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PART I

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Debt Management Advisory Committees to be held in Washington, D.C. (closed), 4–30 and 5–1–75. 14342; 3–31–75

VETERANS ADMINISTRATION

Administrator's Education and Rehabilitation Advisory Committee to be held in Washington, D.C. (open with restrictions), 4–28–75..... 16378; 4–11–75

Health Manpower Training Assistance Review Committee to be held in Washington, D.C. (open and closed), 4–28 and 4–29–75..... 16378; 4–11–75

Medical School Assistance Review Committee to be held in Washington, D.C. (open and closed), 5–1 and 5–2–75. 16378; 4–11–75

Daily List of Public Laws

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

rules and regulations

Title 7—Agriculture

SUBTITLE A—OFFICE OF THE SECRETARY

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

Subpart I—Delegations of Authority by the Assistant Secretary for Rural Development

ADMINISTRATORS, FARMERS HOME ADMINISTRATION AND RURAL ELECTRIFICATION ADMINISTRATION

Sections 2.70 and 2.72 of Title 7, Code of Federal Regulations, are amended to redelegate certain authority of the Administrator, Rural Electrification Administration under section 306(a)(1) of the Consolidated Farm and Rural Development Act to the Administrator of the Farmers Home Administration. The amendments read as follows:

Section 2.70(a)(1) and (b)(2) are amended to read as follows:

§ 2.70 Administrator, Farmers Home Administration.

(a) * * *

(1) Administration of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) except (i) with respect to loans for rural electrification and telephone facilities and service in rural areas of 1,500 or less; and (ii) the authority contained in section 342 of said Act, 7 U.S.C. 1013a. This delegation includes the authority to collect, service, and liquidate loans made or insured by the Farmers Home Administration or its predecessor agencies, the Farm Security Administration, the Emergency Crop and Feed Loans Offices of the Farm Credit Administration, the Resettlement Administration, and the Regional Agricultural Credit Corporations of Washington, D.C.

* * * * *

(b) * * *

(2) Administering loans for rural electrification and telephone facilities and service in rural areas of 1,500 or less as authorized by the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.).

* * * * *

Section 2.72 is amended to revise paragraph (a) and to delete subparagraphs (1) and (2). As amended, new § 2.72(a) will read as follows:

§ 2.72 Administrator, Rural Electrification Administration.

(a) *Delegations.* Pursuant to § 2.23(c) and subject to his policy guidance and direction the Assistant Secretary for Rural Development hereby delegates the authority to administer the Rural Electrification Act, as amended (7 U.S.C. 901–950(b)) to the Administrator, Rural Electrification Administration.

* * * * *

(7 U.S.C. 1989; delegation of authority by the Sec. of Agri., 7 CFR 2.23; delegation of authority by the Asst. Sec. for Rural Development, 7 CFR 2.70.)

Effective date. This amendment shall be effective on April 23, 1975.

Dated: April 17, 1975.

WILLIAM ERWIN,
Assistant Secretary for Rural Development.

[FR Doc.75-10548 Filed 4-22-75;8:45 am]

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

[Valencia Orange Reg. 487, Amdt. 1]

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

Minimum Size Requirements

This amendment extends through January 15, 1976, the current minimum diameter requirement of 2.20 inches for shipments of Valencia oranges grown in District 3 of the California-Arizona production area. Shipments of such Valencia oranges are currently regulated by size through April 27, 1975, pursuant to Orange Regulation 487. The specified minimum size requirement is consistent with the size composition and available supply of the crop of Valencia oranges grown in District 3.

Notice was published in the FEDERAL REGISTER on March 27, 1975 (40 FR 13512) that consideration was being given to a continuation of the size regulation for Valencia oranges grown in District 3, pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908) regulating the handling of Valencia oranges grown in Arizona and designated part of California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The proposed amendment was recommended by the Valencia Orange Administrative Committee, established under said amended marketing agreement and order as the agency to administer the terms and provisions thereof. The notice provided that all written data, views, or arguments in connection with the proposed amendment be submitted by April 14, 1975. None were received.

The minimum size requirement specified herein reflects the Department's appraisal of the crop and current and prospective marketing conditions. The 1974–75 season crop of Valencia oranges is currently estimated at 61,500 carlots. The demand in regulated market channels will require about 35 percent of this volume, and the remaining 65 percent will be available for utilization in export, processing and other outlets. Fresh shipments of Valencia oranges from District 3 are now in progress. The volume and size composition of the crop of Valencia oranges grown in District 3 are such that ample supplies of the more desirable sizes are available to satisfy the demand in regulated channels. Equivalent fresh on-tree returns for California-Arizona Valencia oranges averaged $1.17 per carton for the season through March 1975 or 49 percent of the equivalent parity price. The regulation herein specified is designed to permit shipment of ample supplies of fruit of the more desirable sizes in the interest of both growers and consumers. The action is necessary to maintain orderly marketing conditions, provide consumer satisfaction and guard against the shipment of undesirable sizes of Valencia oranges which tend to weaken the market for such fruit. The regulation therefore is consistent with the objective of the act of promoting orderly marketing and protecting the interest of consumers.

After consideration of all relevant matter presented, including the proposal set forth in the aforesaid notice and other available information, it is hereby found that the regulation of shipments of Valencia oranges, as hereinafter set forth, is in accordance with said amended marketing agreement and order and will tend to effectuate the declared policy of the act.

It is hereby further found that good cause exists for making this amendment effective at the time hereinafter set forth and for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) notice of proposed rulemaking concerning this amendment was published in the FEDERAL REGISTER on March 27, 1975 (40 FR 13512), and no objection to it was received; (2) the regulatory provisions are the same as those contained in said notice; (3) the recommendation and supporting information for regulation of Valencia oranges were submitted to the Department after an open meeting of the committee on February

6, 1975, which was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; (4) information concerning such provisions and effective time has been disseminated among handlers of such oranges; and (5) compliance with the regulation will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

Order. In § 908.787 (Valencia Orange Regulation 487; (40 FR 8772)) the provisions of paragraph (a) are amended to read as follows:

§ 908.787 Valencia Orange Regulation 487.

(a) During the period April 28, 1975, through January 15, 1976, no handler shall handle any Valencia oranges grown in District 3 which are of a size smaller than 2.20 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit: *Provided*, That not to exceed 5 percent, by count, of the Valencia oranges contained in any type of container may measure smaller than 2.20 inches in diameter.

* * * * *

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

Dated: April 18, 1975, to become effective April 28, 1975.

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

[FR Doc.75-10604 Filed 4-22-75;8:45 am]

[Lime Reg. 35]

PART 911—LIMES GROWN IN FLORIDA

Quality and Size Requirements

Lime Regulation 35 prescribes during the period May 1 through June 15, 1975, the following grade and size requirements for Florida limes: Mexican type limes shipped to points outside the production area shall grade at least U.S. No. 2, with no minimum size requirement; Persian type limes shipped to such points shall grade at least U.S. Combination, Mixed Color, and measure at least 1⅞ inches in diameter. Both types of limes shipped to destinations within the production area are exempted from all grade requirements, except the minimum juice content requirements.

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the Florida Lime Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The regulation herein specified is based upon an appraisal of current and prospective crop and market conditions for Florida limes. Florida lime production for the 1975–76 season is estimated at 2.1 million bushels, 16.7 percent larger than the previous record. Fresh shipments for the 1975–76 season are expected to require about 840,000 bushels of such production. Ample supplies of acceptable sizes and grades of limes are expected to be available to fill fresh market demands. The imposition of the specified grade and size requirements is necessary to prevent the handling of lower grade and smaller limes, which do not provide consumer satisfaction, in order to promote orderly marketing in the interest of producers and consumers, consistent with the objectives of the act.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of Florida limes are currently being made and the volume is increasing as the seasonal supply increases; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Florida Lime Administrative Committee on April 9, 1975; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; other necessary supplemental information was submitted to the Department on April 14, 1975; the provisions of this regulation are identical with the aforesaid recommendation of the committee, except for a shorter effective period; the regulation continues the same quality and size requirements as are currently in effect through April 30, 1975, and information concerning such provisions and effective time has been disseminated among handlers of such limes; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period hereinafter set forth; and compliance with this regulation will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

§ 911.337 Lime Regulation 35.

Order. (a) During the period May 1, 1975, through June 15, 1975, no handler shall handle:

(1) Any limes of the group known as true "seeded" limes (also known as Mexican, West Indian, and Key limes and by other synonyms), grown in the production area, which do not meet the requirements of at least U.S. No. 2 Grade for Persian (Tahiti) Limes, except as to color: *Provided*, That true limes which fail to meet the requirements of such grade may be handled within the production area, if such limes meet all other applicable requirements of this section and the minimum juice content requirement prescribed in the U.S. Standards for Persian (Tahiti) Limes, and are handled in containers other than the containers prescribed in § 911.329 for the handling of limes between the production area and any point outside thereof;

(2) Any limes of the group known as large-fruited or Persian "seedless" limes (including Tahiti, Bearss and similar varieties) which do not grade at least U.S. Combination, Mixed Color: *Provided*, That stem length shall not be considered a factor of grade, and tolerances for fruit affected by decay and for fruit failing to meet the requirements set forth in the U.S. Standards for Persian (Tahiti) Limes shall apply: *Provided further*, That Persian limes which fail to meet the requirements of such grade may be handled within the production area, if such limes meet all other applicable requirements of this section and meet the same minimum juice content requirement prescribed in the U.S. Standards for such limes and are handled in containers other than the containers prescribed in § 911.329 for the handling of limes between the production area and any point outside thereof; or

(3) Any limes of the group known as large-fruited or Persian "seedless" limes (including Tahiti, Bearss, and similar varieties) which are of a size smaller than 1⅞ inches in diameter.

(b) Notwithstanding the provisions of paragraph (a)(3), not more than 10 percent, by count, of the limes in any lot of containers, other than master containers of individual bags, may fail to meet the applicable minimum size requirement: *Provided*, That no individual container of limes having a net weight of more than four pounds may have more than 15 percent, by count, of the limes which fail to meet such applicable size requirement.

(c) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade and diameter, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Persian (Tahiti) Limes (§§ 51.1000–51.1016 of this title).

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

Dated, April 18, 1975, to become effective May 1, 1975.

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

[FR Doc.75-10605 Filed 4-22-75;8:45 am]

[Amdt. 1]

PART 959—ONIONS GROWN IN SOUTH TEXAS

Limitation of Handling

This amendment permits onions to be packed and shipped for export on Sunday, April 20, 1975, and authorizes an experimental shipment of onions packed in 40-pound cartons.

Findings. (a) Pursuant to Marketing Agreement No. 143 and Order No. 959, both as amended (7 CFR Part 959), regulating the handling of onions grown in designated counties in South Texas, it is hereby found that the amendment to the handling regulation, hereinafter set forth, will tend to effectuate the declared policy of the act. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The amendment is based upon recommendations and information submitted by the South Texas Onion Committee, established pursuant to said marketing agreement and order, and upon other available information.

About April 20, a ship is scheduled to take on an export order to Europe of approximately 40-50,000 bags of South Texas onions. This amendment is necessary to provide the time for handlers to pack and load the requested quantity of onions for export when such activities would otherwise be prohibited. Current regulations prohibit packing and shipping on Sundays.

Also included in this amendment is authorization for shipment of 1,000 forty-pound cartons of onions. The exemption only applies to the container requirements as 40-pound cartons are not currently authorized. Other requirements for grade, size, inspection, safeguards and assessments must still be met. This is intended as an experimental project to determine the commercial feasibility of shipping onions in this size container.

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

§ 959.315 [Amended]

1. In § 959.315 (39 FR 45208) the introductory paragraph is hereby amended by adding the following thereto:

* * *, except that the prohibition against packaging or loading of onions on any Sunday shall not apply to onions for export on April 20, 1975.

* * * * *

2. Paragraph (f)(3) of § 959.315 is amended to read as follows:

(3) Experimental shipments: Upon approval of the committee one thousand 40-pound cartons of onions may be shipped for experimental purposes but shall meet the grade, size, and inspection requirements of paragraphs (a), (b) and (d) of this section, the assessment requirements of § 959.215 (40 FR 3407), and are handled in accordance with safeguard provisions of § 959.54. Further, upon approval of the committee other onions may be shipped for experimental purposes exempt from regulations issued pursuant to §§ 959.42, 959.52 and 959.60 provided they are handled in accordance with safeguard provisions of § 959.54.

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

Effective date. Issued April 18, 1975, to become effective upon issuance.

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

[FR Doc.75-10606 Filed 4-22-75;8:45 am]

CHAPTER XXVI—OFFICE OF INVESTIGATION, DEPARTMENT OF AGRICULTURE

PART 2620—AVAILABILITY OF INFORMATION TO THE PUBLIC

Implementation Provisions

Part 2620, Chapter XXVI of 7 CFR is revised as follows:

Sec.
2620.1 General statement.
2620.2 Public inspection and copying.
2620.3 Requests.
2620.4 Denials.
2620.5 Appeals.

AUTHORITY: 5 U.S.C. 301, 5 U.S.C. 552, 5 U.S.C. 559.

§ 2620.1 General statement.

This part is issued in accordance with, and subject to the regulations of the Secretary of Agriculture §§ 1.1 through 1.16 (and Appendix A thereto) of this title, implementing the Freedom of Information Act, 5 U.S.C. 552, and governs the availability of records of the Office of Investigation (OI) to the public upon request.

§ 2620.2 Public inspection and copying.

5 U.S.C. 552(a)(2) requires that certain materials be made available for public inspection and copying, and that a current index of these materials be published quarterly or otherwise made available. OI does not maintain any materials within the scope of these requirements.

§ 2620.3 Requests.

(a) Requests for OI records shall be made in writing in accordance with § 1.3 (a) of this title and addressed to the Assistant Director, Information, Research, and Development (IRD), OI, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250.

(b) Requests should be reasonably specific in identifying the record requested and should include the name, address, and telephone number of the requester.

(c) Available records may be inspected and copied in the Office of the Assistant Director, IRD, from 8:30 a.m. to 5 p.m., local time on regular working days or may be obtained by mail. Copies will be provided upon payment of applicable fees, unless waived or reduced, in accordance with the Department of Agriculture fee schedule, located in Part 1, Subpart A, of Subtitle A of this title.

§ 2620.4 Denials.

If the Assistant Director, IRD, determines that a requested record is exempt from mandatory disclosure and that discretionary release would be improper, he shall give written notice of denial in accordance with § 1.5(a) of this title.

§ 2620.5 Appeals.

The denial of a requested record may be appealed in accordance with § 1.3(e) of this title. Appeals shall be addressed to the Director, Office of Investigation, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250. The Director will give prompt notice of his determination in accordance with § 1.5(d) of this title.

This shall be effective April 23, 1975.

Signed at Washington, D.C., on this 18th day of April 1975.

JOHN V. GRAZIANO,
Director.

[FR Doc.75-10560 Filed 4-22-75;8:45 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Q]

PART 217—INTEREST ON DEPOSITS

NOW Accounts for Governmental Units

By notice published in the FEDERAL REGISTER of December 31, 1974 (39 FR 45301), the Board of Governors proposed to amend Regulation Q to prohibit member banks from accepting deposits subject to negotiable order of withdrawal (NOW) from governmental units. The Board has approved an amendment to Regulation Q to prohibit NOW accounts of governmental units effective May 16, 1975. In addition, the Board has determined that NOW accounts established prior to May 16, 1975 by governmental units may be maintained through December 31, 1975.

The December 31, 1974 proposal reflected the Board's consideration of requests that it review its action of November 26, 1974, amending Regulation Q to authorize member banks to accept governmental unit NOW accounts. That action was taken in conjunction with Pub. L. 93-495 which provides Federal deposit insurance up to $100,000 for time and savings deposits of governmental units. The amendment, effective November 27, 1974, included deposits of governmental units in the definition of the term savings deposits (39 FR 43056). Because NOW accounts are permitted to be offered on an experimental basis solely in Massachusetts and New Hampshire (Pub. L. 93-100) and are included in the definition of the term savings deposits in Regulation Q, the Board's amendment also had the effect of authorizing governmental unit NOW accounts in those two States.

After review and consideration of all comments received and of all relevant matter presented, pursuant to its authority under section 19 of the Federal Reserve Act (12 U.S.C. 461) to define terms used in that section, the Board has approved an amendment to Regulation Q to prohibit NOW accounts of governmental units effective May 16, 1975. However, governmental units which, based on the character of their activities, have traditionally been permitted to maintain savings deposits, will continue to be permitted to maintain NOW accounts.

This action is taken in light of the potentially disruptive economic effects that authorization at this time of governmental unit NOW accounts could have upon deposit relationships between financial institutions and State and local governments in Masachusetts and New Hampshire. The Board will continue to monitor NOW accounts in these States and may review the permissibility of these accounts for governmental units at some future date.

Effective May 16, 1975, § 217.1(e)(3) of Regulation Q (12 CFR Part 217) is amended to read as follows:

§ 217.1 Definitions.

* * * * *

(e) *Savings deposits.* * * *

(3) In those states where banks are permitted to offer deposits subject to negotiable orders of withdrawal, such deposits may be maintained if such deposit consists of funds deposited to the credit of or in which the entire beneficial interest is held by one or more individuals, or of a corporation, association, or other organization operated primarily for religious, philanthropic, charitable, educational, fraternal, or other similar purposes, and not operated for profit. Any deposit account subject to negotiable orders of withdrawal established prior to May 16, 1975, which consists of funds deposited to the credit of or in which the entire beneficial interest is held by a governmental unit not qualifying herein may be maintained through December 31, 1975.

* * * * *

By order of the Board of Governors, April 14, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-10540 Filed 4-22-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 75-SW-19, Amdt. 39-2179]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Model 206A and 206B Helicopters

There has been one report of damage occurring to a tail rotor control tube assembly, P/N 206-010-743-13, when the bearing retaining nut was tightened. The damage was due to a thin wall in the end fitting resulting from a possible quality control breakdown during manufacture of the control tube assemblies, P/N 206-010-743-13. Failure of the tail rotor control tube could result in loss of tail rotor control and possibly subsequent loss of the helicopter. Since this condition is likely to exist in other helicopters of the same type design, an airworthiness directive is being issued to require a one-time inspection of the tail rotor control tube assembly for a thin wall in the end fitting and replacement, as necessary, on Bell Models 206A and 206B, serial numbers 4 through 497.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BELL: Applies to Model 206A and 206B helicopters, serial numbers 4 through 497, certified in all categories.

To prevent possible failure of the tail rotor control tube assembly, P/N 206-010-743-13, compliance with items 1 through 5 of Bell Helicopter Company Service Bulletin 206-75-2, dated February 18, 1975, or later FAA approved revision, is required within the next 100 hours' time in service after the effective date of this AD, unless already accomplished.

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

This amendment becomes effective April 23, 1975.

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

Issued in Fort Worth, Texas, on April 11, 1975.

HENRY L. NEWMAN,
Director, Southwest Region.

NOTE.—The incorporation by reference provisions in this document was approved by the Director of the FEDERAL REGISTER on June 19, 1967.

[FR Doc.75-10507 Filed 4-22-75;8:45 am]

[Airworthiness Docket No. 75-WE-23-AD; Amdt. 39-2185]

PART 39—AIRWORTHINESS DIRECTIVES

Don Piccard Hot Air Balloon AX-6 Incorporating Rego Blast Valves P/N 7553S Series

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an airworthiness directive was adopted on April 3, 1975, and distributed by airmail letter dated April 4, 1975, to all known United States operators or owners of Don Piccard Hot Air Balloons, Model AX-6, incorporating Rego Blast Valves, P/N 7553S Series. The directive requires a modification and repetitive inspections of the valve to prevent the failure of the balloon fuel system or an inflight fire.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impractical and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known operators of Don Piccard Hot Air Balloons Model AX-6 by individual airmail letter dated April 4, 1975. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an Amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

DON PICCARD BALLOONS: Applies to Piccard Hot Air Balloon Model AX-6 certificated in all categories, incorporating Rego Blast Valves, P/N 7553S Series.

To prevent fuel system failure or an inflight fire, prior to further flight unless previously accomplished within one year prior to the effective date of this AD, and thereafter at intervals not to exceed the annual inspection or 100 hours time in service, whichever occurs earlier, accomplish the following:

A. Remove the valve actuating lever roll pin P/N 7553S-8 from actuating lever. (Be careful to remove any burrs in the stem area around the roll pin hole before removing the valve stem P/N 7553S-1 from the bonnet P/N 7553-5.) Replace the "O" ring stem seal with a new Rego "O" ring P/N 1421-7. Lubricate the new "O" ring with a suitable lubricant before reassembly.

B. Check the torque of the valve seat retaining screw to 10 in-lbs. If it turns, the screw must be removed and reinstalled using

MIL-S22473 high strength thread locking compound or equivalent.

CAUTION: Do not permit the thread locking compound to adhere to the valve rubber seating surface.

C. Reinstall valve actuating lever on the valve body with roll pin 75538-8. Install a number six machine screw and stop nut or a 3/32 inch stainless steel cotter pin through the hole in the roll pin holding the actuating handle to the valve body and secure.

D. Appropriate maintenance records must be kept in accordance with FAR 91.173.

Prior to further flight, unless already accomplished, incorporate the following in the FAA Approved Balloon Flight Manual, limitations section:

WARNING

Water contamination can cause serious fuel system malfunctions. Never leave tanks or hoses open to the air. Never fill from a tank which has been used for vapor withdrawal. To prevent the effects of water contamination, add one half cup methanol (methyl alcohol) per ten gallons capacity to each fuel tank at intervals not exceeding twelve calendar months."

This amendment is effective April 28, 1975 for all persons except those to whom it was made effective by airmail letter, dated April 4, 1975, which contained this amendment.

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

Issued in Los Angeles, Calif., on April 14, 1975.

ROBERT H. STANTON,
Director,
FAA Western Region.

[FR Doc.75-10508 Filed 4-22-75;8:45 am]

[Airworthiness Docket No. 75-WE-25-AD, Amdt. 39-2186]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed L-1011-385-1 Series Airplanes

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an airworthiness directive was adopted on March 28, 1975, and distributed by telegram dated March 28, 1975, to all known operators of Lockheed L-1011-385-1 series airplanes. This AD is required due to a condition wherein a fault in the go-around initiation signal can cause deactivation of pitch trim during an autopilot coupled go-around. Without adequate nose-down trimming authority, the autopilot cannot maintain the commanded flight path. Although pitch rate will appear normal, go-around pitch limit will be exceeded to the extent that a stall may be encountered. The directive imposes a limitation and requires installation of a placard requiring that the autopilot must be disconnected for go-around. Operators must also notify crews of Lockheed Operating Information Letter No. 86.

Since it was found that immediate corrective action was required, notice and public procedure hereon was impractical and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to the operators of Lockheed L-1011-385-1 series airplanes, by telegram dated March 28, 1975. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER to make it effective as to all persons.

LOCKHEED: Applies to L-1011-385-1 series airplanes certificated in all categories with Collins FCS-110 autopilot installed.

To preclude exceeding the go-around pitch limits during autopilot coupled go-arounds accomplish the following:

1. Operators shall, by the most immediate and practicable means, notify flight crews of Lockheed Operating Information Letter (OIL) 86.

2. Effective 48 hours after receipt of this telegram the following operating limitation applies: "Autopilot must be disconnected for go-around" and a placard must be installed in plain view of the pilots stating: "Autopilot must be disconnected for go-around."

This amendment becomes effective April 28, 1975, for all persons except those to whom it was made effective by telegram, dated March 28, 1975.

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

Issued in Los Angeles, Calif., on April 14, 1975.

ROBERT H. STANTON,
Director,
FAA Western Region.

[FR Doc.75-10509 Filed 4-22-75;8:45 am]

[Docket No. 75-EA-7, Amdt. 39-2187]

PART 39—AIRWORTHINESS DIRECTIVES

Lycoming Aircraft Engines

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to specified models of Lycoming aircraft engines equipped with specified Bendix Fuel Injector Flow Dividers.

There have been reports of engine failure and erratic engine performance on certain Lycoming engines. An investigation has revealed that the fuel flow divider cover gasket of the Bendix fuel injection system distorts, causing partial blockage of the fuel port. Since this is a deficiency which can exist or develop in engines of similar type design, an airworthiness directive is being issued which will require replacement of the gasket, P/N 2537013.

In view of the foregoing and because the deficiency is one which affects air safety, notice and public procedure hereon are impractical and good cause exists for making the amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by issuing a new Airworthiness Directive as follows:

LYCOMING: Applies to Lycoming Model IO-320, AIO-320, IO-360, LIO-360, HIO-360-C Series, IVO-360, TIO-360, AIO-360, IGO-480, IO-540, TIO-540, IVO-540, IGO-540, and IO-720 Series Engines equipped with the following listed Bendix Fuel Injector Flow Divider part numbers.

2524218-1 thru 2524225-1, 2524227-1, 2524232-1, 2524240-1, 2524248-1, 2524265-1, 2524327-1, 2524342-1, 2524397-1, 2524416-1, 2524421-1, 2524571-1, 2524583-1, 2524610-1.

Compliance required within the next 25 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent possible fuel starvation to the engine accomplish the following: Remove Bendix P/N 2537013 fuel flow divider cover gasket and install Bendix P/N 2538998 cover gasket in accordance with Lycoming Service Bulletin No. 382 or equivalent procedure approved by Chief, Engineering & Manufacturing Branch, FAA, Eastern Region. (Bendix Energy Controls Division Fuel System Bulletin No. RS43 also covers this subject).

This amendment is effective April 30, 1975.

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

Issued in Jamaica, N.Y., on April 16, 1975.

JAMES BISPO,
Acting Director,
Eastern Region.

[FR Doc.75-10510 Filed 4-22-75;8:45 am]

[Docket No. 75-EA-22, Amdt. 39-2188]

PART 39—AIRWORTHINESS DIRECTIVES

Lycoming Aircraft Engines

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to amend AD 73-23-01. A review of user comments since promulgation of the airworthiness directive indicates a misunderstanding of the applicability paragraphs. The purpose of this amendment is to eliminate any misunderstanding by using a different format in the applicability statement.

Since the purpose is one of clarification only, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 FR 13697) § 39.13 of Part 39 of the Federal Aviation Regulations is amended by amending AD 73-23-01 as follows:

Revise AD 73-23-01 by grouping the applicable model engines and serial numbers as follows:

O-320 Series:
L-6798-39A thru L-6815-39A
IO-320 Series:
L-4952-55
O-360 Series:

L-17389-36A thru L-17408-36A, L-17410-36A thru L-17427-36A, L-17429-36A thru L-17452-36A, L-17454-36A thru L-17474-36A, L-17481-36A thru L-17495-36A, L-17497-36A thru L-17500-36A, L-17503-36A thru L-17505-36A, L-17516-36A thru L-17518-36A, RL-523-36A, RL-2030-36A, RL-3933-36A, RL-7173-36A, RL-11169-36A, RL-16937-36A.

IO & HIO-360 Series:

L-9409-51A, L-9410-51A, L-9415-51A thru L-9417-51A, L-9419-51A thru L-9427-51A, L-9438-51A thru L-9453-51A, L-9455-51A, L-9457-51A thru L-9498-51A, L-9500-51A thru L-9517-51A, L-9519-51A thru L-9564-51A, L-9566-51A thru L-9616-51A, L-9618-51A, L-9620-51A thru L-9640-51A, 9642-51A thru L-9651-51A, L-9653-51A thru L-9713-51A, L-9715-51A, L-9716-51A, L-9718-51A thru L-9768-51A, L-9770-51A thru L-9774-51A, L-9776-51A thru L-9826-51A, L-9828-51A thru L-9848-51A, L-9850-51A thru L-9930-51A, L-9932-51A thru L-9962-51A, L-9964-51A thru L-9995-51A, L-9997-51A thru L-10090-51A, L-10092-51A thru L-10113-51A, L-10115-51A thru L-10249-51A, L-10257-51A thru L-10261-51A, L10263-51A thru L-10273-51A, L-10279-51A thru L-10281-51A, L-10284-51A thru L-10290-51A.

RL-191-51A, RL-591-51A, RL-595-51A, RL-702-51A, RL-776-51A, RL-778-51A, RL-955-51A, RL-933-51A, RL-1267-51A, RL-1272-51A, RL-1435-51A, RL-1461-51A, RL-1515-51A, RL-1642-51A, RL-1769-51A, RL-1845-51A, RL-1847-51A, RL-2143-51A, RL-2227-51A, RL-2249-51A, RL-2464-51A, RL-2476-51A, RL-2508-51A, RL-2562-51A, RL-2629-51A, RL-2672-51A, RL-2923-51A, RL-3048-51A, RL-3113-51A, RL-3195-51A, RL-3235-51A, RL-3318-51A, RL-3344-51A, RL-3392-51A, RL-3427-51A, RL-3464-51A, RL-3540-51A, RL-3573-51A, RL-3738-51A, RL-3832-51A, RL-3863-51A, RL-3974-51A, RL-4787-51A, RL-4960-51A, RL-5082-51A, RL-5085-51A, RL-5652-51A, RL-5685-51A, RL-5751-51A, RL-5824-51A, RL-6331-51A, RL-6345-51A, RL-6350-51A, RL-6417-51A, RL-6469-51A, RL-6623-51A, RL-6652-51A, RL-6693-51A, RL-6724-51A, RL-6744-51A, RL-6950-51A, RL-7043-51A, RL-7201-51A, RL-7357-51A, RL-7422-51A, RL-7475-51A, RL-7806-51A, RL-7852-51A, RL-7886-51A, RL-8000-51A, RL-8354-51A, RL-8872-51A, RL-9611-51A, RL-9812-51A.

AIO-360 Series:

L-165-63A thru L-171-63A

TIO-360 Series:

L-112-64A thru L-115-64A

LIO-360 Series:

L-440-67A thru L-480-67A, L-487-67A thru L-512-67A, L-514-67A thru L-537-67A, L-545-67A thru L-591-67A, L-593-67A, thru L-632-67A, L-634-67A thru L-648-67A, L-650-67A thru L-655-67A, L-660-67A.

GO-480-GID6 Series:

RL-288-37, RL-482-37

IGSO-480-A1E6 Series:

RL-829-44, RL-1258-44, RL-1508-44, RL-1509-44, RL-1518-44, RL-1586-44.

IGO-540 Series:

L-320-49

VO-540 Series:

L-2280-43, L-2281-43

RL-343-43, RL-376-43, RL-456-43, RL-485-43, RL-522-43, RL-564-43, RL-691-43, RL-694-43, RL-846-43, RL-849-43, RL-1125-43, RL-1148-43, RL-1186-43, RL-1333-43, RL-1452-43, RL-1571-43, RL-1700-43, RL-1731-43, RL-1828-43, RL-1900-43, RL-1913-43, RL-1929-43, RL-1931-43, RL-2041-43, RL-2125-43, RL-2142-43, RL-2208-43, RL-2234-43, RL-2245-43, RL-2269-43, RL-2275-43 thru RL-2279-43.

O-540-A1C5, -A1D5, -B1A5, -B2B5, -B4B5, -B2C5, -E4A5, -E4B5, -E4C5, G1A5 Series:

L-15062-40, L-15063-40, L-15108-40, L-15117-40, L-15132-40, L-15133-40, L-15161-40, L-15221-40, L-15222-40, L-15225-40 thru L-15227-40 L-15242-40 thru L-15249-40, L-15297-40, L-15300-40, L-15304-40 thru L-15320-40, L-15322-40 thru L-15367-40, L-15372-40.

RL-1040-40, RL-1207-40, RL-8330-40, RL-6768-40, RL 7670-40, RL-9416-40, RL-10659-40, RL-11312-40, RL-11377-40, RL-11420-40, RL-11862-40, RL-13058-40, RL-13637-40, RL-14194-40.

IO-540-A1A5, -B1A5, -C1A5, -C4B5, -D4A5, -E1A5, -E1B5, -G1D5, J4A5, K1A5, -K1B5, -K1C5, -K1E5, -K1E5D Series.

L-10118-48 thru L-10122-48, L-10124-48 thru L-10127-48, L-10144-48, L-10145-48, L-10209-48, L-10213-48, L-10221-48 thru L-10260-48, L-10263-48 thru L-10267-48, L-10398-48, L-10459-48, L-10487-48 thru L-10546-48, L-10548-48 thru L-10562-48, L-10568-48, L-10571-48 thru L-10576-48, L-10578-48 thru L-10584-48.

RL-113-48, RL-622-48, RL-918-48, RL-1170-48, RL-1606-48, RL-1640-48, RL-2015-48, RL-2050-48, RL-2210-48, RL-2271-48, RL-2276-48, RL-3610-48, RL-3614-48, RL-3732-48, RL-4057-48, RL-4103-48, RL-4506-48, RL-5778-48, RL-7116-48.

TIO-540-A2B, -A2C, -C1A, T10-540-J2BD Series.

L-2412-61 thru L-2414-61, L-2416-61 thru L-2419-61, L-2489-61; thru L-2498-61, L-2501-61 thru L-2503-61, L-2550-61, L-2557-61, L-2562-61, L-2566-61, L-2567-61, L-2572-61 thru L-2583-61, L-2585-61 thru L-2588-61, L-2590-61, L-2951-61, L-2595-61 thru L-2597-61.

RL-122-61, RL-226-61, RL-759-61, RL-771-61, RL-1263-61, RL-1268-61, RL-1346-61, RL-1488-61, RL-1679-61, RL-1683-61, RL-2189-61.

LIO-540 Series.

L-102-68, L-105-68, L-109-68, L-113-68 thru L-117-68, L-125-68, L-128-68 thru L-130-68, L-147-68 thru L-152-68, L-154-68, L-155-68.

RL-106-68.

IGSO-540 Series.

L-3060-50, L-3061-50, L-3070-50, L-3071-50, L-3074-50, L-3085-50 thru L-3087-50, L-3090-50, L-3093-50, L-3094-50.

RL-315-50, RL-518-50, RL-528-50, RL-821-50, RL-1014-50, RL-1100-50, RL-1151-50, RL-1174-50, RL-1216-50, RL-1517-50, RL-1558-50, RL-1591-50, RL-1682-50, RL-1694-50, RL-1700-50, RL-1773-50, RL-1788-50, RL-1821-50, RL-2003-50, RL-2157-50, RL-2187-50, RL-2385-50, RL-2479-50, RL-2543-50, RL-2604-50, RL-2907-50.

TIO-541 Series.

L-866-59 thru L-873-59.

TIGO-541 Series.

L-343-62 thru L-352-62.

RL-161-62.

IO-720-A, -B and -C Series.

L-505-54, L-506-54, L-508-54 thru L-529-54, L532-54 thru L-538-54, L-540-54, L-541-54, L-546-54 thru L-549-54, L-551-54 thru L-554-54.

This amendment is effective April 30, 1975.

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

Issued in Jamaica, N.Y., on April 16, 1975.

JAMES BISPO,
Acting Director,
Eastern Region.

[FR Doc.75-10511 Filed 4-22-75;8:45 am]

[Airworthiness Docket No. 75-WE-20-AD, Amdt. 39-2184]

PART 39—AIRWORTHINESS DIRECTIVES

McDonnell Douglas Model DC-10-10 and DC-10-10F Airplanes

Douglas Aircraft Company has determined that a mandatory reduction service life must be placed on P/N ACG 7008-1 collar assembly—lower steering support, nose landing gear, as identified in MDC J5752, "FAA Approved—McDonnell Douglas DC-10 Safe Life Limits" dated February 3, 1975. The Federal Aviation Administration concurs with this determination. Therefore, an airworthiness directive is being issued to require the retirement of these parts prior to the accumulation of 44,500 landings instead of 231,666 landings as previously specified for these assemblies, which are presently installed, or may subsequently be installed, on the affected airplanes.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive.

MCDONNELL DOUGLAS: Applies to Model DC-10-10 and DC-10-10F airplanes, certificated in all categories, with P/N ACG 7008-1, collar assembly—lower steering support installed.

To insure continued airworthiness of these assemblies, prior to the accumulation of 44,500 landings, remove from service collar assembly—lower steering support, P/N ACG 7008-1, and mark it permanently and conspicuously to prevent its inadvertent return to service. Replace it with a serviceable assembly having less than 44,500 landings.

The previously established service life of 231,666 landings is no longer applicable.

This amendment becomes effective April 28, 1975.

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

Issued in Los Angeles, Calif., on April 14, 1975.

ROBERT H. STANTON,
Director,
FAA Western Region.

[FR Doc.75-10513 Filed 4-22-75;8:45 am]

[Airworthiness Docket No. 75-SW-1, Amdt. 39-2181]

PART 39—AIRWORTHINESS DIRECTIVES

Mooney Model M20 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring repetitive inspections of the engine mounts and replacement of cracked mounts on Mooney Model M20 series airplanes was published in 40 FR 7677.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Three comments were received advising that the records do not show any problems with cracked engine mounts on the M20, M20A, and M20B airplanes and requesting that these models be deleted from the AD. Since such requests are validly supported, these models will not be listed in the AD. Two comments were received requesting that the AD not be issued until an acceptable repair is available and/or a new replacement mount is available which does not require the repetitive inspection. Mooney Aircraft Corp. has designed a repair and a replacement mount which will be a part of the AD and which, when installed, will eliminate the need for the repetitive inspection required therein. Several comments were received requesting that the repetitive inspection be at 100-hour intervals instead of 50-hour intervals. The reasons presented are considered to be valid and the inspection interval has been changed. Two comments were received questioning the need for an AD since there is no evidence that accidents have resulted due to cracked engine mounts. Both expressed belief that existing service instructions are adequate. These comments have been rejected since a cracked engine mount is an unsafe condition which could lead to accidents and compliance with the manufacturer's service instructions is not mandatory. One comment was received requesting the initial inspection time be changed from 200-hours' to 800-hours' time in service. Additional research revealed that the initial inspections could be extended to 400-hours' time in service but not to 800 hours.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive.

MOONEY: Applies to Mooney Models M20C, M20D, M20E, M20F, and M20G airplanes with the following serial numbers having accumulated 400 or more hours' time in service:

M20C–1852, 1940 thru 3466, 670001 thru 700091, 20–0001 thru 20–1156.

M20D–101 thru 260.

M20E–101 thru 1308, 670001 thru 700061, 21–0001 thru 21–1165.

M20F–660003 thru 700072, 22–0001 thru 22–1207.

M20G–680001 thru 700006.

Compliance required within the next 50-hours' time in service after the effective date of this AD or before the accumulation of 450-hours' time in service, whichever occurs later, unless already accomplished within the last 50-hours' time in service, and thereafter at intervals not to exceed 100-hours' time in service from the last inspection.

a. To detect cracked engine mount members, inspect the mount in accordance with instructions in Mooney Service Bulletin No. M20–192 dated April 7, 1975, or later FAA approved revision, or an FAA approved equivalent method.

b. If cracks are detected, repair or replace in accordance with instructions in Mooney Service Bulletin No. M20–192 dated April 7, 1975, or later FAA approved revision or an equivalent method approved by the Chief, Engineering and Manufacturing Branch, FAA, Southwest Region, Fort Worth, Texas.

c. The 100-hour repetitive inspection may be discontinued upon repair of a cracked or uncracked mount, or upon installation of a new mount in accordance with Mooney Service Bulletin No. M20–192 dated April 7, 1975, or later FAA approved revision or an equivalent method approved by the Chief, Engineering and Manufacturing Branch, Southwest Region, Federal Aviation Administration, Fort Worth, Texas.

This amendment becomes effective April 30, 1975.

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

Issued in Fort Worth, Tex., on April 11, 1975.

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

[FR Doc.75–10512 Filed 4–22–75;8:45 am]

[Docket No. 75–EA–14, Amdt. 39–2183]

PART 39—AIRWORTHINESS DIRECTIVES

Piper Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to Piper PA–31 type airplanes.

There have been reports of looseness in the attachment of the end fittings to the elevator push-pull tube. Failure of the fittings can result in loss of elevator control. Since this deficiency can exist or occur in airplanes of similar type design, an airworthiness directive is being issued which will require an inspection and replacement where necessary of the push-pull tube.

In view of the foregoing and because the deficiency is one which affects air safety, notice and public procedure hereon are impractical and good cause exists for making the amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 FR 13697) § 39.13 of Part 39 of the Federal Aviation Regulations is amended by issuing a new Airworthiness Directive as follows:

PIPER: Applies to Models PA–31P, Serial Nos. 31P–1 through 31P–7400213, PA–31 and PA–31–300, Serial Nos. 31–1 through 31–7401248, and PA–31–350, Serial Nos. 31–5001 through 31–7405242 and 31–7405400 through 31–7405462 aircraft certificated in all categories.

To prevent possible hazards in flight associated with loose elevator push-pull tube end fittings, accomplish the following:

1. Within the next 100 hours in service from the effective date of this AD unless already accomplished, inspect the elevator push-pull tube P/N 40847–04 for looseness in its attachment to the end fittings in accordance with the instructions contained in Piper Service Bulletin No. 409 dated June 7, 1974, for Model PA–31P or Piper Service Bulletin No. 433 dated December 17, 1974, for Models PA–31, PA–31–300 and PA–31–350 or an equivalent inspection.

2. If looseness is detected, replace with an acceptable elevator torque tube assembly P/N 40847–04 on Model PA–31P or P/N 40847–00 on Models PA–31, PA–31–300 and PA–31–350.

3. Equivalent inspections must be approved by the Chief, Engineering and Manufacturing Branch, FAA, Eastern Region.

This amendment is effective April 28, 1975.

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

Issued in Jamaica, N.Y., on April 14, 1975.

JAMES BISPO,
Acting Director,
Eastern Region.

[FR Doc.75–10514 Filed 4–22–75;8:45 am]

[Docket No. 75–EA–26, Amdt. 39–2182]

PART 39—AIRWORTHINESS DIRECTIVES

United Aircraft of Canada

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to amend AD 75–06–01 applicable to UACL PT6A type aircraft engines.

The purpose of this amendment is to clarify a reference to a finding of no magnetic particles and also terminate the applicability of the AD to assemblies which have been modified pursuant to UACL Service Bulletin No. 1138.

Since this amendment is clarifying and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and cause exists so that the amendment may be made effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 FR 13697) § 39.13 of Part 39 of the Federal Aviation Regulations is amended by amending AD 75–06–01 as follows:

1. In paragraph 1.a. insert the words "and no magnetic particles" after "particles"

2. Add a paragraph 3. to read as follows:

3. This AD does not apply to engines which have been modified in accordance with United Aircraft of Canada Limited Engine Service Bulletin No. 1138 or when the part number 3010548 power turbine shaft housing assembly has been removed and replaced with any other eligible housing assembly.

3. Insert the word "metal" after the word "non-magnetic" wherever it appears in paragraph 1, 1.a. and 1.b(1) through b(5).

This amendment is effective April 28, 1975.

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

Issued in Jamaica, N.Y., on April 14, 1975.

JAMES BISPO,
Acting Director,
Eastern Region.

[FR Doc.75-10515 Filed 4-22-75;8:45 am]

[Airspace Docket No. 75-AL-7]

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

Alteration of Controlled Airspace

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to make editorial changes in the descriptions of the control zones at Bettles, Alaska, and Kotzebue, Alaska, and the transition area at Talkeetna, Alaska, as a result of the renaming of the Bettles, Kotzebue and Talkeetna radio beacons (RBN).

Renaming the Bettles RBN to Evansville, Kotzebue RBN to Hotham, and Talkeetna RBN to Peters Creek, eliminates the duplication of names for navaids at these locations.

Since this action simply redescribes controlled airspace with no alteration to airspace dimension, it is a minor matter in which the public would have no particular desire to comment. Therefore, notice and public procedure thereon are unnecessary. In order to provide sufficient time for changes to be made on appropriate aeronautical charts, this amendment will be made effective October 9, 1975.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 9, 1975, as hereinafter set forth.

1. Section 71.171 (40 FR 354) is amended as follows:

a. In Bettles, Alaska, "Bettles RBN" is deleted and "Evansville NDB" is substituted therefor.

b. In Kotzebue, Alaska, "Kotzebue RBN" is deleted and "Hotham NDB" is substituted therefor.

2. Section 71.181 (40 FR 441) is amended as follows:

a. In Talkeetna, Alaska, "Talkeetna RBN" is deleted and "Peters Creek NDB" is substituted therefor.

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

Issued in Anchorage, Alaska, on April 11, 1975.

A. B. BRUCK,
Acting Director,
Alaskan Region.

[FR Doc.75-10517 Filed 4-22-75;8:45 am]

[Airspace Docket No. 75-AL-2]

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

Designation of Umiat, Alaska, Transition Area

On February 21, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 7678) stating that the Federal Aviation Administration proposed amendments to Part 71 of the Federal Aviation Regulations that would designate the Umiat, Alaska, control zone and transition area.

Interested persons were offered an opportunity to participate in the proposed rule making through the submission of comments. Comments received were favorable. Subsequent to issuing the notice, it was determined that aviation weather will not be available on a continuous basis. Weather observations are planned to be taken each hour from 0700 to 2000 local time daily, and at other times for certain operators conducting instrument approach procedures to the Umiat airport. These weather observations are insufficient to support designation of the control zone. The control zone proposed in the Notice will not be designated at this time. The 700-foot transition area, as proposed in the Notice, will be designated.

Therefore, in consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., June 19, 1975 as hereinafter set forth.

1. In § 71.181 (40 FR 441) the Umiat, Alaska, transition area is designated to read:

UMIAT, ALASKA

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of the Umiat airport (latitude 69°22'17" N, longitude 152°08'00" W).

(Sec. 307(a) Federal Aviation Act of 1958, (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1656(c)))

Issued in Anchorage, Alaska, on April 11, 1975.

A. B. BRUCK,
Acting Director,
Alaskan Region.

[FR Doc.75-10516 Filed 4-22-75;8:45 am]

[Airspace Docket No. 75-EA-15]

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

Alteration of Transition Area

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Pennsylvania transition area (40 FR 565).

The transition area is described, in part, by reference to the Imperial VORTAC. The transition area description also includes dual-designated airspace that overlaps several adjacent states.

The Imperial VORTAC is being relocated to a new site approximately 2 miles east of its present site. When it returns to service in its new location, the VORTAC facility will be renamed Montour. To eliminate reference to Imperial VORTAC and those portions of overlapping airspace in the states of Ohio and West Virginia, the Pennsylvania transition area is being redefined. The overall volume of airspace is being reduced in the revision of the transition area description.

Since the amendment is less restrictive in nature, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In view of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective on April 23, 1975, as follows:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations by altering the description of the (State of) Pennsylvania 1200-foot floor Transition Area as follows: Delete, beginning with the phrase, "thence westerly along the Pennsylvania State line" to the end of the text and substitute therefore, "thence westerly and northerly along the Pennsylvania State line to the United States/Canadian Border; thence northeasterly along the United States/Canadian Border to longitude 79°19'30" W.; to latitude 42°37'00" N., longitude 79°15'00" W.; to latitude 42°32'00" N., longitude 78°52'60" W.; to latitude 42°32'00" N., longitude 77°-36'00" W.; to latitude 42°40'00" N., longitude 77°23'45" W.; to latitude 42°-41'30" N., longitude 76°23'00" W.; to point of beginning.".

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

Issued in Jamaica, N.Y., on April 3, 1975.

JAMES BISPO,
Acting Director,
Eastern Region.

[FR Doc.75-10518 Filed 4-22-75;8:45 am]

[Airspace Docket No. 74-CE-35]

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

Alteration of Transition Area

On page 5793 and 5794 of the FEDERAL REGISTER dated February 7, 1975, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Salina, Kansas.

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

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

This amendment shall be effective 0901 G.m.t., June 19, 1975.

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

Issued in Kansas City, Mo., on April 3, 1975.

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

In § 71.181 (39 FR 440), the following transition area is amended to read:

SALINA, KANSAS

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Salina Municipal Airport (latitude 38°47'40" N., longitude 97°39'30" W.); within 4½ miles W and 9½ miles E of the Salina ILS localizer course, extending from 3 miles N to 18½ miles S of the ILS OM; and, within 5 miles each side of the Salina VORTAC 012° radial extending from the 9-mile radius area to 17½ miles N of the VORTAC, excluding the portion which overlies restricted area R-3601 and the McPherson, Kansas 700-foot floor transition area.

[FR Doc.75-10519 Filed 4-22-75;8:45 am]

[Airspace Docket No. 74-EA-87]

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

Alteration of VOR Federal Airways

On March 19, 1975, a notice of proposed rulemaking (NPRM) was published in the FEDERAL REGISTER (40 FR 12518) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would: (1) Alter V-210 from over the Bucktown, Pa., intersection direct to Yardley, Pa., (2) Extend V-229 from Kennedy, N.Y., to Atlantic City, N.J., via the Lighthouse, N.J., intersection with an established Maximum Authorized Altitude (MAA) of 7,000 feet MSL between Kennedy and the Lighthouse intersection.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No objections were received. The U.S. Navy commented that the proposed realignment of V-210 would overlie the Naval Air Station (NAS), Willow Grove, Pa., and the Naval Air Facility (NAF), Warminster, Pa., control zone and recommended that the Minimum Enroute Altitude (MEA) be at least 3,000 feet. The MEA will be 3,000 feet MSL.

The U.S. Navy also requested that IFR operations on V-229 below 3,000 feet MSL be coordinated with the McGuire RAPCON. The MEA on V-229 will be 4,500 feet MSL.

The Air Transport Association of America (ATA) expressed concern that the extension of V-229 would add traffic to the congestion over Kennedy. A maximum authorized altitude of 7,000 feet MSL would be established on V-229 between Kennedy and the Lighthouse intersection. Moreover, the routes anticipated use would be limited to small aircraft from airports north and south of New York as a bypass airway obviating the need to circumnavigate the metropolitan New York area. Consequently, the additional traffic over Kennedy that would result from the added segment to V-229 is anticipated to be insignificant.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT, June 19, 1975, as hereinafter set forth.

In § 71.123 (40 FR 037), the descriptions of airways are amended as follows:

1. In V-210 "INT Lancaster 095° and Pottstown, Pa., 143° radials" is deleted and "INT Lancaster 059° and Yardley, Pa., 225° radials; to Yardley." is substituted therefor.

2. V-229 is revised to read as follows: From Atlantic City, N.J., via INT Atlantic City 048° and Kennedy, N.Y., 195° radials; Kennedy; Madison, Conn.; Hartford, Conn.; INT Hartford 044° and Gardner, Mass., 150° radials; Gardner, excluding that airspace above 7,000 feet MSL between INT Atlantic City 048° and Kennedy 195° radials to Kennedy. The airspace below 2,000 feet MSL outside the United States is excluded.

(Sec. 307(a), 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348(a), 1510), E.O. 10854 (24 FR 9565); sec. 6(c), Department of Transportation Act, (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on April 17, 1975.

F. L. CUNNINGHAM,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-10520 Filed 4-22-75;8:45 am]

Title 15—Commerce and Foreign Trade

CHAPTER III—DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 302—FOREIGN EXCESS PROPERTY REGULATIONS

American Samoa, Guam, Trust Territory of Pacific Islands

Pub. L. 93-594, effective January 2, 1975, amends Section 3(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 472), by inserting after the words "Puerto Rico," the words "American Samoa, Guam, the Trust Territory of the Pacific Islands,". This amendment requires a minor revision of present Part 302, Chapter III of Title 15, Code of Federal Regulations.

Part 302 relates to the importation into the United States of foreign excess property, implementing sections 402, 404(b), and 601 of the Federal Property and Administrative Services Act of 1949, as amended. These provisions of law provide, in substance, that foreign excess property (other than any agricultural commodity, food, or cotton or woolen goods which are under the jurisdiction of the Secretary of Agriculture) may be imported into the United States only if the Secretary of Commerce determines that the importation of such property would relieve domestic shortages or otherwise be beneficial to the economy of this country. The result of the amendment cited above is to remove property from U.S. Government disposals in American Samoa, Guam, and the Trust Territory of the Pacific Islands occurring on or after January 2, 1975, from the category of "foreign excess property." Accordingly, the determination as to domestic shortages or other economic benefit required for the importation of such property will no longer be necessary.

Consistent with this change, the following revision is hereby inserted in paragraph (f) of § 302.2 of the cited part:

§ 302.2 Definitions.

* * * * *

(f) 'United States' means the States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Trust Territory of the Pacific Islands, and the Virgin Islands.

* * * * *

There will be a continuing requirement under these regulations for the U.S. Customs Service to distinguish domestic surplus from these locations both from foreign excess property originating in other overseas locations (if transshipped through these locations) and from foreign excess property originating in sales in these locations prior to January 2, 1975. Accordingly, the following guide is added as Appendix B to these Regulations:

APPENDIX B

A. Pursuant to Pub. L. 93-504, personal property sold on or after January 2, 1975, by a U.S. Government agency in American Samoa, Guam, or the Trust Territory of the Pacific Islands may be imported into the United States without presentation of an FEP Import Authorization.

B. In order to facilitate importation into the Customs Territory of the United States, a person wishing to import such property should provide the District Director of Customs evidence that the property is not foreign excess property. Such evidence should include:

1. A copy of the invitation for bid issued by the U.S. Government agency which identifies the property presented for importation and which establishes that the property was offered for sale in American Samoa, Guam, or the Trust Territory of the Pacific Islands on or after January 2, 1975.

2. A copy of the notice of award issued by the U.S. Government agency to the purchaser of the property which identifies the property being presented for entry as being the same as that listed in the invitation for bid.

3. The chain of ownership, in the form of properly executed invoices or bills of sale, from the importer of record to the U.S. Government (if importer of record was not the successful bidder for the listed property).

It is the general policy of the Department of Commerce to provide time for interested parties to take part in the rulemaking process. However, this amendment is entirely administrative in nature. Therefore, the public rulemaking process is waived and this amendment will become effective April 23, 1975.

ALAN POLANSKY,
Deputy Assistant Secretary for Resources and Trade Assistance.

[FR Doc.75-10561 Filed 4-22-75;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. C-2629]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Valley Premium Plan, et al.; Correction

In FR Doc. 75-8706 appearing on page 14904 of the issue for Thursday, April 3, 1975, in the right-hand column, the 21st line of the first ordering paragraph "Pub. L. 90-231" is corrected to "Pub. L. 90-321".

VIRGINIA M. HARDING,
Acting Secretary.

[FR Doc.75-10584 Filed 4-22-75;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

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

Doxapram Hydrochloride Injection

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (34-879V) filed by A. H. Robins Co., Research Laboratories, 1211 Sherwood Ave., Richmond, VA 23220, proposing safe and effective use of doxapram hydrochloride injection in the treatment of dogs, cats, and horses. The supplemental application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 522 (formerly Part 135b prior to recodification published in the FEDERAL REGISTER of March 27, 1974 (40 FR 13802)) is amended by adding a new section to read as follows:

§ 522.775 Doxapram hydrochloride injection.

(a) *Specifications.* The drug is a sterile aqueous solution containing 20 milligrams doxapram hydrochloride per milliliter.

(b) *Sponsor.* See No. 000031 in § 510.-600(c) of this chapter.

(c) *Conditions of use.* (1) Administer to dogs, cats, and horses to stimulate respiration during and after general anesthesia; to speed awakening and return of reflexes after anesthesia. Administer to neonate dogs and cats to initiate respiration following dystocia or caesarean section; to stimulate respiration following dystocia or caesarean section.

(2) For intravenous use in dogs and cats at a dose of 2½ to 5 milligrams of doxapram hydrochloride per pound of body weight in barbiturate anesthesia, 0.5 mg per lb. in gas anesthesia; for intravenous use in horses at 0.25 mg per lb. of body weight in barbiturate anesthesia, 0.2 mg per lb. in inhalation anesthesia, 0.25 mg per lb. with chloral hydrate with or without magnesium sulfate; for subcutaneous, sublingual, or umbilical vein administration in neonate puppies at a dose rate of 1 to 5 mg; for subcutaneous or sublingual use in neonate kittens at 1 to 2 mg. Dosage may be repeated in 15 to 20 minutes if necessary.

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

Effective date. This order shall be effective April 23, 1975.

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

Dated: March 18, 1975.

C. D. VAN HOUWELING,
Director, Bureau of Veterinary Medicine.

[FR Doc.75-10533 Filed 4-22-75;8:45 am]

Title 24—Housing and Urban Development

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

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-555]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

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

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special hazards that is located within any community currently participating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program and flood insurance has been purchased.

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

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in the order to designate (1) the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program; (2) the effective date on which the community became ineligible for the sale of flood insurance because of its failure to submit land use and control measures as required pursuant to § 1909.24(a); or (3) the effective date of a community's formal reinstatement in the program pursuant to § 1909.24(b). These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. 551. The entry reads as follows:

§ 1914.4 Status of participating communities.

* * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Alabama	Dale	Daleville, city of	Apr. 11, 1975, Emergency	Dec. 6, 1974		
Do	Dallas	Unincorporated areas	do	Jan. 3, 1975		
Do	Jefferson	Hoover, city of	do	Nov. 29, 1974		
Do	do	Midfield city of	do	June 14, 1974		
Arizona	Apache	Unincorporated areas	do	Dec. 20, 1974		
Arkansas	Craighead	Bono, city of	do	Aug. 30, 1974		
Do	Cleveland	Kingsland, city of	do	do		
Do	Mississippi	Leachville, city of	do	May 10, 1974		
Do	Clay	Pollard, city of	do	Aug. 23, 1974		
Do	Arkansas	Stuttgart, city of	do	Nov. 30, 1973		
California	Amador	Sutter Creek, city of	do	Jan. 10, 1975		
Do	Yolo	Winters, city of	do	Jan. 23, 1974		
Colorado	Chaffee	Unincorporated areas	do			
Illinois	Cook	East Chicago Heights, village of	do	Apr. 5, 1974		
Do	Iroquois	Iroquois, village of	do	Oct. 18, 1974		
Do	Warren	Monmouth, city of	do	Mar. 1, 1974		
Illinois	Jackson	Murphysboro, city of	Apr. 11, 1975. Emergency	Apr. 12, 1974		
Do	Pulaski	Olmsted, village of	do	Aug. 30, 1974		
Indiana	Fayette	Connersville, city of	do	Nov. 23, 1973		
Do	do	Unincorporated areas	do			
Do	Perry	do	do			
Do	Warrick	do	do			
Iowa	Cass	Anita, town of	do	May 3, 1974		
Do	Carroll	Coon Rapids, city of	do	do		
Kansas	Dickinson	Chapman, city of	do	Jan. 9, 1974		
Massachusetts	Middlesex	Boxborough, town of	do	Sept. 20, 1974		
Do	Worcester	Shrewsbury, town of	do	Sept. 6, 1974		
New York	Sullivan	Fremont, town of	do	May 31, 1974		
Do	Orange	Wawayanda, town of	do	May 10, 1974		
North Carolina	Onslow	Swansboro, city of	do	May 24, 1974		
Do	Pitt	Winterville, town of	do	June 7, 1974		
Ohio	Cuyahoga	Cleveland Heights, city of	do	Mar. 29, 1974		
Pennsylvania	Allegheny	Aspinwall, borough of	do	Dec. 28, 1973		
West Virginia	Marshall	McKechen, city of	do	Mar. 29, 1974		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: April 4, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-10304 Filed 4-22-75;8:45 am]

[Docket No. FI-556]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

The purpose of this notice is to list those communities wherein the sale of flood insurance is authorized under the Natonal Flood Insurance Program (42 U.S.C. 4001–4128).

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

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special hazards that is located within any community currently participating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program and flood insurance has been purchased.

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

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a complete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in order to designate the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. These dates serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. 551. The entry reads as follows:

§ 1914.4 List of eligible communities.

* * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Alabama	Henry	Abbeville, city of	Apr. 16, 1975, Emergency	Jan. 31, 1975		
Do.	Calhoun	Hobson City, town of	do	May 17, 1974		
Do.	St. Clair	Springville, town of	do	Dec. 27, 1974		
Arkansas	Lonoke	Carlisle, city of	do	Jan. 10, 1975		
Do.	Jackson	Grubbs, town of	do	Aug. 9, 1974		
Do.	Lee	Moro, town of	do	Aug. 16, 1974		
Do.	Bradley	Warren, city of	do	June 14, 1974		
Delaware	Kent	Cheswold, town of	do	Aug. 9, 1974		
Illinois	Kendall	Oswego, village of	do	Nov. 23, 1973		
Do.	Ford	Piper City, village of	do	Feb. 22, 1974		
Kansas	Miami	Paola, city of	do	Dec. 17, 1973		
Kentucky	Warren	Unincorporated areas	do			
Louisiana	Acadia Parish	do	do	June 28, 1974		
Mississippi	Claiborne	Port Gibson, town of	do	Feb. 1, 1974		
New Jersey	Bergen	Harrington Park, borough of	do	June 28, 1974		
Ohio	Medina	Briarwood Beach, village of	do	Mar. 15, 1974		
Do.	Drake	Greenville, city of	do	Feb. 15, 1975		
Oklahoma	Le Flore	Talihina, town of	do	Apr. 5, 1974		
Oregon	Umatilla	Milton-Freewater, city of	do	Nov. 16, 1973		
Pennsylvania	Beaver	Brighton, township of	Apr. 16, 1975, Emergency	Jan. 3, 1975		
Do.	Schuylkill	Mahanoy City, borough of	do	July 19, 1974		
Do.	Lackawanna	Mayfield, borough of	do	Feb. 1, 1974		
South Dakota	Hughes	Pierre, city of	do	June 7, 1974		
Texas	Burnet	Marble Falls, city of	do	May 31, 1974		
Utah	Uintah	Vernal, city of	do			
Virginia	King William	West Point, town of	do	May 31, 1974		
Washington	Chelan	Chelan, city of	do			
Do.	Pierce	Puyallup, city of	do	May 24, 1974 and Feb. 21, 1975.		
West Virginia	Fayette	Unincorporated areas	do			
Do.	Mason	New Haven, town of	do	Nov. 15, 1974		
Wisconsin	Dane	Deforest, village of	do	Dec. 7, 1973		
Do.	Polk	Luck, village of	do	May 24, 1974		
Do.	St. Croix	Somerset, village of	do	Dec. 28, 1973		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (42 U.S.C. 4001–4128); and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: April 9, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-10305 Filed 4-22-75;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

SUBCHAPTER C—EMPLOYMENT TAXES

[T.D. 7355]

PART 31—EMPLOYMENT TAXES; APPLICABLE ON AND AFTER JANUARY 1, 1955

Prescription of Withholding Tables Pursuant to Tax Reduction Act of 1975

This document amends the Employment Tax Regulations (26 CFR Part 31) under section 3402(a) of the Internal Revenue Code of 1954, in order to authorize the issuance in Circular E (Employer's Tax Guide) of new tables with respect to the withholding of income tax at source on wages. The amendment, which implements section 205(a) of the Tax Reduction Act of 1975, applies with respect to wages paid after April 30, 1975, and before January 1, 1976.

Section 205(a) of the Tax Reduction Act of 1975 amended section 3402(a) of the Internal Revenue Code of 1954 to authorize the Secretary of the Treasury or his delegate to prescribe new withholding tables under the percentage method of withholding which reflect the temporary increases in the minimum standard deduction and the percentage standard deduction, the $30 personal exemption tax credit, and the earned income credit provided for in the Act. These tables, which provide for reductions in the amount of withholding, are being included in a current revision of Circular E.

A notice of proposed rule making to amend the Employment Tax Regulations in order to conform such regulations to the adjustments in withholding made by the Revenue Act of 1971 will be published in a future issue of the FEDERAL REGISTER.

Adoption of regulations. In order to authorize the issuance of new tables with respect to the withholding of income tax at source on wages by publication of such tables in Circular E (Employer's Tax Guide) pursuant to section 205(a) of the Tax Reduction Act of 1975 (89 Stat. 32), the Employment Tax Regulations (26 CFR Part 31) are amended by revising paragraph (a) of § 31.3402(a)–2 to read as follows:

§ 31.3402(a)–2 Amount of tax to be withheld under percentage method of withholding.

(a) *Wages paid after December 31, 1969.* (1) Except as otherwise provided in subparagraph (2) of this paragraph, with respect to wages paid after December 31, 1969, the amount of tax to be deducted and withheld under the percentage method of withholding shall be determined in accordance with the tables set forth in section 3402(a), as in effect when such wages are paid.

(2) With respect to wages paid after April 30, 1975, and before January 1, 1976, the amount of tax to be deducted and withheld under the percentage method of withholding shall be determined under the applicable percentage method withholding table contained in Circular E (Employer's Tax Guide).

* * * * *

Because of the need for immediate authority for the promulgation of percentage method withholding tables by Circular E, it is hereby found impracticable to issue this Treasury decision with notice and public procedure thereon under subsection (b) of section 553 of title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

(Secs. 3402(a), 7805, Internal Revenue Code of 1954 (89 Stat. 32, 26 U.S.C. 3402(a); 68A Stat. 917, 26 U.S.C. 7805))

[SEAL] DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

Approved: April 17, 1975.

ERNEST S. CHRISTIAN, Jr.,
Deputy Assistant Secretary of the Treasury.

[FR Doc.75-10618 Filed 4-22-75;8:45 am]

Title 29—Labor

SUBTITLE A—OFFICE OF THE SECRETARY

PART 91—ADJUSTMENT ASSISTANCE FOR WORKERS AFTER CERTIFICATION

PART 92—ADJUSTMENT ASSISTANCE FOR WORKERS AFTER CERTIFICATION UNDER AUTOMOTIVE PRODUCTS TRADE ACT OF 1965

Worker Adjustment Assistance

Correction

In FR Doc. 75-9589, appearing at page 16304 in the issue of Friday, April 11, 1975, in § 91.3(a)(9), on page 16305, delete the parenthetical material beginning

on the third line and ending on the fourth line.

Title 32—National Defense

CHAPTER VII—DEPARTMENT OF THE AIR FORCE

SUBCHAPTER A—ADMINISTRATION

PART 806—DISCLOSURE OF AIR FORCE RECORDS

Implementation; Correction

The document revising 32 CFR Part 806 published in the FEDERAL REGISTER on February 24, 1975, at 40 FR 7901, is corrected as follows:

§ 806.26 [Amended]

1. Section 806.26(b) is corrected by changing "§ 806.31 (b) and (c)" to read "§ 806.31(b) and § 806.33(a)(3)".

§ 806.29 [Amended]

2. Section 806.29 is corrected by changing "Primary accident/incident investigations (excludes ground/explosive accidents)." to read "Primary accident/incident investigation including ground/explosive accidents." and by changing "AFR 111-2" to read "AFM 111-1".

§§ 806.33 and 806.57 [Amended]

3. Section 806.33(a)(3) and § 806.57(d) are corrected by adding the word "public" before "holidays".

4. Section 806.57(d)(2) is corrected by changing "OASF" to read "OSAF".

JAMES E. DAGWELL,
Chief Documentation Management Branch, Directorate of Administration.

[FR Doc.75-10582 Filed 4-22-75;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER E—PESTICIDE PROGRAMS

[FRL362-3;PP2F1220/R21]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Carbaryl

On February 2, 1972, notice was given (37 FR 2536) that Union Carbide Corp., 1730 Pennsylvania Ave. NW., Washington, D.C. 20006, had filed a petition (PP 2F1220) for a pesticide tolerance with the Environmental Protection Agency (EPA). This petition proposed the establishment of tolerances for negligible residues of the insecticide carbaryl (1-naphthyl *N*-methylcarbamate) and its hydrolysis product 1-naphthol, calculated as carbaryl, in or on the raw agricultural commodity potatoes at 0.5 part per million. An interim tolerance of 0.5 part per million for residues of carbaryl in or on potatoes has been established (§ 180.319). Union Carbide Corp., subsequently amended the petition by reducing the proposed tolerance to 0.2 part per million.

The data submitted in the petition and other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerance is sought. There is no reasonable expectation of residues in eggs, meat, milk, or poultry from the proposed use and § 180.6(a)(3) applies. The tolerance established by amending § 180.169 will protect the public health.

Any person adversely affected by this regulation may on or before June 23, 1975, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M Street SW., East Tower, Room 1019, Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective on April 23, 1975, Part 180, Subpart C, is amended by revising §§ 180.169 and 180.319.

(Sec. 408(d)(2), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(d)(2)))

Dated: April 17, 1975.

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

Part 180, § 180.169, is amended by inserting the new paragraph "0.2 part per million * * *" after the paragraph "1 part per million * * *" to read as follows.

§ 180.169 Carbaryl; tolerances for residues.

* * * * *

0.2 part per million (negligible residue) in or on potatoes.

* * * * *

Part 180, § 180.319, is amended by deleting the raw agricultural commodity potatoes from the item "Carbaryl * * *" in the table to read as follows.

§ 180.319 Interim tolerances.

* * * * *

Substance	Use	Tolerance in parts per million	Raw agricultural commodity
*	*	*	*
Carbaryl (1-naphthyl insecticide *N*-methylcarbamate and its metabolite 1-naphthol, calculated as carbaryl.	.....	0.5	Eggs; [4]
*	*	*	*

* * * * *

[FR Doc.75-10503 Filed 4-22-75;8:45 am]

[FRL 315-1]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Formaldehyde

Correction

In FR Doc. 75-273 appearing at page 1042 in the issue of Monday, January 6, 1975, the fifth line of § 180.1023 in the third column of page 1042 should read as follows: "grain, cowpea hay, fescue, lespedeza, lupines, oat grain, orchard grass, peanut hay, peavine hay, rye grass, sorghum grain, soybean hay, sudan grass, tim-"

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

SUBCHAPTER B—LAND RESOURCE MANAGEMENT (2000)

[Circular No. 2368]

PART 2800—RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES

Subpart 2802—Procedures

REIMBURSEMENT OF COSTS

On pages 31906 and 31907 of the FEDERAL REGISTER of September 3, 1974, there was published a notice and text of a proposed amendment to Part 2800 of Title 43, Code of Federal Regulations. The primary purpose of this amendment is to provide for the recovery of costs incurred by the United States in processing applications for rights-of-way and permits incident to rights-of-way across the public lands. In accordance with the policy expressed in Title V of the Independent Offices Act of 1952 (31 U.S.C. 483a); authority contained in sections 201 and 204 of the Public Land Administration Act (43 U.S.C. 1371, 1374); and the requirements of section 28(1) of the 1973 amendments to the Mineral Leasing Act (87 Stat. 576, 579), as to oil, gas and other pipelines, an applicant for a right-of-way or permit incident thereto under Part 2800 of Title 43, Code of Federal Regulations, will be required to reimburse the United States for the cost of processing the application, including preparation of reports and statements concerning the impact of the proposal upon the environment. Following the issuance of a right-of-way or permit, the holder thereof would be required to reimburse the United States for costs incurred by the United States in monitoring construction, operation, maintenance and termination of authorized facilities, and in the protection and rehabilitation of the land involved.

Interested persons were given until October 18, 1974, to submit comments, suggestions, or objection to the proposed amendment. Fifty-one comments were received and considered in the final rulemaking process.

Most commenters objected to the proposal stating that the cost of processing

applications and most particularly preparing environmental reports and statements should not be recovered from applicants. It was argued that preparation of environmental statements and reports is for the benefit of the general public and therefore should not be subject to the policy stated in the Independent Offices Appropriations Act of 1952 (31 U.S.C. 483a). We have considered this objection and find that it is not well founded. Applicants for and holders of rights-of-way across the public lands are identifiable recipients of services above and beyond those which accrue to the public at large. The services rendered in reviewing applications and in monitoring holder activities are made necessary by such applications, and the resulting costs would not be incurred by the United States in the absence of such applications. The value to the recipient of such services and of the right-of-way or permit issue exceed the public policy or interest served by such rights-of-way or permits. In addition, such applicants and holders receive many other Federal services for which no charge is made, such as the maintenance of offices and personnel available to process applications, the maintenance of records needed in processing applications, and the availability of environmental, technical, economic and other studies done at Federal expense and used in application processing. Accordingly, it is fair and equitable, pursuant to Title V of the Independent Offices Appropriations Act of 1952 (31 U.S.C. 483a (1970)), that the direct and indirect cost to the Government incurred in the processing of applications for such rights-of-way and permits and for monitoring the construction, operation, maintenance and termination of authorized facilities, and protection and rehabilitation of the lands, should be recovered from applicants for and holders of such rights-of-way or permits.

Many commenters identified the need for a system of reimbursement which would provide for determination of amounts to be paid prior to entering into a project. They argued that the system as proposed does not give a potential applicant the necessary information to evaluate the cost versus the benefits of a proposed project. This objection is met in the following manner: The reimbursement procedures in the proposed regulations have been retained in the final rulemaking, but based on the best cost information available, applicants and potential applicants will be given an estimate of anticipated costs to be incurred by the United States in processing their applications. The proposed rules provide for payment of an established application fee to cover normal processing or monitoring costs incurred by the United States. Where costs are anticipated to exceed the filing fee by an appreciable amount, provisions are set forth for reimbursement of such costs. Many commenters questioned the meaning of the term "appreciable amount." The final rules do not use the term "appreciable amount." Instead it is provided that when an application is received, the authorized officer shall estimate the costs expected to be incurred in processing the application. If such costs plus the cost of maintaining actual cost records will exceed the application fee, the applicant will be required to make periodic payments based on the estimated actual cost of processing the application.

There were several comments relating to possible exemptions from these rules. The Mineral Leasing Act (87 Stat. 576, 579) does not provide for any exemptions to the reimbursement requirement. Therefore, all applicants for oil, gas and other rights-of-way or permits incident thereto under section 28 of the Mineral Leasing Act must reimburse the United States for its costs. As to other rights-of-way, the proposed rules exempted State or local governments or agencies or instrumentalities thereof, and Federal government agencies. The final rules have been changed to clarify the intent of the provision. The provision contemplates exemptions for State and local governments or agencies or instrumentalities thereof only where the lands will be used for governmental purposes and the lands and resources will continue to serve the interests of the general public. It is not intended to exempt applicants because of governmental association where the cost of services to another applicant, without such association, for a similar right-of-way, would be recovered. The principle involved is one of treating all applicants alike, regardless of status, and without consideration of whether costs will be passed on to ultimate consumers of a product or incurred directly by the applicant.

A new provision has been added to exempt applicants for rights-of-way under road use or reciprocal road use agreements.

Several commenters stressed the need for further breakdown of application fees so that an applicant for a very small right-of-way would not be charged the minimum of $250 for application processing plus $100 for monitoring costs. This objection has merit as some applicants may not have the ability to pay $350 for needed domestic facilities. The fee schedule has therefore been revised to provide smaller minimum fees.

Other changes in the format and provisions of the regulations have been made. Provisions have been added to clarify that applicants whose applications are denied or withdrawn will be responsible for the costs incurred in processing their applications.

The proposed regulations included rights-of-way issued across the Outer Continental Shelf. This provision has been deleted and will be the subject of separate regulations regarding OCS procedures.

The charge for processing an application to transfer a right-of-way is presently $10. The proposed regulations would have increased that fee to $100. It has been determined that although similar procedures are involved in transferring a right-of-way as in processing a new application, the costs are considerably less in most instances. The final regulations have, therefore, been changed to require payment of a fee in the amount of $25.

The proposed rules provided for deletion of § 2802.2–1. The final rules retain a provision concerning procedures for incomplete applications, and a provision concerning lands reserved or withdrawn for another Federal agency.

The regulations are adopted as set forth below and shall become effective June 1, 1975.

Subchapter B of Chapter II is amended as follows:

1. Section 2802.1–2 is revised to read as follows:

§ 2802.1–2 Reimbursement of costs.

(a)(1) An applicant for a right-of-way or a permit incident to a right-of-way shall reimburse the United States for administrative and other costs incurred by the United States in processing the application, including the preparation of reports and statements pursuant to the National Environmental Policy Act (42 U.S.C. 4321–4347), before the right-of-way or permit will be issued under the regulations of this part.

(2) The regulations contained in this section do not apply to: (i) State or local governments or agencies or instrumentalities thereof where the lands will be used for governmental purposes and the lands and resources will continue to serve the general public, except as to rights-of-way or permits under section 28 of the Mineral Leasing Act of 1920, as amended (87 Stat. 576); (ii) road use agreements or reciprocal road agreements; or (iii) Federal government agencies.

(3) An applicant must submit with each application a nonreturnable payment in accordance with the following schedule:

(i) Each right-of-way or permit incident to a right-of-way for crossing public lands (e.g., for powerlines, pipelines, roads, and other linear facilities).

Length	*Payments*
Less than 5 miles	$50 per mile or fraction thereof.
5 to 20 miles	$500.
20 miles and over	$500 for each 20 miles or fraction thereof.

(ii) Each right-of-way or permit incident to a right-of-way, not included in subdivision (i) of this subparagraph (e.g., for communication sites, reservoir sites, plant sites, and other nonlinear facilities)—$250 for each 40 acres or fraction thereof.

(iii) If a project has the features of subdivisions (i) and (ii) of this subparagraph in combination, the payment shall be the total of the amounts required by subdivisions (i) and (ii) of this subparagraph.

(4) When an application is received, the authorized officer shall estimate the costs expected to be incurred by the

United States in processing the application. If, in the judgment of the authorized officer, such costs will exceed the paragraph (a)(3) of this section, payment by an amount which is greater than the cost of maintaining actual cost records for the application review process, the authorized officer shall require the applicant to make periodic payments of the estimated reimbursable costs prior to the incurrence of such costs by the United States. Such payments may be refunded or adjusted as provided by paragraph (a)(8) of this section.

(5) Prior to the issuance of any authorization for a right-of-way or permit incident to a right-of-way, the applicant will be required to pay additional amounts to the extent the costs of the United States have exceeded the payments required by paragraphs (a)(3) and (4) of this section.

(6) An applicant whose application is denied shall be responsible for administrative and other costs incurred by the United States in processing its application, and such amounts as have not been paid in accordance with paragraphs (a)(3) and (4) of this section shall be due within thirty days of receipt of notice from the authorized officer of the amount due.

(7) An applicant who withdraws its application before a decision is reached on it is responsible for costs incurred by the United States in processing such application up to the date upon which the authorized officer receives written notice of the withdrawal, and for costs subsequently incurred by the United States in terminating the application review process. Reimbursement of such costs shall be due within thirty days of receipt of notice from the authorized officer of the amount due.

(8) If payment, as required by paragraphs (a)(4) and (b)(3) of this section exceeds actual costs to the United States, a refund may be made by the authorized officer from applicable funds, under authority of 43 U.S.C. 1374, or the authorized officer may adjust the next billing to reflect the overpayment previously received. Neither an applicant nor a holder shall set off or otherwise deduct any debt due to or any sum claimed to be owed them by the United States without the prior written approval of the authorized officer.

(9) The authorized officer shall on request give an applicant or a prospective applicant an estimate, based on the best available cost information, of the costs which would be incurred by the United States in processing an application. However, reimbursement will not be limited to the estimate of the authorized officer if actual costs exceed the projected estimate.

(10) When two or more applications for rights-of-way are filed which the authorized officer determines to be in competition with each other, each applicant shall reimburse the United States according to subparagraphs (3) through (7) of this paragraph, except that costs which are not readily identifiable with one of the applications, such as costs for an environmental impact statement on all the proposals, shall be paid by each of the applicants in equal shares.

(11) The authorized officer may require an applicant to furnish security, in an amount acceptable to the authorized officer, by bond, guaranty, cash, certificate of deposit, or other means acceptable to the authorized officer, for costs under § 2802.1–2. The authorized officer may at any time, and from time to time, require such additional security or substitution of security as the authorized officer deems appropriate.

(12) When an applicant for a right-of-way is a partnership, corporation, association, or other entity, and is owned or controlled, directly or indirectly, by one or more other entities, one or more of the owning or controlling entity or entities shall furnish security in an amount acceptable to the authorized officer, by bond, guaranty, cash, certificate of deposit or other means acceptable to the authorized officer, for costs under § 2802.1–2. The authorized officer may at any time, and from time to time, require such additional security or substitution of security as the authorized officer deems appropriate.

(13) When through partnership, joint venture or other business arrangement, more than one person, partnership, corporation, association or other entity apply together for a right-of-way, each such applicant shall be jointly and severally liable for costs under § 2802.1–2.

(14) When two or more noncompeting applications for rights-of-way are received for what, in the judgment of the authorized officer, is one right-of-way system, all the applicants shall be jointly and severally liable for costs under § 2802.1–2 for the entire system; subject, however, to the provisions of subparagraphs (11) through (13) of this paragraph.

(15) The regulations contained in § 2802.1–2 are applicable to all applications for rights-of-way or permits incident to rights-of-way over the public lands pending on June 1, 1975.

(b)(1) After issuance of a right-of-way or permit incident to a right-of-way, the holder thereof shall reimburse the United States for costs incurred by the United States in monitoring the construction, operation, maintenance, and termination of authorized facilities on the right-of-way or permit area, and for protection and rehabilitation of the lands involved.

(2) Each holder of a right-of-way or permit incident to a right-of-way must submit within 60 days of the issuance thereof a nonreturnable payment in accordance with the following schedule:

(i) Each right-of-way or permit incident to a right-of-way, for crossing public lands (e.g., for powerlines, pipelines, roads, and other linear facilities),

Length	*Payment*
Less than 5 miles	$20 per mile or fraction thereof.
5 to 20 miles	$200.
20 miles and over	$200 for each 20 miles or fraction thereof.

(ii) Each right-of-way or permit incident to a right-of-way, not included in subdivision (i) of this subparagraph (e.g., for communication sites, reservoir sites, plant sites, and other nonlinear facilities)—$100 for each 40 acres or fraction thereof.

(iii) If a project has the feature of subdivisions (i) and (ii) of this subparagraph in combination, the payment shall be the total of the amounts required by subdivisions (i) and (ii) of this subparagraph.

(3) When a right-of-way or permit incident to a right-of-way is issued, the authorized officer shall estimate the costs, based on the best available cost information, expected to be incurred by the United States in monitoring holder activity. If such costs exceed the paragraph (b)(2) payment by an amount which is greater than the cost of maintaining actual cost records for the monitoring process, the authorized officer shall require the holder to make periodic payments of the estimated reimbursable costs prior to the incurrence of such costs by the United States. Such payments may be refunded or adjusted as provided by paragraph (a)(8) of this section.

(4) Following termination of a right-of-way or permit incident to a right-of-way, the former holder will be required to pay additional amounts to the extent the actual costs incurred by the United States have exceeded the payments required by paragraphs (b) (2) and (3) of this section.

2. Sections 2802.2, 2802.2–2 are revised to read as follows:

§ 2802.2 Application and use procedure.

§ 2802.2–1 Incomplete application and reports.

(a) Where an application is incomplete or not in conformity with the law or regulations the authorized officer may, in his discretion, (1) notify the applicant of the deficiencies and provide the applicant with an opportunity to correct the deficiencies; or (2) the authorized officer may reject the application.

(b) Where the land over which the right-of-way is sought is withdrawn or reserved for the use of another Federal agency, the authorized officer is required to consult with and obtain the consent of such other agency before the application may be granted.

§ 2802.2–2 Timely construction.

(a) Unless otherwise provided by law, a period of up to five years from the date a right-of-way is granted is allowed for completion of construction. Within 90 days after completion of construction or after all restoration stipulations have been complied with, whichever is later, proof of construction, on forms approved by the Director, shall be submitted to the authorized officer.

(b) The time for filing proof of construction may be extended by the authorized officer, unless prohibited by law, upon a satisfactory showing of the need therefor and the filing of a progress report, demonstrating that due diligence

toward completion of the project is being exercised, for reasonable lengths of time not to exceed a total of ten years from the date of issuance of the right-of-way.

3. A new § 2808.2–4 is added to read:

§ 2802.2–4 Deviation from approved right-of-way.

No deviation from the location of an approved right-of-way shall be undertaken without the prior written approval of the authorized officer. The authorized officer may require the filing of an amended application in accordance with § 2802.1 wherein the authorized officer's judgment the deviation is substantial.

4. Section 2802.4 is revised to read as follows:

§ 2802.4 Transfer of right-of-way.

§ 2802.4–1 Method of filing.

Any proposed transfer in whole or in part of any right, title or interest in a right-of-way or permit incident to a right-of-way acquired under any law, except the act of March 3, 1891 (26 Stat. 1101; 43 U.S.C. 946–949), must be filed in accordance with § 2802.1 for approval, must be accompanied by the same showing of qualifications of the transferee as is required of an applicant, and must be supported by a stipulation that the assignee agrees to comply with and to be bound by the terms and conditions of the right-of-way. No transfer will be recognized unless and until it is first approved in writing by the authorized officer.

§ 2802.4–2 Reimbursement of costs.

All filings for transfer approval made pursuant to this section, except as to rights-of-way or permits incident to rights-of-way excepted by § 2802.1–2(a)(4), must be accompanied by a nonrefundable payment of $25.

ROLAND G. ROBISON, Jr.,
Deputy Assistant Secretary of the Interior.

APRIL 18, 1975.

[FR Doc.75–10554 Filed 4–22–75;8:45 am]

Title 45—Public Welfare

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

PART 192—STATE STUDENT INCENTIVE GRANT PROGRAM

Continuing Grants

On page 43729 of the FEDERAL REGISTER of December 18, 1974, there was published a notice of proposed rulemaking to amend regulations governing the operation of the State Student Incentive Grant (SSIG) Program, which makes available to the States incentive grants to assist them in providing awards to eligible undergraduate students with substantial financial need, thus enabling such students to attend or continue to attend institutions of higher education. The law includes separate authorizations for initial and continuation awards to such students and the proposed regulatory amendments dealt primarily with the allotment of funds among the States for continuation grants to students.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed amendments to the regulations. Several comments were received regarding the proposed rule, mainly from State scholarship association officials and individual State scholarship agency officials. The Office of Education's response is set forth following the summary of each comment.

Section 192.3(e) *Allotment of funds for continuation awards—Comment.* One commenter proposed that the States be allowed complete discretion to transfer the funds received under their allotment between initial and continuation awards, thereby enabling them to make initial and continuation awards based on the particular needs of each State.

Another commenter suggested that once a student receives an award through the SSIG program he should continue to receive the award until he completes his undergraduate course of study, as long as he continues to remain eligible for such a grant, and that, accordingly, States should be encouraged to use their allotments to give priority to continuation awards and to use the excess funds to grant initial awards.

Response. Section 415B of the Higher Education Act of 1965 (20 U.S.C. 1070c–1) authorizes separate appropriations for initial and for continuation awards. Further, it provides an allotment formula for distributing initial award funds among the States and for a reallotment of funds appropriated for initial awards if a State cannot use all the money it receives under the formula for initial awards. The Commissioner may allot continuation awards funds among the States in such manner as he determines will best achieve the purposes for which such sums were appropriated. If Congress appropriates funds separately for initial and for continuation awards, giving States discretion to transfer such funds between initial and continuing awards would not be permissible.

It should be noted, however, that for Fiscal Year 1975 Congress did not provide individual appropriations for initial and continuing awards, but appropriated money for the SSIG program in one lump sum. Consequently, the Commissioner has proposed in a notice of proposed rulemaking published in the FEDERAL REGISTER of March 10, 1975, that Fiscal Year 1975 funds appropriated for use in academic year 1975–76 be allotted among the States in accordance with the statutory formula for initial awards but that each State have the authority to determine the amount of its allotment which will be used for continuation and for initial awards.

With regard to the question of priority, the Commissioner recognizes that students who have received initial awards for the current academic year may reasonably expect continued financial support and that, where possible, priority should therefore be given for continuation awards. In the case of the Fiscal Year 1975 appropriation, however, he also believes that the States can and should be given the flexibility to make judgments regarding the students' relative access to the various forms of financial assistance which might be available.

Section 192.6 *Eligible students—Comment.* One commenter suggested that students enrolled in cooperative education programs at institutions of higher education be permitted to participate in the SSIG program.

Response. Students who are enrolled in cooperative education programs at institutions of higher education, who are otherwise eligible to participate in the SSIG program by satisfying the requirements of § 192.6, do not lose their eligibility to participate in the program by being so enrolled. However, a State would determine in accordance with § 192.7 that a student receiving pay for the work portion of the cooperative education program does not have substantial financial need.

Effective date. The notice of proposed rulemaking was transmitted to Congress on December 12, 1974, pursuant to section 431(d) of the General Education Provisions Act (20 U.S.C. 1232(d)). The time period set forth therein for Congressional action has expired without such action having taken place. Therefore, regulations set forth below shall become effective on April 23, 1975: *Provided, however,* That should the proposed regulations published on March 10, 1975, become final, §§ 192.3 (e) and (f) of this amendment would become effective with regard to funds appropriated for Fiscal Year 1976 and used by States during academic year 1976–1977.

(Catalog of Federal Domestic Assistance No. 13.548: State Student Incentive Grant Program)

Dated: March 21, 1975.

T. H. BELL,
U.S. Commissioner of Education.

Approved: April 15, 1975.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

Part 192 of Chapter I of Title 45 of the Code of Federal Regulations is amended as follows:

1. In § 192.2, the definition of "clock hour" is amended to read as follows:

§ 192.2 Definitions.

* * * * *

"Clock hour" means a period of time which is the equivalent of a 50 to 60 minute class, lecture, or recitation, or a 50 to 60 minute period of faculty-supervised laboratory, shop training, or internship.

* * * * *

2. Section 192.3 is amended by adding paragraphs (e) and (f) to read as follows:

§ 192.3 Allotment and reallotment.

* * * * *

(e) *Allotment of funds for continuation awards.* The Commissioner will allot

the sums appropriated for each fiscal year for continuation grants pursuant to § 415A(b)(2) of the Act among the States in such manner that each State will receive the same percentage of its request for continuation grant funds for that fiscal year submitted in accordance with § 192.5(b): *Provided*, That such request satisfies the requirements of this part.

(f) The Commissioner may require each State receiving an allotment of funds for continuation awards under this part to submit a report prior to June 1 of each year projecting the portion, if any, of such allotment that will not be needed to make continuation awards. Such unused funds may be redistributed among the other States in proportion to the original allotments to such States for continuation awards, provided that no State receives more than its request.

3. Section 192.4 is amended by adding the words "for initial grants" between the words "it" and "under" in the introductory clause of paragraph (a) as set forth below and is further amended by adding paragraph (b) to read as follows:

§ 192.4 State program requirements.

(a) A State may receive funds allotted to it for initial grants under § 192.3 for any fiscal year only if such funds will be expended pursuant to a State program which:

* * * * *

(b) A State may receive the funds allotted to it for continuation grants under § 192.3 for any fiscal year only if such funds will be expended pursuant to a State program which satisfies the requirements set forth in subparagraphs (1) through (4) and (6) through (8) of paragraph (a) of this section.

4. In § 192.5, paragraph (b) is amended by deleting the word "and" after the semicolon in subparagraph (3); changing the period in subparagraph (4) to a semicolon; and adding subparagraphs (5) through (9) to read as follows:

§ 192.5 State applications.

* * * * *

(b) * * *

(5) The amount of funds requested for continuation awards;

(6) The amount of funds the State received for initial and continuation awards for the current academic year;

(7) The number of students who have previously received initial and continuation awards under this part who will be eligible to receive continuation awards during the next academic year;

(8) The average initial award and the average continuation award made under this part for the current academic year; and

(9) If available, the projected attrition rate for students receiving assistance under this part for the current academic year.

5. Section 192.9 is amended by adding the word "initial" between the words "of" and "awards". As amended this section reads as follows:

§ 192.9 Maintenance of effort.

The amount of funds expended by the State for the non-Federal portion of initial awards made under this part for each fiscal year shall represent an additional expenditure for that year by that State over the amounts, if any, expended by such State for grants to all students attending institutions of higher education during the second fiscal year preceding the fiscal year in which such State initially received funds under this part.

[FR Doc.75-10528 Filed 4-22-75;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER II—NATIONAL MARINE FISHERIES SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 216—REGULATIONS COVERING THE TAKING AND IMPORTING OF MARINE MAMMALS

Applications and Restrictions

The Marine Mammal Protection Act of 1972 ("Act") (16 U.S.C. 1361-1407), expressed the finding of Congress that marine mammals should be protected and encouraged to develop to the greatest extent feasible, commensurate with sound policies of resource management, and that the primary objective of their management should be to maintain the health and stability of the marine ecosystem.

Section 101(a) of the Act (16 U.S.C. 1371(a)), provides for a moratorium on the taking and importation of marine mammals except in certain cases.

Furthermore, section 102(b) of the Act (16 U.S.C. 1372(b)), provides in part that, except for scientific purposes, it is unlawful to import a marine mammal into the United States, if such mammal was (1) pregnant at the time of taking; or (2) nursing at the time of taking or less than eight months old, whichever occurs later.

On January 31, 1975, the National Marine Fisheries Service (NMFS) published in the FEDERAL REGISTER (40 FR 4660-4661) a proposed policy under which, with certain exceptions, the prohibitions contained in section 102(b) would be considered in connection with the intentional taking of marine mammals on the high seas and in waters or on lands subject to the jurisdiction of the United States. This policy would be utilized by the NMFS in considering, where appropriate, permit applications; applications for a waiver of the moratorium; and foreign programs with respect to taking marine mammals. Written views, comments or objections were solicited by the above notice in the FEDERAL REGISTER.

Several public comments were received. One public comment contended that defining "nursing" to mean only "obligatory nursing" would be inconsistent with the Act. As a result of, among other things, the guidance received at the Congressional oversight hearings held on January 16-17, 1974, we believe that the definition proposed is consistent with the purposes and policies of the Act.

Another public comment, while supporting the basic policy, contended that the implementation of the policy with respect to a State's request to waive the moratorium and return management to the State would require unnecessary additional involvement by the Marine Mammal Commission. After a waiving of the moratorium, management, including regulated takings, can be returned to a State by the Secretary. However, prior to waiving the moratorium, approval by the Secretary, after consultation with the Marine Mammal Commission, of a State's management plan, is essential in determining whether to waive the moratorium.

In addition to comments from the public, the Marine Mammal Commission submitted several comments:

One comment indicated that the proposed policy appeared to prohibit the incidental taking of marine mammals in the course of commercial fishing operations. This policy is to apply only to the deliberate or intentional taking and retention of marine mammals. To clarify this point, the wording of the policy has been modified to indicate that the policy applies to the taking and retention of marine mammals.

Another comment of the Commission questioned whether the criteria for the exceptions (a, b & c) applied to the taking of both pregnant and nursing animals or only to nursing animals. The exceptions apply to both and the format of that policy has been modified to assure clarity on this point.

A further comment indicated that with respect to the domestic taking of pregnant or nursing animals for purposes of public display, the requirement with respect to the education of the public was questioned. The Commission indicated that the attachment of this condition complicates and confuses the permit process. Furthermore, as we understand it, the Commission feels that the only criterion that should be attached to any taking is the continued health and well-being of the population as well as the individual animals taken into captivity. We believe that inferentially, Congress required greater consideration be given to the taking of pregnant or nursing animals. Consequently, it is our view that before a person should be entitled to take pregnant or nursing animals for display purposes, he must justify the action as a public benefit and not merely indicate that the animal will be well taken care of or that the population will not suffer as a result of the removal of the animal from the ecosystem.

The Commission also observed that a taking of pregnant or nursing animals is permitted under the law when such taking is consistent with the purpose and policies set forth in section 2 of the Act. We agree with this observation. However, some members of the public have indicated that taking of pregnant or nursing animals is contrary to the provisions of the Act. The purpose of the policy is to clearly state that as provided by the law,

we will permit a waiver of the moratorium which will allow for the taking of pregnant or nursing animals provided such taking is part of a resource management program which is consistent with the policies set forth in section 2 of the Act.

The Commission also indicated that it is not clear whether this criterion is limited to the domestic resource management program by stating, "If it is intended to establish a criterion, the satisfaction of which would entitle an applicant to import animals taken in violation of section 102(b), then it constitutes an amendment of the Act and is inappropriate." As stated in the publication containing the proposed policy, this criterion will be used in assessing the merits of all applications for a waiver of the moratorium including the requirement with respect to the determination by the Secretary that the program for taking marine mammals in the country of origin of the animal is consistent with the policies of the Act. While an animal may not be imported under section 102 (b), if it is pregnant or nursing or under eight months of age, nonetheless, if a domestic program can include the taking of such animals, then we see no reason why the Secretary cannot find a foreign program which allows the same taking as the domestic program, consistent with the purposes and policies of the Act. While the foreign program may be considered consistent with the purposes and policies of the Act, nonetheless, certain of those animals taken under such foreign program could not be imported as a result of the provisions of section 102(b). Consequently, we must disagree with the observation of the Commission that the policy would amend the Act, since the policy is not intended to permit imports in violation of section 102(b). Section 102(b) deals with importation alone and does not deal with taking in a foreign country.

Finally, the Commission observed, with respect to our definition of nursing, the distinction between "obligate" and "convenience" nursing is an empty one with no practical utility. Furthermore, the Commission stated that—"even if the distinction is legitimate and relevant under the Act, we are aware of no rational scientific basis for concluding that nursing in fact is not obligatory for the health and development of the nursing animal in a sense that such behavior is essential for maturing and reproducing successfully." As stated previously, the Congressional guidance to date indicates that there should be a distinction. The distinction that was intended was that nursing be obligatory for sustenance and not for psychological purposes. Consequently, the definition of nursing is being clarified accordingly.

After due consideration of all relevant material presented by interested persons, the policy set forth below is hereby adopted:

The National Marine Fisheries Service will, where appropriate, issue a permit or waive the moratorium where such waiver authorizes the issuance of permits, for the intentional taking of marine mammals which are (1) pregnant at the time of taking, or (2) nursing at the time of taking, or less than eight months old, whichever occurs later; in the following cases:

1. Such taking is for the purpose of public display, will further the education of the public, and will not be detrimental to the health and well-being of animals taken into captivity; or

2. Such taking is determined by the Director, in consultation with the Marine Mammal Commission, to be a part of a resource management program which is consistent with the purposes and policies set forth in section 2, of the Act; or

3. Such taking is for approved scientific purposes.

For purposes of this policy, "nursing" means nursing which is obligatory for the physical health and survival of the nursing animal.

Dated: April 18, 1975.

JACK W. GEHRINGER,
Acting Director, National Marine Fisheries Service.

[FR Doc.75-10598 Filed 4-22-75;8:45 am]

proposed rules

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 17]

ENDANGERED AND THREATENED WILDLIFE

Proposed "Threatened" Status for Three Species of Trout

The Lahontan cutthroat trout (*Salmo clarki henshawi*), Paiute cutthroat trout (*Salmo clarki seleniris*) and Arizona trout (*Salmo apache*) currently are classified as "Endangered" species. They were listed originally as "Endangered" under the Endangered Species Protection Act of 1969, and evidence on hand at that time indicated that they were endangered owing to the destruction, drastic modification or severe curtailment of their habitat; hybridization with introduced species of trout was also a factor.

We now have evidence to indicate that the Lahontan cutthroat trout, Paiute cutthroat trout and Arizona trout are not "Endangered" as defined by the Endangered Species Act of 1973, but are more properly classified as "Threatened" species under the Act. All three species have been cultured extensively and reintroduced successfully into areas where they were extirpated; efforts at eliminating introduced trout with which they hybridize are succeeding; and none are in danger of extinction throughout all or a significant portion of their ranges. Specifically, the evidence is as follows:

I. Lahontan cutthroat trout (*Salmo clarki henshawi*).

a. The Lahontan cutthroat has been reintroduced into several stream systems throughout the Lahontan Basin, its original range. It has been reestablished in the two remnant lakes in the Lahontan Basin, Pyramid and Walker Lakes. The California Department of Fish and Game has transplanted the trout successfully into East Fork Creek of Yuba River drainage, outside the Lahontan Basin. A successful transplant of unknown origin has also been made into Macklin Creek of the Yuba drainage. These are all strong, viable populations at the present time.

b. The Lahontan National Fish Hatchery in Gardnerville, Nevada, has developed cultural techniques which produce 1-million Lahontan cutthroat trout annually. California and Nevada State hatcheries also are producing pure stock of Lahontan cutthroat. These cultured trout have been, and are being, introduced successfully into the wild.

c. Restoration of habitat and reintroduction in several stream systems should result in additional populations, further increasing the present range of this species. Restoration plans include the removal of brook and rainbow trout and rainbow-Lahontan cutthroat trout hybrids. Habitat restoration programs have been successful in several streams.

II. Paiute cutthroat trout (*Salmo clarki seleniris*).

a. The removal of the introduced eastern brook trout, a serious competitor of the Paiute cutthroat, has permitted an increase of the Paiute cutthroat in Delaney Creek in Yosemite National Park.

b. The Paiute cutthroat has hybridized with the introduced rainbow trout in some streams. In these streams the removal of rainbow trout and hybrid rainbow—Paiute trout has resulted in good populations of pure stock of Paiute cutthroat in several streams.

c. A successful transplant of pure Paiute cutthroat stock into Cottonwood Creek has resulted in a self-sustaining population with good densities in this stream system in Mono County, California. There are no known threats to the species in this stream system.

d. Most of the streams in which the Paiute cutthroat trout occurs flow through land which is owned or controlled by the U.S. Forest Service or the U.S. National Park Service. Both of these agencies must operate, under the requirements of section 7 of the Endangered Species Act of 1973, to conserve the trout.

III. Arizona trout (*Salmo Apache*)

a. At present good populations of pure stock of Arizona trout exist in several headwater streams of the east fork of the White River and headwaters of Bonito Creek, tributary to the Black River in east central Arizona.

b. To further increase the population and distribution of the species, the hatcheries of the Arizona Department of Game and Fish have cultured the Arizona trout and stocked them into waters formerly inhabited. Stream renovation projects also are planned for tributaries of the Upper Salt River which will provide additional habitat and extend its distribution.

Despite the fact that available evidence suggests that the Lahontan cutthroat trout, Paiute cutthroat trout, and Arizona trout are not "Endangered" species as defined by the Endangered Species Act of 1973, there is ample reason to consider them as "Threatened" species. Section 4(a) of the Act states as follows:

The Secretary shall by regulation determine whether any species is an endangered species or a threatened species because of any of the following factors:

(1) The present or threatened destruction, modification or curtailment of its habitat or range;

(2) Over utilization for commercial, sporting, scientific, or educational purposes;

(3) Disease or predation;

(4) The inadequacy of existing regulatory mechanisms; or

(5) Other natural or man-made factors affecting its continued existence.

Specifically, we have evidence that conditions (1) and (5) above are pertinent to a determination that these three trout be classed as "Threatened."

(1) The present or threatened destruction, modification or curtailment of its habitat or range.

Lahontan cutthroat. This fish formerly occupied most streams of the Truckee, Carson, and Walker River drainages in western Nevada and east central California. Today it occupies much the same area but is less abundant in the headwaters than it formerly was. Water diversions within its native range continue to be a threat to this species. This problem is especially evident in Pyramid Lake where the diversion of water from the Truckee River has resulted in a lowering of the water level in the lake. The lower water-levels in the lake and the siltation of the mouth of the mouth of the Truckee River (at its entry into the lake) due to lack of flow has eliminated much of the spawning run of the species in this area.

Paiute cutthroat. The native range of this species is Silver King Creek and its tributaries above Snodgrass Creek in Alpine County, California, which are not blocked by natural barriers. The present distribution is much the same and, through introductions, the Paiute cutthroat has been established outside of its native range into North Fork Cottonwood Creek, Cabin Creek and Birchin Lake in Mono and Inyo Counties, California.

Livestock grazing practices and recreation developments could possibly pose threats to this species within its range.

Arizona trout. This trout originally inhabited the headwaters of the Salt and Little Colorado Rivers in the White Mountains of east central Arizona. Within its native range, logging operations have declined but continue to pose a threat to this species. Erosion, siltation, and increased temperatures connected with logging processes can, and have in the past, reduced the population of Arizona trout in certain areas.

(5) Other natural or man-made factors affecting its continued existence.

Lahontan cutthroat. The introduction of non-native trouts in past years within the native range of this species presents a threat to its continued existence. The introduced brook trout is a strong

competitor for food and space with the Lahontan cutthroat. Although the State is making efforts to remove rainbow trout from Lahontan cutthroat habitat, hybridization is occurring between the two species and remains a cause for concern.

Paiute cutthroat. In the past, rainbow trout have been introduced into streams inhabited by the Paiute cutthroat. Subsequent hybridization has reduced the pure stock of Paiute cutthroat in some areas and remains a cause for concern.

Arizona trout. The introduced rainbow trout has hybridized with the Arizona trout in some streams. The possible introductions into other streams by individuals with good intention present a continued threat to this species.

In spite of the above acknowledged problems, there is good evidence that all three species would benefit now from regulated taking by sport-fishing. The States, in cooperation with the U.S. Fish and Wildlife Service, have succeeded in culturing all three species, and they have been widely restocked to the point at which most streams with suitable habitat have reached their carrying capacity.

The Director intends that finally adopted rules be as responsive as possible to the conservation of the abovementioned species; he therefore desires to obtain the comments and suggestions of the public, other concerned governmental agencies and private interests on these proposed rules.

Final promulgation of these regulations will take into consideration the comments received by the Director. Such comments and any additional information received may lead the Director to adopt final regulations that differ from this proposal.

The Governors of California, Arizona, and Nevada have been notified of this proposed action, and their comments have been solicited.

Interested persons may participate in this rulemaking by submitting written comments to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before June 23, 1975 will be considered. Comments received will be available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street NW., Washington, D.C.

This notice of proposed rulemaking is issued under the authority contained in the Endangered Species Act of 1973 (16 U.S.C. 1531–43; 87 Stat. 884).

Dated: April 17, 1975.

F. V. SCHMIDT,
Acting Director,
Fish and Wildlife Service.

Accordingly, it is proposed to amend § 17.32 of Part 17 of 50 CFR Chapter I, Subchapter B by adding the following:

§ 17.32 Threatened wildlife list.

Common name	Scientific name	Range	Portion of range where threatened
(a) Mammals	• • •	• • •	• • •
(b) Birds	• • •	• • •	• • •
(c) Insects	• • •	• • •	• • •
(d) Fishes:			
(1) Lahontan cutthroat trout.	*Salmo clarki henshawi*	California, Nevada	Entire range.
(2) Paiute cutthroat trout.	*Salmo clarki seleniris*	California	Do.
(3) Arizona trout	*Salmo apache*	Arizona	Do.

• • • • • •

(i) *Prohibitions.* All the prohibitions in section 9(a)(1) apply to the Lahotan cutthroat trout (*Salmo clarki henshawi*), the Paiute cutthroat trout (*Salmo clarki seleniris*), and the Arizona trout (*Salmo apache*), *Except* that such species may be taken in accordance with State law. Any taking in violation of State law will also be a violation of the Endangered Species Act of 1973.

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[FR Doc.75–10525 Filed 4–22–75;8:45 am]

Office of the Secretary

[41 CFR Part 14–7]

CONTRACT CLAUSES

Listing of Subcontractors

In November 1965, the Secretary of the Interior announced a new Departmental policy which required bidders on all Department of the Interior building construction work to list in their bids the names and addresses of their subcontractors for specified building trades subcontracting activities. During the time this policy has been in effect, it has been found that the Government is exposed to liability for damages which is so forcefully demonstrated in "Meva Corporation v. United States," Ct. Cl. #492–69 (2/19/75); bidders have difficulty in understanding and complying with the requirement resulting, in many cases, in the submission of non-responsive bids and the loss to the Government of an otherwise responsive low bid; numerous protests against awards have been made to the Comptroller General directly related to circumstances involving the requirement, resulting in considerable delay in the award of contracts and delay in timely accomplishment of important programs; bidders under present economic conditions find it difficult to get firm bids or quotations from subcontractors resulting in the successful bidder being placed in a position of disadvantage in price negotiations with the listed subcontractor after contract award is received; the requirement does not prevent "bid shopping" by subcontractors; and there is no substantial evidence that the requirement has been beneficial to the best interests of the Government.

Accordingly, in light of the abovestated circumstances and the financial losses suffered by this Department as a result of the requirement during the period the requirement has been in effect, the Department intends to eliminate the requirement. Therefore, pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301, it is proposed that Part 14–7 of Title 41 of the Code of Federal Regulations be amended by deleting § 14–7.602–50(1) pertaining to listing of subcontractors.

Interested persons may submit comments concerning this proposal to the Assistant Director for Procurement, Office of Management Services, Department of the Interior, 18th & E Streets, NW., Washington, D.C. 20240. Comments received before May 23, 1975, will be considered before final action is taken on this proposal.

Dated: April 17, 1975.

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

[FR Doc.75–10526 Filed 4–22–75;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 908]

HANDLING OF VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Proposed Current Size Requirement

This proposal would extend through January 15, 1976, the current size requirement for Valencia oranges grown in District 2 of the California-Arizona production area. Shipments of such Valencia oranges are currently regulated through May 22, 1975, pursuant to Valencia Orange Regulation 491. The proposed extension of the period of Valencia Orange Regulation 491 is designed to continue in effect the current minimum diameter requirement of 2.20 inches for such fruit consistent with the objective of the act of promoting orderly marketing and protecting the interest of consumers.

Notice is hereby given that the Department is considering a proposed amendment of the size regulation for Valencia oranges grown in District 2, pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908),

regulating the handling of Valencia oranges grown in Arizona and designated part of California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended marketing agreement and order posed amendment was recommended by the Valencia Orange Administrative Committee, established under said amended marketing agreement and order as the agency to administer the terms and provisions thereof.

The proposed regulation is designed to permit shipment during the period May 23, 1975, through January 15, 1976, of ample supplies of Valencia oranges of the more desirable sizes in the interest of both growers and consumers. The proposal is designed to maintain orderly marketing conditions, provide consumer satisfaction, and guard against the shipment of undesirable sizes of Valencia oranges, which tend to weaken the market for such fruit. The proposed extension of the effective period of Valencia Orange Regulation 491 is consistent with the size composition and estimated crop of Valencia oranges in District 2.

The proposal is as follows:

Amend paragraph (a) of Valencia Orange Regulation 491 (40 FR 16211) to read as follows:

§ 908.791 Valencia Orange Regulation 491.

Order. (a) During the period May 23, 1975, through January 15, 1976, no handler shall handle any Valencia oranges grown in District 2 which are of a size smaller than 2.20 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit: *Provided*, That not to exceed 5 percent, by count, of the Valencia oranges contained in any type of container may measure smaller than 2.20 inches in diameter.

* * * * *

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendment shall file same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than May 9, 1975. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours.

(7 CFR 1.27(b))

Dated: April 18, 1975.

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

[FR Doc.75-10607 Filed 4-22-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 121a]

ASSISTANCE TO STATES FOR THE EDUCATION OF HANDICAPPED CHILDREN

Proposed Distribution of Funds

Pursuant to the authority in section 611(c) of the Education of the Handicapped Act (Pub. L. 91-230, Title VI, Part B, as amended), notice is hereby given that the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Part 121a of Title 45 of the Code of Federal Regulations by adding a new § 121a.81 to read as set forth below.

The proposed new section would govern the distribution of funds under Part B of the Education of the Handicapped Act (EHA) to the jurisdictions of Puerto Rico, Guam, American Samoa, the Virgin Islands and the Trust Territory of the Pacific Islands for the fiscal year ending June 30, 1975. This new section is necessary in order to implement the special one-year funding provisions set forth in section 611(c) of the EHA, added by section 614(a) of the Education Amendments of 1974 (Pub. L. 93-380). Under the provisions as set forth in section 611(c), two percent of the aggregate of the amounts to which all States are entitled to receive are to be set aside for making grants to the five participating jurisdictions.

Since the inception of the program in FY 1967, grants have been made according to established minimums for the four smaller jurisdictions, with the remaining funds going to Puerto Rico. The retention of minimums is proposed for FY 1975, with a minimum grant of $150,000 for each jurisdiction. This recommendation is based on experience and information that a base or minimum amount of funds is needed in every jurisdiction, regardless of size or population, to enable the jurisdiction to properly and efficiently establish and maintain special education programs for handicapped children. The proposed amount of $150,000 is deemed to be the minimum for such purposes.

Subject to the minimum, funds would be distributed on the basis of need, which would be determined by prorating such funds according to the population of children aged three to twenty-one in each jurisdiction.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed regulations to the Bureau of Education for the Handicapped, U.S. Office of Education, Seventh and D Streets, SW., Room 2100 ROB-3, Washington, D.C. 20202. Comments received in response to this notice will be available for public inspection at the above office on Mondays through Fridays between 8:30 a.m. and 4:30 p.m.

All relevant material received on or before June 23, 1975, will be considered.

(Catalog of Federal Domestic Assistance Number 13.449—Programs for the Education of the Handicapped)

Dated: March 21, 1975.

T. H. BELL,
U.S. Commissioner of Education.

Approved: April 15, 1975.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

§ 121a.81 Criteria for grants to territories in fiscal year 1975.

Funds appropriated for fiscal year 1975 under section 611(a) of the Act will be allocated proportionately among the several jurisdictions, which are subject to such section (the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands) on the basis of the number of children aged three to twenty-one, inclusive, in each such jurisdiction, except that no jurisdiction shall receive less than an amount equal to $150,000, and other allocations will be ratably reduced if necessary to assure that each jurisdiction receives at least such amount.

(20 U.S.C. 1411(c))

[FR Doc.75-10527 Filed 4-22-75;8:45 am]

Social Security Administration

[Reg. Nos. 1, 22]

[20 CFR Parts 401, 422]

DISCLOSURE OF OFFICIAL RECORDS AND INFORMATION, ORGANIZATION AND PROCEDURES

Policies on Protecting Confidentiality of Records and Availability of Information to the Public

Notice is hereby given, pursuant to the Administrative Procedure Act (5 U.S.C. 553), that the proposed amendments set forth in tentative form below are proposed by the Commissioner of Social Security with the approval of the Secretary of Health, Education, and Welfare.

The proposed amendments provide that aside from returns filed with the Commissioner of Internal Revenue and transmitted to the Department of Health, Education, and Welfare, the only information in the records of the Social Security Administration that will be protected from disclosure by Regulation No. 1 is information relating to individuals. At present, the language of Regulation No. 1 protects from disclosure all information, including information which

does not relate to individuals, obtained by the Department which relates to or is used in the Social Security Administration programs, except as otherwise provided in the regulation.

The proposed amendments provide that the question of whether other information not protected by Regulation No. 1 can be made available to the public will be governed by the regulations of the Department of Health, Education, and Welfare on availability of information to the public, pursuant to the Freedom of Information Act (45 CFR Part 5) and Subpart E of Part 422 of this chapter (Social Security Administration Regulations No. 22). This information would thus be available to the public unless exempted from disclosure by that law and these implementing regulations.

There are now 22 exceptions to the prohibition against disclosure in Regulation No. 1. The proposed amendments delete three of these exceptions since they cover information that does not relate to individuals. Since they do not meet this test, there is no need to list them as exceptions. The exceptions which are proposed for deletion are found in paragraphs (k), (o), and (t) of § 401.3 of Regulation No. 1. These paragraphs cover the disclosure of statistical data, disclosure of information relating to agreements and modifications of agreements for the coverage of State and local employees entered into pursuant to section 218 of the Social Security Act, and disclosure of information relating to payments to providers furnishing services under title XVIII of the Social Security Act. This information will remain available to the public even though regulations may no longer specifically so state.

Subpart E of Regulations No. 22 governs the availability of information to the public. That subsection is being amended to provide for disclosure in certain limited instances of information about charges made by providers under the Medicare program (information about individual beneficiaries is disclosable under Regulation No. 1 only to States administering grants-in-aid programs and to the Department of the Army for the administration of its Civilian Health and Medical Program of the Uniformed Services), and Medicare survey reports, and for disclosure to the public of information concerning cost reports submitted by title XVIII providers.

Section 1106 of the Social Security Act, when enacted in 1939, was intended to prohibit the disclosure of information obtained by the then Social Security Board or its employees except under certain restricted conditions related to proper administration of the social security program and closely related programs. The social security program as authorized at that time was not very complex. Benefits were provided for an aged worker and his dependents and for the survivors of a deceased worker. There were no benefits for the disabled. There was no health insurance program. The information in social security files was almost entirely personal in nature. Examples are: The amount of money a person earned in a year, the date of birth of an individual or his marital status, and other such data which should not be subject to public scrutiny.

As the original program expanded, and as new programs were authorized, the Social Security Administration gradually acquired a mass of information about matters not related or only incidentally related to the contributors to or beneficiaries of the program. Much of this information related to individuals, institutions, or organizations in their public rather than their private character, e.g., hospitals or other Medicare providers of services.

The Department has now concluded that the public interest is best served by limiting the scope of Regulation No. 1 to those records comprising information pertaining only to individuals. The protection of individual privacy, the goal of the proposed regulation as well as its predecessor, can be accomplished at the same time the Social Security Administration is making more information about its operations available to the public, pursuant to the Freedom of Information Act. The revision of Regulation No. 1 removes a legal obstacle to the accomplishment of this objective.

Further revisions of Regulation No. 1 will be proposed in the near future to conform the regulation to the requirements of the Privacy Act of 1974 (Pub. L. 93-579). The major provisions of this act are not effective until September 27, 1975, and compliance will require further study and analysis. No good reason is perceived why publication of this proposal need be delayed pending analysis of the Privacy Act. Moreover, additional amendments to Regulation No. 1 and Regulations No. 22 are being proposed separately as part of this agency's response to Pub. L. 93-502, which amended the Freedom of Information Act.

Prior to the final adoption of the proposed amendments, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in triplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare Building, Fourth and Independence Avenue SW., Washington, D.C. 20201, on or before May 23, 1975.

Copies of all comments received in response to this notice will be available for public inspection during regular business hours at the Washington Inquiries Section, Office of Public Affairs, Social Security Administration, Department of Health, Education, and Welfare, North Building, Room 4146, 330 Independence Avenue SW., Washington, D.C. 20201.

The proposed amendments are to be issued under the authority contained in sections 205, 1102, and 1106 of the Social Security Act, 53 Stat. 1368, as amended, 49 Stat. 647, as amended, 53 Stat. 1398, as amended; 42 U.S.C. 405, 1302, and 1306.

(Catalog of Federal Domestic Assistance Program Nos. 13.800-13.807, Social Security Programs)

Dated: March 26, 1975.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: April 15, 1975.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

Parts 401 and 422 of Chapter III of Title 20 of the Code of Federal Regulations are amended as set forth below.

1. Section 401.1 is revised to read as follows:

§ 401.1 Prohibition against disclosure.

Except as hereinafter authorized by this part or as otherwise expressly authorized by the Commissioner of Social Security, disclosure shall not be made, directly or indirectly, of (a) any return or portion of a return (including information returns or other written statements) filed with the Commissioner of Internal Revenue under Title VIII of the Social Security Act, the Federal Insurance Contributions Act or the Self-Employment Contributions Acts, or under regulations made under authority thereof, which has been transmitted to the Department of Health, Education, and Welfare by the Commissioner of Internal Revenue, or (b) information relating to individuals obtained at any time by or from the Department or any officer or employee of the Department, or any person, agency, or organization with whom the Social Security Administration (or the pertinent agency of a State) has entered into an agreement or contract to perform certain functions, including the performance of medical examinations, in the administration of titles II, XVI, and XVIII of the Social Security Act. The release of other information is governed by the regulations of the Department of Health, Education, and Welfare on availability of information to the public, pursuant to the Freedom of Information Act (45 CFR Part 5), and by Subpart E of Part 422 of this chapter. Any file or record which would be available pursuant to such regulations but for the inclusion of information not disclosable under this part, will be made available with the nondisclosable information omitted.

2. Section 401.3 is amended by revising the introductory material preceding paragraph (a) and by revoking and reserving paragraphs (k), (o), and (t), and by revising paragraphs (u) and (v).

§ 401.3 Disclosure of information relating to individuals.

Disclosure of information relating to individuals is hereby authorized in the following cases and for the following purposes:

* * * * *

(k) [Reserved]

* * * * *

(o) [Reserved]

* * * * *

(t) [Reserved]

* * * * *

(u) To any officer or employee of an agency of the Federal or a State government lawfully charged with the administration of a program receiving grants-in-aid under titles V and XIX of the Social Security Act for the purpose of administration of such titles, or to any officer or employee of the Department of the Army, Department of Defense, solely for the administration of its Civilian Health and Medical Program of the Uniformed Services (CHAMPUS), the following information, except that the release of such information shall not be authorized by a fiscal intermediary or carrier:

(1) Information, including the identification number, concerning charges made by physcians and other individuals, and amounts paid under title XVIII of the Act for services furnished to beneficiaries by such physicians and other individuals to enable the agency to determine the proper amount of benefits payable for medical services performed in accordance with such programs; or

(2) Information as to physicians or other individuals that has been disclosed under paragraph (i)(1) or (q) of this section.

(v) To the public: The name of any provider of services, physician, or other person furnishing services to beneficiaries under title XVIII of the Act who—

(1) Has been found by a Federal court to have been guilty of submitting false claims in connection with title XVIII; or

(2) Has been found by a carrier or intermediary, after consultation with a professional medical association functioning external to program administration or, if appropriate, the State medical authority, to have been engaged in a pattern of furnishing services to such beneficiaries which are substantially in excess of their medical needs; except that the name of any such provider of services, physician, or other person shall not be disclosed pursuant to a finding under this subparagraph (2), unless such provider, physician, or other person, as the case may be, has first been afforded a reasonable opportunity to offer evidence on his behalf.

* * * * *

3. Section 401.4 is amended by revising paragraph (f) to read as follows:

§ 401.4 Definitions.

As used in this part, the term:

* * * * *

(f) "Individual" means only a natural person.

4. Section 422.401 is revised to read as follows:

§ 422.401 Scope and purpose.

The regulations in this subpart relate to the availability to the public, pursuant to 5 U.S.C. 552, of records of the Social Security Administration and its components. They set out what records are available and how they may be obtained. These regulations do not revoke, modify, or supersede the regulations of the Social Security Administration relating to disclosure of information published in Part 401 of this chapter. Further, the regulations in this subpart supplement the regulations of the Department of Health, Education, and Welfare relating to availability of information pursuant to 5 U.S.C. 552, codified in 45 CFR 5.1 et seq., and do not replace or restrict them.

5. Section 422.402 is revised to read as follows:

§ 422.402 Record defined.

As used in this subpart, the term "record" has the same meaning as that provided in 45 CFR 5.5.

6. Section 422.426 is amended by revising paragraph (a) to read as follows:

§ 422.426 Information or records that are not available.

(a) *Specific exemptions from disclosure.* Pursuant to paragraph (b) of 5 U.S.C. 552, certain classes of records are exempt from disclosure. For some examples of the kinds of materials which are exempt, see Subpart F of the public information regulation of the Department of Health, Education, and Welfare (45 CFR Part 5) and the appendix to such regulation.

* * * * *

7. Section 422.430 is amended by revising paragraph (b)(19) to read as follows:

§ 422.430 Materials available at district offices and branch offices.

(b) *Materials available for inspection and copying.* The following materials are available or will be made available for inspection and copying at the district offices and branch offices:

* * * * *

(19) Statements of deficiencies based upon survey reports of health care institutions or facilities prepared after January 31, 1973, by a State agency, and such reports (including pertinent written statements furnished by such institution or facility on such statements of deficiencies), as set forth in § 422.433(a). Such statements of deficiencies, reports, and pertinent written statements shall be available or made available only at the district office and the regional office servicing the area in which the institution or facility is located, except that such statements of deficiencies and pertinent written statements shall also be available at the local public assistance offices servicing such area.

* * * * *

8. A new section § 422.433 is added to read as follows:

§ 422.433 Availability of official reports on providers of services, State agencies, intermediaries, and carriers under title XVIII of the Social Security Act.

The following shall be made available to the public under the conditions specified:

(a) *Statements of deficiencies and survey reports on providers of services prepared by State agencies.* (1) Statements of deficiencies based upon official survey reports prepared after January 31, 1973, by a State agency pursuant to its agreement entered into under section 1864 of the Social Security Act and furnished to the Social Security Administration, which relate to such State agency's findings on the compliance of a health care institution or facility with the applicable provisions in section 1861 of such Act and with the regulations, promulgated pursuant to such provisions, dealing with health and safety of patients in such institutions and facilities; and (2) such State agency survey reports. Such statement of deficiencies or report and any pertinent written statements furnished by such institution or facility on such statement of deficiencies shall be disclosed within 90 days following the completion of the survey by such State agency, but not to exceed 30 days following the receipt of such report by the Administration. (See § 422.430(b)(19) for places where statements of deficiencies, reports, and pertinent written statements shall be available.)

(b) *Social Security Administration reports on providers of services.* Upon request in writing, official reports and other formal evaluations (including followup reviews), excluding references to internal tolerance rules and practices contained therein, internal working papers or other informal memoranda, prepared by the Social Security Administration and completed after January 31, 1973, which relate to the performance of providers of services under title XVIII of the Social Security Act: *Provided*, That no information identifying individual patients, physicians, or other practitioners, or other individuals shall be disclosed under this paragraph. Such reports and other evaluations shall be disclosed within 30 days following the final preparation thereof by the Social Security Administration during which time such providers of services shall be afforded a reasonable opportunity to offer comments, and there shall be disclosed with such reports and evaluations any pertinent written statements furnished the Social Security Administration by such providers on such reports and evaluations.

(c) *Contractor performance review reports.* Upon request in writing, official contractor performance review reports and other formal evaluations (including followup reviews), excluding references to internal tolerance rules and practices contained therein, internal working papers or other informal memoranda, prepared by the Social Security Administration and completed after January 31, 1973, which relate to the evaluation of the performance of (1) intermediaries and carriers under their agreements entered into pursuant to sections 1816 and 1842 of the Social Security Act and (2) State agencies under their agreements entered into pursuant to section 1864 of such Act (including comparative evaluations of the performance of such intermediaries, carriers, and State agencies). The latest Contract

Performance Review Report pertaining to a particular intermediary or carrier, prepared prior to February 1, 1973, may also be disclosed to any person upon request in writing. Such reports and evaluations shall be disclosed within 30 days following the final preparation thereof by the Social Security Administration (or 30 days following the request therefor, in the case of the contract performance review report prepared prior to February 1, 1973), during which time such intermediaries, carriers, and State agencies, as the case may be, shall be afforded a reasonable opportunity to offer comments, and there shall be disclosed with such reports and evaluations any pertinent written statements furnished the Social Security Administration by such intermediaries, carriers, or State agencies on such reports and evaluations.

9. A new § 422.434 is added to read as follows:

§ 422.434 Release of title XVIII information to State and Federal agencies.

(a) Except as provided in paragraph (b) of this section, the following information may be released to an officer or employee of an agency of the Federal or a State government lawfully charged with the administration of a program receiving grants-in-aid under title V and XIX of the Social Security Act for the purpose of administration of such titles, or to any officer or employee of the Department of Army, Department of Defense, solely for the administration of its Civilian Health and Medical Program of the Uniformed Services (CHAMPUS):

(1) Information, including the identification number, concerning charges made by physicians, other practitioners, or suppliers, and amounts paid under title XVIII of the Act for services furnished to beneficiaries by such physicians, other practitioners, or suppliers, to enable the agency to determine the proper amount of benefits payable for medical services performed in accordance with such programs; or

(2) Information as to physicians or other practitioners that has been disclosed under § 401.3(i)(1) or § 401.3(q) of Part 401 of this chapter.

(3) Information relating to the qualifications and certification status of hospitals and other health care facilities obtained in the process of determining whether, and certifying as to whether, institutions or agencies meet or continue to meet the conditions of participation of providers of services or whether other entities meet or continue to meet the conditions for coverage of services they furnish.

(b) The release of such information shall not be authorized by a fiscal intermediary or carrier.

10. A new § 422.435 is added to read as follows:

§ 422.435 Release of title XVIII information to the public.

The following shall be made available to the public under the conditions specified:

(a) Information as to amounts paid to providers and other organizations and facilities for services to beneficiaries under title XVIII of the Act: *Provided*, that no information identifying any particular beneficiaries shall be disclosed under this paragraph.

(b) The name of any provider of services or other person furnishing services to beneficiaries under title XVIII of the Act who—

(1) Has been found by a Federal court to have been guilty of submitting false claims in connection with title XVIII; or

(2) Has been found by a carrier or intermediary, after consultation with a professional medical association functioning external to program administration or, if appropriate, the State medical authority, to have been engaged in a pattern of furnishing services to such beneficiaries which are substantially in excess of their medical needs; except that the name of any provider or other person shall not be disclosed pursuant to a finding under this subparagraph (2), unless such provider or other person has first been afforded a reasonable opportunity to offer evidence on his behalf.

(c) Upon request in writing, cost reports submitted by providers of services pursuant to section 1815 of the Act to enable the Secretary to determine amounts due such providers.

[FR Doc.75-10427 Filed 4-22-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 75-NE-17]

PRATT & WHITNEY JT9D MODEL ENGINES

Proposed Airworthiness Directive

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Pratt & Whitney Model JT9D-3A, -7, -7A, -7H, -7AH, and -20 turbofan engines containing certain Tt2 temperature sensing assemblies or temperature sensing bellows. There have been failures of Tt2 sensors due to leakage of the temperature sensing fluid from the temperature sensing bellows. The leaks have developed as a result of corrosive action of residual nickel chlorides on the internal air surface of the bellows assembly. The loss of temperature sensing fluid can result in uncontrollable engine operation such as:

1. Slow acceleration on snap power lever movement from idle.
2. Slow deceleration on snap power lever movement to idle.
3. Autoacceleration.
4. Failure of engine to decelerate after retarding power lever to idle.

Since this condition can exist in all engines containing the subject parts, an airworthiness directive is being proposed that would require an inspection for the presence of nickel salts in suspect temperature sensing assemblies and temperature sensing bellows.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Department of Transportation, Federal Aviation Administration, Attention: Regional Counsel, Airworthiness Rules Docket, 12 New England Executive Park, Burlington Massachusetts 01803. All communications received on or before June 23, 1975, will be considered before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Office of the Regional Counsel for examination by interested parties.

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

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

PRATT & WHITNEY AIRCRAFT: Applies to all Pratt & Whitney JT9D-3A, -7, -7A, -7H, -7AH, and -20 turbofan engines having Part Numbers 73444-1 or 755150-1, Tt2 sensor assemblies, Serial Numbers 778, 976, 1019, 1308 through 1321, 1323 through 1362, 1399 through 1423, 1425 through 1431, 1447 through 1450, 1461, 1472 through 1474, 1476 through 1483, 1486 through 1487, 1489, 1497, 1499 through 1500, 1508, 69851, 69898, 69929, 76246 through 76247, 76491, and 76495, or which have had the temperature sensing bellows, P/N 747938-1, replaced after July 1, 1973.

Compliance required within the next 600 hours time in service after the effective date of this AD, unless already accomplished.

To reduce the possibility of uncontrollable engine operation due to failure of the temperature sensing bellows, inspect for residual nickel chlorides on the internal air surfaces of the bellows in accordance with Attachment C of Hamilton Standard letter, reference 3.0.147, dated September 16, 1974. Bellows that show the presence of nickel chlorides cannot be returned to service.

(NOTE: Pratt & Whitney Alert Service Bulletin 4375 pertains to this subject.)

The Hamilton Standard specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents may obtain copies upon request to Hamilton Standard Division, United Aircraft Corporation, Windsor Locks, Connecticut 06096. These documents may also be examined at Federal Aviation Administration, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803, and at FAA headquarters, 800 Independence Avenue, SW., Washington, D.C. A

historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at New England Region.

Issued in Burlington, Massachusetts, on April 14, 1975.

QUENTIN S. TAYLOR,
Director, New England Region.

NOTE: The incorporation by reference provisions in this document was approved by the Director of the Federal Register on June 19, 1967.

[FR Doc.75-10521 Filed 4-22-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-SO-35]

TRANSITION AREA

Proposed Alteration

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

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Ga. 30320. All communications received on or before June 23, 1975, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in acordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

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

The Clemson transition area described in § 71.181 (40 FR 441) would be amended as follows:

"* * * east of the RBN * * *" would be deleted and "* * * east of the RBN; within a 6.5-mile radius of Pickens County Airport (Lat. 34°48'55" N., Long. 82°41'55" W.); within 3 miles each side of the 229° bearing from Picken RBN (Lat. 34°48'51" N., Long. 82°42'50" W.), extending from the 6.5-mile radius area to 8.5 miles southwest of the RBN * * *" would be substituted therefor.

The proposed alteration is required to provide controlled airspace protection for IFR operations at Pickens County Airport, Pickens, S.C. A prescribed instrument approach procedure to this airport, utilizing the Pickens (private) Nondirectional Radio Beacon, is proposed in conjunction with the alteration of this transition area.

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

Issued in East Point, Ga., on April 15, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-10522 Filed 4-22-75;8:45 am]

Federal Railroad Administration

[49 CFR Part 231]

[FRA Rule Making Docket No. SA-4, Notice 2]

SAFETY APPLIANCE STANDARDS

Box and Other House Cars; Correction

On March 31, 1975, the Federal Railroad Administration published a notice of proposed rulemaking that it was considering amendment of Part 231—Safety Appliance Standards for Box and Other House Cars (40 FR 14339).

The caption for this notice erroneously identified the docket number for this proceeding as "(FRA Rule Making Docket No. SA-3, Notice 1)". The correct identification is "(FRA Rule Making Docket No. SA-4, Notice 1)".

Issued in Washington, D.C., on April 17, 1975.

DONALD W. BENNETT,
Chief Counsel, Federal Railroad Administration.

[FR Doc.75-10553 Filed 4-22-75;8:45 am]

Hazardous Materials Regulations Board

[49 CFR Parts 173, 179]

[Docket No. HM-125; Notice No. 75-4]

PROHIBITION OF NEW CONSTRUCTION OF SPECIFICATION DOT-112A AND 114A UNINSULATED PRESSURE TANK CAR TANKS

Transportation of Hazardous Materials

The Hazardous Materials Regulations Board is considering amending §§ 173.314 and 179.101 of the Department's Hazardous Materials Regulations to prohibit new construction of Specification DOT-112A and 114A uninsulated pressure tank car tanks for use in the transportation of hazardous materials.

Since 1958 there have been a series of disastrous railroad accidents involving these uninsulated pressure tank cars transporting liquefied flammable compressed gases. During these accidents tank cars were readily punctured, enormous quantities of gas were released and ignited. The flames in turn overheated adjacent, similarly laden, tank cars causing them to rupture, burn and "rocket" for considerable distances. One such disastrous accident occurred at Laurel, Mississippi, on January 25, 1969, when 13 of 15 LP Gas laden 112A tank cars violently ruptured and rocketed causing the death of three townspeople, and injuries to over 30 others, and property damage totalling millions of dollars. On June 21, 1970, at Crescent City, Illinois, rupturing tank cars of the 112A Specification resulted in injuries to approximately 10 persons; and again on October 1971, in Houston, Texas, ruptured tank cars of a flammable compressed gas caused the death of one fireman and injured approximately 35 firemen and newsmen on the scene. Many other accidents have occurred which have presented severe hazardous conditions for the public and emergency response personnel. On February 11, 1974, near Oneonta, New York, ruptured and overheated 112A specification tank cars caused injuries to over 50 persons, primarily firefighters who were endeavoring to control the fires.

At Decatur, Illinois, on July 19, 1974, a DOT 114A tank car was punctured in a switching accident resulting in a gas-air blast that injured 130 people and killed seven. Again at Houston, Texas, on September 21, 1974, a switching accident resulted in a similar explosion that killed one person and injured 150 persons.

A summary of the accidents reported to DOT, covering accidents involving DOT Specification 112A and 114A uninsulated tank cars from January 1, 1969, to date, reveals that there were 192 accidents involving 434 DOT 112A or 114A cars, which resulted in 68 head punctures, 13 shell punctures, 59 tank ruptures and a total of 156 had loss of lading. Twenty-three persons were killed and 936 injured as a result.

Prior to the introduction of 112A and 114A uninsulated tank cars liquefied compressed gases were transported exclusively in Specification 105A insulated tank cars. It is estimated that approximately 22,000 112A and 114A uninsulated pressure tank cars are in service today, compared to the approximately 33,000 Specification 105A insulated tank cars in hazardous materials service. Although there are less 112A/114A than 105A tank cars in service, the RPI-AAR Tank Car Safety Research and Test Project reports (for 1965-1970) indicate that more than twice as many 112A/114A tank cars were damaged, as compared to 105A tank cars, and that five times as many 112A/114A tank cars ruptured.

The relative utilization for both the 112A/114A tank cars and the 105A tank cars has been considered. The utilization factor was considered in order to determine whether the higher utilization of 112A/114A tank cars, as compared to 105A tank cars, would serve to explain the higher rate of accidents being experienced by the 112A/114A tank cars. Data, submitted in connection with the audited carload waybill sampling project of the FRA, was reviewed to provided information concerning the relative utilization of both types of cars. The information obtained from this data did not support the concept that the higher utilization of 112A/114A tank cars would serve to explain the higher rate of accidents being experienced by the 112A/114A tank cars.

FRA accident data accumulated during the period of January 1, 1969, through December 31, 1974 indicates that:

	112A/114A	105A
Number of accidents reported to FRA	192	101
Number of cars derailed and/or damaged	434	213
Number of cars sustaining a head puncture	66	13
Number of cars sustaining a shell puncture without a head puncture	13	5
Number of cars ruptured without puncture	59	8
Number of tanks sustaining partial or total loss of hazardous lading	156	39
Number of persons killed as a result of tanks being punctured or ruptured	23	0
Number of persons injured	935	151

Available data has shown 105A tank cars to be substantially superior to 112A/114A tank cars from a safety standpoint. (Many of the 105A tank car ruptures occurred as a result of chemical detonation of the lading rather than by a weakening of the shell due to overheating, or puncture.) In fact, extremely hazardous commodities such as Motor Fuel Anti-Knock Compound and Ethylene Oxide, which may detonate if exposed to high temperatures, are required to be carried in insulated tank cars.

As a result of unintentional release of liquefied petroleum gas from 112A/114A tank cars during train accidents, the Railway Progress Institute and the Association of American Railroads have undertaken a multi-million dollar joint research program to evaluate the conditions leading up to tank car puncture and rupture (tank "rocketing"), and to develop improvements to eliminate this safety problem.

The Federal Railroad Administration and the Hazardous Materials Regulations Board have already taken regulatory action to improve tank car safety by requiring protective head shields on DOT Specification 112A and 114A uninsulated tank car heads to reduce the incidence of head punctures on tank cars carrying liquefied compressed gases (HM-109). In addition, FRA is closely monitoring tank car operations. The Administrator issued FRA Emergency Order No. 2 (37 FR 28311) prohibiting further use of certain uninsulated pressure tank cars found to have a structural inadequacy which results in tank shell cracking and possible leakage of hazardous lading. These cars were not permitted to be returned to service until this structural inadequacy has been corrected by modification of these cars (39 FR 2124).

In an effort to improve tank car safety by way of regulatory operating practices, the FRA issued Emergency Order No. 5 on October 25, 1974, prohibiting the free switching of all 112A and 114A tank cars transporting flammable compressed gas. By requiring controlled coupling of such tank cars, the FRA has moved to decrease the danger of head punctures in train yard operations.

The Federal Railroad Administration is also undertaking research efforts in this area to improve tank car safety. The FRA program is a multi-faceted research program aimed at determining the failure modes of these type tank cars and solutions to eliminating these safety problems. Theoretical and experimental studies of one-fifth scale and full size tank cars to determine and evaluate their performance in fires are underway. Torching as well as enveloping fires are being studied and various insulating materials are being evaluated to develop specifications for "thermal shielding" to prevent tank overheating and "rocketing." Fire tests have shown that the application of a "thermal shield" (insulation) will extend the survival time of a propane laden tank car subject to a pool fire from twenty-five minutes to ninety minutes. This extra time will give firefighters a better chance to cool the tank car surface and prevent impingement of the tank and an explosion. In addition, the "thermal shield" reduces the severity of those tank explosions which do occur.

Likewise, metallurgical analysis is also being conducted by the FRA on the materials used in the construction of tank cars. The objective of this study is to develop new specifications for tank shell steel and better design attachments to the tank shell. Theoretical structural stress analysis is being performed to obtain a better understanding of a tank car as a structure.

Also, the relief capacity of spring loaded safety relief devices is being measured in both the vapor and in the liquid stages to determine the actual flow capacity of existing tank car relief devices. The existing equations for sizing relief valve flow may be inadequate for uninsulated pressure tank cars. This testing will lead to new design criteria for sizing of the relief valves used for these cars. Additionally, a new FRA-AAR/RPI test facility will afford industry a place to test and certify new safety relief devices.

While the Board is aware of these research efforts and agrees that significant results will be developed from them, the Board is concerned that existing uninsulated pressure tank cars built to DOT specifications present a great public danger of propane tank car fires and subsequent explosions. The Board recognizes that removing all 112A and 114A tank cars from this service would intensify the national energy crisis and severely restrict the rail movement of fuels, fertilizers, chemicals, and liquefied compressed gases. The Board also realizes that improved operating practices, headshields and thermal shielding will greatly reduce the hazards inherent in 112A and 114A tank cars as currently constructed. However, the Board feels that new construction of 112A and 114A tank cars should be prohibited until a new design or type of car is developed. Accordingly, the Board proposes to prohibit new construction of Specification DOT 112A and 114A tank cars for the transportation of hazardous materials after December 31, 1975.

Pursuant to the provisions of section 102(2)(c) of the National Environmental Policy (42 U.S.C. 4321 et seq.), the Board has considered the requirements of that Act concerning Environmental Impact Statements and has determined that the amendments proposed in this notice would not have a significant impact upon the environment. Accordingly, an Environmental Impact Statement is not necessary and will not be issued with respect to the proposed amendments.

In consideration of the foregoing, it is proposed to amend 49 CFR Parts 173 and 179 as follows:

PART 173—SHIPPERS

I. In § 173.314 paragraph (c), Note 24 would be added following the Table and reference thereto would be added each time Spec. DOT 112A and 114A tank cars appear in the column headed "Required tank car, see § 173.31(a) (2) and (3)":

§ 173.314 Requirements for compressed gases in tank cars.

* * * * * * *

(c) * * *

NOTE 24: Use of existing tank cars authorized, but new construction after December 31, 1975, not authorized.

PART 179—SPECIFICATIONS FOR TANK CARS

II. In § 179.101-1 paragraph (a), footnote 12 would be added following the Table and reference thereto would be added in the following column headings:

§ 179.101 Individual specification requirement applicable to pressure tank car tanks.

§ 179.101-1 Individual specification requirements.

(a) * * *

112A200W [12]	112A500W [12]
112A340W [12]	114A340W [12]
112A400P [11, 12]	114A400W [12]
112A400W [12]	

* * * * * * *

Interested persons are invited to give their views on this proposal. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, Washington, D.C. 20590. Communications received before May 30, 1975, will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, Room 6215, Trans Point Building, Second and V Streets, SW., Washington, D.C. both before and after closing date for comments.

(Transportation of Explosives Act, 18 U.S.C. 831-835, sec. 6, Department of Transportation Act, 49 U.S.C. 1655.)

[12] New construction not authorized after December 31, 1975.

Issued in Washington, D.C. on April 16, 1975.

R. H. WRIGHT,
Acting Associate Administrator for Safety, Federal Railroad Administration, Alternate Member, Hazardous Materials Regulations Board.

[FR Doc.75-10501 Filed 4-22-75;8:45 am]

[49 CFR Part 179]

[Docket HM-109; Notice 75-3]

TANK CAR HEAD SHIELDS

Notice of Proposed Rulemaking

The Hazardous Materials Regulations Board is considering amending § 179.100-23 of Part 179 to allow a small opening on a head shield applied to DOT 112A and 114A tank cars built before September 1, 1974, to permit an existing hand brake bracket to pass through the head shield.

This proposed amendment was requested by the Project Review Committee of the Railway Progress Institute—Association of American Railroads Tank Car Research and Test Project. It would supplement the amendments proposed in the March 11, 1975 issue of the FEDERAL REGISTER (40 FR 11362).

In consideration of the foregoing, it is proposed to amend 49 CFR Part 179 as follows:

In § 179.100, paragraph (a)(5) would be added in § 179.100-23 to read as follows:

§ 179.100 General specification applicable to pressure tank car tanks.

* * * * *

§ 179.100-23 Head shields.

(a) * * *

(5) On cars built before September 1, 1974, a portion of a head shield may be removed to permit an existing hand brake bracket to pass through the head shield. The opening may not extend more than one inch beyond the outside dimensions of the hand brake bracket and may not exceed 289 square inches. The inside and outside edges of the opening must be free of burrs and chamfered to a minimum of ⅛ inch. Each corner of the opening must be curved. The hand brake bracket must be mounted on at least a ¾-inch thick steel pad which is continuously welded to the head of the tank shell, except for a small discontinuity in the weld for a weep hole.

Interested persons are invited to give their views on this proposal. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, Washington, D.C. 20590. Communications received before May 30, 1975, will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, Room 6215, Trans Point Building, Second and V Streets, SW., Washington, D.C., both before and after closing date for comments.

This notice is issued under the authority of sections 831-835 of Title 18, United States Code, and section 9 of the Department of Transportation Act (49 U.S.C. 1657).

Issued in Washington, D.C. on April 16, 1975.

R. H. WRIGHT,
Acting Associate Administrator for Safety, Federal Railroad Administration, Alternate Member, Hazardous Materials Regulations Board.

[FR Doc.75-10500 Filed 4-22-75;8:45 am]

National Highway Traffic Safety Administration

[49 CFR Part 571]

[Docket No. 73-3; Notice 3]

SCHOOL BUS PASSENGER SEATING AND CRASH PROTECTION

Proposed Motor Vehicle Safety Standards

This notice proposes a new motor vehicle safety standard for school bus seating and crash protection, modified in several respect from the July 30, 1974, proposal (39 FR 27585).

In the Motor Vehicle and Schoolbus Safety Amendments of 1974, Pub. L. 93-492, Congress amended the National Traffic and Motor Vehicle Safety Act of 1966, 15 U.S.C. 1381, et seq., to require that the Secretary propose, adopt and make effective under a strict timetable Federal motor vehicle safety standards covering eight aspects of school bus performance. The 1974 Amendments direct that proposed rules be published by April 27, 1975, and that final rules be published by January 27, 1976. These final rules must take effect 9 months after promulgation. The NHTSA is given no authority to shorten or lengthen the lead time. This agency intends to issue a final rule in Docket No. 73-3 before September 1, 1975, which will therefore be effective before May 1, 1976. The agency recognizes that this 9-month lead time is relatively short. The affected industries should be aware of this restrictive schedule and plan their production accordingly.

The major features of this proposal differ little from those of Notice 2. The standard would apply to all passenger vehicles sold for the primary purpose of transporting children to and from school. The seat back height remains 24 inches, seatbelt anchorages are still required, seat strength and deflection requirements are only slightly altered, and the impact zone requirements are unchanged. Principal changes include: Altering the seat back force/deflection curve to require some deflection at forces over 200 pounds, eliminating the rearward performance test for the rearmost seat, deleting "seat orientation line" and substituting a requirement that seats be forward facing, specifying surface smoothness for the head and knee forms, and calculating "W" by rounding to the nearest whole number.

Figure 1 sets upper and lower limits on the seat back force/deflection curve for S5.1.3, *Seat performance forward.* The upper limit has been changed to require at least 6 inches of seat back deflection before the 2400-pound force limit is reached. The change is intended to protect a small child sitting alone by assuring that the sea back in front of him is not so stiff that is injures him in the even of a collision. The NHTSA believes that energy absorbing seat back materials are readily available which can assure compliance with this modified requirement.

Forward seat performance has been clarified by separating the requirements from the test procedure. The Notice 2 statement in S5.1.3(b), "The energy necessary to deflect the seat back 14 inches shall not be less than 4000W inch-pounds," created confusion because it somewhat inaccurately combined two specifications. The proposed S5.1.3(b) clearly states that "Seat back deflection shall not exceed 14 inches." This is one of five forward seat performance requirements, all taken from Notice 2. The test procedure of S5.1.3.4 now clearly specifies that 4000W inch-pounds of energy must be absorbed in deflecting the seat back or restraining barrier.

Rearward seat performance levels have not been changed; a maximum of 8 inches of deflection is permitted in absorbing 2800W inch-pounds of energy. There is no minimum for the force/deflection curve, but the maximum remains 2200 pounds. An important change is the elimination of rearward performance requirements for the rearmost seat. Notice 2 would have required either elimination of the rear seat or extension of the bus body 8 inches rearward, because current buses do not have enough space between the seat backs and the rear structure of the bus body to allow the seat structure to absorb much energy. Either modification is expensive. After further analysis the NHTSA has determined that the very proximity of the rear seats provides rear seat occupants with comparable protection by allowing them to "ride down" the vehicle structure rather than the seat back. Therefore, the NHTSA believes that deleting the rearward performance requirement for the rearmost seat will significantly lower the cost and weight penalties of the proposed standard without compromising the safety of rear seat occupants.

The "seat orientation line" has been deleted and a requirement that school bus seats be forward facing has been added. Many commenters felt that a "seat orientation line" was unnecessary and confusing inasmuch as virtually all school bus seats are already forward facing. The purpose of that concept was to allow manufacturers maximum design freedom in meeting the requirements of the standard, and to prevent evasion of it through use of diagonal seats. Based on the docket comments, however, the NHTSA finds the "seat orientation line"

to be an unnecessary complication of the standard. The requirement that seats be forward facing is included because too little research and experience are available to determine what requirements would be necessary or appropriate for rearward facing seats, and because side facing seats currently cannot adequately compartmentalize passengers at competitive costs or passenger capacities. If further research indicates that rear facing or side facing seats are equal or superior to forward facing seats, and it appears that there is a market for them, appropriate requirements will be developed.

The head and knee forms now have specified maximum surface roughnesses of 63 micro-inches, because surface roughness can have a large effect on impact readings. The loading mar specifications have been tightened to require the bar to be 4 inches shorter than the seat back width, rather than "at least 4 inches" shorter. Loading procedures are now stated in terms of loading time period rather than rate of loading. Figure 1 now identifies the "break point" coordinates precisely, Figure 2 calls for an aluminum alloy body block, and Figure 3 is retitled "Bihemispherical Head Form Radii."

In response to numerous comments, the calculation of the number of designated seating positions (W) has been changed to provide for rounding to the nearest whole number rather than to the next largest whole number. The previous method would have penalized manufacturers who offered more than average seat width in their two-passenger seats. The word "separate" has been substituted for the phrase "separate completely or in part" in the seat belt anchorage, seat cushion and seat deflection requirements, in response to comments indicating the phrase would create more ambiguity than it would resolve.

Although the wording of S3, Application, has been changed to read simply, "This standard applies to school buses," no change in the application of the proposed standard is intended. The definition of school bus in 49 CFR Part 571 is being changed to make it consistent with the definition used in the 1974 Amendments, and the term will include van-type vehicles equipped or sold for use in school transportation as well as transit bus-type vehicles manufactured or sold primarily for use in school transportation.

Two points should be emphasized regarding seating reference point. First, the seating reference point established by the manufacturer must have specified coordinates such that the NHTSA can precisely locate the point for compliance testing. As noted in Notice 2, inasmuch as the definition in 49 CFR 571.3 was developed for passenger cars, the NHTSA will interpret "designed vehicle structure" to include merely the seat structure as mounted in the vehicle. This means that the seating reference point coordinates need reference only the seat structure and not the sides, floor or frame of the bus itself. Second, the seating reference point must approximate the pivot center of the human torso and thigh, not only because this is required by the definition in 49 CFR 571.3, but also because the NHTSA is developing "H point" (actual human pivot center) measuring criteria and anticipates eventually substituting "H point" for seating reference point.

Seat back height has been left at 24 inches, measured using the seating reference point, despite requests for both higher and lower seat backs. The NHTSA does not have any test results which indicate that a minimum seat height of less than 24 inches will provide adequate compartmentalization of school age children. The UCLA tests indicated adequate containment with a seat back substantially equivalent to those required here. Testing with the Transbus seat yielded similar results. And contrary to the impression held by some commenters, the seat back height requirement is not intended to provide whiplash protection; accident statistics indicate that whiplash is not a problem in school bus accidents. Finally, the comments reflect a split of opinion over whether the higher seat backs will increase supervisory problems or decrease the need for such supervision by more effectively separating bus passengers. Therefore, the NHTSA feels justified in retaining the 24-inch requirement.

Seat belt anchorage requirements are unchanged. With the anchorages required to be located on the seat frame, arguments about cluttered floors and additional though-floor fastenings are without merit. Because the anchorage performance requirements are less severe than the seat deflection requirements, and because little or no additional hardware is required, the cost of including anchorages should be minimal. Built-in seat belt anchorages will make the installation of seat belts practicable for purchasers who desire them. Research has shown that seat belts in school buses have life-saving potential if the vehicle seat backs are of adequate height and strength. Because the practical difficulties of supervising belt use by young children can be solved in some cases through the use of school bus monitors, the NHTSA finds it desirable to allow local school boards the option of installing belts, if they decide the additional protection is worth the extra expense. In addition, school buses are often used by schools, businesses and other groups to transport teenagers and adults who do not need supervision to benefit from belts in vehicles with adequate seating structures.

The NHTSA has tentatively determined that the proposed standard will benefit school bus safety, while keeping the increase in weight and cost of school buses within reasonable bounds. The only seating position in conventional school buses which will be lost is the right front aisle seating position in buses with three designated seating positions for that seat. Those few buses which do not have rear emergency doors will also lose the center rear seat.

In consideration of the foregoing it is proposed that Part 571 of Title 49, Code of Federal Regulations, be amended by the addition of a new standard, *School bus passenger seating and crash protection*, to read as set forth below.

Interested persons are invited to submit comments on the proposal. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street SW., Washington, D.C. 20590. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Comment closing date: June 20, 1975.

Proposed effective date: April 1, 1976.

(Sec. 103, 119, Pub. L. 89-563, 80 Stat. 718; Sec. 202, Pub. L. 93-492 (15 U.S.C. 1392, 1407); delegation of authority at 49 CFR 1.51 and 49 CFR 501.8)

Issued on April 15, 1975.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

§ 571.____; Standard No. ____; school bus asspenger seating and crash protection.

S1. *Scope.* This standard establishes occupant protection requirements for school bus passenger seating and restraining barriers.

S2. *Purpose.* The purpose of this is to reduce the number of deaths and the severity of injuries that result from the impact of school bus occupants against structures within the vehicle during crashes and sudden driving maneuvers.

S3. *Application.* This standard applies to school buses.

S4. *Definitions.* "Contactable surface" means any surface within the zone specified in S5.3.1.1 that is contactable from any direction by the test device described in S6.6, except any surface on the front of a seat back or restraining barrier 3 inches or more below the top of the seat back or restraining barrier.

"School bus passenger seat" means a seat, other than the driver's seat, in a school bus.

"Seat belt anchorage" means the provision for transferring seat belt assembly loads to the vehicle structure.

S4.1 The number of seating positions considered to be in a bench seat is expressed by the symbol W, and calculated as the bench width in inches divided by 15 and rounded to the nearest whole number.

S5. *Requirements.* (a) Each vehicle with a gross vehicle weight rating of more than 10,000 pounds shall be capable of meeting any of the requirements set forth under this heading when tested under the conditions of S6. However, a particular school bus passenger seat (i.e., test specimen) in that weight class need not meet further requirements after having met S5.1.2 and S5.1.5, and having been subjected to either S5.1.1, S5.1.3, S5.1.4, or S5.3.

(b) Each vehicle with a gross vehicle weight rating of 10,000 pounds or less shall be capable of meeting the following requirements at all seating positions other than the driver's seat: (1) The requirements of § 571.208, 571.209, and 571.210 as they apply to multipurpose passenger vehicles; and (2) the requirements of S5.1.2, S5.1.3, S5.1.4, S5.1.5, and S5.3 of this standard. However, a particular school bus passenger seat (i.e., a test specimen) in that weight class need not meet further requirements after having met S5.1.2 and S5.1.5, and having been subjected to either § 571.210, S5.1.3, S5.1.4 or S5.3.

S5.1 *Seating requirements.* School bus passenger seats shall be forward facing.

S5.1.1 *Seat belt anchorage performance.* Each school bus passenger seat shall be equipped with W sets of seat belt anchorages (one at each designated seating position) for a type I seat belt assembly that conforms to § 571.209, attached to the seat frame.

S5.1.1.1 The line to the seating reference point from the nearest contact point of the belt with the hardware attaching it to the anchorage shall extend forward from that contact point at a side-view angle above the horizontal of not less than 20 nor more than 75 degrees.

S5.1.1.2 Seat belt anchorages for an individual seat belt assembly shall be located at least 6.5 inches apart laterally, measured between the vertical centerlines of the bolt holes.

S5.1.1.3 Seat belt anchorages shall not separate from the seat frame when a force of 1,500W pounds is applied as follows:

(a) Mount a Type I seat belt assembly that conforms to § 571.209 of this part to each set of seat belt anchorages specified for the seat under S5.1.1, and fasten a pelvic body block, specified in Figure 2, to each seat belt assembly.

(b) Apply the required force simultaneously through each body block in the forward direction with an initial force angle of not less than 5 nor more than 15 degrees above the horizontal, with the required force reached in not less than 5 nor more than 30 seconds, and sustained for at least 10 seconds.

S5.1.2 *Seat back height and surface area.* Each school bus passenger seat shall be equipped with a seat back that has a front surface area above the horizontal plane that passes through the seating reference point, and below the horizontal plane 24 inches above the seating reference point, of not less than 90 percent of the seat bench width in inches multiplied by 24.

S5.1.3 *Seat performance forward.* When a school bus passenger seat that has another seat behind it is subjected to the application of force as specified in S5.1.3.1 and S5.1.3.2, and subsequently, the application of additional force to the seat back as specified in S5.1.3.3 and S5.1.3.4:

(a) The seat back force/deflection curve shall fall within the zone specified in Figure 1;

(b) Seat back deflection shall not exceed 14 inches; (For determination of (a) and (b) the force/deflection curve describes only the force applied through the upper loading bar, and only the forward travel of the pivot attachment point of the upper loading bar measured from the point at which the initial application of 10 pounds of force is attained.)

(c) The seat shall not deflect by an amount such that any part of the seat moves to within 4 inches of any part of another school bus passenger seat or restraining barrier in its originally installed position;

(d) The seat shall not separate from the vehicle at any attachment point; and

(e) Seat components shall not separate at any attachment point.

S5.1.3.1 Position the loading bar specified in S6.5 so that it is laterally centered behind the seat back with the bar's logitudinal axis in a transverse plane of the vehicle and in any horizontal plane between 4 inches above and 4 inches below the seating reference point of the school bus passenger seat behind the test specimen.

S5.1.3.2 Apply a force of 1,700W pounds horizontally in the forward direction through the loading bar at the pivot attachment point. The specified load shall be reached in not less than 5 nor more than 30 seconds.

S5.1.3.3 No sooner than 1.0 second after attaining the required force and while maintaining the pivot point position of the first loading bar, position a second loading bar described in S6.5 so that it is laterally centered behind the seat back with the bar's longitudinal axis in a transverse plane of the vehicle and in the horizontal plane 16 inches above the seating reference point of the school bus passenger seat behind the test specimen, and move the bar forward against the seat back until a force of 10 pounds has been applied.

S5.1.3.4 Apply additional force horizontally in the forward direction through the upper bar until 4,000W inch-pounds of energy has been absorbed in deflecting the seat back (or restraining barrier). The additional load shall be applied in not less than 5 seconds nor more than 30 seconds.

S5.1.4 *Seat performance rearward.* When a school bus passenger seat that has another seat behind it is subjected to the application of force as specified in S5.1.4.1 and S5.1.4.2:

(a) Seat back force shall not exceed 2,200 pounds;

(b) Seat back deflection shall not exceed 8 inches; (For determination of (a) and (b) the force/deflection curve describes only the force applied through the loading bar, and only the rearward travel of the pivot attachment point of the loading bar measured from the point at which the initial application of 50 pounds of force is attained.)

(c) The seat shall not deflect by an amount such that any part of the seat moves to within 4 inches of any part of another passenger seat in its originally installed position;

(d) The seat shall not separate from the vehicle at any attachment point; and

(e) Seat components shall not separate at any attachment point.

S5.1.4.1 Position the loading bar described in S6.5 so that it is laterally centered forward of the seat back with the bar's longitudinal axis in a transverse plane of the vehicle and in the horizontal plane 13.5 inches above the seating reference point of the test specimen, and move the loading bar rearward against the seat back until a force of 50 pounds has been applied.

S5.1.4.2 Apply additional force horizontally rearward through the loading bar until 2,800W inch-pounds of energy has been absorbed in deflecting the seat back. The additional load shall be applied in not less than 5 seconds nor more than 30 seconds.

S5.1.5 *Seat cushion retention.* In the case of school bus passenger seats equipped with seat cushions, with all attachment points between the seat and the seat cushion properly attached, the seat cushion shall not separate from the seat at any attachment point when subjected to an upward force of five times the seat cushion weight, applied in any period of not less than 1 nor more than 2 seconds, and maintained for 5 seconds.

S5.2 *Restraining barrier requirements.* Each vehicle shall be equipped with a restraining barrier forward of any designated seating position that does not have the rear surface of another school bus passenger seat within 23 inches of its seating reference point, measured horizontally in the forward direction.

S5.2.1 *Barrier-seat separation.* The horizontal distance between the restraining barrier's rear surface and the seating reference point of the seat in front of which it is required shall be not more than 23 inches.

S5.2.2 *Barrier position and rear surface area.* The position and rear surface area of the restraining barrier are such that, in a front projected view of the bus, each point of the barrier's perimeter coincides with or lies outside of the perimeter of the seat back of the seat for which it is required.

S5.2.3 *Barrier performance forward.* When force is applied to the restraining barrier in the same manner as specified in S5.1.3.1 through S5.1.3.4 for seating performance tests:

(a) The restraining barrier force/deflection curve shall fall within the zone specified in Figure 1;

(b) Restraining barrier deflection shall not exceed 14 inches; (For computation of (a) and (b) the force/deflection curve describes only the force applied through the upper loading bar, and only the forward travel of the pivot attachment point of the loading bar measured from the point at which the initial application of 10 pounds of force is attained.)

(c) Restraining barrier deflection shall not interfere with normal door operation;

(d) The restraining barrier shall not separate from the vehicle at any attachment point; and

(e) Restraining barrier components shall not separate at any attachment point.

S5.3 *Impact zone requirements.* The head form, knee form, and contactable surfaces shall be clean and dry during impact testing.

S5.3.1 *Head protection zone.* Any contactable surface of the vehicle within any zone specified in S5.3.1.1 shall meet the requirements of S5.3.1.2 and S5.3.1.3. However, a surface area that has been contacted pursuant to an impact test need not meet further requirements contained in S5.3.

S5.3.1.1 The head protection zones in each vehicle are the spaces in front of each school bus passenger seat which, in relation to that seat and its seating reference point, are enclosed by the following planes:

(a) Horizontal planes 12 inches and 40 inches above the seating reference point;

(b) A vertical longitudinal plane tangent to the inboard (aisle side) edge of the seat;

(c) A vertical longitudinal plane 3.25 inches inboard of the outboard edge of the seat, and

(d) Vertical transverse planes through and 30 inches forward of the seating reference point.

S5.3.1.2 *Head form impact requirement.* When any contactable surface of the vehicle within the zones specified in S5.3.1.1 is impacted from any direction at 22 feet per second by the head form described in S6.6, the axial acceleration at the center of gravity of the head form shall be such that the expression

$$\left[\frac{1}{t_2-t_1}\int_{t_1}^{t_2} a\,dt\right]^{2.5}(t_2-t_1)$$

shall not exceed 1,000, where a is the axial acceleration expressed as a multiple of g (the acceleration due to gravity), and t_1 and t_2 are any two points in time during the impact.

S5.3.1.3 *Head form force distribution.* When any contactable surface of the vehicle within the zones specified in S5.3.1.1 is impacted from any direction at 22 feet per second by the head form described in S6.6, the energy necessary to deflect the impacted material shall be not less than 40 inch-pounds before the force level on the head form exceeds 150 pounds. When any contactable surface within such zones is impacted by the head form from any direction at 5 feet per second, the contact area on the head form surface shall be not less than 3 square inches.

S5.3.2 *Leg protection zone.* Any part of the seat backs or restraining barriers in the vehicle within any zone specified in S5.3.2.1 shall meet the requirements of S5.3.2.2.

S5.3.2.1 The leg protection zones of each vehicle are those parts of the school bus passenger seat backs and restraining barriers bounded by horizontal planes 12 inches above and 4 inches below the seating reference point of the school bus passenger seat immediately behind the seat back or restraining barrier.

S5.3.2.2 When any point on the rear surface of that part of a seat back or restraining barrier within any zone specified in S5.3.2.1 is impacted from any direction at 16 feet per second by the knee form specified in S6.7, the resisting force of the impacted material shall not exceed 600 pounds and the contact area on the knee form surface shall not be less than 3 square inches.

S6. *Test conditions.* The following conditions apply to the requirements specified in S5.

S6.1 *Test surface.* The bus is at rest on a level surface.

S6.2 *Tires.* Tires are inflated to the pressure specified by the manufacturer for the gross vehicle weight rating.

S6.3 *Temperature.* The ambient temperature is any level between 32 degrees F, and 90 degrees F.

S6.4 *Seat back position.* If adjustable, a seat back is adjusted to its most upright position.

S6.5 *Loading bar.* The loading bar is a rigid cylinder with an outside diameter of 6 inches that has hemispherical ends with radii of 3 inches. The length of the loading bar is 4 inches less than the width of the seat back in each test. The stroking mechanism applies force through a pivot attachment at the center point of the loading bar which allows the loading bar to rotate in a horizontal plane 30 degrees in either direction from the transverse position.

S6.5.1 A vertical or lateral force of 4,000 pounds applied externally through the pivot attachment point of the loading bar at any position reached during a test specified in this standard shall not deflect that point more than 1 inch.

S6.6 *Head form.* The head form for the measurement of acceleration is a rigid surface comprised of two hemispherical shapes, with total equivalent weight of 11.5 pounds. The first of the two hemispherical shapes has a diameter of 6.5 inches. The second of the two hemispherical shapes has a 2 inch diameter and is centered as shown in Figure 3 to protrude from the outer surface of the first hemispherical shape. The surface roughness of the hemispherical shapes shall not exceed 63 micro-inches, root mean square.

S6.6.1 The direction of travel of the head form is coincidental with the straight line connecting the centerpoints of the two spherical outer surfaces which constitute the head form shape.

S6.6.2 The head form is instrumented with an acceleration sensing device whose output is recorded in a data channel that conforms to the requirements for a 1,000 Hz channel class as specified in SAE Recommended Practice J211, October 1970. The head form exhibits no resonant frequency below 3,000 Hz. The axis of the acceleration sensing device coincides with the straight line connecting the centerpoints of the two hemispherical outer surfaces which constitute the head form shape.

S6.6.3 The head form is guided by a stroking device so that the direction of travel of the head form is not affected by impact with the surface being tested at the levels called for in the standard.

S6.7 *Knee form.* The knee form for measurement of force is a rigid 3-inch-diameter cylinder with an equivalent weight of 10 pounds, that has one rigid hemispherical end with a one and one-half inch radius forming the contact surface of the knee form. The hemispherical surface roughness shall not exceed 63 micro-inches, root mean square.

S6.7.1 The direction of travel of the knee form is coincidental with the centerline of the rigid cyclinder.

S6.7.2 The knee form is instrumented with an acceleration sensing device whose output is recorded in a data channel that conforms to the requirements of a 1,000 Hz channel class as specified in the SAE Recommended Practice J211, October 1970. The knee form exhibits no resonant frequency below 3,000 Hz. The axis of the acceleration sensing device is aligned to measure acceleration along the centerline of the cylindrical knee form.

S6.7.3 The knee form is guided by a stroking device so that the direction of travel of the knee form is not affected by impact with the surface being tested at the levels called for in the standard.

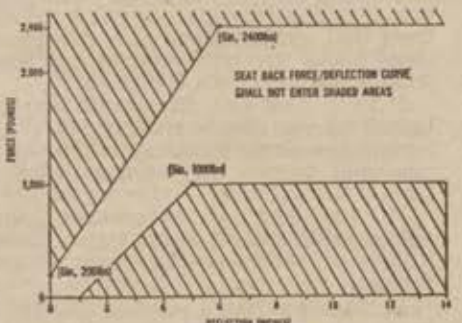

FIGURE 1 - FORCE/DEFLECTION ZONE

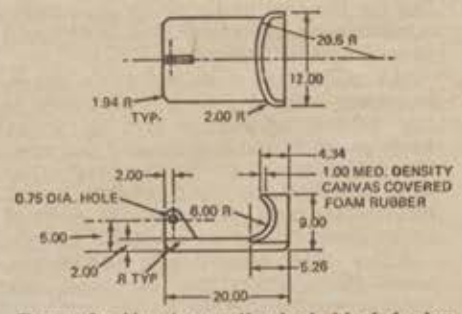

FIGURE 2—Aluminum alloy body block for lap belt

BISPHERICAL HEADFORM RADII

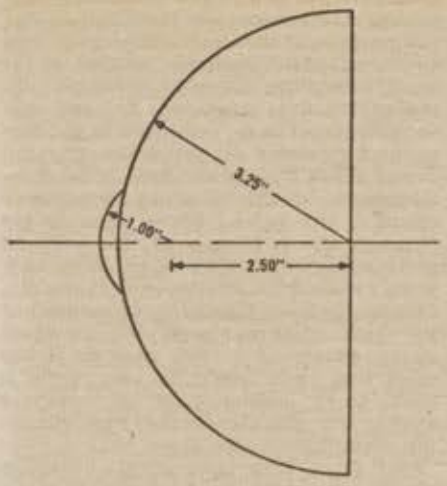

FIGURE 3

[FR Doc.75-10396 Filed 4-22-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Part 212]

PROFIT MARGIN REPURIFICATION

Proposed Rulemaking and Public Hearing

The Federal Energy Administration (FEA) hereby gives notice of a proposal to amend Part 205 by adding a new Subpart S, Profit Margin Repurification. The purpose of the new Subpart S is to provide a means whereby a refiner which has become subject to a profit margin limitation by charging allowable prices above base price to reflect increased non-product costs may "repurify" itself by remitting revenues derived during that fiscal year from charging prices in excess of base price, and thereby not be subject to the profit margin limitation. This amendment will incorporate in the FEA profit margin regulations a provision that was a part of the prior Cost of Living Council profit margin regulations, from which the current FEA regulations were adopted. This provision will, in effect, permit a refiner to defer its determination to become subject to the profit margin limitation until near the end of its fiscal year, when it will be in a better position to evaluate the impact of that determination.

Pursuant to § 212.11 of the FEA regulations, a refiner which charges a price for any item in excess of the base price of the item may not, in the fiscal year in which the price in excess of the base price is charged, exceed its base period profit margin. If a refiner does not raise any price above base price, there is no profit margin limitation. Increased product costs are included in base prices, but increased non-product costs are not, so that the profit margin limitation applies only with respect to the pass through of increased non-product costs.

Pursuant to the proposed amendment, a refiner, which during a fiscal year has increased a price above base price, but has then rescinded for the remainder of the fiscal year all price increases above base price, and has made refunds or reduced prices below base price to the extent of its price increases above base price, will not be subject to the profit margin limitation for that fiscal year. In other words, a refiner may "repurify" itself by returning to the market place any non-product cost increases it has passed through, and thereby avoid the profit margin limitation.

The remission of revenues must be made under the proposed regulations in the following manner:

(1) If the ultimate consumers who purchased the items at prices above base price are reasonably identifiable, refunds must first be made to them.

(2) To the extent that these ultimate consumers are not reasonably identifiable, revenues must be remitted in the form of future sales at prices below base price of the same items previously sold at prices above base price.

To comply with the provisions of this subpart a firm must rescind its above-base prices and complete its remittance of revenues within the fiscal year it intends to avoid the profit margin limitation. The subpart also extends to firms which have raised a price above base price in a previous fiscal year, and which continue to charge the increased price in a subsequent fiscal year. Such a firm must lower its prices to base price and remit revenues derived from the price increases in effect during that subsequent fiscal year in order to avoid the profit margin limitation in that year. A firm which complies with the provisions of this subpart within a fiscal year would nevertheless become subject to the profit margin limitation once again in that same fiscal year if it subsequently charged a price in excess of base price in that fiscal year.

To comply with the provisions of Subpart S, a firm must first submit a letter of intent to FEA which shall include a revenue remission plan. This plan must be approved by the FEA. The FEA may disapprove the revenue remission plan within 30 days from the date of its receipt. The information which must be included in the letter of intent is set forth in § 205.242(d). Comments are invited on whether the revenue remission plan must be approved by the FEA before a refiner may begin the remission of revenues.

The regulation changes proposed herein will be effective, as finally adopted, May 1, 1975, and would apply to the entire current fiscal year of any firm. Comments are invited on whether the amendment ought to be made effective retroactive to January 1, 1975.

A public hearing on this proposed rulemaking will be held beginning at 9:30 a.m., on Friday, May 16, 1975, in Room 2105, 2000 M Street NW., Washington, D.C., to receive oral presentation of data, views and arguments from interested persons. Any person who has an interest in the subject of the hearing, or who is a representative of a group or class of persons which has an interest in the subject of the hearing, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, Room 3309, FEA, and must be received before 4:30 e.d.t., Thursday, May 8, 1975. Such a request may be hand delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned; if appropriate, to state why he or she is a proper representative of a group or class of persons which has such an interest; and to give a concise summary of the proposed oral presentation and a phone number where he or she may be contacted through Wednesday, May 14, 1975. Each person selected to be heard will be so notified by the FEA before 4:30 p.m., Monday, May 12, 1975, and must submit 100 copies of the statement to Executive Communications, FEA, Room 2105, 2000 M Street NW., Washington, D.C. 20461, before 4:30 p.m., e.d.t., Thursday, May 15, 1975.

The FEA reserves the right to select the persons to be heard at the hearing, to schedule their respective presentations, and to establish the procedures governing the conduct of the hearing. Each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearing. It will not be a judicial or evidentiary-type hearing. Questions may be asked only by those conducting the hearing, and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearing will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he or she so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to the time limitations.

Any interested person may submit questions, to be asked of any person making a statement at the hearing, to Executive Communications, FEA, before 4:30 p.m., e.d.t., Wednesday, May 14, 1975. Any person who makes an oral statement and who wishes to ask a question at the hearing may submit the question, in writing, to the presiding officer. The FEA, or the presiding officer if the question is submitted at the hearing, will determine whether the question is relevant, and whether time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearing will be announced by the presiding officer.

A transcript of the hearing will be made and the entire record of the hearing, including the transcript, will be retained by the FEA and made available for inspection at the Administrator's Reception Area of the FEA, Room 3400 Federal Building, 12th and Pennsylvania Avenue NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. Anyone may purchase a copy of the transcript from the reporter.

Interested persons are invited to submit data, views, or arguments with respect to the proposed regulations to Executive Communications, Room 3309, Federal Energy Administration, Box CP, Washington, D.C. 20461

Comments should be identified on the outside envelope and on documents submitted to Executive Communications, FEA, with the designation "Profit Margin Repurification." Fifteen copies should be submitted. All comments received by Tuesday, May 13, 1975, and all relevant information will be considered by the Federal Energy Administration.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

As required by section 7(c)(2) of the Federal Energy Administration Act of 1974, Pub. L. 93-275, a copy of this notice has been submitted to the Administrator of the Environmental Protection Agency for his comments concerning the impact of this proposal on the quality of the environment. The Administrator had no comments on this proposal.

In consideration of the foregoing, it is proposed to amend Part 205 of Chapter II, Title 10 of the Code of Federal Regulations as set forth below.

Issued in Washington, D.C. April 18, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel,
Federal Energy Administration.

1. Part 205 is amended to add a new Subpart S to read as follows:

Subpart S—Profit Margin Repurification

Sec.
205.240 Scope.
205.241 General rule.
205.242 Letter of intent.
205.243 Remission of revenues.

AUTHORITY: (Emergency Petroleum Allocation Act of 1973 (Pub. L. 93-159); Federal Energy Administration Act of 1974, (Pub. L. 93-275); E.O. 11790 (39 FR 23185))

Subpart S—Profit Margin Repurification

§ 205.240 Scope.

The subpart applies to any firm subject to a profit margin limitation imposed by Part 212 of this chapter.

§ 205.241 General rule.

Any firm subject to a profit margin limitation under Part 212 of this chapter is not subject to that limitation if, before the end of the fiscal year in which it charged a price above the base price, the firm (a) rescinds for the remainder of the fiscal year all price increases above base price, and (b) in conformity with §§ 205.242 and 205.243 of this subpart, remits to customers in the form of refunds, or future sales at prices below base price of the same covered products previously sold at prices above base price, or both, an amount equal to or greater than all revenues derived in the fiscal year from charging a price or prices in excess of base price.

§ 205.242 Letter of intent.

(a) A firm may take action to reduce prices to base price at any time.

(b) Before remitting revenues derived from charging prices above base price, each firm shall submit to FEA a letter of intent to remit revenues which shall include a revenue remission plan which must be approved by FEA. If the firm receives no written response to its letter of intent within 30 days after the date it was received by the FEA, the firm may assume approval of its revenue remission plan and proceed to remit revenues in accordance with § 205.243.

(c) To be eligible for FEA approval under this subpart, a letter of intent must be received at such a time before the end of the firm's fiscal year as will allow FEA review thereof in accordance with paragraph (b) of this section and as will allow the firm fully to execute the plan for remission of revenues before the end of that fiscal year.

(d) Each letter of intent to remit revenues shall include a revenue remission plan presenting the following information:

(1) The amount of revenue the firm has received as a result of having increased the price of covered products above base price, indicated by product or product line;

(2) The above-base-price selling price, the base price, and the proposed below-base-price selling price of each product or product line;

(3) The sales figures and other information which demonstrates that the proposed prices below base price will result in remission of revenues derived from charging prices above the base price;

(4) The period of time during which the remission of revenues will take place;

(5) The anticipated effect of the firm's price reductions on competition and the manner in which the firm's revenue remission plan will minimize disruption of competitive pricing patterns; and

(6) The amount of revenues which can be refunded to customers.

§ 205.243 Remission of revenues.

(a) Remission of revenues derived from charging prices above base price shall be made first in the form of refunds to individual customers who purchased covered products at prices in excess of base price, to the extent that those customers are reasonably identifiable. For the purpose of making refunds pursuant to this subpart, "customer" means, so far as possible, the ultimate consumer. To the extent that customers are not reasonably identifiable, remission of the balance of revenues derived from charging prices above base price shall be made to customers of the same class as those charged the prices above base prices through the reduction of the price of those items which were raised above base price to below base price, so that the difference between the revenues realized at the reduced prices and the revenues which would have been realized if the sales had been made at base price is equal to or greater than the revenues (net of any refunds) derived from charging prices above base price.

(b) Each firm that remits revenues shall make such arrangements with its immediate customers, purchasers, dealers, employees or agents as are necessary to obtain and maintain records of the names and addresses of ultimate consumers who are reasonably identifiable in accordance with normal business practices and to assure that refunds are in fact made to such ultimate consumers.

[FR Doc.75-10555 Filed 4-18-75;1:30 pm]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 526]

[No. 75-344]

FEDERAL HOME LOAN BANK SYSTEM

Proposed Rate Control Violations; Withdrawal

APRIL 10, 1975.

Whereas, the Federal Home Loan Bank Board, by Resolution No. 73-1467, dated October 3, 1973 and duly published in the FEDERAL REGISTER on October 11, 1973 (38 FR 28081) proposed to amend Part 526 of the regulations for the Federal Home Loan Bank System (12 CFR Part 526) for the purpose of prescribing monetary penalties for violations of Part 526; and

Whereas, a substantial period of time has elapsed since the date of said proposal:

It is hereby resolved, That the Board determines to withdraw from consideration the amendment proposed by said Resolution No. 73-1467.

(Sec. 5B, 47 Stat. 727, as added by sec. 4, 80 Stat. 824, as amended by Pub. L. 91-151, sec. 2(b), 83 Stat. 371; sec. 17, 47 Stat. 736, as amended; (12 U.S.C. 1425b, 1437). Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[FR Doc.75-10568 Filed 4-22-75;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF STATE

Agency for International Development

[No. 99.1.66]

AID REPRESENTATIVE, U.S. EMBASSY TO YEMEN ARAB REPUBLIC

Redelegation of Authority Regarding Contract Functions

Pursuant to the authority delegated to me as Director, Office of Contract Management, under Redelegation of Authority No. 99.1 (38 FR 12836) from the Assistant Administrator for Program and Management Services of the Agency for International Development, I hereby redelegate to the AID Representative, U.S. Embassy to the Yemen Arab Republic, the authority to sign or approve:

1. U.S. Government contracts and grants (other than grants to foreign governments or agencies thereof) and amendments thereto, and AID grant-financed host country contracts for technical assistance, provided that the aggregate amount of each individual contract does not exceed $50,000 or local currency equivalent.

2. Contracts with individuals for the services of the individual alone without monetary limitation.

The authority herein delegated may be redelegated in writing, in whole or in part, by said AID Representative at his discretion to the person or persons designated by the AID Representative as Contracting Officer. Such redelegation shall remain in effect until such designated person or persons cease to hold the office of Contracting Officer for AID Programs, or until the redelegation is revoked by the AID Representative, whichever shall first occur. The authority so redelegated by the AID Representative may not be further redelegated.

The authority delegated herein is to be exercised in accordance with regulations, procedures, and policies now or hereafter established or modified and promulgated within AID and is not in derogation of the authority of the Director of the Office of Contract Management to exercise any of the functions herein redelegated.

The authority herein delegated to the AID Representative may be exercised by duly authorized persons who are performing the functions of the AID Representative in an acting capacity.

Redelegation of Authority 99.1.25 (38 FR 29094), dated September 21, 1973, and Amendment No. 1 thereto (39 FR 35689), dated September 24, 1974, are hereby revoked.

Any official actions taken prior to the effective date hereof by officers duly authorized pursuant to delegations revoked hereunder are hereby continued in effect, according to their terms until modified, revoked, or superseded by action of the officer to whom I have delegated relevant authority in this delegation.

Actions within the scope of this delegation and any redelegations hereunder heretofore taken by the officials designated in such delegation or redelegations are hereby ratified and confirmed.

This redelegation of authority shall be effective February 7, 1975.

Dated: February 7, 1975.

HUGH L. DWELLEY,
Acting Director,
Office of Contract Management.

[FR Doc.75-10590 Filed 4-22-75;8:45 am]

[Delegation of Authority No. 108]

ASSISTANT ADMINISTRATOR FOR POPULATION AND HUMANITARIAN ASSISTANCE

Delegation of Authority

Pursuant to the authority delegated to me by Delegation of Authority No. 104, dated November 3, 1961, (26 FR 10608) as amended, from the Secretary of State, I hereby delegate to the Assistant Administrator for Population and Humanitarian Assistance, with authority to redelegate to such officers as he may designate, the authority to accept all donations of money made available by gift, devise, bequest, grant or otherwise, for purposes of humanitarian relief activities and to use such donations in furtherance of such purposes, including grants to voluntary agencies for humanitarian relief activities.

Dated: April 16, 1975.

DANIEL PARKER,
Administrator.

[FR Doc.75-10591 Filed 4-22-75;8:45 am]

[Public Notice CM-5138]

UNITED STATES NATIONAL COMMITTEE FOR THE PREVENTION OF MARINE POLLUTION

Meeting

The United States National Committee for the Prevention of Marine Pollution will hold an open meeting at 9:30 a.m. on Thursday, May 15, 1975, in Room 6200 of the Department of Transportation, 400 7th Street, SW., Washington, D.C.

The agenda for the meeting will include preparations for the Third Session of the Marine Environment Protection Committee of the Intergovernmental Maritime Consultative Organization. Special emphasis will be placed on the development of the U.S. position on the means for ensuring the provision and maintenance of adequate reception facilities in ports, consideration of draft revised performance standards for oily water separating equipment and oil content meters, and studies of procedures and arrangements for the discharge of noxious liquid substances.

Requests for further information on the meeting should be directed to Captain D. Hintze of the United States Coast Guard. He may be reached by telephone on (area code 202) 426-2280.

RICHARD K. BANK,
Chairman, Shipping Coordinating Committee.

APRIL 16, 1975.

[FR Doc.75-10589 Filed 4-22-75;8:45 am]

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

INSURED BANKS

Joint Call for Report of Condition

CROSS REFERENCE: For a document pertaining to the joint call for report of condition of insured banks, issued jointly by the Federal Deposit Insurance Corporation, the Federal Reserve System, and the Comptroller of the Currency, see FR Doc. 75-10537, *infra*.

Internal Revenue Service

EMPLOYEE BENEFIT PLANS

Extension of Interim Exemption from Prohibitions on Securities Transactions With Certain Broker-Dealers, Reporting Dealers and Banks

CROSS REFERENCE: For a document concerning an extension of and a proposal to extend an exemption by both the Internal Revenue Service and the Department of Labor relating to certain securities transactions between employee benefit plans and certain broker-dealers, reporting dealers and banks from the prohibited transaction provisions of section 4975 of the Internal Revenue Code of 1954 and section 406 of the Employee Retirement Income Security Act of 1974, see FR Doc. 75-10666, *infra*.

DEPARTMENT OF LABOR

Labor-Management Services Administration

EMPLOYEE BENEFIT PLANS

Extension of Interim Exemption From Prohibitions on Securities Transactions With Certain Broker-Dealers, Reporting Dealers and Banks

Notice is hereby given of an extension of and a proposal to extend the exemption granted under the authority of sec-

tion 408(a) of the Employee Retirement Income Security Act of 1974 and section 4975(c)(2) of the Internal Revenue Code of 1954, relating to certain securities transactions between employee benefit plans subject to Title I and Title II of the Act and certain broker-dealers, reporting dealers and banks.

Notice of the granting of the exemption currently in effect was published in the FEDERAL REGISTER on February 4, 1975 (40 FR 5201). As indicated in that notice, the existing interim exemption was granted in order to prevent the harm to employee benefit plans and to the interests in plans of participants and beneficiaries which, in all likelihood, would result from the immediate and full application of all of the prohibited transactions provisions set forth in Title I and Title II of the Act. The existing interim exemption is based upon a record which includes the written comments submitted in response to notices of an exemption proceeding published in the FEDERAL REGISTER on January 13, 1975 (40 FR 2483 and 2455, respectively), and the testimony received at the public hearing held on January 21, 1975.

The Department of Labor and the Internal Revenue Service have been considering several applications proposing permanent exemptions, submitted under section 408(a) of the Act and section 4975(c)(2) of the Code relating to securities transactions involving employee benefit plans and broker-dealers, reporting dealers and banks. In order to afford all interested persons an opportunity to submit proposals for permanent exemptions relating to such transactions, and in order to provide an opportunity for the Department of Labor and the Internal Revenue Service to consider them, the Department of Labor and the Internal Revenue Service propose herein to extend the existing interim exemption through the period ending September 30, 1975.

It is requested that all applications for permanent exemptions relating to the securities transactions under consideration herein be submitted on or before May 31, 1975. All such applications will be available for public inspection and copying through the Internal Revenue Service in accordance with procedures similar to procedures of 26 CFR 601.702(d)(9).

All interested persons are invited to submit written comments concerning the proposed extension of the existing interim exemption by May 12, 1975. Any interested person may, on or before May 12, 1975, submit a written request that a hearing be held relating to the proposed extension. Such written request should state the reasons for such person's request for a hearing and the nature of such person's interest in the matter.

Written comments and requests for a hearing pertaining to the proposed extension (preferably six copies, three of which will be forwarded by the Internal Revenue Service to the Department of Labor) should be submitted to the Commissioner of Internal Revenue, Attention: E:EP:T, Washington, D.C. 20224. Every written comment and every request for hearing submitted in response to this notice will be made part of the record, will be subject in its entirety to public inspection, and will be made available for copying through the Internal Revenue Service in accordance with procedures similar to those set forth in 26 CFR 601.702(d)(9).

In addition, in order to allow plans to continue to receive such investment advice from broker-dealers, reporting dealers and banks with which they engage in principal transactions until the date final action is taken on the proposed extension through September 30, 1975, the Department of Labor and the Internal Revenue Service have determined to extend the existing interim exemption for the period between April 30, 1975 and June 17, 1975. The Department of Labor and the Internal Revenue Service have noted, however, and made part of the record the recent adoption of rule 19b-3 under the Securities Exchange Act of 1934 (17 CFR 240.19b-3, 40 FR 7394, February 20, 1975) which mandates elimination of fixed minimum exchange brokerage commissions as of May 1, 1975, and have also noted the uncertain effect such elimination may have on the language used in paragraph (b)(1) of the existing interim exemption to describe certain investment advice. For the period of the extension through June 16, 1975, the Department of Labor and the Internal Revenue Service do not intend to narrow or enlarge the extent to which the existing interim exemption for the period from February 15, 1975 through April 30, 1975 permits broker-dealers, reporting dealers and banks to engage in transactions for the purchase or sale of securities with plans to which they render investment advice. Therefore, the language used in that provision of the interim exemption (as extended for the period between April 30, 1975 and June 17, 1975) which corresponds to paragraph (b)(1) of the existing interim exemption has been modified accordingly.

In accordance with section 408(a) of the Act and section 4975(c)(2) of the Code, in view of the foregoing, and based upon the entire record, including the written comments submitted in response to the notice dated January 13, 1975, and the testimony at the public hearing, the Department of Labor and the Internal Revenue Service make the following findings and determinations:

(1) The extension of the interim exemption through June 16, 1975, is administratively feasible;

(2) It is in the interest of the plans and of their participants and beneficiaries; and

(3) It is protective of the rights of participants and beneficiaries of plans.

Accordingly, the interim exemption published on February 4, 1975, in the FEDERAL REGISTER (40 FR 5201, FR Doc. 75-3340) pursuant to the authority of section 408(a) of the Employee Retirement Income Security Act of 1974 and section 4975(c)(2) of the Internal Revenue Code of 1954, is hereby extended by inserting in the interim exemption a new paragraph (c) after paragraph (b), by redesignating existing paragraph (c) of the interim exemption (relating to a definition of "affiliates") as paragraph (d), and by amending the first sentence of redesignated paragraph (d), as set forth below.

* * * * *

(c) *Period ending June 16, 1975.* With respect to a broker-dealer, reporting dealer, or bank, within the meaning of paragraph (a) of this document, any purchase or sale of a security between an employee benefit plan and such a broker-dealer, reporting dealer, or bank, which has a final settlement date after April 30, 1975, but before June 17, 1975, if the requirements of paragraph (a)(1), (2), (3), and (4) of this document are met and if such broker-dealer, reporting dealer, or bank does not render investment advice to the plan and does not have any discretionary authority or discretionary control respecting management of the plan or disposition of the assets of the plan. For purposes of this paragraph, such a broker-dealer, reporting dealer, or bank shall not be deemed to be rendering investment advice or having any such discretionary authority or discretionary control solely because it does one or more of the following:

(1) It renders advice to a plan, whether or not for special compensation, which (i) is solely incidental to the conduct of its business as a broker or dealer, limited, however, in the case of a bank, to the conduct of that part of its business consisting of dealing in Government securities, and (ii) if the advice had been rendered prior to May 1, 1975, the broker or dealer customarily would have received no special compensation therefor (within the meaning of section 202(a)(11)(C) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2(a)(11)(C))):

(2) It provides services which enable a plan to evaluate its portfolio performance;

(3) It provides securities custodial services for a plan;

(4) It executes purchases or sales of securities on behalf of a plan in the ordinary course of its business as a broker, dealer, or bank, pursuant to instructions of an unrelated fiduciary if such instructions specify the security to be purchased or sold, a price range within which such security is to be purchased or sold, a time span during which such security may be purchased or sold (not to exceed five business days), and the minimum or maximum quantity of such security which may be purchased or sold within such price range.

(d) *Affiliates.* For purposes of paragraphs (a), (b) and (c) of this document, an affiliate of any broker-dealer, reporting dealer, or bank shall be treated as the same entity as such broker-dealer, reporting dealer, or bank. * * *

In addition, pursuant to the authority of section 408(a) of the Employee Retirement Income Security Act of 1974 and Section 4975(c)(2) of the Internal Revenue Code of 1954, the interim exemption published on February 4, 1975

in the FEDERAL REGISTER (40 FR 5201, FR Doc. 75-3340), as extended through June 16, 1975 by this notice, is hereby proposed to be extended by changing the date "June 16, 1975" to read "September 30, 1975" and by changing the date "June 17, 1975" to read "October 1, 1975" in paragraph (c)(1) of such interim exemption.

Signed at Washington, D.C. this 21st day of April 1975.

PAUL J. FASSER, Jr.,
Assistant Secretary of Labor for Labor-Management Relations.

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

[FR Doc.75-10666 Filed 4-21-75;11:08 am]

Office of the Secretary

ADVISORY COMMITTEE ON WOMEN TO THE SECRETARY OF LABOR

Meeting

It is hereby announced that a meeting will be held by the Advisory Committee on Women to the Secretary of Labor, pursuant to the Secretary's establishment of the Committee on September 12, 1973 under sec. 9(c) of the Federal Advisory Committee Act (Pub. L. 92-463).

The meeting will convene at 10 a.m. on May 5, 1975 in Conference Room S-5215-C in the New Department of Labor Building, 200 Constitution Avenue NW., Washington, D.C.

Subjects to be discussed during the meeting will be scheduled in the following order: (Tentative Agenda) Economic Impact on the Status of Women; Comprehensive Employment and Training Act; and Discussion, Recommendations, and Future Programs.

The meeting will continue on May 6, 1975 at 9:15 a.m. in the Family Theater of the White House where a report of the Committee's activities will be made. The afternoon session will reconvene at 2 p.m. in Conference Room S-5215-C in the New Department of Labor Building.

Members of the public are invited to attend the discussions. Any written data, views or arguments pertaining to the agenda must be received on or before April 28, 1975 by the Committee's executive secretary. Twenty duplicate copies are needed for the members and for inclusion in the minutes of the meeting.

Persons wishing to address the Committee members during the meeting should submit to the executive secretary no later than April 28, 1975 a request to be heard, stating the nature of their intended presentation and the amount of time needed. The chairperson will announce at the beginning of the meeting the extent to which time will permit the granting of such requests.

Communications to the executive secretary should be addressed as follows:

Elaine Ambrose, Executive Secretary
Advisory Committee on Women to the Secretary of Labor
Department of Labor Building, Room S-3002
Washington, D.C. 20210

Signed at Washington, D.C., this seventeenth day of April 1975.

CARMEN R. MAYMI,
Director, Women's Bureau and Executive Chairperson, Advisory Committee on Women to the Secretary of Labor.

[FR Doc.75-10556 Filed 4-22-75;8:45 am]

[Order 3-75]

DEPARTMENT OF LABOR TRADE ACT POLICY COMMITTEE

Delegation of Authority and Assignment of Responsibility Under Trade Act of 1974 and Establishment

1. *Purpose.* To delegate authority and assign responsibility for carrying out functions and responsibilities vested in the Secretary of Labor pursuant to the Trade Act of 1974 (Pub. L. 93-618), related legislation and Executive Orders, and to establish a Department of Labor Trade Act Policy Committee.

2. *Background.* The Trade Act of 1974 demonstrates the deep commitment of the United States to an open world economic order and interdependence as essential conditions of mutual economic health. An expansion of the international flow of goods and services will help reduce international tensions caused by trade disputes and will mean more and better jobs for American workers with additional purchasing power for the American consumers. For those sectors of the economy which may suffer from increased imports, the Act provides for import relief and for effective adjustment assistance for firms, communities, and workers.

3. *Delegation of Authority and Assignment of Responsibility.*

a. "The Deputy Under Secretary for International Affairs" is hereby delegated authority and assigned responsibility for coordinating, monitoring, and insuring that the functions of the Secretary of Labor under the Trade Act of 1974 are carried out, and consistent with the delegations made herein. In addition, the Deputy Under Secretary for International Affairs is responsible for carrying out specific functions of the Secretary under the Act, except as hereinafter provided, including the following:

(1) Oversee the development and promulgation of Secretary of Labor regulations required to implement the Act.

(2) Oversee the development and promulgation of program performance standards relating to the conduct of certification investigations, public hearings, issuance of notice of certification decisions, delivery of program benefits, and other processes involved in the administration of the trade adjustment assistance program.

(3) Oversee the performance of the following functions by the Bureau of International Labor Affairs (ILAB):

(a) The initiation of an investigation upon receipt of a petition for a certification of eligibility to apply for adjustment assistance for workers and the conduct of public hearings upon receipt of request for such hearings.

(b) The determination of eligibility of groups of workers to apply for adjustment assistance and the publication of the determinations in the Federal Register.

(c) Such research and studies as are necessary, utilizing BLS and other data sources, to ensure that potential areas for future petitions are identified so that time required in processing certifications is minimized.

(d) The initiation of studies required by section 224 of the Act whenever the International Trade Commission begins an investigation pursuant to the provision of section 201 of the Act.

(e) The establishment of a system to insure that affected workers are fully informed about programs available to assist them, and the provision of assistance in the preparation of petitions.

(f) The establishment of such labor advisory committees as may be appropriate to implement section 135 of the Act, and the provision of necessary secretariat services.

(g) The direction and coordination of the Department's participation in the administration of the trade agreements program.

(h) Assisting the Comptroller General of the United States in the conduct of a study of the adjustment assistance programs pursuant to section 280 of the Act.

(4) Establish any other activity regarded essential to the carrying out of the Department's responsibilities under the Trade Act.

(5) Provide information and advice to the President, or his representative, pursuant to section 132 of the Act, before any trade agreement is entered into.

(6) Submit reports and recommendations to the Secretary with respect to administration of the Act and particularly the Department's responsibilities thereunder.

b. "The Assistant Secretary for Manpower" is delegated authority and assigned responsibility for providing:

(1) Through State Employment Security Agencies or other appropriate agencies:

(a) Cash benefits to eligible workers as expeditiously as possible after application by workers for such benefits.

(b) A full range of basic employment services.

(c) A full range of manpower training programs for eligible workers.

(d) Cash allowances to assist the job search efforts of eligible workers who are seeking employment in another geographic area, and relocation allowances for eligible workers.

(2) Technical assistance and training to State Employment Security Agencies and other appropriate agencies, on a case-by-case basis, and in other situations as necessary to assure prompt and efficient administration of the benefit provisions of the Act for eligible workers.

(3) In the absence of an agreement with any State or its agency, a system for performing functions required to provide benefits to eligible workers.

(4) A system for continual monitoring of State agency or other appropriate agency, program administration in cooperation with ILAB.

(5) A system of program and financial reporting on trade adjustment assistance activities in cooperation with ILAB.

(6) The development and carrying out, in cooperation with ILAB, of a program to inform and assist workers with respect to the trade adjustment assistance program, including a program of early detection of import injury.

c. "The Commissioner of Labor Statistics" is delegated authority and assigned responsibility for:

(1) Pursuant to section 282 of the Act, developing, in cooperation with representatives of the Department of Commerce, an import monitoring system and publishing and distributing a summary of the information gathered under this section.

(2) Working with other appropriate agencies of the Government as required to develop uniform statistics on imports, exports, and production to facilitate comparisons.

d. "The Solicitor of Labor" shall have responsibility for providing legal advice and assistance to all officers of the Department in connection with the carrying out of their responsibilities herein assigned.

4. *"Establishment of Trade Act Policy Committee."* There is hereby established a Department of Labor Trade Act Policy Committee.

a. *Chairman.* Deputy Under Secretary for International Affairs.

b. *Members.*

Assistant Secretary for Manpower
Commissioner of Labor Statistics
Executive Assistant to the Secretary
Executive Assistant to the Under Secretary.

c. *Function.* The Department of Labor Trade Act Policy Committee will deal with and make recommendations to the Secretary on issues arising in connection with administration of the Trade Act.

5. *Reservations of authority.* Reserved to the Secretary are the following:

a. Submission of reports to the President and the Congress, including recommendations as appropriate, with respect to administration of the Trade Act of 1974, and particularly the Department of Labor responsibilities thereunder.

b. Entering into agreements with any State, or with any State agency, who will act as agent of the United States in carrying out Department of Labor responsibilities under the Act.

c. Entering into necessary agreements with agencies of the Federal Government, as required, to carry out responsibilities under the Act.

6. *Effective date.* This Order is effective immediately.

Signed at Washington, D.C., on this 9th day of April 1975.

JOHN T. DUNLOP,
Secretary of Labor.

[FR Doc.75-10550 Filed 4-22-75;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Navy

NAVAL WAR COLLEGE BOARD OF ADVISORS

Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given that the Naval War College Board of Advisors will hold an open meeting on May 16, 1975, at the Naval War College, Newport, Rhode Island. The meeting will commence at 9 a.m. and terminate at 12 noon. The purpose of the meeting is to examine educational, doctrinal, and research policies and programs.

Dated: April 15, 1975.

WILLIAM O. MILLER,
Rear Admiral, JAGC, U.S. Navy,
Deputy Judge Advocate General.

[FR Doc.75-10583 Filed 4-22-75;8:45 am]

Office of the Secretary

ACQUISITION ADVISORY GROUP

Establishment, Organization and Functions

In accordance with the provisions of Pub. L. 92-463, Federal Advisory Committee Act, notice is hereby given that the establishment of the Acquisition Advisory Group has been found to be in the public interest in connection with the performance of duties imposed on the Department of Defense by law. The Office of Management and Budget has also reviewed the justification for this advisory committee and concurs with its establishment.

The nature and purpose of the Acquisition Advisory Group is set forth below:

The Acquisition Advisory Group has been assigned the task of examining and assessing the recommendations made in the reports of the Army Materiel Acquisition Review Committee, dated April 1, 1974, and of the Navy Marine Corps Acquisition Review Committee, dated January 1975, as well as recommendations of the Secretary of the Air Force relative to major weapon systems acquisitions insofar as those recommendations suggest changes of current procedures or policies of the Secretary of Defense. The recommendations made in these reports are expected to improve the weapon systems acquisition process in the military departments. Some of the recommendations, if implemented, would impinge on the activities, procedures, operations and Secretary of Defense. Accordingly, a group of independent but knowledgeable individuals familiar with the duties and responsibilities of the various components of the Office of the Secretary of Defense has been commissioned to assess the feasibility and desirability of adopting such recommendations.

The Charter of the Acquisition Advisory Group provides for meeting at periodic intervals and indicates that the total estimated time required to complete its purpose is 120 days. The Group will report its findings to the Deputy Secretary of Defense.

Because the implementation of the AMARC and NMARC recommendations is proceeding in the Army and the Navy, it is essential that the Secretary of Defense be provided with recommendations concerning OSD procedures as soon as possible to insure cohesive interface of the program within the Department of Defense. In accordance with section 6(a) of OMB Circular A-63, OMB has waived the waiting period between publication of the notice and the filing of the charter.

MAURICE W. ROCHE,
Director, Correspondence and
Directives, OASD (Comptroller).

APRIL 18, 1975.

[FR Doc.75-10592 Filed 4-22-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

RAISIN ADVISORY BOARD

Public Meeting

Under the Federal Advisory Committee Act (Pub. L. 92-463; 86 Stat. 770), notice is given of a meeting of the Raisin Advisory Board at 1:30 p.m., May 15, 1975, in Concourse B and C of the Airport Marina Hotel, 5115 East McKinley Street, Fresno, California.

The purpose of the meeting is to: Elect Raisin Advisory Board officers; make nominations for membership on the Raisin Administrative Committee; discuss sending a delegation to the International Sultana Conference meeting to be held in Torquay, England, in June; review reserve pool operations and the export incentive program; receive a report on water-dipped raisins; and discuss possible amendments to the marketing order. The meeting will be open to the public.

The Raisin Advisory Board is established under the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

The names of Board members, agenda, summary of the meeting and other information pertaining to the meeting may be obtained from Clyde E. Nef, Manager, Raisin Administrative Committee, 732 North Van Ness Street, Fresno, California 93720; telephone 209-268-5666.

Dated: April 18, 1975.

JOHN C. BLUM,
Associate Administrator.

[FR Doc.75-10603 Filed 4-22-75;8:45 am]

Forest Service

RED ROCK PEAK PLANNING UNIT

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of

1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for Red Rock Peak Planning Unit, Salmon National Forest, Idaho. The Forest Service report number is USDA–FS–FES (Adm) R4–75–5.

A final environmental statement has been prepared on the proposed land use plan of the Red Rock Peak Planning Unit in the Salmon National Forest, Lemhi County, Idaho. Approximately 120,330 acres are involved and have been divided into four management areas. The plan sets forth the allocation of land to various uses and activities; establishes objectives; and documents management direction, decisions, and coordination.

This final environmental statement was transmitted to CEQ on April 16, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Room 3230
12th St. & Independence Ave., SW.
Washington, D.C. 20250.

Regional Planning Office
USDA, Forest Service
Federal Building, Room 4403
324–25th Street
Ogden, Utah 84401

Forest Supervisor
Salmon National Forest
Forest Service Building
P.O. Box 729
Salmon, Idaho 83467

District Forest Ranger
Cobalt Ranger District
Salmon, Idaho 83467

A limited number of single copies are available upon request to Forest Supervisor John L. Emerson, Salmon National Forest, P.O. Box 729, Salmon, Idaho 83467.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

Dated: April 16, 1975.

P. M. Rees,
Regional Planner.

[FR Doc.75–10538 Filed 4–22–75;8:45 am]

Rural Electrification Administration

EMPIRE TELEPHONE CO., COMER, GA.

Proposed Loan Guarantee

Under the authority of Pub. L. 93–32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in REA Bulletin 320–22, "Guarantee of Loans for Telephone Facilities," dated February 4, 1975, published in proposed form in the Federal Register, September 16, 1974, (Vol. 39 No. 180, 39 FR 33228–33229) notice is hereby given that the Administrator of REA will consider providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of $5,200,000 to Empire Telephone Company, Comer, Georgia. The loan funds will be used to finance the construction of facilities to extend telephone service to new subscribers, and improve telephone service for existing subscribers.

Legally organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information and details of the proposed project from Mr. Alex N. Burousas, President, Empire Telephone Company, P.O. Box 127, Comer, Georgia 30629.

To assure consideration, proposals must be submitted on or before May 23, 1975, to Mr. Alex N. Burousas. The right is reserved to give such consideration and make such evaluation or other disposition of all proposals received, as the Empire Telephone Company and REA deem appropriate. Prospective lenders are advised that financing for this project is available from the Federal Financing Bank under a standing loan commitment agreement with the Rural Electrification Administration.

Copies of REA Bulletin 320–22 are available from the Director, Information Services Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C., this 16th day of April, 1975.

David A. Hamil,
Administrator, Rural Electrification Administration.

[FR Doc.75–10547 Filed 4–22–75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

TELECOMMUNICATIONS EQUIPMENT TECHNICAL ADVISORY COMMITTEE

Partially Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. III, 1973), notice is hereby given that a meeting of the Telecommunications Equipment Technical Advisory Committee will be held Wednesday, May 28, 1975, at 10:00 a.m., in Room 3708, Main Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C.

The Telecommunications Equipment Technical Advisory Committee was initially established on April 5, 1973. On March 12, 1975, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee for two additional years, pursuant to section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) (Supp. III, 1973) and the Federal Advisory Committee Act.

The Committee meeting agenda has six parts:

General Session

(1) Opening remarks by the Chairman.

(2) Presentation of papers or comments by the public.

(3) Report on the impact of present Office of Export Administration licensing controls on the export of avionics equipment.

(4) Foreign availability as reflected in the present status and future plans of the Polish Telecommunications Industry.

(5) Nomination and election of a new Chairman.

Executive Session

(6) Discussion of matters properly classified under Executive Order 11652, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

The public will be permitted to attend the General Session, at which a limited number of seats will be available to the public. To the extent time permits members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting.

With the respect to agenda item (6), the Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on February 25, 1975, pursuant to section 10(d) of the Federal Advisory Committee Act that the matters to be discussed in the Executive Session should be exempt from the provisions of the Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552(b)(1), i.e., it is specifically required by Executive Order 11652 that they be kept confidential in the interest of the national security. All materials to be reviewed and discussed by the Committee during the Executive Session of the meeting have been properly classified under the Executive Order. All Committee members have appropriate security clearances.

Minutes of the open portion of the meeting will be available upon written request addressed to the Central Reference and Records Inspection Facility, Room 7043, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Domestic and International Business Administration, Room 1620, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202/967–4196.

In accordance with paragraph (4) of the Order of the United States District Court for the District of Columbia in "Aviation Consumer Action Project, et al., v. C. Langhorne Washburn, et al.," September 10, 1974, as amended, September 23, 1974 (Civil Action No. 1838–73), the Complete Notice of Determination to close portions of the meetings of the Telecommunications Equipment Technical Advisory Committee and of any subcommittees thereof is hereby published.

Dated: April 18, 1975.

Rauer H. Meyer,
Director, Office of Export Administration, Bureau of East-West Trade.

Telecommunications Equipment Technical Advisory Committee

Notice of Determination

In response to written requests of representatives of a substantial segment of the

telecommunications industry, the Telecommunications Equipment Technical Advisory Committee was established by the Secretary of Commerce pursuant to section 5(c)(1) of the Export Administration Act of 1969, 50 U.S.C. App. Section 2404(c)(1) (Supp. III, 1973), as amended, Public Law No. 93-500, section 5(b) (October 29, 1974), to advise the Department of Commerce with respect to questions involving technical matters, worldwide availability, and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to telecommunications equipment, including technical data related thereto, and including those whose export is subject to multilateral (COCM) controls.

The Committee, which currently has six members representing industry and eight members representing government agencies, will terminate no later than April 5, 1977, unless extended by the Secretary of Commerce. All members of the Committee have the appropriate security clearance.

The Committee's activities are conducted in accordance with the provisions of section 5(c)(1) of the Export Administration Act of 1969, as amended, the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. III, 1973), and Office of Management and Budget Circular A-63 (Revised), Advisory Committee Management, effective May 1, 1974. Section 10 of the Federal Advisory Committee Act provides, among other things, that the meetings of advisory committees are to be open to the public, and to public participation, unless the head of the agency (or his delegate) to which the committee reports determines in writing that all, or some portion, of the agenda of the meeting of the committee is concerned with matters listed in section 552(b) of Title 5 of the United States Code.

Section 552(b)(1) of Title 5, United States Code, provides that information may be withheld from the public if it concerns matters specifically required by Executive Order to be kept secret in the interest of the national defense or foreign policy, and are in fact properly classified pursuant to such Executive Order.

Notices of Determination authorizing the closing of meetings, or portions thereof, of the Telecommunications Equipment Technical Advisory Committee and its formal subcommittees, dealing with security classified matters, were approved on June 12, 1973 for the meeting of June 27, 1973; on September 10, 1973 for the meeting of September 26, 1973; on November 28, 1973, covering a series of meetings for the period November 28, 1973 to April 30, 1974; and on May 16, 1974 for a series of meetings from May 1, 1974 through January 3, 1975; and on December 16, 1974 for a series of meetings from January 4 through April 4, 1975.

In order to provide advice to the Department under the terms of its charter, the committee and formal subcommittees thereof will continue to hold a series of meetings dealing with the matters set forth in the first paragraph of this Determination. These meetings will include discussions of the COCOM control list as it relates to the commodities and technical data under its purview, and with the foreign availability of committees will be preparing recommendathese commodities and technical data. In addition, the Committee and its formal subtions for the Department's consideration relating to the U.S. Government's negotiating position on COCOM-related matters. Much of the information relating to the COCOM control list, as well as proposed changes, is now or will be security classified for national security or foreign policy reasons, pursuant to Executive Order No. 11652, 3 CFR Part 339 (1974). In order for the Committee and its formal subcommittees to provide required advice to the U.S. Government, it will be necessary to provide the Committee and its formal subcommittees with such classified material. Therefore, the portions of the series of meetings of the Committee and of subcommittees thereof that will involve discussions of matters specifically authorized under criteria established by an executive order to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such executive order, must be closed to the public. The remaining portions of the series of meetings will be open to the public.

Accordingly, I hereby determine, pursuant to section 10(d) of the Federal Advisory Committee Act that those portions of the Series of meetings of the Committee and of any subcommittees thereof, dealing with the aforementioned classified materials shall be exempt, for the period April 5, 1975 to April 4, 1976, from the provisions of section 10(a)(1) and (a)(3), relating to open meetings and public participation therein, because the Committee and subcommittee discussions will be concerned with matters listed in Section 552(b)(1) of Title 5, United States Code. The remaining portions of the meetings will be open to the public.

Dated: February 25, 1975.

GUY W. CHAMBERLIN, JR.,
Acting Assistant Secretary for Administration.

Dated: February 20, 1975.

ALFRED MEISNER,
Acting General Counsel.

[FR Doc.75-10559 Filed 4-22-75;8:45 am]

National Bureau of Standards

FEDERAL INFORMATION PROCESSING STANDARDS COORDINATING AND ADVISORY COMMITTEE

Meeting

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. III, 1973), notice is hereby given that the Federal Information Processing Standards Coordinating and Advisory Committee (FIPSCAC) will hold a meeting from 9:00 a.m. to 1:00 p.m. on Wednesday, June 4, 1975, in Dining Room C, Administration Building, of the National Bureau of Standards, in Gaithersburg, Maryland.

The purpose of the meeting is to review the actions of the Federal Information Processing Standards (FIPS) Task Groups and to consider other matters relating to Federal Information Processing Standards.

The public will be permitted to attend, to file written statements, and, to the extent time permits, to present oral statements. Persons planning to attend should notify Joseph O. Harrison, Jr., Institute for Computer Sciences and Technology, National Bureau of Standards, Washington, D.C. 20234, (phone 301-921-3551).

Dated: April 17, 1975.

RICHARD W. ROBERTS,
Director.

[FR Doc.75-10552 Filed 4-22-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ADVISORY COMMITTEES

Meetings

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; 5 U.S.C. App. I), the Food and Drug Administration announces the following public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a) (1) and (2) of the act:

Committee name	Date, time, place	Type of meeting and contact person
1. Subcommittees of the Biometric and Epidemiological Methodology Advisory Committee and the Obstetrics and Gynecology Advisory Committee.	April 30, 8:30 a.m., Conference Room G, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open 8:30 a.m. to 9:30 a.m., closed after 9:30 a.m., A. T. Gregoire, Ph.D., (HFD-130), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3510.

Purpose. Biometric and Epidemiological Methodology Advisory Committee: Advises the Commissioner of Food and Drugs on the extramural and intramural research in the area of epidemiological and biometric methodology and provides a resource of statistical consultants for FDA evaluation programs. Obstetrics and Gynecology Advisory Committee: Reviews and evaluates all available data on the safety and effectiveness of presently marketed and new prescription drug products proposed for marketing for use in the practice of obstetrics and gynecology.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Discussion of medroxyprogesterone acetate, injectable, as a contraceptive and the possible risk of cancer-in-situ of the cervix (NDA 12-541).

NOTE: Less than 15 days' notice is being given for this meeting since the date was selected immediately following the open hearing of April 7 at which time interested members of the public were invited to present their views on the subject above.

Committee name	Date, time, place	Type of meeting and contact person
2. Obstetrics and Gynecology Advisory Committee.	May 14 and 15, 9 a.m., Conference Room G-H, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open May 14, 9 a.m. to 10 a.m., closed May 14 after 10 a.m., open May 15, A. T. Gregoire, Ph.D., (HFD-130), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3510.

Purpose. Reviews and evaluates all available data on the safety and effectiveness of presently marketed and new prescription drug products proposed for marketing for use in the practice of obstetrics and gynecology.

Agenda. Open session: (May 14) Comments and presentations by interested persons. Closed session: (May 14) Discussion of subcommittee report medroxyprogesterone acetate, injectable, for contraception and the risk of cervical cancer-in-situ (NDA 12-541); and IND 6380 (Upjohn Co.) sterile solution for labor induction. Open session: (May 15) Discussion of obstetrical drugs "How Safe is Safe" and testosterone enanthate—evaluation as a male contraceptive.

Agenda items are subject to change as priorities dictate.

During the open sessions shown above, interested persons may present relevant information or views orally to any committee for its consideration. Information or views submitted to any committee in writing before or during a meeting shall also be considered by the committee.

A list of committee members and summary minutes of meetings may be obtained from the contact person for the committee both for meetings open to the public and those meetings closed to the public in accordance with section 10(d) of the Federal Advisory Committee Act.

Most Food and Drug Administration advisory committees are created to advise the Commissioner of Food and Drugs on pending regulatory matters. Recommendations made by the committees on these matters are intended to result in action under the Federal Food, Drug, and Cosmetic Act, and these committees thus necessarily participate with the Commissioner in exercising his law enforcement responsibilities.

The Freedom of Information Act recognized that the premature disclosure of regulatory plans, or indeed internal discussions of alternative regulatory approaches to a specific problem, could have adverse effects upon both public and private interests. Congress recognized that such plans, even when finalized, may not be made fully available in advance of the effective date without damage to such interests, and therefore provided for this type of discussion to remain confidential. Thus, law enforcement activities have long been recognized as a legitimate subject for confidential consideration.

These committees often must consider trade secrets and other confidential information submitted by particular manufacturers which the Food and Drug Administration by law may not disclose, and which Congress has included within the exemptions from the Freedom of Information Act. Such information includes safety and effectiveness information, product formulation, and manufacturing methods and procedures, all of which are of substantial competitive importance.

In addition, to operate most effectively, the evaluation of specific drug or device products requires that members of committees considering such regulatory matters be free to engage in full and frank discussion. Members of committees have frequently agreed to serve and to provide their most candid advice on the understanding that the discussion would be private in nature. Many experts would be unwilling to engage in candid public discussion advocating regulatory action against a specific product. If the committees were not to engage in the deliberative portions of their work on a confidential basis, the consequent loss of frank and full discussion among committee members would severely hamper the value of these committees.

The Food and Drug Administration is relying heavily on the use of outside experts to assist in regulatory decisions. The Agency's regulatory actions uniquely affect the health and safety of every citizen, and it is imperative that the best advice be made available to it on a continuing basis in order that it may most effectively carry out its mission.

A determination to close part of an advisory committee meeting does not mean that the public should not have ready access to these advisory committees considering regulatory issues. A determination to close the meeting is subject to the following conditions: First, any interested person may submit written data or information to any committee, for its consideration. This information will be accepted and will be considered by the committee. Second, a portion of every committee meeting will be open to the public, so that interested persons may present any relevant information or views orally to the committee. The period for open discussion will be designated in any announcement of a committee meeting. Third, only the deliberative portion of a committee meeting, and the portion dealing with trade secret and confidential information, will be closed to the public. The portion of any meeting during which nonconfidential information is made available to the committee will be open for public participation. Fourth, after the committee makes its recommendations and the Commissioner either accepts or rejects them, the public and the individuals affected by the regulatory decision involved will have an opportunity to express their views on the decision. If the decision results in promulgation of a regulation, for example, the proposed regulation will be published for public comment. Closing a committee meeting for deliberations on regulatory matters will therefore in no way preclude public access to the committee itself or full public comment with respect to the decisions made based upon the committee's recommendation.

The Commissioner has been delegated the authority under section 10(d) of the Federal Advisory Committee Act to issue a determination in writing, containing the reasons therefor, that any advisory committee meeting is concerned with matters listed in 5 U.S.C. 552(b), which contains the exemptions from the public disclosure requirements of the Freedom of Information Act. Pursuant to this authority, the Commissioner hereby determines, for the reasons set out above, that the portions of the advisory committee meetings designated in this notice as closed to the public involve discussion of existing documents falling within one of the exemptions set forth in 5 U.S.C. 552(b), or matters that, if in writing, would fall within 5 U.S.C. 552(b), and that it is essential to close such portions of such meetings to protect the free exchange of internal views and to avoid undue interference with Agency and committee operations. This determination shall apply only to the designated portions of such meetings which relate to trade secrets and confidential information or to committee deliberations.

Dated: April 17, 1975.

A. M. SCHMIDT,
Commissioner of Food and Drugs.

[FR Doc.75-10534 Filed 4-22-75;8:45 am]

[DESI 10367; Docket No. FDC-D-635; NDA 10-367, etc.]

CERTAIN ANTIINFECTIVE DRUG PREPARATIONS CONTAINING CHLORQUINALDOL AND HYDROCORTISONE; OR TRICLOBISONIUM CHLORIDE AND HYDROCORTISONE

Withdrawal of Approval of New Drug Applications

In a notice of opportunity for hearing (DESI 10637) which was published in the FEDERAL REGISTER of June 19, 1973 (38 FR 15986) pursuant to the Drug Efficacy Study, the Commissioner of Food and Drugs proposed to issue an order withdrawing approval of the drug products described below. The basis of the proposed action was the lack of substantial evidence that the products are effective for their labeled indications. The products have been used in various dermatologic conditions. The proposal was not contested with respect to the products listed below and approval of those new drug applications is now being withdrawn.

1. Sterosan-Hydrocortisone Cream and Ointment containing chlorquinaldol and hydrocortisone; previously marketed by Geigy Pharmaceuticals, Ciba-Geigy Corp., Saw Mill River Road, Ardsley NY 10502 (NDA 10-367).

2. Triburon HC ointment containing trichlobisonium chloride and hydrocortisone; previously marketed by Roche Laboratories Division, Hoffman-La Roche, Inc., 340 Kingsland Avenue, Nutley, NJ (NDA 11-827).

3. Triburon Hydrocortisone Cream containing trichlobisonium chloride and hydrocortisone; previously marketed by Roche Laboratories (NDA 11-924).

All drug products which are identical, related, or similar to any of the drugs named above, not the subject of an approved new drug application, are covered by the new drug applications reviewed and are subject to this notice (21 CFR 310.6). Any person who wishes to determine whether a specific product is covered by this notice should write the Food

and Drug Administration, Bureau of Drugs, Division of Drug Labeling Compliance (HFD-310), 5600 Fishers Lane, Rockville, MD 20852.

The notice of June 19, 1973 also included Dome Laboratories' Cor-Tar-Quin Lotion (NDA 11-207) and Creme containing coal tar solution, diiodohydroxyquin, and hydrocortisone (NDA 10-822). Dome Laboratories, Inc. requested a hearing concerning those two products. The notice of opportunity for hearing was subsequently rescinded and an exemption was granted setting forth conditions under which those products may remain on the market pending completion of scientific studies to determine effectiveness (39 FR 36365; October 9, 1974).

Except as stated above, no person filed a written appearance of election as provided by said notice. The failure to file such an appearance constitutes election by such persons not to avail themselves of the opportunity for a hearing.

The Director of the Bureau of Drugs, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1053, as amended; 21 U.S.C. 355), and under authority delegated to him (21 CFR 2.121), finds that on the basis of new information before him with respect to the drug products, evaluated together with the evidence available to him when the applications were approved, there is a lack of substantial evidence that the above listed drug products will have the effects they purport or are represented to have under the conditions of use prescribed, recommended or suggested in their labeling.

Therefore, pursuant to the foregoing finding, approval of new drug applications Nos. 10-367, 11-827, and 11-924, and all amendments and supplements thereto, is withdrawn effective on or before May 5, 1975.

Shipment in interstate commerce of the above products for which approval is being withdrawn, or any identical, related, or similar product, not the subject of an approved new drug application, will then be unlawful.

Dated: April 15, 1975.

J. RICHARD CROUT,
Director, Bureau of Drugs.

[FR Doc.75-10536 Filed 4-22-75;8:45 am]

[DESI 7337; Docket No. FDC-D-616; NDA No. 7-337]

COMBINATION DRUGS CONTAINING OXYCODONE WITH HOMATROPINE OR PENTYLENETETRAZOL

Withdrawal of Approval of Pertinent Parts of New Drug Application

In a notice of opportunity for hearing (DESI 7337) which was published in the FEDERAL REGISTER of December 10, 1973 (38 FR 34006) pursuant to the Drug Efficacy Study, the Commissioner of Food and Drugs proposed to issue an order withdrawing approval of those parts of the new drug application described below. The proposed action was based upon lack of substantial evidence of effectiveness. The products have been used for relief of pain. No one contested the proposed action and approval of those products is now being withdrawn.

1. That part of NDA 7-337 pertaining to Percodan Tablets containing oxycodone hydrochloride, oxycodone terephthalate, homatropine terephthalate, aspirin, phenacetin, and caffeine; Endo Laboratories, Inc., 1000 Stewart Avenue, Garden City, Long Island, NY 11530; and

2. That part of NDA 7-337 pertaining to Nucodan Tablets containing oxycodone hydrochloride, oxycodone terephthalate, homatropine terephthalate, and pentylenetetrazol; Endo Laboratories.

All identical, related, or similar drug products, not the subject of an approved new drug application, are covered by the application reviewed and are subject to this notice (21 CFR 310.6). Any person who wishes to determine whether a specific product is covered by this notice should write the Food and Drug Administration, Division of Drug Labeling Compliance (HFD-310), 5600 Fishers Lane, Rockville, MD 20852.

Neither the holder of the application nor any other person filed a written appearance of election as provided by said notice. The failure to file such an appearance constitutes election by such persons not to avail themselves of the opportunity for a hearing.

The Director of the Bureau of Drugs, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1053, as amended; 21 U.S.C. 355), and under authority delegated to him (21 CFR 2.121), finds that on the basis of new information before him with respect to the drug products, evaluated together with the evidence available to him when the application was approved, there is a lack of substantial evidence that the drug products will have the effects they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in their labeling.

Therefore, pursuant to the foregoing finding, approval of those parts of new drug application No. 7-337 as specified above and all amendments and supplements applying thereto is withdrawn effective on or before May 5, 1975.

Shipment in interstate commerce of the above-listed products or of any identical, related, or similar product, not the subject of an approved new drug application, will then be unlawful.

Dated: April 15, 1975.

J. RICHARD CROUT,
Director, Bureau of Drugs.

[FR Doc.75-10535 Filed 4-22-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 27237]

FORT MYERS-ATLANTA CASE

Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on May 20, 1975, at 10:00 a.m., (e.d.s.t.) in the Court Room in the Federal Building, 2301 First Street, Ft. Myers, Florida 33901 before the undersigned.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on February 19, 1975, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., April 18, 1975.

[SEAL] E. ROBERT SEAVER,
Administrative Law Judge.

[FR Doc.75-10600 Filed 4-22-75;8:45 am]

[Docket No. 26494, Agreement C.A.B. 25030 R-1 and R-2; Order 75-4-93]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Transpacific Proportional Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 18th day of April 1975.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Joint Traffic Conferences of the International Air Transport Association (IATA). The agreement was adopted at a proportional-fare meeting held March 11-13, 1975 in New York City.

The agreement would amend Resolutions 015a (South Pacific Proportional Fares) and 015b (North/Central Pacific Proportional Fares) to reflect changes resulting from tariff filings by U.S. domestic carriers implementing Phase 9 of the Domestic Passenger-Fare Investigation. The Board has reviewed the proposed IATA Pacific proportional fares, which involve both increases and decreases from the present proportionals, and finds them to be consistent with the Phase 9 domestic fares to become effective April 29, 1975. We will, therefore, approve the subject agreement which is intended for May 1, 1975 effectiveness.

The Board, acting pursuant to sections 102, 204(a) and 412(b) of the Act, does not find that the following resolutions, incorporated in Agreement C.A.B. 25030 as indicated, are adverse to the public interest or in violation of the Act provided that approval is subject, where applicable, to conditions previously imposed by the Board:

Agreement CAB	IATA No.	Title	Application
25030:			
R-1	015a	South Pacific Proportional Fares—North America (Current Fares) (Amending).	3/1
R-2	015b	North and Central Pacific Proportional Fares—North America (Amending).	3/1

Accordingly, it is ordered, That:

1. Agreement C.A.B. 25030, R-1, and R-2, be and hereby is approved subject, where applicable, to conditions previously imposed by the Board; and

2. Carriers are hereby authorized to file tariffs implementing the approved agreement on not less than one day's notice for effect not earlier than May 1, 1975. The authority in this paragraph expires June 1, 1975.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-10602 Filed 4-22-75;8:45 am]

[Docket No. 27037]

OZARK AIR LINES, INC.

Hearing Regarding Deletion of Clinton, Iowa

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on June 3, 1975, at 10 a.m. (central daylight time) in the Erickson Community Center, Clinton, Iowa, before Administrative Law Judge Richard M. Hartsock.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on March 13, 1975, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., April 17, 1975.

[SEAL] RICHARD M. HARTSOCK,
Administrative Law Judge.

[FR Doc.75-10599 Filed 4-22-75;8:45 am]

[Docket Nos. 19923, 27694; Order 75-4-93]

TRANS WORLD AIRLINES, INC.

Liability and Claim Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 18th day of April, 1975.

By tariff revisions filed March 21 and marked to become effective April 20, 1975, Trans World Airlines, Inc. (TWA) proposes to increase the minimum size of acceptable outside packages for articles of extraordinary value from one to two cubic feet.

In support of its proposal and in answer to a complaint, TWA asserts, inter alia, that (1) it paid out $28,000 [1] in claims for watches and clocks in 1974, over 50 percent of system revenues for this traffic, amounting to $45,000; (2) the bulk of the claims was due to theft and pilferage, judging by the experience of the entire industry; (3) the higher minimum container size would make it more difficult to conceal or misplace extraordinary-value shipments, thus resulting in a significant reduction in losses from theft and pilferage; (4) the complainant fails to state how its claimed undue burden upon member shippers would occur in an acceptably definitive manner in terms of increased packing and transportation (TWA believes that the increased costs would be minimal); and (5) the complainant is chiefly interested in tariff uniformity, which is a "naive and unrealistic" argument.

A complaint requesting suspension, or, in the alternative, rejection of the proposal, was filed by the American Watch Association, Inc. (AWA).[2] The complaint alleges, inter alia, that (1) the one-cubic-foot minimum was found lawful in the Initial Decision of the Administrative Law Judge in the Liability and Claim Rules and Practices Investigation, Docket 19923; (2) the proposal will increase packaging and transportation costs for AWA members, since they frequently ship parcels of a relatively small dimension in both weight and volume by various carriers to jewelry stores throughout the country; (3) unnecessary confusion would result where an interline transfer is involved (common for watch shipments) because the prevailing uniformity of the carriers with respect to minimum container size would be destroyed; and (4) though larger shipments are more difficult to conceal, this does not justify the imposition of a rule that will place an undue burden upon shippers.[3]

[1] This figure is not consistent with TWA's report to the Board on CAB Form 239. The latter shows that TWA in 1974 paid total systemwide claims for watches and clocks of $6,307.

[2] The American Watch Association is a trade organization of U.S. companies engaged in the importation of watches and watch movements for assembly and sale in the United States and world markets.

[3] The AWA also filed a motion for leave to file an otherwise unauthorized document, a reply to TWA's answer. We will grant the motion. AWA's reply, inter alia, criticizes TWA's claim statistics, asserting that there is no information as to how the claims arose. AWA's motion correctly notes that TWA's allegations of specific facts in support of its proposal first appear in its answer.

The proposed rule revision comes within the scope of the Liability and Claim Rules and Practices Investigation, Docket 19923. The issue now before the Board is whether to reject or suspend the proposal or to permit it to become effective, pending the Board's decision in that proceeding.

While a larger container might be somewhat more difficult to conceal, we note that the dimensions of a cube-shaped container would have to be increased, for example, from 12 to only slightly over 15 inches on each side to meet the proposed rule; however, TWA has provided no meaningful analysis of the relationship between package sizes and the losses it has incurred. On the other hand, the proposal would result in a lack of uniformity between the package-size requirements for articles of extraordinary value, including watches and clocks, of TWA and other carriers, resulting in added packaging costs and a burden upon shippers, and it would, at the same time, double the space displacement for traffic which could move under the one-foot cubic rule, thus increasing carrier costs.

Upon consideration of the foregoing and all other relevant factors, the Board finds that TWA's proposal should be suspended pending investigation.[4]

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly Sections 204(a), 403, 404, and 1002 thereof:

It is ordered, That:

1. Pending hearing and decision by the Board, the provision in Rule No. 14(F)(5)(a) and (b) applicable to the carrier TW on 20th Revised Page 10-A of Airline Tariff Publishing Company, Agent, Tariff C.A.B. No. 96, is suspended and its use deferred to and including July 18, 1975, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

2. The motion of the American Watch Association, Inc. for leave to file an otherwise unauthorized document is granted;

3. Except to the extent granted herein, the complaint of the American Watch Association, Inc. in Docket 27694 is dismissed; and

4. Copies of this order shall be filed with the tariff.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-10601 Filed 4-22-75;8:45 am]

[4] The proposal does not appear to be in violation of Part 221 of our Economic Regulations, and hence, we find no basis for rejection.

DEPARTMENT OF THE INTERIOR

Bonneville Power Administration

ENVIRONMENTAL STATEMENT

Solicitation of Comments

Notice of intent to file an environmental statement is hereby given by the Bonneville Power Administration, 1002 NE. Holladay Street, Portland, Oregon 97208.

The environmental statement will cover BPA's FY 1977 Proposed Program, which contemplates construction or modification of approximately 50 miles of transmission line. In addition, six new substations and the possible expansion of two other substations are also under consideration. In addition to the ongoing annual maintenance program, a proposed Vegetation Management Program will also be discussed in this statement.

Your suggestions, comments, and observations are solicited during this period of draft statement preparation for consideration in the preparation of the draft environmental statement. Upon filing of the draft environmental statement with the Council on Environmental Quality (CEQ), comments will be received on the draft statement itself. Tentatively, the draft environmental statement is now planned for filing with the CEQ in May of 1975.

Dated: April 11, 1975.

RAY FOLEEN,
Acting Administrator.

[FR Doc.75-10542 Filed 4-22-75;8:45 am]

Bureau of Indian Affairs

BURNS PAIUTE TRIBE OF OREGON AND HOH TRIBE OF WASHINGTON

Law and Order Determination

APRIL 21, 1975.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 3.

Section 601 (d), Title 1 of the Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. 90-351, places responsibility on the Secretary of the Interior to determine those Indian tribes which perform law and order functions. The listing published beginning on page 13758 of the May 25, 1973, FEDERAL REGISTER (38 FR 13758) identified all eligible Indian tribes and the specific law and order functions they have responsibility to exercise. Determination concerning Indian tribes not listed are made on an individual basis upon application by such tribes under provisions of the act of the Law Enforcement Assistance Administration, Department of Justice. The Secretary's authority to make such determinations was delegated to the Commissioner of Indian Affairs by 230 DM 1.

It has been determined by the Commissioner of Indian Affairs that the Burns Paiute Tribe of Oregon, and Hoh Tribe of Washington have responsibility for exercising all of the six law and order functions shown in the published listing.

Therefore, the listing published beginning on page 13758 of the May 25, 1973, FEDERAL REGISTER (38 FR 13758) is amended by revising the entry for the Burns Paiute Tribe of Oregon, and Hoh Tribe of Washington to read as follows:

Tribal entities recognized by Federal Government by State	To employ tribal police	To establish a tribal court	To adopt a tribal law and order code	To undertake correction functions	To undertake programs aimed at preventing adult and juvenile delinquency	To undertake adult and juvenile rehabilitation programs
Burns Paiute Tribe of Oregon	×	×	×	×	×	×
Hoh Tribe of Washington	×	×	×	×	×	×

MORRIS THOMPSON,
Commissioner.

[FR Doc.75-10817 Filed 4-22-75;10:33 am]

Bureau of Land Management

[NM 25210, 25254]

NEW MEXICO

Applications

APRIL 15, 1975.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for two 4½ inch natural gas pipelines rights-of-way and one 6⅝ inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 24 S., R. 26 E.,
Sec. 21, SE¼NE¼, NE¼SE¼;
Sec. 22, SW¼;
Sec. 25, S½SE¼, NE¼SE¼;
Sec. 35, NE¼NE¼.

These pipelines will convey natural gas across 1.482 miles of national resource lands in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the applications should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, PO Box 1397, Roswell, NM 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.10541 Filed 4-22-75;8:45 am]

Office of the Secretary

COLORADO, UTAH, AND WYOMING

Call for Nominations of, and Request for Information Regarding Areas for Oil Shale Leasing

Notice is hereby given that nominations of lands for prospective oil shale leasing for in situ development in the States of Colorado, Utah, and Wyoming and comments on such lands may be submitted to the Secretary of the Interior not later than June 30, 1975.

Nominations shall include a description of the lands sought to be included in an oil shale lease. If the lands have been surveyed under the public land rectangular system, each nomination shall describe the lands by legal subdivision, section, township, and range. If the lands have not been so surveyed, each nomination shall describe the lands by metes and bounds, giving courses and distances between the successive angle points on the boundary of the tract, and connected by courses and distances to a monument or to a prominent topographic feature. When protracted surveys have been approved and the effective date thereof published in the FEDERAL REGISTER each nomination for lands shown on such protracted surveys, filed on or after such effective date, shall describe the lands according to the legal subdivision, section, township, and range shown on the approved protracted surveys. Maximum size of single lease tracts is 5,120 acres. Smaller areas may be nominated and more than one area may be proposed for consideration.

A tract nomination shall be submitted together with a recommendation of the type of in situ technology that might be used to develop the tract using in situ means. Description of the recommended technology must be brief (approximately 5 to 10 pages) and include only such detail as is needed to provide the government with an accurate and unambiguous understanding of the recommended approach. It should indicate the general classification of the technology, "true in situ" (no mining), "modified in situ" (some mining), or variations thereof. It should indicate the mineral resources present on the nominated tract and preliminary plans with respect to maximum utilization of the resource, including associated minerals if present. If modified in situ is recommended, the probable proportion of the resource to be removed by mining and its disposition must be indicated. Also to be addressed are preliminary plans to: (1) Mitigate environmental degradation, (2) minimize water and power requirements, and (3) provide maximum protection for the health and safety of the workman. Submission of the recommendation will not obligate the nominator to apply that technology should he eventually win the right to develop the tract. The recommendation is expected to be made in good faith for the advice of the government in decision-making regarding future directions of

government research programs and other such reasons as the government shall determine.

Nominations and comments should be submitted in triplicate not later than June 30, 1975, and addressed to: Director, Bureau of Land Management, Department of the Interior, Washington, D.C. 20240.

Envelopes should be marked "Nominations and Comments for Oil Shale Leasing in (State)."

A supplement, which shall cover the additional tracts offered, will be prepared to the final environmental statement for the prototype oil shale leasing program released on August 30, 1973. Public hearings will be held and a draft statement issued in the preparation of that supplement. A description of any tracts, which may be selected for competitive bidding, will be published in the FEDERAL REGISTER and the published notice of such lease offerings will state the conditions and terms for leasing and the place, date, and hour at which bids will be received and opened.

JOHN C. WHITAKER,
Under Secretary of the Interior.

APRIL 17, 1975.

[FR Doc.75-10586 Filed 4-22-75;8:45 am]

INDEXES OF MATERIALS AVAILABLE FOR INSPECTION

Delay in Publication

The Freedom of Information Act Amendments of 1974, Pub. L. 93-502, added a requirement to subsection (a)(2) of the Freedom of Information Act, 5 U.S.C. 552, requiring periodic publication of indexes required to be maintained by that subsection. Indexes of opinions issued in the adjudication of cases by the Department's Office of Hearings of Appeals have been published for some years. Indexes of other materials have not, however, been generally issued in published form. Preparation for publication of these indexes is currently underway and initial publication later in 1975 is anticipated. In the interim, notice is hereby given that it is impractical at this time to publish indexes of materials available under subsection (a)(2), other than the indexes of opinions issued in adjudication of cases, regular publication of which will continue. Indexes being prepared for publication will remain available to the public at the same places as prior to the Freedom of Information Act Amendments.

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

APRIL 16, 1975.

[FR Doc.75-10587 Filed 4-22-75;8:45 am]

OIL SHALE LANDS IN STATES OF COLORADO, UTAH, AND WYOMING

Applications for Permits To Conduct Informational Core Drilling

Notice was published in the FEDERAL REGISTER on Wednesday, June 30, 1971, (36 FR 12319-12320) permitting the filing of applications for special land-use permits to conduct informational core drilling in order to allow the evaluation of the environmental characteristics, hydrology, and the oil shale resources of specific sites in Colorado, Utah, and Wyoming. That notice was extended for an additional 2 years until June 30, 1975. That notice is hereby extended for an additional period of six months until December 31, 1975.

JOHN C. WHITAKER,
Under Secretary of the Interior.

APRIL 17, 1975.

[FR Doc.75-10585 Filed 4-22-75;8:45 am]

RESIDENTIAL DEVELOPMENT ON LANDS OF THE PUEBLO OF TESUQUE

Public Hearing Regarding Draft Environmental Statement

A public hearing will be held at 9:00 a.m., Saturday, May 24, 1975, at the Forum, College of Santa Fe, Santa Fe, New Mexico to receive public comments regarding the Department of the Interior's Draft Environmental Impact Statement for a residential development on lands of the Pueblo of Tesuque. These lands are located within the Tesuque Pueblo Grant, Santa Fe County, New Mexico.

Oral and written statements by interested parties are invited. Oral statements by any party will be limited to no more than ten minutes. Written statements can be entered into the record by filing a copy with the presiding officer.

Additional information on the hearings and copies of the Draft Statement may be obtained from Eugene B. Quadri, Area Environmental Quality Specialist, Albuquerque Area Office, Bureau of Indian Affairs, Room 420, First National Bank Building, East, P.O. Box 8327, 5301 Central Avenue, NE. Albuquerque, New Mexico, 87108; Phone: (505) 766-3167.

Dated: April 18, 1975.

STANLEY D. DOREMUS,
Deputy Assistant Secretary of the Interior.

[FR Doc.75-10523 Filed 4-22-75;8:45 am]

[INT DES 75-31]

SANGRE DE CRISTO DEVELOPMENT CO. AND TESUQUE INDIAN PUEBLO

Availability of Draft Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act, the Department of the Interior has prepared a Draft Environmental Statement for the approval by the Secretary of the Interior of a lease between Sangre De Cristo Development Co., and Tesuque Indian Pueblo, New Mexico.

The Environmental Statement considers human and physical environmental effects associated with the proposed approval by the Secretary of the Interior of a 99 year lease for 1,342 acres of land with an option to lease an additional 4,100 acres of Pueblo of Tesuque lands to be used for development of a residential community of 16,000 people. Written comments are invited within sixty (60) days of this notice.

Copies are available for inspection at the following locations:

Bureau of Indian Affairs
Division of Trust Facilitation
Room 3042—Department of Interior Bldg.
Washington, D.C. 20245
Telephone (202) 343-4004

Bureau of Indian Affairs
Albuquerque Area Office
Room 420—1st National Bank Bldg. East
5301 Central Avenue, N.E.
Albuquerque, New Mexico 87108
Telephone (505) 766-3167

Bureau of Indian Affairs
Northern Pueblos Agency
Federal Post Office Bldg.
Santa Fe, New Mexico 87501
Telephone (505) 988-6431

Limited numbers of copies of the Draft Environmental Statement may be obtained from the Albuquerque Area Office, Bureau of Indian Affairs.

Dated: April 18, 1975.

STANLEY D. DOREMUS,
Deputy Assistant Secretary of the Interior.

[FR Doc.75-10524 Filed 4-22-75;8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

GAS CENTRIFUGE PROGRAM

Preparation of Environmental Statement

Notice is hereby given that in accordance with the National Environmental Policy Act the U.S. Energy Research and Development Administration (ERDA) has commenced preparation of an environmental statement on its research and development program on the gas centrifuge process for enrichment of uranium to be used in nuclear power reactors.

Uranium is currently enriched at three government plants by the proven gaseous diffusion method. Projections indicate that additional enrichment capacity will be necessary in the mid-1980's in order to provide enriched uranium for the increasing number of nuclear power reactors. It is ERDA's intention that private industry provide capacity required to meet this increase in enriched uranium requirements. Industry is presently evaluating both the gaseous diffusion and gas centrifuge processes for the additional enrichment capacity.

The anticipated environmental effect of a conceptual gas centrifuge enrichment plant comparable to about 9,000,000 Separative Work Units will be presented. Multiples of single plant material requirements and effluents will also be analyzed to estimate the cumulative effect of exclusively utilizing gas centrifuge plants to provide all additional enrichment capacity required through the year 2000.

Documents used in the preparation of the draft environmental statement will

be made available for review at the Central Research Library in the Holifield National Laboratory, Oak Ridge, Tennessee.

All interested persons desiring to submit suggestions for consideration in connection with the preparation of the statement should send them to W. H. Pennington, Office of the Assistant Administrator for Environment and Safety, USERDA, Washington, D.C. 20545, on or before May 22, 1975.

Dated this 18th day of April 1975.

JAMES L. LIVERMAN,
Assistant Administrator for Environment and Safety.

[FR Doc.75-10733 Filed 4-22-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 362-4; PF5]

PESTICIDE AND FOOD ADDITIVE PETITIONS

Filing

Petitions proposing the establishment of pesticide tolerances in or on certain raw agricultural commodities and the establishment of tolerances relating to food additives have been filed with the Environmental Protection Agency (EPA). Notice is given pursuant to the provisions of sections 408(d)(1) and 409(b)(5) of the Federal Food, Drug, and Cosmetic Act. The petitions and proposals are:

PP 5F1602. Sandoz-Wander, Inc., PO Box 1489, Homestead FL 33030. Proposes establishment of a tolerance for negligible residues of the herbicide Norflurozon (4-chloro - 5 - (methylamino) - 2-a,a,a-trifluoro-m-tolyl) - 3-(2H) - pyridazinone) and its Desmethyl metabolite 4-chloro-5-(amino)-2-(a,a,a - trifluoro - m - tolyl-3-(2H)-pyridozinone in or on raw agricultural commodity cottonseed at 0.1 part per million. Proposed analytical method is a gas chromatographic procedure using an electron-capture detector. PM24.

FAP 5H5079. Ionics, Inc., PO Box 99, Bridgeville PA 15017. Proposes establishment of a food additive tolerance for residues of the disinfectant silver in potable water at 50 parts per billion resulting from the use of silver nitrate in the filtration of water. PM33.

Dated: April 17, 1975.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.75-10504 Filed 4-22-75;8:45 am]

[FRL 362-5; PF6]

PESTICIDE AND FOOD ADDITIVE PETITIONS

Filing

Petitions proposing the establishment of pesticide tolerances in or on certain raw agricultural commodities and the establishment of tolerances relating to food additives have been filed with the Environmental Potection Agency (EPA). Notice is given pursuant to the provisions of sections 408(d) (1) and 409(b) (5) of the Federal Food, Drug, and Cosmetic Act. The petitions and proposals are:

PP 5F1603. Avitrol Corp., 7644 E. 46th St., PO Box 45141, Tulsa OK 74145. Proposes establishment of a tolerance for residues of the bird repellent 4-aminopyridine in or on the raw agricultural commodities sweet corn and popcorn at 0.1 part per million (ppm). Proposed analytical method is a gas chromatographic procedure using a flame ionization detector. PM11.

PP 5F1601. Hercules Inc., Wilmington DE 19899. Proposes establishment of a tolerance for residues of the insecticide toxaphene (chlorinated camphene containing 67-69% chlorine) in or on the raw agricultural commodity sunflower seeds at 0.1 ppm. Proposed analytical method is a gas chromatographic procedure with an electron capture detector for measuring toxaphene residues. PM12.

FAP 5H5080. Dow Chemical Corp., PO Box 1706, Midland MI 48640. Proposes establishment of a food additive regulation to provide for the safe use of the insecticide Chlorpyrifos [0,0-diethyl 0-(3,5,6-trichloro-2-pyridyl) phosphorothioate] in food areas of food handling establishments. PM12.

PP 5F1606. Ciba-Geigy Corp., PO Box 11422, Greensboro NC 27409. Proposes establishment of a tolerance for residues of the herbicide (2-chloro-N-(2-ethyl-6-methylphenyl) - N - (2 - methoxy - 1 - methylethyl) acetamide and its metabolites 2-[(2 - ethyl - 6 - methylphenyl)amino] propanol and 4-(2-ethyl-6-methylphenyl)-2-hydroxy-5-methyl-3-morpholinone in or on the raw agricultural commodities: corn forage and fodder at 0.75 ppm; fresh corn including sweet corn (kernals plus cob with husk removed) at 0.05 ppm (negligible residue); and eggs, milk, and the meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep at 0.02 ppm (negligible residue). Proposed analytical method is a gas chromatographic procedure using a Coulson electrolytic conductivity detector. PM24.

Dated: April 17, 1975.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

[FR Doc.75-10505 Filed 4-22-75;8:45 am]

[FRL 362-2; OPP-32000/234]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street SW., Washington, D.C. 20460.

On or before June 23, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after June 23, 1975.

Dated: April 16, 1975.

JOHN B. RITCH, Jr.,
Director, Registration Division.

APPLICATIONS RECEIVED (OPP-32000/234)

EPA File Symbol 4169-RN. Aborn Chem. Indus., Inc., (Wholly owned subsidiary of M.D. Stetson Co.), 168 A St., S. Boston MA 02210. BAC-GARD 20 SANITIZER. Active Ingredients: Cetyl pyridinium chloride 0.0200%; Citral 0.0020%; Ethylene diamine tetraacetic acid (NA2) 0.0010%. Method of Support: Application proceeds under 2(c) of interim policy. PM31.

EPA File Symbol 8590-UAG. Agway Inc., Fertilizer-Chemical Div., PO Box 1333, Syracuse NY 13201. AGWAY SUPER FOGGER. Active Ingredients: Pyrethrins 0.5%; Piperonyl Butoxide, Technical (Equivalent to 3.2% of (butylcarbityl) (6-propylpiperonyl) ether and 0.8% of related compounds 4.0%; Petroleum Hydrocarbons 10.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 12015-RU. Allied Lab., 975 Lake Rd., Medina OH 44256. SPEEDEE 1000. Active Ingredients: Octyl decyl dimethyl ammonium chloride 5.0%; Didecyl dimethyl ammonium chloride 2.5%; Dioctyl dimethyl ammonium chloride 2.5%; Isopropyl alcohol 4.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 6125–EE. Bixon Chem. Co., 50–19 97th Place, Corona NY 11368. DAIRY & LIVESTOCK SPRAY. Active Ingredients: Pyrethrins 0.10%; Piperonyl Butoxide, Technical (Equivalent to 0.8% (Butylcarbityl) (6-propylpiperonyl) ether and 0.2% of related compounds) 1.00%; Petroleum Distillate 98.90%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 10740–RC. Bytech Chem. Corp., 1905 Dennison St., Oakland CA 94606. BYSAN DISINFECTANT-DETERGENT-DEODORANT FUNGICIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 2.25%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 2.25%; Sodium Carbonate 3.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM31.

EPA File Symbol 1660–IE. Chemical Specialties Co., Inc., 51–55 Nassau Ave., Brooklyn NY 11222. VAM–O FORMULA #3 PARAFFIN BLOCKS. Active Ingredients: 2-[p-chlorophenyl) phenylacetyl]-1,3-indandione 0.005%. Method of Support: Application proceeds under 2(c) of interim policy. PM11.

EPA File Symbol 35911–E. Richard Conn, Inc., 17200 W. 10 Mile, Southfield MI 48075. BARDAC–20 RC'S LAUNDRY BACTERIOSTAT-SANITIZER. Active Ingredients: Octyl decyl dimethyl ammonium chloride 25.0%; Dioctyl dimethyl ammonium chloride 12.5%; Didecyl dimethyl ammonium chloride 12.5%; Isopropyl alcohol 20.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 121–RT. Cutter Lab., Inc., 4th & Parker Sts. Berkeley CA 94710. DIETHYLTOLUAMIDE. Active Ingredients: (N,N-Diethyl-m-toluamide) 100%. Method of Support: Application proceeds under 2(c) of interim policy PM17.

EPA File Symbol 12477–U. Economy Service and Sales Co., 3511 N. 9th St., Philadelphia PA 19140. DQ–3. Active Ingredients: Disodium cyanodithioimidocarbonate 3.68%; sodium cyanodithioimidocarbonate 4.90%; 5.07%. Method of Support: Application proceeds under 2(b) of interim policy. PM22.

EPA File Symbol 12477–L. Economy Service and Sales Co. DQ–1. Active Ingredients: Disodium cyanodithioimidocarbonate 7.35%; Potassium N-methyldithiocarbamate 10.15%. Method of Support: Application proceeds under 2(b) of interim policy. PM22.

EPA File Symbol 12477–A. Economy Service and Sales Co. DQ–2. Active Ingredients: Disodium cyanodithioimidocarbonate 4.90%; Potassium N-methyldithiocarbamate 6.76%. Method of Support: Application proceeds under 2(b) of interim policy. PM22.

EPA Reg. No. 279–1500. FMC Corp., Agricultural Chem. Div., 100 Niagara St., Middleport NY 14106. METHYL PARATHION 4 MISCIBLE. Active Ingredients: O,O-Dimethyl O-p-nitrophenyl thiophosphate 45.1%; Xylene base aromatic petroleum solvent 47.0%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added use on soybeans. PM12.

EPA File Symbol 7053–ER. Fremont Indus., Valley Indus. Park, Shakopee MN 55379. FREMONT 9933. Active Ingredients: alpha-(p-Nonylphenyl)-omega-hydroxypoly (oxyethylene)-Iodine complex 18.05%; Phosphoric Acid 16.00%. Method of Support: Application proceeds under 2(b) of interim policy. PM34.

EPA File Symbol 7053–EE. Fremont Indus., Inc., Valley Indus. Park, Shakopee MN 55379. FREMONT 9933. Active Ingredients: alpha - (p-Nonylphenyl) -omega-hydroxypoly (oxyethylene)-Iodine complex 18.-05%; Phosphoric Acid 16.00%. Method of Support: Application proceeds under 2 (b) of interim policy. PM34.

EPA File Symbol 10864–0. Gamlen Chem. Co., 4 Midland Ave., Elmwood Park NJ 07407. GAMACIDE 1831. Active Ingredients: Sodium pentachlorophenate 23.70%; Sodium salts of other chlorophenols 3.30%. Method of Support: Application proceeds under 2(c) of interim policy. PM24.

EPA Reg. No. 5905–334. Helena Chem. Co., Clark Towers, 5100 Poplar Ave., Suite 2900, Memphis TN 38137. HELENA PARATHION 4–E EMULSIFIABLE LIQUID—AN AGRICULTURAL INSECTICIDE. Active Ingredients: Parathion: O, O-diethyl O-p-nitrophenyl phosphorothioate 46.2%. Method of Support: Application proceeds under 2(c) of interim policy. PM12.

EPA File Symbol 14804–U. Hofmann Water Treatment Co., 52 Davenport St., Stamford CT 06902. AB–30. Active Ingredients: Disodium cyanodithioimidocarbonate 3.68%; Potassium N-methyl-dithiocarbamate 5.07%. Method of Support: Application proceeds under 2(b) of interim policy. PM22.

EPA File Symbol 14804–G. Hofmann Water Treatment Co., 52 Davenport St., Stamford CT 06902. AB–20. Active Ingredients: Disodium cyanodithioimidocarbonate 4.90%; Potassium N - methyl - dithiocarbamate 6.76%. Method of Support: Application proceeds under 2(b) of interim policy. PM22.

EPA File Symbol 2270–AOA. The Huge Co., Inc., 7625 Page Ave., St. Louis MO 63133. EXCELCIDE ULTRA LOW DOSAGE. Active Ingredients: 2,2-dichlorovinyl dimethyl phosphate 0.46%; Other related compounds 0.04%; Pyrethrins 2.00%; Piperonyl butoxide, Technical (Equivalent of 4.8% (butylcarbityl) (6-propylpiperonyl) ether and 1.2% related compounds) 4.00%; N-octyl bicycloheptene dicarboximide 4.00%; Petroleum distillate 89.50%. Method of Support: Application proceeds under 2(c) of interim policy. PM13.

EPA File Symbol 33431–G. Interchem, Inc., 3516 N. 14th St., St. Louis MO 63103. TRIBAC DISINFECTANT CLEANER. Active Ingredients: Didecyl dimethyl ammonium chloride 2.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 8901–RI. Kocide Chem. Corp., PO Box 45539, Houston TX 77045. KLEER-POOL ALGAECIDE. Active Ingredients: Copper 8.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM24.

EPA File Symbol 2881–AR. Lystads Inc., PO Box 518, Grand Forks ND 58201. LISTOL II DISINFECTANT - SANITIZER - DEODORIZER. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 8249–I. Maintenance Engineering Corp., PO Box 1729, Houston TX 77001. MECO MICROBIOCIDE T-87. Active Ingredients: 2,2-Dibromo-3-nitrilopropionamide 20%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 1769–ETG. National Chemsearch, Div. of USAchem Inc., 2727 Chemsearch Blvd., Irving TX 75062. EARLY-MORN AIR SANITIZER AND DEODORANT. Active Ingredients: Isopropyl Alcohol 19.5%; Triethylene Glycol 12.0%; Propylene Glycol 8.0%; Essential Oils 0.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM33.

EPA File Symbol 1769–ETE. National Chemsearch, Div. of USAchem, Inc., 2727 Chemsearch Blvd., Irving TX 75062. VACHLOR ASPHALT VAPOR BARRIER. Active Ingredients: Dichlobenil [2,6-dichlorobenzonitrile] 3.12%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 2155–IU. I. Schneid, Inc., PO Box 93188, Martech Station, Atlanta GA 30318. POOL CLEAR CONCENTRATE. Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene - (dimethyliminio) ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM34.

EPA File Symbol 829–EUE. Southern Agricultural Insecticides, Inc., PO Box 318, Palmetto FL 33561. BALFIN (BALAN) GRANULES A PRE-EMERGENCE HERBICIDE. Active Ingredients: Benefin (N-butyl-N-ethyl-a,a,a,-trifluoro - 2,6-dinitro-p-toluidine) 2.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 23305–E. Southern Mill Creek Products of Ohio Inc., 18319 Nottingham Rd., Cleveland OH 44119. CLEMCO FOOD PLANT SPRAY. Active Ingredients: Pyrethrins 0.20%; Piperonyl Butoxide, Technical (Equivalent to 0.8% (butylcarbityl) (6-propylpiperonyl) ether and 0.2% of related compounds) 1.00%; Petroleum Distillate 98.80%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA Reg. No. 5741–2. Spartan Chem. Co., Inc., 110 N. Westwood, Toledo OH 43607. SPARTAN'S STERIGENT GERMICIDAL CLEANER. Active Ingredients: n-alkyl (C14 50%, C12 40%, C16 10%) dimethyl benzyl ammonium chlorides 4.5%. Method of Support: Application proceeds under 2(a) of interim policy. PM31.

EPA File Symbol 9115–T. Sun-Ray Chem. Co., Industrial Maintenance Products Div., 119 W. Jackson, Phoenix AZ 85003. HTX DISINFECTANT - CLEANER - SANITIZER-FUNGICIDE-DEODORANT. Active Ingredients: n-alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chlorides 5.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM31.

EPA File Symbol 9115–R. Sun-Ray Chem. Co. A F C ATHLETES' FOOT CONTROL DISINFECTANT. Active Ingredients: n-alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chlorides 1.50%. Method of Support: Application proceeds under 2(c) of interim policy. PM31.

EPA File Symbol 9115–A. Sun-Ray Chem. Co. GERMICIDE. Active Ingredients: n-alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chlorides 10.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM31.

EPA File Symbol 557–RITA. Swift Chem. Co., 111 W. Jackson Blvd., Chicago IL 60604. SWIFT TOXAPHENE V6E. Active Ingredients: Toxaphene (Technical Chlorinated Camphene (Chlorine Content 67–69%)) 57.08%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added use on cotton. PM12.

EPA File Symbol 35922–R. Tifa, Ltd., 1390 Valley Rd., Sterling NJ 07980. CHEMSECT PYRENONE M.A.G. 75–7.5 INSECTICIDE. Active Ingredients: Pyrethrins 7.50%; Piperonyl Butoxide, Technical (Equivalent to 60% of (butylcarbityl) (6-propylpiperonyl) ether and to 15.0% of related compounds) 75.00%; Petroleum Distillate 7.50%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 7401-EAT. Voluntary Purchasing Groups, Inc., PO Box 460, Bonham TX 75418. HI-YIELD 5% MALATHION DUST. Active Ingredients: Malathion (O,O-dimethyl dithiophosphate of diethyl mercaptosuccinate) 5%. Method of Support: Application proceeds under 2(c) of interim policy. PM16.

[FR Doc.75-10502 Filed 4-22-75;8:45 am]

[FRL 361-6; OPP—32000/233]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, SW, Washington D.C. 20460.

On or before June 23, 1975 any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street SW., Washington D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after June 23, 1975.

Dated: April 16, 1975.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

APPLICATIONS RECEIVED (OPP—32000/233)

EPA File Symbol 1674-RR. Aborn Chemical Industries, Inc. (Wholly Owned Subsidiary of M. D. Stetson Co.), 168 "A" St., South Boston MA 02210. ARK RESIDUAL INSECTICIDE. Active Ingredients: (0,0-Diethyl 0-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 0.500%; Pyrethrins 0.052%; Piperonyl Butoxide, Technical (Equivalent to 0.209% of butylcarbityl) (6-propylpiperonyl) ether and 0.052% of related compounds) 0.261%; Petroleum Distillate 98.608%. Method of Support: Application proceeds under 2(c) of interim policy. PM15.

EPA File Symbol 8590-UAE. Agway Inc., Fertilizer-Chemical Div., Box 1333, Syracuse NY 13201. AGRAZINE 80W. Active Ingredients: Atrazine (2-chloro-4-ethylamino-6-isopropylamino-s-triazine) 76%; Related Compounds 4%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 8590-UAL. Agway Inc. AGWAY WASP & HORNET KILLER NP. Active Ingredients: Tetramethrin (1-Cyclohexene-1, 2-dicarboximidomethyl 2, 2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.250%; Related compounds 0.034%; (5-Benzyl-3-furyl)methyl 2, 2-dimethyl-3-(methylpropenyl cyclopropanecarboxylate) 0.106%; Related compounds 0.014%; Petroleum Distillate 9.000%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 8590-UAU. Agway Inc. AGWAY ROACH AND ANT SPRAY-C. Active Ingredients: Pyrethrins 0.052%; Piperonyl Butoxide, Technical (Equivalent to 0.208% (butylcarbityl) (6-propylpiperonyl) ether and to 0.052% related compounds) 0.260%; Chlorpyrifos [0,0-diethyl 0-(3,5,6-trichloro-2-pyridyl) phosphorothioate 0.500%; Petroleum Distillate 68.737%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 12015-RL. Allied Laboratories Inc., 975 Lake Rd., Medina OH 44256. SPEEDEE 217. Active Ingredients: Octyl decyl dimethyl ammonium chloride 1.250%; Dioctyl dimethyl ammonium chloride 0.625%; Didecyl dimethyl ammonium chloride 0.625%; Alkyl (C8 7%, C10 8%, C12 46%, C14 24%, C16 10%, C18 5%) amino betaine 1.000%; Hydrogen chloride 8.000%. Method of Support: Application proceeds under 2(b) of interim policy. PM32.

EPA Reg. No. 241-238. American Cyanamid Co., Agricultural Div., PO Box 400, Princeton, NJ 08540. COUNTER 15-G SOIL INSECTIDE. Active Ingredients: S-[(tert-butylthio) methyl] 0,0-diethyl phosphorodithioate 15.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM16.

EPA File Symbol 6899-RL. B & B Chemical Co., Inc., 875 W. 20th St., Hialeah FL 33010. B & B H400. Active Ingredients: Octyl decyl dimethyl ammonium chloride 1.250%; Dioctyl dimethyl ammonium chloride 0.625%; Didecyl dimethyl ammonium chloride 0.625%; Alkyl (C8 7%, C10 8%, C12 46%, C14 24%, C16 10%, C18 5%) amino betaine 1.000%; Hydrogen chloride 8.000%. Method of Support: Application proceeds under 2(b) of interim policy. PM32.

EPA Reg. No. 3125-236. Chemagro Div. of Baychem Corp., Box 4913, Kansas City, MO 53120. NEMACUR 15% GRANULAR NEMATICIDE. Active Ingredients: Ethyl 3-methyl-4-(methylthio)phenyl (1-methylethyl) phosphoramidate 15%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Added Uses. PM21.

EPA File Symbol 239-EUGL. Chevron Chemical Co., Ortho Div., 940 Hensley St., Richmond CA 94804. ORTHO ROSE DISEASE CONTROL CONTAINS FUNGINEX A NEW SYSTEMIC FUNGICIDE. Active Ingredients: Triforine-N,N'-[1,4-piperazinediyl-bis-(2,2,2-trichloro-ethylidene)]-bis-[formamide] 6.5%. Method of Support: Application proceeds under 2(a) of interim policy. PM21.

EPA File Symbol 100-LIG. Ciba-Geigy Corp., Agricultural Div., PO Box 11422, Greensboro NC 27409. CGA-24705 6EC HERBICIDE Active Ingredients: 2-chloro-*N*-(2-ethyl-6-methylphenyl)-*N*-(2-methoxy-1-methylethyl) acetamide 66.7%. Method of Support: Application proceeds under 2(b) of interim policy. PM24.

EPA File Symbol 1169-LL. Classic Chemical, 16th & Mickle St., Camden NJ 08105. CLASSIC FLY-GARD SPRAY. Active Ingredients: Pyrethrins 0.24%; Piperonyl Butoxide, Technical (Equivalent to 1.536% (butylcarbityl) (6-propylpiperonyl) ether and to 0.384% related compounds) 1.92%; Butoxypolypropylene Glycol 26.40%; Petroleum Distillate 1.20%; Oil of Citronella 0.24%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 192-RRI. Dexol Industries, 1450 W. 228th St., Torrance CA 90501. DEXOL LAWN WEED KILLER. Active Ingredients: Dimethylamine salt of 2-(2-methyl-4-chlorophenoxy) propionic acid 3.66%; Dimethylamine salt of 2-4-dichlorophenoxyacetic acid 8.07%; Dimethylamine salt of Dicamba (3,6-dichloro-o-anisic acid) 0.84%; Dimethylamine salts of related compounds 0.11%. Method of Support: Application proceeds under 2(c) of interim policy. PM23.

EPA File Symbol 279-GNNL. FMC Corp., Agricultural Chemical Div., 100 Niagara St., Middleport NY 14105. PYRENONE W.B. 5-0.5 CODE 767.05. Active Ingredients: Pyrethrins 0.50%; Piperonyl Butoxide, Technical (Equivalent to 4% (butyl-carbityl) (6-propylpiperonyl) ether and 1% of related compounds) 5.00%; Petroleum Distillate 88.25%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 279-GNNU. FMC Corp., Agricultural Chemical Div. 100 Niagara St., Middleport NY 14105. PYRENONE 16.7-1.67 DRIONE CONCENTRATE CODE 755.91. Active Ingredients: Pyrethrins 1.67%; Piperonyl Butoxide, Technical (Equivalent to 13.36% of (butylcarbityl) (6-propylpiperonyl) ether and 3.34% of related compounds) 16.70%; Petroleum Distillate 81.63%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 6381-L. The Garman Co., Inc., 1252 Grover Rd., St. Louis MO 63125. VAPCO SLIME-X. Active Ingredients: Sodium Pentachlorophenate 79%; Sodium Salts of other chlorophenols 11%. Method of Support: Application proceeds under 2(c) of interim policy. PM32.

EPA File Symbol 34860-E. HVAC Services, Inc., PO Box 112, Timonium MD 21093. HVAC SLIMICIDE #101. Active Ingredients: Disodium cyanodithioimidocarbonate 3.68%; Potassium N-methyldithiocarbamate 5.07%. Method of Support: Applications proceeds under 2(b) of interim policy. PM22.

EPA File Symbol 4990-LI. Jet-Aer Corp., 100 6th Ave., Paterson NJ 07524. JET-AER FAST KNOCKDOWN BUG KILLER. Active Ingredients: Pyrethrins 0.50%; Piperonyl butoxide, technical (consists of 0.80% (butylcarbityl (6-propylpiperonyl) ether and 0.20% related compounds) 1.00%; N-Octyl bicycloheptene dicarboximide 1.67%; Petroleum distillate 11.85%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 2342-OAE. Kerr-McGee Chemical Corp., Kerr-McGee Center, Oklahoma City, OK 73125. TUMBLEAF COTTON DEFOLIANT LIQUID CONCENTRATE 6. Active Ingredients: Sodium chlorate 29.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 2342-OAN. Kerr-McGee Chemical Corp. TUMBLEAF COTTON DEFOLIANT LIQUID CONCENTRATE 3. Active Ingredients: Sodium chlorate 16.9%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 2342-OAR. Kerr-McGee Chemical Corp. TUMBLEAF COTTON DEFOLIANT LIQUID CONCENTRATE 5. Active Ingredients: Sodium chlorate 25.7%. Method of Support: Application proceeds under 2(c)of interim policy. PM25.

EPA File Symbol 2342-OLO. Kerr-McGee Chemical Corp. TUMBLEAF COTTON DEFOLIANT LIQUID CONCENTRATE 4. Active Ingredients: Sodium chlorate 21.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 12367-O. Lich Paper Co., 929 5th Ave., McKeesport PA 15132. LICO 25 LAUNDRY BACTERIOSTAT-SANITIZER. Active Ingredients: Octyl decyl dimethyl ammonium chloride 25.0%; Dioctyl dimethyl ammonium chloride 12.5%; Didecyl dimethyl ammonium chloride 12.5%; Isopropyl alcohol 20.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 12367-RN. Lich Paper Co. LICO 30. Active Ingredients: Octyl Decyl Dimethyl Ammonium Chloride 3.750%; Dioctyl Dimethyl Ammonium Chloride 1.875%; Didecyl Dimethyl Ammonium Chloride 1.875%; Alkyl (C14 50%, C12 40%, C16 10%) Benzyl Dimethyl Ammonium Chloride 5.000%; Tetrasodium Ethylenediamine Tetraacetate 3.420%; Isopropyl Alcohol 3.000%; Ethyl Alcohol 1.000%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 12367-RR. Lich Paper Co. LICO SANITIZER-CLEANER 2150. Active Ingredients: Alkyl (60% C14, 30% C16, 5% C12, 5% C18) Dimethyl Benzyl Ammonium Chlorides 1.28%; Alkyl (68% C12, 32% C14) Dimethyl Ethylbenzyl Ammonium Chlorides 1.28%; Sodium carbonate 2.00%. Method of Support: Application proceeds under 2(b) of interim policy. PM31.

EPA File Symbol 1021-RGLA. McLaughlin Gormley King Co., 8810 1[illegible] Ave. N, Minneapolis MN 55427. PYROCIDE INTERMEDIATE 7249. Active Ingredients: Pyrethrins 0.59%; Piperonyl butoxide, technical (Equivalent to 0.944% (butylcarbityl) (6 - propylpiperonyl) ether and 0.236% related compounds) 1.18%; N-Octyl bicycloheptene dicarboximide 1.18%; 2-(1-Methylethoxy) phenol methylcarbamate 5.92%; Petroleum distillate 3.34%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 1021-RGLL. McLaughlin Gormley King Co. MGK INTERMEDIATE 2055. Active Ingredients: N,N-diethyl-m-toulamide 85.5%; Other isomers 4.5%; N-octyl bicycloheptene dicarboximide 5.0%; Di-n-propyl isocinchomeronate 5.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 1021-RGLU. McLaughlin Gormley King Co. MGK INTERMEDIATE 2054. Active Ingredients: N,N-diethyl-m-toluamide 89.9%; Other isomers 4.7%; N-octyl bicycloheptene dicarboximide 2.7%; Di-n-propyl isocinchomeronate 2.7%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 1111-RLR. Hockwald Chemicals, A Div. of Oxford Chemicals, PO Box 227, Brisbane CA 94005. HOCKWALD H DRIONE AEROSOL. Active Ingredients: Pyrethrins 0.1%; Piperonyl Butoxide, Technical (Equivalent to 0.8% of (butylcarbityl) (6-propylpiperonyl) ether and 0.2% of related compounds) 1.0%; Silica Gel 4.0%; Petroleum Distillate 4.9%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 4581-GEL. Pennwalt Corp., Three Parkway, Philadelphia PA 19102. SODIUM DIMETHYL DITHIOCARBAMATE 40%. Active Ingredients: Sodium dimethyl dithiocarbamate 38%. Method of Support: Application proceeds under 2(c) of interim policy. PM21.

EPA File Symbol 4825-EN. Ringer Corp., 6860 Flying Cloud Dr., Eden Prairie NM 55343. RINGER HOUSE PLANT INSECT SPRAY. Active Ingredients: Pyrethrins 0.056%; Rotenone 0.024%; Other Cube Resins 0.048%; Petroleum Distillate 0.224%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 201-GIA. Shell Chemical Co., Suite 200, 1025 Conn. Ave., NW, Washington DC 20036. CHILD PROTECTOR-TOP SHELL PROFESSIONAL FLYING INSECT KILLER. Active Ingredients: 1),2) (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 0.200%; Related compounds 0.028%; d-trans Allethrin (allyl homolog of Cinerin I) 0.400%; Related compounds 0.030% Aromatic petroleum hydrocarbons 0.273%; Petroleum distillate 6.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM17.

EPA File Symbol 23305-R. Southern Mill Creek Products of Ohio, Inc., 18319 Nottingham Rd., Cleveland OH 44119. CLEMCO RESIDUAL INSECT SPRAY. Active Ingredients: 0,0-Diethyl 0-(2 - isopropyl - 6-methyl-4-pyrimidinyl) phosphorothioate 0.500%; Pyrethrins 0.052%; Piperonyl Butoxide, Technical (Equivalent to 0.209% of (butylcarbityl) (6 - propylpiperonyl) ether and 0.052% of related compounds) 0.261%; Petroleum Distillate 98.608%. Method of Support: Application proceeds under 2(c) of interim policy. PM15.

EPA Reg. No. 476-1054. Stauffer Chemical Co., 1200 S. 47th St., Richmond CA 94804. MAGNETIC "6" FLOWABLE SULFUR AGRICULTURAL INSECTICIDE - FUNGICIDE AQUEOUS DISPERSION. Active Ingredients: Sulfur 51.1%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Amendment. PM22.

EPA Reg. No. 476-2154. Stauffer Chemical Co., 1200 S. 47th St., Richmond CA 94804. EPTAM SELECTIVE HERBICIDE 7-E. Active Ingredients: S-ethyl dipropylthiocarbamate 87.8%. Method of Support: Application proceeds under 2(c) of interim policy. PM25.

EPA File Symbol 675-GI. National Laboratories, Lehn & Fink Industrial Products Div. of Sterling Drug Inc., 225 Summit Ave., Montvale NJ 07645. NEW FORMULA AMPHYL SPRAY DISINFECTANT DEODORANT. Active Ingredients: O-Phenylphenol 0.136%; N-Alkyl (C18 92%, C16 8%)-N-Ethyl Morpholinium Ethyl Sulfates 0.045%; 5-Chloro-2-(2,4-dichlorophenoxy) phenol 0.024%; Alcohol 67.108%. Method of Support: Application proceeds under 2(b) of interim policy. PM32.

EPA File Symbol 998-REU. Superior Chemical Products Inc., 3942 Frankford Ave., Philadelphia PA 19124. SHOOO DOG AND CAT REPELLENT—LIQUID SPRAY. Active Ingredients: Methyl nonyl detone 1.9%; Related compounds 0.1%. Method of Support: Application proceeds under 2(c) of interim policy. PM11.

EPA File Symbol 148-RERT. Thompson-Hayward Chem. Co., 5200 Speaker Rd., Kansas City KS 66106. DIAZINON-SULPHUR 2-50 DUST. Active Ingredients: 0,0-Diethyl 0-(2-isopropyl - 6 - methyl - 4 - pyrimidinyl) phosphorothioate 2.0%; Sulfur 50.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM15.

EPA File Symbol 400-RRI. Uniroyal Chemical, Div. of Uniroyal Inc., 74 Amity Rd., Bethany CT 06535. VITAVAX HB-10 COTTON SEED TREATER. Active Ingredients: Carboxin (5,6-Dihydro-2-Methyl-1, 4-Oxathiin-3-Carboxanilide) 5.0%; Captan (N-Trichloromethylthio - 4 - Cyclohexene-1,2-Dicarboximate) 5.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM21.

EPA File Symbol 1386-LON. Universal Cooperatives, Inc., 111 Glomorgan St., Alliance OH 44601. UNICO DIAZINON 14G GRANULAR INSECTICIDE. Active Ingredients: 0-0-diethyl 0 - (2 - isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 14.3%. Method of Support: Application proceeds under 2(c) of interim policy. PM15.

EPA File Symbol 7401-EAG. Voluntary Purchasing Groups, Inc., PO Box 460, Bonham TX 75418. FERTI-LOME DANDELION AND CRABGRASS KILLER. Active Ingredients: Monosodium Acid Methanearsonate 13.70%; Dimethylamine Salt of 2,4-Dichloro-phenoxyacetic Acid 9.14%. Method of Support: Application proceeds under 2(c) of interim policy. PM23.

EPA Reg. No. 2935-389. Wilbur-Ellis Co., Old Highway 99 at Cedar, PO Box 1286, Fresno CA 93715. RED TOP NUSAN 30 EC. Active Ingredients: 2-(thiocyanomethylthio) benzothiazole 30%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Amendment. PM22.

EPA File Symbol 5427-AA. Wright Chemical Corp., 1319 Wabansia Ave., Chicago IL 60622. WRICO RDT. Active Ingredients: n-alkyl (C14 60%, C16 30%, C12 5%, C18 5%) dimethyl benzyl ammonium chlorides 15.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM 31.

[FR Doc.75-10479 Filed 4-22-75;8:45 am]

FEDERAL DEPOSIT INSURANCE CORPORATION

Insured Banks

Joint Call for Report of Condition

Pursuant to the provisions of section 7 (a) (3) of the Federal Deposit Insurance Act, as amended (12 U.S.C. 1817(a)(3)), each insured bank is required to make a Report of Condition as of the close of business April 16, 1975, to the appropriate agency designated herein, within ten days after notice that such report shall be made: *Provided*, That if such reporting date is a nonbusiness day for any bank, the preceding business day shall be its reporting date.

Each national bank and each bank in the District of Columbia shall make its original Report of Condition on Office of the Comptroller Form CC-8022-05—Call No. 493,[1] and shall send the same to the Comptroller of the Currency and shall send a signed and attested copy thereof to the Federal Deposit Insurance Corporation. Each insured State bank which is a member of the Federal Reserve System, except a bank in the District of

Columbia, shall make its original Report of Condition on Federal Reserve Form 105—Call 215 [1] and shall send the same to the Federal Reserve Bank of the District wherein the bank is located and shall send a signed and attested copy thereof to the Federal Deposit Insurance Corporation. Each insured State bank not a member of the Federal Reserve System, except a bank in the District of Columbia and a mutual savings bank, shall make its original Report of Condition and one copy thereof on FDIC Form 64—Call No. 111 [1] and shall send the same to the Federal Deposit Insurance Corporation.

The original Report of Condition required to be furnished hereunder to the Comptroller of the Currency and the copy thereof required to be furnished to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for Preparation of Consolidated Reports of Condition by National Banking Associations," dated November 1972.[1] The original Report of Condition required to be furnished hereunder to the Federal Reserve Bank of the District wherein the bank is located and the copy thereof required to be furnished to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for the Preparation of Reports of Condition by State Member Banks of the Federal Reserve System," dated January 1973 [1] and any amendments thereto. The original Report of Condition and the copy thereof required to be furnished hereunder to the Federal Deposit Insurance Corporation shall be prepared in accordance with "Instructions for the Preparation of Report of Condition on Form 64 by Insured State Banks Not Members of the Federal Reserve System," dated December 1970, and any amendments thereto.[1]

Each insured mutual savings bank not a member of the Federal Reserve System shall make its original Report of Condition and one copy thereof on FDIC Form 64 (Savings),[1] prepared in accordance with "Instructions for the Preparation of Report of Condition on Form 64 (Savings) and Report of Income on Form 73 (Savings) by Insured Mutual Savings Banks," dated December 1971, and any amendments thereto,[1] and shall send the same to the Federal Deposit Insurance Corporation.

FEDERAL DEPOSIT INSURANCE CORPORATION,
[SEAL] FRANK WILLE,
Chairman.

JUSTIN T. WATSON,
Acting Comptroller of the Currency.

GEORGE W. MITCHELL,
Vice Chairman, Board of Governors of the Federal Reserve System.

[FR Doc.75-10537 Filed 4-22-75;8:45 am]

[1] Filed as part of original document.

FEDERAL MARITIME COMMISSION

AMERICAN CRUISE LINES, INC.

Issuance of Certificate (Performance)

Security for the protection of the public indemnification of passengers for nonperformance of transportation.

Notice is hereby given that the following have been issued a certificate of financial responsibility for indemnification of passengers for nonperformance of transportation pursuant to the provisions of section 3, Pub. L. 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

American Cruise Lines, Inc., Steamboat Landing, Haddam, Connecticut 06438.

Dated: April 17, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-10594 Filed 4-22-75;8:45 am]

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Certificates Revoked

Notice of voluntary revocation is hereby given with respect to Certificates of Financial Responsibility (Oil Pollution) which had been issued by the Federal Maritime Commission, covering the below indicated vessels, pursuant to Part 542 of Title 46 CFR and section 311(p)(1) of the Federal Water Pollution Control Act, as amended.

Certificate No.	*Owner/Operator and Vessels*
01019	Hagb. Waage: *Symra.*
01081	Skibsaktieselskapet Karlander: *Slevik.*
01192	Odd Bergs Tankrederi A/S: *Kollbryn.*
01330	Shell Tankers (U.K.) Ltd.: *Horomya.*
01425	Johnston Warren Lines Ltd.: *Mystic.*
01574	Fearnley & Eger: *Ferncrest.*
01605	D'Amico Societa di Navigazione S.P.A.: *Anna Maria D'Amico.*
01696	Minerva Maritime Corp.: *Dimitrios.*
01874	A/S Sobral: *Nopal Argus, Nopal Verde.*
01875	Sicula Sarda-Compagnia Armatoriale Siciliana S.P.A.: *Giovanni Queirolo.*
01904	Waterman Steamship Corp.: *Citrus Packer.*
02198	Peninsular & Oriental Steam Navigation Co.: *Manora, Merkara, Morvada, Mulbera.*
02285	Atlan Lines, S.A.: *Atlan Rpbl.*
02286	China Union Lines, Ltd.: *Union East.*
02358	A/S Ganger Rolf, A/S Bonheur, A/S Borgaden Norske, Middelhavslinje A/S-A/S Jelolinjen: *Botticelli.*
02446	Cosmopolitan Shipping Co. S.A.: *Leslie Conway.*
02475	Houston Barge Line, Inc.: *HBL 102, HBL, 101.*
02477	American Dredging Co.: *Scow Loading Barge No. 1.*
02889	Showa Kaiun K.K.: *Zama Maru.*
03138	Cunard Line Ltd.: *Cundard Ambassador.*
03164	Saint George Maritime Co. Ltd.: *St. George III.*
03245	Rederiaktieselskabet Danneborg: *Tuborg.*
03302	World Wide Tankers Inc.: *Barbara Jane.*
03315	Afran Transport Co.: *Raudhatain.*
03322	Daiichi Chuo Kisen Kabushiki Kaisha: *Spencer Maru.*
03366	Compania de Navegacion "Porto Ronco" S.A.: *Locarno.*
03451	Kowa Shosen K.K.: *Japan Maple, Long Beach Maru, Japan Linden, Kokusai Maru No. 2.*
03492	Sawayama Kisen K.K.: *Kanto Maru.*
03499	El-Yam Bulk Carriers (1967) Ltd., Israel: *Har Addir.*
03510	Takeda Kigyo Kabushiki Kaisha: *Seishomaru No. 8.*
03641	Hendy International Co.: *Tezan.*
03971	Korea Shipping Corp., Ltd.: *Yo Su, Muk Ho.*
04004	Koninklijke Java-China-Paketvaart Lijnen N.V.: *Tjitarum, Straat Cook, Straat Madura.*
04394	Phillippine President Lines, Inc.: *President Quirino.*
04398	Hapag-Lloyd A/S: *Essen.*
04483	Kaiomaru Gyogyo Kabushiki Kaisha: *Kaiomaru No. 31, Kaiomaru No. 38.*
04518	Tokushui Kabushiki Kaisha: *Oriento Maru No. 2.*
04519	Kabushiki Kaisha Iijima Gyogyosho: *Iijimaru No. 21.*
04521	Taisen Gyogyo Kabushiki Kaisha: *Taisemaru No. 8.*
04531	Mr. Eikichi Shirator: *Kyoeimaru No. 28.*
04542	Mr. Choei Okado: *Chokyumaru No. 12.*
04623	Seaspan International Ltd.: *Seaspan Commodore.*
05084	Naviera Amazonica Peruana S.A. (Peruvian Amazon Line): *Yacu Mama.*
05097	Esso Transport Co., Inc.: *Esso Colombia.*
05123	Kinkai Yusen Kabushiki Kaisha: *Sitka Maru.*
05245	Blaesbjerg & Co.: *Crystal Scan.*
05496	Heron Navigation Co., Ltd.: *Atsuta.*
06188	Idemitsu Tanker K.K.: *Olympus.*
06246	Pam Shipping Ltd.: *Pam.*
06285	Hanafusa Kisen K.K.: *Jinyo Maru.*
06443	Erjac Ocean Lines Ltd.: *Nordfels.*
06505	Astir Navigation Co., Ltd.: *Nelson.*
06537	Grand Ocean Transport Inc.: *Grand Union.*
06566	Occidental Petroleum Corp.: *RV-50.*
06657	Kydon Compania Naviera S.A.: *Lena.*
06659	Blue Seas Shipping Co., Ltd.: *Blue Seas.*
06761	Sinclair Memphis Marine Service, Inc.: *Sinclair 17, Sinclair 7, Sinclair 16, Sinclair 9.*
06775	Whitco (Marine Services) Ltd.: *Orchidea.*
06902	Helindas y Cia, S.A.: *Helindas.*
06919	General Shipping Co., Inc.: *General Lim.*
07019	Allied Shipping International Corp.: *Captain Avgerinos, Virgo.*
07276	Anglo-Pacific Line Ltd.: *Papeete.*
07290	Hollywood Terminals, Inc.: *Hollywood 2050, Ht. No. 10, LB-19.*
07361	Mr. Yasohachi Nakamura: *Kaiomaru No. 18.*

Certificate No.	Owner/Operator and Vessels
07439	Overseas Navigation Co. Ltd.: *Overseas Navigator.*
07534	Anesis Shipping Co., S.A. of Panama: *Rio Doro.*
07593	Oleandrus Shipping Co. Ltd.: *Guy.*
07648	Sudatlantica Armadora S.A.: *Eu-European River.*
07817	Yick Fung Shipping & Enterprises Co., Ltd.: *Kara Sea.*
07596	Dipoti Shipping Co. S.A.: *Pavlo.*
07965	Transatlantic Shipping Co. Ltd.: *Lloyd Helsinki.*
08002	Marcona Ocean Industries, Ltd.: *Miami.*
08027	Cala Sinzias Societa Per Azioni di Navigazione: *Cabras.*
08188	Caribbean Marine Service Co., Inc.: *Sea Sorceress.*
08219	Union Falcon Inc:. *Black Falcon.*
08220	Union Eagle Inc.: *Black Eagle.*
08241	North & South Atlantic Steamship Co. Inc.: *Nopal Alkimos.*
08252	Herolofson Schiffahrtsgesellschaft KG.: *Bulk Prospector.*
08388	Hephestos Technical Maritime Enterprises: *Amphion.*
08607	Atlantiki Geniki Metaforiki E.P.E.: *Aghios Georgios.*
08666	Hester Shipping Corp. Inc.: *Jesica.*
08806	Heyer Schiffahrtsgesellschaft M/S Nordicmark: *Roro Scandia.*
08807	Christian F. Ahrenkiel: *Multitank Badenia, Multitank Rhenania.*
08821	Copemar, S.A.: *Camps de Torres.*
08833	General Metals of Tacoma, Inc.: *Wachusett.*
08897	Regent Zinnia Shipping, Inc.: *Zinnia.*
09112	Blue Stone Shipping Co. Ltd.: *Blue Stone.*
09165	Evans Cooperage Co., Inc.: *E-137, E-128.*
09327	Grand Wisdom Transport Inc.: *Grand Wisdom.*
09379	Golden North Fisheries, Inc. and Togiak Fisheries, Inc.: *Quinhagak.*
09395	Interoceangas Tankers Management, S.A.: *Galileo.*
09457	Ajax Shipping Co. Ltd.: *Eljumbo.*
09468	Puerto Rico Maritime Shipping Authority: *Brooklyn, Transoregon, Transidaho, Transhawaii, New Orleans, Chicago.*
09906	Ab Borga Sjotransport Oy: *Grim.*

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-10597 Filed 4-22-75;8:45 am]

[Independent Ocean Freight Forwarder License No. 1442-R]

COMMODITY FORWARDING AND SHIPPING CO. AND PETER ARABIA

Order of Revocation

On April 3, 1975, the Federal Maritime Commission received notification that Peter Arabia d/b/a Commodity Forwarding and Shipping Company, 3324 Hyman Place, New Orleans, Louisiana 70114 wishes to voluntarily surrender his Independent Ocean Freight Forwarder License No. 1442-R for revocation.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) § 7.04(f) (dated 9/15/73);

It is ordered, That Independent Ocean Freight Forwarder License No. 1442-R be returned to the Commission for cancellation.

It is further ordered, That Independent Ocean Freight Forwarder License No. 1442-R of Peter Arabia d/b/a Commodity Forwarding and Shipping Company be and is hereby revoked effective April 3, 1975, without prejudice to reapply for a license in the future.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Peter Arabia d/b/a Commodity Forwarding and Shipping Company.

ROBERT S. HOPE,
Managing Director.

[FR Doc.75-10596 Filed 4-22-75;8:45 am]

GRUENINGER TRAVEL SERVICE, INC. ET AL.

Issuance of Certificate (Performance)

Security for the protection of the public indemnification of passengers for nonperformance of transportation.

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of section 3, Pub. L. 89-777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

Grueninger Travel Service, Inc.,
Midwest Cruises, Inc.,
Discovery Cruises K/S and
Discovery cruises A/S
c/o Grueninger Travel Service, Inc.
6101 North Keystone Avenue
Indianapolis, Indiana 46220

Dated: April 17, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-10595 Filed 4-22-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. E-9375]

ARIZONA PUBLIC SERVICE CO.

Amendment to Supplement to Agreement

APRIL 17, 1975.

Take notice that on April 11, 1975 Arizona Public Service Company (APS) tendered for filing Amendment No. 2 to Supplement No. 7 of an Agreement with Navajo Tribal Utility Authority (NTUA), FPC Rate Schedule No. 6, for the installation of an oil circuit breaker for benefit of NTUA's Customer Black Mesa Pipeline. APS states that though the filing is an Amedment to an existing Supplement, it is for a new service and not a rate increase. The revenues from this service is $8,687.16 per annum.

Copy of the filing was served upon the Arizona Corporation Commission.

APS requests that the waiver provisions of § 35.11 of the Commission's regulations be waived to permit an effective date of April 17, 1973.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 5, 1975. 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.75-10562 Filed 4-22-75;8:45 am]

[Docket No. RP75-62]

CITIES SERVICE GAS CO.

Order Accepting for Filing and Suspending Tariff Sheets, Setting Formal Hearing and Granting Interventions; Correction

APRIL 3, 1975.

In the order accepting for filing and suspending tariff sheets, setting formal hearing and granting interventions issued April 1, 1975, and published in the FEDERAL REGISTER on April 9, 1975 at 40 FR 16141, on page 16142, ordering paragraph (C), line 5, the date "June 23, 1975," should correctly read "June 24, 1975".

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10563 Filed 4-22-75;8:45 am]

[Docket No. RP75-35, et al.]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC. COMPLAINANT TENNESSEE GAS PIPELINE CO., DIVISION OF TENNECO INC. RESPONDENT

Order Granting Motion To Sever and Dismiss Complaint, Redesignating Proceeding, Modifying Previous Order, and Consolidating Proceedings; Correction

APRIL 1, 1975.

In the order granting motion to sever and dismiss complaint, redesignating proceeding, modifying previous order and consolidating proceedings, issued March 14, 1975, and published in the FEDERAL REGISTER on March 21, 1975 at 40 FR 12855. The captioned heading should read as set forth above.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10564 Filed 4-22-75;8:45 am]

[Docket No. E-9144]

GEORGIA POWER CO.

Concurrence of Interchange Agreement

APRIL 16, 1975.

Take notice that on March 20, 1975, the Savannah Electric and Power Com-

pany (Savannah) tendered for filing a Certificate of Concurrence to the filing by the Georgia Power Company of an amendment dated November 12, 1974 to the Interchange Agreement dated May 24, 1973, between Savannah and the Georgia Power Company. Savannah's Certificate of Concurrence to the underlying Interchange Agreement was filed with the Commission under date of June 28, 1973.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 30, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to ceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10565 Filed 4-22-75;8:45 am]

[Docket No. E-9329]

INDIANA & MICHIGAN ELECTRIC CO.

Order Accepting for Filing Proposed Service Agreement, Denying Request To Reject, Granting Waiver, and Permitting Intervention

On March 17, 1975, Indiana & Michigan Electric Company (I&M) tendered for filing an unsigned agreement with the City of Anderson, Indiana (Anderson), which would provide service for Anderson under I&M's FPC Tariff WS. The new rate schedule would cancel and supersede I&M's FPC Rate Schedule No. 27, under which Anderson is presently served under Tariff rate IP. I&M asserts that the reason for the proposed change is to modify the applicable rate for service to Anderson from Tariff IP to the Company's Tariff WS, the applicable rate to municipal wholesale customers. The proposed change, which I&M requests to become effective on April 17, 1975, the day after the I&M-Anderson contract is terminated, would increase I&M's revenues from jurisdictional sales and service to Anderson by approximately $117,598, based on the twelve month period ended February 28, 1975.[1]

I&M additionally requests a waiver of § 35.13 of the Commission's regulations insofar as that section would require I&M to prepare and file a new cost of service study to support its filing. I&M points out that a complete cost of service study was filed in Docket No. E-7740, the proceeding in which I&M is seeking approval of Tariff WS. I&M further requests that since a hearing has already been held on the justness and reasonableness of Tariff WS, a proceeding in which Anderson participated, that the Commission not order a separate hearing in this docket.

I&M's filing was noticed by the Commission on March 25, 1975, with any protests, comments or petitions to intervene due on or before April 8, 1975.

On April 8, 1975, Anderson filed a petition to intervene, protest, and request for rejection of I&M's filing. In support of its protest, Anderson alleges (1) that I&M did not give sufficient contractual notice of termination of the I&M-Anderson Service Agreement and that I&M therefore is precluded from placing Anderson on the WS Rate Schedule; (2) that even if proper contractual notice were given to Anderson, Anderson has elected to remain on Tariff IP and I&M's filing is therefore illegal; (3) that I&M's filing is in violation of the anti-discrimination provisions of the Federal Power Act and Clayton Act; and (4) that the proposed service agreement is discriminatory on its face and should therefore be rejected.

The following brief history of I&M and Anderson's contractual relations will aid in our discussion of Anderson's allegations. I&M commenced service to Anderson under Tariff IP pursuant to a contract dated September 21, 1951, which was to run for a period of eight years from the time such service was commenced. The contract provided for a capacity fixed at 16,667 kva. A new contract was entered into and dated April 17, 1957, for a period of eight years from the time such service was commenced. This contract increased the capacity of Anderson to 22,750 kva. In an amendment dated January 2, 1963, the parties increased the contract capacity to 31,500 kva and further provided that:

> The initial term of the agreement shall be extended for a 5 year period and will thereafter be renewed automatically in 2 successive periods of 5 years each unless either party shall give the other not less than 24 months notice in writing of its election to discontinue the service at the expiration of any such 5 year periods.

The January 2, 1963 amendment to the April 17, 1957 contract finally provided that:

> Except as expressly modified by this supplemental agreement the terms and conditions of the Agreement dated April 17, 1957 shall be and remain in full force and effect.

By letter dated April 16, 1973, pursuant to the contractual requirement, I&M notified Anderson of its intent to discontinue service under the service agreement effective 11:59 p.m., April 16, 1975.

Anderson's claim of improper notice. The basis of Anderson's first allegation—that I&M did not give it proper contractual notice of termination—is that the contract dated April 17, 1957 was actually entered into on January 1, 1955 and ran eight years from that date. Thus the 1963 amendment would have extended the contract until 1968 with two additional optional terms. Anderson argues that since no notice of termination was given either party a five year period began in 1968 and again in 1973. Anderson argues that if I&M did intend to terminate the contract it had to give notice by January 1, 1971 (since the 5 year term would end January 1, 1973). Anderson therefore concludes that I&M's April 16, 1973 notice was out of time and that the last five year term under Tariff IP provided for in the 1963 amendment had begun to run and will not expire until January 2, 1978.

Anderson supports this position by informing the Commission that in a letter of September 6, 1973,[2] from I&M to the City of Anderson, I&M notified Anderson that it had exceeded the maximum demand limit set forth in its service agreement, was thereby a breach of contract, and that I&M would terminate the contract on September 17, 1973. Anderson argues that the position taken by I&M in 1973 after Anderson had exceeded the maximum demand provided for by the 1957 contract, as amended, supports the proposition that the 1957 contract was actually entered by the parties in 1955, when Anderson exceeded the 1951 contractual maximum demand, even though the contract was not signed until 1957. Since, the contract provided for a period of eight years "from the time such service is commenced", Anderson argues the eight years commenced to run on January 1, 1955, the year in which Anderson exceeded the demand set out in its 1951 contract, and not the date the contract was signed. Anderson cites this Commission's decision in "Indiana and Michigan Electric Company", Docket No. E-8987,[3]

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[1] On January 23, 1975, the Public Service Commission of the State of Indiana approved a 15.22 percent surcharge for Tariff IP. On January 29, 1975, I&M, in 3 separate filings, sought FPC approval to charge the Cities of Anderson, Auburn, and Richmond, Indiana the higher rate. In the present proceeding I&M, to determine the rate impact of serving Anderson under Tariff WS, has compared revenues of Tariff WS against the Tariff IP rate complete with surcharge. By letter order dated February 19, 1975, we found I&M's filings to reflect the IP surcharge deficient and informed I&M that a filing date would not be assigned until the deficiency was cured. By order issued April 2, 1975, we denied in part I&M's petition for rehearing of our letter order and further declined to waive our filing requirements for the January 29, 1975 filings. We note therefore that the revenue impact of I&M's present filing will be greater than the comparison made by I&M to the IP rate with the surcharge since that rate has not yet been accepted for filing and permitted to become effective.

[2] Exhibit C filed with Anderson's Petition to Intervene, Formal Protest and Request For Rejection of Rate Schedules Submitted for Filing.

[3] In Indiana and Michigan Electric Company, Docket No. E-8987, order issued October 18, 1974, we interpreted a service agreement between I&M and the City of Auburn, Indiana, which provided that service under the terms of the contract would be for a specified number of years "from the time such service is commenced * * *" We concluded from this provision that "the contract, even though formally signed later, began to run" at the time service began. (mimeo. at 4).

as supporting its position that the 1957 contract was actually entered into in 1955.

Upon a review of the contracts in question and after full consideration of Anderson's allegation, we are unable to agree that the 1957 I&M—Anderson contract was actually entered into in 1955. We are of the opinion that the 1957 contract commenced upon its signing, ran for a period of eight years, and by virtue of the 1963 amendment, was extended at least until April 16, 1970 with options to terminate on April 16, 1975 and April 16, 1980. We further conclude that I&M's April 16, 1973 notice to Anderson of its intent to terminate service after April 16, 1975 was sufficient contractual notice of termination of service under Tariff IP.

Anderson's citation of our decision in "Indiana and Michigan Electric Company" in Docket No. E-8987 is misplaced. That case involved a service agreement providing for initial service between the parties and a commencement of service under a contract soon to be signed. Moreover, the short period of service prior to the signing of the service agreement did not occur under a period of time covered by any other executory contract. Anderson's position is far different. In 1955 Anderson was being served under an effective contract whose term had not yet expired.

Although Anderson may have exceeded its maximum demand under the 1951 contract, there is nothing to indicate either party considered the contract to be terminated. I&M continued to serve and Anderson continued to purchase pursuant to the still effective 1951 contract. Even if such a breach would constitute sufficient grounds for terminating the contract, a question we need not reach here, neither party at the time gave the other any notice of termination. Anderson's allegation that I&M's position in a 1973 letter that it could treat a demand upon it in excess of the contractual quantity as grounds for termination does not lend support to its argument. Even if I&M could treat an excess demand as a sufficient breach of contract to terminate service thereunder, I&M appeared to recognize the necessity of so informing Anderson. No such notification was given to Anderson in 1955. On the contrary, despite Anderson's excessive demand the parties continued to operate under their effective contract and chose to reflect such a demand change in their 1957 contract. This conclusion is supported by the 1957 contract itself which is specific with respect to when Anderson's increased maximum demand actually went into effect. The 1957 contract did not reflect a retroactive recognition of an increased maximum demand for Anderson but rather stated that:

> It is agreed that the maximum demand established on the City (of Anderson's) system, as of the date of this Agreement, is 34,000 kva * * *

We conclude therefore that the April 17, 1957 contract became effective and executory on that date and not prior thereto. Consequently the 1963 amendment extended its effectiveness until 1970 with two succeeding five year periods in the absence of notification to terminate. To terminate the service agreement effective as of April 17, 1975, I&M was required to give twenty four months' notice. We find that it gave sufficient contractual notice and that it is not contractually barred by reason of improper notice from terminating service to Anderson under Tariff IP.

Anderson's Claim of Election Rights. The I&M—Anderson contract as amended on January 2, 1963, provides:

> The initial term of the agreement shall be extended for a five year period and will thereafter be renewed automatically in 2 successive periods of 5 years each unless either party shall give the other not less than 24 months notice in writing of its election to discontinue the service at the expiration of any of such 5 year periods.

The Agreement further incorporated the provisions of Company Tariff IP which provides, in part as follows:

> Contracts may be cancelled or reduced in capacity by either party at the end of initial or renewal periods on a minimum of 12 months' prior written notice to the other party.

Despite this clear contractual language Anderson asserts that it has the right to elect to continue to be served under Tariff IP under section 11 of the terms and conditions of Tariff IP. That section provides:

> With particular reference to power customers it shall be understood that upon the expiration of a contract the customer may elect to renew the contract upon the same or another tariff published by the Company * * *

We have closely scrutinized the relevant provisions of the I&M-Anderson agreement, as amended, as well as the provisions of Tariff IP and the terms and conditions thereunder. The provision in the written service agreement as amended as well as the termination provision in Tariff IP are unambiguous. They provide both parties with the right to cancel or terminate service at the conclusion of any of the five year periods in the contract. Section 11, on the other hand, directs itself to the expiration of the last five year period provided for in the contract. Rather than giving Anderson the right to nullify I&M's right to terminate service, which is clearly provided for, Section 11 of the terms and conditions provides Anderson with the right to elect to continue to receive service under Tariff IP or another tariff at the expiration of all the terms of the contract if neither party has not yet exercised its right to terminate or cancel service.

Anderson's interpretation of section 11 of the terms and conditions would render meaningless the two provisions granting either I&M or Anderson the right to terminate service upon proper notice. Since it is a primary tenet of contract interpretation to read a contract so as to give meaning to all of its terms,[4] we must reject Anderson's contention. Other primary rules of contract interpretation further support our finding. Firstly, the provisions of the Service Agreement should be given precedence if they conflict with provisions in Tariff IP and the terms and conditions since the Service Agreement was the bargain struck by the two parties, while Tariff IP and the terms and conditions were intended for the general use of all customers served thereunder.[5] Secondly, the rule of contract interpretation requiring that effectiveness be given to the intention appearing in the principal or most important clause[6] demands we give effect to the Service Agreement's provision bestowing the right of termination.

We conclude therefore that Section 11 of the terms and conditions of Tariff IP does not preclude I&M from terminating service to Anderson under Rate IP and filing the proposed service agreement placing Anderson on the WS rate.

Anderson's claims of discrimination. Anderson argues in its protest that I&M's filing violates the anti-discrimination provisions in the Federal Power Act and Clayton Act because it discriminates against Anderson both by placing it in an inferior competitive position for industrial customers with respect to I&M and by affording it discriminatory rate treatment vis-a-vis the City of Richmond. Anderson's allegation of discrimination with respect to the City of Richmond is an issue in the pending proceeding in Docket No. E-7740. In that proceeding we permitted the parties to introduce evidence to determine whether I&M was discriminating among its municipal customers.[7]

In support of its claim that the Commission must consider the potentially anti-competitive situation vis-a-vis I&M that may result from Anderson's being placed under the WS Rate, Anderson cites the recent case of "Conway Corporation v. Federal Power Commission."[8] Because that decision is not yet final it would be premature to address Anderson's antitrust allegation at this time.

Anderson has further alleged that the unsigned Service Agreement filed by I&M is discriminatory on its face. Anderson states that Paragraphs 1 and 2 of the agreement read together arguably grant

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[4] Williston on Contracts, 3d ed., 618, at 710-711.

[5] *See* 4 Williston on Contracts, 3d ed., 622, at 776.

[6] 4 Williston on Contracts, 3d ed., 624, at 822.

[7] Indiana & Michigan Electric Company, Docket No. E-7740 order issued July 3, 1973; Indiana & Michigan Electric Company, Docket No. E-7740, order issued November 27, 1973, wherein we stated:

"* * * we cannot determine whether the contested discrimination actually exists until following the evidentiary hearing ordered in this docket * * * evidence on this issue is proper for examination in this docket." (at 4).

[8] ____ F. 2d ____ (D.C. Cir., Docket No. 73-2207, issued April 4, 1975).

I&M the right to serve Anderson in perpetuity under Tariff WS. Anderson further contends that the limitation of Anderson to a contract capacity of 108,000 Kva restricts normal load growth on Anderson's system.

We do not read Paragraphs 1 and 2* as providing for exclusive service to Anderson in perpetuity by I&M under Tariff WS. The provisions do not preclude Anderson from contracting for additional capacity from a supplemental source. Moreover, the Service Agreement expressly provides that the term of the agreement, as well as the renewal provisions and termination provisions are to be those provided in Tariff WS. Anderson is not therefore singled out and bound by a contract period different from other municipal customers served by I&M.

We further do not find the kva limitation to be a sufficient basis for rejecting the tendered Service Agreement. I&M has historically placed a limitation upon Anderson and its other customers in an apparent attempt to ensure that it will be able to meet the demands on its system. A review of the history of the contractual relations between I&M and Anderson, as presented in this record, further indicates that Anderson has consistently been afforded the opportunity to increase its maximum contract capacity from that set out in the initial term of the contract if Anderson's load growth so demands.

We conclude therefore that I&M is not contractually precluded from terminating its contract to serve Anderson under Tariff IP, that I&M has given proper contractual notice of termination to Anderson, and that the tendered Service Agreement should not be rejected on the basis of anticompetitive or discrimination grounds. We shall therefore accept for filing the unsigned Service Agreement tendered by I&M.

Waiver of § 35.14. I&M's request for a waiver of § 35.13 of the Commission's Regulations insofar as that Section would require the preparation and filing of an entirely new cost of service study is reasonable and we shall grant such request. I&M's original filing of the new WS Rate Schedule in Docket No. E-7740 was accompanied by full cost of service data. Because I&M's present filing does not attempt to increase the rates and charges under the WS Rate Schedule but only to place Anderson under such service, a new cost of service study is not required.[10]

I&M's filing of the WS Rate Schedule and the accompanying cost of service study, which contemplated eventually serving Anderson, was not too premature to encompass customers under later expiring contracts. It is within our authority to refer to the date submitted in the proceeding in Docket No. E-7740 and make our determination thereunder.[11]

Our review further indicates that there is no necessity for suspending I&M's present filing and providing for a hearing. The WS Tariff here at issue was suspended for the full statutory period and made subject to refund obligation in a previous order in Docket No. E-7740.[12] Anderson was therein afforded the opportunity to participate, and indeed did participate in those lengthy proceedings. In view of the fact that the effectiveness of the WS Tariff has already been suspended[13] and Anderson has had full opportunity to challenge the justness and reasonableness of the WS Tariff and the increased rates and charges thereunder, there is nothing to be served by providing a suspension of and a hearing in the present proceeding.

We note that our decision herein will not effect I&M's refund obligation toward Anderson if it is ultimately determined that the WS Tariff is unjust and unreasonable. Anderson is protected under the refund obligation imposed upon I&M by the Court of Appeals for the District of Columbia Circuit in reinstating the suspension and refund obligation under I&M's WS Tariff.[14] Because that refund obligation extends to all customers served under Tariff WS it will apply to rates charged Anderson under the new service agreement.

We shall therefore accept I&M's March 17, 1975 filing and permit it to become effective April 17, 1975. We will further consolidate the present proceeding with the proceeding in Docket No. E-7740 for the purpose of our final disposition on the justness and reasonableness of the WS Rate Schedule.

The Commission finds. (1) It is necessary and appropriate in the public interest, and to aid in the enforcement of the provisions of the Federal Power Act that the Commission accept for filing I&M's March 17, 1975 tendered unsigned service agreement to be effective April 17, 1975.

(2) Good cause does not exist to grant Anderson's request for rejection of I&M's filing, or in the alternative a request for a hearing.

(3) Good cause does exist to grant Anderson's petition to intervene.

(4) Good cause exists to grant I&M's request for waiver from filing a new cost of service study under § 35.13 of our regulations.

(5) Good cause exists to consolidate the present proceeding with the pending proceeding in Docket No. E-7740 for the purpose of final disposition.

The Commission orders. (A) I&M's March 17, 1975 filing in Docket No. E-9329, submitting an unsigned service agreement with Anderson, is hereby accepted for filing, and permitted to become effective April 17, 1975, subject to refund.

(B) Anderson's request for rejection of I&M's March 17, 1975 filing, or in the alternative, a request for a hearing, is hereby denied.

(C) Anderson's petition to intervene in this proceeding is hereby granted.

(D) I&M's request for waiver of the requirements of § 35.13 of our regulations insofar as that section would require the filing of a new cost of service study is hereby granted.

(E) The present proceeding in Docket No. E-9329 is hereby consolidated with the proceeding in Docket No. E-7740 for the purpose of final disposition.

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

By the Commission.

Issued April 16, 1975.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-10566 Filed 4-22-75;8:45 am]

[Docket No. E-9376]

INTERSTATE POWER CO.

Filing of Electric Service Agreement and Transmission Service Agreement

APRIL 17, 1975.

Take notice that on April 11, 1975, Interstate Power Company (Interstate) tendered for filing an Electric Service Agreement and a Transmission Service Agreement both dated March 17, 1975 between Interstate Power Company and the City of Blue Earth, Minnesota. Interstate requests an effective date of April 15, 1975.

Interstate states that the purpose of the filing is to replace the present nonstandard Electric Service Agreement with the standard form of Electric Service

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* Paragraphs 1 and 2 of the proposed Service Agreement provide as follows:

1. The Company agrees to furnish to Customer, all the electric service required by Customer at the point or points of delivery designated in Appendix 1 below.

2. Customer agrees to pay Company for such electric service and the right to receive the same in accordance with the applicable provisions of Company's FPC Electric Tariff WS, on file with the Federal Power Commission, or any applicable superseding tariff or rate schedule(s) accepted for filing by the Federal Power Commission, each of which is incorporated herein by reference thereto, and service under this agreement shall be subject to all provisions of such FPC Electric Tariff WS or superseding tariff or rate schedule.

[10] Our grant of waiver from filing a new cost of service study in the instant filing is not inconsistent with our action in our order of April 2, 1975, in Docket Nos. E-9258, et al., wherein we denied such request for I&M's filings seeking authorization to charge its wholesale customers a higher rate under Tariff IP. The instant filing seeks to place Anderson under the identical rate at issue in Docket No. E-7740, whereas I&M's January 29, 1975 filings sought to increase the rates charged its customers under Tariff IP, an increase which was requested without any cost of service support.

[11] Municipal Electric Utility Association of Alabama v. FPC., 485 F. 2d 967, 974 (D.C. Cir. 1973).

[12] Indiana & Michigan Electric Company, 48 FPC 304, 308 (1972).

[13] The U.S. Court of Appeals for the D.C. Circuit held that the Commission's original suspension order was a nullity. However, the Court subsequently employed its equity power to reinstate the suspension of I&M's tariff for five months and permitted the Commission to require refunds. Indiana & Michigan Electric Company v. F.P.C., Docket No. 72-2168, issued February 14, 1974, order on rehearing issued August 14, 1974.

[14] Indiana & Michigan Electric Company v. F.P.C., supra note 13.

Agreement currently in use by the Company. The various optional categories of electric service available to the Community under the Renewal Electric Service Agreement are the same as those contained in the Company's agreements designated as Interstate Power Company Rate Schedule No. 101, 103, 104, 105, 106, 107, 108, 111 and 112. The Company states that service available under the Transmission Service Agreement remains unchanged since that agreement has been renewed only to coincide with the Electric Service Agreement effective date.

Intrastate states that no schedule of expected revenue pursuant to § 35.12(b)(1) is included in its filing since any sales under these agreements will be nonfirm in nature.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure. All such petitions or protests should be filed on or before May 2, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10567 Filed 4-22-75;8:45 am]

[Docket No. CP75-288]

KENTUCKY WEST VIRGINIA GAS CO.

Application

APRIL 16, 1975.

Take notice that on April 8, 1975, Kentucky West Virginia Gas Company (Applicant), P.O. Box 1388, Ashland, Kentucky 41101, filed in Docket No. CP75-288 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to continue the identical service through existing facilities to the distribution system in the City of Hazard, Kentucky, now owned by the City of Hazard (City), which system was previously owned and operated by the Hazard Gas Company, Incorporated (Hazard Gas), and served by Applicant, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant asserts that the 400,000 Mcf of gas annually delivered by Applicant to Hazard is delivered from facilities through which gas travels outside Kentucky for resale outside Kentucky.

Applicant describes the City as having a population of 7,000, with approximately 2,000 natural gas customers. According to the application the City receives its gas from natural gas wells owned by the City from the H.S.&G. Drilling Company, and from Applicant.

The charge to City by Applicant consists of a demand charge of $2.36 per Mcf of billing demand per month and a commodity charge of 26.34 cents per Mcf of gas delivered. The billing demand is based upon 2,436 Mcf for the period ending April 30, 1975. The service agreement between Applicant and the City provides for maximum annual volumes of 400,000 Mcf and maximum daily volumes of 3,450 Mcf of gas.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 7, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in acordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.0) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commision will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10568 Filed 4-22-75;8:45 am]

[Docket No. CI75-559]

McCULLOCH OIL CO.

Petition for Special Relief

APRIL 16, 1975.

Take notice that on March 21, 1975, McCulloch Oil Corporation, (Petitioner), 10880 Wilshire Boulevard, Suite 1600, Los Angeles, California 90024, filed a petition for special relief in Docket No. CI75-559, pursuant to § 2.76 of the Commission's General Policy and Interpretations. Petitioner requests a rate of 70 cents per Mcf for a sale of natural gas to Northern Natural Gas Company (Northern) from the Olson Field, T18N and T19N, R23W, Ellis County, Oklahoma. In addition, Petitioner requests, subject to refund, that it be granted temporary authority to make sales to Northern pending a disposition of this application.

Any person desiring to be heard or to make any protest with reference to said petition should on or before May 6, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party 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.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10569 Filed 4-22-75;8:45 am]

[Docket No. CP75-278, Docket No. CP75-283]

MICHIGAN WISCONSIN PIPE LINE CO. ET AL.

Applications

APRIL 16, 1975.

Take notice that on March 26, 1975, Michigan Wisconsin Pipe Line Company (Michigan Wisconsin) and ANG Coal Gasification Company (Gasification Company), One Woodward Avenue, Detroit, Michigan 48226,[1] filed in Docket No. CP75-278 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing (1) the sale in interstate commerce by Gasification Company to Michigan Wisconsin of commingled natural gas and synthetic gas produced from coal, and (2) the construction and operation by Michigan Wisconsin of facilities to enable it to receive and transport the commingled gas to its customers. Take further notice that on March 31, 1975, Great Lakes Gas Transmission Company (Great Lakes),[2] One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP75-283 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of commingled natural gas and synthetic gas produced from coal for the account of Gasification Company and the construction and operation of facilities necessary therefor. The proposals are designed to implement a project called "Dakota Transportation Project", all as more fully set forth in the applications which are on file with the

[1] Michigan Wisconsin and Gasification Company are both wholly-owned subsidiaries of American Natural Gas Company.

[2] Great Lakes is owned 50 percent by American Natural Gas Company and 50 percent by TransCanada Pipe Lines Limited.

Commission and open to public inspection.

Gasification Company states that it is contemplating the construction and operation of a coal gasification plant in Mercer County, North Dakota, for the conversion of coal into high Btu gas suitable for pipeline transmission and consumer use. The gasification plant is said to be designed to produce 275,000 Mcf per stream day of high Btu synthetic gas for a 91 percent stream factor, which will result in an average calendar day capacity of 250,000 Mcf, or approximately 91 million Mcf per year. Gasification Company states that it does not request authorization for the construction and operation of any facilities since its proposed facilities will involve only the manufacture of synthetic gas not subject to this Commission's jurisdiction.

The applications indicate that the synthetic gas will be transported for Gasification Company's account in a pipeline (SNG line) to be constructed by Great Lakes from the gasification plant a distance of about 365 miles to a point of interconnection with Great Lakes' existing pipeline system near Thief River Falls, Minnesota. Great Lakes states that it does not request Commission certificate authority for the construction and operation of the SNG line and the transportation of synthetic gas by means thereof since the only gas to be transported through the SNG line will be synthetic gas not subject to the Commission's jurisdiction.

Great Lakes states that at the Thief River Falls interconnection the synthetic gas will be commingled with natural gas flowing through Great Lakes' existing line and the commingled gas will then be transported to the point of interconnection of Great Lakes' existing line with Michigan Wisconsin's existing line near Crystal Falls, Michigan. In order to undertake such transportation Great Lakes requests Commission authorization to construct and operate a total of approximately 217 miles of 36-inch diameter pipeline loop, in eight sections, and related facilities, and to modify existing compressors at seven different compresor stations. Great Lakes states that it will 1) modify existing compressors at compressor stations numbers 2 through 8 on its existing 36-inch line as follows: at Thief River Falls (#2), Shevlin (#3), Deer River (#4), and Cloquet (#5) Stations in Minnesota, at Iron River (#6) Station in Wisconsin, and at Wakefield (#7) and Crystal Falls (#8) Stations in Michigan's upper peninsula; and 2) construct new 36-inch loop line as follows: 8.4 miles between Station Nos. 1 and 2, Kittson County, Minnesota, 28.9 miles between Station Nos. 2 and 3, Pennington, Red Lake and Polk Counties, Minnesota, 9.2 miles between Station Nos. 3 and 4, Beltrami and Hubbard Counties, Minnesota, 21.0 miles between Stations Nos. 3 and 4, Itasca County, Minnesota, 32.4 miles between Station Nos. 4 and 5, Itasca and Aiken Counties, Minnesota, 38.2 miles between Station Nos. 5 and 6, Carlton County, Minnesota, and Douglas County, Wisconsin, 38.6 miles between Stations Nos. 6 and 7, Bayfield, Ashland and Iron Counties, Wisconsin, and 40.6 miles between Station Nos. 7 and 8, Gogebic County, Michigan. Great Lakes estimates its total cost of construction for the aforementioned construction will be $86,373,600 (in 1974 dollars), to be financed by equity and long and short-term debt financing. Great Lakes further states that it will also dedicate approximately 39.5 miles of its existing 36-inch loop line, consisting of four segments all located in Minnesota (3.7 miles in Kittson County, 7.0 miles in Pennington County, 4.0 miles in Hubbard and Cass Counties, and 22.8 miles in St. Louis and Carlton Counties), to the proposed transportation service. Great Lakes claims that it is able to dedicate said facilities to the proposed service because volumes tendered for Northern Natural Gas Company (Northern) have not been as great as originally anticipated [1] and Northern has requested a reduction in contract demand which, if effected, would free the loop facilities for other uses such as that proposed herein.

Applicants state that at the Crystal Falls interchange Gasification Company will sell quantities of commingled natural and synthetic gas to Michigan Wisconsin equivalent in heating value to the output of Gasification Company's coal gasification plant, less fuel and line loss incurred in the transportation of the gas. Michigan Wisconsin states that in order to receive and transport the volumes of gas to be purchased from Gasification Company it seeks certification of (1) the construction and operation of 27.7 miles of 30-inch loop between Crystal Falls, Michigan, and Michigan Wisconsin's existing Mountain Compressor Station in Wisconsin; (2) the installation of one 12,000 HP compressor unit and the upgrading of one existing 7,500 HP compressor to 12,000 HP at the Mountain Compressor Station; and (3) the installation of one 3,500 HP compressor unit at its existing Kewaskum Compressor Station in Wisconsin. Michigan Wisconsin estimates the cost of its proposed facilities to be $13,941,590 (in 1974 dollars), which will be financed initially with funds on hand together with short-term borrowings from banks as required.

Applicants estimate (based on 1974 costs) that the costs of constructing and equipping the gasification plant will be $778,274,000 and the cost of the coal mine will be $125,759,000. Michigan Wisconsin and Gasification Company state that the Dakota Transportation Project cannot be financed solely on their credit and the credit of their parent, American Natural Gas Company. Applicants propose to finance the gasification plant and coal mine separately. Applicants propose to finance the gasification plant during its construction with 61.6 percent intermediate and long-term debt, 20.5 percent equity, and 17.9 percent surcharge from Michigan Wisconsin's customers resulting from the pass-through of capital carrying costs. The coal mine costs are proposed to be financed during the construction period with 75.5 percent long-term debt, 2.2 percent depreciation and depletion, and 22.3 percent surcharge from Michigan Wisconsin's customers to cover debt carrying costs.

In order to provide the protection required by investors Michigan Wisconsin and Gasification Company proposed the following:

1. During the construction period, Michigan Wisconsin will make allowance for finds used during construction (AFUDC) payments to Gasification Company sufficient to cover carrying charges on debt and a 12 percent after-tax return on equity.

2. During the testing period, prior to full operation of the plant, Michigan Wisconsin will continue to pay AFUDC and, in addition, will reimburse Gasification Company for the costs of coal, operation and maintenance expenses and the cost of transporting gas from the coal gasification plant through Great Lakes' facilities to Michigan Wisconsin's system.

3. During the operational period, Michigan Wisconsin will pay Gasification Company the cost of service of the plant, including a 15 percent return on equity, plus the purchase cost of coal and the cost of transportation paid by Gasification Company to Great Lakes. In the event that the output of the plant falls below 50 percent of normal output for more than 45 days, Michigan Wisconsin's payments are reduced to exclude any return on Gasification Company's equity until production returns to 50 percent or more of normal capacity.

4. If the Dakota Transportation Project is not completed or is abandoned, Michigan Wisconsin will make payment to Gasification Company sufficient to amortize the latter's outstanding debt, those relating to the mine and transcontractual commitments (including portation services) and carrying charges over a seven-year period. No recovery of equity would be included in these payments. In the event gas production were drastically reduced by some occurrence, Gasification Company might elect to take the plant out of service and either reconstruct the plant or abandon the plant and sales of the synthetic gas.

5. In the case of all such payments, Michigan Wisconsin's tariff will provide for their inclusion in its rates to its customers. All of Gasification Company's costs will be subject to audit and verification by the Commission.

Michigan Wisconsin and Gasification Company state that based on the aforementioned capital costs and estimated operating expenses, an initial cost of approximately $2.52 per Mcf is projected for synthetic gas at the tailgate of the gasification plant. Applicants point out, however, that the estimated cost per Mcf does not include AFUDC because it

[1] See order accompanying Opinion No. 618, 47 FPC 1202.

is charged to Michigan Wisconsin and, in turn, to Michigan Wisconsin's customers during the construction period, nor does the cost per Mcf include any North Dakota severance tax which would be a direct add-on to the cost of purchased coal and would increase the cost of synthetic gas by approximately 1.0 cent per Mcf for each 7.5 cents per ton of severance tax.[4]

Michigan Wisconsin states that it is in urgent need of the proposed synthetic gas due to expected curtailments on its system. Michigan Wisconsin further states that certification of the Dakota Transportation Project is especially important to it because Michigan Wisconsin cannot use forms of energy alternate to gas and because it imports 14 percent of its gas supply from Canada where prospects of a gas supply shortage loom large.

Any person desiring to be heard or to make any protest with reference to said applications should on or before May 9, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, hearings will be held without further notice before the Commission on these applications 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 certificates is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearings.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10570 Filed 4-22-75;8:45 am]

[Docket No. RP74-80]

NORTHERN NATURAL GAS CO.

Further Extension of Time

APRIL 16, 1975.

April 16, 1975, Minnesota Gas Company filed a motion to extend the procedural dates fixed by order issued February 13, 1975, as most recently modified by notice issued April 2, 1975, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Intervenor's Testimony, May 16, 1975.
Service of Company Rebuttal, May 30, 1975.
Hearing (Unchanged), June 3, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10571 Filed 4-22-75;8:45 am]

[Docket No. E-9372]

PENNSYLVANIA ELECTRIC CO.

Change in Rates Pursuant to Imposition of Gross Receipts Tax

APRIL 17, 1975.

Take notice that on April 10, 1975 Pennsylvania Electric Company (Penelec) tendered for filing notice of its intention to activate a clause in the Settlement Agreement between Penelec and Allegheny Electric Cooperative, Inc. (Allegheny). Penelec states that the settlement was accepted by the Commission in Docket Nos. E-7718 and E-8435 by Order issued September 3, 1974. Penelec states that the clause is designed to recover revenues needed to pay for the imposition of the Pennsylvania Gross Receipts Tax. Penelec states that the tax will be imposed pursuant to a resettlement dated December 23, 1974 signed by the Secretary of Revenue and approved by the Auditor General of the State of Pennsylvania.

The proposed effective date is May 10, 1975. The Company requests that the instant filing be treated as a rate schedule revision.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 5, 1975. 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.75-10572 Filed 4-22-75;8:45 am]

[Docket No. E-8927]

PENNSYLVANIA POWER AND LIGHT CO.

Postponement of Hearing

APRIL 16, 1975.

Take notice that due to a schedule conflict of the Presiding Administrative Law Judge the hearing set for April 22, 1975, by notice issued March 10, 1975 in the above-designated matter, is postponed until May 13, 1975, at 10:00 a.m., e.d.t.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10573 Filed 4-22-75;8:45 am]

[Docket No. R-389-B]

RATES FOR SALES OF NATURAL GAS FROM CERTAIN WELLS AND DEDICATIONS TO INTERSTATE COMMERCE

Order on Clarification; Correction

APRIL 9, 1975.

Just and reasonable national rates for sales of natural gas from wells commenced on or after January 1, 1973, and new dedications of natural gas to interstate commerce on or after January 1, 1973.

In FR Doc. 75-9070 appearing at page 15965 in the issue of Tuesday, April 8, 1975, on page 15965, in footnote 1 "1975" should read "1974", and on page 15966, in the second paragraph, line 8, omit comma after the word "completion".

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10577 Filed 4-22-75;8:45 am]

[Docket No. CI75-591]

SUN OIL CO.

Application

APRIL 16, 1975.

Take notice that on March 31, 1975, Sun Oil Company (Applicant), P.O. Box 2880, Dallas, Texas 75221, filed in Docket No. CI75-591 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon a sale of natural gas in interstate commerce to Skelly Oil Company (Skelly) from the Blinebry Field, Lea County, New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it proposes to abandon the sale of gas to Skelly from Well No. 2, State Land 15, Blinebry Field, which has been made pursuant to a percentage-type contract. Applicant states that as an oil well, the casinghead gas therefrom is dedicated to Skelly, and as a gas well, the gas-well gas therefrom is covered by Applicant's contract with Northern Natural Gas Company on file as Applicant's FPC Gas Rate Schedule No. 314. Applicant states that it proposes to abandon the subject sale because the New Mexico Oil Conservation Commission has reclassified the wells from oil wells to gas wells; and, therefore, Skelly is no longer contractually entitled to the gas from the subject acreage.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 6, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure

[4] Applicant states that they anticipate the imposition of some severance tax, but the amount of the tax is unknown at this time.

(18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10574 Filed 4-22-75;8:45 am]

[Docket No. E-9360]

UNION ELECTRIC CO.

Filing of Facility Use Agreement Appendix and Request for Waiver

APRIL 17, 1975.

Take notice that on April 4, 1975, Union Electric Company (Union) tendered for filing First Revised Appendix M dated March 10, 1975, to the Facility Use Agreement between Union Electric Company and Illinois Power Company (Illinois).

Union states that the proposed Appendix modifies the charges paid by Illinois, and provides for an annual facilities charge of $2,960.40 based on 15 percent of Union's $19,736 investment in the facilities, thus reflecting the installation of additional equipment by Union. The proposed Appendix also reflects added costs of $1,568 to Union for installing additional relaying equipment required when Illinois reconnected its No. 6632 line.

Union further states that inasmuch as this filing was delayed pending determination of actual costs, it is requesting a waiver of the notice provisions of the Commission's Rules and Regulations to allow an effective date of January 1, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions should be filed on or before April 30, 1975. 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 available for public inspection at the Federal Power Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10575 Filed 4-22-75;8:45 am]

[Docket Nos. RP71-29, RP71-120 (Phase I)]

UNITED GAS PIPE LINE CO.

Extension of Time

APRIL 16, 1975.

On April 14, 1975, the State of Louisiana, Louisiana Municipal Association, and Parish of Cameron jointly filed a motion to extend the procedural dates fixed by order issued March 7, 1975, in the above-designated matter.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Intervenor's Testimony, April 21, 1975.
Service of Company Rebuttal, May 9, 1975.
Hearing (Unchanged), May 20, 1975 (10:00 a.m., e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10576 Filed 4-22-75;8:45 am]

FEDERAL RESERVE SYSTEM

FIRST NATIONAL INSURANCE AGENCY, INC.

Proposed Continuation of Insurance Agency Activities

First National Insurance Agency, Incorporated, Exeter, Nebraska, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to continue to engage in insurance activities in a town of less than 5,000 population which were commenced by the acquisition of the E. L. McCabe Agency in 1964 and the A. B. & C. Becker Agency in 1967. Notice of the application was published on December 12, 1974 in the Fillmore County News, a newspaper circulated in Fillmore County, Nebraska.

Applicant states that it would continue to engage in the activities of selling and servicing fire and casualty insurance policies as agent in a town of less than 5,000 population. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

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 May 16, 1975.

Board of Governors of the Federal Reserve System, April 15, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-10539 Filed 4-22-75;8:45 am]

INSURED BANKS

Joint Call for Report of Condition

CROSS REFERENCE: For a document pertaining to the joint call for report of condition of insured banks, issued jointly by the Federal Deposit Insurance Corporation, the Federal Reserve System, and the Comptroller of the Currency, see FR Doc. 75-10537, *supra*.

FOREIGN-TRADE ZONES BOARD

[Order No. 105]

PORTSMOUTH, VA.

Resolution and Order Approving Application for Foreign Trade Zone

Pursuant to the authority granted in the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u) the Foreign-Trade Zones Board has adopted the following Resolution and Order:

The Board, having considered the matter hereby orders:

After consideration of the application of the Virginia Port Authority, an agency of the Commonwealth of Virginia, filed with the Foreign-Trade Zones Board (the Board) on October 11, 1974, requesting a grant of authority for the establishing, operating and maintaining of a foregn-trade zone in Portsmouth, Virginia, the Board, finding that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's regulations are satisfied and that the proposal is in the public interest, approves the application. The grantee shall notify the Board's Executive Secretary for clearance prior to the commencement of any manufacturing operation within the zone. The Secretary of Commerce, as Chairman and Executive Officer of the Board, is hereby authorized and directed to issue an appropriate grant of authority and Board Order.

TO ESTABLISH, OPERATE, AND MAINTAIN A FOREIGN-TRADE ZONE IN PORTSMOUTH, VIRGINIA

Whereas, by an Act of Congress approved June 19, 1934, an Act "To provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes", as amended (19 U.S.C. 81a–81u) (hereinafter referred to as "the Act") the Foreign-Trade Zones Board (hereinafter referred to as "the Board") is authorized and empowered to grant to corporations the privilege of establishing, operating, and maintaining foreign-trade zones in or adjacent to ports of entry under the jurisdiction of the United States;

Whereas, the Virginia Port Authority, Commonwealth of Virginia, (hereinafter referred to as "the Grantee"), has made application (filed October 11, 1974) in due and proper form to the Board requesting the establishment, operation, and maintenance of a foreign-trade zone in Portsmouth, Virginia;

Whereas, notice of said application has been given and published, and full opportunity has been afforded all interested parties to be heard; and

Whereas, the Board has found that the requirements of the Act and the Board's regulations (15 CFR Part 400) are satisfied:

Now therefore, the Board hereby grants to the Grantee the privilege of establishing, operating, and maintaining a foreign-trade zone, designated on the records of the Board as Zone No. 20, at the location mentioned above and more particularly described on the maps accompanying the application requesting authority for a foreign-trade zone in Portsmouth, Virginia, marked as Exhibits IX and X, said grant being subject to the provisions, conditions, and restrictions of the Act and the regulations issued thereunder, to the same extent as though the same were fully set forth herein, and also to the following express conditions and limitations, to-wit:

Operation of the foreign-trade zone shall be commenced by the Grantee within a reasonable time from the date of issuance of the grant, and prior thereto the Grantee shall obtain all necessary permits from Federal, State, and municipal authorities.

The Grantee shall allow officers and employees of the United States free and unrestricted access to and throughout the foreign-trade zone in the performance of their official duties.

The Grantee shall notify the Executive Secretary of the Board for approval prior to the commencement of any manufacturing operation within the zone.

The grant shall not be construed to relieve the Grantee from liability for injury or damage to the person or property of others occasioned by the construction, operation, or maintenance of said zone, and in no event shall the United States be liable therefor.

The grant is further subject to settlement locally by the District Director of Customs and the District Army Engineer with the Grantee regarding compliance with their respective requirements for the protection of the revenue of the United States and the installation of suitable facilities.

In witness whereof, the Foreign-Trade Zones Board has caused its name to be signed and its seal to be affixed by its Chairman and Executive Officer at Washington, D.C. this 15th day of April, 1975, pursuant to Order of the Board.

FOREIGN-TRADE ZONES BOARD,
[SEAL] KARL E. BAKKE,
Acting Chairman and Executive Officer, Secretary of Commerce.

Attest:

JOHN J. DAPONTE, JR.,
Executive Secretary.

[FR Doc.75–10530 Filed 4–22–75;8:45 am]

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt of Report Proposal

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO, on April 16, 1975. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipt.

The notice includes the title of the request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed form are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed form, comments (in triplicate) must be received on or before May 12, 1975, and should be addressed to Mr. Monte Canfield, Jr., Director, Office of Special Programs, United States General Accounting Office, 425 I Street NW., Washington, D.C. 20548.

Further information may be obtained from the Regulatory Reports Review Officer, 202–376–5425.

FEDERAL ENERGY ADMINISTRATION

Request for clearance of a new report, FEA–C603–S–O, Identification Report: Powerplant in Early Planning Process. The initial reports are required to be filed by all powerplants in the "early planning process." This is a period which commences 10 years prior to the planned commencement of the sale or exchange of electric power by a powerplant and terminates with commencement of the driving of the foundation piling or equivalent foundation structural event in accordance with approved final drawings for the main powerplant boiler. Subsequently, each powerplant which enters the early planning process must file this report by the 15th of the following month. Reports are mandatory under Pub. L. 93–275.

Information required includes location of powerplant, planned use of powerplant, coal firing capability, type of service, the schedule for planning, design and construction, and the status of contractual commitments.

Respondents are expected to number 600 in 1975. Respondent burden is estimated at one half-hour per response.

NORMAN F. HEYL,
Regulatory Reports Review Officer.

[FR Doc.75–10579 Filed 4–22–75;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

FEDERAL-STATE PARTNERSHIP ADVISORY SUBPANEL

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given that a closed meeting of the Federal-State Partnership Advisory Subpanel to the National Council on the Arts will be held on May 14, 15, 1975, from 9 a.m.–5 p.m., 13th floor, Columbia Plaza Office Building, 2401 E Street, NW., Washington, D.C.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of January 10, 1973, this meeting, which involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b) (4), (5)), will not be open to the public.

Further information with reference to this meeting can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634–6110.

EDWARD M. WOLFE,
Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.

[FR Doc.75–10588 Filed 4–22–75;8:45 am]

NUCLEAR REGULATORY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Meeting

In accordance with the purposes of sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards will hold a meeting on May 8–10, 1975,

in Room 1046, 1717 H Street, NW., Washington, D.C.

The following constitutes that portion of the Committee's agenda for the above meeting which will be open to the public:

THURSDAY, MAY 8, 1975

11:15 a.m.–1:30 p.m.: Perry Nuclear Plant Units 1 and 2. The Committee will hear presentations by and hold discussions with representatives of the Cleveland Electric Illuminating Company and the NRC Staff related to the Construction Permit application for this facility. This portion of the meeting will include closed sessions if required to discuss proprietary information related to the design, construction and/or operation of this plant. Closed sessions will also be held if required to discuss security arrangements for this plant and for Committee deliberative sessions.

2:30 p.m.–4:30 p.m.: Meeting with NRC Staff. The Committee will hear presentations by and hold discussions with members of the NRC Staff related to:

(1) Recent reactor operating experience and licensing actions

(2) Resolution of generic items related to the General Electric Company BWR MK–III containment

FRIDAY, MAY 9, 1975

9:45 a.m.–1:00 p.m.: Byron/Braidwood Stations. The Committee will hear presentations by and hold discussions with representatives of the Commonwealth Edison Company and the NRC Staff related to the request for Construction Permits for these stations. This portion of the meeting may include closed portions if required to discuss proprietary information related to the design, construction and/or operation of these stations. Closed sessions will also be held if necessary to discuss security information regarding these plants and for Committee deliberative sessions.

It should be noted that, in addition to the closed portions of the agenda items noted above, the Committee will hold other sessions not open to the public under the authority of section 10(d) of Pub. L. 92–463 (the Federal Advisory Committee Act), to consider the above applications and other matters. I have determined in accordance with section 10(d) of Pub. L. 92–463 that it is necessary to close such portions of the meeting to protect proprietary data (5 U.S.C. 552 (b)(4)), and to protect the free interchange of internal views to avoid undue interference with agency or Committee operation (5 U.S.C. 552(b)(5)). Any nonexempt material that may be discussed during the closed portions of the meeting will be inextricably intertwined with discussion of exempt material and no further separation is practical. Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Committee is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business, including provisions to carry over an incompleted open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda item may do so by mailing 25 copies thereof, postmarked no later than April 30, 1975, to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Such written comments shall be based on documents related to the agenda items noted above, and related documents on file and available for public inspection at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555, and as follows:

PERRY NUCLEAR PLANT UNITS 1 AND 2

Perry Public Library
3753 Main Street
Perry, Ohio 44081

BYRON STATION

Byron Public Library
Third & Washington Street
Byron, Illinois 61010

BRAIDWOOD STATION

Wilmington Township Public Library
201 South Kankakee Street
Wilmington, Illinois 60481

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the Committee. To the extent that the time available for the meeting permits, the Committee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Committee.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Committee, who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting or portions of the meeting have been cancelled or rescheduled, and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on May 7, 1975, to the Office of the Executive Secretary of the Committee (Telephone: 202–634–1371) between 8:30 a.m. and 5:15 p.m., e.d.t. It should be noted that the schedule noted above is tentative, based on the anticipated availability of related information, etc. It may be necessary to reschedule items during the same day to accommodate required changes. The ACRS Executive Secretary will be prepared to describe these changes on May 7, 1975.

(e) Questions may be propounded only by members of the Committee and its consultants.

(f) The use of still, movie, and television cameras, the physical installation and presence of which will not interfere with the course of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in sessions.

(g) Persons desiring to attend portions of the meeting where proprietary information, other than plant security information, is being discussed may do so by providing to the Executive Secretary 7 days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information providing for access to this information.

(h) A copy of the transcript of the open portions of the meeting will be available for inspection during the following workday at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street NW., Washington, D.C. On request, copies of the minutes of the meeting will be made available for inspection at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street NW., Washington, D.C. on or after August 8, 1975. Copies may be obtained upon payment of appropriate charges.

Dated: April 18, 1975.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.75–10737 Filed 4–22–75;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS' SUBCOMMITTEE ON PERRY NUCLEAR POWER PLANT, UNITS 1 AND 2

Change of Meeting Location

The FEDERAL REGISTER Notice, published at 40 FR 16099, April 9, 1975, relating to the April 25, 1975 meeting of the ACRS Subcommittee on Perry Nuclear Power Plant, units 1 and 2, is revised as follows:

Because of anticipated local public interest and participation, the location of the meeting is changed from Des Plaines, IL to the Quail Hollow Inn, Concord-Hamdon Road, Painesville, OH.

Other matters pertaining to this meeting remain unchanged.

Dated: April 18, 1975.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.75–10736 Filed 4–22–75;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS' SUBCOMMITTEE ON REGULATORY GUIDES

Meeting

In accordance with the purposes of Sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards' Subcommittee on Regulatory Guides will hold a meeting on May 7, 1975 in Room 1062, 1717 H Street NW., Washington, D.C. This meeting will have both open and closed sessions.

The following constitutes that portion of the Subcommittee's agenda for the

above meeting which will be open to the public:

Wednesday, May 7, 1975, 8:45 a.m. until about 10:15 a.m. The Subcommittee will hear presentations from the NRC Staff and will hold discussions with this group pertinent to its review of Revision 1 to Regulatory Guide 1.89, "Qualification of Class IE Experiment for Nuclear Power Plants."

In connection with the above agenda item, the Subcommittee may hold one or more Executive Sessions, not open to the public, at approximately 8:30 a.m. and 10 a.m. on May 7 to consider matters related to the above review. These sessions will involve an exchange of opinions and discussion of preliminary views and recommendations of Subcommittee members and internal deliberations for the purpose of formulating recommendations to the ACRS.

After the above portion of the meeting is concluded, the Subcommittee will meet in closed session with the NRC Staff and any consultants at about 10:15 a.m. until the close of business to discuss the following working papers:

1. Control Room Manning.
2. Qualification for Cement Grouting for Prestressing Tendons in Containment Structures.
3. Preoperational and Initial Startup Testing of Feedwater and Condensate Systems for Boiling Water Reactors.
4. Ultimate Heat Sink to Nuclear Power Plants—Revision 2 to Regulatory Guide 1.27.

This portion of the meeting may include Executive Sessions both before and after the closed session with the NRC Staff.

I have determined, in accordance with Subsection 10(d) of Pub. L. 92-463, that the Executive Sessions will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that other closed sessions will be held to discuss and exchange views on working papers which fall within exemption (5) of 5 U.S.C. 552 (b). Further, any non-exempt material that will be discussed during the above closed sessions will be inextricably intertwined with exempt material, and no further separation of this material is considered practical. It is essential to close such portions of the meeting to protect the free interchange of internal views and to avoid undue interference with agency or Subcommittee operation.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that, in his judgment, will facilitate the orderly conduct of business.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding Regulatory Guide 1.89 may do so by mailing 25 copies thereof, postmarked no later than April 30, 1975, to the Executive Secretary, Advisory Committee on Reactor Safeguards, Nuclear Regulatory Commission, Washington, D.C. 20555. Such comments shall be based upon documents on file and available for public inspection at the Nuclear Regulatory Commission's Public Document Room, 1717 H St. NW., Washington, D.C. 20555.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the Subcommittee. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittee, between the hours of 9 a.m. and 10 a.m. on May 7, 1975.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittee who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been cancelled or rescheduled and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on May 6, 1975, to the Advisory Committee on Reactor Safeguards (telephone 202/634-1393) between 8:15 a.m. and 5 p.m., e.t.

(e) Questions may be propounded only by members of the Subcommittee and its consultants.

(f) Seating for the public will be available on a first-come first-served basis.

(g) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(h) A copy of the transcript of the open portion of the meeting will be available for inspection on or after May 9, 1975, at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street NE., Washington, D.C. 20002 (telephone 202/547-622) upon payment of appropriate charges.

(i) On request, copies of the minutes of the meeting will be made available for inspection at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555 after August 7, 1975. Copies may be obtained upon payment of appropriate charges.

Dated: April 18, 1975.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.75-10735 Filed 4-22-75;8:45 am]

WORKING GROUP ON SYSTEMS ANALYSIS OF ENGINEERED SAFETY FEATURES

Meeting

In accordance with the purposes of sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards' Working Group on Systems Analysis of Engineered Safety Features (ESF) will hold a meeting on May 7, 1975, in Room 1046, 1717 H Street NW., Washington, D.C. The purpose of this meeting will be to develop information for consideration by the ACRS in its review of current methods in use within the Regulatory Staff for Systems Analysis of ESF.

The following constitutes that portion of the Working Group's agenda for the above meeting which will be open to the public:

Wednesday, May 7, 1975—9 a.m. until the conclusion of business. The Working Group will hear presentations by representatives of the NRC Staff and will hold discussions with the Staff pertinent to its review of present Staff methods for Systems Analysis of nuclear plants and will also discuss with the Staff possible additional measures which might be desirable to enhance the usefulness of these analyses.

In connection with the above agenda item, the Working Group will hold Executive Sessions, not open to the public, at 8:30 a.m. and at the end of the day to consider matters relating to the above presentations and discussions. These sessions will involve an exchange of opinions and discussion of preliminary views and recommendations of Working Group members and internal deliberations for the purpose of formulating recommendations to the ACRS.

In addition to the Executive Sessions, the Working Group may hold closed sessions with representatives of the NRC Staff and its consultants for the purpose of discussing preliminary opinions and views concerning Systems Analysis of ESF, if necessary.

I have determined, in accordance with Subsection 10(d) of Pub. L. 92-463, that the above-noted Executive Sessions will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b). Further, any non-exempt material that will be discussed during the above closed sessions will be inextricably intertwined with exempt material, and no further separation of this material is considered practical. It is essential to close such portions of the meeting to protect the free

interchange of internal views, to avoid undue interference with agency or Working Group operation, and to avoid public disclosure of proprietary information.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Working Group is empowered to conduct the meeting in a manner that, in his judgment, will facilitate the orderly conduct of business, including provisions to carry over an incompleted open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda item may do so by mailing 25 copies thereof, postmarked no later than April 28, 1975, to the Executive Secretary, Advisory Committee on Reactor Safeguards, Nuclear Regulatory Commission, Washington, D.C. 20555.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the Working Group. To the extent that the time available for the meeting permits, the Working Group will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Working Group between the hours of 1:30 p.m. and 3:30 p.m. on May 7, 1975.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Working Group who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has been cancelled or rescheduled and in regard to the Chairman's ruling on requests for opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on May 6, 1975, to the Office of the Executive Secretary of the Committee (telephone 202-634-1414) between 8:15 a.m. and 5 p.m., e.t.

(e) Questions may be propounded only by members of the Working Group and its consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(h) A copy of the transcript of the open portion of the meeting will be available for inspection on or after May 9, 1975, at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street, NE., Washington, D.C. 20002 (telephone 202-547-6222) upon payment of appropriate charges.

(i) On request, copies of the minutes of the meeting will be made available for inspection at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555 after August 7, 1975. Copies may be obtained upon payment of appropriate charges.

Dated: April 18, 1975.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.75-10734 Filed 4-22-75;8:45 am]

[Docket No. 50-334]

DUQUESNE LIGHT CO., ET AL. (BEAVER VALLEY POWER STATION, UNIT NO. 1)

Order Convening Evidentiary Hearing

At a prehearing conference held on December 19, 1974, consideration was given to the preparation of data by Duquesne Light Company, Ohio Edison Company, and Pennsylvania Power Company (Applicants) and the Regulatory Staff of the Commission. Those data have now been supplied by the parties to this proceeding and the evidentiary hearing can now be scheduled.

Wherefore, it is ordered, In accordance with the Atomic Energy Act, as amended, and the rules of practice of the Commission, that an evidentiary hearing shall convene at 9:00 a.m. on Tuesday, May 13, 1975 in Courtroom No. 2, U.S. District Court, located on the Eighth Floor, U.S. Post Office and Courthouse, 7th and Grand Streets, Pittsburgh, Pennsylvania 15230.

Issued: April 17, 1975, Bethesda, Md.

ATOMIC SAFETY AND LICENSING BOARD,
SAMUEL W. JENSCH,
Chairman.

[FR Doc.75-10545 Filed 4-22-75;8:45 am]

[Docket Nos. 50-338, 50-339]

VIRGINIA ELECTRIC AND POWER CO. (NORTH ANNA POWER STATION, UNITS 1 AND 2)

Order Extending Construction Completion Dates

Virginia Electric and Power Company is the holder of Provisional Construction Permits (Nos. CPPR-77 and CPPR-78) issued by the Commission on February 19, 1971, for the construction of the North Anna Power Station, Units 1 and 2, presently under construction at the Company's site in Louisa County, Virginia.

By letters dated June 19, 1974, November 27, 1974 and January 21, 1975, the company requested extension of the completion dates in the above permits because construction has been delayed due to (1) design changes, (2) weld repairs, and (3) construction delays. This action involves no significant hazards consideration. Good cause has been shown for the delay. The requested extension is for a reasonable period, the bases for which are set forth in a staff evaluation, dated April 15, 1975.

Accordingly, It is hereby ordered, That the latest completion dates for CPPR-77 and CPPR-78 are extended from August 1, 1974 and August 1, 1975, respectively, to March 1, 1977 and May 1, 1978, respectively.

For the Nuclear Regulatory Commission.

Date of issuance: April 15, 1975.

A. SCHWENCER,
Chief, Light Water Reactors Branch 2-3, Division of Reactor Licensing.

[FR Doc.75-10546 Filed 4-22-75;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on April 18, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF DEFENSE

Department of the Air Force, Survey of Attitudes Toward the Air Force and the AFROTC program at Washington State University, single-time, college students, Caywood, D.P., 395-3443.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration, Quality of Service Measurement Program, SSA-3138, SSA-3139, single-time, visitors and callers to Social Security Administration local offices, Human Resources Division, Caywood, D. P., 395-3532.

Office of Education, Call Report for Unregulated and Specialized Lenders Under the Federally Insured Student Loan Program, OE 1166-3, annually, schools, State guarantee agencies, Planchon, P., 395-3898.

Center for Disease Control, Public Attitudes Toward Public Health Problems (Maricopa County, Arizona), CDCBSS 0114, single-time, residents of Maricopa County, Ariz., Hall, George, Dick Eisinger, 395–4697.

DEPARTMENT OF THE INTERIOR

Bureau of Sport Fisheries and Wildlife, Questionnaires on American Attitudes Toward Animals,, single-time, random sample of American population, Hulett, D. T., 395–4730.

REVISIONS

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service, Monthly Report of Special Food Service Program for Children, FNS–44, monthly, State agencies, Caywood, D. P., 395–3443.

Agricultural Marketing Service, Application for License—To Inspect, Sample, and Test Grain, GR–333, on occasion, employees of official inspection agencies (grain), Caywood, D. P., 395–3443.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education, Institutional Application to Participate in Federal Student Financial Aid Programs, OE 1036, annually, postsecondary educational institutions, Caywood, D. P., 395–3443.

EXTENSIONS

NATIONAL SCIENCE FOUNDATION

Participant Information Sheet, 619, on occasion, Marsha Traynham, 395–4529.

Participant Information Sheet—Student Science Program Instructions for Completing, NSF–42, annually, Marsha Traynham, 395–4529.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration, National Inventory of Family Planning Clinics, HRANCHES 01, annually, facilities providing family planning services, Dick Eisinger, 395–4716.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary, Form HUD–54000B–Part I: Application Target Projects Program With Related Forms, HUD–54001, HUD–54002, HUD–54003, HUD–54004, single-time, Community and Veterans Affairs Division, 395–3532.

Housing Management:

Nonoccupancy Assignments Under Section 235, HUD 9828, monthly, Community and Veterans Affairs Division, 395–3532.

Report of Construction Status of Advance Planning Project, HUD–4435, annually, Community and Veterans Affairs Division, 395–3532.

Project Expenditures Budget, HUD–6220, on occasion, Community and Veterans Affairs Division, 395–3532.

Justification of Requisition for Project Capital Grant Progress Payment, HUD–693, on occasion, Community and Veterans Affairs Division, 395–3532.

Department of the Interior

Bureau of Land Management:

Desert Land Entry Application, 2520–1, on occasion, individuals, Marsha Traynham, 395–4529.

Exchange of Privately Owned Lands Application, 2200–2, on occasion, individuals, Marsha Traynham, 395–4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75–10720 Filed 4–22–75;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on April 17, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202–295–4529), or from the reviewer listed.

NEW FORMS

VETERANS ADMINISTRATION

Paralyzed Veterans of America Research Project, single-time, disabled veterans, Hall, George, 395–4697.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service, State Outreach and Education Activities—Food Stamp Program, FNS 732–6, other (see SF–83), State agencies, Human Resources Division, 395–3532.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Equal Opportunity, Equal Opportunity Housing Plan, on occasion, public housing agencies, Community and Veterans Affairs Division, 395–3532.

REVISIONS

DEPARTMENT OF THE INTERIOR

Bureau of Mines:

Industrial Sand and Gravel, annual, 6–1273–A, commercial producers of sand and gravel, Weiner, N., 395–4890.

Sand and Gravel, 6–1274–A, annually, commercial and government producers of sand and gravel, Weiner, N., 395–4890.

EXTENSIONS

VETERANS ADMINISTRATION

Survey Questionnaires, FL 24–918A, quarterly, Marsha Traynham, 395–4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75–10721 Filed 4–22–75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

REPORT COORDINATING GROUP (ADVISORY)

Public Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92–463, 86 Stat. 770, the Securities and Exchange Commission announces a public advisory committee meeting.

The Commission's Report Coordinating Group (Advisory) will hold a meeting on May 12, 1975 at the Securities and Exchange Commission, 500 North Capitol Street, Room 876, Washington, D.C. The meeting will commence at 10 a.m. local time and will be for the purpose of discussing the FOCUS Report of financial and operational information and the development of simplified trading forms and assessment forms.

The Group's meetings are open to the public. Any interested person may attend and appear before or file statements with the advisory committee. Said statements, if in written form, may be filed before or after the meeting. Oral statements shall be made at the time and in the manner permitted by the Report Coordinating Group.

The Report Coordinating Group was formed to assist the Commission in developing a coherent, industry-wide, coordinated reporting system. In carrying out this objective, the Report Coordinating Group is to review all reports, forms and similar materials required of broker-dealers by the Commission, the self-regulatory community and others. The Group is expected to advise the Commission on such matters as eliminating unnecessary duplication in reporting, reducing reporting requirements where feasible, and developing the FOCUS Report of financial and operational information. (Securities Exchange Act Release No. 10612; Securities Exchange Act Release No. 10959; Securities Exchange Act Release No. 11140).

Information concerning the meeting, including the procedures for submitting statements to the Group, may be obtained by contacting: Mr. Daniel J. Piliero II, Secretary, SEC Report Coordinating Group, Securities and Exchange Commission, Washington, D.C. 20549.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

APRIL 17, 1975.

[FR Doc.75–10557 Filed 4–22–75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice 748]

ASSIGNMENT OF HEARINGS

APRIL 18, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 99203, Sub 13, Skyline Transportation, Inc., now being assigned July 7, 1975 (1 week), at Nashville, Tennessee, in a hearing room to be designated later.

MC 95876, Sub 160, Anderson Trucking Service, Inc., now being assigned June 5, 1975 (1 day), at Chicago, Illinois, in a hearing room to be designated later.

MC 51146, Sub 399, Schneider Transport, Inc., now being assigned June 6, 1975 (1 day), at Chicago, Illinois, in a hearing room to be designated later.

MC 107103, Sub 8, Robinson Cartage Co., application dismissed.

MC 78643, Sub 61, Hart Motor Express, Inc. now being assigned July 7, 1975 (1 week), at Bismarck, N. Dak., in a hearing room to be later designated.

MC 30844, Sub 516, Kroblin Refrigerated Express, Inc., now assigned June 5, 1975, at Chicago, Ill., is cancelled and application dismissed.

MC 106920, Sub 54, Riggs Food Express, Inc., MC 134494, Sub 7, Wayne Daniel Truck, Inc., now assigned April 14, 1975, at Chicago, Ill., is continued to June 4, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 98952, Sub 31, General Transfer Company, now being assigned July 7, 1975 (3 days) at Indianapolis, Ind., in a hearing room to be later designated.

MC-C-8555, S. & C. Corporation, D.B.A. Piedmont Tours v. Mrs. Charles Hodgens, Individual, D.B.A. Tour of the Month Club, now being assigned July 15, 1975 (3 days), at Columbia, South Carolina, in a hearing room to be designated later.

MC 115667, Sub 8, Arrow Transfer Co., Ltd., now being assigned July1 15, 1975 (3 days), at Olympia, Washington, in a hearing room to be designated later.

I & S No. 9002, Increased Grain Rates, to Louisiana Gulf Ports, now assigned May 7, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

No. 35641, The Chesapeake and Ohio Railway Company v. Atlantic and East Carolina Railway Company, et al., now assigned July 16, 1975, Washington, D.C., is continued to July 8, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-10611 Filed 4-22-75;8:45 am]

FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

APRIL 18, 1975.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by § 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall *not* be addressed to or filed with the Interstate Commerce Commission.

New York Docket No. T-1139, filed March 17, 1975. Applicant: J. M. McMAHON TRUCKING, INC., Foot of Ironton St., North Tonawanda, N.Y. 14120. Applicant's representative: Michael Bellewech, Jr., 20 Cathedral St., Buffalo, N.Y. 14202. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of *General commodities*, from small points in Erie County, N.Y., to all points in Monroe County, N.Y., and from all points in Genesee County, N.Y., to all points in Erie County, N.Y. Intrastate, interstate and foreign commerce authority sought.

HEARING: Date, time and place not yet fixed. Requests for procedural information should be addressed to the New York State Department of Transportation, 1220 Washington Avenue, State Campus, Albany, N.Y. 12226, and should *not* be directed to the Interstate Commerce Commission.

Tennessee Docket No. MC-6354, filed March 18, 1975. Applicant: LAWRENCEBURG EXPRESS, INC., 23rd Floor, Life & Casualty Tower, Nashville, Tenn. 37219. Applicant's representative: Val Sanford (same address as applicant). Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of *General commodities* (except those of unusual value, Classes A and B explosives, commodities in bulk, commodities requiring special equipment and commodities injurious or contaminating to other lading), Between Nashville, Lawrenceburg, and Pulaski, Tenn. Intrastate, interstate and foreign commerce authority sought.

HEARING: Hearing set for May 27, 1975, at the Commission's Court Room, C1-110 Cordell Hull Building, Nashville, Tenn., 9:30 a.m. Requests for procedural information should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville, Tenn. 37219, and should *not* be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-10616 Filed 4-22-75;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 18, 1975.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with rule 40 of the general rules of practice (49 CFR 1100.40) and filed on or before May 8, 1975.

FSA No. 42976—*Class and Commodity Rates Between Points in Texas.* Filed by Southwestern Freight Bureau, Agent, (No. B-529), for interested rail carriers. Rates on various commodities, in carloads, less than carloads, etc., as described in the application, from, to and between points in Texas, over interstate routes through adjoining states. Grounds for relief—Intrastate rates and maintenance of rates from and to points in other states not subject to the same competition.

AGGREGATE-OF-INTERMEDIATES

FSA No. 42977—*Class and Commodity Rates Between Points in Texas.* Filed by Southwestern Freight Bureau, Agent (No. B-528), for interested rail carriers. Rates on various commodities, in carloads, less than carloads, etc., as described in the application, from, to and between points in Texas, over interstate routes through adjoining states. Grounds for relief—Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-10610 Filed 4-22-75;8:45 am]

[Notice 14]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

APRIL 18, 1975.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969 (49 CFR 1042.4(c)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(c)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed on or before May 23, 1975.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 2202 (Deviation No. 139), ROADWAY EXPRESS, INC., P.O. Box 471, 1077 Gorge Blvd., Akron, Ohio 44309, filed April 8, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*,

with certain exceptions, over a deviation route as follows: From Indianapolis, Ind., over Interstate Highway 65 to junction U.S. Highway 31, thence over U.S. Highway 31 to junction Indiana Highway 7, thence over Indiana Highway 7 to North Vernon, Ind., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Indianapolis, Ind., over U.S. Highway 31 to Columbus, Ind., thence over Alternate U.S. Highway 31 to Seymour, Ind., thence over U.S. Highway 50 to North Vernon, Ind., and return over the same route.

No. MC 2202 (Deviation No. 140), ROADWAY EXPRESS, INC., P.O. Box 471, 1077 Gorge Blvd., Akron, Ohio 44309, filed April 9, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Memphis, Tenn., over U.S. Highway 78 to junction U.S. Highway 45, thence over U.S. Highway 45 to junction Alternate U.S. Highway 45, thence over Alternate U.S. Highway 45 to junction U.S. Highway 45, thence over U.S. Highway 45 to Meridian, Miss., and (2) From Memphis, Tenn., over Interstate Highway 55 to Jackson, Miss., and return over the same routes for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Memphis, Tenn., over U.S. Highway 70 to Nashville, Tenn., thence over U.S. Highway 31 to Birmingham, Ala., thence over U.S. Highway 11 to Meridian, Miss., and (2) From Memphis, Tenn., over the same route indicated above to Meridian, Miss., thence over U.S. Highway 80 to Jackson, Miss., and return over the same routes.

No. MC 111231 (Deviation No. 31), JONES TRUCK LINES, INC., 610 E. Emma Ave., Springdale, Ark. 72764, filed April 4, 1975. Carrier's representative: Kim D. Mann, 702 World Center Building, 918 Sixteenth Street NW., Washington, D.C. 20006. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Dallas, Tex., over Interstate Highway 20 to junction U.S. Highway 80 near Vicksburg, Miss., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Dallas, Tex., over U.S. Highway 67 to junction U.S. Highway 82, thence over U.S. Highway 82 to Leland, Miss., thence over U.S. Highway 61 to junction U.S. Highway 80, thence over U.S. Highway 80 to junction Interstate Highway 20 and return over the same route.

No. MC 111231 (Deviation No. 32), JONES TRUCK LINES, INC., 610 E. Emma Ave., Springdale, Ark., 72764, filed April 4, 1975. Carrier's representative: Kim D. Mann, 702 World Center Building, 918 Sixteenth Street NW., Washington, D.C. 20006. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Cleveland, Miss., over Mississippi Highway 8 to junction U.S. Highway 49E, thence over U.S. Highway 49E to junction U.S. Highway 49, thence over U.S. Highway 49 to Jackson, Miss., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Cleveland, Miss., over U.S. Highway 61 to junction U.S. Highway 80, thence over U.S. Highway 80 to junction Interstate Highway 20, thence over combined U.S. Highway 80 and Interstate Highway 20 to Jackson, Miss., and return over the same route.

No. MC 111231 (Deviation No. 33), JONES TRUCK LINES, INC., 610 E. Emma Ave., Springdale, Ark. 72764, filed April 4, 1975. Carrier's representative: Kim D. Mann, 702 World Center Building, 918 Sixteenth Street NW., Washington, D.C. 20006. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Memphis, Tenn., over Interstate Highway 55 to Jackson, Miss., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Memphis, Tenn., over U.S. Highway 61 to junction U.S. Highway 80, thence over U.S. Highway 80 to junction Interstate Highway 20, thence over combined U.S. Highway 80 and Interstate Highway 20 to Jackson, Miss., and return over the same route.

No. MC 111231 (Deviation No. 34), JONES TRUCK LINES, INC., 610 E. Emma Ave., Springdale, Ark., 72764, filed April 4, 1975. Carrier's representative: Kim D. Mann, 702 World Center Building, 918 Sixteenth Street NW., Washington, D.C. 20006. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction Mississippi Highway 14 and U.S. Highway 61 at Anguilla, Miss., over Mississippi Highway 14 to junction U.S. Highway 49W, thence over U.S. Highway 49W to junction U.S. Highway 49, thence over U.S. Highway 49 to Jackson, Miss., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From junction Mississippi Highway 14 and U.S. Highway 61 over U.S. Highway 61 to junction U.S. Highway 80, thence over U.S. Highway 80 to junction Interstate Highway 20, thence over combined U.S. Highway 80 and Interstate Highway 20 to Jackson, Miss., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-10614 Filed 4-22-75;8:45 am]

[Notice 31]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

APRIL 18, 1975.

The following publications include motor carrier, water carrier, broker, freight forwarder and rail proceedings indexed as follows: (1) Grants of authority requiring republication prior to certification; (2) notices of filing of petitions for modification of existing authorities; (3) new operating right's applications directly related to and processed on a consolidated record with finance applications filed under Sections 5(2) and 212(b); (4) notices of filing of Sections 5(2) and 210a(b) finance applications; and (5) notices of filing of Section 212(b) transfer applications.

Each applicant (except as otherwise specifically noted) states that there will be no significant effect on the quality of the human environment resulting from approval of its application in compliance with the requirements of 49 CFR 1100.250.

Protests to the granting of the requested authority must be filed with the Commission within 30 days after the date of this Federal Register notice (unless otherwise specified). Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest should comply with section 247(d) or section 240(c) as appropriate of the Commission's general rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and a detailed description of the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The orginal and one (1) copy of the protest (except for petitions and Finance Dockets under Rule 40 requiring the original and six (6) copies of the protest) shall be filed with the Commission, and a copy shall be served concurrently upon applicant's or petitioner's representative, or applicant or petitioner if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) or section 240(c)(4) of the special rules, and shall include the certification required therein.

MC 66900 (Sub-No. 43) (Republication), filed December 11, 1973, and published in the FEDERAL REGISTER issue of January 24, 1974, and republished this issue. Applicant: HOUFF TRANSFER, INCORPORATED, P.O. Box 91, Weyers Cave, Va. 24486. Applicant's representative: Harold G. Hernly, 118 North Asaph Street, Alexandria, Va. 22313. An Order of the Commission, Review Board Number 2, dated April 2, 1975, and served April 9, 1975, finds, that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, transporting: *Paper and paper products and activated carbon*, from Covington, Richmond, and points in Augusta County, Va., to points in that part of Pennsylvania, in, east and south of Franklin, Cumberland, Perry, Dauphin, Lebanon, Berks, Lehigh and Northampton Counties, Pa. (except Philadelphia), restricted against the transportation of commodities in bulk, in tank vehicles; that applicant is fit, willing and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to modify the territorial description to add Richmond, Va., as an origin point. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a Certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 124211 (Sub-No. 242) (Republication), filed December 26, 1973, and published in the FEDERAL REGISTER issue of February 7, 1974, and republished in the FEDERAL REGISTER issues of February 20, 1975, and March 26, 1975, and republished this issue. Applicant: HILT TRUCK LINE, INC., P.O. Box 988, D.T.S., Omaha, Nebr. 68101. Applicant's representative: Thomas Hilt (same address as applicant). A Supplemental Order of the Commission, Operating Rights Board, dated March 25, 1975, and served April 9, 1975, finds that the present and future public convenience and necessity require operation by applicant in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, (1) *of 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 *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (a) from points in Madison County, Nebr., and the facilities utilized by Platte Valley Packing Co., Division of National Foods, Inc., at Darr, Nebr., to points in Illinois, Iowa, Kansas, Minnesota, Missouri, and Wisconsin, and (b) from the facilities of Prairie Maid Meat Products Division, Division of National Foods, Inc., at Lincoln, Nebr., to Chicago, Ill., and Kansas City and Topeka, Kans.

(2) *Of such commodities as are used by meat packers* in the conduct of their business when destined to and for use by meat packers, from points in Illinois, Iowa, Kansas, Minnesota, Missouri, and Wisconsin, to the facilities of Prarie Maid Meat Products Division, Division of National Foods, Inc., at Lincoln, Nebr.; and (3) *of paper and fiberboard boxes*, from Montgomery, Ill., to Lincoln, Nebr., restricted in (1), (2), and (3) to the transportation of traffic originating at and destined to the points and facilities named; that applicant is fit, willing and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; The purpose of this republication is to modify the territorial description in (1) (a) to add Madison County, Nebr., as an origin point. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a Certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 106209 (Notice of filing of petition to amend a territorial description), filed April 8, 1975. Petitioner: PRESS TRANSFER, INC., 287 Herbert Avenue, Closter, N.J. 07624. Petitioner's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Petitioner holds a motor *common carrier* certificate in No. MC 106209, issued November 27, 1959, authorizing transportation, as pertinent, over irregular routes, of *General commodities* (except articles of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Bergen County, N.J., on the one hand, and, on the other, New York, N.Y. By the instant petition, petitioner seeks to modify the territorial description in the above authority so as to read, between points in Bergen County, N.J., on the one hand, and, on the other, points in the New York, N.Y. Commercial Zone, as defined in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption of section 203(b)(8) of the Interstate Commerce Act (the "exempt" zone), and those points in New Jersey any part of which is within 5 miles of New York, N.Y.; or, in the alternative, that the Commission issue its appropriate order permitting petitioner to establish as its terminal area, all points within which local operations may now be conducted in the New York, N.Y., Commercial Zone as redefined. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before May 23, 1975.

No. MC 123476 (Sub-No. 14) (Notice of filing of petition to modify commodity description), filed April 4, 1975. Petitioner: CURTIS TRANSPORT, INC., 3616 Jeffco Blvd., P.O. Box 388, Arnold, Mo. 63010. Petitioner's representative: David G. Dimit (same address as applicant). Petitioner holds a motor *common carrier* certificate in No. MC 123476 (Sub-No. 14), issued January 14, 1974, authorizing transportation, over irregular routes, of *Polystyrene egg cartons*, From the plant site and warehouse facilities of Dolco Packaging Corp., at Decatur, Ind., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Virginia, West Virginia, Wisconsin, Wyoming, and the District of Columbia. By the instant petition, petitioner seeks to modify the commodity description in the above authority so as to read, *Polystyrene shapes and forms*, in lieu of polystyrene egg cartons. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 138912 (Notice of filing of petition to amend territorial description), filed April 2, 1975. Petitioner: WARTH EXPRESS, INC., 934 Beacon Ave., Bricktown, N.J. 08723. Petitioner's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Petitioner holds a motor *common carrier* certificate in No. MC 138912, issued May 15, 1974, authorizing transportation, over irregular routes, of *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities requiring special equipment, Between New York, N.Y., and Belmar, N.J. By the instant petition, petitioner seeks to amend the territorial description in the above authority so as to read, Between points in the New York, N.Y. Commercial Zone, as defined in *Commercial Zones and Terminal Areas*, 53 M.C.C. 451, within which local operations may be conducted pursuant to the partial exemption of section 203(b)(8) of the Interstate Commerce Act, (the "exempt" zone), and those points in New Jersey any part of which is within 5 miles of New York, N.Y., on the one hand, and,

on the other, Belmar, N.J.; or, in the alternative, that the Commission issue its appropriate order that the petitioner be empowered and permitted to designate as its terminal area, all points within which local operations may be conducted in the New York, N.Y., Commercial Zone as defined by the Commission. Any interested person or persons desiring to participate may file an original and six copies of his written representatives, views or arguments in support of or against the petition on or before May 23, 1975.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-12472 (Correction) (SPECTOR FREIGHT SYSTEM, INC.—MERGER—(1) HENNIS FREIGHT LINES, INC., (E. C. PETERSON, TRUSTEE), AND HENNIS FREIGHT LINES, INC. OF NEBRASKA, AND (2) SPECTOR FREIGHT SYSTEM, INC.—CONTROL—M & M TANK LINES, INC., M & M TANK LINES OF VIRGINIA, INC., AND HENNIS FREIGHT LINES OF CANADA LIMITED), published in the April 9, 1975, issue of the FEDERAL REGISTER on page 16165. Prior notice should be modified to read *MC-F-12472* in lieu of MC 12472.

No. MC-F-12475. Authority sought for control by THE GREYHOUND CORPORATION, GREYHOUND TOWER, Phoenix, AZ 85077, of ATL, INC., 222 S. 72nd St., Omaha, NE 68114. Applicants' representative and attorney: W. L. McCracken, Greyhound Tower, 17th Floor, Phoenix, AZ 85077, and L. C. Major, Jr., 6121 Lincolnia Rd., Suite 400, Overlook Office Bldg., Alexandria, VA 22312. Operating rights sought to be controlled: (1) Meats, 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), as a contract carrier over irregular routes, from the plantsite of Armour Food Company at Hereford, Tex., and the public warehouse and storage facilities used by Armour Food Company's plant at Hereford, Tex., located within 100 miles of Hereford, to points in Illinois, Indiana, Kentucky, Michigan, New York, Ohio, Pennsylvania, West Virginia, and Wisconsin, under a continuing contract or contracts with Armour Food Company (a division of Armour and Company); and (2) parts, equipment, and materials used in the manufacture and assembly of automotive buses, from points in Illinois, Indiana, Michigan, New York, Ohio, Pennsylvania, and Wisconsin, to the plantsite of Transportation Manufacturing Corporation at Roswell, N. Mex., under a continuing contract or contracts with Transportation Manufacturing Corporation. ATL, Inc., holds no authority from this Commission. It seeks authority in Docket No. MC 140364, permit not yet issued, as described above. This proceeding is directly related and will be handled concurrently therewith.

No. MC-F-12481. Authority sought for merger by NAVAJO FREIGHT LINES, INC., 1205 S. Platte River Drive, Denver, CO 80223, of the operating rights and property of ELLIS TRUCKING CO., INC., also of Denver, CO 80223, and for acquisition by UNITED TRANSPORTATION INVESTMENT COMPANY, and in turn by DAVID H. RATNER, both of 310 S. Michigan Ave., Chicago, IL 60604, of control of such rights and property through the transaction. Applicants' attorney: Jack Goodman, 39 S. LaSalle St., Chicago, IL 60603. Operating rights sought to be merged. *General commodities*, excepting among others, dangerous explosives, household goods, and commodities in bulk, as a *common carrier*, over regular routes, between Bay City, Mich., and Detroit, Mich., between Flint, Mich., and Indianapolis, Ind., serving certain intermediate points, and intermediate and off-route points in Marion County, Ind., between Flint, Mich., and Jackson, Mich., between Detroit, Mich., and Battle Creek, Mich., between Charlotte, Mich., and Battle Creek, Mich., serving all intermediate points in Michigan except those on Michigan Highway 78 between Flint and the junction of Michigan Highways 78 and 47, between Vincennes, Ind., and Lawrenceville, Ill., between Evansville, Ind., and Crossville, Ill., serving no intermediate points between South Bend, Ind., and Memphis, Tenn., serving certain intermediate points and the off-route point of Vincennes, Ind., and intermediate and off-route points in Marion County, Ind., between Evansville, Ind., and Terre Haute, Ind., serving the intermediate point of Vincennes, Ind., between Fort Wayne, Ind., and Baer Field, Ind. (about 10 miles south of Fort Wayne), serving no intermediate points; between Indianapolis, Ind., and Cincinnati, Ohio, serving the intermediate and off-route points of Dayton, Ohio, the site of the Feeds Materials Production Center of the U.S. Atomic Energy Commission near Fernald, Ohio, points on U.S. Highway 25 between Dayton, Ohio, and Cincinnati, Ohio, and those in Ohio and Kentucky within 10 miles of Fountain Square, Cincinnati, between junction Indiana Highways 101 and 48 (approximately 4 miles south of Sunman, Ind.), and junction Indiana Highway 101 and U.S. Highway 50 (approximately 5 miles northwest of Dillsboro, Ind.), serving the intermediate point of Milan, Ind.

Between Detroit, Mich., and Dayton, Ohio, serving the intermediate points of Monroe, Mich., and Springfield, Ohio; all intermediate and off-route points in the Detroit, Mich., Dayton, Ohio, and Springfield, Ohio, commercial zones, as defined by the Commission; and the off-route points of the site as of 1954, of the plants of the Packard Motor Car Co. north of Utica, Mich., and the site of the plant of the Chrysler Corp. north of Detroit, Mich., and west of Michigan Highway 53, between Detroit, Mich., and Chrysler Tank Arsenal near Center Line, Mich., serving the intermediate and off-route points in the Detroit, Mich., commercial zone, as defined by the Commission; and the off-route points of the site as of 1954, of the plants of the Packard Motor Car Co., north of Utica, Mich., and the site of the plant of the Chrysler Corp. north of Detroit, Mich., and west of Michigan Highway 53; over numerous alternate routes for operating convenience only; *general commodities*, excepting, among others, dangerous explosives, and commodities in bulk, but not including household goods, between points in Michigan, serving no intermediate points, between Osgood, Ind., and Cincinnati, Ohio, serving all intermediate points; *general commodities*, except bulky commodities, money or other articles of value not adapted to ordinary motor vehicles transportation, and uncrated household or office furnishings, between Aurora, Ind., and Indianapolis, Ind., between Dillsboro, Ind., and Versailles, Ind., serving all intermediate points, and certain off-route points; and *general commodities, excepting*, among others, dangerous explosives, and commodities in bulk, but not excepting household goods, over irregular routes, between Detroit, Mich., on the one hand, and, on the other certain specified points in Michigan. NAVAJO FREIGHT LINES, INC., is authorized to operate as a *common carrier* in New Mexico, California, Arizona, Texas, Colorado, Illinois, Missouri, Iowa, Nebraska, Oklahoma, Indiana, Kansas, Utah, Louisiana, Virginia, Maryland, Massachusetts, Connecticut, Nevada, Florida, New York, Tennessee, and Wyoming. Application has not been filed for temporary authority under section 210a(b).

* NOTE.—Pursuant to order in Docket No. MC-F-10855, transferee acquired control of transferor.

No. MC-F-12482. Authority sought for purchase by KERR MOTOR LINES, INC., ¼ Jackson St., Binghamton, NY 13903, of the operating rights and property of DEXTER'S DELIVERY, INC., 25 Hamilton St., Amsterdam, NY 12010, and for acquisition by ROBERT H. KERR, EDWARD KERR, AND JAMES J. KERR, all of Binghamton, NY 13903, of control of such rights through the purchase. Applicant's attorney: Norman M. Pinsky, 345 S. Warren St., Syracuse, NY 13202. Operating rights sought to be transferred: Under a certificate of registration in Docket No. MC 121216 (Sub-No. 1), covering the transportation of general commodities in interstate commerce, as a common carrier, in interstate commerce, within the State of New York. Vendee is authorized to operate as a common carrier in New York and Pennsylvania. Application has not been

filed for temporary authority under section 210a(b).

No. MC–F–12483. Authority sought for purchase by LEONARD BROTHERS TRANSPORT COMPANY, INC., 1701 St. Louis Ave., Kansas City, MO 64101, of a portion of the operating rights of ALL-AMERICAN, INC., P.O. Box 769, Sioux Falls, SD 57101, and for acquisition by JOHN E. WAGNER, SR., 925 Wyoming, Kansas City, MO 64101, and JOE M. LOCK, also of Kansas City, MO 64101, of control of such rights through the purchase. Applicants' representative: Joe M. Lock, and Ray A. Petersen. Operating rights sought to be transferred: *General commodities*, with exceptions, as a *common carrier* over regular routes, between Valley Falls, Kans., and Kansas City, Mo., and the intermediate and off-route points of Ozawkie, Oskaloosa, McLouth, Meridan, Nortonville, Denison, and Rock Creek, Kansas, without restriction; Kansas City, Kans., points in Jefferson County, Kans., within 10 miles of Valley Falls, and those in the Kansas City, Missouri/Kansas Commercial Zone, as defined by the Commission, restricted to the transportation of livestock, between Valley Falls, and Holton, Kans., between Ozawkie, and Oskaloosa, Kans., serving no intermediate points, between Kansas City, Mo., and Valley Falls, Kans., serving various intermediate and off-route points, from Kansas City, Mo., to Winchester, Kans., and to and from the intermediate and off-route points of Kansas City, Kans., and those within 12 miles of Winchester, Kans.

Livestock, between Lowemont, Kans., and Kansas City, Mo., serving the intermediate and off-route points of Kansas City, Kans., and those within 10 miles of Lowemont; *livestock and agricultural commodities*, from Winchester, Kans., to Kansas City, Mo., and to and from the intermediate and off-route points of Kansas City, Kans., and those within 12 miles of Winchester, Kans.; general commodities, with exceptions, over irregular routes, between points within 12 miles of Winchester, Kans., including Winchester; *livestock, agricultural commodities, feed, farm machinery, and parts, twine, and roofing materials*, between Winchester, Kans., and points within 12 miles of Winchester, on the one hand, and, on the other, Kansas City, Kans. Vendee is authorized to operate as a *common carrier* in Kansas, Missouri, South Dakota, Colorado, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Nebraska, North Dakota, Ohio, Pennsylvania, Tennessee, Wisconsin, and Wyoming. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–12485. Authority sought for control and merger by ROADWAY EXPRESS, INC., P.O. Box 471, Akron, Ohio 44309, of the operating rights and property of HOWARD HALL COMPANY, INC., P.O. Box 698, Birmingham, AL 35201, and for acquisition by GALEN J. ROUSH, also of Akron, OH 44309, of control of such rights and property through the transaction. Applicants' attorneys: William O. Turney, 2001 Massachusetts Ave. NW., Washington, D.C. 20036, and Maurice F. Bishop, 603 Frank Nelson Bldg., Birmingham, Ala. 35203. Operating rights sought to be controlled and merged: *General commodities*, with certain specified exceptions, and numerous other specified commodities, as a *common carrier*, over regular and irregular routes, from, to, and between specified points in the States of Alabama, Florida, Georgia, North Carolina and South Carolina, with certain restrictions, serving various intermediate and off-route points, as more specifically described in Docket No. MC 42318 and Sub-numbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carrier involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating, in full, the entirety, thereof. Vendee is authorized to operate as a *common carrier* in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, Tennessee, South Carolina, Texas, Virginia, West Virginia, and Wisconsin. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–12486. Authority sought for purchase by TWIN CITY FREIGHT, INC., 2550 Long Lake Rd., Roseville, MN 55113, of the operating rights and property of GERALD H. STRATING, doing business as ST. CLOUD - DULUTH TRUCK LINE, St. Cloud, MN 56301, and for acquisition by W. E. ELSHOLTZ, SR., ROBERT W. ELSHOLTZ, AND W. E. ELSHOLTZ, JR., all of 2550 Long Lake Rd., Roseville, MN 55113, of control of such rights and property through the purchase. Applicants' attorney: James M. Sander, 502 First National Bank Bldg., Fargo, ND 58102. Operating rights sought to be transferred: Under a certificate of registration in Docket No. MC–120469 (Sub-No. 1), covering the transportation of general commodities, in interstate commerce, within the State of Minnesota. Vendee is authorized to operate as a *common carrier* in Minnesota, North Dakota, South Dakota, Illinois and Wisconsin. Application has not been filed for temporary authority under section 210a(b).

NOTE.—MC 111496 (Sub.-No. 21), is a matter directly related.

No. MC–F–12487. Authority sought for purchase by SCHROLL TRANSPORTATION, INCORPORATED, 360 Governor St., East Hartford, CT 06108, of the operating rights and property of EDDIE R. MOREAU AND RENE E. MOREAU, doing business as TERMINAL TRUCKING, 88 Tolland St., East Hartford, CT 06108, and for acquisition by FRANK C. SCHROLL, 85 Randolph Drive, Glastonbury, CT 06033, of control of such rights and property through the purchase. Applicants' attorney: Hugh M. Joseloff, 80 State St., Hartford, CT 06103. Operating rights sought to be transferred: *General commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier* over irregular routes, between Hartford, East Hartford, and West Hartford, Conn., on the one hand, and, on the other, points in Connecticut. Vendee is authorized to operate as a *common carrier* in Massachusetts, Connecticut, and Rhode Island. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–12488. Authority sought for purchase by NORTH AMERICAN VAN LINES, INC., P.O. Box 988, Fort Wayne, IN 46801, of a portion of the operating rights and property of PAUL S. CREBS, INC., Northumberland, PA, and for acquisition by PEPSICO, INC., Purchase, NY 10577, of control of such rights through the purchase. Applicants' attorneys: Martin A. Weissert and Lawrence P. Kahn, both of P.O. Box 988, Fort Wayne, IN 46801. Operating rights sought to be transferred: *New furniture*, as a *common carrier* over irregular routes, from points in Lycoming, Union, Northumberland, and Montour Counties, Pa., to Baltimore, Md., Providence, R.I., Wilmington, Del., Philadelphia, Pa., Chicago, Ill., Cleveland, and Akron, Ohio, and points in Connecticut, Massachusetts, New York, New Jersey, and the District of Columbia; *new furniture, uncrated*, from Mifflinburg, Lewisburg, Milton, Picture Rocks, and Hughesville, Pa., to St. Louis, Mo., and points in Maryland, Ohio, Rhode Island, Delaware, Illinois, Indiana, Michigan, Virginia, and West Virginia; *new furniture, uncrated and unboxed*, from Lewisburg, Pa., to points in Alabama, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee, with restriction; *new office furniture*, from Hazelton, Pa., to points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia.

New furniture, crated, from Lewisburg, Pa., to St. Louis, Mo., and points in Maryland, Ohio, Rhode Island, Delaware, Illinois, Indiana, Michigan, Virginia, West Virginia, Alabama, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee; *furniture display materials*, between Lewisburg, Pa., on the one hand, and, on the other, points in Connecticut, Massachusetts, New York, New Jersey, Delaware, Maryland, Ohio, Rhode Island, Illinois, Indiana, Michigan, Virginia, West Virginia, Alabama, Georgia, Kentucky, Tennessee, North Carolina, South Carolina, and the District of Columbia; *new furniture*, from Lewisburg, Pa., to points in Iowa, Kansas, Maine, Minnesota (except Minneapolis), Missouri (except St. Louis), Nebraska, New Hampshire, and

Vermont. Vendee is authorized to operate as a *common carrier* in all of the States in the United States. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12489. Authority sought for purchase by YELLOWSTONE MOLASSES SERVICE, INC., P.O. Box 404, Billings, MT 59103, of the operating rights and property of VERN C. KARR AND MINNIE R. KARR, doing business as PARISH TRUCK LINES, 946 Avenue C, Billings, MT 59101, and for acquisition by I. S. JOSEPH COMPANY INC., AND A. P. McMASTER, both of 789 Grain Exchange Bldg., Minneapolis, MN 55415, of control of such rights and property through the purchase. Applicants' attorneys: William E. O'Leary, P.O. Box 225, Helena, MT 59601, and J. F. Meglen, P.O. Box 1581, Billings, MT 59103. Operating rights sought to be transferred: *Steel fabricated items*, as a *contract carrier* over irregular routes, from Billings, Mont., to points in North Dakota, South Dakota, Wyoming, Idaho, and Utah, with restriction. Vendee is authorized to operate as a *common carrier* in Montana, Wyoming, Idaho, Oregon, Washington, Texas, Colorado, North Dakota, Minnesota, South Dakota, and Nebraska. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12490. Authority sought for control and merger by B. F. WALKER, INC., 1555 Tremont Place, P.O. Box 17–B, Denver, CO 80217, of the operating rights and property of GREGORY HEAVY HAULERS, INC., 51 Oldham St. (P.O. Box 60628), Nashville, TN 37206, and for acquisition by NOBLE AFFILIATES, INC., 400 Lincoln Center, Ardmore, OK 73401, of control of such rights and property through the transaction. Applicants' attorneys: Richard P. Kissinger, P.O. Box 17–B, Denver, CO 80217, and Wilmer B. Hill, 805 McLachlen Bank Bldg., 666 11th St. NW., Washington, DC 20001. Operating rights sought to be controlled and merged: *Certain specified commodities*, as a *common carrier*, over irregular routes, from, to, and between specified points in all of the States in the United States (except Alaska and Hawaii), with certain restrictions, as more specifically described in Docket No. MC 113495 and Sub-numbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carrier involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating, in full, the entirety, thereof. Vendee is authorized to operate as a *common carrier* in all of the States in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a(b).

No. MC–F–12491. Authority sought for purchase by BEE LINE TRANSPORTATION, INC., P.O. Box 925, Baker, MT 59313, of the operating rights of KIRSCHMANN DISTRIBUTING COMPANY, INC., P.O. Box 791, Bismarck, ND 58501, and for acquisition by C. M. BURNS, Box 1054, Baker, MT 59313, and LOREN F. BREWER, Box 399, Big Timber, MT 59011, of control of such rights through the purchase. Applicants' attorney: Thomas J. Van Osdel, 502 First National Bank Bldg., Fargo, ND 58102. Operating rights sought to be transferred: (1)(a) *Agricultural machinery and implements*, (b) *parts attachments and accessories* for the commodities described in (a) above, as a *contract carrier* over irregular routes, from Bismarck, N. Dak., to points in the United States (except Alaska and Hawaii), and (2) *materials and supplies* used in the manufacture and distribution of the commodities described in (1) above (except commodities in bulk), from points in the United States (except Alaska and Hawaii), to Bismarck, N. Dak., with restriction. Vendee is authorized to operate as a *common carrier* in Iowa, Minnesota, Kansas, Nebraska, South Dakota, North Dakota, Colorado, Wyoming, Montana, Utah, Washington, Illinois, and Wisconsin. Application has not been filed for temporary authority under section 210a(b).

NOTE.—MC 115931 (Sub-No. 29), is a matter directly related.

No. MC–F–12492. Authority sought for control and merger by PENN YAN EXPRESS, INC. (PENN YAN), 100 West Lake Road, Pen Yan New York, 14527, of the operating rights and property of ALBANY-BINGHAMPTON EXPRESS, INC. (ALBANY), 1303 Chenango Street, Hillcrest, Binghamton, New York, 13901, and for acquisition by ROBERT L. HINSON, 9 Rosewood Drive, Penn Yan, NY 14527, of control of such rights through the transaction. Applicants' attorneys: Herbert M. Canter, 315 Seitz Bldg., 201 E. Jefferson St., Syracuse, N.Y. 13202, and Robert C. Miller, 1698 Central Ave., Albany, NY 12205. Operating rights sought to be merged: Under a certificate of registration, in Docket No. MC 114419 Sub 3, covering the transportation of general commodities, as a common carrier, in intrastate commerce, with the State of New York. *General commodities*, with exceptions as a *common carrier* over regular routes between Binghamton, N.Y., and Troy, N.Y., serving all intermediate points on the above-specified routes; and the off-route points of Cohoes, Endicott, Green Island, Johnson City, and Rensselaer, N.Y. PENN YAN EXPRESS, INC. is authorized to operate as a *common carrier* in New York, New Jersey, Pennsylvania, Maryland, Delaware, District of Columbia, and Connecticut. Application has been filed for temporary authority under section 210a(b). MC 105902, Sub-No. 18, is a directly related matter.

NOTICE

An application has been filed by The Atchison, Topeka, and Santa Fe Railway Company, Los Angeles & Salt Lake Railroad Company, Southern Pacific Transportation Company, and Union Pacific Railroad Company, seeking approval under section 5(2) of the Interstate Commerce Act to change methods of allocating expenses among themselves as proprietary owners for services performed at their joint agency, Los Angeles Union Passenger Terminal.

The application assigned Finance Docket No. F.D. 27871 was filed by R. K. Knowlton, Attorney for The Atchison, Topeka, and Santa Fe Railway Company, 80 East Jackson Boulevard, Chicago, Illinois 60604; Richard J. Lathrop, Attorney for Southern Pacific Transportation Company, One Market Street, San Francisco, California 94105; and W. Donald Boe, Jr., Attorney for Los Angeles & Salt Lake Railroad Company and Union Pacific Railroad Company, 1416 Dodge Street, Omaha, Nebraska 68179. In the opinion of the applicants, the action requested by this application will have no significant effect on the quality of the human environment.

The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than May 23, 1975.

NOTICE

NORFOLK AND WESTERN RAILWAY COMPANY, hereby gives notice that on the 20th day of March, 1975, it filed with the Interstate Commerce Commission at Washington, D.C., an application under section 5(2) of the Interstate Commerce Act for authority to acquire trackage rights over the tracks of the Baltimore and Ohio Railroad Company and The Baltimore and Ohio Railroad Company in Pennsylvania extending between a point 5,470 feet north of Valuation Station 4848+00 and Valuation Station 4750+00, a distance of approximately 2.9 miles at Connellsville, Fayette County, Pennsylvania. This application has been assigned Finance Docket No. 27873. The name and address of Applicant's representative to whom inquiries may be made is Mr. John S. Shannon, Vice President—Law, Norfolk and Western Railway Company, Roanoke, Virginia 24042. In the Applicant's opinion, granting the authority sought in this application would not constitute a major Federal action having a significant effect upon the quality of the human environment. After the acquisition of trackage rights, the level of Applicant's traffic moved within a basic environmental area will remain the same and there will be no change in train operations that should alter the environmental balance in this basic area. In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation-National Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), supra, Part (b)(1)–(5), 340

I.C.C. 431, 461. The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than May 23, 1975.

NORFOLK AND WESTERN RAILWAY COMPANY

TRANSFER APPLICATION TO BE ASSIGNED FOR ORAL HEARING

No. MC-FC-75483. Authority sought by transferee, MIDWEST HEAVY HAULERS, INC., P.O. Box 46235, Bedford, Ohio 44146, and transferor MORGANTOWN TRANSFER AND STORAGE COMPANY, a corporation, 705 University Avenue, Morgantown, W. Va. 26505, for the transfer to the former of a portion of the operating rights of the latter. Applicants' attorney: A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215. Operating rights in Certificate No. MC 618 sought to be transferred: heavy machinery, construction, mining, and roadbuilding machinery, timber, poles, lumber, and structural steel which because of size or weight require special equipment, between points in Monongalia and Preston Counties, W. Va., and Green and Fayette Counties, Pa., on the one hand, and, on the other, points in Ohio, Pennsylvania, Maryland, and West Virginia.

The above-entitled transfer application under section 212(b) of the Interstate Commerce Act is to be assigned for hearing at a time and place to be fixed for the purpose of determining whether (1) transferor has exercised direction and control over the operations performed under the subject operating rights and (2) there has been sufficient activity under the said operating rights to bring the application into compliance with the provisions of 49 CFR Part 1132.5(b). Interested parties have 30 days from the date of this publication in which to file petitions for leave to intervene. Such petitions should set forth the reason(s) for the proposed intervention, the place where petitioner wishes the hearing to be held, the number of witnesses it expects to present, and the estimated time required for presentation of its evidence.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-10615 Filed 4-22-75;8:45 am]

[Notice 270]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

APRIL 23, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before May 13, 1975. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75701. By order of March 14, 1975, the Motor Carrier Board approved the transfer to Atlantic-Pacific Van & Stge., Inc., doing business as Atlantic-Pacific Van & Storage, Inc., 1716 S. Hwy 117, Goldsboro, N.C. 27530, of the operating rights in Certificate No. MC 135088 issued July 18, 1972, to Streeter Moving & Storage Co., Inc., 1051 Market Road, Columbia, S.C. 29201, authorizing the transportation of used household goods, between points in Wayne, Lenoir, Johnston, Greene, Pitt, Martin, Wilson, Edgecombe, Nash, Halifax, Wake, Durham, Orange, Person, Granville, Vance, Franklin, and Warren Counties, N.C.

No. MC-FC-75724. By order entered March 17, 1975, the Motor Carrier Board approved the transfer to Leo Movers & Storage, Inc., Levittown, Pa., of the operating rights set forth in Certificate No. MC 67383, issued July 22, 1953, to Leonard A. Quici, Bristol, Pa., authorizing the transportation of household goods, as defined by the Commission, between Philadelphia, Pa., and points in Pennsylvania within 50 miles of Philadelphia, on the one hand, and, on the other, points in New York, New Jersey, Maryland, Delaware, Connecticut, and the District of Columbia; and potted plants, between Philadelphia, Pa., on the one hand, and, on the other, New York, N.Y., and Washington, D.C. Walter W. Jackson, Room 1, Fairless Hills Shopping Center, Fairless Hills, Bucks County, Pa. 19030, attorney for applicants.

No. MC-FC-75738. By order of March 28, 1975, the Motor Carrier Board approved the transfer to Farmers Service Gin Company, Inc., Moultrie, Fla., of a portion of the operating rights of Certificate No. MC 124887 (Sub-No. 1), issued April 3, 1974, to Shelton Trucking Service, Inc., Altha, Fla., authorizing the transportation of fertilizer and fertilizer materials, in dry bulk, from Guntersville, Ala., and a described area of Georgia to a described area of Florida. Sol H. Proctor, 1107 Blackstone Bldg., Jacksonville, Fla. 32202, attorney for applicants.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-10612 Filed 4-22-75;8:45 am]

[Notice 44]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 21, 1975.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a (a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 23441 (Sub-No. 16TA), filed April 9, 1975. Applicant: LAY TRUCKING COMPANY, INC., 1312 Lake Street, La Porte, Ind. 46350. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery, implements, and parts, other than hand*, from the plant and warehouse sites of White Farm Equipment Company, at South Bend, Ind., to points in Michigan, Wisconsin, Iowa, Illinois, Missouri, Kentucky, Tennessee, Mississippi, Ohio, and Pennsylvania; (2) *Parts for agricultural machinery and implements*, from Quincy, Ill., and Davenport and Charles City, Iowa, to the plant and warehouse sites of White Farm Equipment Company at South Bend, Ind., for 180 days. Supporting shipper: White Farm Equipment Co., 701 S. Chapin St., South Bend, Ind. 46621. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 W. Wayne St., Room 204, Fort Wayne, Ind.

No. MC 42212 (Sub-No. 7TA), filed April 9, 1975. Applicant: HARDER'S EXPRESS, INC., Route 9-H, Claverack, N.Y. 12513. Applicant's representative: Werner & Weiss, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor

vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving Newtown, Conn., as an off-route point in connection with its regular route operations, for 180 days. Supporting shipper: Barclay Knitwear Co., Inc., Edmond Road, Newton, Conn. 06470. Send protests to: Robert A. Radler, District Supervisor, 518 Federal Bldg., Albany, N.Y. 12207.

No. MC 60012 (Sub-No. 94TA), filed April 8, 1975. Applicant: RIO GRANDE MOTOR WAY, INC., 1400 West 52nd Avenue, Denver, Colo. 80221. Applicant's representative: John S. Walker, Jr., 1515 Arapahoe Street, Denver, Colo. 80221. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, household goods as defined by the Commission, Classes A and B explosives, commodities in bulk and those requiring special equipment, serving the site of the Yampa Project, located near Craig, Colo., as an off-route point in connection with carrier's authorized regular route operations, from, to or between, the following points or described areas: between the junction of U.S. Highway 40 and Colorado Highway 13, at or near, Craig, Colo., and the site of the Yampa Project, located approximately five (5) miles south and west of Craig, Colo., as an off-route point in connection with applicant's authorized regular route operations: From the junction of U.S. Highway 40 and Colorado Highway 13 over Colorado Highway 13 to junction unnumbered county road, thence over unnumbered county road to the site of the Yampa Project, and return over the same route, for 180 days. Supporting shippers: There are approximately 13 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 1961 Stout Street, 2022 Federal Bldg., Denver, Colo. 80202.

NOTE.—Applicant intends to interline with existing carriers at Denver, Pueblo, and Grand Junction, Colo., Farmington, N. Mex., and Salt Lake City, Utah.

No. MC 69492 (Sub-No. 47TA), filed April 10, 1975. Applicant: HENRY EDWARDS, doing business as HENRY EDWARDS TRUCKING COMPANY, P.O. Box 97, Clinton, Ky. 42301. Applicant's representative: Walter Harwood, P.O. Box 15214, Nashville, Tenn. 37215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer*, from Humboldt, Tenn., to Clinton, Mayfield, and points in Graves and Hickman Counties, Ky., and (2) *Malt beverages and related advertising materials*, from Detroit Mich., to points in Memphis, Tenn., for 180 days. Supporting shippers: Howe-Hilliard Grain Co., Inc., Mayfield, Ky. 42066. A. S. Barboro, Inc., 1311 Rayburn, Memphis, Tenn. 38106. Farmers Gin, Inc., Clinton, Ky. 42301. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 435 Federal Office Bldg., 167 North Main Street, Memphis, Tenn. 38103.

No. MC 108207 (Sub-No. 417TA), filed April 10, 1975. Applicant: FROZEN FOOD EXPRESS, INC., 318 Cadiz Street, P.O. Box 5888, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas;* and (2) *bananas*, when transported in mixed loads with commodities exempt from economic regulation under section 203(b)(6) of the Interstate Commerce Act, from Brownsville, Hidalgo, Laredo, McAllen, Rio Grande City, and Roma, Tex., to points in Arizona, Arkansas, California, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, Ohio, Oklahoma, South Dakota, Tennessee, Texas and Wisconsin, for 180 days. Supporting shipper: Fisher Bros., Inc., FBI Foods, Ltd., Fisher Bros. (U.S.A.), Inc., 1610 DeBeauharnois, Montreal, Quebec H4N 1J5. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce Street, Room 13C12, Dallas, Tex. 75202.

No. MC 109689 (Sub-No. 287TA), filed April 10, 1975. Applicant: W. S. HATCH CO., 643 South 800 West, Woods Cross, Utah 84087. Applicant's representative: Mark K. Boyle, 345 South State Street, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer*, in van vehicles, from San Francisco and Azusa, Calif., to points in Rock Springs, Wyo., for 180 days. Supporting shipper: Yellowstone Wholesale Company, P.O. Box 1029, Rock Springs, Wyo. 82901. Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Bldg., 125 South State St., Salt Lake City, Utah 84138.

No. MC 113678 (Sub-No. 587TA), filed April 8, 1975. Applicant: CURTIS, INC., 4810 Pontiac St., Commerce City, Colo. 80022. Applicant's representative: David L. Metzler, P.O. Box 16004, Stockyard Station, Denver, Colo. 80216. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfrozen foodstuffs* (except in bulk), from Owensboro, Ky., to points in Alabama, Arizona, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming, restricted to traffic originating at the plantsite of Ragu Foods, Inc., and destined to points in the named destination states, for 180 days. Supporting shipper: Ragu Foods, Inc., 1680 Lyell Ave., Rochester, N.Y. 14606. Send protests to: Herbert C. Ruoff, District Supervisor, Interstate Commerce Commission, 1961 Stout St., 2022 Federal Bldg., Denver, Colo. 80202.

No. MC 114045 (Sub-No. 419TA), filed April 11, 1975. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 5842, Dallas, Tex. 75222. Applicant's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas;* (2) *bananas*, when transported in mixed loads with commodities exempt from economic regulation under Section 203(b)(6) of the Interstate Commerce Act, from Brownsville, Hidalgo, Laredo, McAllen, Rio Grande City and Roma, Tex., to points in the United States, except Alaska and Hawaii, for 180 days. Supporting shipper: Fisher Bros., Inc., FBI Foods, Ltd., Fisher Bros. (U.S.A.), Inc., 1610 DeBeauharnois, Montreal, Quebec H4N 1J5. Send protests to: Opal M. Jones, Transportation Assistant, Interstate Commerce Commission, 1100 Commerce St., Room 13C12, Dallas, Tex. 75202.

No. MC 117765 (Sub-No. 190TA), filed April 10, 1975. Applicant: HAHN TRUCK LINE, INC., 5315 NW. Fifth Street, Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed granite*, in bags, except commodities in bulk, from the plantsite of the Hydro-Tite Corporation, Lithonia, Ga., to points in Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Missouri, Mississippi, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming for 180 days. Supporting shipper: Hydro-Tite Corporation, Gaines Brewster, G.M., P.O. Box 527, Lithonia, Ga. 30058. Send protests to: Marie Spillars, Transportation Asst., Interstate Commerce Commission, Bureau of Operations, Room 240, Old P.O. Bldg., 215 NW. Third, Oklahoma City, Okla. 73102.

No. MC 119226 (Sub-No. 92TA) (Correction), filed March 4, 1975, published in the FEDERAL REGISTER issue of March 21, 1975, and republished as corrected this issue. Applicant: LIQUID TRANSPORT CORP., 3901 Madison Avenue, Indianapolis, Ind. 46227. Applicant's representative: Robert W. Loser, 1009 Chamber of Commerce Bldg., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Weed killing compounds, liquid*, in bulk, in tank vehicles, from Lafayette, Ind., to points in Clinton, Eldorado, El Paso, Pontiac, Potomac, Pleasant Plains, Ottawa, Springfield, Dewey, and Sheldon, Ill.; and Burlington Clear Lake, Colfax, Des Moines, Mount Vernon, and Davenport, Iowa, for 180 days. Supporting shipper: Eli Lilly and Company, Elanco

Products Division, P.O. Box 618, Indianapolis, Ind. 46204. Send protests to: James W. Habermehl, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 802 Century Bldg., 36 S. Penn. St., Indianapolis, Ind. 46204. The purpose of this republication is to correct the sub number.

No. MC 123023 (Sub-No. 4TA) (Correction), filed April 2, 1975, published in the FEDERAL REGISTER issue of April 16, 1975, and republished as corrected this issue. Applicant: DI PIETRO TRUCKING CO., 2201 Sixth Avenue South, Seattle, Wash. 98134. Applicant's representative: George Kargianis, 2120 Pacific Bldg., Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from the Port of Los Angeles, Long Beach and Wilmington, Calif., to points in Oregon and Washington, for 180 days. Supporting shipper: Pacific Fruit & Produce Co., 4103 Second Avenue South, Seattle, Wash. 98134. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Avenue, Seattle, Wash. 98174. The purpose of this republication is to change MC 120023 sub 4TA, to MC 23023 sub 4TA, which was previously published in error.

No. MC 123407 (Sub-No. 233TA), filed April 11, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Robert Sawyer (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Recyclable scrap and waste materials* (except in bulk), from points in California, Colorado, Kansas, Nevada, New Mexico, Oklahoma, Texas, and Utah, to points in Navajo County, Ariz., for 180 days. Supporting shipper: Southwest Forest Industries, 3443 N. Central Ave., Box 7548, Phoenix, Ariz. 85011. Send protests to: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 345 W. Wayne, Room 204, Fort Wayne, Ind. 46802.

No. MC 126555 (Sub-No. 34TA), filed April 10, 1975. Applicant: UNIVERSAL TRANSPORT, INC., P.O. Box 3000, Rapid City, S. Dak. 57701. Applicant's representative: Barry C. Burnette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal and coal by-products*, from points in Wyoming, Montana and North Dakota, to points in South Dakota, for 180 days. Supporting shippers: Stearns-Rogers Corporation, P.O. Box 2610, Rapid City, S. Dak 57701. Pete Lien & Sons, Inc., P.O. Box 440, Rapid City, S. Dak. 57701. Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 369, Federal Bldg., Pierre, S. Dak. 57501.

No. MC 129459 (Sub-No. 10TA), filed April 10, 1975. Applicant: HEARNEY'S TRUCKING SERVICE, INC., U.S. Route 611, Portland, Pa. 18331. Applicant's representative: Kenneth R. Davis, 121 S. Main Street, Taylor, Pa. 18517. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products* (except in bulk), for the account of Diamond Crystal Salt Company, St. Clair, Mich., from St. Clair, Mich., to points in New York, N.Y. Commercial Zone; Long Island, N.Y., and points in Bergen, Essex, Hudson, Hunterdon, Somerset, and Union Counties, N.J., for 180 days. Supporting shipper: Diamond Crystal Salt Company, 916 South Riverside, St. Clair, Mich. 48079. Send protests to: F. W. Doyle, District Supervisor, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 135185 (Sub-No. 23TA), filed April 10, 1975. Applicant: COLUMBINE CARRIERS, INC., 5925 East Evans Avenue, P.O. Box 22198, Denver, Colo. 80222. Applicant's representative: Charles J. Kimball, Suite 646 Metropolitan Bldg., 1612 Court Place, Denver, Colo. 80202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Razors, razor blades, shaving cream, toilet preparations, toilet articles, pens, markers, ink, stationery, and stationery products, cigarette lighters, cleaning compounds, hair curlers, hair spray, electric hair dryers, electric hair combs, shampoo, sponges, fire extinguishers, electric appliances, photographic equipment, materials, and supplies, and store display racks, stands, and cabinets*, from St. Paul, Minn., to points in Ohio and Dallas, Tex., for 180 days. Supporting shipper: The Gillette Company, Prudential Tower Bldg., Boston, Mass. 02199. Send protests to: Herbert C. Ruoff, District Supervisor, Interstate Commerce Commission, 1961 Stout St., 2022 Federal Bldg., Denver, Colo. 80202.

No. MC 138438 (Sub-No. 14TA), filed April 7, 1975. Applicant: D. M. BOWMAN, INC., Route 9, Box 26, Hagerstown, Md. 21740. Applicant's representative: Charles E. Creager, P.O. Box 1417, 1329 Pennsylvania Avenue, Hagerstown, Md. 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Concrete block and concrete brick*, from Hagerstown, Md., to points in the District of Columbia, Virginia, and West Virginia; and (2) *Brick*, from Lawrenceville and Richmond, Va., to points in Maryland and the District of Columbia, for 180 days. Supporting shipper: E. C. Keys & Son of Virginia, Inc., 5721-6 Charles City Circle, Richmond, Va. 23231. Send protests to: W. C. Hersman, District Supervisor, Interstate Commerce Commission, 12th & Constitution Ave. NW., Room 317, Washington, D.C. 20432.

No. MC 140831 (Sub-No. 1TA), filed April 10, 1975. Applicant: ASHAWK TRANSPORT, INC., P.O. Box 535, Ponchatoula, La. 70454. Applicant's representative: Mary Olive Pierson, P.O. Box 14647, Baton Rouge, La. 70808. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from the plantsite of Batson Lumber Company, Inc., located in Natalbany, La., to (1) all points in Louisiana; (2) all points in Mississippi; (3) points in Texas, East of U.S. Highway 81, from the point where it crosses the Texas-Oklahoma border to the intersection of U.S. Highway 81 and U.S. Highway 77, and then to points east of U.S. Highway 77, to its southern terminus; (4) points in Arkansas, south of U.S. Highway 64; (5) points in Tennessee west of U.S. Highway 45 and U.S. Highway 45 east; (6) points in Alabama South of U.S. Highway 278; and (7) points in Florida west of U.S. Highway 231, for 180 days. Supporting shipper: Batson Lumber Company, Inc., P.O. Box 158, Natalbany, La. 70451. Send protests to: Ray C. Armstrong, Jr., District Supervisor, Interstate Commerce Commission, T-9038 U.S. Postal Service Bldg., 701 Loyola Ave., New Orleans, La. 70113.

No. MC 140837TA filed April 8, 1975. Applicant: ANDY T. WIDHOLM, doing business as ANDY T. WIDHOLM TRUCK AND GRAIN, 12797 Hillcrest Drive, Longmont, Colo. 80501. Applicant's representative: Thomas J. Burke, Jr., 1600 Lincoln Center Bldg., 1600 Lincoln Street, Denver, Colo. 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry feed and feed ingredients* (except petroleum products), from points in Dodge and Lancaster Counties, Nebr., to points in Adams, Boulder, Larimer, and Weld Counties, Colo., for 180 days. Supporting shipper: Colorado Commodity Traders, Inc., 601 Eighth St., Greeley, Colo. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 1961 Stout Street, 2022 Federal Bldg., Denver, Colo. 80202.

No. MC 140838TA filed April 10, 1975. Applicant: COOK TRUCKING & EQUIPMENT RENTALS, 526 Railroad Street, P.O. Box 966, Corona, Calif. 91720. Applicant's representative: John Ramuno (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, transportation of which because of size or weight requires the use of special equipment, between points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, Wyoming, and Oklahoma, for 180 days. Supporting shipper: Chuck Green and Associates, 11721 Woodside Avenue, Lakeside, Calif. 92040. Send protests to: Philip Yallowitz, District Supervisor, Interstate Commerce Commission, 300 N. Los Angeles Street, Room 1312, Los Angeles, Calif. 90012.

No. MC 140839TA filed April 11, 1975. Applicant: NEIL R. JACOBS, doing business as DUTCH MILL TRUCKING, R.R.

1, Sparta, Wis. 54656. Applicant's representative: Wayne W. Wilson, 329 West Wilson St., Madison, Wis. 53703. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solutions*, in bulk, in tank vehicles, from the plantsite and facilities of NaChurs Plant Food Co., located at or near Red Oak, Iowa, to points in Wisconsin, restriction: Restricted to a transportation service to be performed under a continuing contract or contracts with NaChurs Plant Food Co. Supporting shipper: NaChurs Plant Food Co., 1705 N. Broadway, Red Oak, Iowa. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, 139 W. Wilson St., Room 202, Madison, Wis. 53703.

No. MC 140842TA (Correction), filed March 19, 1975, published in the FEDERAL REGISTER issue of April 11, 1975, and republished as corrected this issue. Applicant: B AND P MOTOR LINES, INC., 710 Oakland Road, P.O. Box 741, Forest City, N.C. 28043. Applicant's representative: George W. Clapp, P.O. Box 836, Taylors, S.C. 29687. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Air cleaners, fuel filters, oil filters, air cleaner cartridges (elements), oil filter cartridges (elements), and materials and supplies* used in the marketing or distribution of the foregoing commodities, from Gastonia, N.C., to points in Des Moines, Iowa, Kansas City, Kans., Minneapolis, and St. Paul, Minn.; St. Louis, Mo.; Omaha, Nebr.; Oklahoma City, and Tulsa, Okla.; Dallas and Houston, Tex.; and points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico Oregon, Utah, Washington, and Wyoming, for 180 days. Supporting shipper: Wix Corporation, P.O. Box 1967, Gastonia, N.C. 28052. Send protests to: Terrell Price, District Supervisor, 800 Briar Creek Road, Suite CC156, Charlotte, N.C. 28205. The purpose of this republication is to state the correct docket number.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-10613 Filed 4-22-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

Notice

APRIL 17, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination* Rules (49 CFR Part 1065), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before May 5, 1975. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will *not* operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 73165 (Sub-No. E74), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Alabama 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum articles*, between points in Colbert County, Ala., on the one hand, and, on the other, points in North Dakota, Maine, New Hampshire, Delaware, the District of Columbia, and points in South Dakota on and west of U.S. Highway 281. The purpose of this filing is to eliminate the gateway of Planet Corporation, Inc. facilities at Birmingham, Ala.

No. MC 73165 (Sub-No. E75), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Alabama 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum articles*, between the plantsite of Planet Corporation, Inc. at Birmingham, Ala., on the one hand, and, on the other, points in Colorado, Utah, Washington, and California. The purpose of this filing is to eliminate the gateway of Colbert County, Ala.

No. MC 73165 (Sub-No. E76), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Alabama 35202. Applicant's representative: Carl W. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum articles*, except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment, from points in Georgia to points in Colorado, Utah, Washington and California. The purpose of this filing is to eliminate the gateway of Planet Corp. facilities at Birmingham, Ala., and Colbert County, Ala.

No. MC 73165 (Sub-No. E77), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Alabama 35202. Applicant's representative: Carl W. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum articles*, except those of unusual value, dangerous explosives, household goods as defined by the Commission in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment, from points in Mississippi on and east of a line extending from the Tennessee-Mississippi State line along Mississippi Highway 15 to Laurel, Miss., thence along U.S. Highway 11 to Hattiesburg, Miss., and thence along U.S. Highway 49 to Gulfport, Miss. to points in California, Utah and Washington. The purpose of this filing is to eliminate the gateway of facilities of Planet Corp. at Birmingham, Ala., and Colbert County, Ala.

No. MC 73165 (Sub-No. E79), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Alabama 35202. Applicant's representative: Carl W. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum articles*, except those of unusual value, dangerous explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, from points in Tennessee on and east of U.S. Highway 31 to points in Colorado, Utah, Washington, and California. The purpose of this filing is to eliminate the gateway of Planet Corporation, Inc. facilities plantsite at Birmingham, Ala., and points in Colbert County, Ala.

No. MC 73165 (Sub-No. E80), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Alabama 35202. Applicant's representative: Carl W. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum, aluminum articles, and aluminum products*, consisting of (a) materials used in the manufacture of mobile homes, (b) material handling equipment, (c) materials used in the manufacture of material handling equipment, or (d) parts, attachments, or accessories used in connection with (a), (b), and (c) above (except commodities in bulk), between points in Colbert County, Ala., on the one hand, and, on the other, points in New Mexico, Arizona, Nevada, Oregon, Idaho, Wyoming, and Montana. The purpose of this filing is to eliminate the gateway of Winfield, Ala.

No. MC 73165 (Sub-No. E81), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Alabama 35202. Applicant's representative: Carl W. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum* articles consisting of materials or equipment used in air, water, and sewage systems and installations (except commodities in bulk), from points in Colbert County, Albama to points in New Mexico, Arizona, Nevada, Oregon, Idaho, Wyoming, and Montana. The purpose of this

filing is to eliminate the gateway of facilities of Zwin Industries at Winfield, Ala.

No. MC 73165 (Sub-No. E82), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Alabama 35202. Applicant's representative: Carl W. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum pipe, tubing, and fittings*, from points in Colbert County, Alabama, to points in New Mexico, Arizona, Nevada, Oregon, Idaho, Wyoming, and Montana. The purpose of this filing is to eliminate the gateway of Gilmer, Tex.

No. MC 73165 (Sub-No. E84), filed February 5, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Alabama 35202. Applicant's representative: Carl W. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum articles*, the transportation of which because of size or weight requires special equipment, from points in Tennessee in and east of Claiborne, Union, Anderson, Knox, Loudon, McMinn, Bradley, and Hamilton Counties, Tennessee, to points in Texas on and south of a line beginning at the Arkansas border along Interstate Highway 30 to Dallas, Tex., thence along U.S. Highway 80 to Fort Worth, Tex., and thence along U.S. Highway 180 to the New Mexico border. The purpose of this filing is to eliminate the gateway of facilities of Planet Corp. at Birmingham, Ala., and Colbert County, Ala.

No. MC 73165 (Sub-No. E93), filed February 1, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Alabama 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron fittings and connections*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except Oil Field Commodities as described in *Mercer Extension–Oil Field Commodities*, 74 M.C.C. 459), (2) *Cast iron valves, fire hydrants, and components*, consisting of gaskets, fittings and connections (except Oil Field Commodities as described in *Mercer Extension–Oil Field Commodities*, 74 M.C.C. 459), except in both (1) and (2) above, commodities requiring special equipment from points in Hamilton County, Tenn. to points in North Dakota, South Dakota, Nebraska, Montana, Wyoming, Idaho, Washington, Oregon, California, Nevada, Utah, Colorado, Arizona, and that part of New Mexico on and west of U.S. Highway 85. The purpose of this filing is to eliminate the gateway of facilities of Clow Corp. at Columbia, Mo., and Birmingham, Ala.

No. MC 73165 (Sub-No. E94), filed February 1, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Alabama 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron fittings and connections*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except Oil Field Commodities as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), (2) *Cast iron valves, fire hydrants, and components* consisting of gaskets, fittings and connections (except Oil Field Commodities as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), except, in both (1) and (2) above, commodities requiring special equipment, from points in Mississippi on and southeast of a line extending from the Alabama-Mississippi State line along U.S. Highway 82 to Winona, Miss. and thence along U.S. Highway 51 to the Louisiana-Mississippi State line to points in Montana, Idaho, Washington, Oregon, and that part of California on and north of Interstate Highway 80. The purpose of this filing is to eliminate the gateway of facilities of Clow Corp. at Columbia, Mo., and, Birmingham, Ala.

No. MC 73165 (Sub-No. E95), filed February 1, 1975. Applicant: EAGLE MOTOR LINES, INC., P.O. Box 11086, Birmingham, Alabama 35202. Applicant's representative: Carl U. Hurst (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *iron fittings and connections*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except Oil Field Commodities as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), (2) *cast iron valves, fire hydrants, and components* consisting of gaskets, fittings and connections (except Oil Field Commodities as described in *Mercer Extension—Oil Field Commodities*, 74 M.C.C. 459), except, in both (1) and (2) above, commodities requiring special equipment from points in Tennessee on and east of U.S. Highway 31 and U.S. Highway 31E to points in Montana, Idaho, Washington, Oregon, and California. The purpose of this filing is to eliminate the gateway of facilities of Clow Corp. at Columbia, Mo., and Birmingham, Ala.

No. MC 107295 (Sub-No. E219), filed May 9, 1974. Applicant: PRE-FAB TRANSIT COMPANY, P.O. Box 146, Farmer City, Illinois 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibreboard* from the plant site of Cardinal Industries, at or near Wheaton, Ill. to points in Louisiana, points in that part of New Mexico in and south of McKinley, Sandoval, Santa Fe, San Miguel, and Quay Counties, and points in that part of Texas south of Parmer, Castro, Swisher, Briscoe, Hall, and Childress Counties. The purpose of this filing is to eliminate the gateway of points in Henry County, Tenn.

No. MC 107295 (Sub-No. E220), filed May 9, 1974. Applicant: PRE-FAB TRANSIT COMPANY, P.O. Box 146, Farmer City, Illinois 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, complete, knocked down, or in sections, including all component parts, materials, supplies, and fixtures, and when shipped with such buildings, *accessories* used in the erection, construction, and completion thereof, (1) from points in that part of Indiana in and north of Vigo, Clay, Owen, Morgan, Johnson, Shelby, Rush, Fayette, and Union Counties to points in Alabama, Mississippi, and to points in that part of Georgia in and south of Carroll, Coweta, Fayette, Spalding, Butts, Jasper, Putnam, Hancock, Washington, Jefferson, Emanuel, Chandler, Bulloch, and Bryan Counties. The purpose of this filing is to eliminate the gateway of points in Illinois. (2) from points in Indiana to points in Arizona, New Mexico and points in that part of California in and south of San Luis Obispo, Kern, and San Bernardino Counties. The purpose of this filing is to eliminate the gateway of Pine Bluff, Ark. (3) from points in Indiana to points in that part of Florida in, east, and south of Madison and Taylor Counties. The purpose of this filing is to eliminate the gateway of Washington Court House, Ohio. (4) from points in Indiana to points in that part of North Carolina in and east of Surry, Yadkin, Davie, Rowan, Cabarrus, and Union Counties, points in that part of Virginia in and east of Tazewell, Smyth, and Grayson Counties, and points in West Virginia. The purpose of this filing is to eliminate the gateway of points in Ohio.

No. MC 111320 (Sub-No. E47), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, between points in that part of Ohio on, east, and north of a line beginning at Lake Erie, thence along U.S. Highway 250 to junction U.S. Highway 22, thence along U.S. Highway 22 to the Ohio-West Virginia State line, on the one hand, and, on the other, points in Illinois. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E48), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway

and truckaway service: (1) between points in that part of Ohio on and east of a line beginning at the Michigan-Ohio State line, thence along U.S. Highway 23 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction Ohio Highway 93, thence along Ohio Highway 93 to the Ohio-West Virginia State line, on the one hand, and, on the other, points in Nebraska; and (2) between points in that part of Ohio on and east of a line beginning at the Ohio-Michigan State line, thence along Ohio Highway 109 to junction Ohio Highway 65, thence along Ohio Highway 65 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction Ohio Highway 73, thence along Ohio Highway 73 to the Ohio-Kentucky State line, on the one hand, and, on the other, points in that part of Nebraska on and west of U.S. Highway 83. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E49), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled* road building equipment, and parts thereof, in driveaway and truckaway service, between points in that part of Ohio on, east, and north of a line beginning at the Ohio-Michigan State line, thence along U.S. Highway 23 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction U.S. Highway 30S, thence along U.S. Highway 30S to junction U.S. Highway 23, thence along U.S. Highway 23 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Ohio Highway 13, thence along Ohio Highway 13 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Ohio-West Virginia State line, on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E50), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, between points in that part of Ohio on and north of a line beginning at the Ohio-Pennsylvania State line, thence along Ohio Highway 558 to junction Ohio Highway 517, thence along Ohio Highway 517 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction U.S. Highway 23, thence along U.S. Highway 23 to junction Ohio Highway 15, thence along Ohio Highway 15 to junction U.S. Highway 224, thence along U.S. Highway 224 to the Ohio-Indiana State line, on the one hand, and, on the other, points in South Carolina. The purpose of this filing is to elminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E51), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, between points in that part of Ohio on and east of a line beginning at the Ohio-Michigan State line, thence along U.S. Highway 23 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction Ohio Highway 73, thence along Ohio Highway 73 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Ohio-Kentucky State line, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E102) (Correction), filed May 31, 1974. Published in the FEDERAL REGISTER January 22, 1975. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractors' vehicles or machinery*, in driveaway and truckaway service, between points in that part of New York, on and east of a line beginning at Lake Ontario, thence along New York Highway 19 to the New York-Pennsylvania State line, on the one hand, and, on the other, points in Iowa (except Cedar Rapids, Iowa). The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y. The purpose of this filing is to add the correct commodities and to correct the territorial destinations.

No. MC 111320 (Sub-No. E103) (Correction), filed May 31, 1974. Published in the FEDERAL REGISTER January 22, 1975. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractors' vehicle or machinery*, in driveaway and truckaway service, between points in that part of New York on and east of a line beginning at Lake Erie, thence along New York Highway 319 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line, on the one hand, and, on the other, points in North Dakota. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y. The purpose of this filing is to add the correct commodities and to correct the territorial destinations.

No. MC 11320 (Sub-No. E104) (Correction), filed May 31, 1974. Published in the FEDERAL REGISTER, January 22, 1975. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractors' vehicles or machinery*, between points in that part of New York on and east of line beginning at Lake Erie, thence along New York Highway 319 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line, on the one hand, and, on the other, points in Louisiana and Colorado. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y. The purpose of this filing is to add the correct commodities and to correct the territorial destinations.

No. MC 111320 (Sub-No. E105) Correction), filed May 31, 1974. Published in the FEDERAL REGISTER January 22, 1975. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractors' vehicles or machinery*, between points in that part of New York on and east of a line beginning at Lake Erie, thence along U.S. Highway 319 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line, on the one hand, and, on the other, points in that part of Mississippi on and south-west of a line beginning at the Mississippi-Tennessee State line, thence along U.S. Highway 51 to junction Mississippi Highway 16, thence along Mississippi Highway 16 to the Mississippi-Alabama State line. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y. The purpose of this filing is to add the correct commodities and to correct the territorial destinations.

No. MC 111320 (Sub-No. E106) (Correction), filed May 31, 1974. Published in the FEDERAL REGISTER January 22, 1975.

Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractors' vehicle or machinery*, in driveaway and truckaway service, between points in that part of New York on and east of a line beginning at Lake Ontario, thence along New York Highway 57 to junction Interstate Highway 81, thence along Interstate Highway 81 to junction New York Highway 13, thence along New York Highway 13 to junction New York Highway 38, thence along New York Highway 38 to junction New York Highway 17, thence along New York Highway 17 to junction New York Highway 282, thence along New York Highway 282 to the New York-Pennsylvania State line, on the one hand, and, on the other, points in that part of Ohio on and west of a line beginning at Lake Erie, thence along Interstate Highway 77 to the Ohio-West Virginia State line. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y. The purpose of this filing is to correct the territorial destinations and add the correct commodities.

No. MC 111320 (Sub-No. E108), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, between points in that part of Virginia on, north, and east of a line beginning at the West Virginia-Virginia State line, thence along U.S. Highway 250 to junction U.S. Highway 301, thence along U.S. Highway 301 to the Virginia-North Carolina State line, on the one hand, and, on the other, points in that part of Missouri on, north, and west of a line beginning at the Illinois-Missouri State line, thence along U.S. Highway 50 to junction Interstate Highway 44, thence along Interstate Highway 44 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Missouri-Arkansas State line. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E109), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, between points in that part of Virginia on, north, and east of a line beginning at the West Virginia-Virginia State line, thence along U.S. Highway 250 to junction U.S. Highway 301, thence along U.S. Highway 301 to the Virginia-North Carolina State line, on the one hand, and, on the other, points in Kansas. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E110), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveaway and truckaway service, between points in that part of Virginia north and east of a line beginning at the West Virginia-Virginia State line, thence along U.S. Highway 250 to junction U.S. Highway 301, thence along U.S. Highway 301 to the Virginia-North Carolina State line, on the one hand, and, on the other, points in that part of Illinois on and north of a line beginning at the Indiana-Illinois State line, thence along U.S. Highway 40 to junction Illinois Highway 37, thence along Illinois Highway 37 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Illinois-Missouri State line. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E127), filed May 17, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective trucks, trailers, and other types of motor vehicles* (except passenger automobiles), but including *self-propelled road building and contractor's vehicles or machinery*, in driveaway and truckaway service (except passenger automobiles), between points in New York, on and east of a line beginning at the New York-Pennsylvania State line, thence along U.S. Highway 219 to junction New York Highway 319, thence along New York Highway 319 to Lake Erie, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 112668 (Sub-No. E1) (Correction), filed May 15, 1974, published in the FEDERAL REGISTER January 27, 1975. Applicant: HARVEY R. SHIPLEY & SONS, INC., Finksburg, Md. 21048. Applicant's representative: Norman E. Shipley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, from Retsof, N.Y., to points in the District of Columbia, and points in Fauquier, Fairfax, Loudoun, and Prince William Counties, Va., points in Jefferson County, W. Va., and points in Maryland (except Baltimore, and points in Garrett, Allegany, and Washington Counties). The purpose of this filing is to eliminate the gateway of Baltimore, Md. The purpose of this correction is to expand the territorial descriptions.

No. MC 112668 (Sub-No. E2) (Correction), filed May 16, 1974, published in the FEDERAL REGISTER February 4, 1975. Applicant: HARVEY R. SHIPLEY & SONS, INC., RFD, Finksburg, Md. 21048. Applicant's representative: Norman E. Shipley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, in dump vehicles (except feed ingredients, rock salt, and rock salt compounds intended for use in the melting of ice and snow), from Retsof, N.Y., to points in Delaware. The purpose of this filing is to eliminate the gateway of Glyndon, Md. The purpose of this correction is to correct the origin and destination points.

No. MC 113535 (Sub-No. E8), filed April 24, 1974. Applicant: A & W TRUCKING CO., Rte. 5, Box 900, Mosinee, Wisc. 54455. Applicant's representative: John J. Altenburg (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products, dairy products, and articles distributed by meat packing-houses*, (1) between La Crosse, Wisc., on the one hand, and, on the other, Minneapolis, Minn., and (2) between Durand, Wisc., on the one hand, and, on the other, Green Bay, Beloit, Prairie du Chien, Marinette, and Milwaukee, Wisc. The purpose of this filing is to eliminate the gateways of Durand, Wisc., and Winona, Minn.

No. MC 114019 (Sub-No. E306) (Correction), filed May 25, 1974. Published in the FEDERAL REGISTER March 13, 1975. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise*, as is dealt in by retail food and household supply and furnishing business houses, and *equipment, materials, and supplies*, used in the conduct of such business, from Chicago, Ill., to points in Berkshire, Franklin, Hampden, and Hampshire Counties, Mass., points in Cheshire County, N.H., and points in Bennington, Rutland, and Windham Counties, Vt. Restriction: Restricted to shipments moving from, to, or between warehouses or other facilities of retail food and household supply and furnishing business houses, in peddle service. The purpose of this filing is to eliminate the gateway of Schnectady, N.Y. The purpose of this filing is to correct the territorial destinations.

No. MC 114019 (Sub-No. E323) (Correction), filed May 19, 1974. Published in the FEDERAL REGISTER March 13, 1975. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfrozen, prepared foods*, from Dover, Del., to Nashville, Tenn., points in Wisconsin and Iowa, those in that part of Nebraska on and east and south

of a line beginning at the Kansas-Nebraska State line and extending along U.S. Highway 83 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Missouri River, points in that part of Kansas on and east of U.S. Highway 281, and points in West Virginia on and west of a line beginning at the Ohio-West Virginia State line, and extending along Interstate Highway 77 to junction U.S. Highway 21, thence along U.S. Highway 21 to junction U.S. Highway 119, thence along U.S. Highway 119 to the Kentucky-West Virginia State line. The purpose of this filing is to eliminate the gateways of Chicago, Ill., Bowling Green, Ky., and Martins Ferry, Ohio. The purpose of this filing is to correct the commodities.

No. MC 114211 (Sub-No. E905), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts* thereof, between points in that part of Nebraska on, north, and west of a line beginning at the Nebraska-Iowa State line and extending along Nebraska Highway 2 to junction U.S. Highway 75, thence along U.S. Highway 75 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Kansas State line, on the one hand, and, on the other, points in Iowa on and southeast of a line beginning at the Iowa-Illinois State line extending along U.S. Highway 151 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Iowa Highway 330, thence along Iowa Highway 330 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction Iowa Highway 163, thence along Iowa Highway 163 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Iowa Highway 16, thence along Iowa Highway 16 to junction Iowa Highway 88, thence along Iowa Highway 88 to Fort Madison, Iowa. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC 114211 (Sub-No. E906), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC. P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts* thereof, from points in that part of Nebraska on and south of a line beginning at the Wyoming-Nebraska State line extending along Interstate Highway 80 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Kansas State line, to points in Indiana and Ohio, with no transportation for compensation on return except as otherwise auportation of which, because of size or thorized restricted against the transweight, requires the use of special equipment or special handling and restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E908), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Cast iron pipe and fittings for cast iron pipe, the transportation of which, because of size or weight requires special equipment, from points in New York, New Jersey, from points in that part of North Carolina on and east of a line beginning at the Virginia-North Carolina State line extending along U.S. Highway 46 to junction Interstate Highway 95, thence along Interstate Highway 95 to junction U.S. Highway 301, thence along U.S. Highway 301 to junction North Carolina Highway 43, thence along North Carolina Highway 43 to junction U.S. Highway 17, thence along U.S. Highway 17 to junction U.S. 70, thence along U.S. Highway 70 to Cherry Point, N.C.; from points in that part of Virginia on and east of a line beginning at the Virginia-Maryland State line extending along U.S. Highway 522 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction U.S. 250, thence along U.S. Highway 250 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction Virginia Highway 40, thence along Virginia Highway 40 to junction Virginia Highway 46, thence along Virginia Highway 46 to the Virginia-North Carolina State line.

From points in that part of Maryland on, north, and east of a line beginning at the Pennsylvania-Maryland State line, extending along U.S. Highway 219 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 522, thence along U.S. Highway 522 to the Maryland-Virginia State line; from points in that part of Pennsylvania on and east of a line beginning at the Ohio-Pennsylvania State line extending along U.S. Highway 322 to junction Pennsylvania Highway 58, thence along Pennsylvania Highway 58 to junction Pennsylvania Highway 258, thence along Pennsylvania Highway 258 to junction Pennsylvania Highway 173, thence along Pennsylvania Highway 173 to junction Pennsylvania Highway 8, thence along Pennsylvania Highway 8 to junction Pennsylvania Highway 356, thence along Pennsylvania Highway 356 to junction Pennsylvania Highway 66, thence along Pennsylvania Highway 66 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line; and from points in that part of Ohio on and east of a line beginning at Ashtabula, Ohio, extending along Ohio Highway 11 to junction U.S. Highway 322, thence along U.S. Highway 322 to the Ohio-Pennsylvania State line, to points in that part of Iowa on and west of a line beginning at the Minnesota-Iowa State line extending along Iowa Highway 4 to junction Iowa Highway 9, thence along Iowa Highway 9 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 169, thence along U.S. Highway 169 to the Iowa-Missouri State line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of the plant site of Griffin Pipe Products Co., at Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E909), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pipe and fittings* for cast iron pipe the transportation of which because of size and weight requires special equipment, from points in Texas and points in that part of Oklahoma beginning on, south, and west of a line beginning at the Kansas-Oklahoma State line extending along U.S. Highway 75 to junction Muskogee Turnpike, thence along the Muskogee Turnpike to junction Interstate Highway 40, thence along Interstate Highway 40 to the Oklahoma-Arkansas State line, to points in that part of Iowa on, north, and west of a line beginning at the Nebraska-Iowa State line and extending along U.S. Highway 34 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Iowa Highway 175, thence along Iowa Highway 175 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Iowa-Minnesota State line with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of the plant site of the Griffin Pipe Products Company at Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E911), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grading, paving, finishing machinery, equipment, parts, accessories and attachments*, between points in that part of Minnesota on and west of a line beginning at the United States-Canada International Boundary line extending along Minnesota Highway 89 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Minnesota Highway 29, thence along Minnesota Highway 29 to junction U.S. Highway 59, thence along U.S. Highway 59 to the Iowa-Minnesota State line, on the one hand, and, on the other, points in Maine, New Hampshire,

Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Texas, Oklahoma, Tennessee, and points in that part of Missouri on and south of a line beginning at the Illinois-Missouri State line extending along junction Missouri Highway 72 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Missouri Highway 5, thence along Missouri Highway 5 to junction Missouri Highway 7, thence along Missouri Highway 7 to junction Missouri Highway 2, thence along Missouri Highway 2 to the Missouri/Kansas State line.

Points in that part of Kentucky on and south of a line beginning at the West Virginia-Kentucky State line extending along U.S. Highway 23 to junction U.S. Highway 25E, thence along U.S. Highway 25E to junction U.S. Highway 25W, thence along U.S. Highway 25W to junction Kentucky Highway 90, thence along Kentucky Highway 90 to junction Kentucky Highway 80, thence along Kentucky Highway 80 to the Kentucky-Missouri State line; points in that part of West Virginia on and east of a line beginning at the Pennsylvania-West Virginia State line extending along West Virginia Highway 26 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction West Virginia Highway 92, thence along West Virginia Highway 92 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway 19, thence along U.S. Highway 19 to the West Virginia-Virginia State line; points in that part of Pennsylvania on and east of a line beginning at the New York-Pennsylvania State line extending along U.S. Highway 219 to the Pennsylvania-West Virginia State line; points in that part of New York on and east of a line beginning at Rochester, N.Y., extending along U.S. Highway 15 to junction New York Highway 255, thence along New York Highway 255 to junction New York Highway 256, thence along New York Highway 256 to junction New York Highway 36, thence along New York Highway 36 to junction New York Highway 408, thence along New York Highway 408 to junction New York Highway 16, thence along New York Highway 16 to the Pennsylvania-New York State line. The purpose of this filing is to eliminate the gateway of Canton, S. Dak.

No. MC 114211 (Sub-No. E913), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled sweepers*, from points in Arizona to points in New York, New Jersey, Connecticut, Delaware, Massachusetts, and points in that part of Maryland on and north of a line beginning at the Pennsylvania-Maryland State line extending along U.S. Highway 11 to junction Interstate Highway 70S, thence along Interstate Highway 70S to junction Interstate Highway 495, thence along Interstate Highway 495 to junction Maryland Highway 4, thence along Maryland Highway 4 to Solomons, Md.; to points in that part of Pennsylvania on and north of a line beginning at the Ohio-Pennsylvania State line extending along U.S. Highway 30 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 11, thence along U.S. Highway 11 to the Pennsylvania-Maryland State line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E914), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pressure pipe* (other than pipe 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 *fittings and accessories* therefor when moving with such pipe, from points in that part of Michigan on and north of a line beginning at Muskegon, Mich., extending along Interstate Highway 96 to junction Michigan Highway 21, thence along Michigan Highway 21 to the United States-Canada International Boundary line to points in Idaho, Utah, and Arizona, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of the plant site of the Griffin Pipe Co., located at or near Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E915), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except those with vehicle beds, bed frames, and fifth wheels), *agricultural machines and implements, construction machinery, and equipment, trailers* designed for the transportation of the commodities described above (other than those designed to be drawn by passenger automobiles), *attachments* for the commodities described above, *internal combustion engines* and *parts* of the commodities described above, when moving in mixed loads with such commodities, between ports of entry on the Gulf of Mexico lying between and including Brownsville and Houston, Tex., on the one hand, and, on the other, points in South Dakota and points in that part of Nebraska on and north of a line beginning at the Iowa-Nebraska State line extending along Interstate Highway 80 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Nebraska Highway 4, thence along Nebraska Highway 4 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Nebraska-Colorado State line, and points in that part of Wyoming on and north of a line beginning at the Colorado-Wyoming State line extending along U.S. Highway 87 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction Wyoming Highway 89, thence along Wyoming Highway 89 to the Wyoming-Utah State line, restricted to the transportation of commodities in foreign commerce, and restricted against the transportation of commodities the transportation of which, because of size or weight, requires the use of special equipment or special handling, and restricted against the transportation of those commodities described in *Mercer Extension-Oil Field Commodities*, 74 M.C.C. 459. The authority granted herein shall not be joined or tacked with any other authority presently held by carrier for the purpose of performing any through transportation to or from points in Wyoming. The purpose of this filing is to eliminate the gateway of Grand Island, Nebr.

No. MC 114211 (Sub-No. E916), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* which, because of size or weight, require special equipment, between points in that part of Missouri on and east of a line beginning at the Missouri-Iowa State line extending along Missouri Highway 5 to junction Missouri Highway 6, thence along Missouri Highway 6 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Missouri Highway 72, thence along Missouri Highway 71 to junction Missouri Highway 51, thence along Missouri Highway 51 to junction Missouri Highway 91, thence along Missouri Highway 91 to junction Missouri Highway 25, thence along Missouri Highway 25 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 61, thence along U.S. Highway 61 to the Missouri-Arkansas State line, on the one hand, and, on the other, points in that part of Kansas on and northwest of a line beginning at the Kansas-Oklahoma State line extending along Kansas Highway 179 to junction Kansas Highway 2,

thence along Kansas Highway 2 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Kansas-Missouri State line, thence along the Kansas-Missouri State line to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 81, thence along U.S. Highway 81 to the Kansas-Nebraska State line. The purpose of this filing is to eliminate the gateways of Martin City, Mo., and points in Kansas within 15 miles of Martin City, Mo.

No. MC 114211 (Sub-No. E917), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pressure pipe* and *fittings* and *accessories* therefor when moving with such pipe, from points in that part of Oklahoma on and west of a line beginning at the Kansas-Oklahoma State line extending along Oklahoma Highway 34 to junction Oklahoma Highway 15, thence along Oklahoma Highway 15 to junction U.S. Highway 283, thence along U.S. Highway 283 to junction Oklahoma Highway 51, thence along Oklahoma Highway 51 to the Oklahoma-Texas State line, and from points in that part of Texas on and west of a line beginning at the Oklahoma-Texas State line extending along U.S. Highway 60 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction Texas Highway 349, thence along Texas Highway 349 to junction U.S. Highway 80, thence along U.S. Highway 80 to junction Texas Highway 17, thence along Texas Highway 17 to junction U.S. Highway 67, thence along U.S. Highway 67 to the United States-Mexico International Boundary line to points in that part of Michigan on, east, and south of a line beginning at the Ohio-Michigan State line extending along U.S. Highway 127 to junction Michigan Highway 78, thence along Michigan Highway 78 to junction Michigan Highway 21, thence along Michigan Highway 21 to Port Huron, Mich., with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of the plant site of Griffin Pipe Products located at or near Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E918), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled tractors, road making machinery* and *contractors' equipment and supplies*, from points in that part of Nebraska on, east, and north of a line beginning at the Nebraska-Iowa State line extending along U.S. Highway 77 to junction U.S. Highway 34, thence along U.S. Highway 34 to the Nebraska-Iowa State line, to points in that part of Washington on, north, and west of a line beginning at Aberdeen, Wash., extending along U.S. Highway 12 to junction U.S. Highway 97, thence along U.S. Highway 97 to junction Intertsate Highway 90, thence along Intertsate Highway 90 to junction Washington Highway 21, thence along Washington Highway 21 to junction Washington Highway 30, thence along Washington Highway 30 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction Washington Highway 25, thence along Washington Highway 25 to the United States-Canada International Boundary line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E919), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* and *parts* thereof (except commodities requiring special equipment), from points in that part of Minnesota on and north of a line beginning at the South Dakota-Minnesota State line extending along Minnesota Highway 210, to junction U.S. Highway 71, thence along U.S. Highway 71 to the United States-Canada International Boundary line to points in Wyoming, restricted against the transportation of commodities the transportation of which, because of size or weight, requires the use of special equipment or special handling, and restricted against the transportation of those commodities described in *Mercer Extension-Oil Field Commodities*, 74 M.C.C. 459. The purpose of this filing is to eliminate the gateways of Nassau, Minn., and points in South Dakota.

No. MC 114211 (Sub-No. E921), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building equipment* (except in each instance, commodities which because of size or weight require the use of special equipment, and except commodities described in Mercer Extension-Oil Field Commodities, 74 M.C.C. 459), from points in that part of Texas on and east of a line beginning at the Oklahoma-Texas State line extending along U.S. Highway 281 to junction Texas Highway 16, thence along Texas Highway 16 to junction Texas Highway 67, thence along Texas Highway 67 to junction U.S. Highway 180, thence along U.S. Highway 180 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 81, thence along U.S. Highway 81 to Laredo, Tex., to points in that part of Montana on and north of a line beginning at the Wyoming-Montana State line extending along U.S. Highway 212 to junction U.S. Highway 10, thence along U.S. Highway 10 to the Idaho-Montana State line to points in that part of Idaho on and north of a line beginning at the Montana-Idaho State line extending along U.S. Highway 12 to the Washington-Idaho State line; and to points in Washington, with no transportation for compensation on return except as otherwise authorized restricted against shipments moving in foreign commerce to points in Canada. The purpose of this filing is to eliminate the gateway of Claremore, Okla.

No. MC 114211 (Sub-No. E922), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pressure pipe and fittings and accessories* thereof when moving with such pipe, from points in that part of Ohio on and east of a line beginning at Sandusky, Ohio extending along Ohio Highway 4 to junction Ohio Highway 98, thence along Ohio Highway 98 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Ohio-Kentucky State line, from points in that part of Virginia on and east of a line beginning at the Kentucky-Virginia State line extending along U.S. Highway 23 to junction U.S. Highway 58, thence along U.S. Highway 58 to junction U.S. Highway 19, thence along U.S. Highway 19 to junction Interstate Highway 81, thence along Interstate Highway 81 to the Virginia-Tennessee State line, and from points in that part of North Carolina on and east of a line beginning at the Virginia-North Carolina State line extending along U.S. Highway 321 to junction U.S. Highway 421, thence along U.S. Highway 421 to junction North Carolina Highway 16, thence along North Carolina Highway 16 to junction North Carolina Highway 90, thence along North Carolina Highway 90 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction North Carolina Highway 49, thence along North Carolina Highway 49 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction North Carolina Highway 211, thence along North Carolina Highway 211 to junction U.S. Highway 401.

Thence along U.S. Highway 401 to junction North Carolina Highway 87, thence along North Carolina Highway 87 to junction U.S. Highway 74, thence along U.S. Highway 74 to Wilmington, N.C., and from points in West Virginia, Maryland, Pennsylvania, New York, New Jersey, and Delaware, to points in that part of Kansas on and northwest of a line beginning at the Nebraska-Kansas State line extending along U.S. Highway 73 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 77, thence along U.S. Highway

77 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 156, thence along U.S. Highway 156 to junction U.S. Highway 56, thence along U.S. Highway 56 to junction Kansas Highway 23, thence along Kansas Highway 23 to junction U.S. Highway 56, thence along U.S. Highway 56 to the Kansas-Oklahoma State line, to points in that part of Texas on and west of a line beginning at the Oklahoma-Texas State line extending along U.S. Highway 54 to the Texas-New Mexico State line, to points in that part of Oklahoma on and west of a line beginning at the Kansas-Oklahoma State line extending along U.S. Highway 54 to the Texas-Oklahoma State line, and to points in that part of New Mexico on and northwest of a line beginning at the Texas-New Mexico State line extending along U.S. Highway 54 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction New Mexico Highway 11, thence along New Mexico Highway 11 to the United States-Mexico Boundary line, and to points in Colorado, Nebraska, Wyoming, South Dakota, North Dakota, and Montana, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of the plant site of the Griffin Pipe Products located at or near Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E923), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors* (except those with vehicle beds, bed frames, and fifth wheels) *equipment* designed for use in conjunction with farm tractors and *parts* thereof, from Pambina, N. Dak., to points in that part of Minnesota on and south of a line beginning at the North Dakota-Minnesota State line extending along U.S. Highway 10 to junction Minnesota Highway 87, thence along Minnesota Highway 87 to junction Minnesota Highway 64, thence along Minnesota Highway 64 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to the Minnesota-Wisconsin State line, to points in that part of North Dakota on and south of a line beginning at the Minnesota-North Dakota State line extending along Interstate Highway 94 to junction North Dakota Highway 31, thence along North Dakota Highway 31 to junction North Dakota Highway 200, thence along North Dakota Highway 200 to junction U.S. Highway 85, thence along U.S. Highway 85 to junction Interstate Highway 94, thence along Interstate Highway 94 to the North Dakota-Montana State line, to points in that part of Montana on and southwest of a line beginning at the South Dakota-Montana State line extending along U.S. Highway 94 to junction Montana Highway 200, thence along Montana Highway 200 to junction U.S. Highway 191, thence along U.S. Highway 191 to junction Montana Highway 236, thence along Montana Highway 236 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction Montana Highway 432, thence along Montana Highway 432 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction U.S. Highway 91, thence along U.S. Highway 91 to the United States-Canada Boundary line, and to points in Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Wyoming, Colorado, New Mexico, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Illinois, Tennessee, Ohio, Michigan, Indiana, Mississippi, Alabama, Kentucky, New York, Pennsylvania, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Maryland, Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Fargo, N. Dak.

No. MC 114211 (Sub-No. E925), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building equipment*, between points in that part of Texas on and southwest of a line beginning at the New Mexico-Texas State line extending along U.S. Highway 77 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Interstate Highway 10, thence along Interstate Highway 10 to the Texas-Louisiana State line, on the one hand, and, on the other, points in Colorado, Kansas, Nebraska, South Dakota, Minnesota, Iowa, and points in that part of Illinois on and north of a line beginning at the Missouri-Illinois State line extending along U.S. Highway 50 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Illinois-Indiana State line. The purpose of this filing is to eliminate the gateway of points in Kansas.

No. MC 114211 (Sub-No. E928), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors*, with or without attachments, *tractor attachments*, and *parts* of tractors and tractor attachments when moving in mixed loads with commodities specified above, between port of entry of Pembina, Minn., on the one hand, and, on the other, points in that part of Illinois on and south of a line beginning at the Missouri-Illinois State line extending along U.S. Highway 36 to junction Illinois Highway 96, thence along Illinois Highway 96 to junction Illinois Highway 108, thence along Illinois Highway 108 to junction Illinois Highway 4, thence along Illinois Highway 4 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Illinois-Indiana State line; that part of Colorado on and south of a line beginning at the Colorado-New Mexico State line extending along U.S. Highway 550 to junction U.S. Highway 160, thence along U.S. Highway 160 to junction U.S. Highway 285, thence along U.S. Highway 285 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Colorado Highway 115, thence along Colorado Highway 115 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Colorado-Kansas State line, and that part of Kansas on and south of a line beginning at the Colorado-Kansas State line extending along Interstate Highway 70 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction Kansas Highway 9, thence along Kansas Highway 9 to junction U.S. Highway 73, thence along U.S. Highway 73 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Kansas-Missouri State line, restricted to the transportation of commodities in foreign commerce. The purpose of this filing is to eliminate the gateway of Topeka, Kans.

No. MC 115162 (Sub-No. E20), filed June 4, 1974. Applicant: POOLE TRUCK LINE, INC., P.O. Drawer 500, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Georgia, to points in that part of Texas on and west of a line beginning at the Oklahoma-Texas State line thence along US Highway 81 to junction Texas Highway 171 thence along Texas Highway 171 to junction US Highway 84 thence along US Highway 84 to junction Interstate Highway 45, thence along Interstate Highway 45 to Galveston, Tex. The purpose of this filing is to eliminate the gateway of points in Mobile and Baldwin Counties, Ala.

No. MC 115322 (Sub-No. E115), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned citrus products*, from points in Florida to the District of Columbia. The purpose of this filing is to eliminate the gateway of Inwood, W. Va.

No. MC 115322 (Sub-No. E116), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Florida 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit products*, from points in Chautauqua County, N.Y. to Savannah, Brunswick,

Cornelia, Gainesville, Athens, Macon, Elberton, Augusta, and Atlanta, Ga. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E117), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit products*, from points in Chautauqua County, N.Y., to the District of Columbia. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E118), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit products*, except grape juice in bulk, from North East, Pa., and Westfield, N.Y., to Baltimore, Md. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E119), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit products*, from points in Erie County, Pa., to the District of Columbia. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E120), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned citrus products*, from points in Florida to Cumberland, Md. The purpose of this filing is to eliminate the gateway of Inwood, W. Va.

No. MC 115322 (Sub-No. E121), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Erie County, Pa., to the District of Columbia. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E122), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Preserved, drained, and glazed fruit and fruit peel*, not canned and not frozen from Plant City, Fla., to the District of Columbia and Baltimore, Md. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E153), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruit concentrates*, from Brocton and Westfield, N.Y., to the District of Columbia. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E154), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruit products*, from Mount Morris, N.Y., to the District of Columbia. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E155), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruit products*, from Genesee, N.Y., to the District of Columbia. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E156), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen grape juice and grape juice concentrates*, from Brocton and Westfield, N.Y., and North East, Pa., to the District of Columbia. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E158), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruit products*, from Plant City, Fla., to points in Virginia and West Virginia within 70 miles of Winchester, Va. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E159), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Florida 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, except grape juice in bulk, when moving in mixed shipments with frozen foods, from North East, Pa. to points in Florida. The purpose of this filing is to eliminate the gateway of points in Frederick County, Va.

No. MC 115322 (Sub-No. E160), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Florida 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned sauerkraut and pickles*, when moving in mixed shipments with frozen foods, from North East, Pa. and Westfield, N.Y. to the District of Columbia. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E161), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruit juices*, in containers, from Dundee and Penn Yan, N.Y., to Pikeville, Ky. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E162), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfrozen juices*, from points in Florida to the District of Columbia. The purpose of this filing is to eliminate the gateway of Inwood, W. Va.

No. MC 115322 (Sub-No. E163), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen grape concentrate*, from Westfield, N.Y., to the District of Columbia. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E164), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th & Pennsylvania

Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Preserved, drained, and glazed fruit and fruit peel*, not canned and not frozen, from Plant City, Fla., to New York and Buffalo, N.Y. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E165), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen grape* concentrate, from Westfield, N.Y., to Savannah, Ga. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E166), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits*, from Macon, Ga., to points in Virginia and West Virginia within 70 miles of Wincester, Va. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E167), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruit products*, from points in Orleans County, N.Y., to the District of Columbia. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E168), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruit products*, from Pittsburgh, Pa., to the District of Columbia and Baltimore, Md. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E180), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit products*, from points in Chautauqua County, N.Y., to Baltimore, Md. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 115322 (Sub-No. E181), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 32809. Applicant's representative: James Wilson, 13th & Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen grape juice* from Westfield, N.Y., to points in South Carolina. The purpose of this filing is to eliminate the gateway of Winchester, Va.

No. MC 117119 (Sub-No. E132) (Correction), filed May 8, 1974, published in the FEDERAL REGISTER October 3, 1974. Applicant: WILLIS SHAW FROZEN FOOD, P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meat, frozen edible packinghouse products, frozen canned goods, frozen butter, frozen eggs*, and *frozen dressed poultry*, and *frozen dairy products*, from Chicago, Ill., to points in Arizona, California, Colorado, Idaho, Montana (except points in Blaine, Phillips, Valley, Daniels, Sheridan, Roosevelt, Richland, Dawson, Wibaux, Fallon, Carter, Powder River, Custer, Prairie, McCone, Garfield, Rosebud, Petroleum, and Treasure Counties, Mont.), Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. The purpose of this filing is to eliminate the gateway of St. Joseph, Mo. The purpose of this correction is to correct the commodity description.

No. MC 117344 (Sub-No. E24), filed June 2, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, in tank vehicles, from points in Kentucky on and east of a line beginning at the Kentucky-Indiana State line and extending along U.S. Highway 421 to Frankfort, Ky., thence along U.S. Highway 127 to Danville, thence along Kentucky Highway 150 to Stanford, thence along U.S. Highway 27 to the Kentucky-Tennessee State line to points in Illinois on and north of Interstate Highway 70 and Nebraska Interstate Highway 70. The purpose of this filing is to eliminate the gateways of Cincinnati, Ohio, and Jacksonville, Ill.

No. MC 117344 (Sub-No. E52), filed May 19, 1974. Applicant: THE MAXWELL COMPANY, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils and products and blends* thereof, in bulk, in tank vehicles, Covington, Ky., to points in Connecticut, Massachusetts, and Rhode Island. The purpose of this filing is to eliminate the gateway of Columbus, Ohio.

No. MC 117344 (Sub-No. E90), filed May 21, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid glue*, in bulk, in tank vehicles, from points in Delaware County, Ohio, to points in North Carolina on and west of a line beginning at the North Carolina boundary and proceeding southeast along U.S. Route 321 to Hickory, thence east along U.S. Route 64 to its junction with State Route 16 thence south along State Route 16 to the North Carolina-South Carolina boundary. The purpose of this filing is to eliminate the gateway of Taylorsport, Ky. (a permit in the Oddyston, Ohio, Commercial Zone).

No. MC 117344 (Sub-No. E91), filed June 4, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, in tank vehicles, from points in Indiana on and south of Interstate Route 70 and on and east of a line beginning at Madison, Indiana, and extending north along Route 421 to Greensburg, Ind., and thence north along State Route 3 to its intersection with Interstate Route I–70 to points in Nebraska. The purpose of this filing is to eliminate the gateway of Cincinnati, Ohio, and Jacksonville, Ill.

No. MC 117344 (Sub-No. E92), filed June 4, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica gel catalyst*, in bulk, in hopper vehicles, from Michigan City, Ind., to points in Pennsylvania on and east of U.S. Route 11 and points in West Virginia (except those points in Brooke, Hancock, Marshall, Ohio, and Wetzel Counties). The purpose of this filing is to eliminate the gateway of Cincinnati, Ohio.

No. MC 117344 (Sub-No. E93) (Correction), filed May 21, 1974, published in the FEDERAL REGISTER March 4, 1975. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except petrochemicals) in bulk, in tank vehicles, from Jackson County, Ind., to points in Alabama, Arkansas, Georgia, Kansas, Louisiana, Mississippi, those in Missouri on and south of a line beginning at St. Louis, Mo., and extending along Interstate Highway 70 to junction Missouri Highway 19, thence along Missouri Highway 19 to junction Missouri Highway 22, thence along Missouri Highway 22 to

junction U.S. Highway 63, thence along U.S. Highway 63 to junction U.S. Highway 36, thence along U.S. Highway 36 to St. Joseph, Mo. (except points in the St. Louis, Mo., East St. Louis, Ill., commercial zone, as defined by the Commission); Oklahoma; those points in South Carolina on and south of U.S. Highway 78, and Texas. Restriction: The authority granted herein is restricted against the transportation of dry chemicals to points in Ohio, and points in Chambers, Montgomery, Harris, Fort Bend, Galveston, Liberty, and Brazoria Counties, Tex. The purpose of this filing is to eliminate the gateway of the facilities of the Polymers-Chemical Division of W. R. Grace & Co. at Owensboro, Ky. The purpose of this correction is to correct the "E" number, previously published as E51.

No. MC 117344 (Sub-No. E94) (Correction), filed May 19, 1974, published in the FEDERAL REGISTER March 26, 1975. Applicant: THE MAXWELL COMPANY, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Products and blends of animal and vegetable oils*, which are liquid chemicals, in bulk, in tank vehicles, from Covington, Ky., to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming. The purpose of this filing is to eliminate the gateway of the plant site of the Monsanto Company at Addyston, Ohio. The purpose of this correction is to correct the "E" number, previously published as E55.

No. MC 117574 (Sub-No. E14) (Correction), filed May 31, 1974, published in the FEDERAL REGISTER March 19, 1975. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pa. 17013. Applicant's representative: E. S. Moore, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (3) *Pipe and conduit and pipe and conduit fittings* used in connection with the erection and construction of sewage, water, and refuse treatment systems (except commodities in bulk and those which because of size or weight, require the use of special equipment), between points in Illinois and Kentucky (except those points in Kentucky in the commercial zone of Cincinnati, Ohio) on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Connecticut, Massachusetts, New York, and Rhode Island (Titusville, Pa.)*. The purpose of this filing is to eliminate the gateway indicated by asterisk above. The purpose of this filing is to add the destination points in part 3 and the remainder of the filing is correct.

No. MC 117574 (Sub-No. E29) (Correction), filed May 31, 1974, published in the FEDERAL REGISTER March 11, 1975. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pa. 17013. Applicant's representative: E. S. Moore, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, between points in Massachusetts, on the one hand, and, on the other, points in North Carolina Counties of Gates, Hertford, Currituck, Camden, Pasquotank, Perquimans, Chowan, Bertie, Martin, Washington, Tyrell, Dare, Hyde, Pitt, Beaufort, Craven, Jones, Onslow, Carteret, and Pamlico. Restriction: The operations authorized herein are subject to the following conditions: Said operations are restricted to the transportation of commodities which are transported on trailers. Said operations are restricted against the transportation of machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines (points in that part of Pennsylvania on and east of U.S. Highway 219, to the junction with U.S. Highway 322, thence on and north of a line beginning at Grampian, Pa., and extending along U.S. Highway 322 through Clearfield and State College, Pa., to Lewistown, Pa., thence along U.S. Highway 522 to Selinsgrove, Pa., and on and west of U.S. Highway 11 to the New York-Pennsylvania State line (except the facilities of Curtiss Wright Corp., near Clearfield, Pa.)*).

(2) *Self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, between points in Connecticut and Massachusetts, on the one hand, and, on the other, points in Ohio and West Virginia. Restriction: The operations authorized herein are subject to the following restrictions: Said operations are restricted to the transportation of commodities which are transported on trailers. Said operations are restricted against the transportation of machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipelines (points in that part of Pennsylvania on and east of U.S. Highway 219, to the junction with U.S. Highway 322, thence on and north of a line beginning at Grampian, Pa., and extending along U.S. Highway 322 through Clearfield and State College, Pa., to Lewistown, Pa., thence along U.S. Highway 522 to Selinsgrove, Pa., and on and west of U.S. Highway 11 to the New York-Pennsylvania State line, except the facilities of Curtiss Wright Corp., near Clearfield, Pa.*); and (3) *self-propelled contractors' equipment*, each weighing 15,000 pounds or more and related machinery, tools, parts, and supplies moving in connection therewith (when transported on trailers) between points in Connecticut, Massachusetts, and Rhode Island, on the one hand, and, on the other, points in Virginia, those in Maryland west of the Susquehanna River and the Chesapeake Bay, Martinsburg, W. Va., and the District of Columbia (those points in York County, Pa., within a 25 mile radius of Baltimore, Md.*). The purpose of this filing is to eliminate the gateways indicated by the asterisks above. The purpose of this correction is to clarify the commodity description.

No. MC 117574 (Sub-No. E30) (Correction), filed May 31, 1974, published in the FEDERAL REGISTER March 11, 1975. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pennsylvania 17013. Applicant's representative: E. S. Moore, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies moving in connection therewith, between Maine, New Hampshire, and Vermont, on the one hand, and, on the other, points in Delaware, District of Columbia, Maryland, Ohio, Virginia, and West Virginia. Restriction: The operations authorized herein are subject to the following conditions. Said operations are restricted to the transportation of commodities which are transported on trailers. Said operations are restricted against the transportation of machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines (points and places in a Pennsylvania area bounded on the north by the New York-Pennsylvania State line, thence by highways beginning at junction of said State line with U.S. Highway 11, over U.S. Highway 11 to junction of U.S. Highway 522, thence over U.S. Highway 522 to junction with U.S. Highway 322, thence over U.S. Highway 322 to Pennsylvania-New York State line, including points on the indicated highways.*) The purpose of this filing is to eliminate the gateway indicated by the asterisk. The purpose of this filing is to correct the weight in part 2 and the remainder of this filing is correct.

No. MC 117574 (Sub-No. E47), filed June 4, 1974. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pa. 17013. Applicant's representative: E. S. Moore, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities* which because of size or weight, require the use of special equipment, and *related iron and steel* and *iron and steel products* when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment, between points in Pennsylvania, on the one hand, and, on the other, points in Illinois (80 mile radius of Columbus, Ohio)*; (2) *Iron and steel, iron and steel products, machinery, boilers and contractors' equipment*, which because of size or weight require the use of special equipment and *related iron and steel* and *iron and steel products* when

their transportation is incidental to the transportation of commodities which by reason of size or weight require the use of special equipment, between points in Pennsylvania, on the one hand, and, on the other, points in Indiana (except points in the counties of Allen, DeKalb, Steuben, LaGrange, Noble, Whitley, Elkhart, and St. Joseph), and points in Kentucky (except the counties of Lawrence, Johnson, Martin, Magoffin, Floyd, Pike, Knott, and Letcher) (points in Franklin County, Ohio, and 80 mile radius of Columbus, Ohio)*; (3) *Iron and steel, iron and steel products, machinery, boilers,* and *contractors' equipment,* which because of size or weight require the use of special equipment and *related iron and steel* and *iron and steel products* when their transportation is incidental to the transportation of commodities which by reason of size or weight require the use of special equipment, between points in Illinois, on and north of U.S. Highway 36, on the one hand, and, on the other, points in Kentucky on and east of a line beginning at the Ohio-Kentucky State line and extending along U.S. Highway 127 to junction U.S. Highway 150, thence along U.S. Highway 150 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Kentucky-Tennessee State line, and points in West Virginia (80 mile radius of Columbus, Ohio)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 119531 (Sub-No. E74), filed June 2, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard* and *pulpboard products*, (1) between points in Illinois, on the one hand, and, on the other, points in New York, New Jersey, and Pennsylvania; (2) between points in Indiana, on the one hand, and, on the other, points in New York, New Jersey, and points in Pennsylvania on and north and east of a line beginning at the Ohio-Pennsylvania on and north and east of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 22 to U.S. Highway 30 thence along U.S. Highway 30 to Interstate 70, thence along Interstate Highway 70 to the Pennsylvania-Maryland State line; (3) between points in Illinois, on the one hand, and, on the other, points in Ohio on and east of U.S. Highway 250 (except pulpboard between Chicago, Ill., and Cleveland, Ohio); (4) between points in Indiana on, north, and west of a line beginning at the Indiana-Ohio State line and extending west along U.S. Highway 40 to Indianapolis, Ind., thence south along Indiana State Highway 67 to Indiana State Highway 57, thence south along State Highway 57 to U.S. Highway 41, to the Indiana-Kentucky State line, on the one hand, and, on the other, points in Ohio on, north, and east of U.S. Highway 250; and (5) between points in Indiana, on the one hand, and, on the other, points in Ohio on and east of a line beginning at Loraine, Ohio and extending along Ohio State Highway 58 to Wellington, Ohio, thence along Ohio State Highway 18 to Akron, Ohio, thence along Interstate Highway 77 to Canton, Ohio, thence along U.S. Highway 30 to the Ohio-West Virginia State line (except pulpboard from Carthage, Ind., to Cleveland, Ohio). The purpose of this filing is to eliminate the gateway of Cleveland, Ohio.

No. MC 119531 (Sub-No. E71), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45227. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap paper*, (1) between points in Kentucky on and west of Interstate Highway 75, on the one hand, and, on the other, points in New York; (2) between points in Kentucky on and west of a line beginning at Owensboro, Ky. and extending along the Green River Parkway to Bowling Green, Ky., thence along Interstate Highway 65 to the Kentucky-Tennessee State line, on the one hand, and, on the other, points in Pennsylvania, and (3) between points in Kentucky on and west of a line beginning at Covington, Ky. and extending along Interstate Highway 75 to Lexington, Ky., thence along U.S. Highway 27 to the Kentucky-Tennessee State line, on the one hand, and, on the other, points in New Jersey. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio.

No. MC 119531 (Sub-No. E77), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Berry, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plant site of St. Regis Paper Company at or near Willis (Washtenaw County), Mich., to points in that part of Kentucky on and west of a line from the Indiana-Kentucky State line extending along U.S. Highway 60 to junction Interstate Highway 75, thence south along Interstate Highway 75 to Kentucky, Tennessee State line, and Missouri. The purpose of this filing is to eliminate the gateway of the plant and warehouse sites of the Weyerhauser Co., at Columbus, Ind.

No. MC 119531 (Sub-No. E79), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Berry, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, (1) from Winchester, Ind., to points in that part of New York on and west of U.S. Highway 15, West Virginia on and east of Interstate Highway 77, and * (2) from Winchester, Ind., to points in that part of New York on and east of a line from the Pennsylvania-New York State line extending along New York State Highway 7, thence along New York tSate Highway 50, thence along U.S. Highway 9, thence along U.S. Highway 4, to the New York, Vermont State line**. The purpose of this filing is to eliminate the gateway of * Zanesville, Ohio, and ** Vienna, W. Va.

No. MC 119531 (Sub-No. E85), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap paper*, (1) between points in Ohio on and west of U.S. Highway 62, on the one hand, and, on the other, points in New York and New Jersey;* (2) between points in Ohio on and west of a line beginning at Cleveland, Ohio, and extending along Interstate 71 to junction Interstate 71 and U.S. Highway 224, thence north, of a line extending along U.S. Highway 224 to Findley, Ohio, thence along Interstate 75 to Wapakoneta, Ohio, thence along Ohio State Highway 29 to the Ohio-Indiana State line, on the one hand, and, on the other, points in Pennsylvania;* (3) from points in Ohio to points in Missouri, and** (4) from points in Ohio on and north of U.S. Highway 50 to points in Tennessee on and west of Interstate Highway 75.*** The purpose of this filing is to eliminate the gateways of *Cleveland, Ohio; **The plant and warehouse sites of the Weyerhaeuser Co., at Columbus, Ind.; and ***Cincinnati, Ohio.

No. MC 119531 (Sub-No. E94), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glassware*, from the plant site and warehouse facilities of Anchor Hocking Glass Corporation at or near Gurnee, Ill., to points in Ohio on and south of a line extending from the Ohio-Indiana States line, east on Ohio State Highway 47 to Ohio State Highway 4, to U.S. Highway 30, to U.S. Highway 62 to the Ohio-Pennsylvania State line; and* (2) *glass containers and accessories therefor*, from the plant site and warehouse facilities of Anchor Hocking Glass Corporation at or near Gurnee, Ill., to points in Pennsylvanina (except points north of Interstate Highway 80 and west of U.S. Highway 220).** The purpose of this filing is to eliminate the gateway of *Lapel, Ind., and **Lapel, Ind., and Worthington, Ohio.

No. MC 119531 (Sub-No. E95), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibreboard containers*, (1)

from points in New York, New Jersey, and Pennsylvania to points in Illinois;* (2) from points in New York, New Jersey, and Pennsylvania (except that part south of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 22 to U.S. Highway 30, and thence south along U.S. Highway 30 to Interstate Highway 70, thence along Interstate Highway 70 to the Pennsylvania-Maryland State line to points in Indiana;* (3) from points in New York, New Jersey, and Pennsylvania to points in Wisconsin,** (4) from points in New York, New Jersey, and Pennsylvania to points in Minnesota;*** (5) from points in New York, New Jersey, and Pennsylvania to points in Missouri; and **** (6) from New York and New Jersey to points in Kentucky on and west of Interstate 65.**** The purpose of this filing is to eliminate the gateways of *Cleveland, Ohio; **Cleveland, Ohio, and Rockdale, Ill.; ***Cleveland Ohio, and Anderson, Ind; ****Cleveland, Ohio, and Columbus, Ind.

No. MC 119531 (Sub-No. E96), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers*, from the plant and warehouse sites of the United Can Company located at or near Rossford, Ohio, to points in Minnesota, North Dakota, South Dakota, Nebraska, Colorado, Iowa, Kansas, Texas, Wisconsin (except points east of a line beginning at Manitowoc, Wisc., and extending along U.S. Highway 151 to Madison, Wisc., thence along Interstate Highway 90 to the Wisconsin-Illinois State line), that part of Missouri on and west of a line beginning at Louisiana, Missouri, and extending along U.S. Highway 54 to Preston, Miss., thence along U.S. Highway 65 to the Missouri-Arkansas State line, and that part of Louisiana on and west of a line beginning at the Mississippi-Louisiana State line and extending south on U.S. Highway 61, to Baton Rouge, thence along Louisiana Highway 1 to junction Louisiana Highway 20, thence along Louisiana Highway 20 to junction U.S. Highway 90, thence along U.S. Highway 90 to Morgan City, La. The purpose of this filing is to eliminate the gateway of Rockford, Ill.

No. MC 119531 (Sub-No. E98), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers*, and *metal container closures*, from Danbury, Conn., Baltimore and Cambridge, Md., Edison, N.J., Fairless and Hanover, Pa., and the facilities of the National Can Corporation at Long Island City and Maspeth, N.Y., to points in Arkansas, Kansas, Nebraska and Tennessee (except points on and east of U.S. Highway 231). Restriction: The authority granted herein is restricted (a) to movement of the commodities listed above in mixed loads only, (b) against movement of commodities in bulk and those requiring the use of special equipment, and (c) against movement of tinplate to Newport, Sevierville, Jefferson City, Tellico Plains, Chestnut Hill; and Clinton, Tenn. The purpose of this filing is to eliminate the gateway of Cincinnati, Ohio.

No. MC 119531 (Sub-No. E124), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5319 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware*, (1) from the plant site and warehouse facilities of Anchor Hocking Glass Corporation at or near Gurnee, Ill., to points in Ohio on and south of a line extending from the Ohio-Indiana State line east on Ohio Highway 47 to junction Ohio Highway 4, thence along Ohio Highway 4 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Ohio-Pennsylvania State line; (2) from the plant site and warehouse facilities of Anchor Hocking Glass Corporation at or near Gurnee, Ill., to points in West Virginia on and east of Interstate Highway 77; and *glass containers*, from the plant site and warehouse facilities of Anchor Hocking Glass Corporation at or near Gurnee, Ill., to points in New York on south of Interstate Highway 84. The purpose of this filing is to eliminate the gateways of Lapel, Ind., Zanesville, Ohio, and Vienna, W. Va.

No. MC 119531 (Sub-No. E125), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5319 Wooster, Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard*, viz; *boxboard*, *chipboard*, *strawboard* and *wood pulpboard*, and *scrap* and *wastepaper*, (1) from Huntington and Charleston, W. Va., to points in Indiana on and north of U.S. Highway 50;* (2) from Huntington and Charleston, W. Va., to points in Illinois on and north of Interstate Highway 70, and points in Missouri on and north of Interstate Highway 44;** and fibreboard containers, from Huntington and Charleston, W. Va., to points in Minnesota and Wisconsin.*** The purpose of this filing is to eliminate the gateways of *Circleville, Ohio; **Circleville, Ohio, and the plant and warehouse sites of Weyerhaeuser Co., at Columbus, Ind.; ***Circleville, Ohio, and Anderson, Ind.

No. MC 119531 (Sub-No. E133), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5319 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery*, used in the manufacture of pulpboard products, (1) between Illinois, on the one hand, and on the other, New York, New Jersey, and Pennsylvania; (2) between points in Indiana, on the one hand, and, on the other, points in Pennsylvania (except points south of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 22 to U.S. Highway 30, thence along U.S. Highway 30 to Interstate Highway 70, thence south along Interstate Highway 70 to the Pennsylvania-Maryland State line; (3) between points in Indiana on, north, and west of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 40 to Indianapolis, Ind., thence south along Indiana State Highway 67 to Indiana State Highway 57, thence south along State Highway 57 to U.S. Highway 41 to the Indiana-Kentucky State line, on the one hand, and, on the other, points in Pennsylvania; (4) between points in Illinois, on the one hand, and, on the other, points in Ohio on and east of a line beginning at Sandusky, Ohio and extending south along U.S. Highway 250 to the Ohio-West Virginia State line; and (5) between points in Indiana, on the one hand, and, on the other, points in Ohio on and east of a line beginning at Lorain, Ohio and extending along Ohio State Highway 58 to Wellington, Ohio, thence along Ohio State Highway 18 to Akron, Ohio, thence along Interstate Highway 77 to Canton, Ohio, thence along U.S. Highway 30 to the Ohio-West Virginia State line. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio.

No. MC 119531 (Sub-No. E135), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5119 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Equipment*, used in the manufacture, sale and distribution of metal containers and metal container closures, from Cleveland, Ohio to points in Arkansas, that part of Iowa, on and south of U.S. Highway 34 and on and west of U.S. Highway 59, Kansas, that part of Kentucky on and west of a line beginning at Maysville, Kentucky, and extending along Kentucky State Highway 11 to Heidrick, Ky., and thence along U.S. Highway 25 east to the Kentucky-Tennessee State line, Missouri, Nebraska, and Tennessee. Restriction: Restricted against movement of commodities in bulk and those requiring the use of special equipment. The purpose of this filing is to eliminate the gateway of the plant and warehouse sites of the Heekin Can Company at Cincinnati, Ohio.

No. MC 119531 (Sub-No. E149), filed June 4, 1974. Applicant: SUN EXPRESS, INC., 5319 Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap paper*, (1) between points in that part of Michigan on and south of a line beginning at Indington, Mich., and extending along U.S. Highway 10 to Saginaw, Mich., thence along U.S. Highway 23 to Bay City, Mich., and thence along the shores of Saginaw Bay and Lake Huron to Port Huron, Mich., on the one hand, and, on the other, points in Illinois on and south of Interstate Highway 70, points in that part of Indiana on and south of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 224 to Huntington, Ind., thence along U.S. Highway 24 to the Indiana-Illinois State line, points in that part of Kentucky on and west of a line beginning at the Indiana-Kentucky State line and extending along U.S. Highway 421 to Frankfort, Ky., thence along U.S. Highway 127 to Stamford, Ky., thence along Interstate Highway 75 to the Kentucky-Tennessee State line.* (2) Between points in that part of Michigan on and west of U.S. Highway 131, and on and south of U.S. Highway 10, on the one hand, and, on the other, points in Ohio on and south of Interstate Highway 70, and points in West Virginia;* (3) between points in that part of Michigan on and west of U.S. Highway 131 and on and south of U.S. Highway 10, on the one hand, and, on the other, points in Pennsylvania on and east of U.S. Highway 219, and points in New York and New Jersey;** and (4) from points in that part of Michigan on and south of a line beginning at Ludington, Mich., and extending along U.S. Highway 10 to Saginaw, Mich., thence along U.S. Highway 23 to Bay City, Mich., and thence along the shores of Saginaw Bay and Lake Huron to Port Huron, Mich., to points in Tennessee on and east of Tennessee State Highway 13.*** The purpose of this filing is to eliminate the gateways of *Wabash, Ind., **Wabash, Ind., and Cleveland, Ohio, ***Wabash, Ind., and Cincinnati, Ohio.

No. MC 119531 (Sub-No. E169), filed May 25, 1974. Applicant: SUN EXPRESS INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Berry, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper boxes*, knocked down, from Circleville, Ohio, to points in that part of Michigan on and west of a line beginning at the Indiana-Michigan State line and extending along U.S. Highway 33 to junction Michigan Highway 60, thence along Michigan Highway 60 to junction Michigan Highway 40, thence along Michigan Highway 40 to junction Michigan Highway 118, thence along Michigan Highway 118 to junction U.S. Highway 131, thence along U.S. Highway 131 to junction U.S. Highway 10, thence along U.S. Highway 10 to Ludington, Mich. The purpose of this filing is to eliminate the gateway of Anderson, Ind.

No. MC 119531 (Sub-No. E181), filed May 25, 1974. Applicant: SUN EXPRESS INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Material and supplies* used in the manufacture, sale and distribution of paper and paper products (except commodities in bulk), from points in Kentucky, (except points east of Interstate Highway 65), and points in Missouri to Coshocton, Ohio. The purpose of this filing is to eliminate the gateway of the plant and warehouse sites of Weyerhaeuser Company at Columbus, Ind.

No. MC 119531 (Sub-No. E183), filed May 25, 1974. Applicant: SUN EXPRESS INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials and supplies* used in, or incidental to the manufacture, sale and distribution of metal containers (except commodities in bulk, and except commodities which because of size or weight require the use of special equipment), from the plant and warehouse sites of Crown Cork and Seal Company, Inc., at Philadelphia, Pa., and the Davis Can Company, at Leetsdale, Pa., to Hoopeston, Ill. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio.

No. MC 119531 (Sub-No. E202), filed May 25, 1974. Applicant: SUN EXPRESS INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper containers*, from Three Rivers, Mich., to points in Missouri on and south of U.S. Highway 40. The purpose of this filing is to eliminate the gateway of the plant and warehouse sites of Weyerhauser Company at Columbus, Ind.

No. MC 119531 (Sub-No. E204), filed May 29, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper cartons*, (1) from points in Washington, Greene, Fayette, Allegheny, Beaver Counties, Pa., to points in Kentucky and points in Indiana, on and south of a line beginning at the Ohio-Indiana State line extending along U.S. Highway 35 to Indiana Highway 15, thence along Indiana Highway 15 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Indiana State line*; and (2) from Washington, Greene, Fayette, Allegheny, Beaver Counties, Pa., to points in Wisconsin and Minnesota.* The purpose of this filing is to eliminate the gateways of (1) Circleville, Ohio, and (2) Circleville, Ohio, and Anderson, Ind.

No. MC 119531 (Sub-No. E225), filed May 29, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Pulpboard and pulpboard boxes*, (1) from Chicago, Ill., to points in Tennessee on and east of a line beginning at the Kentucky-Tennessee State line and extending along Interstate Highway 65 to junction Alternate U.S. Highway 41, thence along Alternate U.S. Highway 41 to junction Interstate Highway 24, thence along Interstate Highway 24 to the Tennessee-Georgia State line,* (2) from Chicago, Ill., to points in Kentucky on and east of U.S. Highway 41*; and (B) *corrugated fibreboard sheets*, from Chicago, Ill., to Winchester, Va.* The purpose of this filing is to eliminate the gateways of Cincinnati, Ohio, Columbus, Ind., and Ashtabula, Ohio.

No. MC 119531 (Sub-No. E245), filed May 29, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard, pulpboard products, scrap paper and machinery*, (1) between Indiana and Illinois, on the one hand, and, on the other, points in New York, New Jersey and points in Pennsylvania on, north and east of a line beginning at the Ohio-Pennsylvania State line on U.S. Highway 22 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Pennsylvania-Maryland State line; and (2) between points in Illinois, on the one hand, and, on the other, points in Ohio on and east of a line beginning at Sandusky, Ohio and extending along U.S. Highway 250 to the Ohio-West Virginia State line. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio.

No. MC 119531 (Sub-No. E258), filed June 2, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiberboard cans* (except in bulk), from Bradford, Pa., to points in Kentucky and points in that part of West Virginia on and west of a line starting at the Virginia-West Virginia State line and extending along U.S. Highway 21 through Charleston to its junction with Interstate Highway 77, thence along Interstate Highway 77 to the West Virginia-Ohio State line. The purpose of this filing is to eliminate the gateway of Coshocton, Ohio.

No. MC 119531 (Sub-No. E267), filed June 2, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper products*, from Washington, Pa., to points in Kentucky (except points east of U.S. Highway 23). The purpose of this filing is to eliminate the gateway of Circleville, Ohio.

No. MC 119531 (Sub-No. E269), filed May 25, 1974. Applicant: SUN EXPRESS, INC., 5391 Wooster Rd., Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials and supplies*, used in the manufacture, sale and distribution of pulpboard and pulpboard products (except commodities in bulk), from points in Kentucky (except points east of a line starting at the Indiana-Ohio State line and extending along, Kentucky Highway 55 to its junction with U.S. Highway 127 at Olga, Ky., thence along U.S. Highway 127 to the Kentucky-Tennessee State line) and points in Missouri to Fremont, Ohio. The purpose of this filing is to eliminate the gateway of Columbus, Ind.

No. MC 119531 (Sub-No. E273), filed May 26, 1974. Applicant: SUM EXPRESS, INC., Wooster Road, Cincinnati, Ohio 45226. Applicant's representative: Paul F. Beery, 8 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiber cylindrical containers*, from the plant and warehouse site of the Litho Carton and Container Corporation, Inc., at North Vernon, Ind., to points in Wisconsin and points in Iowa on, west and north of a line beginning at the Iowa-Missouri State line, extending north on U.S. Highway 63 to Iowa State Highway 92, thence east on Iowa State Highway 92 to the Iowa-Illinois State line. The purpose of this filing is to eliminate the gateway of Addison, Ill.

No. MC 123685 (Sub-No. E6), filed May 15, 1974. Applicant: PEOPLES CARTAGE, INC., 8045 Navarre Road, SW., Massillon, Ohio 44646. Applicant's representative: James W. Muldoon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard, pulpboard products, and paper wrappers*, (1) from those points in Ohio on, north and east of a line beginning at the Ohio-West Virginia State line and extending along Ohio Highway 39, thence along U.S. Highway 250 to junction Ohio Highway 3, thence along Ohio Highway 3 to junction Interstate Highway 71, thence along Interstate Highway 71 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Ohio Highway 44, to Lake Erie, to points in Kentucky on and south of a line beginning at the Indiana-Kentucky State line and extending along Interstate Highway 64, thence along Kentucky Highway 3 to junction Kentucky-Ohio State line, and to those points in Indiana on and west of a line beginning at Lake Michigan and extending along Interstate Highway 65, thence along U.S. Highway 30 to junction U.S. Highway 35, thence along U.S. Highway 35 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 421, from those points in Ohio on, east and south of a line beginning at the Ohio-West Virginia State line and extending along Ohio Highway 151, thence along U.S. Highway 250 to junction Ohio Highway 94, thence along Ohio Highway 94 to junction Interstate Highway 271, thence along Interstate Highway 271 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Ohio-Pennsylvania State line, to points in Ohio, (3) from those points in Ohio on, north and east of a line beginning at Lake Erie and extending along Ohio Highway 94, thence along U.S. Highway 30 to junction Ohio-West Virginia State line, to points in Kentucky. The purpose of this filing is to eliminate the gateway of the facilities of Grief Board Corporation, at Stark County, Ohio.

No. MC 123685 (Sub-No. E9), filed May 15, 1974. Applicant: PEOPLES CARTAGE, INC., 8045 Navarre Road, SW., Massillon, Ohio 44640. Applicant's representative: James W. Muldoon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard, pulpboard products, and paper wrappers*, from points in Williams, Defiance, Paulding, Van Wert, Fulton, Allen, Putnam, Henry, Lucas, Wood, Hancock, Hardin, Ottawa, Sandusky, Seneca, Wyandot, Marion, Crawford, Huron, Richland, Lorain, Ashland, Cuyahoga, Medina, Summit, Wayne, and Stark Counties, Ohio, to those points in Pennsylvania on, south and east of a line beginning at the West Virginia-Pennsylvania State line and extending along U.S. Highway 22 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction U.S. Highway 11, thence along U.S. Highway 11 to the Pennsylvania-New York State line; (2) from points in Ohio on, east and north of a line beginning at Lake Erie and extending along Ohio Highway 4 to junction U.S. Highway 30N, thence along U.S. Highway 30N to the Ohio-Indiana State line, to those points in Pennsylvania on and south of a line beginning at the Ohio-Pennsylvania State line and extending along Interstate Highway 80 to junction Pennsylvania Highway 66, thence along Pennsylvania Highway 66 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-New York State line; (3) from points in Stark, Wayne, Ashland, Richland, Crawford, Wyandot, Hardin, Allen, Paulding, Van Wert, Mercer, and Auglaize Counties, Ohio, to points in Pennsylvania. The purpose of this filing is to eliminate the gateway of the facilities of Grief Board Corporation, in Stark County, Ohio.

No. MC 123685 (Sub-No. E21), filed May 15, 1974. Applicant: PEOPLES CARTAGE, INC., 8045 Navarre Rd., SW., Massillon, Ohio 44646. Applicant's representative: James W. Muldoon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients, and pesticides*, in bulk, in dump vehicles: (1) between those points in Ohio on, south, west, and north of a line beginning at the Ohio-Kentucky State line and extending along U.S. Highway 22 to junction Interstate Highway 77, thence along Interstate Highway 77 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction U.S. Highway 68, thence along U.S. Highway 68 to junction U.S. Highway 224, thence along U.S. Highway 224 to the Ohio-Indiana State line, on the one hand, and, on the other, those points in Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line and extending along Pennsylvania Highway 249 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 64, thence along Pennsylvania Highway 64 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction U.S. Highway 552, thence along U.S. Highway 522 to the Pennsylvania-Maryland State line, and those points in New York on and east of New York Highway 16;

(2) Between points in Ohio on, south, west, and north of a line beginning at the Ohio-Kentucky State line and extending along Interstate Highway 71 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction Ohio Highway 60, thence along Ohio Highway 60 to junction Ohio Highway 83, thence along Ohio Highway 83 to junction U.S. Highway 224, thence along U.S. Highway 224 to junction Ohio Highway 114, thence along Ohio Highway 114 to the Ohio-Indiana State line, on the one hand, and, on the other, those points in Pennsylbetween points in Ohio on, west, and south of a line beginning at the Ohio-Kentucky State line and extending along Interstate Highway 71 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-Indiana State line, on the one hand, and, on theo ther, those points in Pennsylvania on and west of a line beginning at Lake Erie and extending along U.S. Highway 322 to junction Pennsylvania Highway 36, thence along Pennsylvania Highway 36 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction Pennsylvania Highway 56, thence along Pennsylvania Highway 56 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Pennsylvania-Maryland State line. The purpose of this filing is to eliminate the gateway of Orrville, Ohio.

No. MC 123685 (Sub-No. E22), filed May 15, 1974. Applicant: PEOPLES CARTAGE, INC., 8045 Navarre Road, SW., Massillon, Ohio 44646. Applicant's representative: James W. Muldoon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*,

fertilizer ingredients, and pesticides, in bulk, in dump vehicles, (1) between points in Ohio on, north and west of a line beginning at the Indiana-Ohio State line and extending along U.S. Highway 30N to junction Ohio Highway 3, thence along Ohio Highway 3 to Lake Erie, on the one hand, and, on the other, those points in Pennsylvania on and south of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 6 to junction Pennsylvania Highway 27, thence along Pennsylvania Highway 27 to junction Pennsylvania Highway 227, thence along Pennsylvania Highway 227 to junction Pennsylvania Highway 666, thence along Pennsylvania Highway 666 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-New York State line; (2) between points in Wayne, Medina, Cuyahoga, Lorain, Ashland, Huron, Erie, Sandusky, Ottawa, and Lucas Counties, Ohio, on the one hand, and, on the other, those points in West Virginia, on and east of a line beginning at the Ohio-West Virginia State line and extending along U.S. Highway 35 to junction U.S. Highway 119, thence along U.S. Highway 119 to the West Virginia-Kentucky State line; (3) between points in Wayne, Medina, Cuyahoga, and Lorain Counties, Ohio, on the one hand, and, on the other, points in West Virginia; (4) between points in Ohio on, north and west of a line beginning at Lake Erie and extending along Ohio Highway 83 to junction U.S. Highway 30N, thence along U.S. Highway 30N to junction Ohio Highway 235, thence along Ohio Highway 235 to junction U.S. Highway 224, thence along U.S. Highway 224 to junction U.S. Highway 127, thence along U.S. Highway 127 to junction Ohio Highway 114, thence along Ohio Highway 114 to the Ohio-Indiana State line, on the one hand, and, on the other, points in West Virginia on, south and east of a line beginning at the West Virginia-Maryland State line and extending along U.S. Highway 50 to junction U.S. Highway 19, thence along U.S. Highway 19 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction Interstate Highway 77, thence along Interstate Highway 77 to the West Virginia State line. The purpose of this filing is to eliminate the gateway of Orrville, Ohio.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-10609 Filed 4-22-75;8:45 am]

[Notice 40]

TEMPORARY AUTHORITY TERMINATION

The temporary authorities granted in the dockets listed below have expired as a result of final action either granting or denying the issuance of a Certificate or Permit in a corresponding application for permanent authority, on the date indicated below:

Temporary authority application	Final action or certificate or permit	Date of action
Schultz Transit, Inc., MC-118302 Sub-22	MC-118302 Sub-25	Oct. 17, 1974
Mairs Transport Ltd., MC-119340 Sub-11	MC-119340 Sub-13	Do.
R. B. Breese Transportation, Inc., MC-125129 Sub-3	MC-125129 Sub-2	Oct. 11, 1974
K & W Trucking Co., Inc., MC-125551 Sub-5	MC-125551 Sub-6	Oct. 17, 1974
Road Runner Trucking, Inc., MC-125906 Sub-20	MC-125906 Sub-11	Oct. 15, 1974
P. L. Lawton, Inc., MC-128762 Sub-9	MC-128762 Sub-10	Do.
Nebraska Beef Express, Inc., MC-134114 Sub-6	MC-134114 Sub-1	Sept. 26, 1974
Jay Lines, Inc., MC-134323 Sub-43	MC-134323 Sub-50	Oct. 30, 1974
Boyd Tank Lines, Inc., MC-135889 Sub-6	MC-135889 Sub-7	Oct. 15, 1974
Marine Stevedoring Corp., MC-136181	MC-136181 Sub-1	Oct. 17, 1974
Southern Intermodal Logistics, Inc., MC-136293	MC-136293 Sub-1	Sept. 26, 1974
Deepwell Service, Inc., MC-136845 Sub-1	MC-136845 Sub-2	Do.
D.B.A., Hoener Trucking, MC-136851	MC-136851 Sub-1	Do.
Swift Transportation Co., Inc., MC-136897 Sub-1	MC-136897 Sub-2	Oct. 16, 1974
Blair Cartage, Inc., MC-136981 Sub-2	MC-136981 Sub-1	Oct. 15, 1974
Walt Keith Trucking, Inc., MC-138557 Sub-1	MC-138557 Sub-2	Oct. 30, 1974
D.B.A., Medco Farm Lines, MC-138793 Sub-1	MC-138793 Sub-2	Sept. 26, 1974
GRS Cartage, Inc., MC-139130 Sub-1	MC-139130 Sub-2	Do.
VI Trucking Co., MC-139303 Sub-1	MC-139303 Sub-2	Oct. 30, 1974
Norman Michels, MC-139344 Sub-1	MC-139344 Sub-2	Sept. 26, 1974

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-10494 Filed 4-22-75;8:45 am]

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PART II

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

■

STATE ADULT EDUCATION PROGRAMS

Financial Assistance

Title 45—Public Welfare

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

PART 166—STATE ADULT EDUCATION PROGRAMS

A notice of proposed rulemaking was published on January 21, 1975, at 40 FR 3382–3389, inviting public comments on regulations of the Secretary of Health, Education, and Welfare, prescribing certain policies and requirements with respect to financial assistance for State adult education programs under the Adult Education Act, as amended (Pub. L. 91–230). Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed regulations.

In accordance with the requirements of the Education Amendments of 1974 (Pub. L. 93–380) and pursuant to the authority contained in the Adult Education Act, as amended, 20 U.S.C. 1201 et seq., the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, amends Title 45, Part 166 of the Code of Federal Regulations to read as set forth below. The Commissioner also establishes national priorities for the program for the purpose of providing guidance to the States. These priorities follow the text of the regulations.

1. *Program purpose.* The Adult Education Act provides for the encouragement of State-administered programs of adult public education. Section 306 of the Act provides for programs of instruction that will enable all adults to continue their education to at least the level of completion of secondary school and make available the means to secure training that will enable them to become more employable, productive, and responsible citizens. Section 309 provides support for special experimental demonstration projects and for training persons engaged, or preparing to engage, as personnel in programs designed to carry out the purposes of the Act. Authority for the administration of section 309 was transferred from the U.S. Commissioner of Education to the State educational agencies by the Education Amendments of 1974.

2. *Section 503, Education Amendments of 1972 (Pub. L. 92–318), procedures and effect.* In accordance with section 503 of the Education Amendments of 1972, a notice of proposed rulemaking to amend these regulations (45 CFR Part 166) was published in the FEDERAL REGISTER on May 31, 1974, at 39 FR 19223, and a public hearing was held on July 2, 1974 in Washington, D.C. However, following the public hearing and before final regulations could be published in the FEDERAL REGISTER, the Education Amendments of 1974 (Pub. L. 93–380) were enacted. Inasmuch as the Education Amendments of 1974 authorize new provisions under the Adult Education Act, a second Notice of Proposed Rulemaking, which contains both the final changes resulting from the section 503 study and the new provisions of Pub. L. 93–380, was issued in the FEDERAL REGISTER on January 21, 1975.

3. *New State application procedure.* Section 434(b) of the General Education Provisions Act as added by section 511 of the Education Amendments of 1974 (Pub. L. 93–380) provides for a new State application procedure consisting of a submission of a General Application and Annual Program Plans. Regulations implementing section 434(b) will be issued by the Commissioner.

Under section 434(b)(1)(A), any State which applies, contracts, or submits a plan, for participation in any Office of Education program in which Federal funds are made available to local educational agencies through or under the supervision of the State educational agency, shall submit to the Commissioner a general application which includes five assurances. The first four assurances deal with proper administration, accounting procedures, reports, and non-supplanting of Federal funds. The fifth assurance is that the State will submit to, and have approved by, the Commissioner, an annual program plan in accordance with section 434(b)(1)(B), for each program in which the State agency wishes to participate.

Accordingly, States intending to apply for Federal funds under the Adult Education Act must submit the five required assurances. The State must also submit an annual program plan for the approval of the U.S. Commissioner of Education, before funds can be released for adult education programs. The nature and scope of the Adult Education Annual Program Plan is outlined in these regulations. These regulations are consistent with the specific State plan requirements of the Adult Education Act. All references to the "State Plan," however, have been replaced by "annual program plan" in these regulations.

4. *Comments.* The following comments, suggestions, questions and criticisms were submitted in writing in response to the proposed rules issued on January 21, 1975. After the summary of each comment, a response is set forth stating the changes which have been made in the regulations or the reasons why no change is deemed necessary or appropriate. The comments are grouped based on the sections affected, arranged in sequence.

(1) Section 166.1 *Comment.* One commenter has suggested that in order to emphasize the applicability of the Civil Rights Regulations which effectuate the provisions of Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, an appropriate reference should be incorporated into this set of regulations.

Response. The General Education Provision Regulations (GEPR), particularly § 100b.262 (a) and (b), call attention to the requirement that Federal financial assistance is subject to the regulations promulgated under both Title VI of the Civil Rights Act and Title IX of the Education Amendments of 1972. The scope of section 100b of GEPR has a direct application to Part 166, Adult Education State Programs. To repeat the mandates of section 100b in Part 166 would defeat the express purpose of the General Education Provisions Regulations, which is to publish in one place regulations which affect the various education programs generally.

(2) Section 166.1(a) *Comment.* Commenters suggested that the language of § 166.1(a) which sets forth the general purpose of the Act be modified to delete the reference to "all adults." These commenters objected to this language because it would allow aliens to participate in adult education programs.

Response. The statement of purpose in section 302 of the Act is broad in scope and provides for "adult public education that will enable all adults to continue their education." This statutory reference to "all adults" does include aliens (one born in or belonging to another country who has not acquired American citizenship by naturalization) who are properly in this country. We assume, however, that Congress did not contemplate the Act to embrace aliens who are illegally in this country.

It should also be pointed out that in recent years, the Supreme Court has held that classifications which have a tendency to discriminate against persons of a discernible and stigmatized status to be inherently suspect. In "Sugarman v. Dougall" 413 US 634 (1973), the Court ruled that a State could not limit civil service employment to American citizens. The Court held that aliens as a class are a prime example of a discrete and "insular minority for whom heightened judicial solicitude is appropriate."

(3) Sections 166.1(a) and 166.2 *Comment.* A considerable degree of confusion was expressed by various commenters as to whether the secondary school graduate who cannot function at a level commensurate with the legislative intent of the law must be excluded from participating in adult education programs. This question arises in connection with the purpose provision of § 166.1 (a) and the definition of institutionalized person (§ 166.2) which is prefaced with the phrase "an adult * * * who does not have a certificate of graduation from a school providing secondary education * * *."

Response. The clear objective of the Adult Education Act (sections 302 and 306) is to expand educational opportunities for adults and encourage the development of programs which would enable all adults to continue their education to at least the level of completion of secondary school (see Sen. Rep. No. 93–763, p. 58 (1974)).

An adult who does have a certificate of graduation from a school providing secondary education but who is functioning at less than the secondary competency, is not precluded from enrolling in adult education programs. In addition, programs of a post high school nature which offer instruction to adults

to continue their education to at least the level of completion of secondary school are eligible for assistance. For example, remedial reading, writing or computational courses for individuals functioning at less than a secondary grade competency which are conducted by community colleges are eligible for assistance.

(4) Section 166.2 *Comment.* A commenter suggested amending the definition of "institution of higher education" in § 166.2 to reflect certain areas of education in which there is a need for qualified personnel in addition to the traditional fields of education for which funds have usually been provided.

Response. The definition of "institution of higher education" is set forth in section 303(j) as any such institution defined by 801(e) of the Elementary and Secondary Education Act (ESEA). Accordingly, the definition in ESEA has been incorporated into § 166.2. No change is deemed necessary.

(5) Section 166.6 *Comment.* A commenter objected to the requirement set forth in § 166.6(e) which directs State Advisory Councils to send an additional copy of their annual report of its recommendations to the U.S. Commissioner of Education.

Response. The statutory authority for this requirement is found in section 422 (a)(3) of the General Education Provisions Act, 20 U.S.C. 1231a(a)(3). This citation was inadvertently omitted from the proposed rules and, therefore, appears in the final rules after § 166.6(e). The burden placed on the councils by this requirement is minimal in view of the fact that a copy of the report must be submitted to the National Advisory Council on Adult Education. Furthermore, such a report will assist the Commissioner in measuring the effectiveness of adult education programs in the States.

(6) Section 166.11 *Comment.* A commenter suggested adding the word "improvement" in the first sentence of § 166.11(a).

Response. The annual program plan encompasses all activities conducted under the authority of sections 306 and 309 of the Act. The improvement of existing programs is an authorized activity under section 309. Therefore, § 166.11(a) has been amended to reflect this change.

(7) Section 166.12 *Comment.* A commenter suggested amplifying § 166.12(b) to require that plans of local educational agencies reflect a cognizance of local manpower programs in their area.

Response. This vital need is addressed § 166.13 (e), (f) and (g). These provisions require the State agencies in their planning process to give consideration to programs under manpower training as well as other related programs. Accordingly, no change has been made in the regulation.

(8) Section 166.12 *Comment.* Several commenters question the Office of Education's jurisdictional base in setting forth criteria and procedures in § 166.12 (b)(2) to be incorporated into the annual program plan for section 309 activities. The thrust of this argument is that such procedures severely restrict the authority vested in the States for section 309 activities.

Response. The list of criteria set forth in § 166.12(b)(2) does not amount to a usurpation of the State's authority in awarding section 309 grants and contracts. The purpose of incorporating these factors into the annual program plan is to assure both a proper and efficient administration of section 309 funding by the States. The regulations still leave considerable latitude to the States for the implementation of section 309.

(9) § 166.12 *Comment.* Several comments questioned the legality of mandating the annual program plan to set forth the section 309 policies and procedures in §§ 166.12(b)(2) and 166.22, asserting that there is no statutory authority for such a requirement.

Response. The inclusion of a requirement in the proposed regulation that the State set forth the policies and procedure under which the State must use section 309 funds in its annual program plan is not violative of the Act. States receive a single allotment to carry out the provisions of the legislation and section 306 requires that any State desiring to receive "its allotment" of Federal funds under the Act must make provisions for the utilization of "all funds" in the annual program plan. (Emphasis supplied.) Since section 309 funds are part of a State's allotment, the policies for expenditure of these funds must be incorporated into the annual program plan. Accordingly, the references to section 309 planning in §§ 166.12(b)(2) and 166.22 in the Notice of Proposed Rulemaking will be maintained.

(10) Section 166.12 *Comment.* A commenter objected to the assurance of free competition in the awarding of section 309 funds in § 166.12(b)(2)(i).

Response. Free and open competition is mandated in all procurement transactions of the State agency by § 100b.103 of the General Education Provisions Regulations. Since this requirement applies to all contract negotiation, the State must assure free competition in the awarding of contracts under section 309. Accordingly, § 166.12(b)(2)(i) will be amended to reflect this clarification.

(11) Section 166.12 *Comment.* Several commenters questioned the accuracy of the legal citation for § 166.12(b)(4).

Response. The legal citation for § 166.12(b)(4) was incorrectly published as Subpart P of 45 CFR Part 100b. The correct citation is Subpart Q. The regulation has been amended to reflect this change.

(12) Section 166.12 *Comment.* A commenter suggested that § 166.12(c) be amended to allow a specific percentage set aside for programs for the mentally handicapped who are not in institutions.

Response. The Cranston Amendment in section 421 of the General Education Provisions Act (20 U.S.C. 1231) prohibits any funds to be apportioned, allocated, or otherwise distributed in any manner or by any method different from that specified in the law authorizing the appropriation. Accordingly, no change has been made in the regulations.

(13) Section 166.12 *Comment.* A commentor asked if programs for institutionalized persons under § 166.12(d) are intended to serve those in correctional institutions or those in institutions for the mentally or physically handicapped.

Response. "Institutionalized person," as defined in § 166.2, includes both of these target groups. Consequently, no change is necessary.

(14) Section 166.12 *Comment.* Commenters suggested that § 166.12(e) be amended to include, under programs of bilingual adult education, persons who are deaf and who use manual sign language as their medium of communication.

Response. Section 306(a)(11) of the Act provides that "special assistance be given to the needs of persons of limited English-speaking ability (as defined in section 703(a) of title VII of the Elementary and Secondary Education Act of 1965) by providing bilingual adult education programs * * *." Instruction is to be given in English and, to the extent necessary to allow such persons to progress effectively through the adult education program, in the native language of such persons. It is clear from both the statutory language and legislative history of title VII of ESEA that Congress never contemplated that bilingual programs would be provided to the hearing-impaired. It should be pointed out, however, that programs for institutionalized adults serve the physically handicapped. Accordingly, no change in the regulations is deemed necessary.

(15) Section 166.13 *Comment.* Several commenters suggested the deletion of manpower development and training programs in § 166.13(f) in view of the fact that the Manpower Development and Training Act is no longer a reality.

Response. Although the Manpower Development and Training Act was superseded by the Comprehensive Employment Training Act (CETA), both the Adult Education Act and supporting legislative history make numerous references to coordination with manpower training programs. The House Conference Report accompanying H.R. 69 (Report No. 93-1211) requires the annual program plan to "provide for coordination with manpower development and traning programs and occupational education programs." The references to manpower training in the regulations, therefore, were purposely included. Coordination and cooperation with these related programs should be encouraged in the development of the annual program plan.

(16) Section 166.13 *Comment.* A commenter suggested amending § 166.13(f) by adding language that where adult education activity is carried out in a CETA Prime Sponsor's area, the Prime Sponsor should receive a copy of the Adult Education Annual Program Plan

and be given the opportunity to comment upon arrangements made by the State educational agency to address the needs for adult education within the jurisdiction of the sponsorship.

Response. The provision for the input of a CETA Prime Sponsor during the formulation stage of the Adult Education Annual Program Plan is set forth in § 166.13(f). The State educational agency should provide the opportunity to the CETA Prime Sponsor to comment during the planning stage. This does not necessitate, however, that a formal arrangement be adopted by the State educational agency to allow final review and approval of the annual program plan by the Prime Sponsor. The Prime Sponsor should be given the opportunity to comment during the formulation of the plan.

(17) Section 166.14 *Comment.* A commenter asked whether the provision set forth in § 166.14(a) for a scheduled public meeting to review the annual program plan is mandatory.

Response. No legal or statutory basis exists to require scheduled public meetings to review annual program plans. However, it is recommended that the State educational agency provide for at least one public meeting each year at which the public is given an opportunity to express views concerning adult education. The proposed regulations have been amended in order to clarify this position.

(18) Section 166.15 *Comment.* A commenter questioned the utility of incorporating a reference to GEPR § 100b.29 for budget revisions in § 166.15.

Response. Since the express purpose of the GEPR is to publish in one place regulations which affect the various education programs generally, the reference to budget revisions in § 166.15 amounts to a duplication. Therefore, the comment has been accepted and § 166.15 (a) has been deleted in the final regulations.

(19) Section 166.22 *Comment.* A commenter posed the following hypothetical: Since a State must use not less than 15 percent of the funds allotted to it for special projects and teacher training, would an expenditure of 100 percent of the Federal funds for these activities be violative of section 309 of the Act and § 166.22 of the regulations?

Response. Even though no statutory ceiling is imposed in section 309 for special projects and teacher training, expenditures for 309 activities substantially above 15 percent would defeat the purpose of the Act as expressed in section 302 which is to provide instruction to enable all adults to continue their education to at least the level of completion of secondary school. The Senate Committee on Labor and Public Welfare addressed itself to this question when it reduced the amount for section 309 activities from 20 percent to 15 percent. (Sen. Rep. No. 93-1026, p. 189 (1974))

(20) Section 166.22 *Comment.* A commenter suggested that the scope of special projects set forth in § 166.22(a) be expanded to include research.

Response. Section 309 of the Act does not prescribe authority for research. Section 306(a)(4) of the Act, however, does provide authority for grants to public and private non-profit agencies for research. Under the statute, only grants may be used for research.

(21) Section 166.23 *Comment.* Numerous comments recommended that "individuals" be deleted as eligible applicants for special demonstration and teacher training projects in § 166.23 (a)(4). A variety of factors were indicated in these comments for the deletion of "individuals," especially because the category was deemed too broad and because the category provides no protection to the section 309 program from those whose primary interest might be self promotion.

Response. In view of the fact that Congress did not impose any prohibitions on the list of eligible recipients for section 309 projects, individuals would appear to be eligible unless a State has a duly issued proscription against State's grants and contracts to individuals. Therefore, no change has been made in § 166.23 at this time.

(22) Section 166.25 *Comment.* Commenters suggested the deletion of printing national priorities by the U.S. Office of Education in § 166.25 because they are not specifically mandated by statute.

Response. The purpose of publishing national priorities is to provide a clear perspective on the adult education program in order to assure coordination and to assure that the direction of the Federal effort in this area is meeting the pressing needs of the consumer. The national priorities will allow the State agencies to be aware of what the Commissioner considers important in the field of adult education. The statutory authority for requiring State education agencies to set forth in their annual program plans an indication as to how State priorities relate to the national priorities is found in section 422(a)(1) and 422(a)(3) of the General Education Provisions Act (20 U.S.C. 1231a(a)(1); 20 U.S.C. 1231a(a)(3)). The textual language of § 166.25 emphasizes the fact that the national priorities are only advisory. The State may take these priorities into consideration for their guidance in the development of the annual program plan. No change has been made in the regulations.

(23) Section 166.30 *Comment.* A commenter suggested that § 166.30(a) (redesignated as § 166.28(a) in the regulations) be expanded to include Assistant Regional Commissioner of Occupational and Adult Education Programs in the dissemination of information.

Response. In light of section 403(c)(2) of the General Education Provisions Act, as added by section 503 of Pub. L. 93-380, this comment has been accepted and § 166.28(a) has been amended accordingly. Subparagraph B of section 403 (c)(2) provides that regional offices shall serve as centers for the dissemination of information and shall provide technical assistance to State and local educational agencies. In order to fulfill this responsibility, each State educational agency should submit to the appropriate regional office copies of final reports and evaluation reports of special projects and teacher training programs.

(24) Section 166.41 *Comment.* A commenter suggested that the requirement in § 166.41 for the expenditure of Federal funds in accordance with "adult education" be changed to read "the provisions of this Act."

Response. The suggested language that all Federal funds must be expended for activities related to "the provisions of this Act" constitutes a more accurate interpretation of the legislation. The regulations, therefore, have been amended to reflect this comment.

(25) Section 166.42 *Comment.* The National Advisory Council on Adult Education (NACAE) expressed a strong reservation about the limitation on the administrative expense provision in § 166.42. It is the opinion of NACAE that there is no limitation prescribed in section 313 (b) of the Act.

Response. Section 313(b) of the Adult Education Act authorizes an additional appropriation not to exceed five percent of the amount of a State's allotment to pay the cost of administration of its State plan and other activities. The appropriations for each fiscal year, however, disregarded the bifurcation of appropriation between sections 313(a) and 313(b) and instead, set forth a single lump sum appropriation. As a result of this funding pattern, it was decided that Congressional intent could best be carried out if the appropriation for adult education were divided into 105 parts, of which not more than five parts were available for administrative costs. We understand the gravity of the problems raised by this limitation, yet it should be pointed out that any change must be made by Congress, not by the U.S. Office of Education. No change has been made in § 166.42 at this time.

(26) Section 166.45 *Comment.* Many comments have been received concerning the prohibition on tuition and fees in § 166.45. The scope of these comments range from total support for the present language to total rejection of § 166.45. The thrust of the argument in favor of tuition and fees is that such funds would be used to help defray the rapid rise in costs of materials, the increase in enrollment and the rise in teacher salaries. Some commenters also pointed out that if the adult has provided some monies toward his education, he or she will "feel better about the program" and it will provide the individual with an incentive to attend more regularly. Those commenters recommending that the language stand as it is have emphasized the fact that charging students for costs would subvert the original intent of the adult basic education legislation.

Response. It is clear that many local school districts have historically required students to pay a portion of the fee for adult secondary programs (if they are

able to pay). We also recognize the possibility that the imposition of this rule on adult secondary programs may cause some States to spend no Federal dollars in this area, report no sturents, and thus might jeopardize their current viable programs and might impede many innovative adult secondary programs. Consequently, § 166.45 has been amended so as not to prohibit the charging of fees for adult secondary programs.

This increased flexibility for the States does not exempt them from the mandate of § 100b.58 of the General Education Provisions Regulations which requires that tuition and fees collected from students enrolled in such courses as adult secondary programs may not be included as part of the Federal or non-Federal share of expenditures under the Adult Education Act.

The prohibition on charging tuition and fees for adult basic education programs has been retained in § 166.45. The legislative priority for enrollment in these programs calls for serving the disadvantaged. These students are the ones least likely to be able to afford tuition costs.

(27) Section 166.52 *Comment.* A commenter questioned the utility of requiring State educational agencies to submit along with their annual program plan a copy of any adult education legislation enacted by the State. (§ 166.52(d)(4))

Response. The transmission of any State legislative action bearing on adult education to the U.S. Office of Education will have a catalytic effect on the future planning of adult education at the national level. Also, this information is crucial during the review process of annual program plans. The statutory authority for this requirement in § 166.52(d)(4) is found in section 422(a)(3) of GEPA.

(28) Appendix A *Comment.* A commenter suggested that Appendix A(16) (redesignated as (13)) should be revised to read "that not more than 20 percent of the total funds used * * * for institutionalized adults." The proposed rule was drafted in terms of "funds available" rather than "funds used."

Response. Since the computation of the 20 per centum would vary depending on whether the total represents "funds used" or "funds available", Appendix A (13) has been amended to reflect the former. This change is consistent with section 306(a)(1) of the Act.

5. *Consolidation of §§166.26 and 166.12(b)(4).* The provisions relating to third-party evaluations of projects funded under section 309 of the Act as set forth in § 166.26 (a) and (b) duplicate the regulatory language in § 166.12(b)(4). This latter section imposes the requirement that the annual program plan shall describe procedures which will be used for conducting annual evaluations of all the activities which are carried out in the year for which funds are sought. The reference to "activities" in the proposed rules encompasses all projects under the authority of sections 306 and 309 of the Act. Accordingly, § 166.12(b)(4) has been amended to clarify the scope of the provision. Also, § 166.26 has been eliminated in its entirety since the substantive content of this regulation is contained in § 166.12(b)(4). With the deletion of § 166.26, corresponding changes have been made to the numbering of §§ 166.27 through 166.30.

The annual evaluation for sections 306 and 309 activities must be submitted to the U.S. Commissioner of Education. Whereas proposed rule § 166.26 required an independent third-party evaluation, the final rule set forth in § 166.12(b)(4) allows the evaluation to be conducted either by the State agency or by other parties. The annual program plan must set forth the specific criteria which will be used in assessing the effectiveness of the activities. If the evaluation is conducted by the State agency, the annual program plan should also set forth the evaluation instruments to be applied. This modification will allow the State agency more flexibility in setting forth its own procedures for evaluation of section 309 projects; the change is also more realistic in view of the fact that some States could not afford the cost of independent third-party evaluations.

6. *State matching requirement under section 307(a) of the Act.* Some confusion has arisen in the interpretation of the statutory matching requirement set forth in section 307(a), which reads: The Federal share for each State shall be 90 per centum * * *." The ambiguity which has been demonstrated is whether the State share is calculated as 10 per centum of the total Federal allotment or 10 per centum of the total local, State and Federal expenditure. In order to receive the Federal allotment, a State must adhere to the latter formula. For example, if the total Federal allotment for FY 75 is $900,000, then the total local, State and Federal expenditure must be at least $1,000,000. Thus the State and local share would be a minimum of $100,000, not $90,000. If, hypothetically, a State calculates its matching as 10 per centum of the Federal allotment (10% of $900,000=$90,000) then under this example, it would fail to meet its statutory obligation by $10,000 ($100,000—$90,000=$10,000).

7. *Effect of Office of Education General Provisions Regulations.* These regulations omit provisions relating to general fiscal and administrative matters which are covered under the overall Office of Education General Provisions Regulations (GEPR), published in the FEDERAL REGISTER on November 6, 1973 at 38 FR 30654 under section 503 of the Education Amendments of 1972 of which this publication is a part. (Reference is made in particular to the provisions of Part 100b of Title 45 of the Code of Federal Regulations containing general provisions for State-administered programs, including civil rights assurances contained in § 100b.262, which are applicable to the State-administered programs under the Adult Education Act.)

8. *Priorities for programs of national significance.* Based on the findings of surveys and studies conducted by the U.S. Office of Education, recommendations of the National Advisory Council on Adult Education, and on evaluations by State educational agencies, the Commissioner has suggested that the priorities set forth in Appendix B of this part merit special consideration by the States in planning activities to meet the special project and personnel training needs of their adult education programs.

9. *Citations of legal authority.* As required by section 431(a) of the General Education Provisions Act (20 U.S.C. 1232(a)) and section 503 of the Education Amendments of 1972, a citation of statutory or other legal authority for each of the regulations has been placed in parentheses on the line following the text of the section.

On occasion, a citation appears at the end of a subdivision of the section. In that case the citation is to all that appears in that section between the citation and the next preceding citation. When the citation appears only at the end of the section, it applies to the entire section.

10. *Other changes.* Certain other minor and technical changes were made in order to correct omissions and typographical errors printed in the proposed regulations. Some of these oversights were pointed out in the written comments.

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

(Catalog of Federal Domestic Assistance Program No. 13.400, Adult Education—Grants to States)

Dated: April 7, 1975.

T. H. BELL,
U.S. Commissioner of Education.

Approved: April 17, 1975.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

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APPENDIX A: Cover Sheet and State-Federal Agreement.
APPENDIX B: Priorities for Programs of National Significance.

AUTHORITY: Secs. 302–314 of Pub. L. 89–750, as amended; 84 Stat. 159–164 (20 U.S.C. 1201–1211a), unless otherwise noted.

Subpart A—General

§ 166.1 Purpose, scope and other references.

(a) *Purpose.* The regulations in this part implement the provisions of the Adult Education Act which provides Federal assistance to expand educational opportunity and encourage the establishment of programs of adult public education that will enable all adults to continue their education to at least the level of completion of secondary school thus making available the means to secure training that will enable them to become more employable, productive and responsible citizens.

(20 U.S.C. 1201)

(b) *Scope.* The regulations in this part cover grants to States for adult basic education, adult secondary education, and other adult education programs pursuant to section 304 of the Act.

(20 U.S.C. 1201)

(c) *General Education Provisions Regulations.* Assistance provided under this part is subject to applicable provisions contained in subchapter A of this Chapter (entitled "General Provisions for Office of Education Programs") relating to fiscal, administrative, property management and other matters, hereinafter called "General Education Provisions Regulations" (GEPR).

(20 U.S.C. 1201, 1221)

§ 166.2 Definitions.

The terms "adult," "adult education," "adult basic education," "community school program," "local educational agency," "State," "State educational agency," and "academic education," as used in this part, are defined in section 303 of the Act.

(20 U.S.C. 1202)

"Act," means the Adult Education Act.

(20 U.S.C. 1201 (note on short title))

"GEPR" means the "General Education Provisions Regulations" (entitled "General Provisions for Office of Education Programs"), which may be found in Subchapter A of this chapter.

The term "nonprofit," "private," and "public agency" as used in this part, are defined in § 100.1 of GEPR.

"Institutionalized person" means (1) an adult sixteen years of age or older who does not have a certificate of graduation from a school providing secondary education, or does have a certificate of graduation from a school providing secondary education but is functioning at less than a secondary competency, and is not currently required to be enrolled in school and is an inmate, patient, or resident of a penal institution, reformatory, residential training school, orphanage, or general or special institution, or hospital; or (2) an adult in a residential school for the physically or mentally handicapped.

The term "limited English-speaking ability," when used with reference to adults, means adults who come from environments where a language other than English is dominant, and, by reason thereof, have difficulty speaking and understanding instruction in the English language.

(20 U.S.C. 880b–1)

"Institution of higher education" means an educational institution in any State which:

(a) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(b) Is legally authorized within such State to provide a program of education beyond high school;

(c) Provides an educational program for which it awards a bachelor's degree, or provides not less than a two-year program which is acceptable for full credit toward such a degree, or offers a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or other technological fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge;

(d) Is a public or other nonprofit institution; and

(e) Is accredited by a nationality recognized accrediting agency or association listed by the Commissioner pursuant to this paragraph or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited: Provided, however, that in the case of an institution offering a two-year program in engineering, mathematics, or the physical or biological sciences which is designed to prepare the student to work as a technician and at a semiprofessional level in engineering, scientific, or technological fields which requires the understanding and application of basic engineering, scientific or mathematical principles or knowledge, if the Commissioner determines that there is no nationally recognized accrediting agency or association qualified to accredit such institutions, he shall appoint an advisory committee composed of persons specially qualified to evaluate training provided by such institutions, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such institutions to participate under this Act and shall also determine whether particular institutions meet such standards. For the purpose of this paragraph the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of education or training offered.

(20 U.S.C. 801; 20 U.S.C. 1202)

Subpart B—State Advisory Councils

§ 166.4 Establishment and certification.

(a) *Establishment.* Each State which receives funds under section 304 of the Act and the regulations in this part for any fiscal year may establish and maintain a State advisory council, or may designate and maintain an existing State advisory council, which shall be, or has been, appointed by the Governor or, in the case of a State in which members of the State board which governs the State education agency are elected (including election by the State legislature), by such board.

(b) *Certification.* The State educational agency shall notify the U.S. Commissioner of Education of the establishment of, and membership of, its State advisory council. The notification shall be attached to the State plan or be submitted as an amendment thereto in such cases where an advisory council is established after the State plan has been approved. Such notification shall include the name, education, experience, and current position of each person serving on the State advisory council and shall specify which interest under § 166.5 each person represents. Forms for the certification of State advisory councils may be obtained from the U.S. Office of Education, Division of Adult Education, Regional Office Building No. 3, 7th and D Streets, SW., Washington, D.C. 20202. Upon receiving such notification, the Commissioner shall, as appropriate, certify that each such council is in compliance with the membership requirements set forth in the Act and in this subpart.

(c) *Funding.* A State advisory council which is funded solely from non-Federal sources which are not part of the 10 per

centum State matching is not required to comply with the statutory requirements of section 310A of the Act nor §§ 166.4 through 166.10.

(20 U.S.C. 1208b)

§ 166.5 Membership.

In order to effectively reflect the diverse interests and needs of the general public served by the Act, the membership of the State advisory council should include a significant proportion of women, the elderly, minorities, and educationally disadvantaged. The membership of the council shall also be organized to include:

(a) Persons who, by reason of experience or training, are knowledgeable in the field of adult education or who are officials of the State educational agency or of local educational agencies of that State;

(b) Persons who are receiving or have received adult educational services; and

(c) Persons who are representative of the general public.

(20 U.S.C. 1208b)

§ 166.6 Functions and responsibilities.

The State advisory council shall:

(a) Advise the State educational agency on the development and administration of the State plan approved pursuant to the Act and the regulations in this part;

(b) Advise the State educational agency on policy matters arising in the administration of the Act and the regulations in this part;

(c) Advise the State educational agency with respect to long-range planning;

(d) Advise the State educational agency with respect to studies for evaluating adult education programs, services, and activities assisted under the Act; and

(e) Prepare and submit to the State educational agency, the National Advisory Council on Adult Education, established pursuant to section 311 of the Act, and the U.S. Commissioner of Education, an annual report of its recommendations, accompanied by such additional comments of the State educational agency as that agency deems appropriate.

(20 U.S.C. 1208b; 20 U.S.C. 1231a(a)(3))

§ 166.7 Meetings and rules.

Each State advisory council shall meet within 30 days after certification by the Commissioner and select from among its membership a chairman. The time, place, and manner of subsequent meetings shall be provided by the rules of the State advisory council. Such rules shall provide for not less than four meetings each year, including at least one public meeting at which the public is given the opportunity to express views concerning adult education.

(20 U.S.C. 1208b)

§ 166.8 Staff.

Each State advisory council is authorized to obtain the services of such professional, technical, and clerical personnel as may be necessary to enable it to carry out its functions under the act.

(20 U.S.C. 1208b)

§ 166.9 Compensation.

Members of the State advisory council and its staff, while serving on the business of the council, may receive subsistence, travel allowances, and compensation in accordance with State law, regulations, and practices applicable to persons performing comparable duties and services.

(20 U.S.C. 1208b)

§ 166.10 Allowable costs.

Costs incurred by State advisory councils established pursuant to section 310A of the Act are allowable expenditures of Federal funds granted to the States under section 305 of the Act and of the non-Federal share of State and local funds necessary to earn such Federal funds.

(20 U.S.C. 1203; 1208b)

Subpart C—Annual Program Plan Provisions

§ 166.11 Annual program plan; general.

(a) *Purpose.* The purpose of the annual program plan is to provide a framework within which the State will encourage the establishment, expansion, and improvement of programs to carry out the purpose set forth in § 166.1(a), and to provide the basis on which Federal payments to the State under this part are made. State agencies desiring to participate under the Act must submit an annual program plan in accordance with the requirements of the Act and the regulations in this part. Such plan shall include a description of the adult education needs of the State, services and activities to meet those needs, a schedule of implementation, and procedures for evaluating program effectiveness.

(b) *Format.* The annual program plan consists of the cover sheet and the State-Federal agreement (the texts of both are attached as Appendix A of this part. The annual program plan must be submitted annually to the U.S. Commissioner of Education through the Assistant Regional Commissioner, Occupational and Adult Education Programs, and received in the appropriate DHEW Regional Office on or before the last day of the fiscal year preceding that for which funds are sought.

(20 U.S.C. 1205a; 20 U.S.C. 1232c)

§ 166.12 Annual program plan for use of grants.

(a) *General.* (1) The State agency must develop an annual program plan for establishing or expanding adult basic education programs, adult secondary education programs, and other adult education programs to be carried out by local educational agencies and public and private nonprofit agencies in the State. The annual program must meet applicable requirements, including those set forth in the Act, section 434(b)(1)(B) of the General Education Provisions Act, the regulations in this part, the GEPR contained in Subchapter A of this Chapter, and the State-Federal agreement contained in Appendix A of this part, and must be developed and operated in accordance with the policies, procedures and criteria established by the State pursuant to §§ 166.12(b) and 166.13.

(2) The annual program plan must be revised each year to reflect proposed activities for the ensuing fiscal year, and must be submitted to the U.S. Commissioner of Education for approval in accordance with the requirements set forth in section 434(b)(1)(A) of the General Education Provisions Act.

(b) *Content.* (1) The annual program plan must set forth the annual objectives and priorities of the State for meeting the objectives of sections 306 and 309 of the Act. This plan must also contain a statement of the policies, procedures and criteria to be followed by the State agency in approving local educational agency and public and private nonprofit agency programs which will assure substantial progress in the establishment or expansion of adult basic education, adult secondary education programs, and other adult education programs.

(2) The annual program plan shall set forth the policies, procedures and criteria to be used by the State educational agency to administer section 309 of the Act. The annual program plan shall include such criteria and procedures for each of the following functions:

(i) General announcement of the availability of Federal funds for special projects and teacher training. The State must assure compliance with the procurement standards of Subpart I of Part 100b of GEPR.

(ii) Establishment of statewide priorities in adult education;

(iii) Criteria for the review of special projects and teacher training applications;

(iv) Procedures for submission of applications;

(v) Criteria for the establishment of application review panels, if such panels are to be used;

(vi) Criteria for the selection of participants for teacher training projects;

(vii) Procedures for the disposition of applications;

(viii) Procedures for hearings, as required by section 425 of the General Education Provisions Act;

(ix) Program evaluation procedures;

(x) Allowable costs;

(xi) Provisions for stipends and travel allowances for teacher training participants;

(xii) Report requirements; and

(xiii) Procedures for the dissemination of project results.

(3) The information to be provided in the annual program plan, in accordance with paragraphs (b)(1) and (2) of this section, shall be in sufficient detail that it will be possible for the U.S. Commissioner of Education to determine if

the provisions of the Act and these regulations are being administered in an efficient and prudent manner, and to determine whether and to what extent substantial progress (with respect to all appropriate segments of the adult population in need of adult education, including institutionalized persons and persons of limited English-speaking ability) is being made in meeting the educational needs of adults in all areas of the State.

(4) The annual program plan shall describe procedures which will be used for conducting an annual evaluation of all activities (sections 306 and 309 of the Act) which shall be carried out in the year for which funds are sought. The procedures should describe the specific criteria which will be used in assessing the effectiveness of the program or project. Such annual evaluation should be conducted either by the State agency or by other parties. The annual program plan should set forth the evaluation instruments to be applied in the annual evaluations conducted by the State agency. A copy of any reports of such evaluations shall be sent to the U.S. Commissioner of Education. Results of the evaluation must also be reflected, as appropriate, in the performance report which must be submitted annually with the Financial Status Report in accordance with Subpart P of the GEPR.

(20 U.S.C. 1205(a); 45 CFR Part 100b; Subpart Q, 20 U.S.C. 1231a(a)(3))

(c) *Programs.* Funds available under this Act may be used to assist in establishing or carrying out adult basic education programs and programs of secondary equivalency or for a certificate of graduation from a secondary school. Persons having a certificate of graduation from a school providing secondary education but functioning at less than a secondary competency are eligible for participation in such programs. The total annual expenditure of funds available under this part for adult secondary education shall in no event exceed 20 percent of the total annual allotment of Federal funds granted to the State under section 305 of the Act. No limitation is made on the amount of State and local funds (including those State and local funds that are necessary to earn such Federal funds) that may be used by the State for adult secondary education programs. For example, a State's Federal allotment is $100,000. The State must not use more than $20,000 (20% of $100,000) of this Federal allotment for adult secondary education. The State may add any amount of its own funds to the $20,000 for adult secondary education programs.

(20 U.S.C. 1201)

(d) *Programs for institutionalized persons.* Each State educational agency may use not more than 20 percent of the total funds expended during any fiscal year (including State and local funds necessary to earn Federal funds, and including any funds brought forward from the prior year allotment) under this part for establishing and carrying out adult basic education programs or adult secondary education programs for institutionalized adults. For example, a State's Federal allotment is $90,000. The State matches with $10,000 for its adult education program. The State must not use more than $20,000 of its total adult education funds (20% of $100,000 for carrying out programs for institutionalized adults. The percentage of the Federal allotment that is used for adult secondary education programs for institutionalized persons must be added to the percentage of the Federal allotment that is used for public adult secondary education programs for a combined total expenditure of not more than 20 percent of the total Federal allotment for any given fiscal year.

(e) *Bilingual adult education programs.* The State educational agency shall be responsible for providing bilingual adult education programs for persons of limited English-speaking ability (as defined in § 166.2). By providing bilingual adult education programs in which instruction is given in English and, to the extent necessary to allow such persons to progress effectively through the adult education program, in the native language of such persons.

(20 U.S.C. 1201, 1203(b), 1205(a); Senate Report No. 634, 91st Congress, 2nd Sess., p. 71 (1970); 20 U.S.C. 1232, 1231b-2; 20 U.S.C. 880b-1)

§ 166.13 Development of program policies, procedures and criteria.

In developing the policies, procedures and criteria referred to in § 166.12(b)(1), the State agency must give consideration to such factors as to whether and to what extent a program:

(a) Will serve adults, including institutionalized persons and persons with limited English-speaking ability, in those geographic areas of the State which have high concentrations of adults in need of basic education;

(b) Will serve adults with the greatest basic educational deficiencies which are impairing their ability to obtain employment and become more productive and responsible citizens;

(c) Will provide special assistance for persons of limited English-speaking ability by providing bilingual adult education programs in which instruction is given in English and to the extent necessary to allow such persons to progress effectively through the adult education program, in the native language of such persons. The bilingual adult education programs shall be carried out in coordination with programs of bilingual education assisted under Title VII of the Elementary and Secondary Education Act of 1965, as amended, and bilingual vocational education programs under the Vocational Education Act of 1963, as amended;

(d) Will meet the need for adult secondary programs in the State to the fullest extent possible with funds provided by the Act and set forth in § 166.12(c);

(e) Has been planned and will be conducted in cooperation with Community Action programs, Work Experience programs, VISTA, Work-Study programs, programs designed to provide reading instruction for adults, and other programs relating to the antipoverty effort;

(f) Has been planned and will be conducted in cooperation with manpower development and training programs, including programs under the Comprehensive Employment and Training Act (CETA), and occupational education programs;

(g) Has been planned and will be conducted in cooperation with other State and local community school programs, consumer education programs, career education programs, metrication education programs for adults, equal education programs for women, bilingual instructional programs for persons with limited English-speaking ability, and with agencies responsible for institutionalized persons;

(h) Will provide health information and services, to the extent available, through cooperative arrangements with State health authorities and will further the cooperative arrangements between the State educational agency and the State health authority for the use of such information and services;

(i) Incorporates the results of research or techniques which have proven to be effective;

(j) Incorporates innovative or imaginative instructional methods; and

(k) Is desirable in light of the findings and recommendations of recent independent evaluation reports available to or sponsored by the State agency.

(20 U.S.C. 1205(a); 20 U.S.C. 880b-1)

§ 166.14 Certification of annual program plan.

(a) *Certification by State educational agency.* The annual program plan and any amendments thereto, as required by §§ 166.12 and 166.15, shall include an attachment, executed by the authorized official of the State educational agency to submit the annual program plan, which certifies to the effect that: (1) The plan or amendment has been adopted by the State educational agency, and (2) the plan, or plan as amended, will constitute the basis for operation and administration of the adult education program in which Federal financial participation will be made.

(20 U.S.C. 1205(a))

(b) The State educational agency shall provide for a review of the annual program plan by the State advisory council, if such council exists. The State agency is also encouraged to provide for at least one scheduled public meeting for review of the annual program plan.

(20 U.S.C. 1208b)

(c) *Certification by the State's Attorney General.* The State plan and all amendments thereto shall include a certification by the State's Attorney General, or other official designated in accordance with State law to advise the State agency on legal matters, that all

plan provisions and amendments thereto are consistent with State law. The Attorney General must further certify (a) the official title of the officers authorized to submit the annual program plan; (b) that the State agency named in the plan has authority under State law to submit the annual program plan; and (c) that the State Treasurer (or, if there should be no State Treasurer, the officer identified by title exercising similar functions for the State) has authority under State law to receive, hold, and disburse Federal funds under the annual program plan.

(20 U.S.C. 1205(a))

§ 166.15 Amendment of annual program plan.

(a) The annual program plan must also be amended as necessary to reflect any change in organization or operation which results from an amendment of State or Federal laws and policies, and to show any other changes in the designation or organization of operations, policies, and methods of administration to be followed by the State. Notification of such amendments will be submitted and certified in the same manner as the annual program plan.

(20 U.S.C. 1205(a); 20 U.S.C. 1232c(b))

§ 166.16 Approval of annual program plan.

(a) *Governor's comments.* The State educational agency must afford the Governor of such State an opportunity to comment upon the annual program plan or any amendment thereto in accordance with GEPR § 100b.15 and assurance (13) of the State-Federal agreement contained in Appendix A to the regulations in this part.

(20 U.S.C. 1205(a))

(b) *Approval by the Commissioner.* The Commissioner will not approve an annual program plan or amendment thereto unless he determines that the plan or amendment complies with all applicable requirements. The Commissioner will not finally disapprove an annual program plan or any modification thereof without first affording the State reasonable notice and opportunity for a hearing.

(20 U.S.C. 1205(a) and (b))

Subpart D—Special Experimental Demonstration Projects and Teacher Training

§ 166.21 Applicability.

(a) The regulations in this subpart apply to Federal assistance provided by the State educational agency for special projects in adult education under subsection (1) and adult education personnel training under subsection (2) of section 309 of the Act.

(b) Assistance provided under this subpart is subject to applicable provisions contained in the Act, the regulations in this part, and the GEPR.

(20 U.S.C. 1208)

§ 166.22 Eligible projects.

The State educational agency shall establish and set forth in its annual program plan the policies and procedures under which it will use not less than 15 percent of the funds allotted to it for any given fiscal year under section 305 of the Act for special projects and teacher training, as prescribed by section 309 of the Act. The State educational agency shall use not less than 15 percent of each annual Federal allotment which is reserved for the purposes of section 309 of the Act to provide support for both special projects and teacher training programs. The distribution of such funds among special projects and teacher training shall be determined by the State educational agency in light of the overall objectives of its annual program plan.

(a) *Special projects.* From each annual Federal allotment to the State educational agency for the purposes of the Act, funds will be available under section 309(1) for special projects which:

(1) Involve the use of innovative methods, systems, materials, or programs which:

(i) may have national significance, or

(ii) may be of special value in promoting effective programs under the Act; or

(2) Involve programs of adult education which are part of a community school program, carried out in cooperation with other Federal, or federally assisted State or local programs which have unusual promise in promoting a comprehensive or coordinated approach to the problems of persons with educational deficiencies.

(b) *Teacher training.* From each annual Federal allotment to the State educational agency, funds will be available under section 309(2) of the Act to train persons engaged, or preparing to engage, as personnel in programs designed to carry out the purposes of this Act.

(20 U.S.C. 1208)

§ 166.23 Eligible applicants.

(a) *Special projects and teacher training.* Federal funds authorized for the purposes of section 309 of the Act may be used for grants, contracts, or other arrangements, if appropriate under applicable State laws, to provide support for special projects and teacher training. Eligible recipients include the following:

(1) State educational agencies;

(2) Local educational agencies;

(3) Public and private agencies, institutions, and organizations; and

(4) Individuals (unless precluded by State law).

(20 U.S.C. 1208)

(b) *Ineligible applicants.* No funds may be used from the State's allotment under this part for programs conducted by any school or department of divinity, as defined in section 312 of the Act.

(20 U.S.C. 1210)

§ 166.24 Project applications.

(a) Funds to support special projects and teacher training under section 309 of the Act will be available from the appropriate State educational agency. Information on policies and procedures for applying for such support may be obtained from the State educational agency.

(b) In its use of section 309 funds, the State educational agency may not assign any part of its responsibility to another agency. This does not, however, prevent a State agency from exercising its authority under the Act to coordinate activities with other Federal, or federally assisted, State and local programs, nor prevent two or more applicants in one or more States from conducting a joint program or project (including a planning project).

(c) A State educational agency may award funds under section 309 of the Act to eligible applicants outside the boundaries of the State if such an award is deemed to be in the best interest of the State in meeting the purposes of the Act.

(20 U.S.C. 1208)

§ 166.25 Establishment of national priorities in adult education.

Based on the findings of surveys and studies conducted by the U.S. Office of Education and other related agencies of DHEW, recommendations of the National Advisory Council on Adult Education, and on evaluations by State educational agencies, and State advisory councils, if such councils exist, the U.S. Office of Education will review and identify, for the guidance of the State educational agencies and findings from other research communities, national priorities annually in the field of adult education and, as necessary, will publish current priorities in the FEDERAL REGISTER. The State educational agency may take these priorities into consideration for its guidance in the development of its annual program of priorities and objectives under the annual program plan. Each State is requested in its annual program plan to indicate how the priorities established by the State agency related to the published national priorities. Such national priorities are contained in these regulations as Appendix B.

(20 U.S.C. 1231a(a)(1); 20 U.S.C. 1231a(3)(3))

§ 166.26 Allowable costs.

(a) Allowable costs of programs and projects funded under the Act shall be in accordance with § 100b, Subpart G, and Appendix B, C, or D (as appropriate) of GEPR.

(b) Participants in teacher training programs funded under the Act and these regulations may receive support and travel allowances. Such support and travel allowances, if paid, shall be in accordance with State law, policies and procedures.

(c) With respect to teacher training programs under section 309(2) of the Act, only those allowances which are provided for in applicable State law, policies and procedures, and under the provisions of Subpart G and Appendix

B, C, or D (as appropriate) of GEPR may be included as direct costs of the project.

(20 U.S.C. 1208; 45 CFR 100b)

§ 166.27 Reporting requirements for special projects and teacher training.

In order for the State educational agency to comply with Federal reporting requirements, as set forth in § 166.52 of these regulations, and Subparts P and Q of 45 CFR 100b, recipients of funds administered under section 309 of the Act shall submit, as a condition of funding, such reports as the State educational agency deems necessary.

(20 U.S.C. 1205(a)(8))

§ 166.28 Dissemination of results of projects.

(a) The State educational agency shall develop and set forth in its annual program plan procedures for providing a copy of final reports and evaluation reports of special projects and teacher training programs supported under section 309 of the Act to:

(1) The U.S. Commissioner of Education;

(2) The Clearinghouse on Adult Education; and

(3) The Assistant Regional Commissioner, Occupational and Adult Education Programs, in the appropriate DHEW Regional Office.

(b) Except for the requirements contained in paragraphs (a) (1), (2) and (3) of this section, it shall be the responsibility of the State educational agency to distribute (as the State agency deems appropriate) the results of projects supported under section 309 of the Act.

(20 U.S.C. 1208–1)

Subpart E—Federal Financial Participation

§ 166.41 Use of Federal funds.

All Federal funds (and State or local funds necessary to earn such Federal funds) must be expended in accordance with applicable requirements and only for programs, services, and activities related to the provisions of this Act. The annual program plan shall set forth a program for the use of grant funds which affords assurance that in all areas of the State, special emphasis will be given to adult basic education needs in accordance with the policies, procedures, criteria and considerations established in accordance with §§ 166.12(b) and 166.13.

(20 U.S.C. 1205(a))

§ 166.42 Limitation on administrative expenses.

The U.S. Commissioner of Education shall determine annually (based upon the amounts so appropriated for this purpose or, in the absence of such appropriation, in amounts based upon the funds appropriated pursuant to section 313(a) and the limitation prescribed in section 313(b) of the Act) the maximum allowable amount awarded pursuant to section 313(b) of the Act. The non-Federal share of funds available under the State plan may also be utilized to pay such administrative costs.

(20 U.S.C. 1211)

§ 166.43 Federal and non-Federal share of expenditures.

(a) *Federal share.* The Federal share of expenditures incurred under the State plan and payable to a State from its allotment shall not exceed 90 per centum, except that with respect to the Trust Territory of the Pacific Islands such Federal share shall be 100 per centum.

(20 U.S.C. 1206(a))

(b) *Non-Federal share.* The non-Federal share of expenditures under the State plan shall be the difference between the Federal share meeting the requirements of paragraph (a) of this section and the total expenditures for the purposes for which the Federal share is paid. The non-Federal share of expenditures under the State plan may be computed on a statewide basis and may come from any source other than Federal assistance for a specific purpose so long as such expenditures are made in furtherance of the purposes of the State plan approved under this part and do not inure to the personal benefit of any donor. The criteria and procedures for determining the allowability and valuation of inkind contributions applicable to State agencies for the purpose of meeting the non-Federal share are included in Subpart H of Part 100b of the GEPR.

(20 U.S.C. 1206(a))

§ 166.44 Use of funds for sectarian or religious purposes.

No payment may be made from a State's allotment under the Act for any program, service, or activity related to sectarian instruction or religious worship, or provided by a school or department of divinity, as defined in section 312 of the Act. An institution which has a school, branch, department, or other administrative unit within the definition of "school or department of divinity" is not precluded for that reason from participating in programs, services, or activities under this part if the program is not offered by that school, branch, department, or administrative unit and, as in all other cases, the program, service, or activity is not related to sectarian instruction or religious workship.

(20 U.S.C. 1212)

§ 166.45 Tuition and fees.

Adults enrolled in adult basic education programs may not be charged tuition, fees, or any other charges, or be required to purchase any books or any other materials that are needed for participation in the program.

(20 U.S.C. 1203(b), 1205(a)(1); 45 CFR 100b, Subpart G)

Subpart F—Payments and Reports

§ 166.51 Conditions for payments to States.

(a) *Approved State plan.* Payments to States under the Act will be made only after the Commissioner has approved the State plan submitted in accordance with the requirements of the Act, these regulations, and GEPR.

(b) *Maintenance of effort.* The State shall certify to the Commissioner that there will be available for expenditure by the State, including its political subdivisions, for adult education from non-Federal sources during the fiscal year for which the allotment is made an amount equal to not less than the total amount expended for such purposes from such sources during the preceding fiscal year. No State will be required to use its funds to supplant any portion of the Federal share.

(20 U.S.C. 1206)

§ 166.52 Reports.

(a) *Financial reports.* The State agency shall submit financial reports annually, 90 days after the end of the grant year, in accordance with Subpart P of Part 100b of the GEPR.

(b) *Performance reports.* The State agency shall submit performance reports annually, 90 days after the end of the fiscal year, in accordance with Subpart Q of Part 100b of the GEPR.

(c) *Independent evaluations.* The State shall forward to the Commissioner a copy of any independent evaluations of projects and programs (including projects under section 309 and programs of instruction under section 306 of the Act).

(d) *Other records.* (1) Within 15 days after the approval of a project under section 306(a)(4) or section 309 of the Act, the State agency is requested to provide the Commissioner with an informational copy of each proposal approved for funding. The State agency shall submit to the Commissioner, within 120 days after completion of the project, copies of final reports of programs or projects conducted by awardees under section 306 (a)(4) and section 309 of the Act;

(2) The State educational agency shall submit, within 60 days after the end of any fiscal year, a report on the use of Federal funds as required by section 437 (a) of the General Education Provisions Act;

(3) The State educational agency shall provide, in accordance with section 424 of the General Education Provisions Act, a compilation of all projects for each fiscal year in which funds under sections 306(a)(4) and 309 of the Act are used to carry out such programs. Such compilation shall be indexed according to subject, descriptive terms, and location. Such indexing shall be in accordance with guidelines to be provided by the U.S. Office of Education, Clearinghouse on Adult Education; and

(4) The State educational agency shall submit along with its annual program plan a copy of any adult education legislation enacted by the State and a summary of the approved level of fund-

(20 U.S.C. 1201–1211a; 45 CFR Part 100b, Subparts P and Q; 20 U.S.C. 1231a, 1231(b), 1232c, 1232f)

APPENDIX A

COVER SHEET

ANNUAL PROGRAM PLAN FOR ADULT EDUCATION PROGRAMS

Annual program plan for Adult Education Programs under Adult Education Act.

Amendment to Annual program plan for Adult Education Programs under Adult Education Act.

Submitted by the State of _____ in accordance with the provisions of the Adult Education Act and the Regulations promulgated thereunder.

Submitted by _____
(Name of State agency)

on _____
(Date)

By _____
(Authorized official)

_____
(Title)

To be completed by the Office of Education:

Date on which plan or amendment is effective _____

Approval recommended _____
(Assistant Regional Commissioner, Occupational and Adult Education Programs)

_____
(Date)

Concurred _____
(Deputy Commissioner for Occupational and Adult Education)

_____
(Date)

Approved _____
(U.S. Commissioner of Education)

_____
(Date)

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF EDUCATION

Annual Program Plan
(State-Federal Agreement)

Adult Education Act, as Amended
(Public Law 91-230)

The _____
(Officially designated State agency)
of the State of _____, hereinafter called the State Agency, hereby agrees and assures that this Annual Program Plan which serves as an agreement between State and Federal Governments under the Adult Education Act, will be administered in accordance with the following provisions:

(1) The State Agency has entered into cooperative arrangements with the State Health Authority, authorizing the use of such health information and services for adults as may be available from such authorities and as may reasonably be necessary to enable them to benefit from the instruction provided pursuant to the Act;

(20 U.S.C. 1205(a)(3))

(2) The State Agency will provide support to local educational agencies, and public and private nonprofit agencies for special projects, teacher training, and research projects (under section 306(a)(4));

(3) The State agency assures that not less than 15 percent of the annual allotment shall be used for the purposes of section 309 of the Act to provide support for both special projects and teacher trafning programs;

(20 U.S.C. 1204)

(4) The State Agency will provide for cooperation with Community Action programs, Work Experience programs, VISTA, Work-Study programs, programs designed to provide reading instruction for adults, and other programs relating to the antipoverty effort;

(20 U.S.C. 1205(a)(5))

(5) The State agency will provide for cooperation with manpower development and training programs, including programs under the Comprehensive Employment and Training Act (CETA), and occupational education programs;

(20 U.S.C. 1205(a)(6))

(6) The State Agency will ensure that special emphasis will be given to adult basic education programs;

(20 U.S.C. 1205(a)(10))

(7) The State Agency will provide such further information and assurances as may be required by applicable regulations;

(20 U.S.C. 1205(a)(12))

(8) The State Agency, including its political subdivisions, has available from non-Federal sources for expenditure for adult education, in the fiscal year for which the allotment is made, an amount not less than the amount expended for such purpose from such sources during the preceding fiscal year;

(20 U.S.C. 1206(b))

(9) (a) The State Agency assures that the program will be conducted in compliance with all requirements imposed by or pursuant to the regulations in 45 CFR Part 80 to effectuate the provisions of Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352);

(b) The State Agency has submitted or is hereby submitting as an attachment to this agreement the methods of administration to give reasonable assurance that the applicant and all recipients of Federal financial assistance under the annual program plan will comply with all requirements imposed by or pursuant to the regulations in 45 CFR Part 86 (prohibition of sex discrimination) Title IX of the Education Amendments of 1972 (Public Law 92-318);

(42 U.S.C. 2000d; P.L. 92-318, Title IX)

(10) The annual program plan has been submitted to the Governor for review; and his/her comments (or a statement that no comments have been made) will be attached to the annual program plan. Any amendments to this plan, as well as other periodic reports required under the program, if any, will be submitted for the Governor's review. The Governor's comments (or a statement that no comments were made) will accompany the materials when they are submitted to the U.S. Office of Education;

(20 U.S.C. 1205(a))

(11) Assurance is hereby given that the total annual expenditure of Federal funds for adult secondary education shall not exceed 20 percent of the total annual allotment granted to the State under section 305 of the Act;

(20 U.S.C. 1205(a)(7))

(12) Assurance is hereby given that special assistance will be provided for persons of limited English-speaking ability by providing bilingual adult education programs, in accordance with the criteria specified in § 166.12(e) of these regulations;

(20 U.S.C. 1205(a)(11))

(13) Assurance is hereby given that not more than 20 percent of the total expenditures (from Federal funds and State and local matching funds) for any fiscal year for the purposes of this Act shall be used for adult basic education or adult secondary education programs for institutionalized adults;

(20 U.S.C. 1205(a)(1))

(14) The program for the use of grants has been developed by the State Agency in accordance with section 306 of the Act and affords assurance for substantial progress with respect to all segments of the adult population and all areas of the State toward carrying out the purpose of the Act and applicable regulations;

(20 U.S.C. 1205(a)(1))

(15) The State Agency assures that it will not approve an application for a program of instruction unless it determines that the program will (a) utilize qualified administrative personnel and instructional staff, adequate facilities, equipment, materials, and guidance and counseling services; (b) provide for effective recruitment and retention of participants in adult education programs; and (c) provide for effective administration and supervision and assure efficient and economical operation in providing an adequate learning environment;

(20 U.S.C. 1205(a), 1232(c)(b))

(16) The State Agency assures that it will constantly monitor the performance of all activities supported under the Act to assure that adequate progress is being made toward achieving the goals of the grant. This review shall be made for each function or activity of each grant as set forth in the approved Annual Program Plan.

(17) The State agency will submit for approval by the U.S. Commissioner of Education an annual program plan, in accordance with section 434(b)(1)(A)(V) of the General Education Provisions Act. Such annual program plan will include a certification by the State's Attorney General or other appropriate official, as specified in § 166.14 of the regulations.

Such program for use of grants is set forth in _____ which is
(Name of document)
attached hereto.

_____
(State Agency)

_____

_____
(Address)

By: _____
(Signature of authorized official)

_____

_____

_____
(Title)

_____
(Date)

APPENDIX B

PRIORITIES FOR PROGRAMS OF NATIONAL SIGNIFICANCE

The Commissioner has suggested for the guidance of State educational agencies that the following priorities merit special consideration by States in meeting the special project and staff development needs of their adult education program.

1. *Dissemination in adult education.* Administrators and practitioners of adult education have only limited means for learning of and assessing the kinds and quality of improved practices and products generated in adult education. Many States do not have a mechanism for systematic retrieval, review, assessment, and diffusion of improved practices and products. Without these capabilities, programs suffer from duplication of effort, lack of planning ability, and the continuation of traditional, non-progressive educational strategies.

Characteristics of such a mechanism include the ability to locate improved practices and products, identify specific users,

disseminate the practices and products to these users, and provide training and technical assistance for adoption and implementation by local adult educators. A Statewide dissemination program would develop these capabilities as part of the overall State Department of Education concern and planning for dissemination in education. If no such effort is presently being undertaken by a particular State Department of Education, the adult education program could play an important leadership role in developing departmental interest in a Statewide dissemination system. It will also be useful for State systems to coordinate plans and activities with the U.S. Office of Education, Clearinghouse on Adult Education.

2. *Adult performance level implementation.* By the end of fiscal year 1975, the Adult Performance Level (APL) test and objectives will be completed and available for implementation. States should plan to utilize section 309 and other funds in support of projects to conduct a Statewide literacy assessment and to develop instructional programs designed to meet APL objectives. Also encouraged are staff development or special projects which focus on the translation of APL objectives into curriculum and teacher competencies. Careful attention should be paid to the avoidance of overlap and duplication in these developments.

3. *Role of the employer in adult learning.* At the 1974 Summer Commencement of Ohio State University, the President asked the students and faculty to help bring the domains of education, employment and labor closer together to foster a community of learning. A major aim of this endeavor is to release the intellectual energy of America's youth to stimulate greater productivity on and off the job.

Adult educators can assist this effort by developing programs which identify the educative aspects of work and which structure the work environment and personnel policies to facilitate adult learning and career development. This may require restructuring the responsibilities of the employee to provide opportunities to learn new knowledge and skills which will prepare the employee to assume more or different job responsibilities.

This concept assumes that the organization of production around learning experiences for employees will ultimately lead to increased cost effectiveness of that production system.

4. *Adult education staff development.* As part of the continuing staff development effort, each region and State has developed an adult education staff development plan. It is recommended that each State continue the implementation of its plan, and carefully assess the desirability of supporting the continuation of a regional approach to staff development.

5. *Experimental and demonstration project continuation.* States are encouraged to review current experimental and demonstration projects funded under Pub. L. 91-230 in fiscal year 1974 to determine the appropriateness of assuming support for those projects which are of significance to State Adult Education Programs.

[FR Doc.75-10529 Filed 4-22-75;8:45 am]

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PART III:

FEDERAL ENERGY ADMINISTRATION

■

NATIONAL UTILITY RESIDUAL FUEL OIL ALLOCATION

Supplier Percentage Notice for May 1975

FEDERAL ENERGY ADMINISTRATION

NATIONAL UTILITY RESIDUAL FUEL OIL ALLOCATION

Supplier Percentage Notice for May 1975

Pursuant to the provisions of 10 CFR 211.163(b)(2), 211.165 and 211.166(d)(2), the Federal Energy Administration (FEA) hereby provides notice of the volumes of residual fuel oil allocated to each utility and the percentage of such volumes required to be supplied by each supplier for delivery in May 1975. This information is set forth in the Appendix below to this notice. Adjustments of certain supplier base period percentages have been made at the request of affected utilities and suppliers, pursuant to the criteria of 10 CFR 205.25 and are reflected in the Appendix below.

The utility allocations were determined after review of the relative availability of supplies of residual fuel oil for allocation to both utility and non-utility uses. In calculating the allocation level for each utility the FEA considered all of the factors enumerated in 10 CFR 211.163(b)(2) and also the following other factors:

1. The data contained in the Federal Power Commission (FPC) Forms 23 and 23A submitted by utilities;

2. Natural gas curtailments;

3. FEA's prediction that the supply level of residual fuel oil is expected to generally equate to the total demand.

The amounts shown in the Appendix below are the quantities of residual fuel oil to be delivered to the utilities listed during the month of May 1975. Some utilities will not receive any allocation for this month for various reasons including the fact that these utilities burn other fuels primarily and use residual fuel oil only for standby purposes.

The Appendix below provides the names of the suppliers obligated to supply each utility and each supplier's percentage and volume of each month's allocation to a utility. The first column of the Appendix lists each utility with its suppliers. The second column sets forth the recommended FEA burn level for May. The third and fourth columns provide each supplier's respective percentage and volume share of a utility's allocated volume of residual fuel oil. The fifth column provides the total volume of residual fuel oil for each utility from all suppliers. Following the name of certain suppliers, an additional supplier is shown in parentheses. The supplier in parentheses is presumed, on the basis of the best information available, to be the supplier of the utility's supplier. This information is provided for the convenience of such suppliers and the FEA requests that any additions or corrections in this regard be forwarded to FEA Electrical Utilities Reports, Code 47, Washington, D.C. 20461.

It is contemplated that corrections or adjustments to delivery levels for certain utilities may be required during the month of May to avoid undue hardship. FEA will consider special circumstances such as unexpected outages which may cause fuel consumption to exceed FEA burn levels in any month. Such corrections or adjustments shall be made pursuant to Subparts B and C of 10 CFR Part 205.

FEA expects the utilities to consume supplies at or below FEA burn levels, which are based on the utilities' proposed burn levels.

The utility residual fuel oil allocation program is based in part on the data derived from utilities' filings of FPC Forms 23 and 23A. Thus, the timely submission of these forms will be a necessary prerequisite to receiving future allocations.

Reports should be addressed to FEA Electrical Utilities Reports, Code 47, Washington, D.C. 20461.

Issued in Washington, D.C., April 16, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

APPENDIX

RESIDUAL FUEL OIL ALLOCATIONS TO UTILITIES FOR THE MONTH OF MAY 1975

	RECOMMENDED FEA BURN	PCT	BY SUPPLIER (BARRELS)	TOTAL (BARRELS)
1. NORTHEAST POWER COORDINATING COUNCIL AREA (NPCC)				
CONNECTICUT				
NORTHEAST UTILITIES	1,700,000			1,700,000
AMERADA HESS CORP		68.0	1,156,000	
TAD JONES CO-(GULF)		21.0	357,000	
WYATT INC (EXXON)		10.0	170,000	
H N HARTWELL&SON INC		1.0	17,000	
UNITED ILLUMINATING CO	592,000			592,000
TEXACO		87.0	515,040	
WYATT INC (EXXON)		13.0	76,960	
MAINE				
BANGOR HYDRO ELEC. CO.	8,095			8,095
SPRAGUE		100.0	8,095	
CENTRAL MAINE POWER CO.	211,000			211,000
TEXACO		100.0	211,000	
MAINE PUBLIC SERVICE CO.	119			119
DEAD RIV.O.(SPRAGUE)		100.0	119	
MASSACHUSETTS				
BOSTON EDISON CO.	1,133,000			1,133,000
WHITE FUEL (TEXACO)		46.0	521,180	
EXXON		42.0	475,860	
SPRAGUE		12.0	135,960	
BRAINTREE ELEC. LT. DEPT.	14,985			14,985
CK SMITH (GOLD. EAGLE)		100.0	14,985	
E.UTIL.ASSOC.(MONTAUP&BLACKS)	178,000			178,000
TEXACO		100.0	178,000	
FITCHBURG GAS & EL.	4,000			4,000
NORTHEAST PETROLEUM		100.0	4,000	
HOLYOKE GAS AND ELECTRIC	9,140			9,140
WYATT INC (EXXON)		100.0	9,140	

NEW ENG. ELEC	1,150,000			1,150,000
ASIATIC PETRO CORP		60.0	690,000	
GOLD EAGLE		39.9	458,850	
PRULEASE		.1	1,150	
NEW ENG. G & E	402,000			402,000
NEW ENGLAND PETRO		80.0	321,600	
WHITE FUEL (TEXACO)		20.0	80,400	
PEABODY ELECTRIC LT DEPT	0			0
TAUNTON MUN. LT	112,844			112,844
QUINCY OIL CO (EXXON)		100.0	112,844	
NEW HAMPSHIRE				
PUB SER OF N.H.	86,000			86,000
SPRAGUE		26.3	22,618	
CONOCO		73.7	63,382	
NEW YORK				
CENTRAL HUDSON GAS & ELEC CO	1,100,410			1,100,410
AMERADA HESS CORP		100.0	1,100,410	
CONSOL EDISON OF NY	3,765,000			3,765,000
NEW ENGLAND PETRO		45.5	1,713,075	
EXXON		20.8	783,120	
AMERADA HESS CORP		22.3	839,595	
TEXACO		11.4	429,210	
FREEPORT, VILLAGE OF	20,100			20,100
BURNS BROS O. (NEPCO)		100.0	20,100	
LONG ISLAND LIGHT CO.	1,610,000			1,610,000
NEW ENGLAND PETRO		100.0	1,610,000	
NIAGARA MOHAWK POWER CO.	635,086			635,086
NEW ENGLAND PETRO		100.0	635,086	
ORANGE & ROCKLAND UTILITIES	974,257			974,257
NEW ENGLAND PETRO		51.5	501,742	
HOWARD FUEL CORP		11.2	109,117	
AMERADA HESS CORP		29.9	291,303	
ASIATIC PETRO CORP		7.4	72,095	
ROCHESTER GAS & ELECTRIC	78,909			78,909
ALLIED O.		29.7	23,436	
MONOCO OIL COMPANY		70.3	55,473	
RHODE ISLAND				
NEWPORT ELECTRIC CORP	7,275			7,275
CK SMITH		100.0	7,275	

2. MID-ATLANTIC AREA COORDINATION AGREEMENT (MAAC)

DELAWARE				
DELMARVA PWR & LT	495,000			495,000
STEUART PETROLEUM CO		22.0	108,900	
TEXACO		5.0	24,750	
GULF		8.0	39,600	
CONOCO		65.0	321,750	
DOVER, CITY OF	40,500			40,500
TEXACO		100.0	40,500	
DISTRICT OF COLUMBIA				
POTOMAC ELEC. PWR.	1,268,000			1,268,000
ASIATIC PETRO CORP		79.0	1,001,720	
STEUART PETROLEUM CO		21.0	266,280	
MARYLAND				
BALTIMORE GAS & ELECTRIC	929,285			929,285
AMERADA HESS CORP		52.7	489,733	
EXXON		47.3	439,552	
NEW JERSEY				
ATLANTIC CITY ELECTRIC CO	412,725			412,725
AMERADA HESS CORP		60.0	247,635	
CONOCO		40.0	165,090	
GPU INTEGRATED SYSTEM	442,667			442,677
AMERADA HESS CORP		94.0	416,116	
SWANN OIL INC		5.0	22,134	
SHIPLEY-HUMBLE		1.0	4,427	
PUBLIC SERVICE ELECTRIC	1,421,000			1,421,000
AMERADA HESS CORP		78.0	1,108,380	
EXXON		22.0	312,620	
VINELAND, CITY OF ELEC.	67,700			67,700
BRITISH PETROLEUM		100.0	67,700	
PENNSYLVANIA				
PENNSYLVANIA PWR & LT	0			0
PHILADELPHIA ELECTRIC CO.	830,000			830,000
ARCO		28 5	236,550	
AMERADA HESS CORP		21.5	178,450	
GULF		9.0	74,700	
NEW ENGLAND PETRO		2.1	17,430	
TEXACO		24.0	199,200	
[illegible]		14.9	[illegible]	

3. SOUTHEASTERN ELECTRIC RELIABILITY COUNCIL (SERC)

FLORIDA				
FLORIDA KEYS ELEC COOP	0			0
FLORIDA P & L	1,487,700			1,487,700
EXXON		15.0	223,155	
BELCHER OIL (EXXON)		85.0	1,264,545	
FLORIDA POWER CORPORATION	2,207,000			2,207,000
EXXON		60.0	1,324,200	
AMERADA HESS CORP		40.0	882,800	
FORT PIERCE, CITY OF	57,400			57,400
NEW ENGLAND PETRO		100.0	57,400	
GAINESVILLE, CITY OF	95,961			95,961
EASTERN SEABOARD		100.0	95,961	
GULF POWER CO.	9,892			9,892
BAKER SERVICE(EXXON)		100.0	9,892	
JACKSONVILLE ELEC. AUTH.	747,458			747,458
VEN FUEL INC		82.6	617,400	
AMERADA HESS CORP		8.7	65,029	
NEW ENGLAND PETRO		8.7	65,029	
KEY WEST UTILITIES	67,000			67,000
STD. OIL-KY		100.0	67,000	
LAKE WORTH UTIL AUTHORITY	0			0
LAKELAND LIGHT & WTR DEPT	142,000			142,000
BELCHER (STD.OIL-KY)		100.0	142,000	
NEW SMYRNA BEACH	0			0
ORLANDO UTILITIES COMM.	309,000			309,000
NEW ENGLAND PETRO		100.0	309,000	
SEBRING UTILITIES COMM.	8,872			8,872
UNION OIL OF CA		100.0	8,872	
TALLAHASSEE, CITY OF	137,228			137,228
UNION OIL OF CA		100.0	137,228	
TAMPA ELECTRIC CO.	266,400			266,400
WESTERN (NEW ENG PET)		100.0	266,400	
VERO BEACH MUNICIPAL POWER	36,918			36,918
BELCHER OIL (EXXON)		100.0	36,918	

GEORGIA				
GEORGIA POWER COMPANY	0			0
SAVANNAH ELECTRIC & POWER CO	184,700			184,700
COLONIAL OIL (EXXON)		100.0	184,700	
MISSISSIPPI				
MISSISSIPPI POWER CO.	65,680			65,680
ERGON (INTL TRADING)		45.0	29,556	
BAKER SERVICE (EXXON)		55.0	36,124	
SOUTH MISSISSIPPI ELEC	70,690			70,690
SOUTHLND OIL		83.0	58,673	
AMERADA HESS CORP		17.0	12,017	
NORTH CAROLINA				
CAROLINA POWER & LT.	0			0
SOUTH CAROLINA				
S.CAROLINA ELEC & GAS CO	419,524			419,524
EXXON		100.0	419,524	
S.CAROLINA PUB SERV AUTH	5,966			5,966
AMERADA HESS CORP		100.0	5,966	
VIRGINIA				
VIRGINIA ELECTRIC POWER	1,876,700			1,876,700
EXXON		56.0	1,050,952	
AMERADA HESS CORP		19.7	369,710	
AMOCO		24.3	456,038	

4. SOUTHWEST POWER POOL COORDINATION COUNCIL (SPP)

ARKANSAS				
ARKANSAS ELEC COOP	112,325			112,325
LOGICON INC (SHELL)		80.0	89,860	
E L BRIDE (TEXACO)		20.0	22,465	
JONESBORO WATER AND LIGHT PL	0			0
COLORADO				
CT&U, S.COLO PWR DIV	0			0

KANSAS				
CENTRAL KANSAS PWR	3,400			3,400
GR,PLS(CRA-FARMLAND)		100.0	3,400	
CHANUTE, CITY OF	1,616			1,616
MID AMER REFINING		100.0	1,616	
CLAY CENTER LT&WTR	0			0
CARTER WTR		100.0	0	
COFFEYVILLE LT & PWR	0			0
CT&U, WESTERN PWR DIV	0			0
AMOCO		73.0	0	
NORTH AMER PETRO		23.0	0	
CARTER WTR		4.0	0	
KANSAS GAS & ELEC.	200,000			200,000
FRONTIER PRODUCTION		15.3	30,600	
ASPH. & PETRO. IND.		84.7	169,400	
KANSAS POWER & LIGHT	100,000			100,000
PHILLIPS PETROLEUM		46.1	46,100	
GR.PLS		38.4	38,400	
NTL COOP REFINERY		15.5	15,500	
LARNED WTR & ELEC	261			261
CARTER WTR		100.0	261	
MCPHERSON BD OF PUB UTIL	0			0
NTL COOP REFINERY		100.0	0	
OTTAWA WTR & LT	0			0
CARTER WTR (AMOCO)		100.0	0	
LOUISIANA				
CENTRAL LOUISIANA ELECTRIC CO	6,500			6,500
FALCO		66.7	4,336	
ATLAS (PENNZOIL)		33.3	2,164	
JONESBORO POWER & LIGHT	0			0
MIDDLE SOUTH SERVICES	1,709,000			1,709,000
MURPHY OIL CORP		30.0	512,700	
TAUBER OIL CO		20.5	350,345	
SHELL		21.3	364,017	
EXXON		12.9	220,461	
GULF		9.5	162,355	
ERGON INC (EXXON)		3.8	64,942	
E L BRIDE (OKC REF.)		1.7	29,053	
REESE OIL (SUN OIL)		.3	5,127	
SOUTHWESTERN ELECTRIC POWER	42,000			42,000
		100.0	42,000	

MISSISSIPPI				
LARKSDALE WTR & LT	8,693			8,693
SOUTHLAND OIL		100.0	8,693	
AZOO CITY PUB SERV	0			0
SOUTHLND OIL (HOWELL)		100.0	0	
MISSOURI				
MPIRE DIST ELEC	0			0
E L BRIDE		100.0	0	
T JOSEPH LT & PWR	0			0
E L BRIDE		100.0	0	
OKLAHOMA				
LACKWELL WTR & LT	0			0
KLAHOMA GAS & ELEC	0			0
ESTERN FARMERS ELEC COOP	0			0
MCPHERSON BROS		100.0	0	
TEXAS				
ULF STATES UTILITIES	25,000			25,000
COASTAL STATES MKTG		37.5	9,375	
TENNECO		16.1	4,025	
LAJET		4.0	1,000	
EXXON		20.1	5,025	
SOUTH HAMPTON CO		22.3	5,575	

5. ELECTRIC RELIABILITY COUNCIL OF TEXAS (ERCOT)

USTIN CITY ELEC DEPT	39,818			39,818
TESORO		100.0	39,818	
RAZOS ELEC COOP	0			0
RYAN, CITY OF	2,110			2,110
PETROLEUM T&T(3 RIVERS)		100.0	2,110	
ALLAS POWER & LT	0			0
WINSTON REF CO		18.2	0	
KERR MCGEE OIL CO		18.9	0	
J&W REFINING		47.2	0	
BEE OIL & REFINING		15.6	0	
ARLAND, CITY OF	0			0
PRIDE REFINERY INC		74.7	0	
DELTA REFINING CO		25.3	0	

HOUSTON LIGHT & PWR	0			0
AMERADA HESS		100.0	0	
LOWER COLORADO RIVER AUTH	0			0
MEDINA ELEC COOP	0			
SAN ANTONIO PUB SERV	2,186			2,186
TESORO		100.0	2,186	
TEXAS ELEC SERV	0			0
TEXAS PWR & LT	0			0
LA GLORIA OIL & GAS CO		31.1	0	
J&W REFINING		49.0	0	
KERR MCGEE		19.9	0	
WEST TEXAS UTIL	0			0
PRIDE REFINING INC		100.0	0	

6. MID-AMERICA INTERPOOL NETWORK (MAIN)

ILLINOIS				
COMMONWEALTH EDISON CO.	390,000			390,000
ALLIED O.		98.0	382,200	
CLARK OIL & REF. CORP		2.0	7,800	
ILLINOIS POWER CO.	45,000			45,000
ALLIED O.		100.0	45,000	
MISSOURI				
UNION ELECTRIC	46,000			46,000
APEX OIL CO		100.0	46,000	
WISCONSIN				
SUPERIOR WTR & LT	10,715			10,715
MURPHY OIL CORP		100.0	10,715	
WISCONSIN ELEC PWR	0			0
INDUST FUEL & ASPHALT		100.0	0	

7. MID-CONTINENT AREA RELIABILITY COORDINATION AGREEMENT (MARCA)

IOWA				
ATLANTIC MUNICIPAL UTILITIES	0			0
MCMILLAN OIL CO		100.0	0	

INTERSTATE POWER	18,531			18,531
NORTHWESTERN REF		100.0	18,531	
LAMONI MUNIC	0			0
MINNESOTA				
AUSTIN UTILITIES	0			0
NORTHWESTERN REF		48.3	0	
GUSTAFSON OIL CO		33.0	0	
W H BARBER		18.7	0	
FAIRMONT WTR & LT	0			0
MARSHALL MUNICIPAL UTIL	0			0
E L BRIDE		100.0	0	
MINNESOTA PWR & LT	21,200			21,200
MURPHY OIL		100.0	21,200	
NORTHERN STATES PWR	500			500
E L BRIDE (TEXACO,WC)		100.0	500	
OWATONNA MUN. UTIL.	1,212			1,212
NORTHWESTERN REF		60.0	727	
GUSTAFSON OIL CO		40.0	485	
WORTHINGTON, CITY OF	0			0
ALLIED O.		100.0	0	
NEBRASKA				
CENTRAL NEBRASKA PUBLIC	0			0
FARMLAND INDUSTRIES		100.0	0	
FAIRBURY LT & WTR	100			100
CARTER WTR (TEXACO)		100.0	100	
GRAND ISLAND ELEC	17,143			17,143
E L BRIDE		100.0	17,143	
HASTINGS UTILITIES DEPT	0			0
CARTER WTR		100.0	0	
LINCOLN ELECTRIC SYSTEM	0			0
E L BRIDE CO		100.0	0	
NEBRASKA PUBLIC POWER DIST	0			0
PANHANDLE COOP ASSOC		100.0	0	
OMAHA PUB PWR DIST	0			0
MILDER OIL CO		100.0	0	

WISCONSIN				
LAKE SUPERIOR DIST PWR	4,100			4,100
DOME PETROLEUM		100.0	4,100	
8. EAST CENTRAL AREA RELIABILITY COORDINATION AGREEMENT (ECAR)				
MICHIGAN				
CLINTON LT & WTR	600			600
CRYSTAL REFINING CO		100.0	600	
CONSUMERS POWER	662,438			662,438
CONSUMERS PWR-CRUDE		54.0	357,717	
LAKESIDE REFINING CO		14.0	92,741	
OSCEOLA REFINING CO		8.0	52,995	
TOTAL LEONARD INC		4.0	26,498	
MURPHY MI.DIV.AMOCO		6.0	39,746	
ENTERPRISE OIL CO		6.0	39,746	
BORON OIL (STANDARD)		3.0	19,873	
INDUST FUEL & ASPHALT		2.0	13,249	
RUPP OIL COMPANY		2.0	13,249	
GLADIEUX REF		1.0	6,624	
DETROIT EDISON CO	724,388			724,388
SUN OIL LTD		70.0	507,072	
CANADIAN FUEL MKTRS		9.9	71,714	
ENTERPRISE OIL CO		4.8	34,771	
PETRO PRODUCTS		5.4	39,117	
MARATHON OIL		9.9	71,714	
GRAND HAVEN BD PUB	2,248			2,248
OSCEOLA REF		100.0	2,248	
HILLSDALE BD OF PUB WORKS	935			935
LEWIS (GLADIEUX REF)		100.0	935	
OHIO				
CLEVELAND ELEC ILLUMINATING	120,013			120,013
ALLIED O. (ASHLAND)		100.0	120,013	
TOLEDO EDISON	1,071			1,071
SUN OIL		100.0	1,071	
PENNSYLVANIA				
ALLEGHENY POWER SERVICE	0			0
ALLIED O. (NEPCO)		100.0	0	

9. WESTERN SYSTEMS COORDINATING COUNCIL (WSCC)

ARIZONA				
ARIZONA PUBLIC SERVICE CO.	279,111			279,111
UNION OIL OF CAL		63.0	175,840	
PACIFIC SOUTHWEST		16.5	46,053	
SAN JOAQUIN REF		16.5	46,053	
BASIN FUELS		4.0	11,165	
SALT RIVER PROJECT	127,000			127,000
TESORO		12.4	15,748	
DOUGLAS OIL CO		2.8	3,556	
GUSTAFSON OIL CO		.9	1,143	
MACMILLAN		17.0	21,590	
POWERINE OIL CO		18.1	22,987	
LITTLE AMERICA		19.7	25,019	
SAN JOAQUIN REF		29.1	36,957	
TUCSON GAS & ELEC	282,105			282,105
GOLDEN GATE PETRO		22.0	62,063	
NAVAJO REFINING		5.0	14,105	
TOSCO		43.0	121,306	
UNION OIL OF CA		25.0	70,526	
HOLLAND OIL (TOSCO)		5.0	14,105	
CALIFORNIA				
BURBANK CITY PUBLIC SER.	60,000			60,000
ARCO		100.0	60,000	
GLENDALE PUBLIC SERVICES	113,000			113,000
POWERINE OIL CO		100.0	113,000	
IMPERIAL IRRIGATION DISTR	45,500			45,500
CRESCENT REF&O(GULF)		100.0	45,500	
LOS ANGELES DEPT OF WATER&LT	1,258,000			1,258,000
ARCO		59.8	752,284	
EDGINGTON OIL CO		20.9	262,922	
PETROBAY		7.6	95,608	
NEWHALL REFINING CO		5.0	62,900	
SAN JOAQUIN REF		3.5	44,030	
POWERINE OIL CO		3.2	40,256	
PACIFIC GAS & ELECTRIC CO	1,603,000			1,603,000
ARCO		71.3	1,142,939	
UNION OIL OF CA		4.7	75,341	
PHILLIPS PETROLEUM		24.0	384,720	

ASADENA POWER CO.	108,529			108,529
GOLD EAGLE		100.0	108,529	
AN DIEGO GAS & ELECTRIC CO.	667,634			667,634
UNION OIL OF CA		29.8	198,954	
HIRI		16.2	108,157	
EDGINGTON OIL CO		21.3	142,206	
TESORO		32.7	218,317	
OUTHERN CALIF EDISON	3,518,000			3,518,000
STD.OIL-CAL		50.1	1,762,518	
TEXACO		9.7	341,246	
ARCO		7.8	274,404	
EXXON		20.4	717,672	
PACIFIC RESOURCES		6.8	239,224	
MACMILLAN R.F. OIL		3.0	105,540	
CONOCO		2.2	77,396	
COLORADO				
OLORADO SPRINGS LT & PWR	0			0
AMAR LT & PWR	0			0
UB SERV COLORADO	13,688			13,688
PLATEAU INC		20.1	2,751	
REF. CORP		43.5	5,954	
CONOCO		36.4	4,983	
MONTANA				
ONTANA POWER	0			0
NEVADA				
EVADA POWER COMPANY	103,640			103,640
GUSTAFSON OIL CO		54.0	55,966	
HUSKY OIL COMPANY		46.0	47,674	
IERRA PACIFIC POWER	26,486			26,486
GOLDEN GATE PETRO		100.0	26,486	
NEW MEXICO				
LAINS ELEC GEN & TRANSM	0			0
PLATEAU INC		97.8	0	
CARIBOU 4 CORNERS		2.2	0	
UB SERV NEW MEXICO	0			0
PLATEAU INC		39.8	0	
SHELL		26.4	0	
THRIFTWAY		5.4	0	
NAVAJO REFINING		24.1	0	
STD OIL-TEXAS		4.3	0	

OREGON				
PACIFIC POWER & LIGHT CO	204			204
STD OIL (IND)		100.0	204	
TEXAS				
COMMUNITY PUB SERV	24,898			24,898
STD OIL-TEXAS		100.0	24,898	
EL PASO ELECTRIC	51,912			51,912
SOUTHERN UNION		74.5	38,675	
TESORO		25.5	13,237	
UTAH				
UTAH POWER & LIGHT CO.	0			0
BLACKLINE ASPH. SALES		100.0	0	
WASHINGTON				
PUGET SOUND POWER & LIGHT CO.	0			0
ROSSO INC		1.0	0	
PACIFIC NORTHERN		16.0	0	
HOME OIL CO.		2.0	0	
SOUTH CENTER OIL		16.5	0	
LILYBLAD		8.5	0	
CASCADE		8.0	0	
OLDS OLYMPIC		4.0	0	
SHELL		44.0	0	
SEATTLE DEPT OF LI	0			0
SHELL		100.0	0	
TACOMA DEPT OF PUBLIC UTIL	0			0

10. ASCC

ALASKA				
CORDOVA, TOWN OF	0			0
HAWAII				
HAWAIIAN ELECTRIC COMPANY	690,574			690,574
STD OIL-CA		100.0	690,574	
HILO ELEC LT	52,664			52,664
STD OIL-CA		100.0	52,664	

AUAI ELECTRIC	14,064			14,064
STD OIL-CA		100.0	14,064	
AUI ELECTRIC	30,757			30,757
STD OIL-CA		100.0	30,757	

11. NOT OTHERWISE CLASSIFIED

UNK				
UAM PWR AUTH	131,610			131,610
U.S. NAVY		100.0	131,610	
UERTO RICO WATER RESOURCES	1,855,350			1,855,350
COMMONWEALTH OIL		50.0	927,675	
PUERTO RICO SUN OIL		30.0	556,605	
CARIBBEAN GULF REF		20.0	371,070	
T CROIX, V.I. WTR PWR	34,947			34,947
AMERADA HESS CORP		100.0	34,947	
T THOMAS, V.I. WTR PWR	46,202			46,202
AMERADA HESS CORP		100.0	46,202	

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