBERGER, A&L		RT 1	PAWNEE CITY 68420
* 47AB73	EITZMANN, A & L	EITZMANN KENNELS	RR	BYRON 68325
* 47AN	ELTING, DA	SUNNYVIEW KENNELS	RR 1	CARLETON 68326
* 47AC26	FERGUSON, L&P	IDLE ACRES KENNELS	RT 1	BRADY 69123
* 47AC76	FETT, D & I		RT 1 BOX 87	HARRN 68370
* 47AB64	FLEISCHER JR, WR	R MAR KENNELS	STAR ROUTE	GOTHENBURG 69138
* 47AC61	FLETCHER, N	DEL ARROW KENNELS		LITCHFIELD 68852
* 47AB06	FOLKEN, M		RT. 1	RICHLAND 68657
* 47A95	FORREST, C & S		NORTH HIGHWAY #1	HEBRON 68370
* 47A81	FRITZ, MK			BARTLEY 69020
* 47AC22	GITTINGER, W & K	DIS 'N DAT KENNELS	RT 3	AUBURN 68305
* 47AC48	GILL, K & J		RR 3	BLOOMFIELD 68718
* 47A71	GORACKE, R	GORACKE'S KENNELS	RT 2 315 N. 4TH	TECUMSEH 68450
* 47B16	GRIFFIN, E & MA	GRIFFIN'S KENNELS	321 W 3RD	FAIRBURY 68352
* 47AB46	GRUNTORAD, E		RT. 3 BOX 20	SEWARD 68434
* 47AC33	HALLER, V	ELMTREE KENNEL	BOX 2A ANTIOCH RT	LAKESIDE 69351
* 47ARR9	HARPER, S & RULE, D		BOX 92	BARNESTON 68309
* 47AB96	HARRINGTON, DD	HARRINGTON'S KENNELS	RT 2 BOX 121	NELSON 68961
* 47AC89	HASLEY, P	RED BARN KENNELS	RT 1 BOX 199	JANSEN 68377
* 47AC25	HAYNES, M		RT 1	AUBURN 68305
* 47AC01	HERR, JA		RT 1, BOX 140	HUMBOLDT 68376
* 47AB93	HERR, RL	HERR'S KENNEL	RR 1 BOX 147	HUMBOLDT 68376
* 47B31	HEYNE, W		830 N. MAIN	WEST POINT 68788
* 47AB0	HOFFMAN, J		RT 3 BOX 157	NORFOLK 68701
* 47AC99	HOHNSTEIN, R & P		421 WEST 6TH ST	IMPERIAL 69033
* 47AB17	HOWE, MA		815 N 5 ST	BEATRICE 68310
* 47AB11	HUETTNER, D		RR 1	PULO 68431
* 47AC95	INGLIS, D		RT 1	PULO 68431
* 47B4	JEFFERS, F		1517 W. 3RD ST.	MCCOOK 68901
* 47AC98	JOHANSEN, R & G	JJ KENNEL'S	10402 NO 156	BENNINGTON 68007
* 47AC94	JOHNSON, D & W	CIRCLE J KENNEL	5505 ROCA RD.	ROCA 68430
* 47AA91	JOHNSTON, R&K	JOHNSTON KENNELS	R 1	CORTLAND 68331
* 47B33	JONES, J	TAMARISK KENNEL		CHADRON 69337
* 47AB9	JUREK, L		RR 1	BLAIR 68008
* 47AB08	KARMANN, MH		RT 1 BOX 64	CEDAR RAPIDS 68627
* 47AC5A	KASSERAUM, C & D	ANN-MARIE KENNELS	BOX 182	HEBRON 68370
* 47AC43	KEARNEY, L & K	LEKAR'S KENNEL	RR 2 BOX 617	ST. EDWARD 68660
* 47AC62	KELLY, S		BOX 936	ADAMS 68301
* 47AB18	KENYON, M		BOX 1115 16TH ST	MITCHELL 69357
* 47AC91	KESTER, H & S		RT 2 BOX 59	CAMBRIDGE 69022
* 47AC85	KLEIN, WH		BOX 381	LOUP CITY 68853
* 47AC7A	KLEVELAND, J & C	KLEVELAND KENNELS	1512 N 11TH ST	NEBRASKA CITY 68410
* 47AAR6	KRENK, E	PAMPERED PETS	1404 S CENTER	BEATRICE 68310
* 47AC28	KUESTER, HRD	HUMBUG CREEK KENNEL	RR 1 BOX 83	PILGER 68768
* 47A79	KUHL, JRA			ORLEANS 68966
* 47A19	KUHLMANN, JM	COUNTRY SIDE KENNEL	RR 2 BOX 40	HUMBOLDT 68376
* 47AB50	KUMPOST, HF	KUMPOST KENNELS	403 S 7TH	PIERCE 68767
* 47AC12	LAMPRECHT, L		RFD #2, BOX 123	OXFORD 68967
* 47AC48	LEWIS, M		RR1 BOX 41	RUSKIN 68974
* 47AAR2	LINDEKEN, T	LINDEKEN'S HILLSIDE KENNELS	RT 1 BOX 222	SCOTTSBLUFF 69361

NEBRASKA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 47AC59	LOOMIS, P	FOXFIRE TOY POODLES	MARPLE RT BOX 66A	ALLIANCE 69301
* 47AB03	MADDUX, T			PALISADE 69040
* 47A13	MCCORD, L&R		RR 4 BOX 110	FAIRBURY 68352
* 47A30	MCCORD, V	BLUE HILL KENNEL	BOX 110 RR 4	FAIRBURY 68352
* 47A43	MCMILLAN, J&J	MCMILLAN KENNELS		ARTHUR 69121
* 47AC15	MCROBERTS, J	MCROBERTS GAME FARM		GURLEY 69141
* 47AB49	METZNER, M & V	SUNNY SLOPE KENNEL	RR 1	FALLS CITY 68355
* 47AC06	MEYER, D&J	PONDEROSA KENNELS	RT 2 BOX 54	SIDNEY 69162
* 47AC57	MINASMITH, ML & J			CHAMPION 69023
* 47AB14	MONNETTE, DM		RT 1 BOX 69	STELLA 68442
* 47AC14	MORROW, C&M		RR 1 BOX 84	TEKAMAH 68061
* 47AC93	MOSER, H & J	BAR-JO PRARIE VIEW KENNEL	RT 2	ELGIN 68636
* 47AB59	MURRAY, A	MURREY'S CHARLIE BROWN KENN FL	BOX 55	POTTER 69156
* 47A94	NICHOLSON, MA	NICHOLSONS KENNEL		LEBANON 69036
* 47AD01	NOEL, P		R 1	BEAVER CITY 68926
* 47AC73	NOLZE, R & J & BLANK, M	CRIPPLE CRK. CRITTER CENNEL	RR 1	CLEARWATER 68726
* 47B27	NORDEN LABS, INC.		PO BOX 80809	LINCOLN 68501
* 47AC79	NORRIS, NF		RR 1 BOX 54A	YUTAN 68073
* 47B11	PACKER, J		RT 2 BOX 246	WOODRIVER 68883
* 47AC83	PARSONS, C	P-C KENNELS	R1 BOX 174	LEIGH 68643
* 47AB55	PLATT, VREL	PLATT KENNEL		HAY SPRINGS 69347
* 47A49	PLEAS, MRS G		RT 1	OXFORD 68967
* 47AC55	POHLMAN, R	PINE CREST KENNEL	RT 2	STANTON 68779
* 47AC34	POMAJZL, R		429 N. FRANKLIN	WILBER 68465
* 47AC05	POST, TJ	SAM-BO KENNELS	BOX 197	NAPONEE 68960
* 47AY32	PRICE, GJ		R 1	INDEPENDENCE 67301
* 47AC49	QUIRING, JRH	SHAMROCK KENNEL	RR 1 BOX 11	STANTON 68779
* 47AC84	RAINFORTH, N & R		403 VALLEY ROAD	PAPILLION 68046
* 47AC42	RATHJEN, R & D	TRIPLE R KENNEL	RT. 2 BOX 116	ULYSSES 68669
* 4747	REARS, MRS D			STELLA 68442
* 47AC17	REZNICEK, R&W	BORENDY ACRES KENNEL	RR 2	DODGE 68633
* 47B25	RHONE, D		RT 2 BOX 117A	COZAD 69130
* 47AC63	RIEKE, WM		BOX 81	CHESTER 68327
* 47AC09	RIESSLAND, D & C	LITTLE ACORN KENNELS	RR 1 BOX 111	LITCHFIELD 68852
* 47AC82	RIESSLAND, M & R		RR 1 BOX 110	LITCHFIELD 68852
* 47AB02	ROLLINS, K	ROLLINS KENNEL	RT 1 BOX 136	CORTLAND 68331
* 47AC65	ROUSE, B & P	CROWN KENNELS	914 S 9TH	MCCOOK 69001
* 47AB98	SASCO INC		612 N 16TH ST	OMAHA 68102
* 47A08	SEJKORA, H			BURCHARD 68323
* 47B32	SEKUTERA, C	DIAMOND KENNEL	RT 1 BOX 28	LITCHFIELD 68852
* 47B23	SHRADER, D	DUANE SHRADER & SONS	625 S 51ST ST	LINCOLN 68510
* 47AC32	SHRIVER, TRE	OREGON TRAIL KENNELS	RT 1 BOX 40	HASTINGS 68901
* 47B6	SINGLETON, RM	SINGLETON RANCH	RFD 1 BOX 70	DIX 69133
* 47A32	SINN, W	GREEN ACRE KENNEL	RT. 1 BOX 27	FAIRBURY 68352
* 47AC71	SMEAL, JW	SMEAL'S KENNEL	RR 2 BOX 134D	DODGE 68633
* 47AC56	SOWARDS, JI	J'S KENNELS	RT 2	HEBRON 68370
* 47AC51	STANLEY, D		RT 1	CRAB ORCHARD 68332
* 47A12	STEVENSON, R	NEBRASKALAND KENNELS		RICHLAND 68657
* 47AC81	STIERS, D R S		RR 1 BOX 43	NEMAHA 68414
* 47AB92	STITT, B	MC GREW KENNELS	BOX 185	MC GREW 69353
* 47AC45	SULLIVAN, D & B	BARRENDALE KENNEL	RT. 2	PALMER 68864
* 47AC64	TOPP, F & F		RT 2	TECUMSEH 68450
* 47AC47	TOPP, R&C		RT 2	TECUMSEH 68450
* 47AC90	TROXEL, R & ROBINSON, D	RFD ROBINSON KENNELS	RR 4 BOX 56	FAIRBURY 68352
* 47AC02	TUTTLE, RG & MM	ROY TUTTLES DOGS	BOX 253	EWING 68735
* 47A75	ULDRICH, F		RR 1	DEWEESE 68934
* 47AC66	URLING, KC	KATHIE'S KENNEL	RR 1	WILSONVILLE 69046
* 47AC29	VAN METER, ERT			HARDY 68943
* 47AB25	VICKERS, JL&C	PUPPY LUV KENNELS	BOX 212	TILDEN 68781
* 47AB09	VLASIN, RJREA		RT 1	CRETE 68333
* 47AC78	WEGNER, T	WEGNER KENNEL		SCRIBNER 68057
* 4781	WEHR, WM JR	EXCALIBUR INTERNATIONAL	4619 S 88TH	OMAHA 68127
* 47AC58	WEHRMAN, SR		BOX 32	NELSON 68961
* 47AC80	WILLHOFT, J & J		RT 8	LINCOLN 68506
* 47AB53	WILLMS, JJ & WILLMS, SR, RI	WILLMS KENNELS	2106 KEENE DR	COLUMBUS 68601
* 47A28	WOLTEMATH, V		BOX 79	ELK CREEK 68348

NEBRASKA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 47AC87	WOODWARD, L		RT 1	GUIDE ROCK 68942
* 47AC72	WORTHINGTON, EK	PEKE PALACE	RT 2	HEBRON 68370
* 47R12	WRIGHT, E			STAMFORD 68977
* 47AR23	YAKLE, R	RIVERSIDE KENNEL	2314 AVE I	SCOTTSBLUFF 69361
* 47A05	YAW, B			CHAMPION 69023
* 47A37	YAW, C			NEWPORT 68759
* 47AR97	ZEIGLER, NM			NELSON 68961
* 47AR99	ZIMMERMAN, MRL	ZIMMERMAN KENNELS	RFD 3	NEBRASKA CITY 68410
* 47AR39	ZIVERTS, KRV		130 E ST	LINCOLN 68508

NEVADA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 88A1	DEAN, D & R	RANCHO DECANO	5000 AMY ROAD	RENO 89510
* 88R1	NEVADA LLAMAS		PO BOX 1803	CARSON CITY 89701

NEW HAMPSHIRE

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 12A55	BARRATT, D & D	ROCK HAVEN RABBITRY	BOX 598 CHURCH ST	DREWSVILLE 03604
* 12A41	BATEMAN, M		60 GARLAND RD.	RYE 03870
* 12A66	BEAUDRY, EJ		WILSON'S CROSSING RD	AUBURN 03032
* 12A65	COUGHLIN, P		NEW BOSTON RD.	BEDFORD 03102
* 12A21	GEORGE, M		MILL RD BOX 47	KINGSTON 03848
* 12A64	GREENE, F		LOWER SMITH HILL RD	FRANKLIN 03235
* 12A68	KELLY, L		P.O. BOX 398 HUBBARD RD	GREENVILLE 03048
* 12A28	LOUNDER, R		21 WILLOW CT	KEENE 03431
* 12A42	MASTINE, R	ROSIE'S PIGGIES & PETS	82 WARREN ST	LACONIA 03246
* 12R6	MCCORMICK, R R V	ROVAM RABBITRY	P O BOX 72	HUNSONVILLE 03457
* 12R23	MONTT, L		RT 126	BARRINGTON 03825
* 12A67	SNELLING, G		RFD 2, BOX 141	CLAREMONT 03743
* 12R5	TRUSTEES OF DARTMOUTH COLLEGE		PO BOX 432	HANOVER 03755
* 12R22	WOOD, SD	NINE ACRES RABBITRY	RIVER RD	LYME 03768

NEW JERSEY

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 22R37	ALLISON, H		HEMLOCK RD RTE 46	DELAWARE 07833
* 22F	BARTON'S WEST END FARMS INC		RD 1 BOX 391	OXFORD 07863
* 22R33	BIO/DYNAMICS, INC.		BOX 43 METTLERS RD	EAST MILLSTONE 08873
* 22A16	BIOLOGICAL SYSTEMS INC		2367 LAKEWOOD RD	TOMS RIVER 08753
* 22N	BYRNES, J	VALLEY FARMS	199 BROWERTOWN RD PO BOX 585	W PATERSON 07424
* 22R30	CAMDEN COUNTY COLLEGE			BLACKWOOD 08012
* 22R1	CAMM RESEARCH INSTITUTE INC		414 BLACK OAK RIDGE RD	WAYNE 07470
* 22A26	CEDAR KNOLL FARMS	HOLTON INDUSTRIES, INC.	RT 513	FRENCHTOWN 08825
* 22R31	CHAMPLAIN BIO. SERV. INC.			GLEN GARDNER 08826
* 22R	CLAUSS, GJ	APPALACHIAN FARMS	RD 1 WARWICK TURNPIKE	WARWICK 10990
* 22A25	EDINGTON, R	CONVEREX	BOX 335 LAKE RD	NEWFIELD 08344
* 22R23	FEDECHKO, G	SOUTH JERSEY BIOLOGICAL FARM	DOWNER RD BOX 315	WILLIAMSTOWN 08094
* 22S	FOOD & DRUG RESEARCH LAB INC		60 EVERGREEN PL	EAST ORANGE 07018
* 22A7	FUHR,R	DAVIDSON'S MILL FARM	RD 1 BOX 184	JAMESBURG 08831
* 22A1	GUMPERZ, F	CHICK LINE CO	604 EAST GARDEN RD	VINELAND 08360
* 22R16	HANNA, TR		RD #2	NESHANIC STA. 08853
* 22J	K-G FARMS INC		3651 HILL RD	PARSIPPANY 07054
* 22R2A	LEIBOWITZ, A	QUALITY KENNELS	1585 HIDER LANE	LAUREL SPRINGS 08021
* 22R2	MARLAND BREEDING FARMS INC		531 BURNT MEADOW RD	HEWITT 07421
* 22R25	MCGEE, M	BREEZY ACRE FARMS	PO BOX 83	CHATHAM 07928
* 22A27	MED LABS INC.			LIBERTY CORNER 07938
* 22A24	MERRILL, MD	PEACEABLE ACRES	PO BOX 154	STANTON 08885
* 22R3	MOFFETT, TF	NEW JERSEY MURARIUM	SHINNY LANE RFD 1	TRENTON 08648
* 22R36	MOORE, J	ALLENDALE AVIARIES	53 COTTAGE PLACE	ALLENDALE 07430
* 22R35	MUNSTER, J	G.C.A. INC.	792 BURNT TAVERN RD	BRICKTOWN 08723
* 22R3A	NABISCO, INC		RIVER ROAD	EAST HANOVER 07936
* 22A22	ORTHO PHARMACEUTICAL CORP	ORTHO RESEARCH FARM		RARITAN 08869
* 22R4	PRIMELABS, INC.		MONMOUTH CT AIRPORT BOX 646	FARMINGDALE 07727
* 22R19	RIESCHL, WH	REPTILE PLACE	301 ISLAND RD.	MAHWAH 07430
* 22R32	SCHERING CORP		PO BOX 32	LAFAYETTE 07848
* 22A21	SILVERMAN, IL	SILVER-MANOR PERSIANS	386 PLAINFIELD RD	EDISON 08817
* 22A3	TINBERGEN, K	SUNRISE LABORATORY ANIMALS	RIDGE RD RD 2	WHITEHOUSE STA 08889
* 22AR	TRIPLE R RABBITRY		PO BOX 301	MANASQUAN 08736
* 22A19	TURNER, V		230 E HIGH ST	GLASSBORO 08028
* 22R21	VRANA, R		BOX 427A RD 1	MILLVILLE 08332
* 22A	WEST JERSEY BIOLOGICAL SUPPLY		5 MARION AVE	WENONAH 08090
* 22R5	WHALEY, MT	SUMMIT VIEW FARM	RD 1 BOX 293	BELVIDERE 07823
* 22T	WILLIAMS, JE	HILLDALE FARMS	BOX 950	FRANKLINVILLE 08322
* 22A4	ZUCCA'S HAMSTERY, INC.		1541 S ALLEN AVE PO BOX 507	VINELAND 08360

NEW MEXICO

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 85304	CORGAN, D & S	CORGAN'S RABBITRY	RT. 2 BOX 294	LAS CRUCES 88001
* 85264	HUNGERFORD, P & P	GYPSY'S KANINE HAVEN	RT 1 BOX 100A	TEXICO 88135
* 852RA	KERNS, RJ	AIR-VIEW RABBITRY	BOX 11 NORTH ROUTE	EDGEWOOD 87015
* 85204	MCKEAN, D & C	KACTUS KENNELS	PINE SPRINGS RT	CARLSBAD 88220
* 8527A	RABBIT RANCHES, INC.		PO BOX 305	ORGAN 88052
* 8521A	RUEBUSH, OL	KFENRIDGE RABBIT RANCH	BOX 266	EDGEWOOD 87015

NEW YORK

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 21EL	AGWAY INC.	AGWAY TECHNICAL CENTER	PO BOX 4933	SYRACUSE 13221
* 21GY	ANCARE CORP		47 MANHASSET AVENUE	MANHASSET 11030
* 21JJ	AURORA SCIENTIFICS INC		P.O. BOX 239	EAST AURORA 14052
* 21AT	BEAN, AG		RD 3	MORAVIA 13118
* 21GS	BECKEN, BCBEN	BECKENS RESEARCH ANIMAL FARM	2585 UPPER MT RD	SANBORN 14132
* 21NT	BINGHAM, DE	ANIMAL TRADING POST	33 OLD TOWN RD	EAST SETAUKET 11733
* 21KJ	BODDIS, G	BODDIS FARMS	BOX 376A COUNTY RD 11	CRARYVILLE 12521
* 21CR	BOWLEY, C		6774 CICERO-BRIDGEPORT R D.	CLAY 13041
* 21JS	BRACKETT, CE		55 JUDSON	CANTON 13617
* 21FF	BRONSON, JL	BRONSON TROPICAL BIRDS	70 NAGLE AVE	NEW YORK 10040
* 21FE	BUCKBERG LAB ANIMALS INC		FREEHILL RD	TOMKINS COVE 10986
* 21CK	CATSKILL WILD ANIMAL SUPPLY, INC		RD 1 BOX 92	CATSKILL 12414
* 21AX	CORNELL UNIVERSITY	CORNELL DOG FARM	124 DAY HALL	ITHACA 14853
* 21CY	CRIDDLE, W	WINONA CRIDDLES CAVIARY	BOX 200 TUNNEL RD RD 1	PORT CRANE 13833
* 21JZ	CROUNSE, JC		RD 1 PARKERS CORNERS	ALTAMONT 12009
* 21EX	DUMBLETON, D&F	WINDY NOR FARM	5164 LINDEN RD	E BETHANY 14054
* 21NY	ENGSTROM, R		1765 HOAGLAND RD	MT MORRIS 14510
* 21AT	F J ZEEHANDELAAR INC		6 SICKLES AVE	NEW ROCHELLE 10801
* 21AF	FABRY, FG	FAR LABS	BOX 233	NEW CITY 10956
* 21MT	FARLEY, JW		20 CORONET COURT	SCHENECTADY 12309
* 21FF	FLINN, PJ	FLINN'S RABBITRY	160 ONTARIO ST	ALBANY 12206
* 21LT	FOWLER, L		LAKE NANCY RD	MIDDLE GROVE 12850
* 21LN	FUGLE, N		EAGLE RD	PLISS 14024
* 21HR	GABRIEL, R	FRONTIER RABBITRY	3115 LYDIUS ST	SCHENECTADY 12303
* 21NQ	HAEGER, S	ANIMAL GALLERY INC	300 CENTRAL AVE A-34	HARTSDALE 10530
* 21CG	HINDERER, RR	RICHARD'S COMMERCIAL RABBITRY	RD 2	ASHVILLE 14710
* 21FY	JC SCHULZ, INC.		RD 1 BOX 92	CATSKILL 12414
* 21NK	JOHNSON, R & R	JOHNSON'S FOLLEY	2038 HADDEN RD	SAVANNAH 13146
* 21MM	KOENIG, H		RD 2 BOX 167	DELANSON 12053
* 21AX	KRUTULIS LABORATORIES INC		PO BOX 153	BRIDGEPORT 13030
* 21NP	LEACH, GW	SHALLOWBROOK FARM	2509 COE RD	PERRY 14530
* 21LD	LOTITO, A		375 ELLIS HOLLOW CK RD	ITHACA 14850
* 21NF	MARKS, K		73 MOON RD	ARGYLE 12809
* 21AP	MARSHALL RESEARCH ANIMALS INC		RR 1 BOX 91	NORTH ROSE 14516
* 21MV	MERZACCO, EJ	PET LOVERS PARADISE	2309 ELMWOOD AVE	KENMORE 14217
* 21JM	MILLSTONE FARMS CORP.	SHELLSTONE FARMS	RD 2	AMSTERDAM 12010
* 21NV	NIAGARA AQUARIUM CO, INC		1345 MILITARY RD	KENMORE 14217
* 21NW	NOLAN, R		53 LAMSON RD	TONAWANDA 14223
* 21NF	NOTEBOOM, P		472 FISHER SETTLEMENT RD	SPENCER 14883
* 21RP	PRIMATE IMPORTS CORPORATION		34 MUNSON ST	PORT WASHINGTON 11050
* 21GP	RIO, HR		RD 1	CENTRAL SQUARE 13036
* 21LV	RITCHIE, W		BOX 588	PHILMONT 12565
* 21NR	ROSIER, G	LITTLE LOVE TOYS & THINGS	17029 GULF RD	HOLLEY 14470
* 21NN	SCHMIDT, LL	SCHMIDT'S RABBITRY	6390 GOODRICH RD	CLARENCE CT 14032
* 21MQ	SCIENCE KIT INC		777 EAST PARK DR	TONAWANDA 14150
* 21LZ	SHURTLEFF, F		RD 2	AVERILL PARK 12018
* 21CH	SMITH, D & J	DONS RABBITRY	P O BOX 15	WATERLOO 13165
* 21MH	ST LAWRENCE VALLEY ETV COUNCIL INC	WNPE-WNPI PUBLIC TELV.	PO BOX 114	WATERTOWN 13601
* 21AR	STUMBO, DL	STUMBO FARMS	O'NEIL RD	LIMA 14485
* 21AF	THE MARY IMOGENE BASSETT HOSPITAL			COOPERSTOWN 13326
* 21FS	THOMPSON, C & P	GREENWOOD GAME FARM	RD 1 BOX 166	NEWARK VALLEY 13811
* 21MQ	TRANS-AMERICAN PET DIST., INC		9811-4TH AVE	BROOKLYN 11209
* 21LS	VAN ETTEN, J		STAR ROUTE	ALTAMONT 12009
* 21FK	VAN WARNER, R & E	RIVER VIEW KENNELS	RD 1 BOX 211	NEW BERLIN 13411
* 21RY	WARDS NATURAL SCI. ESTAB. INC.		PO BOX 1712	ROCHESTER 14603
* 21DP	WEBB, F		55 NEW HARTFORD ST	NEW YORK MILLS 13417
* 21AF	WELLS, EF		BOX 174	SPRINGFIELD CENTER 13468
* 21NG	WRIGHT, RC	THE RABBIT FACTORY	BOX 132,RD #1	MARYLAND 12116

NORTH CAROLINA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 55A56	ALLSBROOK, AC	MAGADA PINES KENNEL	RT 1 BOX 275	SCOTLAND NECK 27874
* 55B13	AQUA-RAMA PET CENTER INC		4947 BRAGG BLVD	FAYETTEVILLE 28303
* 55A51	AVERITT, CG		RT 1 BOX 756A	BLADENBORO 28320
* 55A59	BAXTER, R & R	BAR R R KENNELS	RT 6 BOX 240	FAIRVIEW 28730
* 55B11	BERRY WATER GARDENS INC		PO BOX 607	KERNERSVILLE 27284
* 55A36	BILLINGSLEY, JP	R & R HAMSTERS	RT 5 BOX 40	REIDSVILLE 27320
* 55A52	BROWN, RC	BROWN'S BUNNY BARN	RT. 1 BOX 54A	FRANKLINVILLE 27248
* 55A63	CANTRELL, F		RT4	FOREST CITY 28043
* 55B10	CAROLINA BIOLOGICAL SUPPLY CO.		2700 YORK ROAD	BURLINGTON 27215
* 55B3B	CLEVELAND COUNTY HEALTH DEPT.	CLEVELAND COUNTY AN. SHELTER	315 GROVER STREET	SHELBY 28150
* 55BB	COOKE, AR	BUFFALO RANCH TRADING POST	RT 7 BOX 203 HWY 49	CONCORD 28025
* 55A2B	CORAL SEAS ENTERPRISES, INC.		3629 NORTH BLVD.	RALFIGH 27604
* 55A60	DEANS, K & J		208 RHYNE ST	SPINDALE 28160
* 55A5A	FAIRCLOTH, AC	ROCK HILL RD	RT 9 BOX 191	FAYETTEVILLE 28301
* 55B15	FRANKLIN, L & J	FRANKLINS'S RABBITRY AND SUPPLY	PO BOX 1067	WAKE FOREST 27587
* 55B41	GORDON, GR	SMALL STOCK FARM PET SHOP	RT 6 BOX 93	SHELBY 28150
* 55B33	GRAVITT, M	BAUX MT BEAGLE FARM	RT 2 BOX 187	GERMANTON 27019
* 55A64	HARDIN, MR & MRS M	HARDIN'S RABBITRY	RR 2 BOX 337	PLEASANT GARDEN 27313
* 55A61	LOVELACE, K		BOX 53	ELLENBORO 28040
* 55A70	LOWERY, C	C & J KENNELS	RT 1 BOX 241	FOREST CITY 28043
* 55A51	MCKENZIE, RL	CEDARWOOD RABBITS	RT 2 BOX 45A	LIBERTY 27298
* 55A17	MCLAURIN, A	MCLAURINS KENNEL	RT I BOX 150	WADE 28395
* 55A25	OWENS, R & WOOTEN, T	MOUNTAINEER PETS	RT 4 BOX 467 B	KINGS MTN 28086
* 55AE	PHILLIPS,RZ	PEARCROFT CATTERY	RT 1 BOX 486	BEAUFORT 28516
* 55A69	REID, C	GLENLINET KENNEL	RT 67 BOX 5	CULLOWHEE 28723
* 55B16	RILEY, GF	RILEYS BUNNY HAVEN	RT 2 BOX 519 LINDEN RD	DURHAM 27705
* 55B53	RUCKART, J	PETS UNUSUAL	RT 4 BOX 481A	CONCORD 28025
* 55B39	SCHARER, RM	RARE ENDANGERED FELINES	110 N BETTY	SPRING LAKE 28390
* 55A50	SCRUGGS, C		RT 2	SHELBY 28150
* 55A5A	SHEPHERD, SR. C	HARROFF, JC	RT. 1 BOX 590	CONCORD 28025
* 55A15	SINGLETON,A	SINGLETON KENNELS	R 1 BOX 270B	FAYETTEVILLE 28301
* 55AF	SOUTHEASTERN LABORATORY ANIMAL FARM INC		RT 1 BOX 285	APEX 27502
* 55B55	SUMMERLIN, S	ROCK REST RABBITRY	RT 1 BOX 246	MONROE 28110
* 55B21	SUTHARD,M	DEAVERVIEW RABBIT RANCH	502 DEAVERVIEW RD	ASHEVILLE 28806
* 55A62	TURNER, F	TURNER'S TOYS	14 CHIMNEY ROCK ROAD	RUTHERFORDTON 28139
* 55A67	VAN VALEN, E & G	JANDELO KENNELS	PO BOX 32	FAIRVIEW 28730
* 55B54	WINCHESTER, D & R	PINEVIEW KENNELS	RT 2 BOX 120	ELLENBORO 28040
* 55B37	WISE, A	TARHEEL CATTERY	RT #1 BOX 60E	RENSON 27504
* 55B45	WOOD, MR	BUSH HILL RABBITRY	306 ENGLEWOOD DR	ARCHDALE 27263

NORTH DAKOTA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 45A25	BRYANT, F		BOX 237	ST JOHN 58369
* 45A27	DESLAURIERS, A & D	NORTHLANDER RANCH KENNELS	RT 1	SURREY 58785
* 45A26	FOSS, C		RR 1 BOX 38A	ROLETTE 58366
* 45A24	GUST, R	SIRIUS KENNELS	RT 1 BOX 22	KRAMER 58748
* 45A5	JOHNSON, T & J	DAKOTA KENNELS	BOX 151	ROLETTE 58366
* 45A23	LAFAVE, J & L	RIVERVIEW KENNELS	CENTER RT	MANDAN 58554
* 45A15	LANDSEM, LO&MA		RR 1	EDMORE 58330
* 45A22	LOTHSPEICH, P & J	BADLANDS FUR FARM	RT 2	BELFIELD 58622
* 45A3	MICHAUX, A		BOX 44	BOTTINEAU 58318
* 45A16	SERR, T&S	PRARIE VIEW KENNELS		HAZELTON 58544
* 45A8	WYCKOFF, G	C-BAR-H CATTERY	RT 1 BOX 210A	BOTTINEAU 58318

OHIO

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 31R215	ANDERMATT, RL	FINS FUR AND FEATHERS	118 N FAYETTE ST	WASHINGTON CH 43160
* 31R1	ANTHONY P & BALL A	KISER LAKE KENNELS	BOX 541	ST. PARIS 43072
* 31A83	BAILEY, ZE		2106 US 68 SOUTH	XENIA 45385
* 31A3R	BAKER, F		R 1	LEESBURG 45135
* 31R3	BLUE, C	BLUES ANIMAL FARM	16241 ROBINSON RD	PLAIN CITY 43064
* 31A375	BOWERS, D	PURPLE CASTLE CAVIES	6122 NEW CARLISLE PIKE	SPRINGFIELD 45504
* 31A30	BOWMAN, WH		STAR ROUTE BOX 44	MILLERSBURG 44654
* 31R271	BROWN, DA	PETLAND OF PORTSMOUTH	836 GALLIA ST	PORTSMOUTH 45662
* 31A277	BROXTERMAN, JA		4214 ZAGAR DR	CINCINNATI 45245
* 31A283	BUEHRER, P	SWANCREEK RABBITRY	RT 2	DELTA 43515
* 31R260	BURRIER, DRL	LINDAUE KENNEL	R 1	NEW COMERSTOWN 43832
* 31A273	CAMPBELL, L & S	TINKER'S RABBITRY	8775 US 22 NE	NEW HOLLAND 43145
* 31R355	CARPENTER, K & D	PETLAND MONTGOMERY	8102 MARKET PLACE LN	CINCINNATI 45242
* 31R98	CARR, GC		4257 RUTHERFORD RD	POWELL 43065
* 31R329	CLAYTON, L	VARIETY PET	2137 BROADVIEW RD	CLEVELAND 44102
* 31A373	CLOSE, D	H. HILL SCH. FOR C.DOG	541 ROAD 1041	NOVA 44859
* 31R346	COLLIER, JF & BR	COLLIER'S RABBITRY	PO BOX 30	CASSTOWN 45312
* 31R377	COOK, L		424 N FOURTH	TIPP CITY 45371
* 31A299	COX, FB		8315 S.R. 28 RT 1	LEESBURG 45135
* 31A230	DAULTON, JF		8591 SR 61	GALION 44833
* 31R268	DAUM, WG	PUPPY WAGGIN EXPRESS	1346 MAPLEVIEW DR	ZANESVILLE 43701
* 31R326	DIPANE, P	FINS, FEATHERS & FURRY THINGS	3065 GRAHAM RD,	STOW 44224
* 31R252	DRIFTWOOD PET SHOP, INC	DRIFTWOOD PET SHOP	3864 N. DIXIE DR.	DAYTON 45414
* 31R96	DRUM, DL		R 2	CORTLAND 44410
* 31R186	DURIGG, W		83 SPRAGUE RD	BEREA 44017
* 31A348	FACOTT, JR, RJ		5957 CENTER ROAD REAR	VALLEY CITY 44280
* 31R242	FCHELBARGER, S	LITTLE ACRES KENNEL	1-18502-USA-20	WAUSEON 43567
* 31R383	FLEMING, RJ	MOJEANS NATURE WORLD	3985 RACE RD	CINCINNATI 45211
* 31R170	FORTUNATO, DD		4015 MASSILLON RD	UNIONTOWN 44685
* 31R382	FOX, KW		30680 ILESBORO RD	LOGAN 43138
* 31R358	FREY SCIENTIFIC CO INC		905 HICKORY LANE	MANSFIELD 44905
* 31A303	FULLER, F&V	FULLERS KENNELS	105 ROBINSON ST	TIRO 44887
* 31A213	GARRETT, WR		8090 KILBY RD	HARRISON 45030
* 31A140	GENTER, OV		2-3902-19	ARCHBOLD 43502
* 31R94	GIBCO/INVENEX DIV, OF DEXTER CORP			CHAGRIN FALLS 44022
* 31A369	GILTZ, LA	WINDWARD WAY FARM	5747 CANTERBURY DR	AKRON 44319
* 31A149	GOTTLIEB, H		264 BRANDTSON AVE	ELYRIA 44035
* 31R264	GREEN, HW		1859 E HIGH AV	NEW PHILADELPHIA 44663
* 31R233	GREGORY, SC	CRITTERS	2605 VINE ST	CINCINNATI 45219
* 31A342	GROSS, AJ & V	GROSS'S RABBITRY	7041 TUCK'S LN	HILLSBORO 45133
* 31A46	GRUBAUGH, R&I		10750 W VERSAILLES RD	COVINGTON 45318
* 31A323	GUTMAN, MRF	H. & E. RABBITRY	16146 ROCK CREEK RD	THOMPSON 44086
* 31A339	HARYAN, PJ	BROOKLINE KENNELS	752 MORNING RD	ATWATER 44201
* 31A390	HAMILTON, K	CUTE AND CUDDLEY KENNEL	RT 2	FREEPORT 43973
* 31A345	HARMON, D		608 WOOSTER RD	MT. VERNON 43050
* 31R32	HEIGHTS PET WORLD INC,		4016 MAYFIELD RD	SOUTH EUCLID 44121
* 31R100	HERRICK, T & D	BEAUMANOR FARMS	9578 MULBERRY RD	CHESTERLAND 44026
* 31A150	HONOSHOFSKY, G		940 W. CAPEL RD.	GRAFTON 44044
* 31R181	HONOSHOFSKY, MJ		8904 W RIDGE RD	ELYRIA 44035
* 31R166	HONOSHOFSKY, MW & DE	MI-DEE ACRES	40330 WEBSTER RD	LAGRANGE 44050
* 31R371	HORNG, M	AMERICAN ASIAN IMPT-EXPT CO	1317 EASTWOOD AVE	MAYFIELD HTS 44124
* 31A302	HOWARD JR, H & A	TRIPLE H RABBIT RANCH	RT 1 8152 BALE RD SW	GRANVILLE 43023
* 31R366	KATAKOS, H		3432-3434 MEMPHIS AVE	CLEVELAND 44109
* 31A347	KEMPF, E	KEMPF KENNELS	RR 1	NEY 43549
* 31A24	KING, R&C	KING'S WHEEL RABBITRY	8085 CAMP RD RT 5	MT VERNON 43050
* 31R368	KNAUBER, MT	TROPICAL AQUARIUM & PET CT	3615 PUHLMAN AVE	CHEVIOT 45211
* 31R364	KRAHL, HL		2555 WADSWORTH RD	NORTON 44203
* 31A330	LAKE, A		4024 COLBY AVENUE	COLUMBUS 43227
* 31A35	LANIER, GL & SI		RT 2 BOX 500 DEBRY DR	GALLIPOLIS 45631
* 31R308	LOUDERBACK, RW		645 BIRCH RD	XENIA 45385
* 31R154	LOVELAND PET PRODUCTS INC		MONTGOMERY RD	LOVELAND 45140
* 31R309	MAGBEE, GM	PET LAND	3589 VILLAGE DR,	FRANKLIN 45005
* 31A356	MAPLE, L & M		2282 CARDSTON DR	COLUMBUS 43227
* 31R328	MILLIKEN, G & N	POCKET'S PET SHOP	1420 S. OHIO AVE.	HELLSTON 45692
* 31A100	MODEN, R&M		RR 1 BOX 167	WAUSEON 43567
* 31A341	MORGAN, JL & NJ		10374 LOND RD	STRANDER 43061
* 31R335	NUGENT, J	MILFORD AQUARIUM	927C STATE RT. 28	MILFORD 45150
* 31R18	PETLAND INC		195 N. HICKORY ST,	CHILLICOTHE 45601
* 31R340	PHILLIPS, W & S		4131 OLD SPRINGFIELD RD	LONDON 43140
* 31A315	PLUMMER, HF	PLUMMERS RABBIT RANCH	RT 4 BOX 648	PEEBLES 45660
* 31A259	POHLMAN, JM		9530 STITT RD	WHITEHOUSE 43571
* 31R67	RAVENNA AQUATICS INC		135 E MAIN ST	RAVENNA 44266
* 31R325	REBER, MK	PET EMPORIUM	4932 BRINTHAVEN	SYLVANIA 43560
* 31A378	REFNER, RD	TURTLE CREEK FARMS	4507 N REIMAR RD	MILLBURY 43447
* 31A320	REISDORFF, B&R		2370 CENTER RD RT 83	AVON 44011
* 31A379	RICHARDSON, G & A	RICHARDSON'S CAVY CASA	6866 PINEDALE ST	HARTVILLE 44632
* 31A151	RODY, R		BOX 262	SPENCER 44275
* 31A263	ROLING, R & M	THE RABBIT FACTORY	5147 SPENCER RD	SPENCER 44275

OHIO

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 31A266	RUTHERFORD, LC	RUTHERFORD'S RABBITRY	816 OHIO AV	ELMORE 43416
* 31A228	SAINT LUKE'S HOSPITAL		11311 SHAKER BLVD	CLEVELAND 44104
* 31A319	SANDER'S TROPICS INC		14012 W.S. BOUNDARY ST	PERRYSBURG 43551
* 31A376	SCHLABACH, D		1787 MORMAN RD	HAMILTON 45013
* 31A381	SCHROEDER, T & J		RR4 RD X	LEIPSIC 45856
* 31A251	SCHULTZ, AJ		2974 KENNEDY RD	MEDINA 44256
* 31A102	SEES, RL	TANKS-A-LOT PET STORE	1479 ASTER AVE.	AKRON 44301
* 31A334	SHEETS, D	DON SHEETS RABBITRY	C/O W NEFF BOX 412 RT 5	CHILLICOTHE 45601
* 31A112	SKOMRA, RA		30019 MILDRED ST	WILLOWICK 44094
* 31A343	SMERY, P & R	CRAWLYKINS KENNELS	36801 RIVIERA RIDGE RD	WILLOUGHBY 44094
* 31A281	SOMMER, DL	PETLAND PROMENADE STORE	1186 W KEMPER RD	CINCINNATI 45240
* 31A290	SPOTTED TURTLE, INC.	PETLAND OF CLEVELAND	5402 MAYFIELD RD	LYNDHURST 44124
* 31A269	STADTLANDER,GJ		2951 FROST RD	MANTUA 44255
* 31A4	STERRETT, AM	LABORATORY ANIMALS	2224 SAVOY AVE	AKRON 44305
* 31A220	STINEHELFER, M	MIKE'S RABBITRY MIKE'S PET SHOP	426 UNION AVE	BUCYRUS 44820
* 31A120	STUTZMAN, LE		BOX 41	MT HOPE 44660
* 31A384	SUNGO, J & SIMMONS, D		31 SOUTH PAINT ST	CHILLICOTHE 45601
* 31A287	TROUT, S	TROUT'S PETS	5119 RANSON RD	SANDUSKY 44870
* 31A385	TURPIN, MR & MR E		RR 2 BOX 243	NEW PARIS 45347
* 31A291	VILLALOVOS, .I		1-5790-16	WAUSEON 43567
* 31A388	WALLS, V		6085 RADFORD RD	ATHENS 45701
* 31A372	WEHRMAN, J	PETLAND	1532 BURNEY #2	CINCINNATI 45230
* 31A370	WENGERD, EJ	MAR & KAY KENNELS	BOX 5	MT HOPE 44660
* 31A52	WENTE, J	BERT'S PET CT.	3232 GALLIA ST	NEW BOSTON 45662
* 31A348	WICKHAM, M & D	PETS UNLIMITED	212 CENTER ST	ASHLAND 44805
* 31A180	WILLOUGHBY, R & J	WILLOUGHBY RABBITRY	3604 ST RTE 72	SABINA 45169
* 31A347	WILSON, CJ	CHRIS'S RABBITRY	7521 STAFFORD RD.SW	GREENFIELD 45123
* 31A365	WILSON, SR.,, R	SERVICE OF OHIO	12781 BROSIUS RD	GARRETTSVILLE 44231
* 31A255	WITCHEY, SR.,JE	ROLLING VALLEY ANIMAL FARM	6670 NEWTON FALLS RD	RAVENNA 44266
* 31A351	WOLFREY, JR., AD & JL	OHIO'S FERRET FACTORY	6483 OLD 3C RD	WESTERVILLE 43081
* 31A374	WRIGHT, R & R	RED'S PETS & SUPPLY HOUSE	37 NORTH ERIE	MASSILLON 44646
* 31A262	YOCUM, CR	YOCUM RABBITRY	1487 WOODVILLE PK	LOVELAND 45140
* 31A236	ZIMMERLY, L		2527 E. MESSNER RD	WOOSTER 44691

OKLAHOMA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 73AS	ARLES, G & J	JODY'S POODLE PARLOR	BOX 504	LINDSAY 73052
* 73AA317	ANDERSON, DJ		RT 2 BOX 94	HULBERT 74441
* 73AA281	BACK, J & K	K'S KENNEL	RR 1	ADAIR 74330
* 73AA29A	BACK, V & P		RT 1	ADAIR 74330
* 73AA270	BAILEY, T & J	HIDDEN VALLEY KENNELS	RT 2 BOX 108F	HULBERT 74441
* 73AA274	BAKER, H & T		RT 3	EUFAULA 74432
* 73AA121	BALL, H & C	POR BOIZ KENNEL	6130 N UNION	PONCA CITY 74601
* 73AJ	BARBEE, R	BARBEE'S KENNEL	RT 2 BOX 109	SILOAM SPRINGS 72761
* 73AR	BARNETT, CF	PINETREE KENNELS	RT 5 PLEASANT VIEW	PONCA CITY 74601
* 73AA214	BELLOWS, JL		RR L BOX 104	FARGO 73840
* 73AA272	BENSON, EC	BAREFOOT ACRES KENNELS	RT 2 BOX 445	BRISTOW 74010
* 73AA207	BENSON, J		RT 1	RALSTON 74650
* 73AA20	BERNET, D		515 N SEMINOLE	CLAREMORE 74104
* 73AA20A	BLACK, TF		BOX 427	LAVERNE 73848
* 73AA284	BRADFORD, L.		RT. 4 BOX 159	TAHLEQUAH 74464
* 73AA295	BRADY, S	BRADY KENNELS	STAR ROUTE	EVANSVILLE 72729
* 73AA162	BRANTLEY, J		RT 2 BOX 471	SALINA 74365
* 73AA196	BROWN, AM			SARDIS 74564
* 73AA165	BROWN, J		RT 1, BOX 117	TAHLEQUAH 74464
* 73AA183	BRUTON, R		RT 1 LOT 30	KELLYVILLE 74039
* 73AA126	BUCHANAN, J	J & J KENNELS	316 N MAIN	MEDFORD 73759
* 73AA179	BULLOCK, N	BULLOCK'S HILLTOP KENNEL	RT 2 BOX 549	BRISTOW 74010
* 73AA185	BURGESS, W	WAYNE BURGESS KENNEL	RT 1 BOX 134	BOKCHITO 74726
* 73AA117	BURRIS, ON		RT 1 BOX 317	CLAREMORE 74017
* 73AA240	BUTLER, G		RT 1 BOX 248	QUAPAW 74363
* 73AA288	CALDWELL, E & L	ROUND MOUNTAIN KENNEL	RT 2 BOX 1041	SANDSPRINGS 74063
* 73AA301	CALDWELL, HE & SA		RR 2 BOX 1040	SAND SPRINGS 74063
* 73AA185	CALLICOAT, K		RT 5	ATOKA 74525
* 73AP	CALLISON, M	LITTER LANE KENNELS	RT 1	FREEDOM 73842
* 73AA219	CALLISON, P		RT 2 BOX 120	PRYOR 74361
* 73AA264	CAMPBELL, J.O. JR.	CAMPBELL'S KENNELS	RT 2 BOX 52	SPIRO 74959
* 73AA01	CARTER, MJ		RT 7 BOX 346	CLAREMORE 74017
* 73AS	CASTINE, D & J	D-J KENNELS	RT 1 BOX 3588	PERKINS 74059
* 73AA159	CHAPMAN, EK		RT 2 BOX 88	PONCA CITY 74601
* 73AA101	COLLINS, CE	RED HILL KENNEL	PO BOX 551	ELK CITY 73644
* 73AA212	CONNER, J & B	REFLINE KENNELS	RT 1 BOX 140	OKMULGEE 74447
* 73AA226	COULTER, F & M	COULTER'S KENNEL	RT 1 BOX 700	OOLAGAH 74053
* 73AA224	COX, V	K-9 KENNEL	RT. 2 BOX 257	HEFKER 74855
* 73AA86	CROWF, R		R4 BOX 109	OKMULGEE 74447
* 73AA173	CURL, C&R	3-C KENNELS	R 1 BOX 220	VINITA 74301
* 73AA180	DALLAS, D&C		330 H N.E.	MIAMI 74354
* 73AA20A	DAVIS, S		RT 1 BOX 21	BEAVER 73932
* 73AA113	DAVIS,MRS. M L		2112 W MAPLE	COLLINSVILLE 74021
* 73AA240	DEBUSE, W & S	MARSHIRE KENNELS	RT. 1 BOX 273	TISHOMINGO 73460
* 73AY	DECHANT, A	DECHANT'S LUV-A PET	RT. 2	GROVE 74344
* 73AA304	DECKS, J		STAR ROUTE 1 BOX 4	EUCHA 74342
* 73AA74	DEFOOR, NP & GN		RT 4	ATOKA 74525
* 73AA11A	DESAUTELL, MR	LADY'S CIRCLE D	STAR RT 2	PRYOR 74361
* 73AA319	DEXTER, MJ & MOUNTREE, H		320 IVANHOE	PERRY 73077
* 73AA311	DIXON, C		RT 1 BOX 239	MIAMI 74354
* 73AA157	DOC'S DOGS		430 S MORROW	DRUMRIGHT 74030
* 73AA190	DRY, MRS C	DRY'S POODLE SHOP	221 LAKE MURRAY DRIVE	ARDMORE 73401
* 73AA221	DRYDEN R & RYAN R	SKYLINE ACRES KENNELS	RT 5 BOX 803	GUTHRIE 73044
* 73AA193	DUBOIS, H		BOX 5	SALINA 74365
* 73AA160	DUBOIS, R		STAR RT 2	SPAVINAW 74366
* 73AA148	DUGAN, N & R		RT 2 BOX 208	PONCA CITY 74601
* 73AA36	ELSBERRY, T	STONY ACRES KENNELS	RT 2 BOX 1534	CHOUTEAU 74337
* 73AA245	ENGLISH, F		RT. 1	STILWELL 74960
* 73AA280	ERWIN, LH	STILLWATER ANIMAL CLINIC	PO BOX 1126	STILLWATER 74074
* 73AA57	FORES, AA	FORES KENNELS	RT 1 BOX 255	BRISTOW 74010
* 73AA285	FREEMAN, R.		P.O. BOX 247	EUFAULA 74432
* 73AA292	FURTON, S & M		300 DUFFEE	EUFAULA 74432
* 73AA232	FUSTON, C	CHARLES FUSTON KENNEL	RT. 1 BOX 89A	ANTLERS 74523
* 73AA02	GAHAGAN, KC		RT 3 BOX 53R	DUNCAN 73533
* 73AA132	GILES, FE		RT. 3 BOX 55	CUSHING 74023
* 73AA290	GORDON, H & T		710 E TAHLEQUAH	VINITA 74301
* 73AA265	GRAY, M		RT 1	MCALESTER 74501
* 73AA64	GRAYBILL, FJ		RT 1 BOX 21	CAMERON 74932
* 73AA115	GRIFFITH, JM	CIRCLE G KENNELS	RT 2 BOX 66	PRYOR 74361
* 73AA03	GRIGSBY, MI	MARYS KENNELS	512 A ST SW	MIAMI 74354
* 73AA195	GUTHRIE, K	GUTHRIE'S KENNELS	P.O. BOX 445	PRYOR 74361
* 73AA210	HALL, DL & MF	TRA MAR	RT 3 BOX 369	COLLINSVILLE 74021
* 73AA263	HANSCHE, RR	HANSCHE KENNELS	RR1 BOX 219AA	RAMONA 74061
* 73AT	HARDING, J		RT 3 BOX 237N	SEMINOLE 74868
* 73AA309	HARDY, J & M	SANDYHILL KENNELS	RR 3 BOX 131	WOODWARD 73801
* 73AA197	HARPER, S		RT 1	INDIANOLA 74442
* 73AA142	HARRIS, G		RT 1 BOX 591	COOKSON 74427
* 73AA41	HARRIS, L		911 S DEWEY	WAGONER 74467
* 73AA237	HAWTHORNE, E & M	HAWTHORNE'S CASTLE FARM KENNELS	RT 1 BOX 117	RED OAK 74563
* 73AA182	HEREFORD M & HEATHERLY F		RT 2	NOWATA 74048
* 73RX	HESS, S	HESS NOR-SAN KENNELS	RT 1 BOX 1289	OWASSO 74055
* 73AA231	HILL, J & D		RT. 3 BOX 109A	GUTHRIE 73044
* 73AR	HOLMAN, R	ROCKY-COR KENNELS	RT 1	ROCKY 73661
* 73AA22A	HOPKINS, CW		RT 1 BOX 704	COPAN 74022
* 73AU	HORROX, FC	COVENTRY FORGE KENNELS	RD 2	INOLA 74036
* 73AA78	HORTON, M		R1 BOX 64	BOKCHITO 74726
* 73AA102	HOWELL, L		RT. 2	CORDELL 73632

OKLAHOMA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 73AA225	HOWELL, TL		917 MAPLE	ALVA 73717
* 73AA131	HUNT, L		R 1 BOX 176	NEWFY 74029
* 73AA277	INGE, CF	SUNSET HILL KENNEL	R 1 BOX 103	SPIRO 74959
* 73AA172	IRWIN, LR		1120 W. WOOD	SHAWNEE 74801
* 73AA238	JAMES, J		RT. 1 BOX 118	WELCH 74369
* 73AA234	JENSON, NRC		356 E. ZULKEY	SALLISAW 74955
* 73AA305	JOHNSON, G		BOX 623	WESTVILLE 74965
* 73AA283	JOHNSON, L.	WAG-UN TAILS KENNEL	508 SO. MISSOURI	WAYNOKA 73860
* 73AA72	JOHNSON, O		RT 2 BOX 94	OKMULGEE 74447
* 73AA171	JONES, FJ	TRIPLE J KENNEL	BOX 194	EVANSVILLE 72729
* 73AA167	JONES, RL	COTTONWOOD KENNEL	423 N BROAD	GUTHRIE 73044
* 73RT	JSR INC	ANIMAL HOUST LTD	7124 SO MEMORIAL	
* 73AA204	KASPAREK, GM	KASPAREK'S KENNELS	RR 1	BURLINGTON 73722
* 73RF	KEESEE, J	K' KENNEL	809 E IRIS	HOBART 73651
* 73AA47	KIDDY, LA		2116 SALLIE	MUSKOGEE 74401
* 73RN	KISSELBURG, R & F	KISSELBURGS KENNELS	STAR RT BOX 180	VIAN 74962
* 73AA261	KNOTT, J & G	LAZY K KENNEL	ROUTE 2, BOX 342	LOCUST GROVE 74352
* 73AA303	KOON, K R D		708 E. TAHLEQUAH	VINITA 74301
* 73AA293	KORTHALS, L		RT 2 BOX 240	CHOUTEAU 74337
* 73AA111	KRUG		BOX 592	HOOKER 73945
* 73AA315	LANGSTON, RJ	RARE'S KENNEL	RT 2 BOX 457	SALINA 74365
* 73AP	LANGSTON, S	LANGSTON'S PUPPY RANCH	STAR RT E PO BOX 339	LOCUST GROVE 74352
* 73AA76	LAWSON, DE	SONNY'S DODLES OF POODLES	214 WEST STONEWALL	MCALESTER 74501
* 73RC	LAYTON, M	KI MAR LAY		TALIHINA 74571
* 73AA299	LEA, L		BOX 145	WATTS 74964
* 73AA268	LEE, LM		RT 3 BOX 117	OKMULGEE 74447
* 73RI	LINK, H W	AQUARIUM INTERIORS	5619 N WESTERN	OKLAHOMA CITY 73118
* 73AA220	LITTLEPAGE, R&K	LITTLEPAGE KENNEL	RR 1 BOX 18	SOUTH COFFEYVILLE 74072
* 73AA282	LOCKRIDGE, JRS		7306 S. 33 W. AVE	TULSA 74132
* 73RD	LYND, IR	LYND ENTERPRISES	STAR ROUTE A BOX 55C	SKIATOOK 74070
* 73AA27R	MANN, J & D		RT 1	BLUEJACKET 74333
* 73AA73	MCANULTY, CJ		BOX 267	LEHIGH 74556
* 73AA302	MCCLENDON, T		RT 2 BOX 93R	CLAREMORE 74017
* 73AA129	MCCOY, AL	ANNIE DOG PATCH	RT 1 BOX 179A	DRUMRIGHT 74030
* 73AA312	MCGUIRE, W & T		RT 3 BOX 467A	BRISTOW 74010
* 73AA56	MCLENDON, LA	MCLENDON'S KENNELS	RT 1 BOX 254	BRISTOW 74010
* 73AA177	MERIT, G		RR 4 BOX 114	MIAMI 74354
* 73RO	MERRITT, N		403 WEST BRULE	BUFFALO 73834
* 73AA276	METHVEN, JP & BS		RT 2 BOX 1042	SANDSPRINGS 74063
* 73AA242	MILLER, D		1207 WEST KIAMICHI	HUGO 74743
* 73RW	MILLS, K & S	KEWAYLYN KENNELS & KINDLING	RT 1 BOX 118	ADAIR 74330
* 73AA21R	MOODY, D	MOODY'S BERRYHILL KENNEL	RT 1	DRUMRIGHT 74030
* 73AA07	MOORE, DJ	KE-BON KENNELS	P.O. BOX 517	HENRYETTA 74437
* 73AA241	MOORE, WD & P		1005 N. OKLAHOMA	GUYMON 73942
* 73AA297	MOSS, D		RT 1 BOX 85	SPIRO 74959
* 73AA08	NEIL, M		BOX 253	WELCH 74369
* 73AA174	NEILL, LRA	CLEAR CREEK KENNELS	RT 1 BOX 14A	WELCH 74369
* 73AA75	NORTON, IRH	NORTON KENNELS	ROUTE 1	LANE 74555
* 73AA250	NULL, GV		PO BOX 368	OILTON 74052
* 73AA286	OVERALL, G & H		137 RANCH DR RR 4	PONCA CITY 74601
* 73AA205	PARISH, TC		BOX 116	TISHOMINGO 73460
* 73AA123	PARKER, DS & DG	DOUBLE D KENNELS	300 N KANSAS AVE	CHEROKEE 73728
* 73AA251	PARKER, R		RT 2	ATOKA 74525
* 73AA239	PENNER, A		110 SHARON DR.	TECUMSEH 74873
* 73AA135	PETERSON, DW		2923 NW 32ND	OKLA CITY 73112
* 73RB	PIERCE, CRL	CARLOU KENNELS	RT 3 BOX 334	COLLINSVILLE 74021
* 73AA270	PIERCE, R & J	ROJAN RABBITRY	RT 2 BOX 41 1/2	ADAIR 74330
* 73AA25R	PLAIN, V	RED CARPET KENNEL	RR F	BEAVER 73932
* 73AA147	READY, F		HOTEL FRANKLIN BOX 220	MANGUM 73554
* 73AQ	REESE, MA	REESE'S KENNEL	RT 1 BOX 30	WATTS 74964
* 73RU	REYNOLDS, M	WILLOW & POOL KENNEL	GENERAL DELIVERY	HUGO 74743
* 73RG	RICHARDS, P		RT. 1 BOX 110	HUGO 74743
* 73AA200	RICHMOND, W&A		1520 NORTH 68TH EAST AVE	TULSA 74115
* 73AA150	RILEY, JW	MOMMA KAT CHOW KENNELS	RR1 BOX 125	WAKITA 73771
* 73RM	ROACH, D & EGGER, J	CRITTERS	RT 3 BOX 324	STILLWATER 74074
* 73AA247	ROBERTS, MRS. R. E.		RT. 1	SHIDLER 74652
* 73AA211	ROBERTS, SRS	PEK-A-ROO KENNELS	RT 2 BOX 7	EUFAULA 74432
* 73AA34	SARTIN, RD	TSARIN KENNEL	RT 1 BOX 73	SEDAN 67361

OKLAHOMA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 73AA296	SCHAEFER, J		RT 1 BOX 71	WELCH 74369
* 73AA194	SCHMIDT, F, P & S		RT 2 BOX 178	LOCUST GROVE 74352
* 73AA269	SCHROEDER, P		RT 1 BOX 256	PERKINS 74059
* 73AA271	SCHWEITZER, E		RR 5	VINITA 74301
* 73AA12	SCISM, M		RT 2 BOX 100A	OKMULGEE 74447
* 73AA266	SHEPHERD, R		RT 2 BOX 70	GAGE 73843
* 73AA201	SIMPSON, M		STAR ROUTE SOUTH BOX 114 D	LOCUST GROVE 74352
* 73AA35	SLAPE, P		RT 1 BOX 8	BRAGGS 74423
* 73RQ	SMITH, L	SMITH'S KENNEL	R #1	WESTVILLE 74965
* 73AA304	SPEARS, K & R		RT 3 BOX 178	TAHLEQUAH 74474
* 73AA15	SPRINKLES, L		RT 2 BOX 376	RIXBY 74008
* 73AA314	STAMBAUGH, M		RT 3 BOX 165	WOODWARD 73801
* 73AA287	STAMPS, W R M	STAMPS DACHSHUND KENNEL	RT #1 BOX 88A	PRYOR 74361
* 73AA300	STILES, I & J	PRAIRIE BELL KENNELS	RT 1 BOX 109-C	SPIRO 74959
* 73AA122	STUEMKY, RS		420 WEST 5TH	NEWKIRK 74647
* 73AA275	THOMAS, CJ		2802 E 61 ST N	TULSA 74130
* 73AA148	THOMAS, WM	CALAMITY KENNELS	BOX 610	HOOKER 73945
* 73AA254	THOMAS, S		BOX 53	WELCH 74369
* 73AA170	THOMASON, ARV	GREEN COUNTRY KENNELS	RT 1 BOX 206	SALLISAW 74955
* 73RL	THOMASON, LW & D	OAK RIDGE KENNELS	RT 1 BOX 208	SALLISAW 74955
* 73AA257	THOMPSON, HA		RT 3 BOX 570	BROKEN ARROW 74012
* 73AZ	THOMSEN, L	CINDER GLO SHELTIES	RT 2 BOX 121	STILWELL 74960
* 73AA314	TIPPIE, S		1596 S 67 EAST AVE	TULSA 74112
* 73RE	TUCKER, MRS. L	TIBAITS OF THE TIBET KENNEL	RT 2 BOX 71	ELKHART 67950
* 73AA310	VANDERPOOL, A & M	AL'S RABBIT HUT	3031 SW 14TH	OKLAHOMA CITY 73108
* 73AA90	VIAN, FJ			MUSF 74949
* 73RY	WALKER, F L		ROUTE 3, BOX 74	TECUMSEH 74873
* 73AA209	WALKER, ED		304 S.E. 2ND	MARIETTA 73448
* 73AA307	WEATHERSPOON, A		BOX 397	COPAN 74022
* 73AA291	WEAVER, M		RT 2 BOX 110	PRYOR 74361
* 73AA89	WEBSTER, EM		BOX 564	BARNSDALL 74002
* 73AA16	WEEKS, FF		RT 1	WESTVILLE 74965
* 73AA180	WEINS-MAIN, B		327 EAST 9	CHELSEA 74016
* 73AA202	WHEELER, J&L		RT 2	EUFAULA 74432
* 73AA187	WICKHAM, W		RR 1 BOX 138	KANSAS 74347
* 73AA222	WILLIAMS, C	CLARA'S KENNELS	RR 1	FREEDOM 73842
* 73AA308	WILLYARD, R & V	POOR BOY KENNEL	RT 2 BOX 111H	PRYOR 74361
* 73AA249	WILMOTH, L & GELVIN, K		RT 1 BOX 397	FAIRLAND 74343
* 73AA294	WISHARD, M		1100 INDUSTRIAL	SAND SPRINGS 74063
* 73AA313	WRIGHT, H & D		BOX 215	WYNONA 74084

OREGON

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 92AAR	ADNEY, RR		PO BOX 340	HUBBARD 97032
* 92R2S	ALLEY CAT PET CENTER, INC		13980 S.W. T.V. HWY 3	BEAVERTON 97005
* 92A11Q	ANDERSON, G		89469 FIR BUTTE RD	EUGENE 97402
* 92A2R	APLET, F		39141 GOLDEN VALLEY DR	LEBANON 97355
* 92A71	BARROWCLIFF, ER		RT 1 BOX 527	HUBBARD 97032
* 92A142	BERG, E	BERG'S CATTERY	13733 FOSTER RD	PORTLAND 97236
* 92R31	BOYD, RA & AF	BOYDS PET SHOP	5540 E BURNSIDE ST	PORTLAND 97215
* 92A124	BOYER, RN		6331 VENTURA LANE	CENTRAL POINT 97502
* 92A128	BROWNE, P	BEAU COEUR KENNEL	1695 QUEENS BR. RD.	ROGUE RIVER 97537
* 92A140	BROWNING, J		PO BOX 197	CANYONVILLE 97417
* 92A82	CLARK, ARP	UMPQUA KENNELS	STAR RT BOX 120A	UMPQUA 97486
* 92A5	CONNER, RA	MEE JAE KENNELS	2580 KINCAID RD	WILLIAMS 97544
* 92A22	CONRAD, M	MARCOE KENNEL	3386 BELLINGER LANE	MEDFORD 97501
* 92A26	CRAWFORD, PA		6800 RED PRARIE RD	SHERIDAN 97378
* 92A52	CRIST, LE		2150-16TH ST.	BAKER 97814
* 92A115	CURTIS, JE		3381 SCENIC AVE	CENTRAL POINT 97502
* 92R69	DERRICKSON, WC	DERRICKSON'S FERRETS	351 N 10 BOX 956	PHILOMUTH 97370
* 92A33	DURRELL, RM	CHERRY HILL KENNEL	2160 AIRPORT RD	PHILOMATH 97370
* 92A109	FARRELL, LA	THURSTON KENNELS	8179 THURSTON RD	SPRINGFIELD 97477
* 92A144	FITHIAN, L E	FITHIANS FERRETS	89591 SUTTON LAKE RD.	FLORENCE 97439
* 92R44	FULLERTON, H & D	OLD MAC DONALDS FARM	RT L BOX 298	SHERIDAN 97378
* 92A130	GARRETT, MRS. D.		2116 HERBERT ST.	KLAMATH FALLS 97601
* 92R58	GODFREY, HH	POLLYWOG PETS	85290 HWY 101S	FLORENCE 97439
* 92A102	GREGORY, L&D	BOK KAT KENNELS	3676 CAPE ARAGO HWY.	COOS BAY 97420
* 92A139	GRUVER, F	HARE RAISING EXPERIENCES	1045 HILFIKER LN SE	SALEM 97302
* 92A7	HANSEN, C	HANSENS KENNEL	RT 4 BOX 909	ROSEBURG 97470
* 92A133	HERTEL, V & C	VANHER RABBITRY	RT. 2 BOX 23A-H	FOREST GROVE 97116
* 92R50	HICKEY, JW		RT. 1 BOX 250J	ALBANY 97321
* 92A3R	HOWLETT, GJ	ROXIE-ROGUE KENNEL	3835 CRATER LAKE HWY	MEDFORD 97501
* 92R60	JOHNSON, AL	SCALES & TAILS EXOTIC IMPORTS	9265 SW CARRIAGE WAY	BEAVERTON 97005

OREGON

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 92R72	JOHNSTON, RJ		PO BOX 108	CORNELIUS 97113
* 92R73	JONES, ML & JA	JJ'S AQUARIUM AND PETS	8435 SE FLAVEL	PORTLAND 97266
* 92A141	KEIPER, TF		SRS BOX 158	SOUTH BEACH 97366
* 92A50	KILMER, R&V	DOUBLE V KENNEL	4988 DELANEY RD SE	SALEM 97302
* 92AR4	KIRKPATRICK, MC	LE-PEUPLE'S TOY POODLES	268 CRESTVIEW LOOP	GRANTS PASS 97526
* 92A121	KOLB, CH & M	FIR TREE RABBITRY	25126 SW GAGE RD.	WILSONVILLE 97070
* 92A90	KRAMER, D	PUR-FECT CAT HAVEN	2312 S PACIFIC HWY	TALENT 97540
* 92R66	LACKEY, C	RON DEL KENNELS	5358 SO PACIFIC HWY	MEDFORD 97501
* 92A1R	LAMBERT, M	MARY LAMBERT KENNEL	470 CALIFORNIA AVE	GRANTS PASS 97526
* 92R65	LARSON, JL	JAN'S RABBITS	4976 VALLEY VIEW RD. SE	TURNER 97392
* 92R77	LIVINGSTON, R & V	RUDS BUNNY RANCH	3362 CORDON RD NE	SALEM 97303
* 92A108	LYMAN, P&F		2286 PINEGROVE RD	ROGUE RIVER 97537
* 92A57	MARTIN, FE		920 TOLMAN CREEK RD	ASHLAND 97520
* 92A131	MCDONALD, D	TRIPLE TALISMAN KENNEL	1001 BARLYNN	MEDFORD 97501
* 92A61	MESSINGER, ED	WEEPING BIRCH KENNEL	PO BOX 191	TALENT 97540
* 92A13	MILES, FM	FAZ-ED KENNEL	BOX 701	COOS BAY 97420
* 92R67	MILHOAN, MI	ROGUELAND KENNEL	1272 GIBBON RD	CENTRAL POINT 97502
* 92R2R	MILLER, PA		2525 NW CORNELIUS PASS RD	HILLSBORO 97123
* 92A126	MINEAR, DG	TIBETIAN SHIH TZU KENNEL	1291 FRUITDALE DR	GRANTS PASS 97526
* 92R47	MOL ENTERPRISES, INC		PO BOX 25348	PORTLAND 97225
* 92R53	MONARCH SEED & FEED CO.	BIG Y GARDEN CENTER	5TH & APPLE	MEDFORD 97501
* 92A39	NELSON, DJ	FIREANN KENNEL	TOKETEE RT. BOX 67A	IDLEYLD PARK 97447
* 92R76	PAUL, C & R	NORTHWEST PET SUPPLY	PO 305	BORING 97009
* 92R64	PELTIER, TL	PELTIERS FERRET & EXOTIC AN	BOX 370	LAKESIDE 97449
* 92R13	PINNEY, R	PINNEYS KENNEL	6702 WESTSIDE ROAD	CAVE JUNCTION 97523
* 92R24	RAMSEY, RI	APPLE ACRE RABBITRY	41045 MCKENZIE HWY	SPRINGFIELD 97477
* 92A129	RANDLES, MRS. Z.		118 S. HILLTOP RD.	TALENT 97540
* 92R71	RICHARDS, F & G		8540 HIGHLAND RD	INDEPENDENCE 97351
* 92A93	RINEAR, R&M		11500 REDWOOD HWY.	WILDERVILLE 97543
* 92A122	ROBERTS S & PIAZZA K	HIGH OAKS KENNEL	RT.3 BOX 3967 A	ROSEBURG 97470
* 92A100	RUSSELL, J	HIDE-A-WAY-KENNELS	RT 1 BOX 12	RIDDLE 97469
* 92A134	RUSSELL, W & E	RUSSELL'S KENNELS	576 MAVERICK ST.	CENTRAL POINT 97502
* 92A143	SCHAECHER, C & G	GAY-LEN'S EROTIC FELINE FAR M	10715 SE ORIENT DR	BORING 97009
* 92R27	SCOTTY'S PET FARM		19700 SO. END RD	OREGON CITY 97045
* 92A97	SCROGGINS, S	EVANS VALLEY KENNELS	2042 PLEASANT CR DR	ROGUE RIVER 97537
* 92B11	SHERWOOD, CL	SHERWOOD KENNELS	8421 CAROLINA DRIVE	CENTRAL POINT 97502
* 92A138	SILVA, M R F	SILVA'S HALF PINT RABBITRY	12411 S.E. STEELE ST	PORTLAND 97236
* 92A113	SMART, JRE	SMART'S KENNEL	PO BOX 91	KENO 97627
* 92A106	SMID, M R F		89472 DEMMING RD	ELMIRA 97437
* 92R4R	SMITH, G&L	PET 'N' POND	10405 SW PACIFIC HWY	TIGARD 97223
* 92A62	SMITH, WD JR	SMITH KENNELS	39943 ALMEN DR	LEBANON 97355
* 92R6R	SPIVEY, MA&L	MT RUEREN KENNELS	BOX 112 MT. REUREN RD	GLENDALE 97442
* 92A127	STANIFORTH, S & D	ALPEN HAUS KENNELS	202 E. HILLTOP RD.	TALENT 97540
* 92A96	STEWART, JM	PEKING DRAGON RANCH	5715 AEAGLE RD	CENTRAL POINT 97502
* 92A36	STOUT, FM	SUNDRIFT RANCH	RT 1 BOX 2	ALSEA 97324
* 92A72	SULLIVAN, C&N	SULLIVAN ACRES POODLE KENNELS	7901 WASHBURN WAY	KLAMATH FALLS 97601
* 92A120	THOMAS, PJ	NICKLE MT. KENNEL	PO BOX 422	RIDDLE 97469
* 92AR5	WALKER, NL		RT 5 BOX 410	COOS BAY 97420
* 92A123	WARD, MH		PO BOX 149	GOLD HILL 97525
* 92R7A	WEST COAST PET SUPPLY INC	SAFARI PETS & SUPPLY INC.	1420 LLOYD CT	PORTLAND 97232
* 92R3A	WHITESIDE, J & L	HAMSTER FACTORY	RFD BOX 44R	MOLALLA 97038
* 92R63	WIGLE, W		PO BOX 199	LAKESIDE 97449
* 92A2	WILLIAMS, J	LAUREL ACRES KENNEL	9680 BLACKWELL RD	CENTRAL POINT 97502
* 92A1	WILSON, RD	WILLOGLEN KENNEL	34060 ADLER LANE	CRESWELL 97426

PENNSYLVANIA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 23DY	ACE ANIMALS INC		RD 1 P.O. BOX 122	BOYERTOWN 19512
* 23A87	ALBRIGHT, K	KELLY ALBRIGHT'S RABBITRY	BOX 188 COVE LANE	ROARING SPRING 16673
* 23A37	ALLGYER, S&R		RD 1 BOX 329	GAP 17527
* 23EW	BELL, JR	BELL'S PET SUPPLY	RD 6 BOX 6172	MERCER 16137
* 23AT	BENDER, S&A		STAR ROUTE	SPRINGS 15562
* 23CL	BIO-MEDICAL ASSOCIATES, INC		PO BOX 46	FRIEDENSBURG 17933
* 23GG	BLACK'S LIVESTOCK INC.		BOX 226	SKIPPACK 19474
* 23DL	BRENNEMAN, S		RD 1 BOX 304	SALISBURY 15558
* 23RL	BUCKSHIRE CORPORATION		2025 RIDGE RD	PERKASIE 18944
* 23EA	CANNON, GE	CANNON FARMS	PO BOX 3627	READING 19606
* 23GA	CLARK, JR., R		BOX 284 RD #1	SCOTTDALE 15683
* 23GB	COCALICO WOODCHUCK FARMS		RD #1	REINHOLDS 17569
* 23A54	CUTRELL, D		R 1 BOX 254A	SCOTTDALE 15683
* 23A1	DEPTA, MA		R.D. #1	SCOTTSDALE 15683
* 23FP	DONEY, S&A	STEPHANIE'S RABBITRY	RD 1 BOX 83	SMITHTON 15479
* 23CH	DUTCHLAND LAB ANIMALS, INC		BOX 139-A SWAMPBRIDGE RD	DENVER 17517
* 23A35	FILER, HH		441 E NEW CASTLE ST	ZELIENOPLE 16063
* 23AJ	ESPOSITO, S	QUAKER FARM KENNELS	RD 1 BOX 137A	QUAKERTOWN 18951
* 23A67	FARER, U	FARER'S RABBITRY	RD 3	HONEY BROOK 19344
* 23EX	FEDERATED MEDICAL RESOURCES		RD 2 BOX 74	HONEY BROOK 19344
* 23FJ	FERGUSON, RW	FERGUSON'S RESEARCH SUPPLY	RD 4	DOYLESTOWN 18901
* 23FM	FISHER SCIENTIFIC CO.		711 FORBES AVE	PITTSBURGH 15219
* 23A76	FOEKS, AR & CR	LOWER BURRELL 15068	209 MILLERS LANE	
* 23AAA	FORD & WESSNER, INC.	VINELAND CANINE CENTER	RD2 BOX 74	NEW HOPE 18938
* 23AP	FREE, A		1339 RICHLAND PIKE R#4	QUAKERTOWN 18951
* 23FR	FRYE, H			HOLBROOK 15341
* 23CO	GINGRICH, H	GINGRICH ANIMAL SUPPLY	RD 1 BOX 435	FREDERICKSBURG 17026
* 23FU	GREGORY, R	TIMBERLEA KENNELS	RD 1 BOX 519	YORK 17370
* 23A62	GRUMBEIN, R		10 E PINE ST	EPHRATA 17522
* 23GE	HAIDUK, W & SCHORER, F	EASTON ANIMAL DISTRIBUTOR	54 WEST MAIN ST	MOUNTVILLE 17554
* 23AB	HAYCOCK KENNELS INC		APPLE RD RD #4	QUAKERTOWN 18951
* 23A77	HELF, N		PO BOX 729	QUAKERTOWN 18951
* 23GD	HERMAN, AM	GROFFDALE KENNEL	RD #3 BOX 714	NEW HOLLAND 17557
* 23CJ	HILLTOP LAB ANIMALS INC		RD 1 PO BOX 195	SCOTTDALE 15683
* 23A25	HIX, EK		RD 1 BOX 143A	HAMBURG 19526
* 23AV	HOCKENBERRY, C	PERRY VALLEY KENNEL		PLAIN 17006
* 23AJ	HOFFER, W		RD 2	LIGONIER 15658
* 23GF	HURST, A	HURST'S KENNEL	30318 OLD PHILA PIKE	RONKS 17572
* 23AM	HUTTON, RR		RT 1-	ST THOMAS 17252
* 23A75	KEATON, SA		RD 1 BOX 178	MASONTOWN 15461
* 23A81	KING, WA		RD 1 BOX 343	WORTHINGTON 16262
* 23DA	KINSINGER, DS		RD 1 BOX 48	MEYERSDALE 15552
* 23A3	KINSINGER, HR		ROUTE 1 BOX 226-A	MEYERSDALE 15552
* 23AW	KINSINGER, I & A		R 1 BOX 235	MEYERSDALE 15552
* 23A79	KNEPPER, RS		605 W. LISBORN RD.	MECHANICSBURG 17055
* 23FW	KRESSLY, A & C		BOX 8	LYNNPORT 18061
* 23A82	KUHN, H		BOX 209	STRATTANVILLE 16258
* 23A53	LONG, G & GASTON, E		RT 2 BOX 180A	ZIONSVILLE 18092
* 23BZ	LOWREY,JC	DALMATIAN RESEARCH FOUNDATION	720 WOODBERRY RD	YORK 17403
* 23A90	LUDWICK, M & D	DEE-MAR RABBITRY & WORM FARM	BOX 205 A, RT 1	EAST BERLIN 17316
* 23A69	MADRIGAL, R&D		BOX 110 RD 3	SCHUYLKILL HAVEN 17972
* 23FU	MCCANN, G		RD2	LEESPORT 19533
* 23A34	MCCARTHY, JE & CD	MCCARTHY'S COMMERCIAL RABBITRY	RD 3 BOX 44A	CONNEAUT LAKE 16316
* 23A78	MEADOWCROFT, J		P O BOX 139	CLAYSVILLE 15323
* 2345	MILLER, PG	MILLERS ANIMAL FARM	RD 1 BOX 71	MILL RUN 15464
* 23A49	MISTRETTA, S & E	TWIN MOUNTAIN RABBIT FARM	RR 1 BOX 102A	PALMERTON 18071
* 23A86	MORRIS, T		RD 6 BOX 565	IRWIN 15642
* 23FI	MURPHY, D		RD 1 BOX 248C	VANDERBILT 15486
* 23A5A	NOLT'S PONDS INC		3708-12 QUARRY RD	SILVER SPRING 17575
* 23FY	PEACHEY, EI		RD 2 BOX 291	HUNTINGDON 16652
* 23EG	PENNABECKER, W		538 S 4TH ST	DENVER 17517
* 23DG	PERFECTION BREEDERS, INC		PO BOX 75	DOUGLASSVILLE 19518
* 23FS	PRICE, DF	FISH DIMENSIONS	358C WHITESTOWN RD	BUTLER 16001
* 23CD	RACHELWOOD WILDLIFE RESEARCH PRESERVE		RD 1	NEW FLORENCE 15944
* 234Y	REICHERT, CF		RD 4	BOYERTOWN 19512
* 23DD	RESEARCH ANIMALS INC		P.O. BOX 501	BRADDOCK 15104
* 23A41	RITENOUR, LV		457 REDMORE RD	SO CONNELLSVILLE 15425
* 23CS	ROCKLAND FARMS, INC.		ENGLESVILLE RD	ENGLESVILLE 19525
* 23AB9	ROEDEL, C		BOX 136 STATE RD	COOPERSBURG 18036
* 23CC	ROTZ, RK		RD 2	SHIPPENSBURG 17257
* 23A71	SACKS, L	SACK'S FARM	RD 3	EVANS CITY 16033
* 23FY	SADLER, JR, SG	PUPPY LOVE KENNELS	6034 NASSAU RD	PHILADELPHIA 19151
* 23FS	SCHILL, GV		3923 NEW TEXAS RD	PITTSBURGH 15239
* 23A27	SCHWENK, HJ		307 W RELIANCE RD	SOUDERTON 18964
* 23GC	SHEPPARD, RE	PUPPY PLACE	122 E MAIN ST	LEOLA 17540
* 23A84	SHIRK, R		RD #1 BOX 694	NEW HOLLAND 17557
* 23CU	SHOWVAKER,GRAML	SUNNYVILLE FARM	RD 2 BOX 404	LITTLESTOWN 17340
* 234F	SMITH, GJ & FERGUSON, R	REDMINSTER RABBITRY	PO BOX 18	REDMINSTER 18910

PENNSYLVANIA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 23FN	SMITHKLINE CORP		1500 SPRING GARDEN ST	PHILADELPHIA 19101
* 23FG	STOLTZFUS, SM		RD 1	NARVON 17555
* 23RH	THREE SPRINGS KENNEL CO I NC		RD2	ZELIENOPLE 16063
* 23AR	TODD, H		RD 4 BOX 331	BELLE VERNON 15012
* 23A16	TRINKA, GL	SCIENTIFIC BREEDERS	228 GREEN ST	SELLERSVILLE 18960
* 23DI	UNRUH, RH	SKIPPACK FARMS		SKIPPACK 19474
* 23A29	VON NIEDA, A	VON ECHO CATTERY & KENNELS	937 MADISON AVE	READING 19601
* 23EZ	WALNEY, VW & F	VAL & FRAN'S BUNNY FARM	RD 1 BOX 233A	KENNERDELL 16374
* 23FL	WEAVER, CZ	SCHOENECK LABS.	RD #2	EPHRATA 17522
* 23A6A	WHALEN, T		BOX 415 RD 1	BARNESVILLE 18214
* 23AA	WHITE EAGLE LABS INC.		2015 LOWER STATE RD	DOYLESTOWN 18901
* 23FR	WILBURN, RL		133 MINE ROAD	QUAKERTOWN 18951
* 23AK	WILLIAMS, WH		310 WALLACE RD	WEXFORD 15090
* 23FX	WOLFLAND INTL LTD		STATE ROUTE 434	SHOLOLA 19458
* 23FO	WRIGHT, R&C	WRIGHT'S PLOTT KENNEL	RD 3 BOX 261	DOVER 17315
* 23A4	YODER, J		421 WOODLAWN AVE	MEYERSDALE 15552
* 23A15	YODER, KP		RD 1 BOX 110	MEYERSDALE 15552
* 23A73	YODER, M&C		RD 1 BOX 104	GRANTSVILLE 21536
* 23RI	ZARTMAN, MU	ZARTMANS FARMS	355 TOLL GATE RD.	DOUGLASSVILLE 19518
* 23CE	ZARTMAN, MU	GILBERTSVILLE SALES STABLES		GILBERTSVILLE 19525
* 23A85	ZIMMERMAN, S & S	ZIMMERMAN'S RABBITRY	254 JAMESON PL	READING 10601
* 23A44	ZOOK, A		R 1 BOX 249	MEYERSDALE 15552
* 23AU	ZOOK, F		R 1 BOX 249	MEYERSDALE 15552

RHODE ISLAND

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 1SR9	A & K ENTERPRISES INC.		RFD 1 SKUNK HILL RD	HOPE VALLEY 02832
* 1SR3	BURKE, JL	SHANGRI LA KENNELS	BOX 7103	JOHNSTON 02919
* 1SRR	NIGHTINGALE, JR., WE	PINE ACRES RABBITRY	POLE #31 SHELDON RD	WEST GLOCESTER 02814
* 1SR2	NIGHTINGALE, WE&PE	GLOCESTER RABBITRY	RFD 2 MT. HYGEAI RD.	CHEPACHET 02814
* 1SR6	PETS UNLIMITED, INC		347 HAWKINS AVE	PROVIDENCE 02904
* 1SR5	RUMFORD AQUARIUM, INC		22 FIRST STREET	EAST PROVIDENCE 02914

SOUTH CAROLINA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 56R2	ALEXANDER, MT	ABA PET & SUPPLY DISTRIBUTO R	1208 REYNOLD ST	GREENWOOD 29646
* 56A15	ASHLEY, L		602 GLENWOOD AVE	ANDERSON 29621
* 56R6	CAROLINA TROP FISH & SUPP INC.		R D 2 BOX 613	ORANGEBURG 29115
* 5646	COOK, LJ & M	COOK'S RABBITRY	RT 2 BOX 235	BARNWELL 29812
* 56R9	DANN, AL		1500 OLD TOWNE ROAD	CHARLESTON 29407
* 56R12	DEAN, FW	TRAVELERS REST PET & SUPPLI ES	33 HENDERSON DR	TRAVELERS REST 29690
* 56A11	EAGLESON, EM		E. 730 FLAT ST.	ALLENDALE 29810
* 56R10	GRAHAM, P & F	FRAN GRAHAM FARM	7232 LAKE MARION CIRCLE	COLUMBIA 29204
* 56R16	GREGORY, F		RT 1 BOX 165	ROCK HILL 29730
* 5643	HAYES, NW		ROUTE 1	PELION 29123
* 56A13	MCGEE, G	SUMMITT PET FARM	RT #6	LEESVILLE 29070
* 56R5	MEEKS, DR	M & M ZOO	RT 1 BOX 351	WELLFORD 29385
* 56R18	MEEKS, J	M & M PET FARM & ZOO	RT 1 BOX 351	WELFORD 29385
* 56R20	RIVERS, D	INTER. REPTILE EXCHANGE	PO BOX 67	CHESTERFIELD 29709
* 56R17	SEEGARS, T		RT #1 BOX 63R	FORT LAWN 29714
* 56R15	SOUTHLAND PROCESSING		RT 2 BOX 153A	WARRENVILLE 29851
* 5683	TERRY, A	ALLEN TERRY'S WILDLIFE PETS	P O BOX 2001	SOUTH GREENWOOD 29646
* 5685	THOMPSON, MD		ROUTE TWO BOX 161	GROVER 28073
* 56R19	VERHAEGHE, MR & MRS M		RT 1 BOX 347A	ROEBUCK 29376
* 5647	VINCENT, FM	VINCENT'S RABBITRY	RT 1 BOX 460	BONNEAU 29431
* 56A14	WILSON, JR	LAREE'S STARR KENNEL	RT 2	STARR 29684
* 56A12	ZAWACKI, J & GIBSON, M	RED OAK FARM RABBITRY	RT 2 BOX 322	BARNWELL 29812

SOUTH DAKOTA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 46A60	ASSMUS, JR, R		BOX 44	STICKNEY 57375
* 46A54	BORNS, C		RR 1	DELL RAPIDS 57022
* 46A63	BRANDNER, T		613 E 2ND ST	REDFIELD 54469
* 46A11	CARMODY, S		RR 5	MILLER 57362
* 46A73	CLEMENS, D & B		RR 1	WAGNER 57380
* 46A76	CREAMER, DELOUIS		RR 1 BOX 40	CHAMBERLAIN 57325
* 46A28	DECKERT, PJ			MARION 57043
* 46A52	DITHMER, LM	PASS CREEK KENNELS		WANBLEE 57577
* 46A46	DOERING, R & S	PONDEROSA KENNELS	RR 3	MITCHELL 57301
* 46A79	DUBOIS, D & S	KOUNTRY KENNEL	FT 1 BOX 109	DIMOCK 57331
* 46A35	FISCHER, D	WAPPEN KENNEL		MT VERNON 57363
* 46A61	FROHREICH, W & B	FROHREICH KENNELS	RT. 2 BOX 369	YANKTON 57078
* 46A70	GRUENEWALD, D			NEW HOLLAND 57364
* 46A43	HAMMRICH, C&S	DOGPATCH	PO BOX 611	IPSWICH 57451
* 46A80	HOFFMAN, K C	DOCATA KENNELS		HARRISBURG 57032
* 46A72	HOLLEMAN, L			HARRISON 57344
* 46A78	JOHNSON, J & S	SIOUXLAND SHELTIES	RR 1 BOX 43A	BALTIC 47003
* 46A67	JORGENSON, KL & G	GREENLEAF KENNEL	BOX 86	WAUBAY 57273
* 46A49	KAUL, MR&M	KATHYS KLIP KORRAL	1125 KENNEL DR.	RAPID CITY 57701
* 46A9	KIPPES,K	SODAKI KENNELS	ROUTE 1	MARION 57043
* 46A78	KLEIN, M			STICKNEY 57375
* 46A57	KLEIN, R			STICKNEY 57375
* 46A37	KOENIG, W	LAURA KOENIG PUG KENNEL	RR 2	CARTER 57526
* 46A84	KRANZ, D & S	DAKOTA KENNELS	RT 1 BOX 17C	VOLGA 57071
* 46A50	LAUBACH, DRP	ROYAL LINE KENNELS	RR 3 BOX 83	ABERDEEN 57401
* 46A71	MUNNEKE, F & G			HARRISON 57344
* 46A77	MYER, SHIRLEY		121 N OHLMAN	MITCHELL 57301
* 46A26	NIKOLAS, JL	JEANINE'S GROOMING	3412 W MAIN ST	RAPID CITY 57701
* 46A65	OPITZ, H & S		RT 1	EDEN 57232
* 46A13	OVERWEG, M			NEW HOLLAND 57364
* 46A18	PEKAREK, JM			HIGHMORE 57345
* 46A69	PFEIFLE, D & L		BOX 139 R 1	EUREKA 57437
* 46A53	POWER, R		259 WISCONSIN NW	HURON 57350
* 46A66	PRINS, DK		RR 1	CLEAR LAKE 57226
* 46A64	RISCH, K			BUSHNELL 57011
* 46A42	SCHOENWALD, GM			SALEM 57058
* 46A69	SCHUT, G	HISEGN MEADOWS PUPPY RANCH	RT 1 BOX 240	RAPID CITY 57701
* 46A9	SKLUZAK, D & CHILDREN			KIMBALL 57355
* 46A29	SLOUKA, NJ		BOX 133	DALLAS 57529
* 46A21	SPAANS, D		RR 1	STICKNEY 57375
* 46A59	STELLMACHER, M		RR 2 BOX 69A	REDFIELD 57469
* 46A15	STUNES, I & R		913 N GAMBLE	MITCHEL 57301
* 46A58	SURRELL, A		RT 3, BOX 68	VIBORG 57070
* 46A81	SWENSON, J & V	HERITAGE KENNELS	RT 1	YANKTON 57078
* 46A44	THOMPSON, LG	THOMPSONS KENNELS	RR1	WINFRED 57076
* 46A20	TRAVNICEK, RRB	MEADOW BROOK KENNELS	RT 4 BOX 42	DALLAS 57529
* 46A75	VAN ZEE, M & J		BOX 58	HARRISON 57344
* 46A25	WAGNER, RL	WAGNER'S KENNELS	ROUTE 5	WATERTOWN 57201
* 46A82	WILSON, M & L		RR 1 BOX 16A	COLUMBIA 57433
* 46A38	YORK, P&SCHNEIDER, D	P & D KENNEL	321 6TH AVE SW	WATERTOWN 57201

TENNESSEE

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 63A9	CLEVENGER, LK	TVC PET SUPPLIES	RT 5 HARRIS RD	KNOXVILLE 37914
* 63A10	GRABFEL, T		233 N COLLIERVILLE-AR, R D	COLLIERVILLE 38017
* 63A8	GRAVES, C	CLAY GRAVES RABBITRY	RT. 3 BARKER RD.	CORRYTON 37721
* 63R4	HANCOCK, KG	BIG BELL RANCH-SPRING CREEK RANCH	PO BOX 12222-2555 POPLAR AVE.	MEMPHIS 38112
* 63R8	HARGROVE, WL	U.S. RESEARCH FARM	151 CUNNINGHAM	MILAN 38358
* 63RJ	HILL, K & VENABLE, WE	MISTY HILL KENNEL	4703 PLEASANT RIDGE RD	MILLINGTON 38053
* 63R2	JOHNSON, C		ROUTE 10	SPARTA 38583
* 63R11	LANGLEY, D		RT 5	BROWNSVILLE 38012
* 63R9	LINZEY, PS	ANIMAL SPECIALISTS	PO BOX 7161	NASHVILLE 37211
* 63RH	MCDANIEL, DJ	KEN-DORA KENNELS	RT. 2 BOX 431	BRIGHTON 38011
* 63R8	SHADOW, D		RT 1	WINCHESTER 37398
* 63A1	SHANKLIN, MRS. JH	HILLTOP RABBIT RANCH	MOORESVILLE PIKE RT 6 BO X 688	COLUMBIA 38401
* 63R7	SNYDER, TL	JONES PET SHOP	1812 21ST AVE S	NASHVILLE 37212
* 63R1	SOUTHERN BIOLOGICAL SUPPL Y CO		P O BOX 68	MCKENZIE 38201

TEXAS

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 74AA297	ACORN RESEARCH LAB.		3410 OWEN	AUSTIN 78705
* 74AA402	ALBRIGHT, F	FLAMES PAMPERED PETS	PO BOX 17636	EL PASO 79917
* 74AA62	ANDERSON, JT & C	ANDERSON PET & REPAIR SHOP	300 N AUSTIN ST	SEGUIN 78155
* 74AA224	ANDIS, R&V	HIP-O-RANCH KENNELS	RT 1	CLARENDON 79226
* 74AA211	ANSLEY, MG		RT 1 BOX 86A	BUNA 77612
* 74AA401	ASHCRAFT, J & C	ASHCRAFT'S RABBIT RANCH	RT 1 BOX 82	BUFFALO 75831
* 74AA275	AYCOCK, JH, PJ & LA	AYCOCK'S KENNELS	RT 1 BOX 436	LONGVIEW 75602
* 74AA86	BANDY LABORATORIES INC		2114 S 1ST ST	TEMPLE 76501
* 74AA292	BANKS, J		P.O. BOX 202	EDDY 76524
* 74AA306	BARCROFT, A		RT 1 BOX 80R	TRENTON 75490
* 74AA130	BARGER, ML		RT 1 BOX 171E	DENISON 75020
* 74AU	BAYLOR COLLEGE OF MEDICIN E		1200 MOURSUND AVENUE	HOUSTON 77030
* 74AA170	BAYNE, DW	BIG TREE ACRE ZOO FARM	1711 CONNORVALE RD	HOUSTON 77039
* 74AA120	BELL, JL	HORN-B GAME RANCH	1800 CHRISTINE ST	PAMPA 79065
* 74AA407	BELLOWS, E		PO BOX 332	BOWIE 76230
* 74AA49	BETHYL LABS, INC.		PO BOX 821	MONTGOMERY 77356
* 74AA45	BLOM, A	AL BLOM RABBITRY	7903 STEBBINS DRIVE	SAN ANTONIO 78240
* 74AA35	BOONE, RR	NEPTUNE PET CENTER	2936 PALMER	TEXAS CITY 77590
* 74AA155	BRACEY, RL		R3	MABANK 75147
* 74AA307	BRAMLOW, D		RT 1	ATHENS 75751
* 74AA240	BROWN, T	L&B PET CENTER & SUPPLIES	9917 SUNNYWOOD	HOUSTON 77038
* 74AA283	BRUCE, L & P	VARMITS-N-THINGS	14126 RUPTCLIFF	HOUSTON 77060
* 74AA268	BUSBY, D	HICKORY HILL RABBITRY	RT 11 BOX 160 CC	TYLER 75709
* 74AA301	BUTLER, D	BUTLER SMALL ANIMALS	806 SOUTH HWY 3	LEAGUE CITY 77573
* 74AA195	CALLAN, F	D.C. KENNEL	BOX 158	LEVELLAND 79336
* 74AA245	CAREY, J & K	CAREY'S RABBITRY	BOX 67	ROPESVILLE 79358
* 74AA260	CHANG, E		PO BOX 20731	HOUSTON 77025
* 74AA12	CITY OF LUBBOCK		PO BOX 2000	LUBBOCK 79457
* 74AA78	CLARK, CI	BRUSHY CREEK RABBITRY AND C AVIARY	202 WILLIS AVENUE	YOAKUM 77995
* 74AA108	CLEMENS, R		6824 ALMA STREET	FT WORTH 76119
* 74AA303	COREY, R & G	COREY'S CRITTER FARM	RT 2 BOX 669 A	CONROE 77302
* 74AA266	CUNNINGHAM, D		STAR RT 1-A BOX 376	DRIPPING SPRINGS 78620
* 74AA280	DANIEL, JF		RT 1 BOX 306	JOSHUA 76058
* 74LD	DAVIS, LT		2500 W MORTON ST	DENISON 75020
* 74AA153	DAWSON, G		PO BOX 181	CALDWELL 77836
* 74AA244	DICKINSON, J		BOX 918	CANADIAN 79014
* 74AA241	DONALDSON,R & ALBRIGHT,E	THISTLEWOOD AND FLAMES KENN EL	P.O. BOX 725	FARENS 79838
* 74AA99	DRIVER, GE	AMAZON PET SHOP	RT 2 BOX 122-D	NACOGDOCHES 75961
* 74AA191	DRYDEN, CG	LA MOCA MONKEY RANCH	PO BOX 1968	LAREDO 78040
* 74AA258	EARLS, M	E & R ENTERPRISES	1716 HOWARD LN	ROUNDROCK 78664
* 74AA228	ELLIOTT, H	PINE FOREST KENNEL	4125 LAKEVIEW CUTOFF	VIDOR 77662
* 74AA277	EPPLER, FW	EPPLER RABBITRY	PO BOX 999	NAVASOTA 77868
* 74AA5	EVRIDGE, J	JOE EVRIDGE ANIMALS	RT 3 BOX 206	COMANCHE 76442
* 74AA197	FERRARO, FF	DFW PET RANCH	2507 DOVE LOOP RD	GRAPEVINE 76051
* 74AA300	FINCHER, K & J	MARIHA KENNELS	ARILE RT	CLARENDON 79226
* 74AA15	GENTRY'S INC.	GENTRY'S GDN CTR & PET SHOP	PO BOX 2629	LAREDO 78041
* 74A106	GEORGE, CW & ROBERTSON, R F	G&R STOCK FARM	2305 A CAVITT AVE	BRYAN 77801
* 74AA242	GIGLIOTTI M & BERLIN G	EXOTIC WATERHOLE	30019 ROSEBUD	MAGNOLIA 77355

TEXAS

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 74AA249	GLASCO L & BROWN J	PINE BEE KENNELS	RT. 1 BOX 68	HAWKINS 75765
* 74AA230	GOLTRA, J		RT 1	NEW BOSTON 75570
* 74AA160	GREEN, RH		PO BOX 31	RANGS 76823
* 74AA110	H & L SALES COMPANY	PATIO RANCH	PO BOX 21100	SAN ANTONIO 78221
* 74AA298	HAILEY, R	WHISPERING PINES RABBIT FAR M	RT. 11 BOX 160CD	TYLER 75709
* 74AA404	HALL, S	ANIMALS ETC	3900 N FRAIZER	CONROE 77301
* 74AA37	HANDL, CJ	K-9 KENNEL & HORSE CARE CEN TER	RT 11,BOX 156A	LUBBOCK 79407
* 74AA123	HARRIS, DM		3511 FT WORTH HWY	WEATHERFORD 76086
* 74AA305	HEATHMAN, W & J	W & J RABBITRY	PO BOX 41	HAMSHIRE 77622
* 74AA256	HERERT, JR., H	APENACO	625 SEMINAR DR #235	HOUSTON 77060
* 74AA308	HIPS, VM	EXOTIC BIRDS	15112 SAM PEDRO	SAN ANTONIO 78232
* 74AA289	HODGES, R & VOYLES, D	WELLS RABBITRY	RT.1 BOX 118B	NORTH ZULCH 77872
* 74AA252	HORTON, R	CHARLOTTE'S PET SHOP	11031 ODETTE AVE.	DALLAS 75228
* 74AA217	HUDDLESTON, R&N		1034 19TH NW	PARIS 75460
* 74AA194	JACKSON, CRJ	THE PET SHACK	5412 NORDLING	HOUSTON 77076
* 74AA140	KEETON, OG	K&K KENNELS	RT 2 BOX 169	LUBBOCK 79415
* 74AA88	KIRBY, AH	KIRBY K-9 KENNEL	120 N ELM	PERRYTON 79070
* 74AA133	LAMKIN, M	LAMKIN WILDLIFE COMPANY	2522 N. BOLTON	AMARILLO 79107
* 74AA216	LANGSTON, R	RABE'S KENNEL	RT 1 BOX 272A	SALINA 76365
* 74AA267	LARABELL, J		RT 5, BOX 1166	BURLESON 76028
* 74AA235	LEE, M	D & M KENNELS	RT 2 BOX 51A	NEW BOSTON 75570
* 74AA0	LINDENTHAL, TR	THUNDERBIRD KENNELS	7229 BARKER ROAD	EL PASO 79915
* 74AA269	LINDSEY, E		RT 5 BOX 328H	GREENVILLE 75401
* 74AA9	LOCKE, DM		PO BOX 731	NEW BRAUNFELS 78130
* 74AA299	LODEN, W	LODEN'S KENNEL	BOX 25 PEARL STAR RT	GATESVILLE 76528
* 74AA279	LYLE, M & C	WILSON RANCH KENNEL	3707 22ND ST	LUBBOCK 79410
* 74JM	MARKHAM, JL	HIGH PLAINS LAB. ANIMALS	BOX 7	CANYON 79015
* 74AA400	MARSHALL, W & L	L & W BREEDING FARMS	PO BOX 462	ANGLETON 77515
* 74AA40A	MCMILLAN, W	ROCKY MOUND KENNELS	RT A BOX 29	GRAHAM 76046
* 74AA40	MECOM, JW	MECOM RANCH WILDLIFE PRESER VE	PO BOX 2566	HOUSTON 77001
* 74AA176	MILFORD, BD	STRAWBERRY PET SHOP	2007 STRAWBERRY	PASADENA 77502
* 74AA232	MITCHELL, L		RT 6 BOX 589A	TEXARKANA 75501
* 74A104	MOORMAN, LJ	BRADY CREEK RANCH	2002 N B C BUILDING	SAN ANTONIO 78205
* 74AA239	MORGAN, FRP		PO BOX 63	CARROLLTON 75006
* 74AA206	MORRIS, RA		RT 1 BOX 400	POWDERLY 75473
* 74AA139	NEWSOM, HR	NEWSOM'S VARMINTS THINGS	13015 KALTENBRUN	HOUSTON 77086
* 74AA494	NICHOLS, R	RAY NICHOLS RABBITRY	RT 4 BOX 511	LUMBERTON 77656
* 74AA302	NICHOLSON, D	BUNNY FACTORY	RT 3 11417 SMALLWOOD RD.	BURLESON 76028
* 74AA285	NICKEL, R	DOUBLE NICKEL KENNEL	BOX 230	FARMSWORTH 79033
* 74AA207	NOVOTNY, I		RT 1 BOX 242A	PARIS 75460
* 74AA271	PAPOT, RJ	PAPOT & SON RABBITRY	RT 3 BOX 175A 2	DENISON 75020
* 74AA185	PENA, T	BIG SKY KENNELS	PO BOX 5455	AMARILLO 79107
* 74AA141	PENN, P	PENN ACRES RANCH	#30 HILL COUNTRY RANCHES	WIMBERLY 78676
* 74AA262	PENNY, C		RT 1 BOX 78	GATESVILLE 76528
* 74AA202	PET SHOP & BIRD CLINIC, I NC		3118 SMITH	HOUSTON 77006
* 74AA145	PETSICK, J		BOX 634	COMANCHE 76442
* 74AA20	PHILLIPS, D	PHILLIPS CANINE CAVE	BOX 493	LEVELLAND 79336
* 74AA231	PIRKEY, DW		RT 2 BOX 311	DE KALB 75559

TEXAS

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 74AA233	PRINCE, L		1011 WINGO RESERVE RD	FABENS 79838
* 74AA42	RANA LABORATORIES		P O BOX 3103	BROWNSVILLE 78520
* 74AA87	REEVES, MG		110 RAMADA TRAIL	AMARILLO 79108
* 74AA190	RHOTEN, RT	REX-FM-KENNELS	10 N KOOPMAN	PHILLIPS 79071
* 74AA276	ROBINSON, J		817 HIGH SCHOOL DR	SEAGOVILLE 75159
* 74AA272	RUNYAN, M		RT 1	BLOSSOM 75416
* 74AA255	SALMON, R R M	COTTONWOOD KENNELS	BRICE ROUTE	CLARENDON 79226
* 74AA85	SCHREINER III, C	Y O RANCH	YO RANCH	MT HOME 78058
* 74AA81	SHANDE, KE	KANINE KOIFFURES	5555 NO LAMAR E119	AUSTIN 78751
* 74AA295	SHATTO, D	PETS UNLIMITED	1430 W. MORTON ST.	DENISON 75020
* 74AA29	SLOVAK, P	RICH GLO LAB ANIMALS	RT 2 BOX 161A	EL CAMPO 77437
* 74AA237	SMITH, C	SUNNY ACRES RABBITRY	RT 19 BOX 508	TYLER 75706
* 74AA105	SMITH, T	VERDE VALLEY RANCH	P O BOX 7398	HOUSTON 77008
* 74AA254	SMOKE RISE FARM, INC.		SUITE E 2901 W 6TH ST	FT WORTH 76107
* 74AA809	SORENSEN, A	SOMEDAY FARMS	RT 7 BOX 237A	MCKINNEY 75069
* 74AA309	SORET, T	SORET ANIMAL AND BIRD FARM	780 RIO GRANDE	EAGLE PASS 78852
* 74AA274	SOUTHWEST RESEARCH ANIMAL S		P.O. BOX 10485	FT WORTH 76114
* 74AA220	STEVENS, LAD	DOD SHOP	P.O. BOX 1563	CONROE 77301
* 74AA116	STEWART, GF	STEWARTS KENNELS	RT 3 BOX 176	COMANCHE 76442
* 74AA188	STILLMEADOW, INC		9525 TOWN PARK DR.	HOUSTON 77036
* 74AA162	STOWER, MG	BAMBOO PET SHOP	5555 W. LOVER'S LN.	DALLAS 75209
* 74AA61	SW FOUND. FOR RES. & EDUC		P O BOX 28147	SAN ANTONIO 78284
* 74AA3	TROOP, E	TROOPS PET SHOP	BOX 51	BRUNI 78344
* 74AA403	VARNADO, LM	KENTREF KENNELS	14934 VERA AVE	HUMBLE 77338
* 74AA7	VIVO ANIMALES, INC		P O BOX 230	LORENA 76655
* 74AA248	WALKER G & SCHOO J	G & J FARMS	ROUTE 2	JONESBORO 76538
* 74AA151	WALKER, FR		1302 W 18TH ST	AMARILLO 79102
* 74AA91	WARDEN, M	COLONY PET SHOP	3719C COLONY DR	SAN ANTONIO 78230
* 74AA101	WATERS, D		BOX 131	MOUNTAIN HOME 78058
* 74AA247	WATERS, M	TRIPLE M KENNEL	STAR RT. BOX 78	LORENZO 79343
* 74AA31	WEBB, KE	R&W TROPICAL FISH & SUPPLY CENTER	3520 25TH ST	PORT ARTHUR 77640
* 74AA259	WELLS, M & D	WELLS RABBITRY	RT. 1 BOX 1188	NORTH ZULCH 77871
* 74AA293	WELSH, J	ARTAMINE KENNELS	1900 S MAIN	HIGHLAND 77562
* 74AA281	WEST, BG & G	R & G KENNEL	RT 4	HEREFORD 79045
* 74AA16	WHEELER, FWR	CAMP COOLEY RANCH	RT 3	FRANKLIN 77856
* 74AA288	WHITLOCK, AL	EXOTIC CAT HAVEN	1310 N TEXAS ST	ODESSA 79761
* 74AA291	WIDNER, P		RT. 1 BOX 289	ENNIS 75119
* 74AA251	WILEY, CR		RT. 1 BOX 86	WILLS POINT 75169
* 74AA270	WILLIAMS, RG & SEIBEL, DR	R & D KENNELS	114 DALLAM AVE	DUMAS 79029
* 74AA90	WRIGHT, ML		BOX 253	FARNSWORTH 79033

UTAH

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 87A1	ALLISON, CL & F	ALLISON KENNELS	3802 W 9000 SO	WEST JORDAN 84084
* 87A11	CHOULES, EA	LAB ANIMAL PRODUCTS	1095 S MCCLELLAND ST	SALT LAKE CITY, 84105
* 8746	HILL, GF	S KIMO KENNELS	235 EAST 13800 SO	DRAPER 84020
* 87A13	HOWELL, CA	HOWELL RABBITRY	12474 SO 900 E	DRAPER 84020
* 8748	IMLAY, TF	ANIMALS FOR RESEARCH	4996 S REDWOOD RD	MURRAY 84107
* 8748	WHITE, GS	THE RABBIT TREE	PO BOX 452	PEOA 84061

VERMONT

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 13B24	ALEXANDER, W		RFD 3	BRATTLEBORO 05301
* 13A61	CARLSON, C		PO BOX 172	PUTNEY 03546
* 13B20	GUILD, HL		RFD 2 BOX 1898	W BRATTLEBORO 05301
* 13A28	JONES, A		EAST HUBBERTON RD	CASTLETON 05735
* 13B23	LAMOILLE LAND FL. & SALVAGE	LAMOILLE KENNELS	JERSEY HEIGHTS	MORRISVILLE 05661
* 13A49	LAMPHERE, L	PEACEFUL ACRES RABBITRY	RFD1	LOWELL 05847
* 13A15	MAYHEW, HR		98 PARK ST	RUTLAND 05701
* 13A58	MCELROY, R & D	REVIS RABBIT RANCH	BOX 29, VALLEY RD.	LOWELL 05847
* 13A60	MOULTON, V		PO BOX 107 RT 17	NEWHAVEN 05472
* 13B9	PARADIS, R		RFD 1	ENOSBURG FALLS 05450
* 13B19	PLUMMER, JH & KM	PLUMMERS RABBITRY		GRAFTON 05146
* 13A59	RAYNO J & F		RD 1 BOX 52 1/2	PUTNEY 05346
* 13B11	REYNOLDS, D		RD 1	CAMBRIDGE 05444
* 13A41	SPAULDING, CA		10 UNDERHILL RD	BELLOWS FALLS 05101
* 13A24	SUDOL, T & J		RD 2	ENOSBURG 05450
* 13B22	TUZZO, P	THE RABBIT HUTCH	RFD 1	ST JOHNSBURY 05819
* 13B21	VACHON, L		BOX 78	TOWNSHEND 05353
* 13B13	WESTON, FA	CIRCLE W RABBITRY	RT. 15	UNDERHILL 05489

VIRGINIA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 52R15	CHANDLER, WR		RT 1 BOX 428 B	MECH. 23111
* 52AG	CORELL, JC	OLD DOMINION CAVY FARM	RT 1 BOX 213	WAYNESBORO 22980
* 52AAD	CRUTCHFIELD, LW	GREEN SHADOWS CATTERY	RFD 1 BOX 80K	PALMYRA 22963
* 52RJ	DAVIS-DECK, W	ROANOKE PET CENTER AND AQUA RIUM	PO DRAWER 12645	ROANOKE 24027
* 52AA	EDWARDS, SJ		4801 GREENDELL RD	CHESAPEAKE 23321
* 52DJ	ENVIRONMENTAL CONSULTANTS INC		1022 W.24TH ST	NORFOLK 23516
* 52AF	HALEY, J	HALEY FARM	RT 2 BOX 81	HURT 24563
* 52AD	HAZLETON RESEARCH ANIMALS INC		9200 LEESBURG TURNPIKE	VIENNA 22180
* 52RA11	HUTCHISON, CW		3610 DENISON RD	RICHMOND 23231
* 52A15	KRIBY, M		RT 2 BOX 288	MAX MEADOWS 24360
* 52RA	LEACH, NF	LEACH KENNELS	RT 3 BOX 70	CHASE CITY 23924
* 52DN	MID-ATLANTIC PET DIST.,INC		6520 COLUMBIA PIKE	FALLS CHURCH 22041
* 52AT	PAYNE, RW		RT 1 BOX 139	RIXEYVILLE 22737
* 52R18	RAY, JR	FLOW LABS INC.	100 ROCK RD, RT. 611	DUBLIN 24084
* 52RV	ROY, ML	ROY'S RABBITRY	RT 2 BOX 27-B	WARRENTON 22186
* 52AW	SCHMIDT, E	SPRING VALLEY FARM		HOWARDSVILLE 24562
* 52AI	STINSON, E R D	RUNKER HILL RABBITRY	GENERAL DELIVERY	MINE RUN 22568
* 52RG	TURNER, RW R TURLEY, DG	CLOVERDALE ANIMAL SUPPLY	17401 HULL ST ROAD	MOSELEY 23120
* 52DG	UNIV OF VA. VIVARIUM		1300 JEFFERSON PARK AVE	CHARLOTTESVILLE 22901
* 52DM	WALTER, R & DETWILER, P	Z-PET ENTERPRISE	80 S EARLY ST	ALEXANDRIA 22304
* 52RH	WILMOTH, WF	SNAKES AND THINGS LTD	PO BOX 476	MONETA 24121
* 52RA9	ZAZZARETTI, FB	BEECHWOOD RABBITRY	BOX 54	CLAREMONT 23899

WASHINGTON

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 91A20	ANDERSON, P & R	R & R RABBITRY	20004 24TH N.W.	STANWOOD 98292
* 91R19	ANDERSON, RJ	R&R RABBITRY	2004 24TH N.W.	STANWOOD 98292
* 91R22	AVI-CULT CORPORATION		P.O. BOX 571	DUVALL 98019
* 91A26	BREESE, C	WASHINGTON PET FARM	8115 176TH ST E	PUYALLUP 98371
* 91A10	BUTTERFIELD, G	BUTTERFIELD'S TOY KENNELS	2308 COOK HILL RD	CENTRALIA 98531
* 91A28	CARLMAS, M R R	CARLMAS RABBITRY	27645 46TH SO	AUBURN 98002
* 91R16	CITY OF CLARKSTON	ANIMAL SHELTER	830-5TH ST	CLARKSTON 99403
* 91R5	CITY OF COLFAX		P O BOX 229	COLFAX 99111
* 91R1	COLLEGE BIOLOGICAL SUPPLY, INC		21707 BOTHELL WAY	BOTHELL 98011
* 91R6	COWAN, HD	SHOWLINE BEAGLES	18015 140TH AVENUE SE	RENTON 98055
* 91R21	DEWITT, E R K	REDMOND KENNELS	20515 NE UNION HILL RD.	REDMOND 98052
* 91A1R	DRY, RL & MF	BERLINER ZWINGER KENNELS	RT 3 BOX 74	COLBERT 99005
* 91R15	DRYKE, CH	SUNNYDELL KENNELS	RT 6 BOX 275	SEQUIM 98382
* 91A25	GEER, MRS ETHEL	PEND ORVILLE KENNELS	STAR ROUTE 2	USK 99180
* 91R20	HATCH, R.	HATCH CO.	P.O. BOX 157	LANGLEY 98260
* 91A27	HAUSER, F	HAUSER'S EXOTIC FELIAC FARM	14622 NE 99 STREET	VANCOUVER 98662
* 91A22	HENDERSHOT, A & P	THE RABBIT HUTCH	15000 CASCADIAN WAY	LYNNWOOD 98036
* 91A21	JORGENSEN, A	TRIPLE J RANCH	23404 NE 8TH	REDMOND 98052
* 91R1R	LOTZE, P & J	WINEBURG KENNELS	RT 2 BOX 304	COLVILLE 99114
* 91R3	MASON, GH	MASONS NORTHWEST RABBITRY	5112 21ST NE	PUYALLUP 98371
* 91A2R	MCRAIN, F		28838 18TH AVE SO	FEDERAL WAY 98003
* 91R10	MOFRY, WR	CASCADE KENNELS	6425 208TH NE	REDMOND 98052
* 91A23	OLSON, K	OLSON'S HAMSTERS	5621 204TH SWA	LYNNWOOD 98036
* 91A17	OUR PEOPLE'S COOP		1625 5TH ST.	CLARKSTON 99403
* 91R14	SHANNON, GORPA	LAB ASSOCS.-TOTEM FARMS	13640 132ND NE	KIRKLAND 98033
* 91A19	STARNS, T R R	COUGAR MT. BREEDING CMPD & SANC	PO BOX 99542	TACOMA 98499
* 91R11	TOWN OF COLTON		BOX 147	COLTON 99113
* 91A14	VEITENHEIMER, C	CA-JI SHEPHERDS	RT 1 BOX 116	COLBERT 99005
* 91A5	WACENSKE, ER	PINEHILL KENNEL	RT 2 BOX 279	CHATTAROY 99003

WEST VIRGINIA

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 54A1R	ANSELL, W	M&W KENNELS	BOX 16241 RT 2	MILTON 25541
* 54A1	BERST, HJ	TOWN HILL RABBITRY	BOX 12	THREE CHURCHES 26765
* 54R1	CUSTER, FJ	CUSTER'S KENNELS	1073 MCCOLLUCH ST	WHEELING 26003
* 54A7	DIXON, JF		315 THOMPSON AVE	OAK HILL 25901
* 54R2	HILL, FF		5071 GUYAN RIVER ROAD	HUNTINGTON 25702

WISCONSIN

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 3582	ANDERSON, N		RT 2 BOX 240	RICHLAND 53581
* 35R41	BARTHMAN, V & K	HAY VALLEY GAME FARM	RT 1	CLEAR LAKE 54005
* 35A125	BIXE, R	DANE-DE-DANES	STAR ROUTE BOX 209	HAZELHUEST 54531
* 35A64	BUEHM, RA	MOOSE LAKE WILDLIFE SANCTUARY	RT 4 BOX 124	HAYWARD 54843
* 35A120	BOHL, C	LAZY LAND KENNELS	PO BOX 268 RT 1	GRESHAM 54128
* 35A122	BUCK, A	BUCK'S BUNNIES	R 2	HAYWARD 54843
* 35A124	CYFKALSKI, C		RT 1 BOX 63	WEYERHAUSER 54895
* 35R28	CZARNECKI, RA	SOUTH MILWAUKEE PET CENTER	2003-10TH AVE.	SOUTH MILWAUKEE 53172
* 35A77	DAUL, DR		RT 1	LUXEMBURG 54217
* 35A112	ERTEL, G & D	ZAHY DEE ZHEE KENNEL	R1 BOX 146A	HILLPOINT 53937
* 35R38	EVANS, J&B	MERRY HILL KENNEL	RT 1 4255 HWY 77	SUN PRAIRIE 53590
* 35A127	FERKEY, A		RT 2 W2261 10 MILE AVE	WISCONSIN RAPIDS 54494
* 35R17	FORSTHAUS KENNELS, INC		R 1 BOX 65	MILLADORE 54454
* 35A89	GOLI, L		RR 2 BOX 100	IOLA 54945
* 35A111	HALL, L		RT 1 BOX 2078	DRESSER 54009
* 35A97	HALVERSON, RD		R 1 BOX 64	DODGEVILLE 53533
* 35A123	HAVENS, C	PLAY HAVEN NORTH	1106 VERNON AVE	MADISON 53716
* 35A88	HYDE, D	HYDE RABBITRY	34076 HIDDEN VALLEY DR	DOUSMAN 53118
* 35A92	KLUBERTANZ, E	KLUBERTANZ'S	1165 HWY 73	EDGERTON 53534
* 35A60	KNURR, DA	KANANGNARK KENNELS	PO BOX 102	SHEBOYGAN 53081
* 35A93	KREIF, C	RABBIT HILL	N 5588 HWY 84	FREDONIA 53021
* 35A114	KREISCHMAN, TJ & HIMSELF, D	HOPPERS UNLIMITED	2019 SUGAR RIVER RD RT 9	VERONA 53593
* 35B29	LAVEAU, D & S		RT 1	SHELL LAKE 54871
* 35R31	LEIBEL, D & G	RIPCHWOOD FARM	RT. 2 BOX 164 E	GRANTSBURG 54840
* 35A25	LESSER, C&R	LESSER'S RABBITRY	18403 WASHINGTON AVE. HY .20	UNION GROVE 53182
* 35R39	LEWER, I	CIRCLE (D) KENNELS	RT 5 BOX 39A	MARSHFIELD 54449
* 35A104	LITTLE, K & D	PUPPY LAND KENNELS	RT. 1 BOX 130	WITHEE 54498
* 35A115	LOPER, R	MESA KENNELS	7197 LOPER RD RT 2	SAUK CITY 53583
* 35A91	LOWE, W		RT 4 BOX 206	BEAVER DAM 53916
* 35A113	MANECKE, R	RIVERVIEW KENNEL	R 1 BOX 342	RICE LAKE 54868
* 35A80	MAURICE, R	WHITE STAR LAB ANIMALS	R 4 1135 HWY G	BURLINGTON 53105
* 35R35	MELTON, SM	SHARON'S PUPPYLAND	RT 1 BOX 187A	SPOONER 54801
* 35A75	MIKULA, T		RT 3	CHETEK 54728
* 35A108	MILLER, F	VALLEY FUR FARM	RT. 2 BOX 125	SPRING VALLEY 54767
* 35A43	MILLER, J	HILLSIDE KENNEL	RT 1 BOX 135	DORCHESTER 54425
* 35A118	MONTAG, E	BLUE SPRUCE KNNLS & GAME RAN.	RT 7	CHILE 54420
* 35A119	MYERS, R		RT 1 BOX 42	ARCADIA 54612
* 35R1	NASCO INTERNATIONAL, INC		901 JANESVILLE AVE	FORT ATKINSON 53538
* 35A22	O'BRIEN, M		2257 SYENE RD	MADISON 53711
* 35A105	OLSON, J	KUTE & KUDDLY KENNELS	PO BOX 484	PORTAGE 53901
* 35R37	PETZ, W & J	SUNNY VALLEY KENNEL	RT 1	SHELL LAKE 54871
* 35R8	PEUSCHEL, W		13101 N WAUWATOSA RD, 76 N.	MEQUON 53092
* 35A102	PFELTPP, AW		RFD 1	SEYMOUR 54165
* 35A121	RADDANT, L		RT 1 BOX 55	GRESHAM 54128
* 35R32	RICHARDS, LJ	PET MART	113 NORTH MAIN	RICE LAKE 54868
* 35A9	RIDGLAN FARMS, INC		301 WEST MAIN STREET	MT HOREB 53572
* 35A96	ROBERTSON, WHEL		RT 2 BOX 64	OGEMA 54459
* 35A57	ROGGE, E	HAPPY ACRES KENNELS	R 2 BOX 418C	WISCONSIN DELLS 53965
* 35A82	RUEDINGER, J		ROUTE 1 BOX 70	ARPIN 54410
* 35R20	SCHOEBEL, LL	FUR & FEATHER GAME FARM	RT 2	NESHKORO 54960
* 35R33	SCHOEBEL, M		RT 1	NESHKORO 56960
* 35A3	SHAW, E		RT #1	NEW AUBURN
* 35A7	SMITH, P		RT 1	WITHEE 54498
* 35R34	SOLIS, E	EL RANCHITO KENNEL	RT 1 BOX 22	HILLPOINT 53937
* 35R9	STRANE, F		RT 3	KAUKAUNA 54130
* 35A126	STRANGEFELD, M & E		RR 4 BOX 243	NEILLSVILLE 54456
* 35R40	TAMEL, JA	GIANT ELM RABBITRY	STAR RT	LILY 54445
* 35A116	WELLS, M		1018 16ST	MONROE 53566
* 35A100	WERY, F		RT 4	LUXEMBURG 54217
* 35A117	WIERSMA, GD		RT 1 BOX 171 A	RANDOLPH 53956
* 35R36	ZWICKY, A	A/Z WILDLIFE PARK	9277 CENTER RD.	NEENAH 54956

WYOMING

* LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
***				
* 83A1	SANDERS, N	SANDERS KENNELS	BOX 127	LAGRANGE 82221
* 83A7	SHERARD, A		BEAR CREEK ROUTE	LA GRANGE 82221

PUERTO RICO

LICENSE NUMBER	NAME	DOING BUSINESS AS	ADDRESS	CITY AND ZIP CODE
66R25	ANGEL FISH AQUAR & PET SHOP		27TH ST BLOCK S-11 ALTURAS	CASTELLANA GARDENS CAROLINA 00630
66R3	ANIMALANDIA PET SHOP, INC		600 NAPOLES ST.	RIO PIEDRAS 00924
66R42	APONTE, EV	CARIBBEAN PETS	RR 24,11ØST GARD. CTRY. CLUB	CAROLINA 00630
66R36	BORGES, MT	MR AQUARIUM	SOTO EXPANA NO 6	SAN LORENZO 00754
66R23	CASA AGRICOLA ARECIBO, INC.		CERVANTES NO 50	ARECIBO 00612
66R7	COUTIN, R	A R A PET CENTER	201 DE DIEGO ST	RIO PIEDRAS 00925
66R28	DE VICTORIA, DI	TAINO PET SHOP	CERRO PIO C-30	CAROLINA 00630
66R6	FLORES-DIAZ, I	GRANJA LOS NIETOS	RZ 288 RD JAGUAS	GURABO 00658
66R44	GEIGEL, LE	ANIMAL WORLD	MAYAGUEZ ST NO 42	HATO REY 00917
66R9	GONZALEZ, F	ARECIBO PET SHOP	BOX 433	MANATI 00701
66R39	GONZALEZ, MP	TROPI-FUANA PET CT	627 VILLA NAVARRA	RIO PIEDRAS 00924
66R32	GONZALEZ, SV	NOAH'S ARK	CENTRO COM VENUS GDNS LOC 7	RIO PIEDRAS 00926
66R15	HERNANDEZ, M	MI AQUARIUM TROPICAL	BETANCES ST. #51	CAGUAS 00625
66R48	JUARBE, M.	MABEL AQUARIUM	P.O. BOX 300	GUERRADILLAS 00742
66R47	KLEINMAN, M & HERRERA, J	PETERSON PET SUPPLY	7391 NW 78ST	MIAMI SPRING 33153
66R8	LUZON SERRE, MA	COUNTRY CLUB PET SHOP	GJ-6 COUNTRY CLUB AVE	CAROLINA 00630
66R5	MCFALINE, C	VIERAY PET SHOP	85 AVE BETANCES HNAS DAVILA	BAYAMON 00619
66R45	MELON, G		PO BOX 6031	CAGUAS 00625
66R33	MENDIETA, DC	AQUARIUM LA PIRANA	SAN JORGE 266	SANTURCE 00912
66R53	MORENO, G	GLAD'S DOG GROOMING	CALLE JAVA 841	RIO PIEDRA 00924
66R6	MURPHY, A	SUPER BIRDS PETS	STREET 23 BLOCK N-7	BAYAMON 00619
66R26	NIEVES, NA	NENICO'S RABBITRY & SUPPLY	RD. SANTANA 101-A	ARECIBO 00612
66R20	PALACIOS, I & ALLONGO, M	ISLA VERDE PET SHOP	PO BOX 1951 HATO REY STA.	HATO REY 00919
66R51	PARET, F	PETS & ORCHIDS	PO BOX 1461	SAN JUAN 00936
66R35	PERETRA, P	PONCE PET CENTER	BARGAIN TWN BLDG L #8	PONCE 00731
66R45	PERETRO, MARIA DE LURDES	RED OSCAR AQUAR. & PET SHOP	BAIROA SHOPPING CT LOCAL 8	CAGUAS 00625
66R8	PEREZ, MR		PARCELES NAVES	HATO ARECIBO 00612
66R49	PIPO, CH & GARCIA, ML		CALLE LAMELA #157	GUERRADILLAS 00742
66R38	PONCE, RA	ALERS AQUARIUM	DR. JIMENEZ99	MAYA GUEZ 00708
66R24	RAMOS, DV		RUZON 730 SECTOR CRN 3 E LMAS	TRUJILLO ALTO
66R19	REYES, F	RAMROD AQU. & PET SHOP	AVE. MAGNOLIA L-28	BAYAMON 006119
66R36	RIVERA-COLON, DG	EXOTICO	PINERO AVE #288 HYDE PARK	RIO PIEDRAS 00618
66R54	RIVERA, FJ	CAMPO ACUARIO	RR 3 RUZON 76	SAN SEBASTIAN 00612
66R46	RIVERA, J		SAN LUCAS A5	NOTRE DAME CAGUAS 00625
66R30	RIVERA, JM	VILLA CAROLINA AQ & PET SHOP	AVE ROBERTO CLEMENTE	CAROLINA 00630
66R27	RODRIQUEZ, MG		PO BOX 171	ST JUST 00750
66R43	SANCHEZ-COLON, D		RD CALABAZAS RUZON 481-17	YABUCOA 00767
66R41	SANTANA, JR	CAGUAS AQUARIUM & PET SHOP	502ST BLOD 217 NO 15	CAROLINA 00630
66R37	SANTIAGO, GR	CENTRO AGRICOLA & PET SHOP	AVE SANTA JUANITA AK-16	BAYAMON 00619
66R22	SANTIAGO, JA	CUTE GROOMING SALON & PET CENTER	1712 PARINA ST	RIO PIEDRAS 00926
66R50	SANTIAGO, O	CASA PURINA & PETS	PO BOX 716	GUAYAMA 00654
66R10	SANTURCE PET & HOBBY SHOP INC		PONCE DE LEON 1501 STOP 22	SANTURCE 00909
66R1	SUPER PET CENTER INC		SAN PATRICIO SHOPPING	COVAR 00922
66R2	UMPIERRE, J	LA CASA DEL AGRICULTOR	PLAZA DE MERCADO	RIO PIEDRAS 00926
66R29	VARGAS, RG	MAYAGUEZ AQUARIUM	CALLE 11 DE AGOSTO #31-A	MAYAGUEZ 00708
66R52	VIDAL, J	FISH BOWL AND PET SHOP	AVE ESMERALDA 1968	GUAYNABO 00657
66R43	VIDAL, JL	SUPER FISH AQUARIUM & PET CT	AVE ESMERALDA 196 8	GUAYNABO 00657

[FR Doc. 80-7770 Filed 3-13-80; 8:45 am]

BILLING CODE 3410-34-C

federal register

Friday
March 14, 1980

Part V

Department of Labor

Employment and Training Administration

Final Allocations Under the Summer Youth Employment Program

DEPARTMENT OF LABOR

Employment and Training Administration

Youth Programs Under the Comprehensive Employment and Training Act: Allocations Under the Summer Youth Employment Program

AGENCY: Employment and Training Administration, Labor.

ACTION: Final allocations.

SUMMARY: The purpose of this document is to publish final prime sponsor allocations pursuant to Section 483(c) of CETA for implementation of the Summer Youth Employment Program (SYEP).

EFFECTIVE DATE: March 13, 1980.

FOR FURTHER INFORMATION CONTACT: Robert Taggart, Administrator, Office of Youth Programs, U.S. Department of Labor, 601 D Street NW., Washington, D.C. 20213, (202) 376–2646.

SUPPLEMENTARY INFORMATION: These allocation levels are issued to provide for implementation of the fiscal year 1980 SYEP. The listing below sets forth the prime sponsor and overall Native American allocation levels.

U.S. Department of Labor—*Employment and Training Administration, Office of Administration and Management, Fiscal Year 1980 SYEP Allocations, Feb. 5, 1980*

	Allocation
Bridgeport Consortium	1,600,651
Hartford Consortium	1,869,142
New Haven Consortium	1,458,092
Stamford Consortium	573,924
Waterbury City	523,853
Balance of Connecticut	4,631,985
Connecticut	10,657,647
Penobscot/Hancock Consortium	635,257
Cumberland County	614,827
Balance of Maine	2,060,176
Kennebeck County	320,890
York County	315,790
Maine	3,946,940
Boston City	3,457,887
EMHRDA Consortium	1,276,482
New Bedford Consortium	836,819
Hampden County Consortium	1,773,328
Worcester Consortium	987,706
Lowell Consortium	846,467
Brockton Consortium	734,803
Fall River Consortium	871,515
Balance of Massachusetts	10,843,286
Pittsfield Consortium	684,058
Massachusetts	22,312,351
Hillsborough County	596,821
Balance of New Hampshire	1,503,579
New Hampshire	2,100,400
Providence City	1,150,722
Balance of Rhode Island	2,974,362
Rhode Island	4,125,084
State of Vermont	1,761,472
Vermont	1,761,472
Region I	44,903,894
Atlantic County	873,257
Bergen County	1,411,311
Burlington County	923,819
Balance of Camden County	1,207,492
Camden City	639,433
Cumberland County	500,222
Elizabeth City	479,947
Balance of Essex County	1,475,531
Gloucester County	510,577
Balance of Hudson County	1,890,869
Jersey City	1,151,064
Balance of Mercer County	477,072
Middlesex County	1,963,529
Monmouth County	1,445,833
Morris County	744,277
Newark City	4,594,825
Ocean County	687,546
Balance of Passaic County	1,080,394
Paterson City	861,432
Somerset County	308,545
Trenton City	491,408
Balance of Union City	928,665
Balance of New Jersey	1,325,084
New Jersey	25,972,132
Albany City	453,488
Balance of Albany County	307,441
Broome County	688,434
Buffalo City	2,391,802
Chautauqua Consortium	990,889
Chemung County	357,969
Dutchess County	502,099
Erie Consortium	1,165,990
Hempstead/Long Beach Consortium	1,405,559
Rochester City	1,085,937
Balance of Monroe County	445,143
Balance of Nassau County Consortium	976,744
Niagara County	865,632
Oneida County	915,971
Balance of Onondaga County	554,254
Orange County	429,766
Oswego County	396,631
Rensselaer County	432,420
Rockland County	360,502
St. Lawrence County	409,399
Saratoga County	400,569
Schenectady County	353,729
Steuben County	341,396
Suffolk Consortium	2,591,312
Syracuse City	773,897
Ulster County	310,167
Westchester Consortium	2,005,200
Yonkers City	639,360
Balance of New York	5,976,969
New York City	33,318,027
New York	61,846,696
Bayamon Municipio	831,251
Caguas Municipio	711,210
Carolina Municipio	668,623
Mayaguez Municipio	560,952
Ponce Municipio	1,045,444
San Juan Municipio	2,391,096
Balance of Puerto Rico	12,201,458
Puerto Rico	18,410,034
Virgin Islands	375,783
Virgin Islands	375,783
Region II	106,604,645
Delaware Manpower Consortium	1,309,388
Wilmington City	566,129
Delaware	1,875,517
District of Columbia	8,676,338
District of Columbia	8,676,338
Balance of Maryland	1,275,572
Baltimore Consortium	6,710,648
Montgomery County	611,790
Prince Georges County	1,417,890
Western Maryland Consortium	596,598
Baltimore County	1,523,317
Frederick County	184,300
Maryland	12,320,115
Lehigh Valley Consortium	802,322
Bucks County	811,081
Chester County	621,424
Delaware County	1,122,716
Montgomery County	948,280
Philadelphia City County	7,270,884
Berks County	804,258
Balance of Lackawanna County	532,336
Scranton City	434,100
Luzerne County	1,489,145
Schuylkill/Carbon Consortium	858,937
Lancaster County	469,415
Lebanon County	159,561
Erie City	484,536
Balance of Erie County	442,100
Balance of Allegheny County	2,629,498
Pittsburgh City	3,434,194
Beaver County	557,237
Washington County	630,151
Westmoreland County	909,789
Tri-County Consortium	821,301
Fayette County	666,211
Lawrence County	363,849
Mercer County Consortium	1,216,358
Southern Allegheny Consortium	1,677,404
Susquehanna Consortium	1,014,090
York	351,197
Lycoming Consortium	603,537
Franklin County	278,613
Balance of Pennsylvania	3,154,767
Centre County	319,255
Northumberland County	487,226
Pennsylvania	36,365,772
Peninsula Consortium	997,127
Stama Consortium	2,401,371
Ramps Consortium	1,317,185
Chesterfield/Henrico Consortium	261,775
Roanoke Consortium	671,229
Arlington County	424,584
Fairfax-Loudoun Consortium	725,250
Prince William County	222,655
Alexandria City	278,837
Balance of Virginia	7,533,356
Virginia	14,833,369
West Virginia Statewide	6,778,240
West Virginia	6,778,240
Region III	80,849,351
Balance of Alabama	7,481,226
Birmingham Consortium	2,071,504
Huntsville Consortium	597,026
Mobile Consortium	1,335,433
Montgomery Consortium	906,379
Tuscaloosa County	381,836
Alabama	12,773,404
Balance of Florida	4,221,795
Alachua County	389,850
Brevard County	934,870
Broward Consortium	2,901,367

U.S. Department of Labor—*Employment and Training Administration, Office of Administration and Management, Fiscal Year 1980 SYEP Allocations, Feb. 5, 1980*—Continued

	Allocation
Miami/Dade Consortium	6,209,684
Escambia County	716,027
Heartland Manpower Consortium	1,510,670
Lee County	244,115
Leon/Gadsen Consortium	576,835
NE Florida Manpower Consortium	2,020,860
Okaloosa County	335,561
Orange County/Orlando Consortium	1,165,907
Manatee County	458,941
Marion County	340,477
Palm Beach County	1,291,445
Pasco County	236,427
Seminole County	498,655
St. Petersburg Consortium	1,833,577
Sarasota County	244,792
Tampa City	1,346,231
Balance of Hillsborough County	935,517
Volusia County	790,026
Florida	29,203,629
Balance of Georgia	8,907,366
SCRA Consortium	1,068,553
Atlanta City	2,543,122
Clayton County	326,393
Cobb County	662,492
Columbus Area Consortium	881,960
Balance of De Kalb County	978,906
Balance of Fulton County	441,415
Mid Georgia Consortium	923,478
Savannah/Chatham Consortium	598,111
Gwinnett County	225,073
Georgia	17,556,869
Blue Grass Manpower Consortium	755,911
Louisville/Jefferson Consortium	2,150,830
Kenton County	383,264
Balance of Kentucky	5,873,316
Eastern Kentucky Rural Cep	2,145,720
Kentucky	11,309,041
Balance of Mississippi	7,836,558
Jackson Consortium	871,481
Harrison County Consortium	536,312
Mississippi	9,244,351
Balance of North Carolina	12,625,153
Alamance County	365,569
Buncombe County	557,128
Cumberland County	977,046
Charlotte City	777,128
Durham City	366,914
Gaston County	353,195
Greensboro Consortium	759,691
Raleigh City	498,715
Robeson County	571,992
Balance of Wake County	271,403
Winston Salem Consortium	567,404
Davidson County	325,700
North Carolina	19,017,038
S. Carolina State Consortium	9,856,374
South Carolina	9,856,374
Balance of Tennessee	9,327,221
Chattanooga City	493,000
Memphis Consortium	2,402,013
Balance of Hamilton County	400,296
Knoxville Consortium	959,267
Nashville/Davidson County	1,383,648
Sullivan County	370,967
Tennessee	15,336,412
Region IV	124,297,118
Chicago City	25,504,254
Balance of Cook County	3,824,222
DuPage County	467,213
Lake County	596,379

U.S. Department of Labor—*Employment and Training Administration, Office of Administration and Management, Fiscal Year 1980 SYEP Allocations, Feb. 5, 1980*—Continued

	Allocation
Macon County	371,979
McHenry County	160,442
Rock Island County	266,689
Tazewell County	153,406
La Salle County	158,377
Rockford Consortium	492,253
Champaign Consortium	396,322
Will/Grundy Consortium	552,807
Sangamon/Cass Consortium	431,834
Madison County Consortium	910,163
St. Clair Consortium	1,130,939
Peoria Consortium	465,921
Shawnee Consortium	366,146
Balance of Illinois	4,324,346
McLean County	123,184
Kane County	407,386
Illinois	41,104,262
Gary City	3,567,000
Hammond City	322,686
Balance of Lake County	751,047
Elkhart County	343,258
South Bend City	695,658
Balance of St. Joseph County	225,263
Tippecanoe County	270,078
Madison County	411,629
Vigo County	349,065
Indianapolis City	2,545,942
La Porte County	292,012
Ft. Wayne Consortium	1,281,816
Delaware/Blackford Consortium	430,334
Southwestern Consortium	1,138,671
Balance of Indiana	6,109,090
Indiana	18,733,549
Balance of Michigan	5,474,305
Flint/Genessee Consortium	1,904,915
Lansing Consortium	1,311,186
Region II Consortium	978,164
Grand Rapids Consortium	2,059,316
Muskegon/Oceana Consortium	737,446
Dearborn City	171,935
Detroit City	7,537,578
Livonia City	126,109
Warren City	368,680
Bay County	411,898
Berrien County	699,731
Kalamazoo County	618,057
Balance of Macomb County	1,299,090
Monroe County	355,913
Oakland County	2,576,486
Ottawa County	349,866
Saginaw County	664,540
St. Clair County	527,120
Balance of Wayne County	2,701,233
Ann Arbor City	251,127
Balance of Washtenaw County	550,627
Mid Counties Consortium	670,325
NE Michigan Consortium	585,969
Michigan	32,931,616
Dakota County	195,412
Balance of Ramsey County	205,834
St. Paul City	954,135
Quad Counties Consortium	522,136
Region III Consortium	671,842
Duluth City	327,669
Balance of Minnesota	2,985,403
Minnesota Rural Cep	1,353,650
Balance of Hennepin County	655,514
Minneapolis City	1,554,104
Minnesota	9,425,699
Columbiana County	377,962
Trumbull County	750,894
Balance of Mahoning County	518,221
Youngstown City	637,400
Cuyahoga Consortium	2,094,090
Cleveland City	5,300,665
Cincinnati City	2,111,415
Butler County	700,782
Clark County	462,561
Balance of Hamilton County	626,241
Lorain County	740,145

U.S. Department of Labor—*Employment and Training Administration, Office of Administration and Management, Fiscal Year 1980 SYEP Allocations, Feb. 5, 1980*—Continued

	Allocation
Akron Consortium	1,740,975
Canton Consortium	1,088,752
Columbus Consortium	2,318,172
Central Ohio Rural Consortium	862,841
Toledo Consortium	1,857,199
Balance of Ohio	7,725,261
Allen County	406,213
Greene County	133,820
Clermont/Warren Consortium	554,452
Portage County	234,208
Richland/Morrow Consortium	563,940
Scioto County	376,970
Lake County	404,273
Ashtabula County	422,158
Dayton City	1,280,760
Montgomery/Preble Consortium	348,337
Ohio	34,638,707
Outagamie County	265,680
Rock County	387,493
Milwaukee County	2,943,584
Madison/Dane Consortium	660,277
Wow Consortium	677,114
Winne/Fond Consortium	404,720
Trico Cetac	927,160
Balance of Wisconsin	4,880,024
Wisconsin Northwest Cep	711,419
Marathon County	296,016
Wisconsin	12,153,487
Region V	148,987,320
Central Arkansas Consortium	1,349,146
Texarkana Consortium—Arkansas	185,598
Balance of Arkansas	6,499,601
Arkansas	8,034,345
Rapides Parish	465,499
Baton Rouge City	967,012
Lafayette Parish	333,992
Calcasieu/Jeff Consortium	714,221
Ouachita Parish	450,026
New Orleans City	2,380,160
Jefferson Parish	922,987
Shreveport City	655,361
Balance of Louisiana	6,829,770
Louisiana	13,719,028
Albuquerque Consortium	1,169,016
Balance of New Mexico	2,695,535
New Mexico	3,864,551
Comanche County	263,883
Balance of Oklahoma County	499,125
Oklahoma City Consortium	1,259,067
Balance of Cleveland County	186,429
Tulsa Consortium	1,280,142
Balance of Oklahoma	4,836,461
Oklahoma	8,325,107
Texarkana Consortium—Texas	284,789
Texas Panhandle Consortium	558,021
Capital Area Consortium	1,286,357
South East Texas Consortium	1,132,392
Greater Pasadena Consortium	183,449
Cameron County	856,835
Coastal Bend Consortium	1,401,002
Dallas City	2,273,438
Dallas County Consortium	681,024
South Plains Consortium	544,010
West Central Texas Consortium	787,980
El Paso Consortium	1,481,272
Ft. Worth Consortium	1,535,655
Balance of Tarrant County	261,703
Galveston County	610,321
Houston City	4,021,587
Balance of Harris County	791,209
Central Texas Consortium	531,924
Hidalgo County Consortium	1,235,678
Alamo Consortium	3,924,533

U.S. Department of Labor—*Employment and Training Administration, Office of Administration and Management, Fiscal Year 1980 SYEP Allocations, Feb. 5, 1980*—Continued

	Allocation
Region XI Consortium	819,307
North Texas State Consortium	644,215
Webb County	840,394
Gulf Coast Consortium	1,235,678
East Texas Manpower Consortium	1,522,316
Balance of Texas	6,238,161
Permian Basin	803,260
Texas	36,486,510
Region VI	70,429,541
Balance of Iowa	4,595,115
Blackhawk County	310,211
Cen. Iowa Regional Consortium	1,120,154
Linn County Manpower Consortium	245,756
Woodbury County	287,278
Davenport/Scott Consortium	283,105
Iowa	6,841,619
Balance of Kansas	3,152,360
Kansas City Consortium	615,398
Jonnson/Leavenworth Consortium	298,140
Wichita City	757,995
Topeka Consortium	407,239
Kansas	5,231,132
Balance of Missouri	6,329,343
Springfield City	384,300
Balance of Jackson County	269,906
Kansas City Consortium	2,451,488
Jefferson/Franklin Consortium	540,864
St. Louis County	2,114,828
St. Louis City	3,765,783
Independence City	268,126
St. Charles County	281,988
Missouri	16,406,626
Balance of Nebraska	2,268,623
Lincoln City	370,854
Omaha Consortium	1,548,958
Nebraska	4,188,435
Region VII	32,667,812
Adams County	627,714
Arapahoe County	184,854
Boulder County	422,779
Colorado Springs Consortium	649,904
Denver City/County	1,879,606
Jefferson County Consortium	269,008
Larimer County	266,046
Pueblo County	379,009
Weld County	286,277
Balance of Colorado	1,571,348
Colorado	6,536,545
Butte Rural Cep	268,458
Balance of Montana	2,114,053
Montana	2,382,511
State of North Dakota	1,768,692
North Dakota	1,768,692
Balance of South Dakota	1,497,568
Minnehaha County	220,267
South Dakota	1,717,825
Utah Statewide Consortium	3,402,544
Utah	3,402,544
State of Wyoming	901,233
Wyoming	901,233
Region VIII	16,709,360
Balance of Arizona	2,072,482
Phoenix City	2,607,216
Balance of Maricopa County	1,686,090
Tucson City	859,711
Balance of Pima County	518,100
Arizona	7,743,599
Balance of Alameda County	2,115,493
Berkeley City	726,925
Balance of Contra Costa County	1,486,571
Marin County	582,176
Oakland City	2,308,457
Richmond City	400,357
San Francisco City/County	3,662,928
San Mateo County	1,483,959
Sonoma County	974,634
Santa Barbara County	890,654
Glendale City	261,419
Long Beach City	1,394,067
Balance of Los Angeles County	11,846,413
Los Angeles City	12,368,440
Orange County Manpower Consortium	3,615,781
Pasadene City	549,891
Torrance City	253,498
Ventura County	1,216,192
Balance of California	3,661,175
Humboldt County	524,298
Santa Clara Valley	3,539,218
Solano County	572,100
Sunnyvale City	240,948
Butte County	358,575
Sacramento Consortium	2,376,686
Yolo County	483,400
Placer County	388,863
Stockton/San Joaquin Consortium	1,461,979
Stanislaus County	1,135,074
Shasta County	515,144
Monterey County	914,217
Santa Cruz County	617,522
Fresno City/County	2,079,465
Imperial County	477,093
Kern County	1,331,994
Merced County	570,102
Inland Manpower Assn	4,228,139
San Luis Obispo County	379,804
Tulare County	909,335
San Diego RETC	5,650,799
California	78,553,695
Balance of Hawaii	703,460
Honolulu City/County	2,245,015
Hawaii	2,948,475
Balance of Nevada	389,114
Las Vegas Consortium	1,262,267
Washoe County	511,572
Nevada	2,162,953
American Samoa	54,340
American Samoa	54,340
Guam	662,740
Guam	662,740
Pacific Islands	73,477
Pacific Islands	73,477
Northern Marianas	25,420
Northern Marianas	25,420
Region IX	92,224,699
Municipality of Anchorage	430,026
Balance of Alaska	1,538,473
Alaska	1,968,499
Idaho Statewide Consortium	2,788,599
Idaho	2,788,599
Portland City	1,687,950
Balance of Clackamas County	595,112
Lane County	969,049
Multnomah/Washington Consortium	996,333
Mid Willamette Valley Consortium	931,253
Jackson County Consortium	676,960
Balance of Oregon	2,880,629
Oregon	8,737,286
Spokane Consortium	991,419
Clark County	334,269
King/Snohomish Consortium	5,632,871
Kitsap County	272,852
Tacoma City	861,783
Balance of Pierce County	772,932
Yakima County	272,634
Balance of Washington	3,687,589
Thurston County	282,151
Washington	13,548,500
Region X	27,042,884
State and Local Total	744,716,624
Native Americans	13,942,394
National Total	758,659,018

Signed at Washington, D.C. this 26th day of Feb. 1980

Robert Taggart,

Administrator, Office of Youth Programs.

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federal register

Friday
March 14, 1980

Part VI

The President

Executive Order 12198—Prescribing Amendments to the Manual for Courts-Martial, United States, 1969 (Revised Edition)

Federal Register
Vol. 45, No. 52
Friday, March 14, 1980

Presidential Documents

Title 3—

The President

Executive Order 12198 of March 12, 1980

Prescribing Amendments to the Manual for Courts-Martial, United States, 1969 (Revised Edition)

By virtue of the authority vested in me by the Uniform Code of Military Justice (title 10, United States Code, ch. 47), and as President of the United States, I hereby prescribe the following amendments to the Manual for Courts-Martial, United States, 1969 (revised edition), prescribed by Executive Order No. 11476 as amended by Executive Order No. 11835 and Executive Order No. 12018.

PART A. MILITARY RULES OF EVIDENCE

Chapter 27 is amended to read as follows:

CHAPTER XXVII. MILITARY RULES OF EVIDENCE

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SECTION I. GENERAL PROVISIONS

Rule 101. Scope

(a) *Applicability.* These rules are applicable in courts-martial, including summary courts-martial, to the extent and with the exceptions stated in rule 1101.

(b) *Secondary Sources.* If not otherwise prescribed in this Manual or these rules, and insofar as practicable and not inconsistent with or contrary to the Uniform Code of Military Justice or this Manual, courts-martial shall apply:

(1) First, the rules of evidence generally recognized in the trial of criminal cases in the United States district courts; and

(2) Second, when not inconsistent with subdivision (b)(1), the rules of evidence at common law.

(c) *Rule of construction.* Except as otherwise provided in these rules, the term "military judge" includes the president of a special court-martial without a military judge and a summary court-martial officer.

Rule 102. Purpose and Construction

These rules shall be construed to secure fairness in administration, elimination of unjustifiable expense and delay, and promotion of growth and development of the law of evidence to the end that the truth may be ascertained and proceedings justly determined.

Rule 103. Rulings on Evidence

(a) *Effect of erroneous ruling.* Error may not be predicated upon a ruling which admits or excludes evidence unless the ruling materially prejudices a substantial right of a party, and

(1) *Objection.* In case the ruling is one admitting evidence, a timely objection or motion to strike appears of record, stating the specific ground of objection, if the specific ground was not apparent from the context; or

(2) *Offer of proof.* In case the ruling is one excluding evidence, the substance of the evidence was made known to the military judge by offer or was apparent from the context within which questions were asked.

The standard provided in this subdivision does not apply to errors involving requirements imposed by the Constitution of the United States as applied to members of the armed forces except insofar as the error arises under these rules and this subdivision provides a standard that is more advantageous to the accused than the constitutional standard.

(b) *Record of offer and ruling.* The military judge may add any other or further statement which shows the character of the evidence, the form in which it was offered, the objection made, and the ruling thereon. The military judge may direct the making of an offer in question and answer form.

(c) *Hearing of members.* In a court-martial composed of a military judge and members, proceedings shall be conducted, to the extent practicable, so as to prevent inadmissible evidence from being suggested to the members by any means, such as making statements or offers of proof or asking questions in the hearing of the members.

(d) *Plain error.* Nothing in this rule precludes taking notice of plain errors that materially prejudice substantial rights although they were not brought to the attention of the military judge.

Rule 104. Preliminary Questions

(a) *Questions of admissibility generally.* Preliminary questions concerning the qualification of a person to be a witness, the existence of a privilege, the admissibility of evidence, an application for a continuance, or the availability of a witness shall be determined by the military judge. In making these determinations the military judge is not bound by the rules of evidence except those with respect to privileges.

(b) *Relevancy conditioned on fact.* When the relevancy of evidence depends upon the fulfillment of a condition of fact, the military judge shall admit it upon, or subject to, the introduction of evidence sufficient to support a finding of the fulfillment of the condition. A ruling on the sufficiency of evidence to support a finding of fulfillment of a condition of fact is the sole responsibility of the military judge, except where these rules or this Manual provide expressly to the contrary.

(c) *Hearing of members.* Except in cases tried before a special court-martial without a military judge, hearings on the admissibility of statements of an accused under rules 301–306 shall in all cases be conducted out of the hearing of the members. Hearings on other preliminary matters shall be so conducted when the interests of justice require or, when an accused is a witness, if the accused so requests.

(d) *Testimony by accused.* The accused does not, by testifying upon a preliminary matter, become subject to cross-examination as to other issues in the case.

(e) *Weight and credibility.* This rule does not limit the right of a party to introduce before the members evidence relevant to weight or credibility.

Rule 105. Limited admissibility

When evidence which is admissible as to one party or for one purpose but not admissible as to another party or for another purpose is admitted, the military judge, upon request, shall restrict the evidence to its proper scope and instruct the members accordingly.

Rule 106. Remainder of or Related Writings or Recorded Statements

When a writing or recorded statement or part thereof is introduced by a party, an adverse party may require that party at that time to introduce any other

part or any other writing or recorded statement which ought in fairness to be considered contemporaneously with it.

SECTION II. JUDICIAL NOTICE

Rule 201. Judicial Notice of Adjudicative Facts

(a) *Scope of rule.* This rule governs only judicial notice of adjudicative facts.

(b) *Kinds of facts.* A judicially noticed fact must be one not subject to reasonable dispute in that it is either (1) generally known universally, locally, or in the area pertinent to the event or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.

(c) *When discretionary.* The military judge may take judicial notice, whether requested or not. The parties shall be informed in open court when, without being requested, the military judge takes judicial notice of an adjudicative fact essential to establishing an element of the case.

(d) *When mandatory.* The military judge shall take judicial notice if requested by a party and supplied with the necessary information.

(e) *Opportunity to be heard.* A party is entitled upon timely request to an opportunity to be heard as to the propriety of taking judicial notice and the tenor of the matter noticed. In the absence of prior notification, the request may be made after judicial notice has been taken.

(f) *Time of taking notice.* Judicial notice may be taken at any stage of the proceeding.

(g) *Instructing members.* The military judge shall instruct the members that they may, but are not required to, accept as conclusive any matter judicially noticed.

Rule 201A. Judicial Notice of Law

(a) *Domestic law.* The military judge may take judicial notice of domestic law. Insofar as a domestic law is a fact that is of consequence to the determination of the action, the procedural requirements of rule 201 apply.

(b) *Foreign law.* A party who intends to raise an issue concerning the law of a foreign country shall give reasonable written notice. The military judge, in determining foreign law, may consider any relevant material or source including testimony whether or not submitted by a party or admissible under these rules. Such a determination shall be treated as a ruling on a question of law.

SECTION III. EXCLUSIONARY RULES AND RELATED MATTERS CONCERNING SELF-INCRIMINATION, SEARCH AND SEIZURE, AND EYEWITNESS IDENTIFICATION

Rule 301. Privilege Concerning Compulsory Self-Incrimination

(a) *General rule.* The privileges against self-incrimination provided by the Fifth Amendment to the Constitution of the United States and Article 31 of the Uniform Code of Military Justice are applicable only to evidence of a testimonial or communicative nature. The privilege most beneficial to the individual asserting the privilege shall be applied.

(b) *Standing.* (1) *In general.* The privilege of a witness to refuse to respond to a question the answer to which may tend to incriminate the witness is a personal one that the witness may exercise or waive at the discretion of the witness.

(2) *Judicial advice.* If a witness who is apparently uninformed of the privileges under this rule appears likely to incriminate himself or herself, the military judge should advise the witness of the right to decline to make any answer that might tend to incriminate the witness and that any self-incriminating answer the witness might make can later be used as evidence against the witness. Counsel for any party or for the witness may request the military judge to so advise a witness provided that such a request is made out of the hearing of the witness and, except in a special court-martial without a military

judge, the members. Failure to so advise a witness does not make the testimony of the witness inadmissible.

(c) *Exercise of the privilege.* If a witness states that the answer to a question may tend to incriminate him or her, the witness may not be required to answer unless facts and circumstances are such that no answer the witness might make to the question could have the effect of tending to incriminate the witness or that the witness has, with respect to the question, waived the privilege against self-incrimination. A witness may not assert the privilege if the witness is not subject to criminal penalty as a result of an answer by reason of immunity, running of the statute of limitations, or similar reason.

(1) *Immunity generally.* The minimum grant of immunity adequate to overcome the privilege is that which under either paragraph 68*h* of this Manual or other proper authority provides that neither the testimony of the witness nor any evidence obtained from that testimony may be used against the witness at any subsequent trial other than in a prosecution for perjury, false swearing, the making of a false official statement, or failure to comply with an order to testify after the military judge has ruled that the privilege may not be asserted by reason of immunity.

(2) *Notification of immunity or leniency.* When a prosecution witness before a court-martial has been granted immunity or leniency in exchange for testimony, the grant shall be reduced to writing and shall be served on the accused prior to arraignment or within a reasonable time before the witness testifies. If notification is not made as required by this rule, the military judge may grant a continuance until notification is made, prohibit or strike the testimony of the witness, or enter such other order as may be required.

(d) *Waiver by a witness.* A witness who answers a question without having asserted the privilege against self-incrimination and thereby admits a self-incriminating fact may be required to disclose all information relevant to that fact except when there is a real danger of further self-incrimination. This limited waiver of the privilege applies only at the trial in which the answer is given, does not extend to a rehearing or new or other trial, and is subject to rule 608(b).

(e) *Waiver by the accused.* When an accused testifies voluntarily as a witness, the accused thereby waives the privilege against self-incrimination with respect to the matters concerning which he or she so testifies. If the accused is on trial for two or more offenses and on direct examination testifies concerning the issue of guilt or innocence as to only one or some of the offenses, the accused may not be cross-examined as to guilt or innocence with respect to the other offenses unless the cross-examination is relevant to an offense concerning which the accused has testified. This waiver is subject to rule 608(b).

(f) *Effect of claiming the privilege.* (1) *Generally.* The fact that a witness has asserted the privilege against self-incrimination in refusing to answer a question cannot be considered as raising any inference unfavorable to either the accused or the government.

(2) *On cross-examination.* If a witness asserts the privilege against self-incrimination on cross-examination, the military judge, upon motion, may strike the direct testimony of the witness in whole or in part, unless the matters to which the witness refuses to testify are purely collateral.

(3) *Pretrial.* The fact that the accused during official questioning and in exercise of rights under the Fifth Amendment to the Constitution of the United States or Article 31, remained silent, refused to answer a certain question, requested counsel, or requested that the questioning be terminated is inadmissible against the accused.

(g) *Instructions.* When the accused does not testify at trial, defense counsel may request that the members of the court be instructed to disregard that fact and not to draw any adverse inference from it. Defense counsel may request that the members not be so instructed. Defense counsel's election shall be

binding upon the military judge except that the military judge may give the instruction when the instruction is necessary in the interests of justice.

Rule 302. Privilege Concerning Mental Examination of an Accused

(a) *General rule.* The accused has a privilege to prevent any statement made by the accused at a mental examination ordered under paragraph 121 of this Manual and any derivative evidence obtained through use of such a statement from being received into evidence against the accused on the issue of guilt or innocence or during sentencing proceedings. This privilege may be claimed by the accused notwithstanding the fact that the accused may have been warned of the rights provided by rule 305 at the examination.

(b) *Exceptions.* (1) There is no privilege under this rule when the accused first introduces into evidence such statements or derivative evidence.

(2) An expert witness may testify as to the reasons for the expert's conclusions and the reasons therefor as to the mental state of the accused, but such testimony may not extend to statements of the accused except as provided in (1).

(c) *Release of evidence.* If the defense offers expert testimony concerning the mental condition of the accused, the military judge, upon motion, shall order the release to the prosecution of the full contents, other than any statements made by the accused, of any report prepared pursuant to paragraph 121 of this Manual. If the defense offers statements made by the accused at such examination, the military judge may upon motion order the disclosure of such statements made by the accused and contained in the report as may be necessary in the interests of justice.

(d) *Noncompliance by the accused.* The military judge may prohibit an accused who refuses to cooperate in a mental examination authorized under paragraph 121 of this Manual from presenting any expert medical testimony as to any issue that would have been the subject of the mental examination.

(e) *Procedure.* The privilege in this rule may be claimed by the accused only under the procedure set forth in rule 304 for an objection or a motion to suppress.

Rule 303. Degrading Questions

No person may be compelled to make a statement or produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade that person.

Rule 304. Confessions and Admissions

(a) *General rule.* An involuntary statement or any derivative evidence therefrom may not be received in evidence against an accused who made the statement if the accused makes a timely motion to suppress or an objection to the evidence under this rule.

(b) *Exception.* Where the statement is involuntary only in terms of noncompliance with the requirements concerning counsel under rule 305(d)–(e), this rule does not prohibit use of the statement to impeach by contradiction the in-court testimony of the accused or the use of such statement in a later prosecution against the accused for perjury, false swearing, or the making of a false official statement.

(c) *Definitions.* As used in these rules:

(1) *Confession.* A "confession" is an acknowledgment of guilt.

(2) *Admission.* An "admission" is a self-incriminating statement falling short of an acknowledgment of guilt, even if it was intended by its maker to be exculpatory.

(3) *Involuntary.* A statement is "involuntary" if it is obtained in violation of the self-incrimination privilege or due process clause of the Fifth Amendment to the Constitution of the United States, Article 31, or through the use of coercion, unlawful influence, or unlawful inducement.

(d) *Procedure.* (1) *Disclosure.* Prior to arraignment, the prosecution shall disclose to the defense the contents of all statements, oral or written, made by the accused that are relevant to the case, known to the trial counsel, and within the control of the armed forces.

(2) *Motions and objections.* (A) Motions to suppress or objections under this rule or rules 302 or 305 to statements that have been disclosed shall be made by the defense prior to submission of a plea. In the absence of such motion or objection, the defense may not raise the issue at a later time except as permitted by the military judge for good cause shown. Failure to so move or object constitutes a waiver of the objection.

(B) If the prosecution intends to offer against the accused a statement made by the accused that was not disclosed prior to arraignment, the prosecution shall provide timely notice to the military judge and to counsel for the accused. The defense may enter an objection at that time and the military judge may make such orders as are required in the interests of justice.

(C) If evidence is disclosed as derivative evidence under this subdivision prior to arraignment, any motion to suppress or objection under this rule or rules 302 or 305 shall be made in accordance with the procedure for challenging a statement under (A). If such evidence has not been so disclosed prior to arraignment, the requirements of (B) apply.

(3) *Specificity.* The military judge may require the defense to specify the grounds upon which the defense moves to suppress or object to evidence. If defense counsel, despite the exercise of due diligence, has been unable to interview adequately those persons involved in the taking of a statement, the military judge may make any order required in the interests of justice, including authorization for the defense to make a general motion to suppress or general objection.

(4) *Rulings.* A motion to suppress or an objection to evidence made prior to plea shall be ruled upon prior to plea unless the military judge, for good cause, orders that it be deferred for determination at trial, but no such determination shall be deferred if a party's right to appeal the ruling is affected adversely. Where factual issues are involved in ruling upon such motion or objection, the military judge shall state essential findings of fact on the record.

(5) *Effect of guilty plea.* A plea of guilty to an offense that results in a finding of guilty waives all privileges against self-incrimination and all motions and objections under this rule with respect to that offense regardless of whether raised prior to plea.

(e) *Burden of proof.* When an appropriate motion or objection has been made by the defense under this rule, the prosecution has the burden of establishing the admissibility of the evidence. When a specific motion or objection has been required under subdivision (d)(3), the burden on the prosecution extends only to the grounds upon which the defense moved to suppress or object to the evidence.

(1) *In general.* The military judge must find by a preponderance of the evidence that a statement by the accused was made voluntarily before it may be received into evidence. When trial is by a special court-martial without a military judge, a determination by the president of the court that a statement was made voluntarily is subject to objection by any member of the court. When such objection is made, it shall be resolved pursuant to paragraph 57*f* of this Manual.

(2) *Weight of the evidence.* If a statement is admitted into evidence, the military judge shall permit the defense to present relevant evidence with respect to the voluntariness of the statement and shall instruct the members to give such weight to the statement as it deserves under all the circumstances. When trial is by military judge without members, the military judge shall determine the appropriate weight to give the statement.

(3) *Derivative evidence.* Evidence that is challenged under this rule as derivative evidence may be admitted against the accused if the military judge finds

by a preponderance of the evidence either that the statement was made voluntarily or that the evidence was not obtained by use of the statement.

(f) *Defense evidence.* The defense may present evidence relevant to the admissibility of evidence as to which there has been an objection or motion to suppress under this rule. An accused may testify for the limited purpose of denying that the accused made the statement or that the statement was made voluntarily. Prior to the introduction of such testimony by the accused, the defense shall inform the military judge that the testimony is offered under this subdivision. When the accused testifies under this subdivision, the accused may be cross-examined only as to the matter on which he or she testifies. Nothing said by the accused on either direct or cross-examination may be used against the accused for any purpose other than in a prosecution for perjury, false swearing, or the making of a false official statement.

(g) *Corroboration.* An admission or a confession of the accused may be considered as evidence against the accused on the question of guilt or innocence only if independent evidence, either direct or circumstantial, has been introduced that corroborates the essential facts admitted to justify sufficiently an inference of their truth. Other uncorroborated confessions or admissions of the accused that would themselves require corroboration may not be used to supply this independent evidence. If the independent evidence raises an inference of the truth of some but not all of the essential facts admitted, then the confession or admission may be considered as evidence against the accused only with respect to those essential facts stated in the confession or admission that are corroborated by the independent evidence. Corroboration is not required for a statement made by the accused before the court by which the accused is being tried, for statements made prior to or contemporaneously with the act, or for statements offered under a rule of evidence other than that pertaining to the admissibility of admissions or confessions.

(1) *Quantum of evidence needed.* The independent evidence necessary to establish corroboration need not be sufficient of itself to establish beyond a reasonable doubt the truth of facts stated in the admission or confession. The independent evidence need raise only an inference of the truth of the essential facts admitted. The amount and type of evidence introduced as corroboration is a factor to be considered by the trier of fact in determining the weight, if any, to be given to the admission or confession.

(2) *Procedure.* The military judge alone shall determine when adequate evidence of corroboration has been received. Corroborating evidence usually is to be introduced before the admission or confession is introduced but the military judge may admit evidence subject to later corroboration.

(h) *Miscellaneous.* (1) *Oral statements.* A voluntary oral confession or admission of the accused may be proved by the testimony of anyone who heard the accused make it, even if it was reduced to writing and the writing is not accounted for.

(2) *Completeness.* If only part of an alleged admission or confession is introduced against the accused, the defense, by cross-examination or otherwise, may introduce the remaining portions of the statement.

(3) *Certain admissions by silence.* A person's failure to deny an accusation of wrongdoing concerning an offense for which at the time of the alleged failure the person was under official investigation or was in confinement, arrest, or custody does not support an inference of an admission of the truth of the accusation.

Rule 305. Warnings About Rights

(a) *General rule.* A statement obtained in violation of this rule is involuntary and shall be treated under rule 304.

(b) *Definitions.* As used in this rule:

(1) *Person subject to the Uniform Code of Military Justice.* A "person subject to the Uniform Code of Military Justice" includes a person acting as a knowing

agent of a military unit or of a person subject to the Uniform Code of Military Justice.

(2) *Interrogation.* "Interrogation" includes any formal or informal questioning in which an incriminating response either is sought or is a reasonable consequence of such questioning.

(c) *Warnings concerning the accusation, right to remain silent, and use of statements.* A person subject to the Uniform Code of Military Justice who is required to give warnings under Article 31 may not interrogate or request any statement from an accused or a person suspected of an offense without first: (1) informing the accused or suspect of the nature of the accusation; (2) advising the accused or suspect that the accused or suspect has the right to remain silent; and (3) advising the accused or suspect that any statement made may be used as evidence against the accused or suspect in a trial by court-martial.

(d) *Counsel rights and warnings.*

(1) *General rule.* When evidence of a testimonial or communicative nature within the meaning of the Fifth Amendment to the Constitution of the United States either is sought or is a reasonable consequence of an interrogation, an accused or a person suspected of an offense is entitled to consult with counsel as provided by paragraph (2) of this subdivision, to have such counsel present at the interrogation, and to be warned of these rights prior to the interrogation if—

(A) The interrogation is conducted by a person subject to the Uniform Code of Military Justice who is required to give warnings under Article 31 and the accused or suspect is in custody, could reasonably believe himself or herself to be in custody, or is otherwise deprived of his or her freedom of action in any significant way; or

(B) The interrogation is conducted by a person subject to the Uniform Code of Military Justice acting in a law enforcement capacity, or an agent of such a person, the interrogation is conducted subsequent to preferral of charges or the imposition of pretrial restraint under paragraph 20 of this Manual, and the interrogation concerns the offenses or matters that were the subject of the preferral of charges or were the cause of the imposition of pretrial restraint.

(2) *Counsel.* When a person entitled to counsel under this rule requests counsel, a judge advocate or law specialist within the meaning of Article 1 or an individual certified in accordance with Article 27(b) shall be provided by the United States at no expense to the person and without regard to the person's indigency or lack thereof before the interrogation may proceed. In addition to counsel supplied by the United States, the person may retain civilian counsel at no expense to the United States. Unless otherwise provided by regulations of the Secretary concerned, an accused or suspect does not have a right under this rule to have military counsel of his or her own selection.

(e) *Notice to Counsel.* When a person subject to the Uniform Code of Military Justice who is required to give warnings under subdivision (c) intends to question an accused or person suspected of an offense and knows or reasonably should know that counsel either has been appointed for or retained by the accused or suspect with respect to that offense, the counsel must be notified of the intended interrogation and given a reasonable time in which to attend before the interrogation may proceed.

(f) *Exercise of rights.* If a person chooses to exercise the privilege against self-incrimination or the right to counsel under this rule, questioning must cease immediately.

(g) *Waiver.* (1) *General rule.* After receiving applicable warnings under this rule, a person may waive the rights described therein and in rule 301 and make a statement. The waiver must be made freely, knowingly, and intelligently. A written waiver is not required. The accused or suspect must

acknowledge affirmatively that he or she understands the rights involved, affirmatively decline the right to counsel and affirmatively consent to making a statement.

(2) *Counsel.* If the right to counsel in subdivision (d) is applicable and the accused or suspect does not decline affirmatively the right to counsel, the prosecution must demonstrate by a preponderance of the evidence that the individual waived the right to counsel. In addition, if the notice to counsel in subdivision (e) is applicable, a waiver of the right to counsel is not effective unless the prosecution demonstrates by a preponderance of the evidence that reasonable efforts to notify the counsel were unavailing or that the counsel did not attend an interrogation scheduled within a reasonable period of time after the required notice was given.

(h) *Nonmilitary interrogations.* (1) *General rule.* When a person subject to the Uniform Code of Military Justice is interrogated by an official or agent of the United States, of the District of Columbia, or of a State, Commonwealth, or possession of the United States, or any political subdivision of such a State, Commonwealth, or possession, and such official or agent is not required to give warnings under subdivision (c), the person's entitlement to rights warnings and the validity of any waiver of applicable rights shall be determined by the principles of law generally recognized in the trial of criminal cases in the United States district courts involving similar interrogations.

(2) *Foreign interrogations.* Neither warnings under subdivisions (c) or (d), nor notice to counsel under subdivision (e) are required during an interrogation conducted abroad by officials of a foreign government or their agents unless such interrogation is conducted, instigated, or participated in by military personnel or their agents or by those officials or agents listed in subdivision (h)(1). A statement obtained during such an interrogation is involuntary within the meaning of rule 304(b)(3) if it is obtained through the use of coercion, unlawful influence, or unlawful inducement. An interrogation is not "participated in" by military personnel or their agents or by the officials or agents listed in subdivision (h)(1) merely because they were present at an interrogation conducted in a foreign nation by officials of a foreign government or their agents, or because they took steps to mitigate damage to property or physical harm during the foreign interrogation.

Rule 306. Statements by One of Several Accused

When two or more accused are tried at the same trial, evidence of a statement made by one of them which is admissible only against him or her or only against some but not all of the accused may not be received in evidence unless all references inculpating an accused against whom the statement is inadmissible are deleted effectively or the maker of the statement is subject to cross-examination.

Rule 311. Evidence Obtained From Unlawful Searches and Seizures

(a) *General rule.* Evidence obtained as a result of an unlawful search or seizure made by a person acting in a governmental capacity is inadmissible against the accused if:

(1) *Objection.* The accused makes a timely motion to suppress or an objection to the evidence under this rule; and

(2) *Adequate interest.* The accused had a reasonable expectation of privacy in the person, place or property searched; the accused had a legitimate interest in the property or evidence seized when challenging a seizure; or the accused would otherwise have grounds to object to the search or seizure under the Constitution of the United States as applied to members of the armed forces.

(b) *Exception.* Evidence that was obtained as a result of an unlawful search or seizure may be used to impeach by contradiction the in-court testimony of the accused.

(c) *Nature of search or seizure.* A search or seizure is "unlawful" if it was conducted, instigated, or participated in by:

(1) *Military personnel.* Military personnel or their agents and was in violation of the Constitution of the United States as applied to members of the armed forces, an Act of Congress applicable to trials by court-martial that requires exclusion of evidence obtained in violation thereof, or rules 312–317;

(2) *Other officials.* Other officials or agents of the United States, of the District of Columbia, or of a State, Commonwealth, or possession of the United States or any political subdivision of such a State, Commonwealth, or possession and was in violation of the Constitution of the United States, or is unlawful under the principles of law generally applied in the trial of criminal cases in the United States district courts involving a similar search or seizure; or

(3) *Officials of a foreign government.* Officials of a foreign government or their agents and was obtained as a result of a foreign search or seizure which subjected the accused to gross and brutal maltreatment.

A search or seizure is not "participated in" merely because a person is present at a search or seizure conducted in a foreign nation by officials of a foreign government or their agents, or because a person acted as an interpreter or took steps to mitigate damage to property or physical harm during the foreign search or seizure.

(d) *Motions to suppress and objections.* (1) *Disclosure.* Prior to arraignment, the prosecution shall disclose to the defense all evidence seized from the person or property of the accused, or believed to be owned by the accused, that it intends to offer into evidence against the accused at trial.

(2) *Motion or objection.* (A) When evidence has been disclosed under subdivision (d)(1), any motion to suppress or objection under this rule shall be made by the defense prior to submission of a plea. In the absence of such motion or objection, the defense may not raise the issue at a later time except as permitted by the military judge for good cause shown. Failure to so move or object constitutes a waiver of the motion or objection.

(B) If the prosecution intends to offer evidence seized from the person or property of the accused that was not disclosed prior to arraignment, the prosecution shall provide timely notice to the military judge and to counsel for the accused. The defense may enter an objection at that time and the military judge may make such orders as are required in the interest of justice.

(C) If evidence is disclosed as derivative evidence under this subdivision prior to arraignment, any motion to suppress or objection under this rule shall be made in accordance with the procedure for challenging evidence under (A). If such evidence has not been so disclosed prior to arraignment, the requirements of (B) apply.

(3) *Specificity.* The military judge may require the defense to specify the grounds upon which the defense moves to suppress or object to evidence. If defense counsel, despite the exercise of due diligence, has been unable to interview adequately those persons involved in the search or seizure, the military judge may enter any order required by the interests of justice, including authorization for the defense to make a general motion to suppress or a general objection.

(4) *Rulings.* A motion to suppress or an objection to evidence made prior to plea shall be ruled upon prior to plea unless the military judge, for good cause, orders that it be deferred for determination at the trial of the general issue or until after findings, but no such determination shall be deferred if a party's right to appeal the ruling is affected adversely. Where factual issues are involved in ruling upon such motion or objection, the military judge shall state essential findings of fact on the record.

(e) *Burden of proof.* (1) *In general.* When an appropriate motion or objection has been made by the defense under subdivision (d), the prosecution has the burden of proving by a preponderance of the evidence that evidence was not obtained as a result of an unlawful search or seizure.

(2) *Derivative evidence.* Evidence that is challenged under this rule as derivative evidence may be admitted against the accused if the military judge finds by a preponderance of the evidence that the evidence was not obtained as a result of an unlawful search or seizure.

(3) *Specific motions or objections.* When a specific motion or objection has been required under subdivision (d)(3), the burden on the prosecution extends only to the grounds upon which the defense moved to suppress or object to the evidence.

(f) *Defense evidence.* The defense may present evidence relevant to the admissibility of evidence as to which there has been an appropriate motion or objection under this rule. An accused may testify for the limited purpose of contesting the legality of the search or seizure giving rise to the challenged evidence. Prior to the introduction of such testimony by the accused, the defense shall inform the military judge that the testimony is offered under this subdivision. When the accused testifies under this subdivision, the accused may be cross-examined only as to the matter on which he or she testifies. Nothing said by the accused on either direct or cross-examination may be used against the accused for any purpose other than in a prosecution for perjury, false swearing, or the making of a false official statement.

(g) *Scope of motions and objections challenging probable cause.* (1) *Generally.* If the defense challenges evidence seized pursuant to a search warrant or search authorization on the grounds that the warrant or authorization was not based upon probable cause, the evidence relevant to the motion is limited to evidence concerning the information actually presented to or otherwise known by the authorizing officer, except as provided in paragraph (2).

(2) *False statements.* If the defense makes a substantial preliminary showing that a government agent included a false statement knowingly and intentionally or with reckless disregard for the truth in the information presented to the authorizing officer, and if the allegedly false statement is necessary to the finding of probable cause, the defense, upon request, shall be entitled to a hearing. At the hearing, the defense has the burden of establishing by a preponderance of the evidence the allegation of falsity or reckless disregard for the truth. If the defense meets its burden, the prosecution has the burden of proving by a preponderance of the evidence, with the false information set aside, that the remaining information presented to the authorizing officer is sufficient to establish probable cause. If the prosecution does not meet its burden, the objection or motion shall be granted unless the search is otherwise lawful under these rules.

(h) *Objections to evidence seized unlawfully.* If a defense motion or objection under this rule is sustained in whole or in part, the members may not be informed of that fact except insofar as the military judge must instruct the members to disregard evidence.

(i) *Effect of guilty plea.* A plea of guilty to an offense that results in a finding of guilty waives all issues under the Fourth Amendment to the Constitution of the United States and rules 311–317 with respect to that offense whether or not raised prior to plea.

Rule 312. Bodily Views and Intrusions

(a) *General rule.* Evidence obtained from bodily views and intrusions conducted in accordance with this rule is admissible at trial when relevant and not otherwise inadmissible under these rules.

(b) *Visual examination of the body.* (1) *Consensual.* Visual examination of the unclothed body may be made with the consent of the individual subject to the inspection in accordance with rule 314(e).

(2) *Involuntary.* An involuntary display of the unclothed body including a visual examination of body cavities, may be required only if conducted in reasonable fashion and authorized under the following provisions of these rules: inspections and inventories under rule 313; searches under rules 314(b) and 314(c) if there is a real suspicion that weapons, contraband or evidence of

crime is concealed on the body of the person to be searched; searches within jails and similar facilities under rule 314(h) if reasonably necessary to maintain the security of the institution or its personnel; searches incident to lawful apprehension under rule 314(g); emergency searches under rule 314(i); and probable cause searches under rule 315. An examination of the unclothed body under this paragraph should be conducted whenever practicable by a person of the same sex as that of the person being examined; provided, however, that failure to comply with this requirement does not make an examination an unlawful search within the meaning of rule 311.

(c) *Intrusion into body cavities.* A reasonable nonconsensual physical intrusion into the mouth, nose, and ears may be made when a visual examination of the body under subdivision (b) is permissible. Nonconsensual intrusions into other body cavities may be made:

(1) *For purposes of seizure.* To remove weapons, contraband, or evidence of crime discovered under subdivisions (b) and (c)(2) of this rule or under rule 316(d)(4)(C) if such intrusion is made in a reasonable fashion by a person with appropriate medical qualifications; or

(2) *For purposes of search.* To search for weapons, contraband, or evidence of crime; if authorized by a search warrant or search authorization under rule 315 and conducted by a person with appropriate medical qualifications.

Notwithstanding this paragraph, a search under rule 314(h) may be made without a search warrant or authorization if such search is based upon a real suspicion that the individual is concealing weapons, contraband, or evidence of crime.

(d) *Seizure of bodily fluids.* Nonconsensual extraction of bodily fluids, including blood and urine, may be made from the body of an individual pursuant to a search warrant or a search authorization under rule 315. Nonconsensual extraction of bodily fluids may be made without such warrant or authorization, notwithstanding rule 315(g), only when there is a clear indication that evidence of crime will be found and that there is reason to believe that the delay that would result if a warrant or authorization were sought could result in the destruction of the evidence. Involuntary extraction of bodily fluids under this rule must be done in a reasonable fashion by a person with appropriate medical qualifications.

(e) *Other intrusive searches.* Nonconsensual intrusive searches of the body made to locate or obtain weapons, contraband, or evidence of crime and not within the scope of subdivisions (b) or (c) may be made only upon search warrant or search authorization under rule 315 and only if such search is conducted in a reasonable fashion by a person with appropriate medical qualifications and does not endanger the health of the person to be searched. Compelling a person to ingest substances for the purposes of locating the property described above or to compel the bodily elimination of such property is a search within the meaning of this section. Notwithstanding this rule, a person who is neither a suspect nor an accused may not be compelled to submit to an intrusive search of the body for the sole purpose of obtaining evidence of crime.

(f) *Intrusions for valid medical purposes.* Nothing in this rule shall be deemed to interfere with the lawful authority of the armed forces to take whatever action may be necessary to preserve the health of a service member. Evidence or contraband obtained from an examination or intrusion conducted for a valid medical purpose may be seized and is not evidence obtained from an unlawful search or seizure within the meaning of rule 311.

(g) *Medical qualifications.* The Secretary concerned may prescribe appropriate medical qualifications for persons who conduct searches and seizures under this rule.

Rule 313. Inspections and Inventories in the Armed Forces

(a) *General rule.* Evidence obtained from inspections and inventories in the armed forces conducted in accordance with this rule is admissible at trial when relevant and not otherwise inadmissible under these rules.

(b) *Inspections.* An "inspection" is an examination of the whole or part of a unit, organization, installation, vessel, aircraft, or vehicle, including an examination conducted at entrance and exit points, conducted as an incident of command the primary purpose of which is to determine and to ensure the security, military fitness, or good order and discipline of the unit, organization, installation, vessel, aircraft, or vehicle. An inspection may include but is not limited to an examination to determine and to ensure that any or all of the following requirements are met: that the command is properly equipped, functioning properly, maintaining proper standards of readiness, sea or airworthiness, sanitation and cleanliness, and that personnel are present, fit, and ready for duty. An inspection also includes an examination to locate and confiscate unlawful weapons and other contraband when such property would affect adversely the security, military fitness, or good order and discipline of the command and when (1) there is a reasonable suspicion that such property is present in the command or (2) the examination is a previously scheduled examination of the command. An examination made for the primary purpose of obtaining evidence for use in a trial by court-martial or in other disciplinary proceedings is not an inspection within the meaning of this rule. Inspections shall be conducted in a reasonable fashion and shall comply with rule 312, if applicable. Inspections may utilize any reasonable natural or technological aid and may be conducted with or without notice to those inspected. Unlawful weapons, contraband, or other evidence of crime located during an inspection may be seized.

(c) *Inventories.* Unlawful weapons, contraband, or other evidence of crime discovered in the process of an inventory, the primary purpose of which is administrative in nature, may be seized. Inventories shall be conducted in a reasonable fashion and shall comply with rule 312, if applicable. An examination made for the primary purpose of obtaining evidence for use in a trial by court-martial or in other disciplinary proceedings is not an inventory within the meaning of this rule.

Rule 314. Searches Not Requiring Probable Cause

(a) *General Rule.* Evidence obtained from reasonable searches not requiring probable cause conducted pursuant to this rule is admissible at trial when relevant and not otherwise inadmissible under these rules.

(b) *Border Searches.* Border searches for customs or immigration purposes may be conducted when authorized by Act of Congress.

(c) *Searches upon entry to United States installations, aircraft, and vessels abroad.* In addition to the authority to conduct inspections under rule 313(b), a commander of a United States military installation, enclave, or aircraft on foreign soil, or in foreign or international airspace, or a United States vessel in foreign or international waters, may authorize appropriate personnel to search persons or the property of such persons upon entry to the installation, enclave, aircraft, or vessel to ensure the security, military fitness or good order and discipline of the command. Such searches may not be conducted at a time or in a manner contrary to an express provision of a treaty or agreement to which the United States is a party. Failure to comply with a treaty or agreement, however, does not render a search unlawful within the meaning of rule 311. A search made for the primary purpose of obtaining evidence for use in a trial by court-martial or other disciplinary proceeding is not authorized by this subdivision.

(d) *Searches of government property.* Government property may be searched under this rule unless the person to whom the property is issued or assigned has a reasonable expectation of privacy therein at the time of the search. Under normal circumstances, a person does not have a reasonable expectation of privacy in government property that is not issued for personal use. Wall or floor lockers in living quarters issued for the purpose of storing

personal possessions normally are issued for personal use; but the determination as to whether a person has a reasonable expectation of privacy in government property issued for personal use depends on the facts and circumstances at the time of the search.

(e) *Consent searches.* (1) *General rule.* Searches may be conducted of any person or property with lawful consent.

(2) *Who may consent.* A person may consent to a search of his or her person or property, or both, unless control over such property has been given to another. A person may grant consent to search property when the person exercises control over that property.

(3) *Scope of consent.* Consent may be limited in any way by the person granting consent, including limitations in terms of time, place, or property and may be withdrawn at any time.

(4) *Voluntariness.* To be valid, consent must be given voluntarily. Voluntariness is a question to be determined from all the circumstances. Although a person's knowledge of the right to refuse to give consent is a factor to be considered in determining voluntariness, the prosecution is not required to demonstrate such knowledge as a prerequisite to establishing a voluntary consent. Mere submission to the color of authority of personnel performing law enforcement duties or acquiescence in an announced or indicated purpose to search is not a voluntary consent.

(5) *Burden of proof.* Consent must be shown by clear and convincing evidence. The fact that a person was in custody while granting consent is a factor to be considered in determining the voluntariness of the consent, but it does not affect the burden of proof.

(f) *Frisks incident to a lawful stop.* (1) *Stops.* A person authorized to apprehend by paragraph 19*a* of this Manual and others performing law enforcement duties may stop another person temporarily when the person making the stop has information or observes unusual conduct that leads him or her reasonably to conclude in light of his or her experience that criminal activity may be afoot. The purpose of the stop must be investigatory in nature.

(2) *Frisks.* When a lawful stop is performed, the person stopped may be frisked for weapons when that person is reasonably believed to be armed and presently dangerous. Contraband or evidence located in the process of a lawful frisk may be seized.

(g) *Searches incident to a lawful apprehension.* (1) *General rule.* A person who has been lawfully apprehended may be searched.

(2) *Search for weapons and destructible evidence.* A search may be conducted for weapons or destructible evidence in the area within the immediate control of a person who has been apprehended. The area within the person's "immediate control" is the area which the individual searching could reasonably believe that the person apprehended could reach with a sudden movement to obtain such property.

(3) *Examination for other persons.* When an apprehension takes place at a location in which other persons reasonably might be present who might interfere with the apprehension or endanger those apprehending, a reasonable examination may be made of the general area in which such other persons might be located.

(h) *Searches within jails, confinement facilities, or similar facilities.* Searches within jails, confinement facilities, or similar facilities may be authorized by persons with authority over the institution.

(i) *Emergency searches to save life or for related purposes.* In emergency circumstances to save life or for a related purpose, a search may be conducted of persons or property in a good faith effort to render immediate medical aid, to obtain information that will assist in the rendering of such aid, or to prevent immediate or ongoing personal injury.

(j) *Searches of open fields or woodlands.* A search of open fields or woodlands is not an unlawful search within the meaning of rule 311.

(k) *Other searches.* A search of a type not otherwise included in this rule and not requiring probable cause under rule 315 may be conducted when permissible under the Constitution of the United States as applied to members of the armed forces.

Rule 315. Probable Cause Searches

(a) *General rule.* Evidence obtained from searches requiring probable cause conducted in accordance with this rule is admissible at trial when relevant and not otherwise inadmissible under these rules.

(b) *Definitions.* As used in these rules:

(1) *Authorization to search.* An "authorization to search" is an express permission, written or oral, issued by competent military authority to search a person or an area for specified property or evidence or for a specific person and to seize such property, evidence, or person. It may contain an order directing subordinate personnel to conduct a search in a specified manner.

(2) *Search warrant.* A "search warrant" is an express permission to search and seize issued by competent civilian authority.

(c) *Scope of authorization.* A search authorization may be issued under this rule for a search of:

(1) *Persons.* The person of anyone subject to military law or the law of war wherever found;

(2) *Military property.* Military property of the United States or of nonappropriated fund activities of an armed force of the United States wherever located;

(3) *Persons and property within military control.* Persons or property situated on or in a military installation, encampment, vessel, aircraft, vehicle, or any other location under military control, wherever located; or

(4) *Nonmilitary property within a foreign country.* (A) Property owned, used, occupied by, or in the possession of an agency of the United States other than the Department of Defense when situated in a foreign country. A search of such property may not be conducted without the concurrence of an appropriate representative of the agency concerned. Failure to obtain such concurrence, however, does not render a search unlawful within the meaning of rule 311.

(B) Other property situated in a foreign country.

If the United States is a party to a treaty or agreement that governs a search in a foreign country, the search shall be conducted in accordance with the treaty or agreement. If there is no treaty or agreement, concurrence should be obtained from an appropriate representative of the foreign country with respect to a search under paragraph (4)(B) of this subdivision. Failure to obtain such concurrence or noncompliance with a treaty or agreement, however, does not render a search unlawful within the meaning of rule 311.

(d) *Power to authorize.* Authorization to search pursuant to this rule may be granted by an impartial individual in the following categories:

(1) *Commander.* A commanding officer, officer in charge, or other person serving in a position designated by the Secretary concerned as either a position analogous to an officer in charge or a position of command, who has control over the place where the property or person to be searched is situated or found, or, if that place is not under military control, having control over persons subject to military law or the law of war;

(2) *Delegee.* An impartial person to whom the authority has been delegated by a person empowered to authorize a search under (1) except insofar as the power to delegate is restricted by the Secretary concerned; or

(3) *Military judge.* A military judge or magistrate if authorized under regulations prescribed by the Secretary of Defense or the Secretary concerned.

An otherwise impartial authorizing official does not lose that character merely because he or she is present at the scene of a search or is otherwise readily available to persons who may seek the issuance of a search authorization; nor does such an official lose impartial character merely because the official previously and impartially authorized investigative activities when such previous authorization is similar in intent or function to a pretrial authorization made by the United States district courts.

(e) *Power to search.* Any commissioned officer, warrant officer, petty officer, noncommissioned officer, and, when in the execution of guard or police duties, any criminal investigator, member of the Air Force security police, military police, or shore patrol, or person designated by proper authority to perform guard or police duties, or any agent of any such person, may conduct or authorize a search when a search authorization has been granted under this rule or a search would otherwise be proper under subdivision (g).

(f) *Basis for search authorizations.* (1) *Probable cause requirement.* A search authorization issued under this rule must be based upon probable cause.

(2) *Probable cause determination.* Probable cause to search exists when there is a reasonable belief that the person, property, or evidence sought is located in the place or on the person to be searched. Before a person may conclude that probable cause to search exists, he or she must first have a reasonable belief that the information giving rise to the intent to search is believable and has a factual basis. A search authorization may be based upon hearsay evidence in whole or in part. A determination of probable cause under this rule shall be based upon any or all of the following:

(1) Written statements communicated to the authorizing officer;

(2) Oral statements communicated to the authorizing official in person, via telephone, or by other appropriate means of communication; or

(3) Such information as may be known by the authorizing official that would not preclude the officer from acting in an impartial fashion.

The Secretary of Defense or the Secretary concerned may prescribe additional requirements.

(g) *Exigencies.* A search warrant or search authorization is not required under this rule for search based upon probable cause when:

(1) *Insufficient time.* There is a reasonable belief that the delay necessary to obtain a search warrant or search authorization would result in the removal, destruction, or concealment of the property or evidence sought;

(2) *Lack of communications.* There is a reasonable military operational necessity that is reasonably believed to prohibit or prevent communication with a person empowered to grant a search warrant or authorization and there is a reasonable belief that the delay necessary to obtain a search warrant or search authorization would result in the removal, destruction, or concealment of the property or evidence sought;

(3) *Search of operable vehicle.* An operable vehicle is to be searched, except in circumstances where a search warrant or authorization is required by the Constitution of the United States, this Manual or these rules; or

(4) *Not required by Constitution.* A search warrant or authorization is not otherwise required by the Constitution of the United States as applied to members of the armed forces.

For purposes of this rule, a vehicle is presumed to be "operable" unless a reasonable person would have known at the time of search that the vehicle was not functional for purposes of transportation.

(h) *Execution.* (1) *Notice.* If the person whose property is to be searched is present during a search conducted pursuant to a search authorization granted under this rule, the person conducting the search should when possible notify

him or her of the act of authorization and the general substance of the authorization. Such notice may be made prior to or contemporaneously with the search. Failure to provide such notice does not make a search unlawful within the meaning of rule 311.

(2) *Inventory.* Under regulations prescribed by the Secretary concerned, and with such exceptions as may be authorized by the Secretary, an inventory of the property seized shall be made at the time of a seizure under this rule or as soon as practicable thereafter. At an appropriate time, a copy of the inventory shall be given to a person from whose possession or premises the property was taken. Failure to make an inventory, furnish a copy thereof, or otherwise comply with this paragraph does not render a search or seizure unlawful within the meaning of rule 311.

(3) *Foreign searches.* Execution of a search authorization outside the United States and within the jurisdiction of a foreign nation should be in conformity with existing agreements between the United States and the foreign nation. Noncompliance with such an agreement does not make an otherwise lawful search unlawful.

(4) *Search warrants.* The execution of a search warrant affects admissibility only insofar as exclusion of evidence is required by the Constitution of the United States or an applicable Act of Congress.

Rule 316. Seizures

(a) *General rule.* Evidence obtained from seizures conducted in accordance with this rule is admissible at trial if the evidence was not obtained as a result of an unlawful search and if the evidence is relevant and not otherwise inadmissible under these rules.

(b) *Seizure of property.* Probable cause to seize property or evidence exists when there is a reasonable belief that the property or evidence is an unlawful weapon, contraband, evidence of crime, or might be used to resist apprehension or to escape. Before a person may conclude that probable cause to seize property is present, the person must first have a reasonable belief that the information giving rise to the intent to seize is believable and has a factual basis.

(c) *Apprehension.* Apprehension is governed by paragraph 19 of this Manual.

(d) *Seizure of property or evidence.* (1) *Abandoned property.* Abandoned property may be seized without probable cause and without a search warrant or search authorization. Such seizure may be made by any person.

(2) *Consent.* Property or evidence may be seized with consent consistent with the requirements applicable to consensual searches under rule 314.

(3) *Government property.* Government property may be seized without probable cause and without a search warrant or search authorization by any person listed in subdivision (e), unless the person to whom the property is issued or assigned has a reasonable expectation of privacy therein, as provided in Rule 314(d), at the time of the seizure.

(4) *Other property.* Property or evidence not included in paragraph (1)–(3) may be seized for use in evidence by any person listed in subdivision (e) if:

(A) *Authorization.* The person is authorized to seize the property or evidence by a search warrant or a search authorization under rule 315;

(B) *Exigent circumstances.* The person has probable cause to seize the property or evidence and under rule 315(g) a search warrant or search authorization is not required; or

(C) *Plain view.* The person while in the course of otherwise lawful activity observes in a reasonable fashion property or evidence that the person has probable cause to seize.

(e) *Power to seize.* Any commissioned officer, warrant officer, petty officer, noncommissioned officer, and, when in the execution of guard or police duties, any criminal investigator, member of the Air Force security police, military police, or shore patrol, or individual designated by proper authority to perform

guard or police duties, or any agent of any such person, may seize property pursuant to this rule.

Rule 317. Interception of Wire and Oral Communications

(a) *General rule.* Wire or oral communications constitute evidence obtained as a result of an unlawful search or seizure within the meaning of rule 311 when such evidence must be excluded under the Fourth Amendment to the Constitution of the United States as applied to members of the armed forces or if such evidence must be excluded under a statute applicable to members of the armed forces.

(b) *Authorization for judicial applications in the United States.* Under section 2516(1) of title 18, United States Code, the Attorney General, or any Assistant Attorney General specially designated by the Attorney General may authorize an application to a federal judge of competent jurisdiction for, and such judge may grant in conformity with section 2518 of title 18, United States Code, an order authorizing or approving the interception of wire or oral communications by the Department of Defense, the Department of Transportation, or any Military Department for purposes of enforcing the Uniform Code of Military Justice.

(c) *Regulations.* Notwithstanding any other provision of these rules, members of the armed forces or their agents may not intercept wire or oral communications for law enforcement purposes except as follows:

(1) in the United States, under subdivision (b); and

(2) outside the United States, under regulations issued by the Secretary of Defense or the Secretary concerned.

Rule 321. Eyewitness Identification

(a) *General rule.* (1) *Admissibility.* Testimony concerning a relevant out of court identification by any person is admissible, subject to an appropriate objection under this rule, if such testimony is otherwise admissible under these rules. The witness making the identification and any person who has observed the previous identification may testify concerning it. When in testimony a witness identifies the accused as being, or not being, a participant in an offense or makes any other relevant identification concerning a person in the courtroom, evidence that on a previous occasion the witness made a similar identification is admissible to corroborate the witness' testimony as to identity even if the credibility of the witness has not been attacked directly, subject to appropriate objection under this rule.

(2) *Exclusionary rule.* An identification of the accused as being a participant in an offense, whether such identification is made at the trial or otherwise, is inadmissible against the accused if (A) the accused makes a timely motion to suppress or an objection to the evidence under this rule and if the identification is the result of an unlawful lineup or other unlawful identification process conducted by the United States or other domestic authorities; or (B) exclusion of the evidence is required by the due process clause of the Fifth Amendment to the Constitution of the United States as applied to members of the armed forces. Evidence other than an identification of the accused that is obtained as a result of an unlawful lineup or unlawful identification process is inadmissible against the accused if the accused makes a timely motion to suppress or an objection to the evidence under this rule and if exclusion of the evidence is required under the Constitution of the United States as applied to members of the armed forces.

(b) *Definition of "unlawful".* (1) *Lineups and other identification processes.* A lineup or other identification process is "unlawful" if it is (A) conducted by persons subject to the Uniform Code of Military Justice or their agents and is unnecessarily suggestive or otherwise in violation of the due process clause of the Fifth Amendment to the Constitution of the United States as applied to members of the armed forces; or (B) conducted by other authorities of the United States, of the District of Columbia, or of a State, Commonwealth, or possession of the United States, or any political subdivision of such a State,

Commonwealth, or possession and is unnecessarily suggestive or otherwise in violation of the due process clause of the Fifth Amendment to the Constitution of the United States.

(2) *Lineups: right to counsel.* A lineup is "unlawful" if it is conducted in violation of the following rights to counsel:

(A) *Military lineups.* An accused or suspect is entitled to counsel if, after preferral of charges or imposition of pretrial restraint under paragraph 20 of this Manual for the offense under investigation, the accused is subjected by persons subject to the Uniform Code of Military Justice or their agents to a lineup for the purpose of identification. When a person entitled to counsel under this rule requests counsel, a judge advocate or law specialist within the meaning of Article 1 or a person certified in accordance with Article 27(b) shall be provided by the United States at no expense to the accused or suspect and without regard to indigency or lack thereof before the lineup may proceed. The accused or suspect may waive the rights provided in this rule if the waiver is freely, knowingly, and intelligently made.

(B) *Nonmilitary lineups.* When a person subject to the Uniform Code of Military Justice is subjected to a lineup for purposes of identification by an official or agent of the United States, of the District of Columbia, or of a State, Commonwealth, or possession of the United States, or any political subdivision of such a State, Commonwealth, or possession, and the provisions of paragraph (1) do not apply, the person's entitlement to counsel and the validity of any waiver of applicable rights shall be determined by the principles of law generally recognized in the trial of criminal cases in the United States district courts involving similar lineups.

(c) *Motions to suppress and objections.* (1) *Disclosure.* Prior to arraignment, the prosecution shall disclose to the defense all evidence of a prior identification of the accused at a lineup or other identification process that it intends to offer into evidence against the accused at trial.

(2) *Motion or objection.* (A) When such evidence has been disclosed, any motion to suppress or objection under this rule shall be made by the defense prior to submission of a plea. In the absence of such motion or objection, the defense may not raise the issue at a later time except as permitted by the military judge for good cause shown. Failure to so move constitutes a waiver of the motion or objection.

(B) If the prosecution intends to offer such evidence and the evidence was not disclosed prior to arraignment, the prosecution shall provide timely notice to the military judge and counsel for the accused. The defense may enter an objection at that time and the military judge may make such orders as are required in the interests of justice.

(C) If evidence is disclosed as derivative evidence under this subdivision prior to arraignment, any motion to suppress or objection under this rule shall be made in accordance with the procedure for challenging evidence under (A). If such evidence has not been so disclosed prior to arraignment, the requirements of (B) apply.

(3) *Specificity.* The military judge may require the defense to specify the grounds upon which the defense moves to suppress or object to evidence. If defense counsel, despite the exercise of due diligence, has been unable to interview adequately those persons involved in the lineup or other identification process, the military judge may enter any order required by the interests of justice, including authorization for the defense to make a general motion to suppress or a general objection.

(d) *Burden of proof.* When a specific motion or objection has been required under subdivision (c)(3), the burden on the prosecution extends only to the grounds upon which the defense moved to suppress or object to the evidence. When an appropriate objection under this rule has been made by the defense, the issue shall be determined by the military judge as follows:

(1) *Right to counsel.* When an objection raises the right to presence of counsel under this rule, the prosecution must prove by a preponderance of the evidence that counsel was present at the lineup or that the accused, having been advised of the right to the presence of counsel, voluntarily and intelligently waived that right prior to the lineup. When the military judge determines that an identification is the result of a lineup conducted without the presence of counsel or an appropriate waiver, any later identification by one present at such unlawful lineup is also a result thereof unless the military judge determines that the contrary has been shown by clear and convincing evidence.

(2) *Unnecessarily suggestive identification.* When an objection raises the issues of an unnecessarily suggestive identification process or other violation of due process under this rule, the prosecution must prove by a preponderance of the evidence that the lineup or other identification process was not so unnecessarily suggestive, in light of the totality of the circumstances, as to create a very substantial likelihood of irreparable mistaken identity; provided, however, that if the military judge determines that the identification process, although unnecessarily suggestive, did not create a very substantial likelihood of irreparable mistaken identity, a later identification may be admitted into evidence if the government proves by clear and convincing evidence that the subsequent identification is not the result of the improper identification.

(e) *Defense evidence.* The defense may present evidence relevant to the issue of the admissibility of evidence as to which there has been an appropriate motion or objection under this rule. An accused may testify for the limited purpose of contesting the legality of the lineup or identification process giving rise to the challenged evidence. Prior to the introduction of such testimony by the accused, the defense shall inform the military judge that the testimony is offered under this subdivision. When the accused testifies under this subdivision, the accused may be cross-examined only as to the matter on which he or she testifies. Nothing said by the accused on either direct or cross-examination may be used against the accused for any purpose other than in a prosecution for perjury, false swearing, or the making of a false official statement.

(f) *Rulings.* A motion to suppress or an objection to evidence made prior to plea under this rule shall be ruled upon prior to plea unless the military judge, for good cause, orders that it be deferred for determination at the trial of the general issue or until after findings, but no such determination shall be deferred if a party's right to appeal the ruling is affected adversely. Where factual issues are involved in ruling upon such motion or objection, the military judge shall state his or her essential findings of fact on the record.

(g) *Effect of guilty pleas.* A plea of guilty to an offense that results in a finding of guilty waives all issues under this rule with respect to that offense whether or not raised prior to the plea.

SECTION IV. RELEVANCY AND ITS LIMITS

Rule 401. Definition of "Relevant Evidence"

"Relevant evidence" means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.

Rule 402. Relevant Evidence Generally Admissible; Irrelevant Evidence Inadmissible

All relevant evidence is admissible, except as otherwise provided by the Constitution of the United States as applied to members of the armed forces, the Uniform Code of Military Justice, these rules, this Manual, or any Act of Congress applicable to members of the armed forces. Evidence which is not relevant is not admissible.

Rule 403. Exclusion of Relevant Evidence on Grounds of Prejudice, Confusion, or Waste of Time

Although relevant, evidence may be exluded if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the members, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

Rule 404. Character Evidence Not Admissible to Prove Conduct; Exceptions; Other Crimes

(a) *Character evidence generally.* Evidence of a person's character or a trait of a person's character is not admissible for the purpose of proving that the person acted in conformity therewith on a particular occasion, except:

(1) *Character of the accused.* Evidence of a pertinent trait of the character of the accused offered by an accused, or by the prosecution to rebut the same;

(2) *Character of victim.* Evidence of a pertinent trait of character of the victim of the crime offered by an accused, or by the prosecution to rebut the same, or evidence of a character trait of peacefulness of the victim offered by the prosecution in a homicide or assault case to rebut evidence that the victim was an aggressor;

(3) *Character of witness.* Evidence of the character of a witness, as provided in rules 607, 608, and 609.

(b) *Other crimes, wrongs, or acts.* Evidence of other crimes, wrongs or acts is not admissible to prove the character of a person in order to show that the person acted in conformity therewith. It may, however, be admissible for other purposes, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident.

Rule 405. Methods of Proving Character

(a) *Reputation or opinion.* In all cases in which evidence of character or a trait of character of a person is admissible, proof may be made by testimony as to reputation or by testimony in the form of an opinion. On cross-examination, inquiry is allowable into relevant specific instances of conduct.

(b) *Specific instances of conduct.* In cases in which character or a trait of character of a person is an essential element of an offense or defense, proof may also be made of specific instances of the person's conduct.

(c) *Affidavits.* The defense may introduce affidavits or other written statements of persons other than the accused concerning the character of the accused. If the defense introduces affidavits or other written statements under this subdivision, the prosecution may, in rebuttal, also introduce affidavits or other written statements regarding the character of the accused. Evidence of this type may be introduced by the defense or prosecution only if, aside from being contained in an affidavit or other written statement, it would otherwise be admissible under these rules.

(d) *Definitions.* "Reputation" means the estimation in which a person generally is held in the community in which the person lives or pursues a business or profession. "Community" in the armed forces includes a post, camp, ship, station, or other military organization regardless of size.

Rule 406. Habit; Routine Practice

Evidence of the habit of a person or of the routine practice of an organization, whether corroborated or not and regardless of the presence of eyewitnesses, is relevant to prove that the conduct of the person or organization on a particular occasion was in conformity with the habit or routine practice.

Rule 407. Subsequent Remedial Measures

When, after an event, measures are taken which, if taken previously, would have made the event less likely to occur, evidence of the subsequent measures is not admissible to prove negligence or culpable conduct in connection with the event. This rule does not require the exclusion of evidence of subsequent measures when offered for another purpose, such as proving ownership, control, or feasibility of precautionary measures, if controverted, or impeachment.

Rule 408. Compromise and Offer to Compromise

Evidence of (1) furnishing or offering or promising to furnish, or (2) accepting or offering or promising to accept, a valuable consideration in compromising or attempting to compromise a claim which was disputed as to either validity or amount, is not admissible to prove liability for or invalidity of the claim or its amount. Evidence of conduct or statements made in compromise negotiations is likewise not admissible. This rule does not require the exclusion of any evidence otherwise discoverable merely because it is presented in the course of compromise negotiations. This rule also does not require exclusion when the evidence is offered for another purposes, such as proving bias or prejudice of a witness, negativing a contention of undue delay, or proving an effort to obstruct a criminal investigation or prosecution.

Rule 409. Payment of Medical and Similar Expenses

Evidence of furnishing or offering or promising to pay medical, hospital, or similar expenses occasioned by an injury is not admissible to prove liability for the injury.

Rule 410. Inadmissibility of Pleas, Plea Discussions, and Related Statements

Except as otherwise provided in this rule, evidence of a plea of guilty, later withdrawn, or a plea of nolo contendere, or of an offer to plead guilty or nolo contendere to the crime charged or any other crime, or of statements made in connection with, and relevant to any of the foregoing pleas or offers, is not admissible in any court-martial proceeding against the person who made the plea or offer. However, evidence of a statement made in connection with, and relevant to, a plea of guilty, later withdrawn, a plea of nolo contendere, or an offer to plead guilty or nolo contendere to the crime charged or any other crime, is admissible in a court-martial proceeding for perjury or false statement if the statement was made by the defendant under oath, on the record, and in the presence of counsel. An "offer to plead guilty" includes a statement made by the accused solely for the purpose of requesting disposition under an authorized procedure for administrative action in lieu of trial by court-martial; "on the record" includes the written statement submitted by the accused in furtherance of such request.

Rule 411. Liability Insurance

Evidence that a person was or was not insured against liability is not admissible upon the issue whether the person acted negligently or otherwise wrongfully. This rule does not require the exclusion of evidence of insurance against liability when offered for another purpose, such as proof of agency, ownership, or control, or bias or prejudice of a witness.

Rule 412. Nonconsensual Sexual Offenses; Relevance of Victim's Past Behavior

(a) Notwithstanding any other provision of these rules or this Manual, in a case in which a person is accused of a nonconsensual sexual offense, reputation or opinion evidence of the past sexual behavior of an alleged victim of such nonconsensual sexual offense is not admissible.

(b) Notwithstanding any other provision of these rules or this Manual, in a case in which a person is accused of a nonconsensual sexual offense, evidence of a victim's past sexual behavior other than reputation or opinion evidence is also not admissible, unless such evidence other than reputation or opinion evidence is—

(1) admitted in accordance with subdivisions (c)(1) and (c)(2) and is constitutionally required to be admitted; or

(2) admitted in accordance with subdivision (c) and is evidence of—

(A) past sexual behavior with persons other than the accused, offered by the accused upon the issue of whether the accused was or was not, with respect to the alleged victim, the source of semen or injury; or

(B) past sexual behavior with the accused and is offered by the accused upon the issue of whether the alleged victim consented to the sexual behavior with respect to which the nonconsensual sexual offense is alleged.

(c)(1) If the person accused of committing a nonconsensual sexual offense intends to offer under subdivision (b) evidence of specific instances of the alleged victim's past sexual behavior, the accused shall serve notice thereof on the military judge and the trial counsel.

(2) The notice described in paragraph (1) shall be accompanied by an offer of proof. If the military judge determines that the offer of proof contains evidence described in subdivision (b), the military judge shall conduct a hearing, which may be closed, to determine if such evidence is admissible. At such hearings the parties may call witnesses, including the alleged victim, and offer relevant evidence. In a case before a court-martial composed of a military judge and members, the military judge shall conduct such hearings outside the presence of the members pursuant to Article 39(a).

(3) If the military judge determines on the basis of the hearing described in paragraph (2) that the evidence which the accused seeks to offer is relevant and that the probative value of such evidence outweighs the danger of unfair prejudice, such evidence shall be admissible in the trial to the extent an order made by the military judge specifies evidence which may be offered and areas with respect to which the alleged victim may be examined or cross-examined.

(d) For purposes of this rule, the term "past sexual behavior" means sexual behavior other than the sexual behavior with respect to which a nonconsensual sexual offense is alleged.

(e) A "nonconsensual sexual offense" is a sexual offense in which consent by the victim is an affirmative defense or in which the lack of consent is an element of the offense. This term includes rape, forcible sodomy, assault with intent to commit rape or forcible sodomy, indecent assault, and attempts to commit such offenses.

SECTION V. PRIVILEGES

Rule 501. General Rule

(a) A person may not claim a privilege with respect to any matter except as required by or provided for in:

(1) The Constitution of the United States as applied to members of the armed forces;

(2) An Act of Congress applicable to trials by courts-martial;

(3) These rules or this Manual; or

(4) The principles of common law generally recognized in the trial of criminal cases in the United States district courts pursuant to rule 501 of the Federal Rules of Evidence insofar as the application of such principles in trials by courts-martial is practicable and not contrary to or inconsistent with the Uniform Code of Military Justice, these rules, or this Manual.

(b) A claim of privilege includes, but is not limited to, the assertion by any person of a privilege to:

(1) Refuse to be a witness;

(2) Refuse to disclose any matter;

(3) Refuse to produce any object or writing; or

(4) Prevent another from being a witness or disclosing any matter or producing any object or writing.

(c) The term "person" includes an appropriate representative of the federal government, a State, or political subdivision thereof, or any other entity claiming to be the holder of a privilege.

(d) Notwithstanding any other provision of these rules, information not otherwise privileged does not become privileged on the basis that it was acquired by a medical officer or civilian physician in a professional capacity.

Rule 502. Lawyer-Client Privilege

(a) *General rule of privilege.* A client has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made for the purpose of facilitating the rendition of professional legal services to the client, (1) between the client or the client's representative and the lawyer or the lawyer's representative, (2) between the lawyer and the lawyer's representative, (3) by the client or the client's lawyer to a lawyer representing another in a matter of common interest, (4) between representatives of the client or between the client and a representative of the client, or (5) between lawyers representing the client.

(b) *Definitions.* As used in this rule:

(1) A "client" is a person, public officer, corporation, association, organization, or other entity, either public or private, who receives professional legal services from a lawyer, or who consults a lawyer with a view to obtaining professional legal services from the lawyer.

(2) A "lawyer" is a person authorized, or reasonably believed by the client to be authorized, to practice law; or a member of the armed forces detailed, assigned, or otherwise provided to represent a person in a court-martial case or in any military investigation or proceeding. The term "lawyer" does not include a member of the armed forces serving in a capacity other than as a judge advocate, legal officer, or law specialist as defined in Article 1, unless the member: (a) is detailed, assigned, or otherwise provided to represent a person in a court-martial case or in any military investigation or proceeding; (b) is authorized by the armed forces, or reasonably believed by the client to be authorized, to render professional legal services to members of the armed forces; or (c) is authorized to practice law and renders professional legal services during off-duty employment.

(3) A "representative" of a lawyer is a person employed by or assigned to assist a lawyer in providing professional legal services.

(4) A communication is "confidential" if not intended to be disclosed to third persons other than those to whom disclosure is in furtherance of the rendition of professional legal services to the client or those reasonably necessary for the transmission of the communication.

(c) *Who may claim the privilege.* The privilege may be claimed by the client, the guardian or conservator of the client, the personal representative of a deceased client, or the successor, trustee, or similar representative of a corporation, association, or other organization, whether or not in existence. The lawyer or the lawyer's representative who received the communication may claim the privilege on behalf of the client. The authority of the lawyer to do so is presumed in the absence of evidence to the contrary.

(d) *Exceptions.* There is no privilege under this rule under the following circumstances:

(1) *Crime or fraud.* If the communication clearly contemplated the future commission of a fraud or crime or if services of the lawyer were sought or obtained to enable or aid anyone to commit or plan to commit what the client knew or reasonably should have known to be a crime or fraud;

(2) *Claimants through same deceased client.* As to a communication relevant to an issue between parties who claim through the same deceased client, regardless of whether the claims are by testate or intestate succession or by inter vivos transaction;

(3) *Breach of duty by lawyer or client.* As to a communication relevant to an issue of breach of duty by the lawyer to the client or by the client to the lawyer;

(4) *Document attested by lawyer.* As to a communication relevant to an issue concerning an attested document to which the lawyer is an attesting witness; or

(5) *Joint clients.* As to a communication relevant to a matter of common interest between two or more clients if the communication was made by any of them to a lawyer retained or consulted in common, when offered in an action between any of the clients.

Rule 503. Communications to Clergy

(a) *General rule of privilege.* A person has a privilege to refuse to disclose and to prevent another from disclosing a confidential communication by the person to a clergyman or to a clergyman's assistant, if such communication is made either as a formal act of religion or as a matter of conscience.

(b) *Definitions.* As used in this rule:

(1) A "clergyman" is a minister, priest, rabbi, chaplain, or other similar functionary of a religious organization, or an individual reasonably believed to be so by the person consulting the clergyman.

(2) A communication is "confidential" if made to a clergyman in the clergyman's capacity as a spiritual adviser or to a clergyman's assistant in the assistant's official capacity and is not intended to be disclosed to third persons other than those to whom disclosure is in furtherance of the purpose of the communication or to those reasonably necessary for the transmission of the communication.

(c) *Who may claim the privilege.* The privilege may be claimed by the person, by the guardian or conservator, or by a personal representative if the person is deceased. The clergyman or clergyman's assistant who received the communication may claim the privilege on behalf of the person. The authority of the clergyman or clergyman's assistant to do so is presumed in the absence of evidence to the contrary.

Rule 504. Husband-Wife Privilege

(a) *Spousal incapacity.* A person has a privilege to refuse to testify against his or her spouse.

(b) *Confidential communication made during marriage.*

(1) *General rule of privilege.* A person has a privilege during and after the marital relationship to refuse to disclose, and to prevent another from disclosing, any confidential communication made to the spouse of the person while they were husband and wife and not separated as provided by law.

(2) *Definition.* A communication is "confidential" if made privately by any person to the spouse of the person and is not intended to be disclosed to third persons other than those reasonably necessary for transmission of the communication.

(3) *Who may claim the privilege.* The privilege may be claimed by the spouse who made the communication or by the other spouse on his or her behalf. The authority of the latter spouse to do so is presumed in the absence of evidence of a waiver. The privilege will not prevent disclosure of the communication at the request of the spouse to whom the communication was made if that spouse is an accused regardless of whether the spouse who made the communication objects to its disclosure.

(c) *Exceptions.* (1) *Spousal Incapacity Only.* There is no privilege under subdivision (a) when, at the time the testimony of one of the parties to the marriage is to be introduced in evidence against the other party, the parties are divorced or the marriage has been annulled.

(2) *Spousal incapacity and confidential communications.* There is no privilege under subdivisions (a) or (b):

(A) In proceedings in which one spouse is charged with a crime against the person or property of the other spouse or a child of either, or with a crime against the person or property of a third person committed in the course of committing a crime against the other spouse;

(B) When the marital relationship was entered into with no intention of the parties to live together as spouses, but only for the purpose of using the purported marital relationship as a sham, and with respect to the privilege in subdivision (a), the relationship remains a sham at the time the testimony or statement of one of the parties is to be introduced against the other; or with respect to the privilege in subdivision (b), the relationship was a sham at the time of the communication; or

(C) In proceedings in which a spouse is charged, in accordance with Articles 133 or 134, with importing the other spouse as an alien for prostitution or other immoral purpose in violation of section 1328 of title 8, United States Code; with transporting the other spouse in interstate commerce for immoral purposes or other offense in violation of sections 2421–2424 of title 18, United States Code; or with violation of such other similar statutes under which such privilege may not be claimed in the trial of criminal cases in the United States district courts.

Rule 505. Classified Information

(a) *General rule of privilege.* Classified information is privileged from disclosure if disclosure would be detrimental to the national security.

(b) *Definitions.* As used in this rule:

(1) *Classified information.* "Classified information" means any information or material that has been determined by the United States Government pursuant to an executive order, statute, or regulation, to require protection against unauthorized disclosure for reasons of national security and any restricted data, as defined in section 2014(y) of title 42, United States Code.

(2) *National security.* "National security" means the national defense and foreign relations of the United States.

(c) *Who may claim the privilege.* The privilege may be claimed by the head of the executive or military department or government agency concerned based on a finding that the information is properly classified and that disclosure would be detrimental to the national security. A person who may claim the privilege may authorize a witness or trial counsel to claim the privilege on his or her behalf. The authority of the witness or trial counsel to do so is presumed in the absence of evidence to the contrary.

(d) *Action prior to referral of charges.* Prior to referral of charges, the convening authority shall respond in writing to a request by the accused for classified information if the privilege in this rule is claimed for such information. The convening authority may:

(1) Delete specified items of classified information from documents made available to the accused;

(2) Substitute a portion or summary of the information for such classified documents;

(3) Substitute a statement admitting relevant facts that the classified information would tend to prove;

(4) Provide the document subject to conditions that will guard against the compromise of the information disclosed to the accused; or

(5) Withhold disclosure if actions under (1) through (4) cannot be taken without causing identifiable damage to the national security.

Any objection by the accused to withholding of information or to the conditions of disclosure shall be raised through a motion for appropriate relief at a pretrial session.

(e) *Pretrial session.* At any time after referral of charges and prior to arraignment, any party may move for a session under Article 39(a) to consider matters relating to classified information that may arise in connection with the trial. Following such motion or sua sponte, the military judge promptly shall hold a session under Article 39(a) to establish the timing of requests for discovery, the provision of notice under subdivision (h), and the initiation of the procedure under subdivision (i). In addition, the military judge may consider any other matters that relate to classified information or that may promote a fair and expeditious trial.

(f) *Action after referral of charges.* If a claim of privilege has been made under this rule with respect to classified information that apparently contains evidence that is relevant and material to an element of the offense or a legally cognizable defense and is otherwise admissible in evidence in the court-martial proceeding, the matter shall be reported to the convening authority. The convening authority may:

(1) institute action to obtain the classified information for use by the military judge in making a determination under subdivision (i);

(2) dismiss the charges;

(3) dismiss the charge or specifications or both to which the information relates; or

(4) take such other action as may be required in the interests of justice.

If, after a reasonable period of time, the information is not provided to the military judge in circumstances where proceeding with the case without such information would materially prejudice a substantial right of the accused, the military judge shall dismiss the charges or specifications or both to which the classified information relates.

(g) *Disclosure of classified information to the accused.* (1) *Protective order.* If the government agrees to disclose classified information to the accused, the military judge, at the request of the government, shall enter an appropriate protective order to guard against the compromise of the information disclosed to the accused. The terms of any such protective order may include provisions:

(A) Prohibiting the disclosure of the information except as authorized by the military judge;

(B) Requiring storage of material in a manner appropriate for the level of classification assigned to the documents to be disclosed;

(C) Requiring controlled access to the material during normal business hours and at other times upon reasonable notice;

(D) Requiring appropriate security clearances for persons having a need to examine the information in connection with the preparation of the defense;

(E) Requiring the maintenance of logs regarding access by all persons authorized by the military judge to have access to the classified information in connection with the preparation of the defense;

(F) Regulating the making and handling of notes taken from material containing classified information; or

(G) Requesting the convening authority to authorize the assignment of government security personnel and the provision of government storage facilities.

(2) *Limited disclosure.* The military judge, upon motion of the government, shall authorize (A) the deletion of specified items of classified information from documents to be made available to the defendant, (B) the substitution of a portion or summary of the information for such classified documents, or (C)

the substitution of a statement admitting relevant facts that the classified information would tend to prove, unless the military judge determines that disclosure of the classified information itself is necessary to enable the accused to prepare for trial. The government's motion and any materials submitted in support thereof shall, upon request of the government, be considered by the military judge in camera and shall not be disclosed to the accused.

(3) *Disclosure at trial of certain statements previously made by a witness.*

(A) *Scope.* After a witness called by the government has testified on direct examination, the military judge, on motion of the accused, may order production of statements in the possession of the United States under section 3500(b) of title 18, United States Code. This provision does not preclude discovery or assertion of a privilege otherwise authorized under these rules or this Manual.

(B) *Closed session.* If the privilege in this rule is invoked during consideration of a motion under section 3500 of title 18, United States Code, the government may deliver such statement for the inspection only by the military judge in camera and may provide the military judge with an affidavit identifying the portions of the statement that are classified and the basis for the classification assigned. If the military judge finds that disclosure of any portion of the statement identified by the government as classified could reasonably be expected to cause damage to the national security in the degree required to warrant classification under the applicable executive order, statute, or regulation and that such portion of the statement is consistent with the witness' testimony, the military judge shall excise the portion from the statement. With such material excised, the military judge shall then direct delivery of such statement to the accused for use by the accused. If the military judge finds that such portion of the statement is inconsistent with the witness' testimony, the government may move for a proceeding under subdivision (i).

(4) *Record of trial.* If, under this subdivision, any information is withheld from the accused, the accused objects to such withholding, and the trial is continued to an adjudication of guilt of the accused, the entire unaltered text of the relevant documents as well as the government's motion and any materials submitted in support thereof shall be sealed and attached to the record of trial as an appellate exhibit. Such material shall be made available to reviewing authorities in closed proceedings for the purpose of reviewing the determination of the military judge.

(h) *Notice of the accused's intention to disclose classified information.* (1) *Notice by the accused.* If the accused reasonably expects to disclose or to cause the disclosure of classified information in any manner in connection with a court-martial proceeding, the accused shall notify the trial counsel in writing of such intention and file a copy of such notice with the military judge. Such notice shall be given within the time specified by the military judge under subdivision (e) or, if no time has been specified, prior to arraignment of the accused.

(2) *Continuing duty to notify.* Whenever the accused learns of classified information not covered by a notice under (1) that the accused reasonably expects to disclose at any such proceeding, the accused shall notify the trial counsel and the military judge in writing as soon as possible thereafter.

(3) *Content of notice.* The notice required by this subdivision shall include a brief description of the classified information.

(4) *Prohibition against disclosure.* The accused may not disclose any information known or believed to be classified until notice has been given under this subdivision and until the government has been afforded a reasonable opportunity to seek a determination under subdivision (i).

(5) *Failure to comply.* If the accused fails to comply with the requirements of this subdivision, the military judge may preclude disclosure of any classified information not made the subject of notification and may prohibit the examination by the accused of any witness with respect to any such information.

(i) *In camera proceedings for cases involving classified information.* (1) *Definition.* For purposes of this subdivision, an "in camera proceeding" is a session under Article 39(a) from which the public is excluded.

(2) *Motion for in camera proceeding.* Within the time specified by the military judge for the filing of a motion under this rule, the government may move for an in camera proceeding concerning the use at any proceeding of any classified information. Thereafter, either prior to or during trial, the military judge for good cause shown or otherwise upon a claim of privilege under this rule may grant the government leave to move for an in camera proceeding concerning the use of additional classified information.

(3) *Demonstration of national security nature of the information.* In order to obtain an in camera proceeding under this rule, the government shall submit the classified information for examination only by the military judge and shall demonstrate by affidavit that disclosure of the information reasonably could be expected to cause damage to the national security in the degree required to warrant classification under the applicable executive order, statute, or regulation.

(4) *In camera proceeding.* (A) *Procedure.* Upon finding that the government has met the standard set forth in subdivision (i)(3) with respect to some or all of the classified information at issue, the military judge shall conduct an in camera proceeding. Prior to the in camera proceeding, the government shall provide the accused with notice of the information that will be at issue. This notice shall identify the classified information that will be at issue whenever that information previously has been made available to the accused in connection with proceedings in the same case. The government may describe the information by generic category, in such form as the military judge may approve, rather than identifying the classified information when the government has not previously made the information available to the accused in connection with pretrial proceedings. Following briefing and argument by the parties in the in camera proceeding the military judge shall determine whether the information may be disclosed at the court-martial proceeding. Where the government's motion under this subdivision is filed prior to the proceeding at which disclosure is sought, the military judge shall rule prior to the commencement of the relevant proceeding.

(B) *Standard.* Classified information is not subject to disclosure under this subdivision unless the information is relevant and material to an element of the offense or a legally cognizable defense and is otherwise admissible in evidence.

(C) *Ruling.* Unless the military judge makes a written determination that the information meets the standard set forth in (B), the information may not be disclosed or otherwise elicited at a court-martial proceeding. The record of the in camera proceeding shall be sealed and attached to the record of trial as an appellate exhibit. The accused may seek reconsideration of the determination prior to or during trial.

(D) *Alternatives to full disclosure.* If the military judge makes a determination under this subdivision that would permit disclosure of the information or if the government elects not to contest the relevance, materiality, and admissibility of any classified information, the government may proffer a statement admitting for purposes of the proceeding any relevant facts such information would tend to prove or may submit a portion or summary to be used in lieu of the information. The military judge shall order that such statement, portion, or summary be used by the accused in place of the classified information unless the military judge finds that use of the classified information itself is necessary to afford the accused a fair trial.

(E) *Sanctions.* If the military judge determines that alternatives to full disclosure may not be used and the government continues to object to disclosure of the information, the military judge shall issue any order that the interests of justice require. Such an order may include an order:

(i) striking or precluding all or part of the testimony of a witness;

(ii) declaring a mistrial;

(iii) finding against the government on any issue as to which the evidence is relevant and material to the defense;

(iv) dismissing the charges, with or without prejudice; or

(v) dismissing the charges or specifications or both to which the information relates.

Any such order shall permit the government to avoid the sanction for nondisclosure by permitting the accused to disclose the information at the pertinent court-martial proceeding.

(j) *Introduction of classified information.* (1) *Classification status.* Writings, recordings, and photographs containing classified information may be admitted into evidence without change in their classification status.

(2) *Precautions by the military judge.* In order to prevent unnecessary disclosure of classified information, the military judge may order admission into evidence of only part of a writing, recording, or photograph or may order admission into evidence of the whole writing, recording, or photograph with excision of some or all of the classified information contained therein.

(3) *Contents of writing, recording, or photograph.* The military judge may permit proof of the contents of a writing, recording, or photograph that contains classified information without requiring introduction into evidence of the original or a duplicate.

(4) *Taking of testimony.* During the examination of a witness, the government may object to any question or line of inquiry that may require the witness to disclose classified information not previously found to be relevant and material to the defense. Following such an objection, the military judge shall take such suitable action to determine whether the response is admissible as will safeguard against the compromise of any classified information. Such action may include requiring the government to provide the military judge with a proffer of the witness' response to the question or line of inquiry and requiring the accused to provide the military judge with a proffer of the nature of the information the accused seeks to elicit.

(5) *Closed session.* If counsel for all parties, the military judge, and the members have received appropriate security clearances, the military judge may exclude the public during that portion of the testimony of a witness that discloses classified information.

(6) *Record of trial.* The record of trial with respect to any classified matter will be prepared under paragraph 82*d* of this Manual.

(k) *Security procedures to safeguard against compromise of classified information disclosed to courts-martial.* The Secretary of Defense may prescribe security procedures for protection against the compromise of classified information submitted to courts-martial and appellate authorities.

Rule 506. Government Information Other Than Classified Information

(a) *General rule of privilege.* Except where disclosure is required by an Act of Congress, government information is privileged from disclosure if disclosure would be detrimental to the public interest.

(b) *Scope.* "Government information" includes official communications and documents and other information within the custody or control of the federal government. This rule does not apply to classified information (rule 505) or to the identity of an informant (rule 507).

(c) *Who may claim the privilege.* The privilege may be claimed by the head of the executive or military department or government agency concerned. The privilege for investigations of the Inspectors General may be claimed by the authority ordering the investigation or any superior authority. A person who may claim the privilege may authorize a witness or the trial counsel to claim the privilege on his or her behalf. The authority of a witness or the trial counsel to do so is presumed in the absence of evidence to the contrary.

(d) *Action prior to referral of charges.* Prior to referral of charges, the government shall respond in writing to a request for government information if the privilege in this rule is claimed for such information. The government shall:

(1) delete specified items of government information claimed to be privileged from documents made available to the accused;

(2) substitute a portion or summary of the information for such documents;

(3) substitute a statement admitting relevant facts that the government information would tend to prove;

(4) provide the document subject to conditions similar to those set forth in subdivision (g) of this rule; or

(5) withhold disclosure if actions under (1) through (4) cannot be taken without causing identifiable damage to the public interest.

(e) *Action after referral of charges.* After referral of charges, if a claim of privilege has been made under this rule with respect to government information that apparently contains evidence that is relevant and material to an element of the offense or a legally cognizable defense and is otherwise admissible in evidence in the court-martial proceeding, the matter shall be reported to the convening authority. The convening authority may:

(1) institute action to obtain the information for use by the military judge in making a determination under subdivision (i);

(2) dismiss the charges;

(3) dismiss the charges or specifications or both to which the information relates; or

(4) take other action as may be required in the interests of justice.

If, after a reasonable period of time, the information is not provided to the military judge, the military judge shall dismiss the charges or specifications or both to which the information relates.

(f) *Pretrial session.* At any time after referral of charges and prior to arraignment any party may move for a session under Article 39(a) to consider matters relating to government information that may arise in connection with the trial. Following such motion, or sua sponte, the military judge promptly shall hold a pretrial session under Article 39(a) to establish the timing of requests for discovery, the provision of notice under subdivision (h), and the initiation of the procedure under subdivision (i). In addition, the military judge may consider any other matters that relate to classified information or that may promote a fair and expeditious trial.

(g) *Disclosure of government information to the accused.* If the government agrees to disclose government information to the accused subsequent to a claim of privilege under this rule, the military judge, at the request of the government, shall enter an appropriate protective order to guard against the compromise of the information disclosed to the accused. The terms of any such protective order may include provisions:

(1) Prohibiting the disclosure of the information except as authorized by the military judge;

(2) Requiring storage of the material in a manner appropriate for the nature of the material to be disclosed;

(3) Requiring controlled access to the material during normal business hours and at other times upon reasonable notice;

(4) Requiring the maintenance of logs recording access by persons authorized by the military judge to have access to the government information in connection with the preparation of the defense;

(5) Regulating the making and handling of notes taken from material containing government information; or

(6) Requesting the convening authority to authorize the assignment of government security personnel and the provision of government storage facilities.

(h) *Prohibition against disclosure.* The accused may not disclose any information known or believed to be subject to a claim of privilege under this rule until the government has been afforded a reasonable opportunity to seek a determination under subdivision (i).

(i) *In camera proceedings.* (1) *Definition.* For purposes of this subdivision, an "in camera proceeding" is a closed session under Article 39(a).

(2) *Motion for in camera proceeding.* Within the time specified by the military judge for the filing of a motion under this rule, the government may move for an in camera proceeding concerning the use at any proceeding of any government information that may be subject to a claim of privilege. Thereafter, either prior to or during trial, the military judge for good cause shown or otherwise upon a claim of privilege may grant the government leave to move for an in camera proceeding concerning the use of additional government information.

(3) *Demonstration of public interest nature of the information.* In order to obtain an in camera proceeding under this rule, the government shall demonstrate through submission of affidavits and the information for examination only by the military judge that disclosure of the information reasonably could be expected to cause identifiable damage to the public interest.

(4) *In camera proceeding.* (A) *Procedure.* Upon finding that the disclosure of some or all of the information submitted by the government under subsection (1) reasonably could be expected to cause identifiable damage to the public interest, the military judge shall conduct an in camera proceeding. Prior to the in camera proceeding, the government shall provide the accused with notice of the information that will be at issue. This notice shall identify the information that will be at issue whenever that information previously has been made available to the accused in connection with proceedings in the same case. The government may describe the information by generic category, in such form as the military judge may approve, rather than identifying the specific information of concern to the government when the government has not previously made the information available to the accused in connection with pretrial proceedings. Following briefing and argument by the parties in the in camera proceeding, the military judge shall determine whether the information may be disclosed at the court-martial proceeding. When the government's motion under this subdivision is filed prior to the proceeding at which disclosure is sought, the military judge shall rule prior to commencement of the relevant proceeding.

(B) *Standard.* Government information is subject to disclosure under this subdivision if the party making the request demonstrates a specific need for information containing evidence that is relevant to the guilt or innocence of the accused and otherwise admissible in the court-martial proceeding.

(C) *Ruling.* Unless the military judge makes a written determination that the information is not subject to disclosure under the standard set forth in (B) the information may be disclosed at the court-martial proceeding. The record of the in camera proceeding shall be sealed and attached to the record of trial as an appellate exhibit. The accused may seek reconsideration of the determination prior to or during trial.

(D) *Sanction.* If the military judge makes a determination under this subdivision that permits disclosure of the information and the government continues to object to disclosure of the information, the military judge shall dismiss the charges or specifications or both to which the information relates.

(j) *Introduction of government information subject to a claim of privilege.* (1) *Precautions by military judge.* In order to prevent unnecessary disclosure of government information after there has been a claim of privilege under this rule, the military judge may order admission into evidence of only part of a writing, recording, or photograph or may order admission into evidence of the

whole writing, recording, or photograph with excision of some or all of the government information contained therein.

(2) *Contents of writing, recording, or photograph.* The military judge may permit proof of the contents of a writing, recording, or photograph that contains government information that is the subject of a claim of privilege under this rule without requiring introduction into evidence of the original or a duplicate.

(3) *Taking of testimony.* During examination of a witness, the prosecution may object to any question or line of inquiry that may require the witness to disclose government information not previously found relevant and material to the defense if such information has been or is reasonably likely to be the subject of a claim of privilege under this rule. Following such an objection, the military judge shall take such suitable action to determine whether the response is admissible as will safeguard against the compromise of any government information. Such action may include requiring the government to provide the military judge with a proffer of the witness' response to the question or line of inquiry and requiring the accused to provide the military judge with a proffer of the nature of the information the accused seeks to elicit.

(k) *Procedures to safeguard against compromise of government information disclosed to courts-martial.* The Secretary of Defense may prescribe procedures for protection against the compromise of government information submitted to courts-martial and appellate authorities after a claim of privilege.

Rule 507. Identity of Informant

(a) *Rule of privilege.* The United States or a state or subdivision thereof has a privilege to refuse to disclose the identity of an informant. An "informant" is a person who has furnished information resulting in an investigation of a possible violation of law to a person whose official duties include the discovery, investigation, or prosecution of crime. Unless otherwise privileged under these rules, the communications of an informant are not privileged except to the extent necessary to prevent the disclosure of the informant's identity.

(b) *Who may claim the privilege.* The privilege may be claimed by an appropriate representative of the United States, regardless of whether the information was furnished to an officer of the United States or of a state or subdivision thereof. The privilege may be claimed by an appropriate representative of a state or subdivision if the information was furnished to an officer thereof, except the privilege shall not be allowed if the prosecution objects.

(c) *Exceptions.* (1) *Voluntary disclosures; informant as witness.* No privilege exists under this rule: (A) if the identity of the informant has been disclosed to those who would have cause to resent the communication by a holder of the privilege or by the informant's own action; or (B) if the informant appears as a witness for the prosecution.

(2) *Testimony on the issue of guilt or innocence.* If a claim of privilege has been made under this rule, the military judge shall, upon motion by the accused, determine whether disclosure of the identity of the informant is necessary to the accused's defense on the issue of guilt or innocence. Whether such a necessity exists will depend on the particular circumstances of each case, taking into consideration the offense charged, the possible defenses, the possible significance of the informant's testimony, and other relevant factors. If it appears from the evidence in the case or from other showing by a party that an informant may be able to give testimony necessary to the accused's defense on the issue of guilt or innocence, the military judge may make any order required by the interests of justice.

(3) *Legality of obtaining evidence.* If a claim of privilege has been made under this rule with respect to a motion under rule 311, the military judge shall, upon motion of the accused, determine whether disclosure of the identity of the informant is required by the Constitution of the United States as applied to

members of the armed forces. In making this determination, the military judge may make any order required by the interests of justice.

(d) *Procedures.* If a claim of privilege has been made under this rule, the military judge may make any order required by the interests of justice. If the military judge determines that disclosure of the identity of the informant is required under the standards set forth in this rule, and the prosecution elects not to disclose the identity of the informant, the matter shall be reported to the convening authority. The convening authority may institute action to secure disclosure of the identity of the informant, terminate the proceedings, or take such other action as may be appropriate under the circumstances. If, after a reasonable period of time disclosure is not made, the military judge, sua sponte or upon motion of either counsel and after a hearing if requested by either party, may dismiss the charges or specifications or both to which the information regarding the informant would relate if the military judge determines that further proceedings would materially prejudice a substantial right of the accused.

Rule 508. Political Vote

A person has a privilege to refuse to disclose the tenor of the person's vote at a political election conducted by secret ballot unless the vote was cast illegally.

Rule 509. Deliberations of Courts and Juries

Except as provided in rule 606, the deliberations of courts and grand and petit juries are privileged to the extent that such matters are privileged in trial of criminal cases in the United States district courts, but the results of the deliberations are not privileged.

Rule 510. Waiver of Privilege by Voluntary Disclosure

(a) A person upon whom these rules confer a privilege against disclosure of a confidential matter or communication waives the privilege if the person or the person's predecessor while holder of the privilege voluntarily discloses or consents to disclosure of any significant part of the matter or communication under such circumstances that it would be inappropriate to allow the claim of privilege. This rule does not apply if the disclosure is itself a privileged communication.

(b) Unless testifying voluntarily concerning a privileged matter or communication, an accused who testifies in his or her own behalf or a person who testifies under a grant or promise of immunity does not, merely by reason of testifying, waive a privilege to which he or she may be entitled pertaining to the confidential matter or communication.

Rule 511. Privileged Matter Disclosed Under Compulsion or Without Opportunity to Claim Privilege

(a) Evidence of a statement or other disclosure of privileged matter is not admissible against the holder of the privilege if disclosure was compelled erroneously or was made without an opportunity for the holder of the privilege to claim the privilege.

(b) The telephonic transmission of information otherwise privileged under these rules does not affect its privileged character. Use of electronic means of communication other than the telephone for transmission of information otherwise privileged under these rules does not affect the privileged character of such information if use of such means of communication is necessary and in furtherance of the communication.

Rule 512. Comment Upon or Inference from Claim of Privilege; Instruction

(a) *Comment or inference not permitted.* (1) The claim of a privilege by the accused whether in the present proceeding or upon a prior occasion is not a proper subject of comment by the military judge or counsel for any party. No inference may be drawn therefrom. (2) The claim of a privilege by a person other than the accused whether in the present proceeding or upon a prior occasion normally is not a proper subject of comment by the military judge or

counsel for any party. An adverse inference may not be drawn therefrom except when determined by the military judge to be required by the interests of justice.

(b) *Claiming privilege without knowledge of members.* In a trial before a court-martial with members, proceedings shall be conducted, to the extent practicable, so as to facilitate the making of claims of privilege without the knowledge of the members. This subdivision does not apply to a special court-martial without a military judge.

(c) *Instruction.* Upon request, any party against whom the members might draw an adverse inference from a claim of privilege is entitled to an instruction that no inference may be drawn therefrom except as provided in subdivision (a)(2).

SECTION VI. WITNESSES

Rule 601. General Rule of Competency

Every person is competent to be a witness except as otherwise provided in these rules.

Rule 602. Lack of Personal Knowledge

A witness may not testify to a matter unless evidence is introduced sufficient to support a finding that the witness has personal knowledge of the matter. Evidence to prove personal knowledge may, but need not, consist of the testimony of the witness. This rule is subject to the provisions of rule 703, relating to opinion testimony by expert witnesses.

Rule 603. Oath or Affirmation

Before testifying, every witness shall be required to declare that the witness will testify truthfully, by oath or affirmation administered in a form calculated to awaken the witness's conscience and impress the witness's mind with the duty to do so.

Rule 604. Interpreters

An interpreter is subject to the provisions of these rules relating to qualification as an expert and the administration of an oath or affirmation that the interpreter will make a true translation.

Rule 605. Competency of Military Judge as Witness

(a) The military judge presiding at the court-martial may not testify in that court-martial as a witness. No objection need be made to preserve the point.

(b) This rule does not preclude the military judge from placing on the record matters concerning docketing of the case.

Rule 606. Competency of Court Member as Witness

(a) *At the court-martial.* A member of the court-martial may not testify as a witness before the other members in the trial of the case in which the member is sitting. If the member is called to testify, the opposing party, except in a special court-martial without a military judge, shall be afforded an opportunity to object out of the presence of the members.

(b) *Inquiry into validity of findings or sentence.* Upon an inquiry into the validity of the findings or sentence, a member may not testify as to any matter or statement occurring during the course of the deliberations of the members of the court-martial or to the effect of anything upon the member's or any other member's mind or emotions as influencing the member to assent to or dissent from the findings or sentence or concerning the member's mental process in connection therewith, except that a member may testify on the question whether extraneous prejudicial information was improperly brought to the attention of the members of the court-martial, whether any outside influence was improperly brought to bear upon any member, or whether there was unlawful command influence. Nor may the member's affidavit or evidence of any statement by the member concerning a matter about which the member would be precluded from testifying be received for these purposes.

Rule 607. Who May Impeach

The credibility of a witness may be attacked by any party, including the party calling the witness.

Rule 608. Evidence of Character, Conduct, and Bias of Witness

(a) *Opinion and reputation evidence of character.* The credibility of a witness may be attacked or supported by evidence in the form of opinion or reputation, but subject to these limitations: (1) the evidence may refer only to character for truthfulness or untruthfulness, and (2) evidence of truthful character is admissible only after the character of the witness for truthfulness has been attacked by opinion or reputation evidence or otherwise.

(b) *Specific instances of conduct.* Specific instances of conduct of a witness, for the purpose of attacking or supporting the credibility of the witness, other than conviction of crime as provided in rule 609, may not be proved by extrinsic evidence. They may, however, in the discretion of the military judge, if probative of truthfulness or untruthfulness, be inquired into on cross-examination of the witness (1) concerning character of the witness for truthfulness or untruthfulness, or (2) concerning the character for truthfulness or untruthfulness of another witness as to which character the witness being cross-examined has testified. The giving of testimony, whether by an accused or by another witness, does not operate as a waiver of the privilege against self-incrimination when examined with respect to matters which relate only to credibility.

(c) *Evidence of bias.* Bias, prejudice, or any motive to misrepresent may be shown to impeach the witness either by examination of the witness or by evidence otherwise adduced.

Rule 609. Impeachment by Evidence of Conviction of Crime

(a) *General rule.* For the purpose of attacking the credibility of a witness, evidence that the witness has been convicted of a crime shall be admitted if elicited from the witness or established by public record during cross-examination but only if the crime (1) was punishable by death, dishonorable discharge, or imprisonment in excess of one year under the law under which the witness was convicted, and the military judge determines that the probative value of admitting this evidence outweighs its prejudicial effect to the accused, or (2) involved dishonesty or false statement, regardless of the punishment. In determining whether a crime tried by court-martial was punishable by death, dishonorable discharge, or imprisonment in excess of one year, the maximum punishment prescribed by the President under Article 56 at the time of the conviction applies without regard to whether the case was tried by general, special, or summary court-martial.

(b) *Time limit.* Evidence of a conviction under this rule is not admissible if a period of more than ten years has elapsed since the date of the conviction or of the release of the witness from the confinement imposed for that conviction, whichever is the later date, unless the court determines, in the interests of justice, that the probative value of the conviction supported by specific facts and circumstances substantially outweighs its prejudicial effect. However, evidence of a conviction more than ten years old as calculated herein, is not admissible unless the proponent gives to the adverse party sufficient advance written notice of intent to use such evidence to provide the adverse party with a fair opportunity to contest the use of such evidence.

(c) *Effect of pardon, annulment, or certificate of rehabilitation.* Evidence of a conviction is not admissible under this rule if (1) the conviction has been the subject of a pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted, and that person has not been convicted of a subsequent crime which was punishable by death, dishonorable discharge, or imprisonment in excess of one year, or (2) the conviction has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence.

(d) *Juvenile adjudications.* Evidence of juvenile adjudications is generally not admissible under this rule. The military judge, however, may allow evidence of a juvenile adjudication of a witness other than the accused if conviction of the offense would be admissible to attack the credibility of an adult and the military judge is satisfied that admission in evidence is necessary for a fair determination of the issue of guilt or innocence.

(e) *Pendency of appeal.* The pendency of an appeal therefrom does not render evidence of a conviction inadmissible except that a conviction by summary court-martial or special court-martial without a military judge may not be used for purposes of impeachment until review has been completed pursuant to Article 65(c) or Article 66 if applicable. Evidence of the pendency of an appeal is admissible.

(f) *Definition.* For purposes of this rule, there is a "conviction" in a court-martial case when a sentence has been adjudged.

Rule 610. Religious Beliefs or Opinions

Evidence of the beliefs or opinions of a witness on matters of religion is not admissible for the purpose of showing that by reason of their nature the credibility of the witness is impaired or enhanced.

Rule 611. Mode and Order of Interrogation and Presentation

(a) *Control by the military judge.* The military judge shall exercise reasonable control over the mode and order of interrogating witnesses and presenting evidence so as to (1) make the interrogation and presentation effective for the ascertainment of the truth, (2) avoid needless consumption of time, and (3) protect witnesses from harassment or undue embarrassment.

(b) *Scope of cross-examination.* Cross-examination should be limited to the subject matter of the direct examination and matters affecting the credibility of the witness. The military judge may, in the exercise of discretion, permit inquiry into additional matters as if on direct examination.

(c) *Leading questions.* Leading questions should not be used on the direct examination of a witness except as may be necessary to develop the testimony of the witness. Ordinarily leading questions should be permitted on cross-examination. When a party calls a hostile witness or a witness identified with an adverse party, interrogation may be by leading questions.

Rule 612. Writing Used to Refresh Memory

If a witness uses a writing to refresh his or her memory for the purpose of testifying, either

(1) while testifying, or

(2) before testifying, if the military judge determines it is necessary in the interests of justice,

an adverse party is entitled to have the writing produced at the hearing, to inspect it, to cross-examine the witness thereon, and to introduce in evidence those portions which relate to the testimony of the witness. If it is claimed that the writing contains privileged information or matters not related to the subject matter of the testimony, the military judge shall examine the writing in camera, excise any privileged information or any portions not so related, and order delivery of the remainder to the party entitled thereto. Any portion withheld over objections shall be attached to the record of trial as an appellate exhibit. If a writing is not produced or delivered pursuant to order under this rule, the military judge shall make any order justice requires, except that when the prosecution elects not to comply, the order shall be one striking the testimony or, if in discretion of the military judge it is determined that the interests of justice so require, declaring a mistrial. This rule does not preclude disclosure of information required to be disclosed under other provisions of these rules or this Manual.

Rule 613. Prior Statements of Witnesses

(a) *Examining witness concerning prior statement.* In examining a witness concerning a prior statement made by the witness, whether written or not, the

statement need not be shown nor its contents disclosed to the witness at that time, but on request the same shall be shown or disclosed to opposing counsel.

(b) *Extrinsic evidence of prior inconsistent statement of witness.* Extrinsic evidence of a prior inconsistent statement by a witness is not admissible unless the witness is afforded an opportunity to explain or deny the same and the opposite party is afforded an opportunity to interrogate the witness thereon, or the interests of justice otherwise require. This provision does not apply to admissions of a party-opponent as defined in rule 801(d)(2).

Rule 614. Calling and Interrogation of Witnesses by the Court-Martial

(a) *Calling by the court-martial.* The military judge may, sua sponte or at the request of the members or the suggestion of a party, call witnesses, and all parties are entitled to cross-examine witnesses thus called. When the members wish to call or recall a witness, the military judge shall determine whether it is appropriate to do so under these rules or this Manual.

(b) *Interrogation by the court-martial.* The military judge or members may interrogate witnesses, whether called by the military judge, the members, or a party. Members shall submit their questions to the military judge in writing so that a ruling may be made on the propriety of the questions or the course of questioning and so that questions may be asked on behalf of the court by the military judge in a form acceptable to the military judge. When a witness who has not testified previously is called by the military judge or the members, the military judge may conduct the direct examination or may assign the responsibility to counsel for any party.

(c) *Objections.* Objections to the calling of witnesses by the military judge or the members or to the interrogation by the military judge or the members may be made at the time or at the next available opportunity when the members are not present.

Rule 615. Exclusion of Witnesses

At the request of the prosecution or defense the military judge shall order witnesses excluded so that they cannot hear the testimony of other witnesses, and the military judge may make the order sua sponte. This rule does not authorize exclusion of (1) the accused, or (2) a member of an armed service or an employee of the United States designated as representative of the United States by the trial counsel, or (3) a person whose presence is shown by a party to be essential to the presentation of the party's case.

SECTION VII. OPINIONS AND EXPERT TESTIMONY

Rule 701. Opinion Testimony by Lay Witnesses

If the witness is not testifying as an expert, the testimony of the witness in the form of opinions or inferences is limited to those opinions or inferences which are (a) rationally based on the perception of the witness and (b) helpful to a clear understanding of the testimony of the witness or the determination of a fact in issue.

Rule 702. Testimony by Experts

If scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education, may testify thereto in the form of an opinion or otherwise.

Rule 703. Bases of Opinion Testimony by Experts

The facts or data in the particular case upon which an expert bases an opinion or inference may be those perceived by or made known to the expert, at or before the hearing. If of a type reasonably relied upon by experts in the particular field in forming opinions or inferences upon the subject, the facts or data need not be admissible in evidence.

Rule 704. Opinion on Ultimate Issue

Testimony in the form of an opinion or inference otherwise admissible is not objectionable because it embraces an ultimate issue to be decided by the trier of fact.

Rule 705. Disclosure of Facts or Data Underlying Expert Opinion

The expert may testify in terms of opinion or inference and give the expert's reasons therefor without prior disclosure of the underlying facts or data, unless the military judge requires otherwise. The expert may in any event be required to disclose the underlying facts or data on cross-examination.

Rule 706. Court Appointed Experts

(a) *Appointment and compensation.* The trial counsel, the defense counsel, and the court-martial have equal opportunity to obtain expert witnesses under Article 46. The employment and compensation of expert witnesses is governed by paragraphs 115 and 116 of this Manual.

(b) *Disclosure of employment.* In the exercise of discretion, the military judge may authorize disclosure to the members of the fact that the military judge called an expert witness.

(c) *Accused's experts of own selection.* Nothing in this rule limits the accused in calling expert witnesses of the accused's own selection and at the accused's own expense.

SECTION VIII. HEARSAY

Rule 801. Definitions

The following definitions apply under this section:

(a) *Statement.* A "statement" is (1) an oral or written assertion or (2) nonverbal conduct of a person, if it is intended by the person as an assertion.

(b) *Declarant.* A "declarant" is a person who makes a statement.

(c) *Hearsay.* "Hearsay" is a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted.

(d) *Statements which are not hearsay.* A statement is not hearsay if:

(1) *Prior statement by witness.* The declarant testifies at the trial or hearing and is subject to cross-examination concerning the statement, and the statement is (A) inconsistent with the declarant's testimony, and was given under oath subject to the penalty of perjury at a trial, hearing, or other proceeding, or in a deposition, or (B) consistent with the declarant's testimony and is offered to rebut an express or implied charge against the declarant of recent fabrication or improper influence or motive, or (C) one of identification of a person made after perceiving the person; or

(2) *Admission by party-opponent.* The statement is offered against a party and is (A) the party's own statement in either the party's individual or representative capacity, or (B) a statement of which the party has manifested the party's adoption or belief in its truth, or (C) a statement by a person authorized by the party to make a statement concerning the subject, or (D) a statement by the party's agent or servant concerning a matter within the scope of the agency or employment of the agent or servant, made during the existence of the relationship, or (E) a statement by a co-conspirator of a party during the course and in furtherance of the conspiracy.

Rule 802. Hearsay Rule

Hearsay is not admissible except as provided by these rules or by any Act of Congress applicable in trials by court-martial.

Rule 803. Hearsay Exceptions; Availability of Declarant Immaterial

The following are not excluded by the hearsay rule, even though the declarant is available as a witness:

(1) *Present sense impression.* A statement describing or explaining an event or condition made while the declarant was perceiving the event or condition or immediately thereafter.

(2) *Excited utterance.* A statement relating to a startling event or condition made while the declarant was under the stress of excitement caused by the event or condition.

(3) *Then existing mental, emotional, or physical condition.* A statement of the declarant's then existing state of mind, emotion, sensation, or physical condition (such as intent, plan, motive, design, mental feeling, pain, and bodily health), but not including a statement of memory or belief to prove the fact remembered or believed unless it relates to the execution, revocation, identification, or terms of declarant's will.

(4) *Statements for purposes of medical diagnosis or treatment.* Statements made for purposes of medical diagnosis or treatment and describing medical history, or past or present symptoms, pain, or sensations, or the inception or general character of the cause or external source thereof insofar as reasonably pertinent to diagnosis or treatment.

(5) *Recorded recollection.* A memorandum or record concerning a matter about which a witness once had knowledge but now has insufficient recollection to enable the witness to testify fully and accurately, shown to have been made or adopted by the witness when the matter was fresh in the witness's memory and to reflect that knowledge correctly. If admitted, the memorandum or record may be read into evidence, but may not itself be received as an exhibit unless offered by an adverse party.

(6) *Records of regularly conducted activity.* A memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses, made at or near the time by, or from information transmitted by, a person with knowledge, if kept in the course of a regularly conducted business activity, and if it was the regular practice of that business activity to make the memorandum, report, record, or data compilation, all as shown by the testimony of the custodian or other qualified witness, unless the source of information or the method or circumstances of preparation indicate lack of trustworthiness. The term "business" as used in this paragraph includes the armed forces, a business, institution, association, profession, occupation, and calling of every kind, whether or not conducted for profit. Among those memoranda, reports, records, or data compilations normally admissible pursuant to this paragraph are enlistment papers, physical examination papers, outline-figure and fingerprint cards, forensic laboratory reports, chain of custody documents, morning reports and other personnel accountability documents, service records, officer and enlisted qualification records, logs, unit personnel diaries, individual equipment records, daily strength records of prisoners, and rosters of prisoners.

(7) *Absence of entry in records kept in accordance with the provisions of paragraph (6).* Evidence that a matter is not included in the memoranda, reports, records, or data compilations, in any form, kept in accordance with the provisions of paragraph (6), to prove the nonoccurrence or nonexistence of the matter, if the matter was of a kind of which a memorandum, report, record, or data compilation was regularly made and preserved, unless the sources of information or other circumstances indicate lack of trustworthiness.

(8) *Public records and reports.* Records, reports, statements, or data compilations, in any form, of public office or agencies, setting forth (A) the activities of the office or agency, or (B) matters observed pursuant to duty imposed by law as to which matters there was a duty to report, excluding, however, matters observed by police officers and other personnel acting in a law enforcement capacity, or (C) against the government, factual findings resulting from an investigation made pursuant to authority granted by law, unless the sources of information or other circumstances indicate lack of trustworthiness. Notwithstanding (B), the following are admissible under this paragraph as a record of a fact or event if made by a person within the scope of the person's official

duties and those duties included a duty to know or to ascertain through appropriate and trustworthy channels of information the truth of the fact or event and to record such fact or event: enlistment papers, physical examination papers, outline-figure and fingerprint cards, forensic laboratory reports, chain of custody documents, morning reports and other personnel accountability documents, service records, officer and enlisted qualification records, records of court-martial convictions, logs, unit personnel diaries, individual equipment records, guard reports, daily strength records of prisoners, and rosters of prisoners.

(9) *Records of vital statistics.* Records or data compilations, in any form, of births, fetal deaths, deaths, or marriages, if the report thereof was made to a public office pursuant to requirements of law.

(10) *Absence of public record or entry.* To prove the absence of a record, report, statement, or data compilation in any form, or the nonoccurrence or nonexistence of a matter of which a record, report, statement, or data compilation, in any form, was regularly made and preserved by a public office or agency, evidence in the form of a certification in accordance with rule 902, or testimony, that diligent search failed to disclose the record, report, statement, or data compilation, or entry.

(11) *Records of religious organizations.* Statements of births, marriages, divorces, deaths, legitimacy, ancestry, relationship by blood or marriage, or other similar facts of personal or family history contained in a regularly kept record of a religious organization.

(12) *Marriage, baptismal, and similar certificates.* Statements of fact contained in a certificate that the maker performed a marriage or other ceremony or administered a sacrament, made by a clergyman, public official, or other person authorized by the rules or practices of a religious organization or by law to perform the act certified, and purporting to have been issued at the time of the act or within a reasonable time thereafter.

(13) *Family records.* Statements of fact concerning personal or family history contained in family Bibles, genealogies, charts, engravings on rings, inscriptions on family portraits, engravings on urns, crypts, or tombstones, or the like.

(14) *Records of documents affecting an interest in property.* The record of a document purporting to establish or affect an interest in property, as proof of the content of the original recorded document and its execution and delivery by each person by whom it purports to have been executed, if the record is a record of a public office and an applicable statute authorizes the recording of documents of that kind in that office.

(15) *Statements in documents affecting an interest in property.* A statement contained in a document purporting to establish or affect an interest in property if the matter stated was relevant to the purpose of the document, unless dealings with the property since the document was made have been inconsistent with the truth of the statement or the purport of the document.

(16) *Statements in ancient documents.* Statements in a document in existence twenty years or more the authenticity of which is established.

(17) *Market reports, commercial publications.* Market quotations, tabulations, directories, lists (including government price lists), or other published compilations, generally used and relied upon by the public or by persons in particular occupations.

(18) *Learned treatises.* To the extent called to the attention of an expert witness upon cross-examination or relied upon by the expert in direct examination, statements contained in published treatises, periodicals, or pamphlets on a subject of history, medicine or other science or art, established as a reliable authority by the testimony or admission of the witness or by other expert testimony or by judicial notice. If admitted, the statements may be read into evidence but may not be received as exhibits.

(19) *Reputation concerning personal or family history.* Reputation among members of the person's family by blood, adoption, or marriage, or among the person's associates, or in the community, concerning the person's birth, adoption, marriage, divorce, death, legitimacy, relationship by blood, adoption, or marriage, ancestry, or other similar fact of the person's personal or family history.

(20) *Reputation concerning boundaries or general history.* Reputation in a community, arising before the controversy, as to boundaries of or customs affecting lands in the community, and reputation as to events of general history important to the community or State or nation in which located.

(21) *Reputation as to character.* Reputation of a person's character among the person's associates or in the community.

(22) *Judgment of previous conviction.* Evidence of a final judgment, entered after a trial or upon a plea of guilty (but not upon a plea of nolo contendere), adjudging a person guilty of a crime punishable by death, dishonorable discharge, or imprisonment in excess of one year, to prove any fact essential to sustain the judgment, but not including, when offered by the Government for purposes other than impeachment, judgments against persons other than the accused. The pendency of an appeal may be shown but does not affect admissibility. In determining whether a crime tried by court-martial was punishable by death, dishonorable discharge, or imprisonment in excess of one year, the maximum punishment prescribed by the President under Article 56 at the time of the conviction applies without regard to whether the case was tried by general, special, or summary court-martial.

(23) *Judgment as to personal, family or general history, or boundaries.* Judgments as proof of matters of personal, family, or general history, or boundaries essential to the judgment, if the same would be provable by evidence of reputation.

(24) *Other exceptions.* A statement not specifically covered by any of the foregoing exceptions but having equivalent circumstantial guarantees of trustworthiness, if the court determines that (A) the statement is offered as evidence of a material fact; (B) the statement is more probative on the point for which it is offered than any other evidence which the proponent can procure through reasonable efforts; and (C) the general purposes of these rules and the interests of justice will best be served by admission of the statement into evidence. However, a statement may not be admitted under this exception unless the proponent of it makes known to the adverse party sufficiently in advance of the trial or hearing to provide the adverse party with a fair opportunity to prepare to meet it, the intention to offer the statement and the particulars of it, including the name and address of the declarant.

Rule 804. Hearsay Exceptions; Declarant Unavailable

(a) *Definitions of unavailability.* "Unavailability as a witness" includes situations in which the declarant—

(1) is exempted by ruling of the military judge on the ground of privilege from testifying concerning the subject matter of the declarant's statement; or

(2) persists in refusing to testify concerning the subject matter of the declarant's statement despite an order of the military judge to do so; or

(3) testifies to a lack of memory of the subject matter of the declarant's statement; or

(4) is unable to be present or to testify at the hearing because of death or then existing physical or mental illness or infirmity; or

(5) is absent from the hearing and the proponent of the declarant's statement has been unable to procure the declarant's attendance (or in the case of a hearsay exception under subdivision (b)(2), (3), or (4), the declarant's attendance or testimony) by process or other reasonable means; or

(6) is unavailable within the meaning of Article 49(d)(2).

A declarant is not unavailable as a witness if the declarant's exemption, refusal, claim of lack of memory, inability, or absence is due to the procurement or wrongdoing of the proponent of the declarant's statement for the purpose of preventing the witness from attending or testifying.

(b) *Hearsay exceptions.* The following are not excluded by the hearsay rule if the declarant is unavailable as a witness:

(1) *Former testimony.* Testimony given as a witness at another hearing of the same or different proceeding, or in a deposition taken in compliance with law in the course of the same or another proceeding, if the party against whom the testimony is now offered had an opportunity and similar motive to develop the testimony by direct, cross, or redirect examination. A record of testimony given before courts-martial, courts of inquiry, military commissions, other military tribunals, and before proceedings pursuant to or equivalent to those required by Article 32 is admissible under this subdivision if such record is a verbatim record. This paragraph is subject to the limitations set forth in Articles 49 and 50.

(2) *Statement under belief of impending death.* In a prosecution for homicide or for any offense resulting in the death of the alleged victim, a statement made by a declarant while believing that the declarant's death was imminent, concerning the cause or circumstances of what the declarant believed to be the declarant's impending death.

(3) *Statement against interest.* A statement which was at the time of its making so far contrary to the declarant's pecuniary or proprietary interest, or so far tended to subject the declarant to civil or criminal liability, or to render invalid a claim by the declarant against another, that a reasonable person in the position of the declarant would not have made the statement unless the person believed it to be true. A statement tending to expose the declarant to criminal liability and offered to exculpate the accused is not admissible unless corroborating circumstances clearly indicate the trustworthiness of the statement.

(4) *Statement of personal or family history.* (A) A statement concerning the declarant's own birth, adoption, marriage, divorce, legitimacy, relationship by blood, adoption, or marriage, ancestry, or other similar fact of personal or family history, even though declarant had no means of acquiring personal knowledge of the matter stated; or (B) a statement concerning the foregoing matters, and death also, of another person, if the declarant was related to the other by blood, adoption, or marriage or was so intimately associated with the other's family as to be likely to have accurate information concerning the matter declared.

(5) *Other exceptions.* A statement not specifically covered by any of the foregoing exceptions but having equivalent circumstantial guarantees of trustworthiness, if the military judge determines that (A) the statement is offered as evidence of a material fact; (B) the statement is more probative on the point for which it is offered than any other evidence which the proponent can procure through reasonable efforts; and (C) the general purposes of these rules and the interest of justice will best be served by admission of the statement into evidence. However, a statement may not be admitted under this exception unless the proponent of it makes known to the adverse party sufficiently in advance of the trial or hearing to provide the adverse party with a fair opportunity to prepare to meet it, the intention to offer the statement and the particulars of it, including the name and address of the declarant.

Rule 805. Hearsay Within Hearsay

Hearsay included within hearsay is not excluded under the hearsay rule if each part of the combined statements conforms with an exception to the hearsay rule provided in these rules.

Rule 806. Attacking and Supporting Credibility of Declarant

When a hearsay statement, or a statement defined in rule 801(d)(2)(C), (D), or (E), has been admitted in evidence, the credibility of the declarant may be

attacked, and if attacked may be supported, by any evidence which would be admissible for those purposes if declarant had testified as a witness. Evidence of a statement or conduct by the declarant at any time, inconsistent with the declarant's hearsay statement, is not subject to any requirement that the declarant may have been afforded an opportunity to deny or explain. If the party against whom a hearsay statement has been admitted calls the declarant as a witness, the party is entitled to examine the declarant on the statement as if under cross-examination.

SECTION IX. AUTHENTICATION AND IDENTIFICATION

Rule 901. Requirement of Authentication or Identification

(a) *General provision.* The requirement of authentication or identification as a condition precedent to admissibility is satisfied by evidence sufficient to support a finding that the matter in question is what its proponent claims.

(b) *Illustrations.* By way of illustration only, and not by way of limitation, the following are examples of authentication or identification conforming with the requirements of this rule:

(1) *Testimony of witness with knowledge.* Testimony that a matter is what it is claimed to be.

(2) *Nonexpert opinion on handwriting.* Nonexpert opinion as to the genuineness of handwriting, based upon familiarity not acquired for purposes of the litigation.

(3) *Comparison by trier or expert witness.* Comparison by the trier of fact or by expert witnesses with specimens which have been authenticated.

(4) *Distinctive characteristics and the like.* Appearance, contents, substance, internal patterns, or other distinctive characteristics, taken in conjunction with circumstances.

(5) *Voice identification.* Identification of a voice, whether heard firsthand or through mechanical or electronic transmission or recording, by opinion based upon hearing the voice at any time under circumstances connecting it with the alleged speaker.

(6) *Telephone conversations.* Telephone conversations, by evidence that a call was made to the number assigned at the time by the telephone company to a particular person or business, if (A) in the case of a person, circumstances, including self-identification, show the person answering to be the one called, or (B) in the case of a business, the call was made to a place of business and the conversation related to business reasonably transacted over the telephone.

(7) *Public records or reports.* Evidence that a writing authorized by law to be recorded or filed and in fact recorded or filed in a public office, or a purported public record, report, statement, or data compilation, in any form, is from the public office where items of this nature are kept.

(8) *Ancient documents or data compilation.* Evidence that a document or data compilation, in any form, (A) is in such condition as to create no suspicion concerning its authenticity, (B) was in place where it, if authentic, would likely be, and (C) has been in existence 20 years or more at the time it is offered.

(9) *Process or system.* Evidence describing a process or system used to produce a result and showing that the process or system produces an accurate result.

(10) *Methods provided by statute or rule.* Any method of authentication or identification provided by Act of Congress, by rules prescribed by the Supreme Court pursuant to statutory authority, or by applicable regulations prescribed pursuant to statutory authority.

Rule 902. Self-Authentication

Extrinsic evidence of authenticity as a condition precedent to admissibility is not required with respect to the following:

(1) *Domestic public documents under seal.* A document bearing a seal purporting to be that of the United States, or any State, district, Commonwealth, territory, or insular possession thereof, or the Panama Canal Zone, or the Trust Territory of the Pacific Islands, or of a political subdivision, department, officer, or agency thereof, and a signature purporting to be an attestation or execution.

(2) *Domestic public documents not under seal.* A document purporting to bear the signature in the official capacity of an officer or employee of any entity included in paragraph (1) hereof, having no seal, if a public officer having a seal and having official duties in the district or political subdivision of the officer or employee certifies under seal that the signer has the official capacity and that the signature is genuine.

(3) *Foreign public documents.* A document purporting to be executed or attested in an official capacity by a person authorized by the laws of a foreign country to make the execution or attestation, and accompanied by a final certification as to the genuineness of the signature and official position (A) of the executing or attesting person, or (B) of any foreign official whose certificate of genuineness of signature and official position relates to the execution or attestation or is in a chain of certificates of genuineness of signature and official position relating to the execution or attestation. A final certification may be made by a secretary of embassy or legation, consul general, consul, vice consul, or consular agent of the United States, or a diplomatic or consular official of the foreign country assigned or accredited to the United States. If reasonable opportunity has been given to all parties to investigate the authenticity and accuracy of official documents, the court may, for good cause shown, order that they be treated as presumptively authentic without final certification or permit them to be evidenced by an attested summary with or without final certification.

(4) *Certified copies of public records.* A copy of an official record or report or entry therein, or of a document authorized by law to be recorded or filed and actually recorded or filed in a public office, including data compilations in any form, certified as correct by the custodian or other person authorized to make the certification, by certificate complying with paragraphs (1), (2), or (3) of this rule or complying with any Act of Congress, rule prescribed by the Supreme Court pursuant to statutory authority, or an applicable regulation prescribed pursuant to statutory authority.

(4a) *Documents or records of the United States accompanied by attesting certificates.* Documents or records kept under the authority of the United States by any department, bureau, agency, office, or court thereof when attached to or accompanied by an attesting certificate of the custodian of the document or record without further authentication.

(5) *Official publications.* Books, pamphlets, or other publications purporting to be issued by public authority.

(6) *Newspapers and periodicals.* Printed materials purporting to be newspapers or periodicals.

(7) *Trade inscriptions and the like.* Inscriptions, signs, tags or labels purporting to have been affixed in the course of business and indicating ownership, control, or origin.

(8) *Acknowledged documents.* Documents accompanied by a certificate of acknowledgment executed in the manner provided by law by a notary public or other officer authorized by law to take acknowledgments.

(9) *Commercial paper and related documents.* Commercial paper, signatures thereon, and documents relating thereto to the extent provided by general commercial law.

(10) *Presumptions under Acts of Congress and Regulations.* Any signature, document, or other matter declared by Act of Congress or by applicable regulation prescribed pursuant to statutory authority to be presumptively or prima facie genuine or authentic.

Rule 903. Subscribing Witness' Testimony Unnecessary

The testimony of a subscribing witness is not necessary to authenticate a writing unless required by the laws of the jurisdiction whose laws govern the validity of the writing.

SECTION X. CONTENTS OF WRITINGS, RECORDINGS, AND PHOTOGRAPHS

Rule 1001. Definitions

For purposes of this section the following definitions are applicable:

(1) *Writings and recordings.* "Writings" and "recordings" consist of letters, words, or numbers, or their equivalent, set down by handwriting, typewriting, printing, photostating, photographing, magnetic impulse, mechanical or electronic recording, or other form of data compilation.

(2) *Photographs.* "Photographs" include still photographs, X-ray films, video tapes, and motion pictures.

(3) *Original.* An "original" of a writing or recording is the writing or recording itself or any counterpart intended to have the same effect by a person executing or issuing it. An "original" of a photograph includes the negative or any print therefrom. If data are stored in a computer or similar device, any printout or other output readable by sight, shown to reflect the data accurately, is an "original".

(4) *Duplicate.* A "duplicate" is a counterpart produced by the same impression as the original, or from the same matrix, or by means of photography, including enlargements and miniatures, or by mechanical or electronic re-recording, or by chemical reproduction, or by other equivalent techniques which accurately reproduce the original.

Rule 1002. Requirement of an Original

To prove the content of a writing, recording, or photograph, the original writing, recording, or photograph is required, except as otherwise provided in these rules, this Manual, or by Act of Congress.

Rule 1003. Admissibility of Duplicates

A duplicate is admissible to the same extent as an original unless (1) a genuine question is raised as to the authenticity of the original or (2) in the circumstances it would be unfair to admit the duplicate in lieu of the original.

Rule 1004. Admissibility of Other Evidence of Contents

The original is not required, and other evidence of the contents of a writing, recording, or photograph is admissible if:

(1) *Originals lost or destroyed.* All originals are lost or have been destroyed, unless the proponent lost or destroyed them in bad faith; or

(2) *Original not obtainable.* No original can be obtained by any available judicial process or procedure; or

(3) *Original in possession of opponent.* At a time when an original was under the control of the party against whom offered, the party was put on notice, by the pleadings or otherwise, that the contents would be a subject of proof at the hearing, and the party does not produce the original at the hearing; or

(4) *Collateral matters.* The writing, recording, or photograph is not closely related to a controlling issue.

Rule 1005. Public Records

The contents of an official record, or of a document authorized to be recorded or filed and actually recorded or filed, including data compilations in any form, if otherwise admissible, may be proved by copy, certified as correct or attested to in accordance with rule 902 or testified to be correct by a witness who has compared it with the original. If a copy which complies with the foregoing cannot be obtained by the exercise of reasonable diligence, then other evidence of the contents may be given.

Rule 1006. Summaries

The contents of voluminous writings, recordings, or photographs which cannot conveniently be examined in court may be presented in the form of a chart, summary, or calculation. The originals, or duplicates, shall be made available for examination or copying, or both, by other parties at reasonable time and place. The military judge may order that they be produced in court.

Rule 1007. Testimony or Written Admission of Party

Contents of writings, recordings, or photographs may be proved by the testimony or deposition of the party against whom offered or by the party's written admission, without accounting for the nonproduction of the original.

Rule 1008. Functions of Military Judge and Members

When the admissibility of other evidence of contents of writings, recordings, or photographs under these rules depends upon the fulfillment of a condition of fact, the question whether the condition has been fulfilled is ordinarily for the military judge to determine in accordance with the provisions of rule 104. However, when an issue is raised (a) whether the asserted writing ever existed, or (b) whether another writing, recording, or photograph produced at trial is the original, or (c) whether other evidence of contents correctly reflects the contents, the issue is for the trier of fact to determine as in the case of other issues of fact.

SECTION XI. MISCELLANEOUS RULES

Rule 1101. Applicability of Rules

(a) *Rules applicable.* Except as otherwise provided in this Manual, these rules apply generally to all courts-martial, including summary courts-martial; to proceedings pursuant to Article 39(a); to limited factfinding proceedings ordered on review; to proceedings in revision; and to contempt proceedings except those in which the judge may act summarily.

(b) *Rules of privilege.* The rules with respect to privileges in Section V apply at all stages of all actions, cases, and proceedings.

(c) *Rules relaxed.* The application of these rules may be relaxed in sentencing proceedings as provided under paragraph 75*c* and otherwise as provided in this Manual.

(d) *Rules inapplicable.* These rules (other than with respect to privileges) do not apply in investigative hearings pursuant to Article 32; proceedings for vacation of suspension of sentence pursuant to Article 72; proceedings for search authorizations; proceedings involving pretrial restraint; and in other proceedings authorized under the Uniform Code of Military Justice or this Manual and not listed in rule 1101(a).

Rule 1102. Amendments

Amendments to the Federal Rules of Evidence shall apply to the Military Rules of Evidence 180 days after the effective date of such amendments unless action to the contrary is taken by the President.

Rule 1103. Title

These rules may be known and cited as the Military Rules of Evidence.

PART B. CONFORMING AMENDMENTS

SEC. 1. Chapter VI is amended as follows:

(a) The second paragraph within paragraph 26*d* is amended by striking out "(148*e*)"; and

(b) Paragraph 28*c* is amended by striking out "147*a* and".

SEC. 2. Chapter VII is amended as follows:

(a) Paragraph 30*a* is amended to read as follows: "The rules concerning interrogations, searches and seizures, and identification procedures are set forth in chapter XXVII, section III.";

(b) Paragraph 30*b* is amended to read as follows: "The rules concerning privileges are set forth in chapter XXVII, section V.";

(c) Paragraph 32*b* is amended by striking out the sixth sentence and inserting in place thereof the following:

"The rules concerning interrogations, searches and seizures, and identification procedures are set forth in chapter XXVII, section III. The rules concerning privileges are set forth in chapter XXVII, section V.";

and

(d) Paragraph 32*f*(4)(c) is amended by striking out the second sentence.

SEC. 3. Chapter IX is amended as follows:

(a) The second paragraph within paragraph 44*g*(1) is amended by striking out "154*b*" and inserting in place thereof "54*f*".

(b) The second paragraph within paragraph 44*g*(2) is amended to read as follows:

"On behalf of the prosecution, he conducts the examination of witnesses under the rules of evidence set forth in chapter XXVII.".

(c) The second paragraph within paragraph 44*h* is amended by striking out "151*b* (1) and (3)" and inserting in place thereof "chapter XXVII, section V";

(d) Paragraph 48*d* is amended by striking out "154*b*" and inserting in place thereof "54*f*";

(e) Paragraph 48*g* is amended by striking out "148*e*, 149*b*;"; and

(f) Paragraph 50*c* is amended by striking out the second sentence.

SEC. 4. Chapter X is amended as follows:

(a) Paragraph 53*c* is amended by striking out "140*b*" and inserting in place thereof "chapter XXVII, rule 306";

(b) Paragraph 53*h* is amended by striking out "(75*c*(2), 140*a*, 148*e*, and 149*b*)";

(c) Paragraph 54 is amended as follows:

(1) Paragraph 54*a* is amended by striking out everything after the first sentence and inserting in place thereof the following:

"Examination of a witness by the military judge or members of the court-martial ordinarily is conducted after examination of that witness by the parties.";

(2) Paragraph 54*d* is amended:

(A) by striking out the second sentence of the first paragraph;

(B) by striking out the last sentence of the second paragraph; and

(C) by adding the following paragraph at the end thereof:

"When a witness points or otherwise refers to certain parts of a map, photograph, sketch, or chart, the military judge, or the president of a special court-martial without a military judge, should require counsel examining the witness to have the witness mark the exhibit in some fashion and identify the mark in his testimony so that reviewing authorities may obtain a clear comprehension of the testimony of the witness. If a large map, photograph, sketch, or chart is being used so that it can be observed by all parties to the trial, the military judge, or the president of a special court-martial without a military judge, should require that it, or a copy complete with all marks placed upon the original, be attached to the record of trial as an exhibit. A blackboard should not be used unless it can be photographed or reproduced in some manner."; and

(3) Paragraph 54*f* is amended as follows:

"*f. Stipulations.* (1) *As to facts and the contents of writings.* The parties may make a written or oral stipulation as to the existence or nonexistence of any

fact. If an accused has pleaded not guilty and the plea still stands, a stipulation which practically amounts to a confession should not be received in evidence. Also, a stipulation which if true would operate as a complete defense to an offense charged should not be received in evidence. A stipulation should not be received in evidence if any doubt exists as to the accused's understanding of what is involved. A party may withdraw from an agreement to stipulate or from a stipulation at any time before the stipulation is received in evidence, and in such a case the stipulation cannot be received in evidence. Also, the military judge or the president of a special court-martial without a military judge may as a matter of discretion permit a party to withdraw from a stipulation which has been received in evidence, and in this event the stipulation must be disregarded by the court. Unless it is properly withdrawn or is ordered stricken from the record, a stipulation of fact that has been received in evidence may not be contradicted by the parties thereto.

"Subject to the above observations as to stipulations of facts, stipulations may be made as to the contents of a writing.

"(2) *As to testimony.* The parties may stipulate that if a certain person were present in court as a witness he would give certain testimony under oath. Such a stipulation does not admit the truth of the indicated testimony, nor does it add anything to the weight or the evidentiary nature of the testimony. Stipulated testimony may be attacked, contradicted, or explained in the same way as though the witness had actually so testified in person. The principles set forth in (1) above, as to the reception in evidence of stipulations and as to the withdrawal by a party from agreements to stipulate and from stipulations apply here also.

"A written stipulation as to testimony is merely read in evidence. Except for inspection of the writing by the president of a special court-martial without a military judge for the purpose of determining the admissibility of its contents, the writing itself is not shown to the members of the court. However, the writing shall be properly marked and incorporated in the record.

"(3) *Instructions concerning stipulations received in a joint or common trial.* When in a joint or common trial a stipulation is received which was made by only one or some of the accused, the members of the court should be instructed that the stipulation may be considered only with respect to the accused person or persons who joined in it.

"(4) The following paragraph is inserted at the end of paragraph 54:

"*g. Real evidence.* 'Real evidence' includes physical objects, such as clothing, jewelry, weapons, and marks or wounds on a person's body. If an item of real evidence which has been introduced in the case is not to be attached to the record of trial because of the impracticability of doing so or for some other reason, the item should be clearly and accurately described for the record by testimony, photographs, or other means so that it may be considered properly upon review of the case.";

(d) Paragraph 56*c* is amended by striking out "and 148*e*";

(e) Paragraph 57*a*(2) is amended by striking out "; for examples, see 138*g*, 140*b*, and 153*b*(2)(c)";

(f) The fourth paragraph within paragraph 57*b* is amended by striking out everything after "considered separately.";

(g) The second paragraph within paragraph 57*g*(2) is amended by striking out "(154*c*)"; and

(h) The third paragraph within paragraph 57*g*(2) is amended by striking out the last sentence.

SEC. 5. Chapter XII is amended by inserting a new paragraph after paragraph 69 as follows:

"69A. *Motions to suppress.* In addition to the motions discussed in paragraph 69, motions to suppress may be made under chapter XXVII (Military Rules of Evidence).".

SEC. 6. Chapter XIII is amended as follows:

(a) The fourth paragraph within paragraph 72*b* is amended as follows: "Refusal of a witness to answer a proper question may be commented upon except as otherwise provided in chapter XXVII (Military Rules of Evidence).";

(b) Paragraph 73*a* is amended by striking out "(154*a*(3))";

(c) Paragraph 74*a*(2) is amended by striking out the last sentence and inserting in place thereof the following:

"A conviction cannot be based solely upon self-contradictory testimony given by a witness other than the accused, even if a motive on the part of the accused to commit the offense is shown, if the contradiction is not adequately explained by the witness in the witness testimony. Also, a conviction cannot be based upon uncorroborated testimony given by an accomplice in a trial for any offense if the testimony is self-contradictory, uncertain, or improbable. Even if apparently corroborated and apparently credible, testimony of an accomplice which is adverse to the accused is of questionable integrity and is to be considered with great caution. When appropriate, the above consideration should, upon request by the defense, be included in the general instructions of the military judge or the president of a special court-martial without a military judge.";

(d) The fourth paragraph within paragraph 74*a*(3) is amended by striking out everything after the second sentence and inserting in place thereof the following:

"Evidence that tends directly to prove or disprove a fact in issue is called direct evidence. Evidence that tends directly to prove or disprove not a fact in issue but a fact or circumstance from which, either alone or in connection with other facts or circumstances, one may, according to the common experience of mankind, reasonably infer the existence or nonexistence of another fact which is in issue is called indirect or circumstantial evidence. Circumstantial evidence is not resorted to as secondary or inferior evidence or only when there is an absence of direct evidence. It is admissible even when there is direct evidence. There is no general rule for contrasting the weight of circumstantial or direct evidence. The assertion of an eyewitness may be more convincing than contrary inferences that may be drawn from certain circumstances. Conversely, an inference drawn from one or more circumstances may be more convincing than a contrary assertion of an eyewitness.";

(e) The third paragraph within paragraph 75*b*(2) is amended by striking out the third sentence and inserting in place thereof the following:

"The admissibility of evidence of previous convictions under this paragraph is governed by chapter XXVII (Military Rules of Evidence)."; and

(f) Paragraph 76*a*(2) is amended:

(1) by striking out "See 138*g* and 153*b*(2)(b).";

and

(2) by striking out "145*c*" and inserting in place thereof "in chapter XXVII (Military Rules of Evidence)".

SEC. 7. Chapter XIV is amended as follows:

(a) Paragraph 79*a* is amended by striking out "See also 137."; and

(b) Paragraph 79*d*(1) is amended by striking out "148*e*" and inserting in place thereof "chapter XXVII, section III".

SEC. 8. Chapter XV is amended as follows:

(a) Paragraph 81*a* is amended by striking out "145*b*" and inserting in place thereof "chapter XXVII, rule 804(b)(1) (Military Rules of Evidence)"; and

(b) Paragraph 81*b*(2) is amended:

(1) by striking out "154*b*" and inserting in place thereof "54*f*"; and

(2) by striking out "145*b*" and inserting in place thereof "54*f*".

SEC. 9. Chapter XVI is amended as follows:

Paragraph 82*g*(1) is amended by striking out "143*a*(2)".

SEC. 10. Chapter XXIII is amended as follows:

(a) Paragraph 115*a* is amended by striking out "154*b* and inserting in place thereof "54*f*";

(b) Paragraph 115*c* is amended by striking out "151*b*(1) and (3)" and inserting in place thereof "chapter XXVII, section V (Military Rules of Evidence)";

(c) Paragraph 117*b*(6) is amended to read as follows:

"(6) *Examination of deponents.* Each party at the deposition is entitled to examine the deponent in the manner set forth for the examination of witnesses under chapter XXVII (Military Rules of Evidence).";

(d) Paragraph 117*b*(8) is amended by striking out everything after "See" and inserting in place thereof "chapter XXVII (Military Rules of Evidence) with respect to rules governing authentication of documents."; and

(e) Paragraph 117*b*(11) is amended to read as follows:

"(11) *Use at trial.* The admissibility of depositions at trial is governed by Article 49 and chapter XXVII (Military Rules of Evidence).

"A deposition will ordinarily be read to the court by the side on whose behalf it is being offered. At the reading, objections may be made to the introduction of the evidence which it contains in the same way that they would be made if the evidence was offered in the usual manner. If the ground of an objection to the use of a deposition or a part thereof is one which might have been obviated or removed, either in connection with the deposition itself or by retaking the deposition, if presented at the time interrogatories were submitted to the objecting party or to the military judge or the president of a special court-martial without a military judge or at the time the deposition was taken, a failure to have made the objection at that time is a waiver of the objection. It may be shown that an objection actually was made even if the objection is not noted in the body of the deposition, but in the absence of such a showing it may be assumed that no objections were made other than those noted. If the military judge or the president of a special court-martial without a military judge has ruled on an objection at the time interrogatories were submitted for acceptance, the objection shall again be considered at the time the deposition is read, if a request to do so is then made, without regard to the previous ruling.

"A failure to object to the introduction of a deposition on the ground that it was not taken on reasonable notice or before a proper officer, on the ground that it does not appear that the deponent is unavailable as a witness, or on the ground that the accused was not afforded in connection with the taking of the deposition an opportunity to be adequately represented by counsel and to confront and cross-examine the deponent may be regarded as a waiver of that objection.".

SEC. 11. Chapter XXIV is amended as follows:

(a) Paragraph 120*b* is amended by striking out everything after the first sentence and inserting in place thereof the following:

"A person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect the person lacks substantial capacity to appreciate the criminality of his or her conduct or to conform his or her conduct to the requirements of law. As used in this paragraph, the terms 'mental disease or defect' do not include an abnormality manifested only by repeated criminal or otherwise antisocial behavior.";

(b) Paragraph 120*c* is amended by striking out everything after the first sentence;

(c) Paragraph 121 is amended to read as follows:

"121. INQUIRY. If it appears to any commanding officer who considers the disposition of charges as indicated in 32, 33, and 35 or to any investigating officer (34), trial counsel, defense counsel or, as provided by 122, military judge or member of the court, that there is reason to believe that the accused is insane (120*d*) or was insane at the time of the alleged offense (120*b*), that fact and the basis of the belief or observation should be submitted through appropriate channels to the officer authorized to order an inquiry into the mental condition of the accused. The submission may be accompanied by a formal application for a mental examination under this paragraph. Prior to referral of charges, such inquiry may be ordered by the convening authority with immediate responsibility for the disposition of the charges. After referral of charges, the inquiry may be ordered by the military judge; provided, however, that the convening authority may order such an inquiry after referral of charges but prior to commencement of the first session of the court-martial conducted pursuant to Article 39(a) when a military judge is not reasonably available. The military judge may order a mental examination of the accused whenever he deems it appropriate notwithstanding any prior determination by the convening authority.

"When the report or the observations of the officer authorized to order an inquiry under this paragraph indicates a reasonable basis for such inquiry, the matter shall be referred to a board of one or more physicians for their observation and report as to the sanity of the accused. At least one member of the board should be a psychiatrist.

"When a mental examination is ordered under this paragraph, the order shall contain the reasons for doubting the sanity of the accused or requesting the examination. In addition to other requirements, the order shall require the board to make separate and distinct findings as to each of the following questions:

"At the time of the alleged criminal conduct did the accused have a mental disease or defect? The terms 'mental disease or defect' do not include an abnormality manifested only by repeated criminal or otherwise antisocial conduct.

"What is the clinical psychiatric diagnosis?

"Did the accused, at the time of the alleged criminal conduct and as a result of such mental disease or defect, lack substantial capacity to appreciate the criminality of his conduct?

"Did the accused, at the time of the alleged criminal conduct and as a result of such mental disease or defect, lack substantial capacity to conform his conduct to the requirements of law?

"Does the accused possess sufficient mental capacity to understand the nature of the proceedings against him and to conduct or cooperate intelligently in his defense (120*d*)?

"Such other questions as may be appropriate may also be included.

"In addition to the above requirements, the order shall specify:

"That upon completion of the board's investigation, only a statement of the board's ultimate conclusions as to all questions specified in the order shall be submitted to the officer ordering the examination, the individual's commanding officer, the investigating officer, if any, appointed pursuant to Article 32, and to all counsel in the case, the convening authority, and, after referral, to the military judge;

"That the full report of the board may be released by the board or other medical personnel only to other medical personnel for medical purposes, unless otherwise authorized by the convening authority or, after referral of charges by the military judge, except that a copy of the full report shall be

furnished to the defense and, upon request, to the commanding officer of the accused; and

"That neither the contents of the report nor any matter considered by the board during its investigation shall be released by the board or other medical personnel to any individual not authorized to receive the full report, except pursuant to an order by the military judge.

"No individual, other than the defense counsel, accused, or, after referral of charges, the military judge, shall disclose to the trial counsel any statement made by the accused to the board or any evidence derived from that statement. See Military Rule of Evidence 302.

"The board should place the accused under observation, examine him, and conduct any further investigation that it deems necessary to comply with the order.

"Based upon the report, further action in the case may be suspended, the charges may be dismissed by an officer competent to convene a court-martial appropriate to try the offense charged, administrative action may be taken to discharge the accused from the service on the grounds of his mental disability, or, subject to Military Rule of Evidence 302, the charges may be referred to trial. Additional mental examinations may be directed at any stage of the proceedings as circumstances may require.";

(d) Paragraph 122*a* is amended by striking out "inference of sanity (138*a*(2))" and inserting in place thereof "presumption of sanity"; and

(e) Paragraph 122*c* is repealed.

SEC. 12. Chapter XXV is amended as follows:

Paragraph 127*c*(1) is amended by striking out "76*a*, 123, and 154*a*" and inserting in place thereof "76*a* and 123".

SEC. 13. Chapter XXVIII is amended as follows:

(a) The seventh paragraph within paragraph 162 is amended by striking out everything after "service record is" and inserting in place thereof "evidence of the fact, type, and date of discharge if such record is admissible under chapter XXVII (Military Rules of Evidence).";

(b) Paragraph 165 is amended by striking out "143 (Documentary Evidence)" and inserting in place thereof "chapter XXVII (Military Rules of Evidence)";

(c) Paragraph 171*b* is amended by striking out "See 138*b*.";

(d) the third paragraph within paragraph 194 is amended to read as follows:

"The use of expert medical testimony on the issue of whether a purported illness of the accused was feigned is governed by chapter XXVII (Military Rules of Evidence).";

(e) Paragraph 197*a* is amended by striking out "154*a*(2)" and inserting in place thereof "216*h*";

(f) The fourth paragraph within paragraph 199*a* is amended by striking out the last sentence;

(g) The eleventh paragraph within paragraph 202A is amended to read as follows:

"Chapter XXVII (Military Rules of Evidence) governs the permissible means of proving banking entries and the authentication of checks, drafts, or orders returned with payment refused and the admissibility of these returned instruments.";

(h) The sixth paragraph within paragraph 213*b* is amended by striking out "154*a*(4)" and inserting in place thereof "216*i*";

(i) Paragraph 213*f*(4) is amended by striking out "147*a* as to taking judicial notice" and inserting in place thereof "chapter XXVII (Military Rules of Evidence) concerning proof"; and

(j) Paragraph 213*f*(9) is amended by striking out "154*a*(4)" and inserting in place thereof "216*i*".

SEC. 14. Chapter XXIX is amended as follows:

(a) The third paragraph within paragraph 214 is amended by striking out "154*a*(3), (4), and (5)" and inserting in place thereof "216";

(b) Paragraph 216 is amended:

(1) by striking out the last sentence of the second paragraph within paragraph 216*c;*

(2) by striking out "See 138*g*(6)" in paragraph 216*e;* and

(3) by inserting the following at the end thereof:

"*h. Effect of drunkenness.* A temporary loss of reason which accompanies and is part of a drunken spree and which is not the result of delirium tremens or some other mental defect, disease, or derangement is not insanity in the legal sense. It is a general rule that voluntary drunkenness not amounting to legal insanity, whether caused by liquor or drugs, is not an excuse for an offense committed while in that condition. However, evidence of any degree of voluntary drunkenness may be introduced for the purpose of raising a reasonable doubt as to the existence of actual knowledge, specific intent, or a premeditated design to kill if actual knowledge, specific intent, or premeditated design to kill is a requirement of the offense.

"Evidence of drunkenness of the accused may be admitted on the question of the measure of punishment to be awarded in the event of conviction, even if that drunkenness would not be a defense to the offense charged.

"*i. Effect of ignorance or mistake of fact.* Ignorance or mistake of fact on the part of the accused is a defense when any type of knowledge of a certain fact is necessary to establish the offense. However, depending on the offense and facts involved, ignorance or mistake of fact may not be a defense unless the ignorance or mistake is reasonable. A feigned ignorance or mistake is, of course, no ignorance or mistake at all. If a certain fact, although an element of the offense, is one as to which no type of knowledge is required, such as the age of the victim in carnal knowledge (199*b*), ignorance or mistake as to that fact, even if reasonable will not be a defense but may be shown in extenuation. Some specific applications of these rules appear in chapter XXVIII (Punitive Articles).

"*j. Effect of ignorance or mistake of law.* As a general rule, ignorance or mistake of law, or of properly published regulations or directives of a general nature having the force of law, is not an excuse for the commission of an offense. If, however, to indicate the existence of a requisite intent or for any other reason, actual knowledge of a certain law or of the legal effect of certain known facts is necessary to establish the offense, ignorance or mistake as to that law or legal effect will be a defense. Also, ignorance or mistake of law or the legal effect of certain known facts may be a defense to show the absence of a guilty state of mind involved in an offense when actual knowledge thereof is not necessary to establish the offense. In this instance, however, depending on the offense and facts involved, the ignorance or mistake may not be a defense, unless it is reasonable. A feigned ignorance or mistake of law or the legal effect of certain known facts is, of course, no ignorance or mistake at all. Additionally, except for general orders or regulations, a person cannot be held responsible for a violation of a military regulation or directive unless he had actual knowledge of the regulation or directive. See 171*a* and *b* as to the distinction between general orders or regulations and other military orders.

"Even if the offense is one as to which ignorance or mistake of law is not a defense, the ignorance or mistake may nevertheless be shown in extenuation."

SEC. 15. Appendix 8*b* is amended:

(a) by striking out "See 154*b.*" (Manual for Courts-Martial (rev. ed. 1969), at A8–16);

(b) by striking out "As to the competency of witnesses in general, see 148*a*." (Manual for Courts-Martial (rev. ed. 1969), at A8–16);

(c) by striking out "see 149*b*(1)", (Manual for Courts-Martial (rev. ed. 1969), at A8–17);

(d) by striking out "See 149*b*(2)." (Manual for Courts-Martial (rev. ed. 1969), at A8–17);

(e) by striking out "(149*b*(3))", (Manual for Courts-Martial (rev. ed. 1969), at A8–17);

(f) by striking out "See 149*b*(3)." (Manual for Courts-Martial (rev. ed. 1969), at A8–17);

(g) by striking out "See 57*a*(2), 138*g*, 140*a*, and 153*b*(2)(c)." (Manual for Courts-Martial (rev. ed. 1969), at A8–18);

(h) by striking out "see 143*b*(2) and (3) concerning their authentication." (Manual for Courts-Martial (rev. ed. 1969), at A8–19);

(i) by striking out "See 154*b*." (Manual for Courts-Martial (rev. ed. 1969), at A8–19);

(j) by striking out "See 145 and 154*b*(2)." (Manual for Courts-Martial (rev. ed. 1969), at A8–19);

(k) by striking out "(140*a*)" and inserting in place thereof "unless there is a waiver of the voluntariness issue under Chapter XXVII, section III (Military Rules of Evidence", (Manual for Courts-Martial (rev. ed. 1969), at A8–19);

(l) by striking out "(149*b*)" (Manual for Courts-Martial (rev. ed. 1969), at A8–19);

(m) by striking out "in accordance with 53*h* and 140*a*" (Manual for Courts-Martial (rev. ed. 1969), at A8–19);

(n) by striking out "See 149*b*." (Manual for Courts-Martial (rev. ed. 1969), at A8–21);

(o) by striking out "See 148*c*, 149*b*(1), and 150*b*." (Manual for Courts-Martial (rev. ed. 1969), at A8–21);

(p) by striking out "(140*c*)" (Manual for Courts-Martial (rev. ed. 1969), at A8–22); and

(q) by striking out the following:

"NOTE. The right of the members of the court to cause the recall of a witness or to call for additional evidence is subject to an interlocutory ruling by the MJ as to the propriety therefor. See 54*b*.

"Unless the MJ directs otherwise, the TC will conduct the direct and redirect examination of witnesses called by the court in the same manner as if the witness had been called by the prosecution. However, the MJ may permit the court members to question the witness directly, or he may do so himself, at any time after the TC has asked the initial formal questions. See 149*b*(3) for details concerning the proper examination of a witness by the court or a member and for limitations which the MJ may place on this examination."

(Manual for Courts-Martial (rev. ed. 1969), at A8–22).

SEC. 16. Appendix 9*a* is amended by striking out "(see, for example, 148*b*)" (Manual for Courts-Martial (rev. ed. 1969), at A9–3).

PART C. EFFECTIVE DATE

These amendments shall take effect on September 1, 1980. These amendments apply to all court-martial processes taken on or after that date: *Provided*, that nothing contained in these amendments shall be construed to invalidate any investigation, trial in which arraignment has been completed, or other action begun prior to that date; and any such investigation, trial, or other action may be completed in accordance with applicable laws, Executive Orders, and regulations in the same manner and with the same effect as if these amend-

ments had not been prescribed. The Secretary of Defense, on behalf of the President, shall transmit a copy of this order to the Congress of the United States in accord with section 836 of title 10 of the United States Code.

Jimmy Carter

THE WHITE HOUSE,
March 12, 1980.

[FR Doc. 80-8106
Filed 3-12-80; 4:40 pm]
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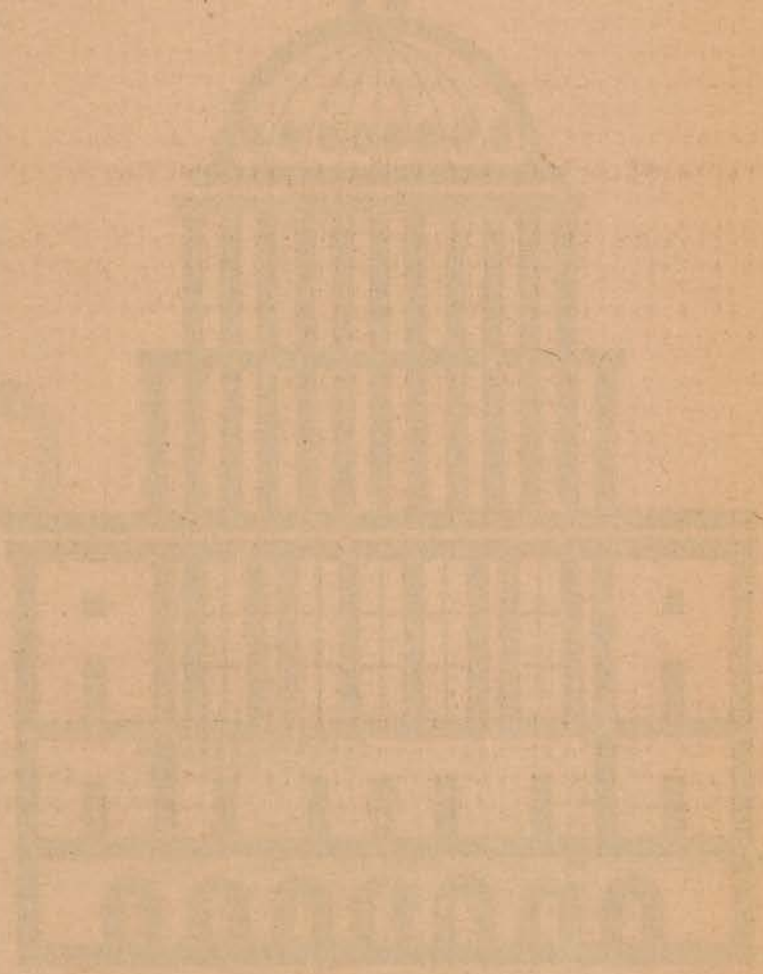

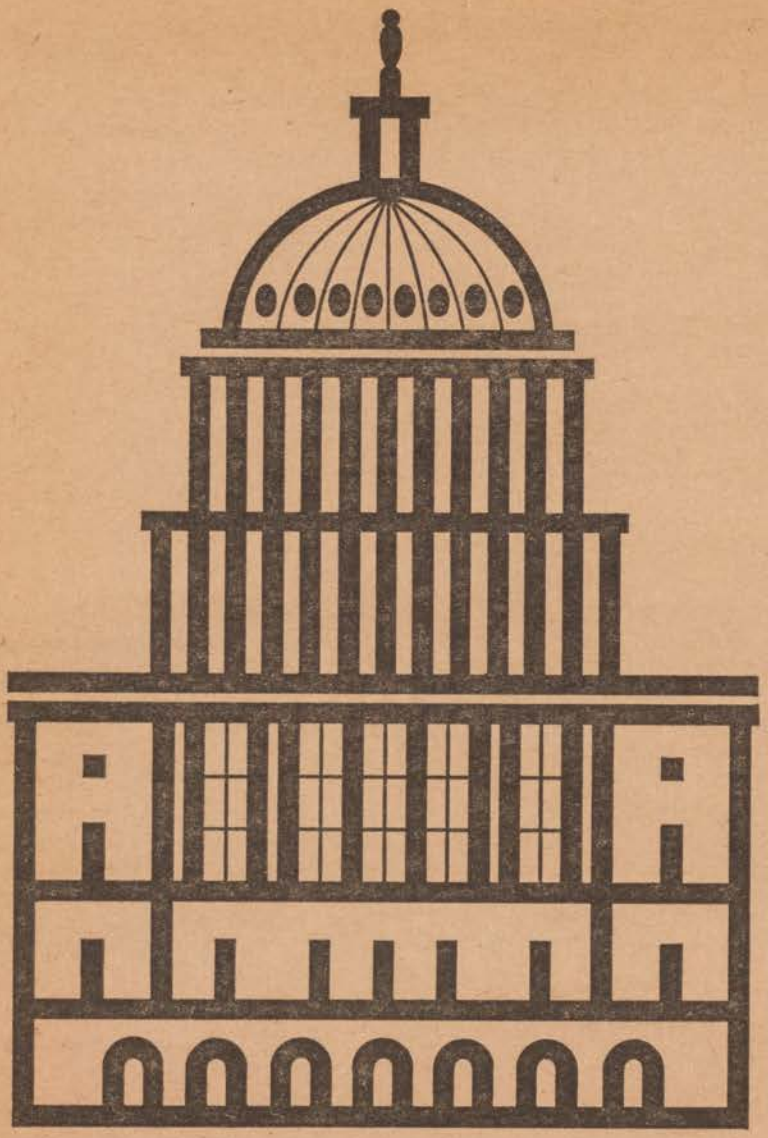

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