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Pages 18163–18388

PART I

April 25, 1975—Pages 18163–18388

HIGHLIGHTS OF THIS ISSUE

This listing does not affect the legal status of any document published in this issue. Detailed table of contents appears inside.

AIR POLLUTION—EPA issues notice on control of lead additives in gasoline and proposes regulations on reporting of new car emissions (2 documents); comments by 6–24–75..... 18176, 18217

PESTICIDE PROGRAMS—EPA issues regulations on chemicals in or on raw agricultural commodities (2 documents); effective 4–25–75..... 18171

CREDIT—FRS proposes regulations on implementation of equal opportunity act; comments by 6–30–75..... 18183

CRUDE OIL—FEA proposes regulations on supplier/purchaser relationship rule and holds public proceeding to receive comments on 5–27–75..... 18182

MEDICARE—HEW/SSA publishes regulations on enrollment, premiums and payments for the disabled; effective 5–27–75..... 18165

FOOD ADDITIVES—HEW/FDA adopts tolerances for pesticides in foods; effective 4–25–75..... 18167

NEW ANIMAL DRUGS—HEW/FDA approves tylosin premix in making of swine feed; effective 4–25–75..... 18168

SURGICAL INSTRUMENTS—HEW/FDA issues regulations on color additives in sutures; effective 5–28–75..... 18167

STERILITY TESTING—HEW/FDA proposes discontinued use of certain chemical; comments by 5–27–75..... 18176

(Continued Inside)

PART II:

AGRICULTURAL TRACTORS—Labor/OSHA issues regulations on roll-over protective structures; effective 6–1–75..... 18253

PART III:

MINIMUM WAGES—Labor/ESA issues determination for Federal and Federally assisted construction; effective 4–25–75..... 18269

PART IV:

BUDGET RESCISSIONS AND DEFERRALS—President's report to Congress (2 documents)..18330, 18358

reminders

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

Rules Going Into Effect Today

Treasury/CS—Customs financial and accounting procedures; package seals and airline liquor kits..... 13304; 3–26–75

List of Public Laws

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

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MEETINGS—
Commerce/NBS: Conference on Commonality and Automation in Blood Banking Operations, 5–12 thru 5–14–75 ... 18201
DIBA: Computer Peripherals, Components and Related Test Equipment Technical Advisory Committee, 6–5–75 ... 18199
CSC: Federal Employees Pay Council, 5–21–75 ... 18219
EPA: National Air Quality Criteria Advisory Committee of the Science Advisory Board, 5–15–75 ... 18218
HEW/OE: Research and Studies Committee of the National Advisory Council on Adult Education, 5–10–75 ... 18207
National Advisory Committee on the Handicapped, 5–19 thru 5–21–75 ... 18207
HRA: Federal Hospital Council, 5–22–75 ... 18206
National Foundation on the Arts and the Humanities: National Council on the Humanities Advisory Committee, 5–15 and 5–16–75 ... 18229
DOD/Army: Military History Research Collection Advisory Committee, 5–22 and 5–23–75 ... 18189
Defense Science Board Task Force on Accuracy, 5–20 and 5–21–75 ... 18189
Advisory Council on Historic Preservation: George Rogers Clark National Historical Park, 5–7 and 5–8–75 ... 18210
NSF: Advisory Panel for Metallurgy and Materials, 5–12 and 5–13–75 ... 18232
Advisory Panel for Neurobiology, 5–13 and 5–14–75 ... 18232
Interior/NPS: Golden Gate National Recreation Area Citizens' Advisory Commission, 5–17–75 ... 18198

HEARINGS—
CRC: Massachusetts; school desegregation, 5–27–75 ... 18213

CHANGED MEETINGS—
HEW/OE: Advisory Council on Bilingual Education, 5–12 and 5–13–75 ... 18206

contents

AGRICULTURE DEPARTMENT

See Agricultural Marketing Service; Soil Conservation Service.

AGRICULTURAL MARKETING SERVICE

Rules

Limitations of handling and shipments:
Lemons grown in California and Arizona ... 18163

ARMY DEPARTMENT

Notices

Meetings:
Military History Research Collection Advisory Committee ... 18189

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:
Greater Peoria Airport Authority, et al ... 18210
United Air Lines Inc.; correction ... 18213

CIVIL RIGHTS COMMISSION

Notices

Hearings, etc.:
Massachusetts; public school desegregation ... 18213

CIVIL SERVICE COMMISSION

Notices

Meetings:
Federal Employees Pay Council ... 18219

COMMERCE DEPARTMENT

See Domestic and International Business Administration; National Bureau of Standards.

COMMODITY FUTURES TRADING COMMISSION

Proposed Rules

Commodities or commodity futures contracts, leverage contracts for gold and silver, domestic sales of foreign futures contracts; anti-fraud rules ... 18187

DEFENSE DEPARTMENT

See also Army Department.

Notices

Meetings:
Science Board Task Force on Accuracy ... 18189

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

Notices

Meetings:
Computer, Peripherals, Components and Related Test Equipment Advisory Committee ... 18199

EDUCATION OFFICE

Notices

Foreign Language and Area Studies Research Program; extension of time ... 18207
Meetings:
Adult Education, National Advisory Council on; Research and Studies Committee of ... 18207
Bilingual Education Advisory Council; rescheduled ... 18206
Handicapped, National Advisory Committee on ... 18207

EMPLOYMENT STANDARDS ADMINISTRATION

Notices

Minimum wages; Federal and federally assisted construction ... 18269

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

Notices

Hearings, etc.:
Liquid Metal Fast Breeder Reactor Program ... 18218

ENVIRONMENTAL PROTECTION AGENCY

Rules

Air programs:
Washington, State of; authority delegations (2 documents) ... 18169
Air quality standards; ambient monitoring reference and equivalent methods; corrections ... 18168
Pesticide chemicals, tolerances and exemptions:
Butralin ... 18172
Dimethyl phosphate of 3-hydroxy - *N* - methyl - CIS-crotonamide ... 18171
Ethephon ... 18171
Methazole; correction ... 18172
Water pollution; effluent guidelines for certain point source categories:
Asbestos manufacturing ... 18172
Rubber processing ... 18172
Water quality standards:
Idaho ... 18170

Proposed Rules

Air pollution control; new motor vehicles ... 18176

Notices

Air quality; New Jersey compliance schedules; hearing ... 18218
Committee establishment; State-Federal FIFRA Implementation Advisory Committee ... 18218
Fuel; lead additives in gasoline, control; suspension of enforcement of ... 18217
Meetings:
Air Quality Criteria Advisory Committee, National ... 18218
Waste treatment, areawide; area and agency designations ... 18216
Water pollution; effluent guidelines for certain point source categories:
Inorganic chemicals manufacturing ... 18217
Water pollution; marine sanitation device standard; Michigan ... 18217

ENVIRONMENTAL QUALITY COUNCIL
Notices
Environmental statements; availability ---- 18213

FEDERAL AVIATION ADMINISTRATION
Rules
Airworthiness directives:
AiResearch ---- 18163
Control zone ---- 18164
Standard instrument approach procedures ---- 18164
Transition area ---- 18164
Proposed Rules
Transition areas ---- 18176

FEDERAL ENERGY ADMINISTRATION
Proposed Rules
Mandatory petroleum allocation regulations:
Crude oil supplier/purchaser relationship ---- 18182
Notices
Old oil allocation program; January 1975 entitlement; correction ---- 18220

FEDERAL POWER COMMISSION
Notices
Hearings, etc.:
Alabama Power Co ---- 18220
Arizona Public Service Co ---- 18220
Chevron Oil Co ---- 18221
Colorado Interstate Gas Co. et al ---- 18221
Consumers Power Co ---- 18222
Davis, C. Crady ---- 18223
Delmarva Power & Light Co ---- 18223
El Paso Natural Gas Co. (3 documents) ---- 18223, 18224
Florida Power Corp ---- 18224
Hatch, Edwin I ---- 18225
Iowa Southern Utilities Co ---- 18225
Interior Department, Southeastern Power Administration ---- 18225
Niagara Mohawk Power Corp ---- 18226
Northwest Pipeline Corp ---- 18226
Pacific Indonesia LNG Co. and Western LNG Terminal Co ---- 18227
Scherer, Robert ---- 18228
Wansley, Hal B ---- 18228
Wisconsin Power & Light Co ---- 18229

FEDERAL RESERVE SYSTEM
Proposed Rules
Consumer credit protection; equal opportunity ---- 18183

FISH AND WILDLIFE SERVICE
Rules
Fishing:
Missisquoi National Wildlife Refuge, Vt ---- 18175
Moosehorn National Wildlife Refuge, Maine ---- 18175
Public access, use, and recreation:
Amagansett National Wildlife Refuge, N.Y ---- 18173
Chincoteague National Wildlife Refuge, Va ---- 18173
Erie National Wildlife Refuge, Pa ---- 18174
Missisquoi National Wildlife Refuge, Vt ---- 18174
Moosehorn National Wildlife Refuge, Maine ---- 18174
Morton National Wildlife Refuge, N.Y ---- 18174
Presquile National Wildlife Refuge, Va ---- 18175
Target Rock National Wildlife Refuge, N.Y ---- 18175

FOOD AND DRUG ADMINISTRATION
Rules
Animal drugs:
Tylosin ---- 18168
Color additives; D & C Green No. 6 for surgical sutures ---- 18167
Food additives:
Pesticide tolerances; dimethyl phosphate of 3-hydroxy-*N*-methyl-*CIS*-crotonamide ---- 18202
Proposed Rules
Sterility testing; Alternative Thioglycollate Medium; deletion ---- 18176
Notices
ARTX Telecommunication Equipment; memorandum of understanding:
Colorado Department of Health ---- 18202
D.C. Department of Environmental Services ---- 18202
Kansas Department of Health and Environment ---- 18203
Kentucky Department of Human Resources ---- 18203
Massachusetts Department of Public Health, Division of Food and Drugs ---- 18204
Oregon Department of Human Resources, Health Division ---- 18205
Committees; establishment, renewal, etc.:
Bacterial Vaccines and Toxoids Panel on Review ---- 18205
Gastroenterology and Urological Devices Panel on Review ---- 18205
Obstetrical and Gynecology Devices Panel on Review ---- 18206
Petrolite Corp ---- 18206
Vestal Laboratories ---- 18206

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See also Education Office; Food and Drug Administration; Health Resources Administration; Social Security Administration.
Rules
Nondiscrimination; correction ---- 18173
Notices
Organization, functions and authority delegations:
Handicapped Individuals Office ---- 18207
Youth Development Office ---- 18208

HEALTH RESOURCES ADMINISTRATION
Notices
Meetings:
Federal Hospital Council ---- 18206

HISTORIC PRESERVATION ADVISORY COUNCIL
Notices
Meetings:
George Rogers Clark National Historical Park ---- 18210

INTERIOR DEPARTMENT
See Fish and Wildlife Service; Land Management Bureau; National Park Service.

INTERNATIONAL TRADE COMMISSION
Notices
President's lists of articles potentially affected by trade negotiations ---- 18229

INTERSTATE COMMERCE COMMISSION
Notices
Fourth section application for relief; Washington ---- 18236
Hearing assignments ---- 18236
Motor carriers:
Temporary authority termination ---- 18237
Transfer proceedings ---- 18236

JUSTICE DEPARTMENT
Notices
Competitive impact statements and consent judgments:
United States v. American Technical Industries ---- 18189

LABOR DEPARTMENT
See Employment Standards Administration; Manpower Administration; Occupational Safety and Health Administration.

LAND MANAGEMENT BUREAU
Notices
Oil and gas leasing; Outer Continental Shelf ---- 18192
Survey plat filings:
Michigan ---- 18192

MANAGEMENT AND BUDGET OFFICE
Notices
Budget rescission and deferrals; report to Congress (2 documents) ---- 18330, 18358
Clearance of reports; list of requests ---- 18232

MANPOWER ADMINISTRATION
Notices
Employment transfer and business competition determinations under Rural Development Act; applications for assistance ---- 18235

NATIONAL BUREAU OF STANDARDS
Notices
COBOL Coding Form; information processing standard ---- 18200
Conferences:
Commonality and Automation in Blood Banking Operations ---- 18201

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES
Notices
Meetings:
Humanities Advisory Committee National Council ---- 18229

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
Notices
Petitions for temporary exemption from safety standards:
Harnischfeger Corp ---- 18209
Warner & Swasey Co ---- 18209

NATIONAL LABOR RELATIONS BOARD
Notices
Organization and function; areas served by regional and subregional offices 18229

NATIONAL PARK SERVICE
Notices
Master plan workshop:
John Muir National Historic Site, Calif 18199
Haleakala National Park, Hawaii 18198
Meetings:
Golden Gate National Recreation Area Citizens' Advisory Commission 18198

NATIONAL SCIENCE FOUNDATION
Notices
Meetings:
Metallurgy and Materials Advisory Panel 18232
Neurobiology Advisory Panel 18232

NUCLEAR REGULATORY COMMISSION
Notices
Applications, etc.:
Commonwealth Edison Co 18231
Regulatory Guides; issuance and availability 18231

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
Rules
Health and safety standards:
Tractors, agricultural; roll-over protective structures 18253

SECURITIES AND EXCHANGE COMMISSION
Notices
Hearings, etc.:
Arkansas-Missouri Power Co 18233
ICI North American Inc 18233
Wisco Hardware Co 18234

SOCIAL SECURITY ADMINISTRATION
Rules
Health insurance for aged and disabled:
Medical insurance benefits, supplementary; premiums 18165

SOIL CONSERVATION SERVICE
Notices
Environmental statement:
Jamestown Flood Prevention RC&D Measure, Tenn.; negative declaration 18199

TRANSPORTATION DEPARTMENT
See Federal Aviation Administration; National Highway Traffic Safety Administration.

list of cfr parts affected

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1974, and specifies how they are affected.

7 CFR
910 18163

10 CFR
PROPOSED RULES:
211 18182

12 CFR
PROPOSED RULES:
202 18183

14 CFR
39 18163
71 (2 documents) 18164
97 18164
PROPOSED RULES:
71 18176

17 CFR
PROPOSED RULES:
1 18187

20 CFR
405 18165

21 CFR
8 18167
9 18167
123 18167
558 18168
PROPOSED RULES:
610 18176

29 CFR
1910 18254
1928 18254

40 CFR
50 18168
51 18168
53 18168
60 18169
61 18169
120 18170
180 (4 documents) 18171, 18172
427 18172
428 18172
PROPOSED RULES:
85 18176

45 CFR
80 18173

50 CFR
28 (8 documents) 18173–18175
33 (2 documents) 18175

CUMULATIVE LIST OF PARTS AFFECTED—APRIL

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

3 CFR

PROCLAMATIONS:

2799 (Revoked by Proc. 4360) 14567
2937 (Revoked by Proc. 4360) 14567
2938 (Revoked by Proc. 4360) 14567
2942 (Revoked by Proc. 4360) 14567
2972 (Revoked by Proc. 4360) 14567
3314 (Revoked by Proc. 4360) 14567
4101 (Revoked by Proc. 4360) 14567
4346 (Amended by Proc. 4359) 14565
4359 14565
4360 14567
4361 15063
4362 15861
4363 15863
4364 16293
4365 16641
4366 16643
4367 16829
4368 17977

EXECUTIVE ORDERS:

11809 (See EO 11849) 14887
11828 (Amended by EO 11848) 14885
11829 (Amended by EO 11853) 17537
11847 14568
11848 14885
11849 14887
11850 16187
11851 16645
11852 17239
11853 17537

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS

Memorandum of March 24, 1975 15377

4 CFR

20 17979
408 ..... 14737, 15865
409 15865

PROPOSED RULES:

10 16686
351 14942

5 CFR

213 ..... 15379, 16189, 17243, 17539
300 15379
302 15380
315 15380
890 14569
1001 14570

7 CFR

2 17829
6 16069
51 15381
52 15890–15900
220 17148
270 16069
271 ..... 16069, 16320
301 16070
331 ..... 16072, 17539
401 15905
410 15905
613 17149
724 14737
728 16831
731 14601
873 16072

7 CFR—Continued

905 ..... 14889, 16210
907 ..... 14889, 16073, 16212, 17149, 17540, 17993
908 ..... 14890, 16211, 16213, 16321, 17150, 17540, 17829, 17993
910 ..... 15065, 16073, 16322, 17243, 18163
911 17830
944 14891
959 ..... 16211, 17831
991 14737
1101 17540
1207 17743
1250 15065
1427 16647
1430 16649
1472 16213
1488 ..... 16322, 16327, 16329, 16331
1701 16074
1803 16333
1872 15065
2620 17831
2710 14891

PROPOSED RULES:

29 15390
68 18001
401 14777
724 16671
908 ..... 16335, 17848
951 17151
982 16852
1002 ..... 14702, 15390
1004 ..... 14702, 15390
1033 ..... 14769, 17029
1251 15906
1421 15390
1701 ..... 17264, 17591
1823 14776
1842 15405

8 CFR

100 17743
103 17743
238 17744
316a 17744

PROPOSED RULES:

103 16215
214 15092

9 CFR

72 16650
78 17816
82 17244
94 14571
113 17003

PROPOSED RULES:

303 15906
381 15906

10 CFR

Ruling 1975–3 17980
70 16047
211 ..... 14738, 18182
213 16047
215 16295

PROPOSED RULES:

73 16098
205 ..... 14605, 17600
210 18004
211 ..... 14605, 16089, 17600
212 ..... 15041, 17859, 18004
213 14948

12 CFR

23 17135
204 17136
213 17136
217 ..... 16831, 17831
309 17004
329 17137
523 17245
524 17245
525 17245
526 17246
532 17246
541 15865
544 17984
545 ..... 15382, 15865, 17004, 17005, 17246, 17984
556 17246
561 17984
563 ..... 14738, 17984
571 17247
584 17005
588 17247
602 14571
611 17744
613 17744
614 17745
615 17745
616 17746

PROPOSED RULES:

7 14767
202 18183
206 15909
217 ..... 16684, 16685
329 16219
335 14947
526 17860
541 15096
545 15096
556 ..... 17272, 18005
563 18005
584 ..... 16090, 17044
701 15404
721 15404
745 15404

13 CFR

121 17138

PROPOSED RULES:

107 14606
120 15098

14 CFR

39 ..... 14739, 14740, 14891, 14892, 15085–15086, 15384, 15866, 16189–16191, 16297–16299, 16831, 16832, 17006, 17138, 17139, 17248, 17548, 17832–17835, 18163
71 ..... 14740, 14741, 15086, 15385, 15867, 16050, 16299, 16650, 16651, 16832, 17006, 17007, 17139, 17140, 17248, 17249, 17549, 17836, 17837, 17986, 18164
73 ..... 17549, 17550
75 17007
91 16651
97 ..... 14893, 16300, 17140, 18164
103 17141

14 CFR—Continued

121 17551
241 16652
288 14893
400 14572
401 14574
425 14578

PROPOSED RULES:

25 15093
39 16854, 17852
71 14780, 14781, 15094, 15399, 15400, 15907, 16088, 16089, 16217, 16345, 16346, 16854, 17264, 17265, 17596, 17853 16854, 17264, 17265, 17596, 17853, 18001, 18176
73 15907
75 14781
121 17156
135 16347
207 17039, 18003
208 17039, 18003
212 17039, 18003
214 17039, 18003
217 17039, 18003
221 17596
241 17039, 18003
249 17039, 18003
369 18003
372a 17039
378 17039
378a 17039, 18003
389 17039, 18003

15 CFR

302 17837
350 14921
355 14925
377 15867
500 14930
920 16832

PROPOSED RULES:

803 14603

16 CFR

1 15232, 15233, 17008
2 15235
3 15234, 15236
4 15235, 15236
13 14579–14582, 14741, 14894–14904, 15385, 15386, 15868–15872, 16050, 16191, 16300, 16654, 17868
302 14584, 16654
1500 16191, 17746

PROPOSED RULES:

1 15237
3 15239
4 15245
444 16347
1500 17157

17 CFR

1 17406
150 15086
200 14748, 16052, 17008
250 17249
271 17986

PROPOSED RULES:

1 18187
150 15907
240 16090
270 18007
275 14782, 18007

18 CFR

1 17553
3 16300
260 17553
301 14749
401 17987

PROPOSED RULES:

Ch. I 15402
2 16220
35 14606
101 14606
104 14606
141 15402, 16684
154 14606
202 14606
204 14606
260 16684

19 CFR

6 15386
22 14749
113 14749
133 17151
141 17151
153 14591

PROPOSED RULES:

112 15389
113 15389

20 CFR

10 14750
405 14591, 14931, 17746, 18165

PROPOSED RULES:

401 17849
405 14934, 16673, 17151
422 17849

21 CFR

6 16662
8 15087, 18167
9 18167
121 14905
123 14592, 17142, 18167
312 16053
431 15088
436 15088
440 15088
444 14906
448 15088
449 15089
522 17838
558 18168
701 16192
740 16192
1030 14750, 16663
1301 17142

PROPOSED RULES:

27 16085
334 18001
335 18001
336 18001
337 18001
610 18176
630 17151
1301 16082
1308 16082

22 CFR

1 15392
3 15392

PROPOSED RULES:

8 15060

23 CFR

1 16057
140 16057
420 17554
630 17554
635 14906, 17251
646 16059
662 14907
820 16301

24 CFR

200 17750
300 14753
570 15089, 16663, 17987
800 15580
801 15580
802 15580
803 15580
804 15580
880 15580
881 15580
882 15580
883 15580, 16934
888 15580
889 15542
890 17008
1700 14753
1914 14599–14601, 16192, 16193, 16303, 16304, 16835–16841, 17750, 17752, 17838, 17839, 17987
1915 14754, 16192, 16193, 16193, 16303, 16304, 16842, 17015, 17017, 17989

PROPOSED RULES:

1917 16345, 16674–16676

25 CFR

41 17022
43k 14592

PROPOSED RULES:

221 17029

26 CFR

Ch. I 16835
1 16663
10 17554
11 17555
31 17144, 17840
301 15090

PROPOSED RULES:

1 14767, 17576, 17588
31 17028

27 CFR

Ch. I 16835

29 CFR

90 14908
91 16304, 17840
92 16304, 17840
670 16063, 17146
694 15875
726 16063, 17146
1208 17022
1601 16193
1910 18254
1913 15876
1928 18254
1952 16843
2300 14593

29 CFR—Continued

PROPOSED RULES:

4 ... 16082
1910 ... 15390, 16217, 16336
1926 ... 15390
1952 ... 16853

30 CFR

PROPOSED RULES:

250 ... 17758
251 ... 17758

31 CFR

90 ... 16844
93 ... 16844
100 ... 16844
121 ... 16844
500 ... 17262

PROPOSED RULES:

210 ... 16669

32 CFR

40 ... 16194
287 ... 16203
765 ... 16314
806 ... 17841
856 ... 14758
1803 ... 16314

PROPOSED RULES:

155 ... 17995
641 ... 16850

33 CFR

82 ... 17022
117 ... 14594, 15093, 17753
127 ... 17754
209 ... 17023
380 ... 14761

PROPOSED RULES

117 ... 14604, 15903
175 ... 17762
266 ... 14872

34 CFR

PROPOSED RULES:

235 ... 16855

36 CFR

7 ... 14912, 16315
214 ... 16316
270 ... 17556
603 ... 15877
604 ... 15877

PROPOSED RULES:

231 ... 16335

38 CFR

3 ... 16064

PROPOSED RULES:

1 ... 14783
3 ... 16092

39 CFR

PROPOSED RULES:

111 ... 15909, 16686

40 CFR

6 ... 16814
15 ... 17123
50 ... 18168
51 ... 18168
52 ... 14595, 15879, 16844, 16845
53 ... 18168

40 CFR—Continued

60 ... 18169
61 ... 18169
65 ... 14876
85 ... 16667
120 ... 18170
180 ... 14596, 14597, 15387, 15880, 17146, 17557, 17841, 18171, 18172
413 ... 18130
408 ... 16204
427 ... 18172
428 ... 18172

PROPOSED RULES:

52 ... 15094, 15095, 16218, 16680, 17157, 17597
85 ... 18176
408 ... 15096
413 ... 18140
414 ... 17041
432 ... 18150
450 ... 17762

41 CFR

1–3 ... 15880
1–7 ... 14913, 17558
1–12 ... 14913
1–15 ... 14913
1–30 ... 14917
3–1 ... 16319
3–8 ... 16319
5A–2 ... 16847
5A–7 ... 16847
5A–16 ... 16847
7–1 ... 16205
7–6 ... 16205
7–7 ... 16205
7–16 ... 16206
7–30 ... 16206
9–9 ... 16848, 17573
14–3 ... 15091
109–1 ... 15091

PROPOSED RULES:

Ch. 9 ... 16677
Ch. 60 ... 14953
3–16 ... 16337
14–7 ... 17848

42 CFR

57 ... 14762, 17252
59 ... 17991

PROPOSED RULES:

57 ... 14932
82 ... 17029

43 CFR

2800 ... 17841

PUBLIC LAND ORDERS:

5494 ... 16066
5495 ... 16667
5496 ... 16208

PROPOSED RULES:

4 ... 14603
2650 ... 14603

45 CFR

80 ... 18173
112 ... 16013
113 ... 16015
114 ... 16019
115 ... 16032
151 ... 14762
154 ... 14917
155 ... 14918
158 ... 17712

45 CFR—Continued

166 ... 17950
190 ... 15248
192 ... 17844
237 ... 16667
249 ... 14597
250 ... 14597, 15388
1201 ... 17023
1216 ... 16208

PROPOSED RULES:

121a ... 17849
160c ... 17394
204 ... 16672
228 ... 16802
250 ... 15093
156 ... 16086
704 ... 17267
1221 ... 18002
1222 ... 16676
1351 ... 17824

46 CFR

32 ... 17754
40 ... 17024
111 ... 17754
151 ... 17024
380 ... 14599
528 ... 14599
533 ... 14599

PROPOSED RULES:

12 ... 16676
30 ... 17592
31 ... 17154
32 ... 14935, 16676, 17592
34 ... 17592
50 ... 14935, 16676
52 ... 14935, 16676
53 ... 14935, 16676
54 ... 14935, 16676
56 ... 14935, 16676
58 ... 14935, 16676
63 ... 14935, 16676
74 ... 17154
93 ... 17154
Subchapter M ... 17154
502 ... 15097
550 ... 15401

47 CFR

Ch. I ... 17130
0 ... 14764, 17253, 17724
1 ... 15883, 16394, 17146, 17255
2 ... 17256
15 ... 15991, 15881
73 ... 15546, 15882–15889, 16667, 17026, 17256, 17259, 17260
76 ... 15546, 17724
97 ... 17256, 17755

PROPOSED RULES:

1 ... 16968
73 ... 14943–14947, 15907, 15908, 16680, 16682, 17042, 17269, 17270, 17598
76 ... 15574, 16683, 16684, 17270
87 ... 17271

49 CFR

1 ... 14764, 17992
215 ... 17573
310 ... 14919
571 ... 14765, 17574, 17992
1033 ... 14765, 14766
1036 ... 16846
1124 ... 17147
1126 ... 16066
1201 ... 15388

49 CFR—Continued

PROPOSED RULES:

173 17853
179 17853
Ch. II 17265
231 17853
571 ..... 16217, 16584, 17036, 17266, 17855
575 17039
1056 17044
1201 17272
1202 17272
1203 17272
1204 17272
1205 17272
1206 17272
1207 17272
1209 17272
1210 17272
1241 15402

49 CFR—Continued

PROPOSED RULES—Continued

1249 15402
1250 15402
1251 15402

50 CFR

10 17575
28 ..... 17261, 18173–18175
32 14920
33 ..... 14766, 14920, 16210, 16320, 17992, 18175
216 17845
280 16210

PROPOSED RULES:

17 ..... 14767, 17590, 17757, 17847
20 17263
227 14777
251 ..... 14778, 14779, 16216

FEDERAL REGISTER PAGES AND DATES—APRIL

Pages	*Date*
14565–14735	Apr. 1
14737–14883	2
14885–15062	3
15063–15376	4
15077–15859	7
15861–16046	8
16047–16186	9
16187–16291	10
16293–16640	11
17537–17742	21
16641–16827	14
16829–17002	15
17003–17134	16
17135–17238	17
17239–17535	18
17537–17742	21
17743–17827	22
17829–17976	23
17977–18161	24
18163–18388	25

rules and regulations

Title 7—Agriculture

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

[Lemon Reg. 689]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period April 27–May 3, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.989 Lemon Regulation 689.

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

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

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons is mixed—good on all sizes of choice grade and fair to easier on most sizes of first grade fruit. Average f.o.b. price was $6.07 per carton the week ended April 19, 1975 compared to $5.98 per carton the previous week. Track and rolling supplies at 140 cars were up 31 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on April 22, 1975.

(b) *Order.* (1) The quantity of lemons in California and Arizona which may be handled during the period April 27, 1975, through May 3, 1975, is hereby fixed at 250,000 cartons.

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

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

Dated: April 23, 1975.

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

[FR Doc.75-11044 Filed 4-24-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airworthiness Docket No. 75–WE–17–AD; Amdt. 39–2189]

PART 39—AIRWORTHINESS DIRECTIVES

AiResearch Model TFE731–2 and –3 Series Engines

Amendment 39–2144 (40 FR 134–7), AD 75–07–10, requires an inspection, and replacement as necessary with improved parts, of the transfer gearbox assembly on AiResearch Model TFE731–2 and –3 Series engines. This action is required because several failures have occurred in the transfer gearbox bearing support and associated gears which can result in complete engine power loss. After issuing Amendment 39–2144, the agency determined that the manufacturer had incorporated the improved parts into production. Therefore, the AD is being amended to take note of this. Since this amendment provides an alternative means of compliance and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39–2144 (40 FR 13477), AD 75–07–10, is amended as follows: Revise paragraph (B) in its entirety to read:

(B) The inspections required by paragraph (A) above, are not required if the engine is equipped with a transfer gearbox assembly, P/N 3070093–3, designated as Series 1, Change 2 or Series 3, and may be discontinued on engines equipped with Series 1 Transfer Gearbox Assemblies when the bearing support, P/N 3070217–1, is replaced with an improved bearing support, P/N 3070217–3, per AiResearch Service Bulletin TFE731–72–3020, dated February 27, 1975, or later FAA-approved revisions. Bearing supports, P/N 3070217–1, which are removed from service shall be rendered unserviceable.

This amendment becomes effective May 1, 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, California, on April 17, 1975.

ROBERT H. STANTON,
Director,
FAA Western Region.

[FR Doc.75-10839 Filed 4-24-75;8:45 am]

[Airspace Docket No. 75-GL-2]

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

Designation of Control Zone

On Pages 5542 and 5543 of the FEDERAL REGISTER dated February 6, 1975, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to designate a control zone at Waukesha, Wisconsin.

Interested persons were given 30 days to submit written comments, objections and arguments concerning the proposed amendment. Two comments were received. The Air Transport Association concurred with the proposal. The other from Mr. G. D. Nichols, Fixed Base Operator at Capitol Drive Airport, requested the airport be eliminated from the zone for ease of VFR operations in and out of Capitol Drive Airport. This can be done without derogation of the controlled airspace required for the Waukesha County Airport. Accordingly, the proposed amendment is hereby adopted subject to the minor change as set forth below.

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

In view of the foregoing, the proposed amendment is hereby adopted as follows:

In § 71.171 (40 FR 354), the following control zone is added:

WAUKESHA, WISCONSIN

Within a 5-mile radius of the Waukesha County Airport (Latitude 43°02'25" N., Longitude 88°14'00" W.); excluding a one-mile radius of Capitol Drive Airport (Latitude 43°05'15" N., Longitude 88°10'40" W.); within 2½ miles each side of the 272° bearing from the airport extending from the 5-mile radius area to 5.5 miles west. This control zone shall be effective during the specific dates and times established in advance by a notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

(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 Des Plaines, Illinois, on April 16, 1975.

R. O. ZIEGLER,
Acting Director,
Great Lakes Region.

[FR Doc.75-10840 Filed 4-24-75;8:45 am]

[Airspace Docket No. 75-SW-12]

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

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate the Winnfield, La., transition area.

On March 10, 1975, a notice of proposed rule making was published in the FEDERAL REGISTER (40 FR 11003) stating the Federal Aviation Administration proposed to designate the Winnfield, La., transition area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

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.

In § 71.181 (40 FR 441), the following transition area is added:

WINNFIELD, LA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Winnfield NDB (latitude 31°57' 46" N., longitude 92°39'25" W.); within 3 miles each side of a 276° bearing from the Winnfield NDB extending from the 5-mile radius area to 8 miles west of the NDB.

(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 Fort Worth, Tex., on April 16, 1975.

ALBERT H. THURBURN,
Director,
Southwest Region.

[FR Doc.75-10841 Filed 4-24-75;8:45 am]

[Docket No. 14555; Amdt. No. 965]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

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

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rule making dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of $150 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Additional copies mailed to the same address may be ordered for $30 each.

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

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

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, *effective June 19, 1975.*

Bastrop, La.—Morehouse Memorial Arpt., VOR/DME-A, Amdt. 3.
Delta Junction, Alaska—Allen AAF, VOR Rwy 18 (TAC), Amdt. 5.
Galesburg, Ill.—Galesburg Municipal Arpt., VOR Rwy 2, Amdt. 4.
Galesburg, Ill.—Galesburg Municipal Arpt., VOR Rwy 20, Amdt. 5.
Louisville, Ky.—Bowman Field, VOR Rwy 19, Orig.
Louisville, Ky.—Bowman Field, VOR Rwy 24, Orig.
Monmouth, Ill.—Monmouth Municipal Arpt., VOR-A, Amdt. 1.
Monroe, La.—Monroe Municipal Arpt., VOR Rwy 4, Amdt. 15.
Newport, Oreg.—Newport Municipal Arpt., VOR-A, Orig.
Newport, Oreg.—Newport Municipal Arpt., VOR/DME Rwy 16, Amdt. 3.
Woodward, Okla.—West Woodward Arpt. VOR/DME-A, Orig.

• • • *effective June 5, 1975.*

Gaithersburg, Md.—Montgomery County Airpark, VOR Rwy 14, Orig.
Greenwood/Wonder Lake, Ill.—Galt Field, VOR-A, Amdt. 1.
Keene, N.H.—Dillant-Hopkins Arpt., VOR Rwy 2, Amdt. 4.
Newton, Kans.—Newton City-County, VOR TAC Rwy 35, Amdt. 4.
Orlando, Fla.—Orlando Jetport at McCoy Arpt., VOR Rwy 18L & 18R, Amdt. 3.
Orlando, Fla.—Orlando Jetport at McCoy VOR Rwy 18L & 18R, Amdt. 3.
Waseca, Minn.—Waseca Municipal Arpt., VOR-A, Amdt. 1.

• • • *effective May 8, 1975.*

Warsaw, Ind.—Warsaw Municipal Arpt., VOR Rwy 18, Amdt. 2.
Warsaw, Ind.—Warsaw Municipal Arpt., VOR Rwy 36, Amdt. 2.

• • • *effective May 1, 1975.*

Louisville, Ky.—Bowman Field, VOR Rwy 1, Orig.

2. Section 97.25 is amended by originating, amending, or canceling the following SDF–LOC–LDA SIAPs, *effective June 19, 1975.*

Anchorage, Alaska—Anchorage Int'l. Arpt., LOC Rwy 6L, Amdt. 3.

• • • *effective May 8, 1975.*

Warsaw, Ind.—Warsaw Municipal Arpt., SDF Rwy 18, Orig.

• • • *effective May 1, 1975.*

Syracuse, N.Y.—Syracuse Hancock Int'l Arpt., LOC (BC) Rwy 10, Amdt. 16, canceled.

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, *effective June 19, 1975.*

Delta Junction, Alaska—Allen AAF, NDB–A, Amdt. 1.
Carbondale-Murphysboro, Ill.—Southern Illinois Arpt., NDB Rwy 18, Amdt. 2.
Monroe, La.—Monroe Municipal Arpt., NDB Rwy 4, Amdt. 10.

• • • *effective June 5, 1975.*

Newton, Kans.—Newton City-County Arpt., NDB Rwy 17, Amdt. 3.
Waseca, Minn.—Waseca Municipal Arpt., NDB Rwy 15, Amdt. 2.

• • • *effective May 15, 1975.*

Worcester, Mass.—Worcester Municipal Arpt., NDB Rwy 29, Orig.

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, *effective June 19, 1975.*

Carbondale-Murphysboro, Ill.—Southern Illinois Arpt., ILS Rwy 18, Amdt. 2.
Monroe, La.—Monroe Municipal Arpt., ILS Rwy 4, Amdt. 13.

• • • *effective June 5, 1975.*

Keene, N.H.—Dillant-Hopkins Arpt., ILS Rwy 2, Amdt. 6.

• • • *effective May 1, 1975.*

San Antonio, Tex.—San Antonio Int'l. Arpt., ILS Rwy 30L, Orig.
Syracuse, N.Y.—Syracuse Hancock Int'l. Arpt., ILS Rwy 10, Orig.

• • • *effective April 15, 1975.*

Orlando, Fla.—Herndon Arpt., ILS Rwy 7, Amdt. 11.

5. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, *effective June 5, 1975.*

Cedar Rapids, Iowa—Cedar Rapids Municipal Arpt., RNAV Rwy 13, Amdt. 1.
Cedar Rapids, Iowa—Cedar Rapids Municipal Arpt., RNAV Rwy 31, Amdt. 1.
Clinton, Iowa—Clinton Municipal Arpt., RNAV Rwy 21, Orig.
Newton, Kans.—Newton City-County Arpt., RNAV Rwy 17, Orig.
Newton, Kans.—Newton City-County Arpt., RNAV Rwy 35, Orig.

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1948; 49 U.S.C. 1438, 1354, 1421, 1510; sec. 6(c) Department of Transportation Act, 49 U.S.C. 1655(c) and 5 U.S.C. 552(a)(1)).

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

JAMES M. VINES,
Chief,
Aircraft Programs Division.

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

[FR Doc.75-10842 Filed 4-24-75;8:45 am]

Title 20—Employees' Benefits

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

[Reg. No. 5, further amended]

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED (1965——)

Supplementary Medical Insurance Benefits; Premiums

On April 19, 1974, there was published in the FEDERAL REGISTER (39 FR 13972) a notice of proposed rulemaking with proposed amendments to Subparts B and I, Regulations No. 5. The proposed amendments are required by the following provisions of Pub. L. 92-603: (1) section 201, which extends Medicare coverage to persons under age 65 who have been entitled to a disability benefit for 24 consecutive months; (2) section 202, which permits enrollment for hospital insurance benefits under Part A at a substantial premium by certain uninsured individuals age 65 or older, not otherwise eligible; (3) section 206, which provides for automatic enrollment in the supplementary medical insurance program (SMI) of certain persons who become entitled to hospital insurance; (4) section 260, which requires that any period during which the law previously in effect prevented an individual from enrolling (or reenrolling) should not count against him in determining how much his premium is to be increased for late enrollment (or reenrollment); and (5) section 299I, which extends Medicare coverage to individuals with end-stage renal disease who meet certain eligibility requirements. Interested parties were given the opportunity to submit on or before May 20, 1974, comments, views, or objections in writing with regard to the proposed amendments.

The only comments received were submitted by the Ohio Department of Public Welfare. That Department suggested that the regulations state more clearly which persons can be automatically enrolled in SMI (as referred to in the notice of proposed rulemaking) and which persons can be enrolled for hospital insurance at a substantial premium. The first of these suggested changes has been carried out in § 405.210(b), which deals with "automatic enrollment," by making that term the subsection's heading. The second suggested change which concerns the eligibility requirements for enrolling in premium hospital insurance is being adopted in Regulations No. 5, Subpart A (Hospital Insurance Benefits). These proposed regulations were published in the FEDERAL REGISTER on January 30, 1975 (40 FR 4440) under notice of proposed rulemaking.

Section 405.205 of the regulations contains the requirement that an individual, to be entitled to SMI must be (1) a resident citizen or (2) a resident alien lawfully admitted for permanent residence who has continuously resided in the United States for the 5 years immediately preceding the month he applies for enrollment. These requirements are derived from section 1836 of the Social Security Act. However, the Department of Health, Education, and Welfare has been enjoined from applying section 1836, as written, to certain aliens under the decision of a three-judge Federal Court in *Diaz* v. *Weinberger*, 361 F. Supp. 1 (S.D. Fla., 1973). Under that court's decision, the Department has not been applying the permanent residence and 5-year residency requirements to exclude otherwise eligible aliens. The requirements for aliens were the subject of argument before the United States Supreme Court on January 13, 1975 in *Weinberger* v. *Diaz*. However, the Court did not issue a decision in the case, but rather set it for reargument in the fall term. Accordingly, a footnote has been included in § 405.205 to indicate that that part of the regulation implementing section 1836(2)(B) of the Act will not be applied so long as the Department is subject to the three-judge court's order.

Accordingly, the amendments are adopted with minor editorial changes and the changes noted above.

(Secs. 1102, 1818, 1837, 1838, 1871, 49 Stat. 647, as amended, 86 Stat. 1374, 79 Stat. 304, 305, 331, as amended; 42 U.S.C. 1302, 1395i–2, 1395p, 1395q, 1395hh.)

Effective date: These amendments shall be effective May 27, 1975.

Dated: April 11, 1975.

(Catalog of Federal Domestic Assistance Program No. 13.801, Health Insurance for the Aged—Supplementary Medical Insurance.)

J. B. CARDWELL,
Commissioner of Social Security.

Approved: April 21, 1975.

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

Regulations No. 5 of the Social Security Administration (20 CFR Part 405) are amended as follows:

1. Section 405.205 is revised to read as follows:

§ 405.205 Eligibility requirements for for enrollment.

An individual is eligible for enrollment in the supplementary medical insurance plan (unless excluded under § 405.206) if he either:

(a) Is entitled to hospital insurance under Part A of title XVIII of the Act

(see §§ 405.102–405.106 of this chapter); or

(b) Has attained age 65 and is a resident of the United States *and* is either a citizen, or an alien lawfully admitted for permanent residence who has resided in the United States continuously during the 5 years immediately preceding the month in which he applies for enrollment under the regulations in this part.[1]

2. Section 405.210 is revised to read as follows:

§ 405.210 Individual enrollment; enrollment procedures.

(a) *What constitutes enrollment.* To enroll in the supplementary medical insurance program, an eligible individual (see § 405.205) must:

(1) File with the Administration, during a period of enrollment (see §§ 405.211 through 405.214) open to such individual, a written request for enrollment, signed by him or on his behalf; or

(2) Be deemed to have enrolled in accordance with the provisions of paragraph (b) of this section.

(b) *Automatic enrollment.* Any individual who is eligible to enroll in the supplementary medical insurance plan by reason of entitlement to hospital insurance (see paragraph (a) of § 405.205) and whose initial enrollment period under § 405.212 begins after March 31, 1973, and who is residing in the United States, exclusive of Puerto Rico, shall, unless he timely declines such insurance in accordance with paragraph (c) of this section, be deemed to have enrolled in the supplementary medical insurance plan, pursuant to the following:

(1) He will be deemed to have enrolled for supplementary medical insurance in the third month of his initial enrollment period if:

(i) He was entitled to monthly insurance benefits under sections 202 or 223 of the Act on the first day of his initial enrollment period, or

(ii) He becomes entitled to monthly insurance benefits under section 202, by filing application and meeting all other requirements therefor during the first 3 months of such period, or

(iii) He is entitled to hospital insurance by reason of end-stage renal disease under sections 226 (e) and (f) of the Act.

(2) An individual who is not deemed to have enrolled under paragraph (b)(1) of this section, and who first files application establishing his entitlement to hospital insurance in the last 4 months of his initial enrollment period, will be deemed to have enrolled for supplementary medical insurance in the month in which such application was filed.

(3) An individual who is not deemed to have enrolled under paragraphs (b)(1) or (b)(2) of this section, and who first files application establishing his entitlement to hospital insurance benefits after his initial enrollment period, will be deemed to have enrolled for supplementary medical insurance on the first day of the then current or immediately succeeding general enrollment period, whichever is earlier.

(c) *Opportunity to decline deemed enrollment.* Every person who has not actually requested enrollment but is deemed to have enrolled under paragraph (b) of this section will be given opportunity to decline such deemed enrollment as follows: he will be mailed notice of his deemed enrollment and advised by such notice that he may decline supplementary medical insurance and will be deemed not to have enrolled if he files with the Administration, before his coverage begins or, if later, within a specified period (not less than 2 calendar months) after the month in which such notice is mailed to him, his signed statement that he does not wish such insurance.

3. Section 405.213 is amended by designating the existing material therein as paragraph (a) and adding thereto the following new paragraph:

§ 405.213 Individual enrollment; general enrollment periods.

* * * * *

(b) Notwithstanding the provisions of paragraph (a) of this section and of § 405.214, an individual eligible to enroll for premium hospital insurance under section 1818 of the Act (42 U.S.C. 1395i–2) on or before May 31, 1973, who enrolls for such insurance between December 1, 1972, and August 31, 1973, inclusive, may enroll for supplementary medical insurance at the same time.

4. Section 405.214 is amended by adding thereto a new paragraph (d), as follows:

§ 405.214 Individual enrollment; limitation on enrollment and reenrollment.

* * * * *

(d) *Separate continuous period of eligibility.* Each period throughout which an individual has been entitled to hospital insurance and which terminated before the month he attained age 65 shall be considered to be a separate continuous period of eligibility, and shall be deemed not to have existed for purposes of determining his enrollment rights under this section during a subsequent separate continuous period of eligibility.

5. Section 405.221 is amended by adding thereto a new paragraph (e), as follows:

§ 405.221 Individual enrollment; coverage period beginning date.

* * * * *

(e) *Enrollment between December 1, 1972, and August 31, 1973, inclusive.* An individual who is enrolled for supplementary medical insurance between December 1, 1972, and August 31, 1973, inclusive, pursuant to § 405.213(b) will have supplementary medical insurance coverage beginning on the same date as his premium hospital insurance coverage unless his supplementary medical insurance coverage would begin earlier under paragraph (c) or (d) of this section.

6. Section 405.223 is amended by adding thereto a new paragraph (e), as follows:

§ 405.223 Individual enrollments; State enrollments, manner and time of termination of enrollment and coverage period.

* * * * *

(e) *Termination of hospital insurance before individual attains age 65.* If an enrollee's hospital insurance entitlement terminates before the month in which he attains age 65, his medical insurance coverage period, if it has not previously ended pursuant to paragraph (a) or (b) of this section, will terminate on the same date as his hospital insurance entitlement (see § 405.103(b)).

7. Section 405.902 is amended by revising paragraph (b) to read as follows:

§ 405.902 Amount of premiums.

* * * * *

(b) *Enrollment after initial enrollment period.* In the case of an individual who first enrolls after the close of his initial enrollment period (not including an enrollment under the "good cause" provisions discussed in § 405.224) or reenrolls after termination of his supplementary medical insurance coverage (see § 405.214), the monthly premium, as determined under paragraph (a) of this section will be increased by 10 percent for each full 12 months in the following total (no increase is made for a fractional portion of 12 months):

(1) The number of months which elapsed between the close of his initial enrollment period and the close of the general enrollment period in which he first enrolled plus, in the case of an individual who enrolls for the second time, (2) the number of months which elapsed after the end of his initial period of coverage and the close of the general enrollment period (see § 405.213) in which he thereafter enrolled, but excluding from such total:

(i) The 3 months January through March 1968 for any person who enrolled during the first general enrollment period, October 1967 through March 1968; or

(ii) Any months prior to January 1973 during which he was precluded from enrolling or reenrolling by the 3-year limitation on enrollment or reenrollment which was in effect until the enactment of section 260 of the Social Security Amendments of 1972, Public Law 92–603; or

[1] Section 1836(2)(B) of the Social Security Act provides that an otherwise eligible alien may enroll for supplementary medical insurance if he has been lawfully admitted for permanent residence in the United States and has continuously resided in the United States for the 5 years immediately preceding the month he applies for enrollment. The Department of Health, Education, and Welfare has been enjoined by a three-judge court in *Diaz v. Weinberger*, 361 F. Supp. 1 (S.D. Fla., 1973) from applying these requirements. Pending a decision of the United States Supreme Court on appeal in this case, the Department will continue to follow the order of the three-judge court.

(iii) Any months in or before a period of coverage under a Federal-State agreement (see §§ 405.222(d) and 405.904(d)); or

(iv) In the case of an individual under age 65, any month prior to his current continuous period of entitlement to hospital insurance and in the case of an individual age 65 or older, any month before the month he attained age 65 (see § 405.214(d)).

• • • • •

Example 4: X attained age 65 in August 1966 and enrolled during his initial enrollment period. His coverage was terminated effective June 30, 1968, for nonpayment of premiums. He reenrolls in March 1973. For purposes of computing any applicable premium increase, he will not be charged any months after March 1971 (the end of the last general enrollment period during which he was eligible to reenroll under the law in effect prior to October 30, 1972) through December 1972. Therefore, he will be charged 36 months (July 1968–March 1971 plus January 1973–March 1973) and his premiums for his second period of coverage will be increased 30 percent.

• • • • •

[FR Doc.75-10879 Filed 4-24-75;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

PART 9—COLOR CERTIFICATION

D&C Green No. 6

The Commissioner of Food and Drugs, having evaluated the data in a petition (2C0104) filed by Davis & Geck Division, American Cyanamid Co., Pearl River, NY 10965, and other relevant material, concludes that D&C Green No. 6 is safe under the conditions prescribed in this order for use as a dyeing agent for polyglycolic acid surgical sutures for use in general and ophthalmic surgery, and that certification is necessary for the protection of the public health. Accordingly, by order below, the Commissioner amends the color additive listing for D&C Green No. 6 in § 8.4070 (21 CFR 8.4070) to provide for such use.

D&C Green No. 6 is currently listed in § 8.4070 for use in coloring polyethylene terephthalate surgical sutures. The Commissioner concludes that, in order to assure the safety of such use, it should be restricted to sutures complying with United States Pharmacopeia (U.S.P.) standards. Accordingly, the listing for use in polyethylene terephthalate surgical sutures is amended by the order below to restrict such use to U.S.P. sutures. This is consistent with the new listing for use of the color in polyglycolic acid surgical sutures, which is likewise restricted to use in U.S.P. sutures, and indeed is consistent with the color additive petition which led to the current version of § 8.4070, which proposed the use of the color in Dacron (polyethylene terephthalate) surgical sutures, U.S.P. The Commissioner is unaware of any polyethylene terephthalate surgical sutures colored with D&C Green No. 6 which do not meet the requirements of the U.S.P.

In considering this matter, it has come to the Commissioner's attention that the Food and Drug Administration regulations governing the use of D&C Green No. 6 are not entirely uniform in stating the identity and specifications for certification of the color. Accordingly, in order to achieve uniformity, by order below the Commissioner is also amending § 9.104 (21 CFR 9.104), which states the identity and specifications for certification of D&C Green No. 6 for use in D&C Lakes (21 CFR 9.280), so as to incorporate by reference the identity and specifications of § 8.4070. The identity terminology formerly employed by § 9.104 has become obsolete, and the specifications incorporated from § 8.4070 are more appropriate to assure safe use of the color. The provisional listing for the color, in § 8.501(b) (21 CFR 8.501(b)), is amended to cross reference § 8.4070 rather than § 9.104; however, the latter regulation, as amended, is continued in effect because of its incorporation in the regulation governing D&C Lakes (21 CFR 9.280).

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c), and (d), 74 Stat. 399–403 as amended; 21 U.S.C. 376 (b), (c), and (d)) and the transitional provisions accompanying the Color Additive Amendments of 1960 (sec. 203, 74 Stat. 404–407, 21 U.S.C. 376 note) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 8 and 9 are amended as follows:

1. Part 8 is amended:

§ 8.501 [Amended]

a. In Subpart—Provisional Regulations by amending the table in § 8.501(b) by revising the parenthetical phrase "(§ 9.104 of this chapter)" after the entry for D&C Green No. 6 to read "(§ 8.4070(a), (b) of this chapter)".

b. In Subpart E by revising paragraph (c) in § 8.4070 to read as follows:

§ 8.4070 D&C Green No. 6.

• • • • •

(c) *Uses and restrictions.* (1) D&C Green No. 6 may be safely used at a level, (i) not to exceed 0.75 percent by weight of the suture material for coloring polyethylene terephthalate surgical sutures, including sutures for ophthalmic use; and (ii) not to exceed 0.1 percent by weight of the suture material for coloring polyglycolic acid surgical sutures, including sutures for ophthalmic use.

(2) The dyed suture shall conform in all respects to the requirements of the U.S.P.

(3) When the sutures are used for the purposes specified in their labeling, the color additive does not migrate to the surrounding tissue.

(4) If the suture is a new drug, an approved new drug application, pursuant to section 505 of the act, is in effect for it.

• • • • •

2. Part 9 is amended in Subpart C by revising § 9.104 to read as follows:

§ 9.104 D&C Green No. 6.

The color additive D&C Green No. 6 shall conform in identity and specifications to the requirements of § 8.4070 (a) and (b) of this chapter.

Any person who will be adversely affected by the foregoing order may at any time on or before May 27, 1975 file with the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective May 28, 1975, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be given by publication in the FEDERAL REGISTER.

(Sec. 706 (b), (c), (d), Pub. L. 717, 74 Stat. 399–403 (21 U.S.C. 376 (b), (c), (d)); sec. 203 of Title II, Pub. L. 86–618, 74 Stat. 404–407 (21 U.S.C. 376 note))

Dated: April 17, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.75-10827 Filed 4-24-75;8:45 am]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

[FRL 364-2; FAP5H5077/R6]

PART 123—TOLERANCES FOR PESTICIDES IN FOOD ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

Subpart A—Food Additives Permitted in Food for Human Consumption

DIMETHYL PHOSPHATE OF 3-HYDROXY-*N*-METHYL-*CIS*-CROTONAMIDE

On March 28, 1975, notice was given (40 FR 14117) that Shell Chemical Co., 1025 Connecticut Ave., NW, Washington DC 20036, had filed a food additive petition (FAP 5H5077) with the Environmental Protection Agency (EPA). This petition proposed establishment of a food additive tolerance for residues of the insecticide dimethyl phosphate of 3-hydroxy-*N*-methyl-*cis*-crotonamide in concentrated tomato products at 2 parts per million resulting from the application of the insecticide to the raw agricultural commodity tomatoes. (A related document concerning the establishment of a

pesticide tolerance also appears in today's FEDERAL REGISTER.)

The data submitted in the petition and other relevant material have been evaluated. It is concluded that the tolerance should be established.

Any person adversely affected by this regulation may, on or before May 27, 1975, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M Street, SW., East Tower, Room 1019, Washington, DC 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulations 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 April 25, 1975, Part 123, Subpart A, is amended by adding § 123.151 as set forth below.

(Sec. 409(c) (1) & (4), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(c) (1) & (4)), transferred to the Administrator EPA in Reorganization Plan No. 3 of 1970 (35 FR 15623))

Dated: April 18, 1975.

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

§ 123.151 Dimethyl phosphate of 3-hydroxy-N-methyl-ciscrotonamide.

A tolerance of 2 parts per million is established for residues of the insecticide dimethyl phosphate of 3-hydroxy-*N*-methyl-*cis*-crotonamide in concentrated tomato products when present therein as a result of application of the insecticide to growing tomatoes.

[FR Doc.75-10808 Filed 4-24-75;8:45 am]

SUBCHAPTER E—ANIMAL DRUGS, FEEDS AND RELATED PRODUCTS

PART 558——NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Tylosin

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (96-780V) filed by Dean's Specialty Supply Co., Waseca, MN 56093 proposing safe and effective use of an additional tylosin premix in the manufacture of swine feed. The supplemental application is approved.

The Commissioner is amending Part 558 (formerly Part 135e, prior to recodification published in the FEDERAL REGISTER of March 27, 1975 (40 FR 13802)) to reflect the approval as set forth below. This amendment shall become effective April 25, 1975.

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 558 is amended in § 558.625 (formerly § 135e.10) by revising paragraph (b) (16) to read as follows:

§ 558.625 Tylosin.

* * * * *

(b) * * *

(16) To 024817: 5 and 10 grams per pound, paragraph (f) (1) (vi) (*a*) of this section.

* * * * *

Effective date. This order shall be effective on April 25, 1975.

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

Dated: April 18, 1975.

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

[FR Doc.75-10828 Filed 4-24-75;8:45 am]

Title 40—Protection of the Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[FRL 366-1]

PART 50—NATIONAL PRIMARY AND SECONDARY AMBIENT AIR QUALITY STANDARDS

PART 51—REQUIREMENTS FOR PREPARATION, ADOPTION AND SUBMITTAL OF IMPLEMENTATION PLANS

PART 53—AMBIENT AIR MONITORING REFERENCE AND EQUIVALENT METHODS

Corrections

In FR Doc. 75-3819 and FR Doc. 75-3820 appearing at pages 7042 and 7044 in the FEDERAL REGISTER of Tuesday, February 18, 1975, the following changes should be made:

A. The preamble to FR Doc. 75-3819 is corrected as follows:

1. On page 7042, the twentieth line of the second paragraph of the section entitled "Exceptions permitting continued use of existing methods" is corrected to read as follows: "Similar analyzers. Other comments con-".

2. On page 7043, the last sentence of the paragraph entitled "Designation of existing analyzers as reference or equivalent methods" is corrected to read as follows: "State and local agencies using analyzers identical to one designated as a reference or equivalent method under Part 53 may consider them covered by the designation, provided that the analyzers have not been modified".

B. FR Doc. 75-3820 is corrected as follows:

3. On page 7046, the fifteenth and sixteenth lines of the third paragraph of the section entitled "(3) *Public participation in cancellation proceedings and notice of certain action*" are corrected to read as follows: "will enable prospective purchasers to determine with relative ease whether".

4. On page 7050, the first sentence of footnote 1 of § 53.4 should be corrected by adding the designation, "(EPA 450/3-74-038)", immediately following the words, "in the EPA report", and immediately before the words, "Guideline Specifications".

5. On page 7050, the second sentence of footnote 1 of § 53.4 should be corrected by adding the designation, "(EPA 450/3-74-039)", immediately following the words, "report and titled", and immediately before the words, "Fully Proceduralized Instruction".

6. On page 7052, the first line of paragraph (d) of § 53.14 should be corrected by adding the word, "An", immediately before the words, "applicant who has received".

7. On page 7052, the seventh line of paragraph (c) of § 53.20 is corrected by adding the words, "or outside", immediately after the words, "a value higher than", and immediately before the words, "that specified constitutes".

8. On page 7052, the second word of the title of Table B-1 of § 53.20 is corrected to read: "SPECIFICATIONS".

9. On page 7052, the second word of the performance parameter of line 4 of Table B-1 of § 53.20 is corrected to read: "Equivalent".

10. On page 7052, item 6 in Table B-1 of § 53.20 is corrected to read:

6. Span drift, 24 hours:					
20 percent of upper range limit	Percent	±20.0	±20.0	±10.0	§ 53.23(c).
80 percent of upper range limit	do	±5.0	±5.0	±2.5	§ 53.23(c).

NOTE—The nominal range is specified at the lower and upper range limits in concentration units, for example, 0–0.5 p/m.

11. On page 7053, the footnote designation of the entry under the Generation column opposite Hydrogen chloride test gas in Table B-2 of § 53.22 is corrected to read: "Cylinder[1]".

12. On page 7053, the second line of the entry under the Generation column opposite Nitric oxide test gas in Table B-2 of § 53.22 is corrected by deleting the period immediately after the symbols, "100 p/m", and immediately before the symbol, "NO".

13. On page 7053, the second author of Reference 2 of Table B-2 of § 53.22 is corrected to read: "Rosenberg, E.".

14. On page 7054, the fifth line of § 53.22(f) is corrected by adding a comma immediately after the word, "spirometer", and immediately before the words, "bubble meter".

15. On page 7054, the note following § 53.23(a) is corrected to read as follows:

16. On page 7054, the units symbol, "(ppm)", in the second line of § 53.23(b) (2) (iv) is corrected to read: "(p/m)".

17. On page 7054, the equation in § 53.23(b) (v) is corrected to read:

$$S=\sqrt{\frac{\sum_{i=1}^{25}(r_i)^2-\frac{1}{25}\left(\sum_{i=1}^{25}r_i\right)^2}{24}}\ (p/m)$$

18. On page 7054, the symbol, "$2\times S_o$", in the sixth line of § 53.23(c) (2) (iv) is corrected to read: "$2S_o$".

19. On page 7054, the designation, "footnote (c)", in the twenty-fifth line of § 53.23(d) (2) is corrected to read: "footnote (3)".

20. On page 7054, the twelfth item under the Analyzer type column opposite the pollutant, "CO", in Table B-3 of

§ 53.23(d) is corrected to read: "Gas chromatography with flame ionization detector".

21. On page 7054, the footnote designations, "(5)," of the fourteenth, fifteenth and sixteenth items under the column titled, "Carbon monoxide" and opposite the Pollutant, "CO", in Table B–3 of § 53.23(d) is corrected to read: "(4)."

22. On page 7055, the designation, "footnote (c)", in the third line of § 53.23 (d)(2)(xi) is corrected to read: "footnote (3)".

23. On page 7055, the equation in the first line of § 53.23(d)(2)(xi)(C) is corrected to read "$IE=R_1-R$".

24. On page 7055, the second word, "interferences", of the second line of § 53.23(d)(2)(xii) is corrected to read: "interference".

25. On page 7055, § 53.23(e)(7) is corrected by adding the following note immediately after the end of the section:

NOTE—If necessary, the beginning of the test days succeeding such maintenance or adjustment may be delayed as necessary to complete the service or adjustment operation.

26. On page 7056, the first entry, "zero gas", under the column heading, "Pollutant concentration", of § 53.23(e)(9)(i) is corrected to read: "zero air".

27. On page 7056, § 53.23(e)(9)(i) is corrected by deleting in its entirety the note immediately following the words, "from day to day.", at the end of this section and immediately preceding Table B–4.

28. On page 7056, the first line of § 53.23(e)(9)(vi) is corrected to read: "Measure test atmosphere A_{20}."

29. On page 7056, the point designated as, "$P_{20}-0.95\ (P_{20}-L_{20})$", in Figure B–1 of § 53.23(e)(8) is corrected to read: "$P_{20}-0.05\ (P_{20}-L_{20})$".

30. On page 7057, § 53.23(e)(9)(x) is corrected to read as follows:

(x) After the 12-hour zero drift test (step ix), sample test atmosphere A_0. A stable reading is not required.

31. On page 7057, the reduced type size of § 53.23(e)(9)(xix) through § 53.23(e)(9)(xxxii) has no significance.

32. On page 7057, § 53.23(e)(10)(i)(A) is corrected to read as follows:

(i) *Zero Drift.* (A) 12-hour. Examine the strip chart pertaining to the 12-hour continuous zero air test. Determine the minimum (Cmin.) and maximum (Cmax.) readings (in p/m) during this period of 12 consecutive hours, extrapolating the calibration curve to negative concentration units if necessary. Determine the 12-hour zero drift (12ZD) as $12ZD=C_{max.}-C_{min.}$ (See Figure B–5 in Appendix A.)

33. On page 7057, in § 53.23(e)(10)(ii)(A) the symbol, "i", immediately following the words, "the *n*-th test day, and", and immediately preceding the words, "indicates the *i*-th reading", is corrected to read as follows: "*i*".

34. On page 7057, § 53.23(e)(10)(ii)(C) is corrected to read as follows:

(C) Both USD and MSD must be equal to or less than the respective specifications given in Table B–1 to pass the test for span drift.

35. On page 7057, the words, "95 percent", in the first and sixth lines of § 53.23(e)(10)(C)(v) are corrected to read as follows: "five percent".

36. On page 7061, the tenth line of § 53.30(c) is corrected to read as follows: "these specified ranges. However, at all".

37. On page 7061, the twelfth line of § 53.31(b) is corrected by deleting the word, "and", immediately after the words, "or less," and immediately preceding the words, "a deadband of not more".

38. On page 7062, the column headings of Table C–1 of § 53.32 titled, "concentration range" and "Maximum discrepancy specifications", are corrected to read as follows: "Concentration range, p/m" and "Maximum discrepancy specifications, p/m".

39. On page 7062, the entry, "0.40–0.50" for the high range of sulfur dioxide in Table C–1 of § 53.32 is corrected to read as follows: "High 0.30–0.50".

Dated: April 22, 1975.

WILSON K. TALLEY,
Assistant Administrator for Research and Development.

[FR Doc.75-10896 Filed 4-24-75;8:45 am]

[FRL 364-7]

SUBCHAPTER C—AIR PROGRAMS

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Delegation of Authority to State of Washington

Pursuant to the delegation of authority for the standards of performance for new stationary sources (NSPS) to the State of Washington on February 28, 1975, EPA is today amending 40 CFR 60.4 *Address.* A notice announcing this delegation was published on April 1, 1975 (40 FR 14632). The amended § 60.4 is set forth below.

The Administrator finds good cause for making this rulemaking effective immediately as the change is an administrative change and not one of substantive content. It imposes no additional substantive burdens on the parties affected.

This rulemaking is effective immediately, and is issued under the authority of section 111 of the Clean Air Act, as amended. 42 U.S.C. 1857c–6.

Dated: April 2, 1975.

ROGER STRELOW,
Assistant Administrator for Air and Waste Management.

Part 60 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart A—General Provisions

1. Section 60.4 is revised to read as follows:

§ 60.4 Address.

(a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate and addressed to the appropriate Regional Office of the Environmental Protection Agency, to the attention of the Director, Enforcement Division. The regional offices are as follows:

Region I (Connecticut, Maine, New Hampshire, Massachusetts, Rhode Island, Vermont), John F. Kennedy Federal Building, Boston, Massachusetts 02203.

Region II (New York, New Jersey, Puerto Rico, Virgin Islands), Federal Office Building, 26 Federal Plaza (Foley Square), New York, N.Y. 10007.

Region III (Delaware, District of Columbia, Pennsylvania, Maryland, Virginia, West Virginia), Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106.

Region IV (Alabama, Florida, Georgia, Mississippi, Kentucky, North Carolina, South Carolina, Tennessee), Suite 300, 1421 Peachtree Street, Atlanta, Georgia 30309.

Region V (Illinois, Indiana, Minnesota, Michigan, Ohio, Wisconsin), 1 North Wacker Drive, Chicago, Illinois 60606.

Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, Texas), 1600 Patterson Street, Dallas, Texas 75201.

Region VII (Iowa, Kansas, Missouri, Nebraska), 1735 Baltimore Street, Kansas City, Missouri 63108.

Region VIII (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming), 196 Lincoln Towers, 1860 Lincoln Street, Denver, Colorado 80203.

Region IX (Arizona, California, Hawaii, Nevada, Guam, American Samoa), 100 California Street, San Francisco, California 94111.

Region X (Washington, Oregon, Idaho, Alaska), 1200 Sixth Avenue, Seattle, Washington 98101.

(b) Section 111(c) directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards of performance for new stationary sources located in such State. All information required to be submitted to EPA under paragraph (a) of this section, must also be submitted to the appropriate State Agency of any State to which this authority has been delegated (provided, that each specific delegation may except sources from a certain Federal or State reporting requirement). The appropriate mailing address for those States whose delegation request has been approved is as follows:

(A)–(Z) [reserved].
(AA)–(VV) [reserved].
WW–Washington: State of Washington, Department of Ecology, Olympia, Washington 98504.
(XX)–(ZZ) [reserved].
(AAA)–(DDD) [reserved].

[FR Doc.75-10797 Filed 4-24-75;8:45 am]

[FRL 364-8]

PART 61—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Delegation of Authority to State of Washington

Pursuant to the delegation of authority for the national emission standards for

hazardous air pollutants (NESHAPS) to the State of Washington on February 28, 1975, EPA is today amending 40 CFR 61.04 *Address*. A Notice announcing this delegation was published on April 1, 1975 (40 FR 14632). The amended § 61.04 is set forth below.

The Administrator finds good cause for making this rulemaking effective immediately as the change is an administrative change and not one of substantive content. It imposes no additional substantive burdens on the parties affected.

This rulemaking is effective immediately, and is issued under the authority of section 112 of the Clean Air Act, as amended. 42 U.S.C. 1857c-7.

Dated April 21, 1975.

ROGER STRELOW,
Assistant Administrator for Air and Waste Management.

Part 61 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart A—General Provisions

1. Section 61.04 is revised to read as follows:

§ 61.04 Address.

(a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate and addressed to the appropriate Regional Office of the Environmental Protection Agency, to the attention of the Director, Enforcement Division. The regional offices are as follows:

Region I (Connecticut, Maine, New Hampshire, Massachusetts, Rhode Island, Vermont), John F. Kennedy Federal Building, Boston, Massachusetts 02203.

Region II (New York, New Jersey, Puerto Rico, Virgin Islands), Federal Office Building, 26 Federal Plaza (Foley Square), New York, N.Y. 10007.

Region III (Delaware, District of Columbia, Pennsylvania, Maryland, Virginia, West Virginia), Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106.

Region IV (Alabama, Florida, Georgia, Mississippi, Kentucky, North Carolina, South Carolina, Tennessee), Suite 300, 1421 Peachtree Street, Atlanta, Georgia 30309.

Region V (Illinois, Indiana, Minnesota, Michigan, Ohio, Wisconsin), 1 North Wacker Drive, Chicago, Illinois 60606.

Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, Texas), 1600 Patterson Street, Dallas, Texas 75201.

Region VII (Iowa, Kansas, Missouri, Nebraska), 1735 Baltimore Street, Kansas City, Missouri 63108.

Region VIII (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming), 196 Lincoln Towers, 1860 Lincoln Street, Denver, Colorado 80203.

Region IX (Arizona, California, Hawaii, Nevada, Guam, American Samoa), 100 California Street, San Francisco, California 94111.

Region X (Washington, Oregon, Idaho, Alaska), 1200 Sixth Avenue, Seattle, Washington 98101.

(b) Section 112(d) directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce the national emission standards for hazardous air pollutants for stationary sources located in such State. All information required to be submitted to EPA under paragraph (a) of this section, must also be submitted to the appropriate State Agency of any State to which this authority has been delegated (provided, that each specific delegation may exempt sources from a certain federal or State reporting requirement). The appropriate mailing address for those States whose delegation request has been approved is as follows:

(A)–(Z) [reserved].
(AA)–(VV) [reserved].
WW–Washington; State of Washington, Department of Ecology, Olympia, Washington 98504.
(XX)–(ZZ) [reserved].
(AAA)–(DDD) [reserved].

[FR Doc.75-10798 Filed 4-24-75;8:45 am]

SUBCHAPTER D—WATER PROGRAMS

[FRL 356-7]

PART 120—WATER QUALITY STANDARDS

Navigable Waters of the State of Idaho

The purpose of this notice is to amend 40 CFR Part 120 to establish revised water quality standards for the State of Idaho pursuant to section 303(a) and (c) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, 1313; 86 Stat. 816 *et seq.*; Pub. L. 92-500 (the Act)).

Section 303(a) requires that a State adopt water quality standards for interstate and intrastate waters and submit such standards to the Administrator for approval. The Administrator shall approve such standards if he determines that such standards meet the applicable requirements of the Act.

EPA approval of the State of Idaho's water quality standards established pursuant to section 303(a) was given on August 26, 1973. However, public notice of the approval and the title of the document containing those standards has not yet appeared in the FEDERAL REGISTER. The first purpose of this notice is to reference these approved standards. The second purpose is to give notice of EPA approval of a recent revision of the Idaho water quality standards.

Authority for revising water quality standards is derived from section 303(c) of the Act. Section 303(c) also requires that the State submit any revised or new water quality standard to the Administrator for approval. The Administrator, shall approve the standard if he determines that such standard meets the requirements of the Act. Notice of approval is then published in the FEDERAL REGISTER, along with the text or reference to the document in which the revision or new water quality standard is contained.

On July 11, 1974, the State of Idaho amended their water quality standards for dissolved oxygen for the segment of the Snake River from American Falls Dam downstream to Lake Walcott from 90 percent of saturation or 6 mg/l, whichever is greater, to 6 mg/l. The action was taken by the State in response to a petition from the American Falls Reservoir District, following notice to the public and a public hearing held on May 29, 1974. The District proposes to rebuild an existing dam that is in an advanced state of structural failure. Low dissolved oxygen water released from the existing reservoir is presently naturally partially reaerated to near 90 percent of saturation during most of the year by the design features of the existing project. At times the minimum dissolved oxygen reaches 6 mg/l. This is sufficient to maintain the existing intensive trout sport fishery immediately below the dam and in the stream reach downstream. There is no evidence that trout spawning occurs in this area presently but recruitment comes from the reservoir.

The replacement dam project will alter the existing design features and natural reaeration will not occur. To compensate, the American Fals Reservoir District has proposed to supplement the low oxygen in released waters by adding oxygen that will be trucked to the project. During periods when the oxygen in released water would be below 6 mg/1, they would add oxygen to maintain this minimum level. The period of time of minimum oxygen will be lengthened somewhat from present conditions, but the trout sport fishery would continue to flourish and would be partially supported by releases of hatchery fish that are provided for in project mitigation.

Farming is the principal industry of the State of Idaho and particularly of the area served by the American Falls Reservoir. The economy of the region is highly dependent on irrigation water supplied by this reservoir. To add additional oxygen to maintain the higher 90% level would impose an unnecessary economic burden on the local economy.

Prior to the 1973 amendments to the Idaho water quality standards the dissolved oxygen general standard was 75 percent of saturation and 100 percent of saturation in spawning areas during spawning, hatching and fry stages of salmonid fishes. The 75 percent figure is approximately 6 mg/1 for that elevation and for the average temperature in the summertime. The 1973 revisions made a statewide general dissolved oxygen requirement of 6 mg/1 or 90 percent saturation, whichever is greater.

The basis for this action was the State's antidegradation policy which is incorporated in their water quality standards. The policy does allow lowering of the quality of waters if it is affirmatively demonstrated to the Idaho Department of Health and the Environmental Protection Agency that such change is justifiable as a result of necessary economic or social development and will not interfere with or become injurious to any assigned uses made of, or presently possible in, such waters.

It has been determined by EPA that there is a social and economic need for this modification of the dissolved oxygen standards in the Snake and that it will have no significant effect on the trout fishery or any other present or potential uses of that stream. Therefore the revision meets the requirements of the Act,

and EPA approves this revision of dissolved oxygen standards for the State of Idaho. However, because the standards revision is necessitated by the proposed dam construction, approval is contingent upon completion and operation of the project. This notice sets forth the water quality standards for the State of Idaho established pursuant to 303(a) and amended pursuant to 303(c), and will become effective immediately upon publication.

A copy of the standards may be found at EPA Headquarters, Room 805, East Tower, 401 M Street, SW., Washington, D.C. 20460 and at Region X, EPA, 1200 Sixth Avenue, Park Place Building, Seattle, Washington 98101.

§ 120.10 [Amended]

In consideration of the foregoing, § 120.10 of 40 CFR Part 120 is amended by deleting the paragraph entitled "Idaho," and a new § 120.115 is added to read as set forth below.

§ 120.115 Idaho.

Water quality standards for the State of Idaho are those established on June 28, 1973 and approved by the EPA August 28, 1973 for the navigable waters subject to its jurisdiction and which are contained in the document entitled "Water Quality Standards and Wastewater Treatment Requirements" except as qualified below:

The DO Standard shall apply to all flowing waterways with the exception of that segment of the Snake River between American Falls Dam and the backwaters of Lake Walcott. In that segment no wastewaters shall be discharged and/or no activity shall be conducted which, either alone or in combination with other wastewaters or activities, will cause the dissolved oxygen concentration to be less than 6 mg/l; the requirement for a DO concentration of 90 percent of saturation shall not apply to that segment.

This exception applies only if the proposed American Falls Dam Project is completed and begins operation upon completion. Furthermore, the exception becomes effective upon successful completion of the project.

(Sec. 303, Federal Water Pollution Control Act, as amended; 33 U.S.C. 1313; 86 Stat. 816 et seq.; Pub. L. 92-500)

Dated: April 17, 1975.

JOHN QUARLES,
Acting Administrator.

[FR Doc.75-10795 Filed 4-24-75;8:45 am]

SUBCHAPTER E—PESTICIDE PROGRAMS

[FRL 364-1; PP4F1515/R24]

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

Dimethyl Phosphate of 3-Hydroxy-N-Methyl-Cis-Crotonamide

On July 15, 1974, notice was given (39 FR 25973) that Shell Chemical Co., 1025 Connecticut Ave., NW, Washington, DC 20036, had filed a pesticide petition (PP 4F1515) with the Environmental Protection Agency. This petition proposed the establishment of a tolerance for residues of the insecticide dimethyl phosphate of 3-hydroxy-*N*-methyl-*cis*-crotonamide in or on the raw agricultural commodity tomatoes at 0.5 part per million. (A related document concerning the establishment of a food additive tolerance also appears in today's FEDERAL REGISTER.)

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 and § 180.6(a)(3) applies. It is concluded that the tolerance established by amending § 180.296 will protect the public health.

Any person adversely affected by this regulation may, on or before May 27, 1975, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M Street, SW, East Tower, Room 1019, Washington, DC 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 25, 1975, Part 180, Subpart C, is amended by amending § 180.296 as follows.

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

Dated: April 18, 1975.

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

Section 180.296 is amended by revising the paragraph "0.5 part per million * * *" to read as follows.

§ 180.296 Dimethyl phosphate of 3-hydroxy-*N*-methyl-*cis*-crotonamide; tolerances for residues.

* * * * *

0.5 part per million in or on peanut hulls and tomatoes.

* * * * *

[FR Doc.75-10788 Filed 4-24-75;8:45 am]

[FRL 365-5; PP5F1524/R23]

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

Ethephon

On August 15, 1974, notice was given (39 FR 29417) that Amchem Products, Inc., Brookside Ave., Ambler PA 19002, had filed a petition (PP 5F1524) for pesticide tolerances with the Environmental Protection Agency (EPA). This petition proposed establishment of tolerances for residues of the plant regulator ethephon ((2-chloroethyl)phosphonic acid) in or on the raw agricultural commodities blackberries and peppers at 30 parts per million (ppm); blueberries at 20 ppm; grapes and lemons at 5 ppm; and tangerines and tangerine hybrids at 2 ppm.

Amchem Products, Inc., subsequently amended the petition by withdrawing the proposed tolerance for residues in or on grapes and by decreasing the proposed tolerances for residues in or on lemons from 5 to 2 ppm and tangerines and tangerine hybrids from 2 to 0.5 ppm.

The data submitted in the petition and other relevant material have been evaluated. The plant regulator is considered useful for the purpose for which tolerances are sought. The proposed tolerances are adequate to cover residues in or on the above raw agricultural commodities, and they will protect the public health. Furthermore, there is no reasonable expectation of residues in eggs, meat, milk, or poultry as delineated in § 180.6(a)(3). Therefore, it is concluded that the tolerance should be established as set forth below.

Any persons adversely affected by this regulation may, on or before May 27, 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 25, 1975, Part 180, Subpart C, is amended by amending § 180.300 as set forth below.

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

Dated: April 18, 1975.

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

Part 180, Subpart C, § 180.300, is amended by adding the new paragraphs "30 parts per million * * *" and "20 parts per million * * *" after the introductory paragraph and by revising the paragraphs "2 parts per million * * *" and "0.5 part per million * * *" as follows:

§ 180.300 Ethephon; tolerances for residues.

* * * * *

30 parts per million in or on blackberries and peppers.

20 parts per million in or on blueberries.

* * * * *

2 parts per million in or on cantaloupes, pineapples, lemons, and tomatoes.

* * * * *

0.5 part per million in or on filberts, tangerines, and tangerine hybrids and walnuts.

* * * * *

[FR Doc.75-10787 Filed 4-24-75;8:45 am]

[FRL 364–5; OPP–262819]

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

Methazole; Correction

In FR Doc. 75–8304 appearing on page 14083 in the issue for Friday, March 28, 1975, § 180.357 of Subpart C, should be corrected to read as follows:

§ 180.357 Methazole, tolerances for residues.

A tolerance is established for combined negligible residues of the herbicide methazole (2-(3,4-dichlorophenyl)-4-methyl-1,2,4-oxadiazolidine-3,5-dione) and its metabolites 1-(3,4-dichlorophenyl)-3-methylurea (DCPMU) and 3,4-dichlorophenylurea (DCPU) in or on cottonseed at 0.1 part per million.

Dated: April 18, 1975.

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

[FR Doc.75–10790 Filed 4–24–75;8:45 am]

[FRL 364–3; PP4F1431/R22]

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

Butralin

On October 26, 1973, notice was given (38 FR 29645) that Amchem Products, Inc., Brookside Ave., Ambler, PA 19002, had filed a petition (PP 4F1431) with the Environmental Protection Agency (EPA). This petition proposed establishment of a tolerance for negligible residues of the herbicide butralin (formerly named dibutralin (N-sec-butyl-4-tert-2,6-dinitroaniline)) in or on cottonseed and soybeans at 0.1 part per million. Amchem subsequently amended the petition to propose a tolerance for negligible residues of butralin in or on soybean forage at 0.1 part per million as well.

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, and § 180.6(a)(3) applies. The tolerance as established will protect the public health.

Any person adversely affected by this regulation may, on or before May 27, 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 25, 1975, Part 180, Subpart C, is amended by adding § 180.358 to read as set forth below.

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

Dated: April 18, 1975.

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

§ 180.358 Butralin, tolerances for residues.

Tolerances are established for negligible residues of the herbicide butralin (4-(1,1-dimethylethyl)-N-(1-methylpropyl)-2,6-dinitrobenzenamine) in or on cottonseed, soybeans, and soybean forage at 0.1 part per million.

[FR Doc.75–10789 Filed 4–24–75;8:45 am]

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 363–1]

PART 427—ASBESTOS MANUFACTURING POINT SOURCE CATEGORY

Corrections

In FR Doc. 75–268 appearing on pages 1876 through 1878 in the isue of January 9, 1975, make the following changes:

1. On page 1876, paragraph (b) of § 427.82 is corrected in the eighth line of that paragraph by adding the word "process" immediately following the word "of" and immediately before the word "waste."

2. On page 1876, § 427.83 is corrected in the eighth line of that section by adding the word "process" immediately following the word "of" and immediately before the word "waste."

3. On page 1876, § 427.85 is corrected in the sixth line of that section by adding the word "process" immediately following the word "of" and immediately before the word "waste."

4. On page 1877, paragraph (b) of § 427.102 is corrected in the eighth line of that paragraph by adding the word "process" immediately following the word "of" and immediately before the word "waste."

5. On page 1877, § 427.103 is corrected in the eighth line of that section by adding the word "process" immediately following the word "of" and immediately before the word "waste."

6. On page 1877, § 427.106 is corrected in the sixth line of that section by adding the word "process" immediately following the word "of" and immediately before the word "waste."

7. On page 1878, the heading of the English units portion of the table appearing in § 427.112(b) now reads "(English units) lbs/MM std in ft of airs crubbed"; the heading should read: "(English units) lbs/MM std cu ft of air scrubbed."

8. On page 1878, § 427.115 is corrected in the sixth line of that section by adding the word "process" immediately following the word "of" and immediately before the word "waste."

Dated: April 14, 1975.

CHARLES L. ELKINS,
Acting Assistant Administrator for Water and Hazardous Materials.

[FR Doc.75–10793 Filed 4–24–75;8:45 am]

[FRL 362–6]

PART 428—RUBBER PROCESSING POINT SOURCE CATEGORY

Tire and Synthetic Segment

On February 19, 1975, there was published in the FEDERAL REGISTER (40 FR 7109) a notice of proposed rulemaking setting forth certain amendments to the effluent limitations and guidelines for existing sources and standards of performance and pretreatment standards for new sources for the tire and synthetic segment of the rubber processing point source category. Interested persons were given the opportunity to submit, not later than March 21, 1975, written comments and data concerning the proposed amendments.

One comment was received which stated that the 1959 date used to distinguish between older and newer tire and inner tube plants is arbitrary and not based on facts and that the date of October 18, 1972 would be more realistic.

The cutoff date of 1959 was established to differentiate between older and newer tire and inner tube plants. The date is based upon analysis of the information gathered during the development phase of the effluent limitations guidelines study for this industry subcategory. The Agency and its contractor obtained and considered information from the literature, industry permit applications, plant inspections and industry and trade association sources.

The 1959 cutoff date was included in the proposed regulations for this industry subcategory on October 11, 1973, FR 28224. No comments in opposition to the use of the date of 1959 were received as a result of the Agency's request for comments.

Based on this information the Agency concludes that a 1959 cutoff date is appropriate and provides a reasonable basis for distinguishing between older and newer plants in the subcategory.

The Agency recognizes that there are instances in which a specific plant may have fundamentally different factors from those used in establishing effluent limitations and guidelines for an industry subcategory. Provisions have been made in § 428.12 to account for such fundamentally different factors.

No other comments in objection have been received, and the proposed amendments are accordingly adopted without change and are set forth below, effective May 27, 1975.

Dated: April 17, 1975.

JOHN QUARLES,
Acting Administrator.

Part 428 of 40 CFR Chapter I is amended as follows:

Subpart A—Tire and Inner Tube Plants Subcategory

1. Section 428.10 is revised to read as follows:

§ 428.10 Applicability; description of the tire and inner tube plants subcategory.

The provisions of this subpart are applicable to discharges of process wastewater pollutants resulting from the production of pneumatic tires and inner tubes in tire and inner tube plants.

2. Section 428.11 is amended by revising paragraph (c) and adding new paragraphs (d) and (e), as follows:

§ 428.11 Specialized definitions.

• • • • •

(c) The term "process waste water" shall mean, in the case of tire and inner tube plants constructed before 1959, discharges from the following: soapstone solution applications; steam cleaning operations; air pollution control equipment; unroofed process oil unloading areas; mold cleaning operations; latex applications; and air compressor receivers. Discharges from other areas of such plants shall not be classified as process waste water for the purposes of this section.

(d) Except as provided in paragraphs (c) and (e) of this section, the term "process waste water" shall have the meaning set forth in § 401.11(q) of this chapter.

(e) Water used only for tread cooling shall be classified as nonprocess waste water."

3. Section 428.12 is amended by designating the second paragraph as paragraph (a) and adding a new paragraph (b) as follows:

§ 428.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

• • • • •

(b) All plants constructed before 1959 shall employ the best practicable maintenance and housekeeping practices in order to minimize the discharge of oil and grease in nonprocess waste waters. The concentration of oil and grease in discharges of nonprocess waste water shall meet the following limitations:

(1) The average of daily values for 30 consecutive days shall not exceed 5 mg/l.

(2) The maximum for any one day shall not exceed 10 mg/l.

4. Section 428.13 is amended by designating the second paragraph as paragraph (a) and adding a new paragraph (b), as follows:

§ 428.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

• • • • •

(b) All plants constructed before 1959 shall employ the best available maintenance and housekeeping practices in order to minimize the discharge of oil and grease in nonprocess waste waters. The concentration of oil and grease in discharges of nonprocess waste waters shall meet the following limitations:

(1) The average of daily values for 30 consecutive days shall not exceed 5 mg/l.

(2) The maximum for any one day shall not exceed 10 mg/l.

Subpart B—Emulsion Crumb Rubber Subcategory

5. Section 428.20 is revised to read as follows:

§ 428.20 Applicability: description of the emulsion crumb rubber subcategory.

The provisions of this subpart are applicable to discharges of pollutants resulting from the manufacture of emulsion crumb rubber, other than acrylonitrilebutadiene rubber.

§ 428.21 [Amended]

6. Subpart B is amended by deleting paragraph (b) of § 428.21.

Subpart C—Solution Crumb Rubber Subcategory

§ 428.31 [Amended]

7. Subpart C is amended by deleting paragraph (b) of § 428.31.

Subpart D—Latex Rubber Subcategory

§ 428.41 [Amended]

8. Subpart D is amended by deleting paragraph (b) of § 428.41.

[FR Doc.75-10794 Filed 4-24-75;8:45 am]

Title 45—Public Welfare

SUBTITLE A—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, GENERAL ADMINISTRATION

PART 80—NONDISCRIMINATION UNDER PROGRAMS RECEIVING FEDERAL ASSISTANCE THROUGH THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Miscellaneous Amendments; Correction

Federal Register Document 73-13285, published at 38 F.R. 17978 (1973) is corrected by certain changes in number 121 of Part 1 of Appendix A at page 17984 which read as follows:

121. Supplementary medical insurance benefits for the aged (Title XXIII, Part B, Social Security Act, 42 U.S.C. 1395j–1395w).

• • • • •

The corrected portion reads as follows:

121. Supplementary medical insurance benefits for the aged (Title XVIII, Part A, Social Security Act, 42 U.S.C. 1395c–1395i–2).

• • • • •

Approved: April 18, 1975.

THOMAS S. MCFEE,
Deputy Assistant Secretary for Management Planning and Technology.

[FR Doc.75-10894 Filed 4-24-75;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—UNITED STATES FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Amagansett National Wildlife Refuge, N.Y.

The following special regulation is issued and is effective during the period May 1, 1975, through December 31, 1975.

§ 28.28 Special regulations, public access, use, and recreation; for individual wildlife refuge areas.

NEW YORK

AMAGANSETT NATIONAL WILDLIFE REFUGE

Foot access along the refuge beachfront is permitted during daylight hours for the purpose of nature study, photography, and shell collecting. Interior access beyond the beachfront for the purpose of environmental education studies is permitted by Special Use Permit on a reservation basis. Permits may be obtained from the Refuge Manager, Target Rock National Wildlife Refuge, Target Rock Road, Lloyd Neck, Huntington, Long Island, New York 11743, or the Refuge Manager, Morton National Wildlife Refuge, R.D. 359, Noyac Road, Sag Harbor, Long Island, New York 11963. The use of motorized vehicles on the refuge is not permitted. Parking is limited to designated Town of East Hampton parking areas in accordance with town regulations. Pets are not permitted on the refuge.

The refuge, comprising 35.8 acres, is delineated on a map available from the Refuge Manager, Target Rock National Wildlife Refuge, Target Rock Road, Lloyd Neck, Huntington, Long Island, New York 11743, or from the Regional Director, U.S. Fish and Wildlife Service, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1975.

RICHARD E. GRIFFITH,
Regional Director,
U.S. Fish and Wildlife Service.

APRIL 16, 1975.

[FR Doc.75-10885 Filed 4-24-75;8:45 am]

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Chincoteague National Wildlife Refuge, Va.

The following special regulation is issued and is effective during the period May 1, 1975 through December 31, 1975.

§ 28.28 Special regulations; public access, use and recreation; for individual wildlife refuge areas.

VIRGINIA

CHINCOTEAGUE NATIONAL WILDLIFE REFUGE

Entry into the refuge is permitted between the hours of 4 a.m. to 10 p.m. daily

for the purposes of sightseeing, nature study, wildlife observation, photography, hiking, beachcombing, sunbathing, and fishing, including clamming and crabbing, as posted. Swimming and surfing are permitted along the entire refuge beach at the visitor's own risk. Entry into the refuge by boat is permitted only within the designated public use area at Tom's Cove Hook.

Operation of registered motor vehicles and bicycles is permitted on designated access roads, trails, and parking areas. Riding of horses and other saddle animals is permitted only along the shoulder of the access road to the Coast Guard crossover and thence along the beach southward from that point. Off-road travel by oversand vehicles is permitted only on designated routes within the public use area at Tom's Cove Hook. Pets must remain in vehicles at all times.

Fishermen who hold special overnight beach-fishing permits issued jointly by the Superintendent, Assateague Island National Seashore, and the Refuge Manager, Chincoteague National Wildlife Refuge, may remain on the refuge between the hours of 10 p.m. and 4 a.m. on the dates for which such permit is issued.

Organized youth-group and backpack camping is permitted by advance reservation only in National Park Service operated campsites located on the refuge. Permits may be obtained from the Superintendent, Assateague Island National Seashore.

Picnicking is permitted at Tom's Cove Hook in areas designated by the National Park Service.

The possession of any drugs or substances, or immediate precursors, identified in Schedules I, II, III, IV, or V of Part B of the Controlled Substances Act, 21 U.S.C. 812, or any drugs or substances added to these schedules pursuant to the terms of the Act, is prohibited on the refuge unless such drugs or substances were obtained in accordance with law. Presence in the refuge when under the influence of a controlled substance to a degree that may endanger oneself or another person or property, or may interfere with another person's enjoyment of the refuge is prohibited.

The refuge, comprising approximately 9,400 acres, is delineated on a map available from the Refuge Manager, Chincoteague National Wildlife Refuge, P.O. Box 62, Chincoteague, Virginia 23336, and from the Regional Director, U.S. Fish and Wildlife Service, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1975.

RICHARD E. GRIFFITH,
Regional Director,
U.S. Fish and Wildlife Service.

APRIL 16, 1975.

[FR Doc.75-10890 Filed 4-24-75;8:45 am]

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Erie National Wildlife Refuge, Penn.

The following special regulation is issued and is effective during the period May 1, 1975 through December 31, 1975.

§ 28.28 Special regulations, public access, use, and recreation; for individual wildlife refuge areas.

PENNSYLVANIA

ERIE NATIONAL WILDLIFE REFUGE

Entry on foot or by motor vehicle is permitted on designated travel routes for the purpose of nature study, photography, and sightseeing during daylight hours. Pets are permitted if on a leash not over 10 feet in length. Use of the picnic area is permitted on Saturdays and Sundays from 6:00 a.m. to 9:30 p.m. May 30 through October 15 and on weekdays by reservation.

The refuge area, comprising 7,761 acres, is delineated on maps available at refuge headquarters and from the Regional Director, U.S. Fish and Wildlife Service, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1975.

RICHARD E. GRIFFITH,
Regional Director,
U.S. Fish and Wildlife Service.

APRIL 16, 1975.

[FR Doc.75-10888 Filed 4-24-75;8:45 am]

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Missisquoi National Wildlife Refuge, Vt.

The following special regulation is issued and is effective during the period May 1, 1975 through December 31, 1975.

§ 28.28 Special regulations, public access, use, and recreation; for individual wildlife refuge areas.

VERMONT

MISSISQUOI NATIONAL WILDLIFE REFUGE

Travel by motor vehicle or on foot is permitted on designated travel routes for the purpose of nature study, photography, hiking, and sight-seeing, during daylight hours. Pets are permitted on a leash not over 10 feet in length. Launching of boats and parking of boat trailers are permitted in designated areas.

The refuge area, comprising 4,794 acres, is delineated on maps available at refuge headquarters and from the Regional Director, U.S. Fish and Wildlife Service, Post Office and Courthouse, Boston, Massachusetts 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1975.

RICHARD E. GRIFFITH,
Regional Director,
U.S. Fish and Wildlife Service.

APRIL 16, 1975.

[FR Doc.75-10889 Filed 4-24-75;8:45 am]

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Moosehorn National Wildlife Refuge, Maine

The following special regulations are issued and are effective during the period May 1, 1975 through December 31, 1975.

§ 28.28 Special regulations, public access, use, and recreation; for the individual wildlife refuge areas.

MAINE

MOOSEHORN NATIONAL WILDLIFE REFUGE

Entry on foot or by motor vehicle on designated travel routes is permitted for the purpose of nature study, photography, hiking, and sight-seeing during daylight hours. Pets are allowed if on a leash not over 10 feet in length.

The refuge area, comprising 22,666 acres, is delineated on maps available at refuge headquarters and from the Regional Director, U.S. Fish and Wildlife Service, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1975.

RICHARD E. GRIFFITH,
Regional Director,
U.S. Fish and Wildlife Service.

APRIL 16, 1975.

[FR Doc.75-10884 Filed 4-24-75;8:45 am]

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Morton National Wildlife Refuge, N.Y.

The following special regulations are issued and are effective during the period May 1, 1975 through December 31, 1975.

§ 28.28 Special regulations, public access, use, and recreation; for individual wildlife refuge areas.

NEW YORK

MORTON NATIONAL WILDLIFE REFUGE

Entry by foot is permitted daily, during daylight hours, for the purpose of photography, nature study, and hiking. The entire refuge beach has no lifeguards. Swimming will be at the visitor's own risk. Pets are not permitted on the refuge.

The refuge, comprising 187 acres, is delineated on a map available from the Refuge Manager, Rural Delivery Box 359, Noyac Road, Sag Harbor, Long Island,

New York 11963, or from the Regional Director, U.S. Fish and Wildlife Service, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1975.

RICHARD E. GRIFFITH,
Regional Director,
U.S. Fish and Wildlife Service.

APRIL 16, 1975.

[FR Doc.75-10886 Filed 4-24-75;8:45 am]

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Presquile National Wildlife Refuge, Va.

The following special regulations are issued and are effective during the period May 1, 1975 through December 31, 1975.

§ 28.28 Special regulations; recreation; for individual wildlife refuge areas.

VIRGINIA

PRESQUILE NATIONAL WILDLIFE REFUGE

Entry by foot is permitted for the purposes of wildlife trail use, nature study, wildlife observation, and photography. Access is gained by Government-owned and operated ferry only. Visitation is limited to organized groups such as school, civic, and church groups between the hours of 7:30 a.m. and 4 p.m. Monday through Friday except holidays. Vehicles may not be used by groups except when specifically authorized by the refuge manager. Pets, alcoholic beverages, overnight camping, and littering are not permitted.

Students and teachers engaged in scientific studies, under special use permit, may enter the refuge either by ferry or by boat and may visit the refuge as necessary providing that prior notice is given to the refuge manager.

Information about the refuge, comprising 1,329 acres, is available from the Refuge Manager, Presquile National Wildlife Refuge, Post Office Box 620, Hopewell, Virginia 23860, office located in 202 Tartan Building, 320 East Broadway, Hopewell, Virginia or the Regional Director, U.S. Fish and Wildlife Service, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1975.

RICHARD E. GRIFFITH,
Regional Director,
U.S. Fish and Wildlife Service.

APRIL 16, 1975.

[FR Doc.75-10887 Filed 4-24-75;8:45 am]

PART 33—SPORT FISHING

Missisquoi National Wildlife Refuge, Vt.

The following special regulation is issued and is effective during the period May 15, 1975 through December 31, 1975.

§ 33.5 Special regulations; Sport Fishing, for individual wildlife refuge areas.

VERMONT

MISSISQUOI NATIONAL WILDLIFE REFUGE

Sport fishing is permitted in Lake Champlain and the Missisquoi River from the Missisquoi National Wildlife Refuge. Vermont. The refuge is delineated on a map available at refuge headquarters, Swanton, Vermont and from the Regional Director, U.S. Fish and Wildlife Service, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109. Sport fishing shall be in accordance with all applicable state regulations, subject to the following special condition:

(1) Taking of fish by use of firearms is prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1975.

RICHARD E. GRIFFITH,
Regional Director,
U.S. Fish and Wildlife Service.

APRIL 16, 1975.

[FR Doc.75-10891 Filed 4-24-75;8:45 am]

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Target Rock National Wildlife Refuge, N.Y.

The following special regulation is issued and is effective during the period May 1, 1975 through December 31, 1975.

§ 28.28 Special regulations, public access, use and recreation; for individual wildlife refuge areas.

NEW YORK

TARGET ROCK NATIONAL WILDLIFE REFUGE

Entry to the refuge is permitted by advanced reservation only, for the purpose of photography, nature study and hiking on roads, trails and the beach, from 9 a.m. to 5 p.m. daily. Entrance permits for specific dates are issued by mail upon request. Motor vehicles are limited to the designated parking area. Pets on a leash not exceeding 10 feet in length are permitted in the parking area only.

The refuge, comprising 80 acres, is delineated on a map available from the Refuge Manager, Target Rock Road, Lloyd Neck, Huntington, Long Island, New York 11743, or from the Regional Director, U.S. Fish and Wildlife Service, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109.

The provisions of this special regulation supplement the regulations which govern recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through December 31, 1975.

RICHARD E. GRIFFITH,
Regional Director,
U.S. Fish and Wildlife Service.

APRIL 16, 1975.

[FR Doc.75-10893 Filed 4-24-75;8:45 am]

PART 33—SPORT FISHING

Moosehorn National Wildlife Refuge, Me.

The following special regulation is issued and is effective during the period May 15, 1975 through December 31, 1975.

§ 33.5 Special regulations; Sport Fishing, for individual wildlife refuge areas.

MAINE

MOOSEHORN NATIONAL WILDLIFE REFUGE

Sport fishing on the Moosehorn National Wildlife Refuge, Calais, Maine, is permitted on the areas designated by signs as open to fishing. These open areas, comprising 500 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, John W. McCormack Post Office and Courthouse, Boston, Massachusetts 02109. Sport fishing shall be in accordance with all applicable state regulations subject to the following special conditions:

(1) The use of boats without motors is permitted on Bearce, Conic, and Cranberry Lakes.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1975.

RICHARD E. GRIFFITH,
Regional Director,
U.S. Fish and Wildlife Service.

APRIL 16, 1975.

[FR Doc.75-10892 Filed 4-24-75;8:45 am]

proposed rules

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 610]

ALTERNATIVE THIOGLYCOLLATE MEDIUM FOR STERILITY TESTING

Proposed Deletion

The Commissioner of Food and Drugs is proposing discontinuance of the use of Alternative Thioglycollate Medium in sterility testing of biological products that are viscid or turbid, comments by May 27, 1975.

The Food and Drug Administration is conducting a review of the existing regulations governing biological products to assure that the criteria of continued safety, purity, and potency established by the regulations are updated to reflect the most current scientific procedures. As part of this review, information concerning Alternative Thioglycollate Medium, a preparation used in the sterility testing of certain biological products, was collected by the Bureau of Biologics, Food and Drug Administration. The Commissioner concludes, after consideration of these data, that the use of Alternative Thioglycollate Medium in the sterility testing of bulk and final container biological products (21 CFR 610.12 (g)(5)) should be discontinued.

The biologists regulations currently require that all such products shall be tested for sterility using both Fluid Thioglycollate Medium and Soybean-Casein Digest Medium. The regulations also provide that where a product is normally viscid or turbid, Alternative Thioglycollate Medium may be used in place of Fluid Thioglycollate Medium.

Recent evidence collected by the Bureau of Biologics indicates that Alternative Thioglycollate Medium inhibits the growth of certain anaerobic microorganisms associated with the contamination of biological products, resulting in a possibility of false findings of sterility. Based on his assessment of this evidence, the Commissioner concludes that sterility tests conducted on viscid or turbid biological products using the Alternative Thioglycollate Medium are unreliable. Therefore, he is proposing to delete paragraph (g)(5) of § 610.12 to remove Alternative Thioglycollate Medium as a permissible medium for sterility testing of these licensed biological products. The Commissioner has been advised that, for these same reasons, Alternative Thioglycollate Medium will be deleted from the chapter on sterility tests for drugs in the edition of the United States Pharmacopeia to be published in the spring of 1975.

The Commissioner does not anticipate that producers of turbid or viscid biological products, who customarily use Alternative Thioglycollate Medium, will be substantially affected by this action since this proposal will require that such viscid or turbid products be tested in the same manner as all other biological products.

Pertinent background data and information on which the Commissioner relies in proposing this regulation are on public display in the office of the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852.

Therefore, pursuant to provisions of the Public Health Service Act (sec. 351, 58 Stat. 702 as amended (42 U.S.C. 262)) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that Part 610 be amended in § 610.12 *Sterility* by deleting paragraph (g)(5) and redesignating existing paragraph (g)(6) through (10) as (g)(5) through (9).

Interested persons may, on or before May 27, 1975, file with the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate) regarding this proposal. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: April 18, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.75–10826 Filed 4–24–75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 75–RM–12]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations which would alter the transition area at Mitchell, So. Dak.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Federal Aviation Administration, Park Hill Station, P.O. Box 7213, Denver, Colorado 80207. All communications received on or before May 27, 1975 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 10455 E. 25th Avenue, Aurora, Colorado 80010.

The geographical area herein described is used extensively as a military training area and is designated an ATC Assigned Airspace Area. The FAA and the military have agreed to establish controlled airspace where possible to provide additional protection to military units using designated ATC Assigned Airspace Areas.

In consideration of the foregoing, the FAA proposes the following airspace action:

In § 71.181 (40 FR 441) the description of the Mitchell, So. Dak., transition area is amended to add:

MITCHELL, So. DAK.

• • • and that airspace southwest of Mitchell extending upward from 9500 MSL within the area bounded on the east by V159, on the south by V148 and the Nebraska/South Dakota state line, on the west by a line from latitude 43°00′ N, longitude 99°00′ W direct to latitude 44°00′ N, longitude 99°43′ W, and on the north by the Pierre, So. Dak. 1200-foot transition area and V120.

This amendment is proposed under authority of section 307(a) of the Federal Aviation Act of 1958, as amended, (49 U.S.C. 1348(a)), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Aurora, Colorado, on April 25, 1975.

M. M. MARTIN,
Director, Rocky Mountain Region.

[FR Doc.75–10843 Filed 4–24–75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 85]

[FRL 352–4]

CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES

Defect Reporting Regulations

Notice is hereby given that the Environmental Protection Agency proposes

to add a new Subpart T to Part 85 of Title 40 of the Code of Federal Regulations as set forth below.

EXPLANATORY STATEMENT

1. EXISTING STATUTORY AND REGULATORY PROVISIONS

Under section 208(a) of the Clean Air Act, the Administrator may require a manufacturer to: "make such reports, and provide such information as the Administrator may reasonably require to enable him to determine whether such manufacturer has acted or is acting in compliance with this part or regulations thereunder * * *."

Section 207(a) provides that a manufacturer shall warrant to ultimate and subsequent purchasers that a vehicle or engine is "designed, built, and equipped so as to conform at the time of sale with applicable regulations under section 202" and is "free from defects in materials and workmanship which cause such vehicle or engine to fail to conform with applicable regulations for its useful life * * *.

Section 207(c)(1) of the Act provides that the Administrator may order a manufacturer to recall certain vehicles or engines when he "determines that a substantial number of any class or category of vehicles or engines, although properly maintained and used, do not conform to the regulations prescribed under section 202, when in use throughout their useful life * * *."

Manufacturers are not presently required by statute or by regulation to report either information concerning emission-related defects they discover or their efforts to repair them. The proposed regulations would remedy this situation by prescribing procedures whereby the EPA would receive from manufacturers information concerning emission-related defects and advance notice of a manufacturer's plans to remedy such defects on his own initiative.

2. PROPOSED REGULATIONS; OVERVIEW

a. *Recall applicability.* The recall authority granted by the Act is one of the most powerful enforcement tools with which the goals of the Act may be achieved. In order that the purpose and the potential of the recall authority may be realized, the EPA is expanding its vehicle surveillance program. The proposed regulations would extend present surveillance to include the manufacturers themselves thereby substantially increasing the data base on emission-related defects and the visibility of the surveillance program to the manufacturers.

The EPA encourages manufacturers to remedy voluntarily emission-related defects which they discover and report to EPA. The proposed regulations simply require a manufacturer to report on voluntary campaigns he conducts. Based upon the reports received, the EPA would be able to evaluate the effectiveness of such a voluntary repair campaign. Formal EPA action would not be pursued provided that the manufacturer's campaign was effective.

b. *Emissions Warranty Applicability.* Section 207(a) of the Act (quoted above) requires manufacturers to warrant various defects under prescribed conditions. Under this warranty, the consumer bears the primary responsibility for obtaining warranty service. This entails demonstrating that a defect exists and that the defect causes emissions to exceed standards. The difficulty and expense in proving these points may, in many cases, prove an insurmountable burden to vehicle and engine owners and thereby substantially reduce the effectiveness of the emissions warranty.

The proposed regulations would provide information which would help foster greater use by consumers of the 207(a) warranty by reducing the technical burdens they face in utilizing it. When EPA determines that defects reported under these regulations would be covered by the emission warranty provisions of section 207(a), the determination would be announced to the public.

c. *Definition of "Defect".* A major issue raised by the proposed regulations is the meaning of the term "defect". The National Highway and Traffic Safety Act, 15 U.S.C. 1391 *et seq* (1970) "defines" defect as including "any defect in performance, construction, components, or materials * * *." Case law concerning the meaning of this and related terms sheds little light on their precise meaning and the "definitions" proffered by the opinions often make use of the term itself. Efforts by the EPA to find an acceptable, noncircular definition of the term have so far been without success. For the purpose of the proposed regulations, the term defect will be defined along the lines of the Highway Safety Act quoted above.

The term "defect" is further refined in the proposal by defining the phrase "emission-related defect" to mean a defect in a device or system listed in the Emission Control Systems List. Thus, the proposed regulations cover defects which may not, in every instance, cause a nonconformity with emission standards. This broad coverage is consistent with the surveillance function of the proposal.

Both the recall and warranty provisions of the Act apply to vehicles and engines for their useful lives. Components required by manufacturers to be replaced at intervals less than the useful life of the vehicle or engine in which they are used must function properly for the duration of the specified interval. The proposed regulations require defects determined to exist within such specified interval to be reported.

In determining whether a defect exists in a device or system, manufacturers would be expected to look at the designed performance level of a device or system. Failure to meet specified performance parameters (e.g., specified delay time in a spark delay valve or temperature range in temperature control valve) would be evidence that a device or system was defective.

Interested persons are requested to comment on the definition and scope of the term "defect" and are encouraged to submit workable alternative definitions. Comments should not only be directed at the definition itself but should both identify particular questions that an alternate definition would raise and propose a method of resolving such questions.

3. SPECIFIC PROVISIONS

There are four major provisions of the proposed regulations: (a) emission control system (ECS) list; (b) defect information report; (c) the ECS repair report; and, (d) the impact on other reporting obligations.

a. *Emissions Control Systems List.* The requirement to report emission control system defects (discussed below) is keyed to the determination that a defect exists in one of the emission control devices or systems contained in the list of emission control systems. The emission control systems list reflects those systems and devices which, if defective, would probably cause a vehicle or engine to fail to meet applicable emission standards.

The list is the same one used in the recently proposed Coverage of Motor Vehicle Certificate of Conformity Regulations, 39 FR 44246 *et seq.* (Monday, December 23, 1974). The decision to use this list for the Defect Reporting Regulations was prompted by the desire to avoid the potential for confusion which might result from the use of a different list and the knowledge that most manufacturers would have already reviewed the list in developing comments to the proposed Certificate of Conformity Regulations cited above. It is the express goal of the EPA to review the comments to the list in the context of the purposes of each of the proposals and, to the extent possible, to develop a single list which may serve both purposes.

Because of the importance of the emission control systems list, comments are particularly desired on this list. Specific comments should be directed both at the contents of the list and at whether systems and devices should be added or deleted.

b. *Defect Information Report.* Section 85.1902 of the proposed regulations would require a manufacturer to submit a defect information report when he determines that a specific defect exists in an item on the above described ECS list which was not corrected prior to the sale of an affected vehicle or engine to an ultimate purchaser, and which affects five or more vehicles or engines.

The term defect is defined to include defects in workmanship. The proposed regulations thus encompass "misbuilds" which occur during assembly. As used in this package, misbuild includes circumstances where an appropriate component is either not installed or is installed improperly, and circumstances in which the wrong part is installed. In each of the above cases, a defect information report would be required. Since an improperly assembled vehicle or engine may fail to

conform to emission standards, it is not relevant to the purposes of this proposal whether the departure from the design specifications of a vehicle or engine was inadvertent or resulted from an order attributable to the manufacturer.

The imposition of these requirements is not intended to conflict with other policies and programs of the EPA. For example, a manufacturer would not have to submit a defect information report simply because he had initiated a running change. (See, Proposed Coverage of Motor Vehicle Certificate of Conformity Regulations). If associated with the running change is an effort to correct a defect in an emission control system in five or more vehicles or engines (in actual use), then the proposed regulations would require a manufacturer to submit a defect information report and an ECS repair report (described below) in addition to any other report required.

In designing the defect reporting requirement, a conscious effort was made to provide information for the recall and warranty programs at a minimum burden to manufacturers. The proposed regulations reflect this concern by requiring a manufacturer to report only specific defects which are determined to exist in five or more vehicles or engines sold to ultimate purchasers. There is very little data on which to base a forecast of the number of defect reports that such threshold number may produce. The industry presently operates under a statutory and regulatory mandate which requires that all safety-related defects which a manufacturer has determined to affect his vehicles or engines be reported to the NHTSA. The NHTSA receives approximately 20 such reports a month. It is difficult to determine from the NHTSA experience how many defect reports EPA might receive under these regulations. This is due to the inherent technical differences in most safety versus emission defects. Therefore, the initial threshold level is, necessarily somewhat arbitrary. The number five was selected (1) to communicate the Agency's position that not every defect should be reported; and (2) to generate comment on the basis of which rational adjustment can be made. The final threshold number will depend upon the comments directed at these particular provisions.

Comments should also be directed at the reporting criteria and should provide alternatives to the criteria proposed. In commenting upon the threshold number criterion (set at five in the proposal), interested persons should understand that the number is an "investigative" criterion and does not trigger enforcement action. Finally, comments should identify areas of potential burden which the requirements may impose and suggest means of reducing or alleviating those burdens consistent with the stated informational needs of EPA.

c. *Emission Control System (ECS) Repair Reports.* Section 85.1903 of the proposed regulations would require manufacturers to report to EPA information concerning repairs of emission control systems which they had initiated. For the purposes of the proposal, the phrase "emission control system repair" means a repair, adjustment, or modification of an emission-related defect in a vehicle or engine. An emission-related defect is a defect in device or system which appears in the emission control system list of Appendix VII. When an ECS repair is initiated and conducted, directed, or controlled by a manufacturer for the purpose of, or when such a repair results in, the correction of any emission-related defect in five or more vehicles or engines, an ECS repair report must be submitted.

The ECS repair report requirement is intended to limit the responsibility of a manufacturer to that of submitting repair reports for those campaigns which a manufacturer has initiated and controls. Thus, the presentation of a vehicle or engine for warranty work by an owner would not be reported because it was not initiated by the manufacturer. This point is further emphasized by the requirement that the repair campaign involve at least five vehicles or engines. The definition is broad enough to cover campaigns in which notification is made directly to owners as well as campaigns in which dealers are instructed to repair a particular defect in a class of vehicles or engines as they are brought to dealerships. (Since vehicles with known defects repaired under manufacturer instructions to dealers are repaired at the manufacturer's initiation, an ECS repair report would be required even if the repair were made under warranty. The issuance of such instructions to dealers clearly indicates an intent to repair vehicles and in all likelihood, the campaign would involve five or more vehicles).

There is little information available to indicate the frequency with which manufacturers initiate emission-related repair campaigns. Although a number of these repair efforts are presently being monitored by the EPA, not all such campaigns are brought to the Agency's attention.

It is the intention of EPA to encourage manufacturers to repair voluntarily emission-related defects which they determine to exist in vehicle or engines. In instances where a manufacturer elects to initiate an ECS repair campaign EPA would probably suspend investigation of the defect and asume a monitoring role. Further, EPA would take no subsequent enforcement action provided that our monitoring indicates that the campaign is designed and conducted in a manner that can reasonably be expected to remedy the defective vehicles or engines.

d. *Impact on Other Obligations.* Section 85.1907 of the proposed regulations provides that reporting under these regulations does not relieve the manufacturer of his duty under any other regulation to file reports or other documents nor will it obviate the need for approval of any modification to an ECS system where such approval is required by regulation (as, for example, in the case of a "running change").

This rule is proposed under the authority of section 301(a) of the Clean Air Act, as amended, 42 U.S.C. 1857g(a). The proposed regulations implement section 208(a) of the Clean Air Act, 42 U.S.C. 1857 f–6(a).

Written comments concerning the proposed regulations should be submitted in triplicate to:

Director
Mobile Source Enforcement Division (EG-340)
Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

All written comments received by June 24, 1975 will be considered in the final rulemaking.

Dated: April 18, 1975.

RUSSELL E. TRAIN,
Administrator.

It is proposed to amend 40 CFR Part 85 as follows:

1. A new Subpart T, reading as follows, is added:

Subpart T—Defect Reporting

Sec.

85.1901 Definitions.
85.1902 Defect Information Report.
85.1903 ECS Repair Report.
85.1904 Alternative report formats.
85.1905 Report codes.
85.1906 Report filing: record retention.
85.1907 Responsibility under other legal provisions preserved.

AUTHORITY: Sec. 301(a), Clean Air Act, as amended, 42 U.S.C. 1857g(a); sec. 208(a), Clean Air Act, 42 U.S.C. 1857f–6(a).

Subpart T—Defect Reporting

§ 85.1901 Definitions.

For the purposes of this Subpart and unless otherwise noted:

(a) The term "defect" includes any defect in design, materials, or workmanship of a vehicle or engine.

(b) The phrase "emission-related defect" shall mean a defect in a device or system as enumerated in Appendix VII.

(c) The phrase "useful life" shall be given the meaning ascribed to it by section 202(d) of the Act and regulations promulgated thereunder.

(d) The phrase "ECS repair" shall mean a repair, modification, adjustment, or other change of any emission control system of a vehicle or engine which has been sold to an ultimate purchaser.

(e) The phrase "emission control system" or "ECS" includes those system, subsystems and components and parameters as enumerated in Appendix VII of this Part 85.

§ 85.1902 Defect Information Report.

(a) Commencing with the effective date of these regulations, and with respect to all 1972 and later model year vehicles and engines, a manufacturer shall file a defect information report whenever the manufacturer determines that a specific emission-related defect exists in five or more vehicles or engines unless the specific defect was corrected prior to the sale of such vehicles or engines to an ultimate purchaser.

(b) (1) Defect information reports required under paragraph (a) of this section shall be submitted not more than 5 working days after the defect determination is made. Items of information required by paragraph (c) of this section that are not available within that period shall be submitted as they become available.

(2) The manufacturer shall assign each report a number under § 85.1905 of this Subpart and should refer to this number in any subsequent communications regarding a report.

(c) Except as provided in paragraph (b) of this section, each defect report shall contain the following information in substantially the format outlined below:

(1) The manufacturer's corporate name.

(2) A brief description of the defect.

(3) A brief description of each class or category of vehicles or engines potentially affected by the defect including make, model, model year, and such other information as may be required to identify the vehicles or engines affected.

(4) For each class or category of vehicle or engine described in response to paragraph (c)(3) of this section, the following shall also be provided:

(i) The total number of vehicles or engines produced at the time the defect was determined to exist;

(ii) The number of vehicles or engines potentially affected by the defect (if necessary, give the best estimate);

(iii) The number of vehicles or engines in categories (i) and (ii) under the manufacturer's or his dealer's control;

(iv) The date the first potentially affected vehicle or engine was produced (if necessary, give the best estimate);

(v) The date the last potentially affected vehicle or engine was produced (if necessary, give the best estimate);

(vi) The address of the plant(s) at which the potentially defective vehicles were produced.

(5) A brief evaluation of the emissions impact of the defect.

(6) Any emissions data which relates to the defect.

(7) A description of the impact that such a defect may have on driveability or fuel economy.

(d) Any defect information report which will initially reports a defect apparently affecting less than 1000 vehicles or engines shall be supplemented with a subsequent report if the number of affected vehicles or engines is subsequently determined to exceed 1000. Such report shall be filled within five days of the revision of the affected vehicle or engine figure and shall contain:

(1) The defect information report number.

(2) Any information requested in paragraph (c) of this section which has been revised or changed since the original defect information report was filed.

§ 85.1903 ECS Repair Report.

(a) When an ECS repair is to be initiated and conducted, directed, or controlled by a vehicle or engine manufacturer and would result in the correction of any defect in the emission control system of 5 or more vehicles or engines, the manufacturer prior to the commencement of the ECS repair, shall submit an ECS repair report as prescribed by this section.

(b) Each ECS repair report shall contain the following information in substantially the format outlined below (items of information not available shall be designated "NA" and shall be included in the quarterly reports required by paragraph (d) of this section as they become available):

(1) The manufacturer's corporate name.

(2) A description of each class or category of vehicles or engines to receive the ECS repair.

(3) The number of vehicles in each such class or category which may be affected by the defect.

(4) A brief description of the defect to be repaired including the defect information report number.

(5) A brief description of the ECS repair.

(6) A description of the procedure to be used to implement the ECS repair campaign (i.e., whether owners will be notified or vehicles repaired when they are brought in for scheduled maintenance, etc.).

(7) The method by which vehicle or engine owners are to be identified and notified (when applicable).

(8) The number of vehicles or engines corrected to date.

(9) A copy of all communications transmitted to vehicle or engine owners which relate to the defect to be corrected.

(10) A copy of communications transmitted to those who are to perform the ECS repair which relate to the defect to be corrected.

(11) An estimate of the date by which the ECS repair campaign will be substantially completed.

(c) Unless otherwise specified by the Administrator, the manufacturer shall update the ECS repair report by submitting subsequent reports for six consecutive quarters commencing with the quarter in which the ECS repair actually begins. Such reports shall be submitted no later than 25 working days after the close of each calendar quarter. Each quarterly report shall contain:

(1) The number of vehicles or engines in each class or category which may be affected by the defect.

(2) The number of vehicles or engines corrected to date (expressed in absolute numbers and as a per centum of the number of vehicles or engines affected by the defect).

(3) A copy of any service bulletins transmitted to dealers which relate to the defect to be corrected and which have not previously been reported.

(4) A copy of all communications transmitted to vehicle or engine owners which relate to the defect to be corrected and which have not previously been reported.

(5) Any other information requested under paragraph (b) of this section which has not previously been reported, or which has changed since it was last reported.

(d) The manufacturer shall assign each report an ECS repair report number according to the provisions of § 85.1905 of this Subpart and shall refer to this number in any subsequent communications regarding an ECS repair report.

§ 85.1904 Alternative report formats.

(a) Any manufacturer may submit a plan for making either of the reports required by §§ 85.1902 and 85.1903 of this Subpart on computer cards, magnetic tape or other machine readable format. The proposed plan shall be accompanied by sufficient technical detail to allow a determination that data requirements of these sections will be met and that the data in such format will be usable by EPA.

(b) Upon approval by the Administrator of the proposed reporting system, the manufacturer may utilize such system until otherwise notified by the Administrator.

§ 85.1905 Report codes.

(a) Defect information reports shall be assigned an alpha-numeric code as described below (from left to right):

(1) The first two digits should be the last two digits of the model year of the vehicles or engines affected.

(2) The model year shall be followed by the first four letters of the manufacturer's corporate name.

(3) Following the manufacturer's name shall be a four digit number (beginning with 0001) which shall increase consecutively as defect information reports are filed.

(4) The four digit number shall be terminated with the capital letters "DIR". As an example, a code might appear as "73 ABCD 0001 DIR."

(b) Emission control system repair reports shall be assigned an alpha-numeric code as described in paragraph (a) (1) through (3) of this section. The four digit number described in paragraph (a) (3) of this section shall be followed by the capital letters "ECR".

§ 85.1906 Report filing; record retention.

(a) The reports required by §§ 85.1902 and 85.1903 of this Subpart shall be sent to: Director, Mobile Source Enforcement Division (EG340), Environmental Protection Agency, 401 M St., SW, Washington, D.C. 20460.

(b) The information gathered by the manufacturer to compile the reports required by §§ 85.1902 and 85.1903 of this

Subpart shall be retained for not less than five years from the date of the manufacture of the vehicles or engines and shall be made available to duly authorized officials of the EPA upon request.

§ 85.1907 Responsibility under other legal provisions preserved.

The filing of any report under the provisions of this Subpart shall not affect a manufacturer's responsibility to file reports or applications, obtain approval, or give notice under any provision of law.

2. A new Appendix VII reading as follows is added to 40 CFR Part 85:

APPENDIX VII—LIGHT DUTY VEHICLE AND HEAVY DUTY ENGINE PARAMETERS AND SPECIFICATIONS

A. LIGHT DUTY VEHICLE PARAMETERS AND SPECIFICATIONS

I. BASIC ENGINE PARAMETERS-FOUR STROKE CYCLE RECIPROCATING ENGINES

1. Cylinder bore center-to-center dimension.
2. Centerline of crankshaft to centerline of camshaft dimension.
3. Centerline of crankshaft to the top of the cylinder block head face dimension.
4. Cylinder block configuration and material (including liners if applicable).
5. Combustion cycle.
6. Method of aspiration.
7. Displacement.
8. Bore and stroke.
9. Number of cylinders.
10. Compression ratio.
11. Surface to volume ratio.
12. Type of cylinder head and material.
13. Combustion chamber configuration.
14. Intake port area and configuration at cylinder head and manifold mating surface.
15. Exhaust port area and configuration at cylinder head and manifold mating surface.
16. Valves. a. Head diameter.
b. Type and material.
c. Seat angle and preparation.
d. Valve spring material and load.
e. Valve spring retainer and/or rotator configuration.
f. Valve stem seal type and material.
g. Location of valves.
h. Valve activation mechanism.
i. Number of valves per cylinder.
17. Intake manifold configuration and material.
18. Exhaust manifold configuration and material.
19. Piston and piston ring(s) configuration and material.
20. Exhaust system configuration and backpressure.
21. Camshaft timing. a. Cam profile.
b. Valve overlap.
22. Advertised H.P. at RPM.
23. Advertised Torque at RPM.
24. Governor descriptions.
25. Supercharger description.
26. Precombustion chamber configuration and material.

II. BASIC ENGINE PARAMETERS—TWO-STROKE CYCLE RECIPROCATING ENGINES

1–25. Same as Section I.
26. Intake port(s). a. Configuration.
b. Location.
c. Preparation.
d. Timing in combustion cycle.
(27) Exhaust port(s).
a. Configuration.
b. Location.
c. Preparation.
d. Timing in combustion cycle.
(28) Transfer port(s). a. Configuration. b. Location. c. Preparation. d. Timing in combustion cycle.
(29) Crankcase volume.
(30) Precombustion chamber configuration and material.

III. BASIC ENGINE PARAMETERS—ROTARY ENGINES

1. Major axis dimension.
2. Minor axis dimension.
3. Eccentricity dimension.
4. Width of rotor housing dimension.
5. Generating radius dimension.
6. Intake port(s)
a. Configuration.
b. Location.
c. Preparation.
d. Timing and overlap if exposed to combustion chamber.
7. Exhaust port(s). a. Configuration.
b. Location.
c. Preparation.
d. Timing and overlap if exposed to combustion chamber.
8. Housing configuration and material.
9. Combustion cycle.
10. Method of aspiration.
11. Number of spark plugs per rotor.
12. Displacement.
13. Rotor and seals. a. Number of rotors and seals per rotor.
b. Configuration and seal retention.
c. Materials.
14. Compression ratio.
15. Surface to volume ratio.
16. Combustion chamber configuration.
17. Intake manifold configuration and material.
18. Exhaust manifold configuration and material.
19. Advertised H.P. at RPM.
20. Advertised Torque at RPM.
21. Exhaust system configuration and backpressure.
22. Governor description.
23. Supercharger description.
24. Precombustion chamber configuration and material.

IV. AIR INLET SYSTEM

1. Air cleaner type and configuration.
2. Air inlet temperature control system.
3. Inlet fresh air pickup method.
4. Maximum allowable restriction.

V. FUEL SYSTEM

1. Carburetion. a. Number of carburetors.
b. Type.
c. Number of venturis per carburetor.
d. Venturi diameter.
e. Maximum air flow.
f. Fuel metering system type and calibration.
g. Enrichment system type and calibration.
h. Idle stop mechanism.
i. Starting system (e.g. choke).
j. Altitude compensation type and calibration.
k. Air-fuel flow specification (flow curve).
l. General compensation system type and calibration.
m. Component material.
n. Part number(s).
2. Fuel injection.
a. Control parameters.
b. Basic type (mechanical, electronic, timed, continuous).
c. Point of injection.
d. Maximum air flow.
e. Throttle mechanism type and calibration if applicable.
f. Fuel shutoff system type and calibration.
g. Cold start enrichment system type and calibration.
h. Enrichment system type and calibration.
i. Air-fuel flow specification (flow curve).
j. Altitude compensation type and calibration.
k. General compensation systems type and calibration.
l. Injector configuration and material.
m. Operating pressures.
n. Basic injector timing and advance characteristics.
o. Part number(s).
3. General. a. Fuel pump configuration and specifications.
b. Fuel control mechanisms and vents.
c. Altitude compensation type and calibration.
d. Idle speed specification and setting procedure.
e. Idle mixture specification and setting procedure.
f. Fuel rate at maximum horsepower (Diesel only).
g. Fuel rate at maximum torque (Diesel only).

VI. IGNITION SYSTEM

1. General type and description of operation.
2. Basic initial timing.
3. Spark advance specifications.
4. Spark plug. a. Heat range.
b. Gap.
c. Tip configuration.
5. Ignition wire material.
6. Dwell (if applicable).
7. Starting circuit description.
8. General compensating systems type and calibration.
9. Altitude compensating system.
10. Insulation and heat sink (if applicable) material.
11. Part number(s).

VII. COOLING SYSTEM

1. Thermostat calibration.
2. Capacity of coolant.
3. Water pump capacity.

VIII. ENGINE ACCESSORIES

1. Air conditioning system description and usage.
2. Power steering system description and usage.
3. Power brakes system description and usage.
4. Power takeoff component(s) description and usage.
5. Vacuum takeoffs.

IX. EXHAUST EMISSION CONTROL SYSTEM

1. System type (air injection, smoke control, EGR, etc.) and method of operation.
2. Component design and materials.
3. Location of component on vehicle.
4. Calibration of components.
5. Part number(s).

X. EVAPORATIVE EMISSION CONTROL SYSTEM

1. System type and method of operation.
2. Component design and materials.
3. Location of components on vehicle.
4. Calibration of components.
5. Part number(s).

XI. CRANKCASE EMISSION CONTROL SYSTEM

1. System type and method of operation.
2. Component design and materials.
3. Location of components on vehicle.
4. Calibration of components.
5. Part number(s).

XII. AUXILIARY EMISSION CONTROL DEVICES

1. System type and method of operation.
2. Component design and materials.
3. Location of components on vehicle.

4. Calibration of components.
5. Part number(s).

XIII. EMISSION CONTROL RELATED WARNING SYSTEMS

1. System type and method of operation.
2. Component design and materials.
3. Location of components on vehicle.
4. Calibrations of components.
5. Part number(s).

XIV. DRIVELINE PARAMETERS

1. Torque convertor or clutch configuration and torque transfer performance.
2. Transmission. a. Automatic gear ratios and shift speeds.
b. Semiautomatic and manual gear ratios.
3. Differential and transfer case.
a. Number of wheels driving vehicle.
b. Axle ratio.
c. Special features that cause any changes to the torque transfer characteristics and quantifications of the additional horsepower requirements (e.g. overdrive).
4. Tires. a. Size.
b. Type.
5. Engine speed to vehicle speed relationship (N/V).

XV. VEHICLE PARAMETERS

1. Model.
2. Inertia weight class.
3. Curb weight average for model.
4. Roadload horsepower requirements.
5. Engine location in vehicle.
6. Fuel tank(s) configuration and material.
7. Fuel line(s) and hose size (including restrictors) and routing.

B. HEAVY DUTY ENGINE PARAMETERS AND SPECIFICATIONS

I. BASIC ENGINE PARAMETERS—FOUR STROKE CYCLE RECIPROCATING ENGINES

1. Cylinder bore center-to-center dimension.
2. Centerline of crankshaft to centerline of camshaft dimension.
3. Centerline of crankshaft to the top of the cylinder block head face dimension.
4. Cylinder block configuration and material (including liners if applicable).
5. Combustion cycle.
6. Method of aspiration.
7. Displacement.
8. Bore and stroke.
9. Number of cylinders.
10. Compression ratio.
11. Surface to volume ratio.
12. Type of cylinder head and material.
13. Combustion chamber configuration.
14. Intake port area and configuration at cylinder head and manifold mating surface.
15. Exhaust port area and configuration at cylinder head and manifold mating surface.
16. Valves. a. Head diameter.
b. Type and material.
c. Seat angle and preparation.
d. Valve spring material and load.
e. Valve spring retainer and/or rotator configuration.
f. Valve stem seal type and material.
g. Location of valves.
h. Valve activation mechanism.
i. Number of valves per cylinder.
17. Intake manifold configuration and material.
18. Exhaust manifold configuration and material.
19. Piston and piston ring(s) configuration and material.
20. Exhaust system configuration and backpressure.
21. Camshaft timing.
a. Cam profile.
b. Valve overlap.
22. Advertised H.P. at RPM.
23. Advertised Torque at RPM
24. Governor descriptions.
25. Supercharger description.
26. Precombustion chamber configuration and material.

II. BASIC ENGINE PARAMETERS—TWO-STROKE CYCLE RECIPROCATING ENGINES

1–25. Same as section I.
26. Intake port(s). a. Configuration.
b. Location.
c. Preparation.
d. Timing in combustion cycle.
27. Exhaust port(s). a. Configuration.
b. Location.
c. Preparation
d. Timing in combustion cycle.
28. Transfer port(s) a. Configuration.
b. Location.
c. Preparation.
d. Timing in combustion cycle.
29. Crankcase volume.
30. Precombustion chamber configuration and material.

III. BASIC ENGINE PARAMETERS—ROTARY ENGINES

1. Major axis dimension.
2. Minor axis dimension.
3. Eccentricity dimension.
4. Width of rotor housing dimension.
5. Generating radius dimension.
6. Intake port(s). a. Configuration.
b. Location.
c. Preparation.
d. Timing and overlap if exposed to combustion chamber.
7. Exhaust port(s). a. Configuration.
b. Location.
c. Preparation.
d. Timing and overlap if exposed to combustion chamber.
8. Housing configuration and material.
9. Combustion cycle.
10. Method of aspiration.
11. Number of spark plugs per rotor.
12. Displacement.
13. Rotor and seals. a. Number of rotors and seals per rotor.
b. Configuration and seal retention.
c. Materials.
14. Compression ratio.
15. Surface to volume ratio.
16. Combustion chamber configuration.
17. Intake manifold configuration and material.
18. Exhaust manifold configuration and material.
19. Advertised H.P. at RPM.
20. Advertised Torque at RPM.
21. Exhaust system configuration and backpressure.
22. Governor description.
23. Supercharger description.
24. Precombustion chamber configuration and materials.

IV. AIR INLET SYSTEM

1. Air cleaner type and configuration.
2. Air inlet temperature control system.
3. Inlet fresh air pickup method.
4. Maximum allowable restriction.

V. FUEL SYSTEM

1. Carburetion. a. Number of carburetors.
b. Type.
c. Number of venturis per carburetor.
d. Venturi diameter.
e. Maximum air flow.
f. Fuel metering system type and calibration.
g. Enrichment system type and calibration.
h. Idle stop mechanism.
i. Starting system (e.g. choke).
j. Altitude compensation type and calibration.
k. Air-fuel flow specification (flow curve).
l. General compensation system type and calibration.
m. Component material.
n. Part number(s).
2. Fuel injection. a. Control parameters.
b. Basic type (mechanical, electronic, timed, continuous).
c. Point of injection.
d. Maximum air flow.
e. Throttle mechanism type and calibration if applicable.
f. Fuel shutoff system type and calibration.
g. Cold start enrichment system type and calibration.
h. Enrichment system type and calibration.
i. Air-fuel flow specification (flow curve).
j. Altitude compensation type and calibration.
k. General compensation systems type and calibration.
l. Injector configuration and material.
m. Operating pressures.
n. Basic injector timing and advance characteristics.
o. Part number(s).
3. General. a. Fuel pump configuration and specifications.
b. Fuel control mechanisms and vents.
c. Altitude compensation type and calibration.
d. Idle speed specification and setting procedure.
e. Idle mixture specification and setting procedure.
f. Fuel rate at maximum horsepower (Diesel only).
g. Fuel rate at maximum torque (Diesel only).

VI. IGNITION SYSTEM

1. General Type and description of operation.
2. Basic initial timing.
3. Spark advance specifications.
4. Spark plug. a. Heat range.
b. Gap.
c. Tip configuration or glow plug.
5. Ignition wire material.
6. Dwell (if applicable).
7. Starting circuit description.
8. General compensating systems type and calibration.
9. Altitude compensating system.
10. Insulation and heat sink (if applicable) material.
11. Part number(s).

VII. COOLING SYSTEM

1. Thermostat calibration.
2. Capacity of coolant.
3. Water pump capacity.

VIII. ENGINE ACCESSORIES

1. Air conditioning system description and usage.
2. Power steering system description and usage.
3. Power brakes system description and usage.
4. Power takeoff component(s) description and usage.
5. Vacuum takeoffs.

IX. EXHAUST EMISSION CONTROL SYSTEM

1. System type (air injection, smoke control, EGR, etc.) and method of operation.
2. Component design and materials.
3. Location of component on vehicle.
4. Calibration of components.
5. Part number(s).

X. EVAPORATIVE EMISSION CONTROL SYSTEM

1. System type and method of operation.
2. Component design and materials.

3. Location of components on vehicle.
4. Calibration of components.
5. Part number(s).

XI. CRANKCASE EMISSION CONTROL SYSTEM

1. System type and method of operation.
2. Component design and materials.
3. Location of components on vehicle.
4. Calibration of components.
5. Part number(s).

XII. AUXILIARY EMISSION CONTROL DEVICES

1. System type and method of operation.
2. Component design and materials.
3. Location of components on vehicle.
4. Calibration of components.
5. Part number(s).

XIII. EMISSION CONTROL RELATED WARNING SYSTEMS

1. System type and method of operation.
2. Component design and materials.
3. Location of components on vehicle.
4. Calibrations of components.
5. Part number(s).

[FR Doc.75-10800 Filed 4-24-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Part 211]

CRUDE OIL SUPPLIER/PURCHASER RELATIONSHIP RULE

Proposed Rulemaking and Public Hearing

The Federal Energy Administration hereby gives notice of a proposal to amend Part 211, Chapter II of Title 10 of the Code of Federal Regulations, to make certain modifications to the crude oil supplier/purchaser relationship rule (the "rule") set forth in 10 CFR 211.63.

Generally, FEA proposes to amend the rule to permit further awards of Federal royalty oil under the program administered by the Department of the Interior; to allow supplier/purchaser relationships to be terminated as to a reseller of crude oil under certain conditions; and to expand the coverage of the rule with respect to supplier/purchaser relationships for domestic crude oil instituted subsequent to December 1, 1973.

Under the rule, all supplier/purchaser relationships in effect under contracts for sales, purchases and exchanges of domestic crude oil on December 1, 1973, are required to be maintained for the duration of the mandatory petroleum allocation program, except purchases and sales made to comply with the program. The rule does not apply to the first sale of crude oil from a stripper well. Supplier/purchaser relationships under the rule may be terminated by the mutual consent of both parties and, as to relationships involving the sale of new or released crude oil, where the present purchaser refuses, after notice by the seller, to meet a bona fide offer by another purchaser at a higher lawful price.

The first amendment to the rule proposed hereby relates to royalty oil sales by the Department of the Interior (DOI) through the U.S. Geological Survey (USGS). As set forth in FEA Ruling 1974-22, DOI is effectively prohibited from directing deliveries of royalty oil to a firm if the royalty oil was not actually being received by that firm on or prior to December 1, 1973. Under Federal oil and gas leases and DOI regulations, DOI may elect to receive crude oil in lieu of cash for the royalty due and order the lessee of a Federal tract to deliver the Federal Government's royalty share of the production to any eligible firm designated by DOI. Payment is made directly to USGS by the recipient of the royalty oil. USGS has established procedures by which refiners that qualify as small business enterprises under the rules of the Small Business Administration may under certain conditions be awarded the right to purchase royalty oil. FEA has determined that the DOI royalty oil program is consonant with and indeed furthers the objectives of the Emergency Petroleum Allocation Act of 1973 and thus proposes to amend the rule to permit the implementation of royalty oil sale contracts the operation of which has been suspended by the rule.

The assumed supply levels (i.e., February through April 1974, crude runs with adjustments for supplies attributable to new capacity), with regard to which the purchase opportunities for refiner-buyers are calculated under the crude oil buy/sell list program set forth in 10 CFR 211.65, may be affected by either the loss or gain of royalty oil. FEA proposes to utilize the provisions of § 211.65(a)(4) to make any necessary adjustments to purchase opportunities of refiner-buyers.

FEA also proposes to amend § 211.63 to allow termination of a supplier/purchaser relationship with a reseller of crude oil with the consents of the firms selling to and purchasing from that reseller but without the consent (other than as required by any contract between any of the parties) of that reseller. This proposal, if adopted, will in effect permit the substitution of a new reseller for the present reseller where the present reseller does not have contract rights prohibiting such a substitution.

The purpose of this proposal is to promote efficiency in the transportation and marketing of crude oil by providing greater flexibility for producers and refiners to arrange for transportation and other services normally performed by resellers of crude oil on the most favorable terms available. In the proposed amendment, FEA has required the consents of the firms selling to and purchasing from the reseller as to which the substitution is being effected and has also provided that further purchasers shall not be required to purchase the crude oil subject to the supplier/purchaser relationship under less favorable terms and conditions by reason of any termination effected under the amendment. FEA's intent is that the proposal will permit termination only in cases when a new reseller would provide more economic and efficient services and will not permit any new reseller to effectively increase the cost of the crude oil resold to further purchasers.

Third, FEA proposes to amend paragraph (b) of § 211.63 and to add a new paragraph (c) thereto to provide that the rule covers supplier/purchaser relationships established after December 1, 1973, upon termination of relationships in effect on that date. Under the rule a supplier/purchaser relationship for crude oil that was subject to a December 1, 1973, relationship is not required to remain in effect when a new purchaser is substituted for the December 1, 1973 purchaser. This proposed amendment provides that the sale of crude oil which had been subject to a now terminated December 1, 1973 supplier/purchaser relationship establishes a new supplier/purchaser relationship subject to the rule as though the relationship had been in effect on December 1, 1973.

FEA also proposes to substitute the terms "new crude oil" and "released crude oil", respectively, for the present defined terms "new crude petroleum" and "released crude petroleum" in § 211.62, to conform to similar modifications being made under the price regulations.

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.

A public hearing on this proceeding will be held beginning at 9:30 a.m. on Tuesday, May 27, 1975, in Room 2105, 2000 M Street, NW., Washington, D.C., to receive comments from interested persons on the matters set forth herein. 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 an oral presentation. Such a request should be directed to Executive Communications, Room 3309, FEA, and must be received before 4:30 p.m., e.s.t., May 19, 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 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 may be contacted through May 23, 1975.

Each person selected to be heard will be so notified by the FEA before 4:30 p.m., e.s.t., May 21, 1975 and must submit 100 copies of his statement to Executive Communications, FEA, Room 2214, 2000 M Street NW., Washington, D.C. 20461, before 4:30 p.m., e.s.t., May 26, 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. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he 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 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.s.t., May 23, 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, FEA, Room 3400, 12th and Pennsylvania Avenue, N.W., 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 participate in this rulemaking by submitting data, views or arguments with respect to the proposed regulations set forth in this notice to Executive Communications, Room 3309, Federal Energy Administration, Box CW, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to Executive Communications, FEA, with the designation "Amendments to Crude Oil Supplier/Purchaser Relationship Rule". Fifteen copies should be submitted. All comments received by May 21, 1975, and all relevant information, will be considered before final action is taken on the proposed rulemaking.

Comments received in response to this notice will be available for public inspection after the comment period in the Administrator's Reception Area, Room 3400, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C. 20461.

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

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, as amended by Pub. L. 93-511; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185)

In consideration of the foregoing, it is proposed to amend Part 211, Chapter II of Title 10, Code of Federal Regulations, as set forth below.

Issued in Washington, D.C., on April 22, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel.

1. Section 211.62 is amended by deleting the definitions of "new crude petroleum" and "released crude petroleum" and by inserting definitions of "new crude oil" and "released crude oil" in the appropriate alphabetical order to read as follows:

§ 211.62 Definitions.

* * * * *

"New crude oil" means new crude petroleum as defined in § 212.72 of this chapter.

* * * * *

"Released crude oil" means released crude petroleum as defined in § 212.72 of this chapter.

* * * * *

2. Section 211.63 is revised to read as follows:

§ 211.63 Supplier/purchaser relationships.

(a) All supplier/purchaser relationships in effect under contracts for sales, purchases and exchanges of domestic crude oil on December 1, 1973, shall remain in effect for the duration of this program, except purchases and sales made to comply with this program; *provided, however,* That (1) any such supplier/purchaser relationship may be terminated by the mutual consent of both parties; (2) the provisions of this paragraph do not apply to the first sale of crude oil pursuant to § 210.32 of this chapter; (3) the provisions of this paragraph shall not apply to the seller of any new crude oil or released crude oil, if the present purchaser of such crude oil refuses, after notice by the seller, to meet any bona fide offer made by another purchaser to buy such crude oil at a lawful price above the price paid by the present purchaser; (4) the provisions of this paragraph shall not apply to the sale of any crude oil pursuant to Parts 225 and 225a, Chapter II of Title 30 of the Code of Federal Regulations; and (5) any such supplier/purchaser relationship with any firm which purchases crude oil from a supplier for the purposes of resale to another purchaser may be terminated with the consent of that supplier and of the purchaser of the crude oil from that firm (without, however, the consent of the firm whose supplier/purchaser relationship is terminated, other than as required by the terms of any contract in effect between any of the parties), on the conditions that the rights under this section of further purchasers of the crude oil from the firm whose supplier/purchaser relationship was terminated shall not be adversely affected and that such further purchasers shall not be required to purchase the crude oil under less favorable terms and conditions by virtue of any such termination.

(b) New crude oil and released crude oil produced and sold from a property from which new crude oil and released crude oil were not produced and sold in December 1973 may be sold in a first sale to any person.

(c) Once such a first sale of new crude oil and released crude oil referred to in paragraph (b) of this section has been made or the sale of any crude oil that has at any time been the subject of a supplier/purchaser relationship under paragraph (a) of this section is made to a person that was not the purchaser thereof on December 1, 1973, the seller shall continue to sell that crude oil to the purchaser thereof as though a December 1, 1973 supplier/purchaser relationship were established under the provisions of paragraph (a) of this section.

[FR Doc.75-10671 Filed 4-22-75;2:23 pm]

FEDERAL RESERVE SYSTEM

Board of Governors of the Federal Reserve System

[12 CFR Part 202]

CONSUMER CREDIT PROTECTION ACT

Equal Credit Opportunity Act; Notice of Proposed Rulemaking

The Board of Governors of the Federal Reserve System is proposing for comment regulations implementing the Equal Credit Opportunity Act which prohibits discrimination on the basis of sex or marital status with respect to any aspect of a credit transaction. These regulations are designed to provide guidance for all creditors and borrowers as to which acts and practices are prohibited and permitted within the meaning of the Act. The regulation applies to all creditors whether they are individuals, businesses, or governmental entities.

Authority. For the purpose of implementing the Equal Credit Opportunity Act (Pub. L. 93-495) which amends the Consumer Credit Protection Act (15 U.S.C. § 1601 et seq.), and pursuant to the authority of section 703 of the Equal Credit Opportunity Act, the Board of Governors of the Federal Reserve System proposes a new Part 202 (Regulation B).

Sec.
202.1 Authority, Scope, Purpose, Etc.
202.2 Definitions and Rules of Construction.
202.3 General Requirements.
202.4 Prohibited Discrimination.
202.5 Acts Permitted.

§ 202.1 Authority, scope, purpose, etc.

(a) *Authority, scope and purpose.* (1) This Part comprises the regulations issued by the Board of Governors of the Federal Reserve System pursuant to the Equal Credit Opportunity Act (Pub. L. 93-495; 88 Stat. 1521 et seq.). This Part applies to all persons who regularly extend, offer to extend, arrange for or offer to arrange for, the extension of credit as defined under paragraph (j) of § 202.2

for any purpose whatsoever and in any amount.

(2) This Part implements the Act, the purpose of which is to require that financial institutions and others engaged in the extension of credit make that credit equally available to all creditworthy customers without regard to sex or marital status.

(b) *Administrative enforcement.* (1) As set forth more fully in section 704 of the Act, administrative enforcement of the Act and this Part with respect to certain creditors is assigned to the Comptroller of the Currency, Board of Governors of the Federal Reserve System, Board of Directors of the Federal Deposit Insurance Corporation, Federal Home Loan Bank Board acting directly or through the Federal Savings and Loan Insurance Corporation, Administrator of the National Credit Union Administration, Interstate Commerce Commission, Civil Aeronautics Board, Secretary of Agriculture, Farm Credit Administration, Securities and Exchange Commission and the Small Business Administration.

(2) Except to the extent that administrative enforcement is specifically committed to other authorities, Section 704 of the Act assigns enforcement of the Act and this Part to the Federal Trade Commission.

(c) *Penalties and liabilities* (1) Sections 706 (a) through (e) of the Act provide for civil liability for actual and punitive damages against any creditor who fails to comply with the Act and this Part. Section 706(b) places a $10,000 limitation on the amount of punitive damages an aggrieved applicant may seek in an individual capacity and Section 706(c) limits a creditor's class action liability for punitive damages to the lesser of $100,000 or 1 percent of the creditor's net worth at the time the action is brought. Section 706(d) provides that an aggrieved applicant may seek equitable relief in the nature of a permanent or temporary injunction, restraining order, or other action. Section 706(e) further provides for the awarding of costs and reasonable attorney's fees to an aggrieved applicant who brings a successful action under sections 706 (a) through (d).

(2) Section 706(f) relieves a creditor from civil liability resulting from any act done or omitted in good faith in conformity with any rule, regulation or interpretation by the Board, notwithstanding that after such act or omission has occurred, such rule, regulation or interpretation is amended, rescinded or otherwise determined to be invalid for any reason.

(3) Section 706(g) provides that, without regard to the amount in controversy, any action under this title may be brought in any United States district court, or in any other court of competent jurisdiction, within one year from the date of the occurrence of the violation. Under section 705(e) an aggrieved applicant shall have the option of pursuing remedies under the provisions of this title in lieu of, but not in addition to, the remedies provided by the laws of any State or governmental subdivision relating to the prohibition of discrimination on the basis of sex or marital status with respect to any aspect of a credit transaction.

§ 202.2 Definitions and rules of construction.

For the purposes of this Part, unless the context indicates otherwise, the following definitions and rules of construction apply:

(a) *"Act"* refers to the Equal Credit Opportunity Act (Title VII of the Consumer Credit Protection Act);

(b) *"Account"* means an extension of credit;

(c) *"Advertisement"* means any commercial message in any newspaper, magazine, leaflet, flyer or catalog, on radio, television or public address system, in direct mail literature or other printed material, on any interior or exterior sign or display, in any window display, in any point-of-transaction literature or price tag, which is delivered or made available to an applicant or prospective applicant in any manner whatsoever;

(d) *"Applicant"* means any person who is solicited or applies for an extension of credit. The term includes, but is not limited to, any person to whom credit is or has been extended in any form;

(e) *"Application"* means a request by an applicant for an extension of credit which is made in accordance with ordinary procedures used by the creditor in connection with the type of credit requested. The term includes any information requested of the applicant before taking final action on the request for credit;

(f) *"Arrange for extension of credit"* means to provide or offer to provide credit, which is or will be extended by another person under a business or other relationship pursuant to which the person arranging such credit:

(1) Receives or will receive a fee, compensation, or other consideration for such service, or

(2) Has knowledge of the credit terms and participates in the preparation of the application or contract documents required in connection with the extension of credit.

It does not include honoring a credit card or similar device where no finance charge is imposed at the time of that transaction;

(g) *"Authorized user"* means any person in addition to an obligor who is explicitly permitted to obtain credit by the terms of an agreement between a creditor and the obligor;

(h) *"Board"* means the Board of Governors of the Federal Reserve System;

(i) *"Condition of credit"* means any term, requirement or procedure instituted by a creditor which affects an applicant's rights or responsibilities including, but not limited to, credit ceilings, rates, security interests, contractual remedies, penalties, informational requirements, investigatory procedures, collection procedures and number of authorized users of an account;

(j) *"Credit"* means the right granted by a creditor to an applicant to defer payment of a debt, or to incur debt and defer its payment, or to purchase property or services and defer payment therefor;

(k) *"Credit card"* means any card, plate, coupon book or other single credit device existing for the purpose of being used from time to time upon presentation to obtain money, property, labor, or services on credit;

(l) *"Creditor"* means any person who regularly extends credit, or arranges for the extension of credit, or offers to extend or arrange for the extension of such credit. The term includes assignees, transferees or subrogees of an original creditor who participate in the decision to extend credit in any form, but does not include a person whose only participation in a credit transaction is to honor a credit card;

(m) *"Discriminate"* means to treat one applicant differently from another;

(n) *"Extension of credit"* means the granting of credit in any form and includes, but is not limited to, credit granted in addition to any existing credit or credit limit; credit granted in the form of a credit card whether or not such card has been used; the refinancing of any credit; the consolidation of two or more obligations; the issuance of a new credit card in place of an expiring credit card or in substitution for an existing credit card; the continuing in force of a previously issued credit card; or the continuance, without any special effort to collect before maturity, of any existing credit or credit limit;

(o) *"Family account"* means credit extended pursuant to an agreement which provides that both one spouse, who is the sole obligor, and the other spouse, who is an authorized user, are entitled to use the account;

(p) *"Family expense statute"* means a principle of State law which provides that the needs of a family unit or any member thereof may be purchased by either spouse, and that each spouse is jointly and severally liable for any such obligation, regardless of whether one of them knew of or consented to the other's purchases or obligations;

(q) *"Legal name"* means any first and last name permitted under the law of the State in which an applicant resides; it may include, but is not limited to, a birth given surname retained by a married person and a combined surname adopted by married persons;

(r) *"Marital status"* means the state of being unmarried, married, divorced, separated or widowed as defined by applicable State law;

(s) *"Necessaries"* means a principle of State law which provides that purchases made by one spouse for the needs of a family unit or any member thereof are the legal liability of the other spouse, regardless of whether he or she knew of or consented to the particular purchase or obligation;

(t) *"Person"* means a natural person, a corporation, government or governmental subdivision or agency, trust, estate, sole proprietorship, joint venture, partnership, cooperative or association;

(u) *"Standard of creditworthiness"* means a criterion used by a creditor to evaluate an applicant's or non-applicant spouse's willingness or ability to repay an obligation. Such standards may include, but are not limited to, occupation, income, assets, length of time in a particular job or profession, length of residence at a particular address or in a particular community, outstanding obligations and credit history; and

(v) *"State"* means any State, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

§ 202.3 General Requirements.

(a) *Applications.* (1) A creditor shall act on an application within the period of time said creditor generally requires to reach a credit decision, but in no event shall any creditor fail to act, or delay a decision on an application, in whole or in part, on the basis of sex or marital status. Where a creditor is unable to obtain adequate credit information concerning the applicant, a request by the creditor to the applicant for additional information shall not constitute delay under this section, provided that the creditor reaches a decision promptly after such information is made available or determined to be unavailable.

(2) A creditor may inquire as to marital status only where the inquiry meets the requirements of § 202.5 (b) and (c). No application may include any terms identifying the applicant's title, (such as Mr., Mrs., or Ms.) but may provide a blank space for insertion of such a title by any applicant who so desires.

(3) Every application shall:

(i) Use only terms which are neutral as to sex unless otherwise required by an enforcement agency enumerated in § 202.1(b) (1) and (2) for purposes of monitoring compliance with this Part;

(ii) Use only the terms "married", "unmarried" and "separated" where any inquiry as to marital status is permitted by § 202.5(b);

(iii) State that where an applicant applies for credit individually and does not rely on the creditworthiness of his or her spouse, the only information about the spouse that should be provided is that permitted by § 202.5(c) (1).

(iv) State that every applicant to whom credit is denied or terminated is entitled to a clear and meaningful statement in writing of the reasons for denial or termination if the applicant so requests.

(4) A creditor shall furnish any applicant who has applied for credit and to whom credit is denied or terminated, a clear and meaningful statement in writing of the reasons for the denial or termination of credit if the applicant so requests.

(b) *Preservation of records.* (1) For a period ending two years after the date a creditor takes final action on a request for credit, the creditor shall retain:

(i) The application and all other written information or facsimiles thereof used to evaluate the applicant;

(ii) A copy of any statement submitted by the applicant alleging discrimination prohibited by this Part; and

(iii) A copy of any statement furnished to the applicant pursuant to paragraph (a)(4) of this section.

(2) Any creditor who has actual notice that it is under investigation by an enforcement agency enumerated in § 202.1 (b) (1) and (2), or has been served with notice of an action filed pursuant to § 202.1(c), shall retain all information required to be retained under paragraph (b)(1) of this section in excess of two years if such agency or proceedings so require.

§ 202.4 Prohibited Discrimination.

(a) *General rule.* It shall be unlawful for any creditor to discriminate on the basis of sex or marital status with respect to any aspect of a credit transaction.

(b) *Acts prohibited.* Except as otherwise provided in this Part, prohibited discrimination within the meaning of this Act includes, but is not limited to, the following acts or practices by a creditor:

(1) To apply different standards of creditworthiness or conditions of credit with respect to any aspect of a credit transaction, in whole or in part, on the basis of sex or marital status;

(2) Standards of creditworthiness: To assign a value to sex or marital status in a credit scoring or point scoring plan;

(3) To request, require or use information about birth control practices, childbearing or childrearing intentions or capability in evaluating creditworthiness;

(4) To fail to consider alimony, child support or maintenance payments in the same manner as income from salary, wages or other source where the payments are received pursuant to a written agreement or court decree and the payments are likely to be consistently made in the future. Factors which a creditor may consider in making a determination of the likelihood of future payments include, but are not limited to, the length of time payments have been received; the regularity of receipt; whether full or partial payments have been made; and the credit history of the payor, where available to the creditor;

(5) To apply different standards of creditworthiness or conditions of credit, in whole or in part, on the basis of the sex or marital status of the sole or principal supporter of a family unit;

(6) To discount all or any part of the income of an applicant or, where applicable, the income of an applicant's spouse, in applying standards of creditworthiness or conditions of credit, in whole or in part, on the basis of sex or marital status;

(7) Where an applicant applies for credit independently of his or her spouse, to fail to consider the credit history, when available, of those family account(s) on which the applicant's spouse or former spouse is (or was) the sole obligor and the applicant is (or was) the authorized user, if the applicant would be denied credit without consideration of such information;

(8) To terminate credit or to impose new conditions of credit on an existing account because of a change in an applicant's marital status without evidence of any unfavorable change in the applicant's financial circumstances. A creditor may require that a new application be made after a change in marital status in order to ascertain whether the applicant's financial circumstances have changed; and may terminate credit or change the conditions of credit where warranted by the creditor's standards of creditworthiness only if the same policy is applied to both sexes upon like changes in marital status;

(9) To request, require or use any information concerning the spouse or former spouse of any applicant who applies for credit individually, and does not rely on the creditworthiness of his or her spouse or former spouse, other than the information allowed by § 202.5(c) (1);

(10) Conditions of credit: To fail to establish separate accounts for qualified married applicants who so request;

(11) To fail to extend credit to a qualified applicant in any legal name designated by the applicant, except where the creditor has reason to believe that the name is being used for purposes of fraud or misrepresentation. This shall not require a creditor to imprint more than one name on any or all of the credit cards issued for an account;

(12) To delay a decision, or to fail to act on an application, in whole or in part, on the basis of sex or marital status;

(13) To request or require the signature of a spouse or other person on a credit instrument or other document required as a condition of credit when the individual applicant meets the creditor's standards of creditworthiness without such a signature;

(14) To discourage an applicant from applying for credit, in whole or in part, on the basis of sex or marital status;

(15) To publish any advertisement, or engage in any solicitation which, in effect, discourages applicants because of sex or marital status from making an application or from expecting credit privileges or benefits which would otherwise be available. However, this shall not preclude the publication of affirmative advertising directed at a class of people which can be identified by sex or marital status, if such advertising clearly indicates that applications for credit will be evaluated without regard to sex or marital status;

(16) Reporting and maintenance of credit information: To furnish adverse credit information concerning an applicant based on the credit history of the applicant's spouse or former spouse except where the applicant is (or was) legally liable for, or an authorized user

of, the spouse's or former spouse's accounts at the time the adverse credit experience occurs (or occurred);

(17) Twelve months after the effective date of this regulation, to fail to maintain records of accounts in the names of both spouses when such accounts authorize the use of credit by both spouses; and, when reporting information concerning such accounts to consumer reporting agencies or others, to fail to report all information in the names of both spouses.

§ 202.5 Acts Permitted.

(a) *General provisions.* (1) A creditor may request and consider any information about the financial obligations of an applicant including, but not limited to, those incurred pursuant to a written support agreement or court decree after separation or divorce.

(2) A creditor may inquire of an applicant as to the probable continuity of the applicant's ability to repay within the limitations of § 202.4(b)(3), and may consider the applicant's response in determining creditworthiness.

(3) The extension of credit to a married or separated applicant under a doctrine of "necessaries," a "family expense statute" or any other applicable State law which imposes liability upon either spouse for purchases made by, or credit extended to, the other spouse, does not constitute discrimination on the basis of sex or marital status.

(4) A creditor may limit the availability of "family accounts" to married applicants only where applicable State law includes a doctrine of "necessaries," a "family expense statute" or any other provision which imposes liability upon either spouse for credit purchases made by, or credit extended to, the other spouse.

(b) *Inquiry of marital status.* (1) a creditor may inquire as to the marital status of an applicant if the creditor routinely makes such an inquiry in extending credit, and if the inquiry is made for the purpose of ascertaining the creditor's rights and remedies, as set forth more fully in paragraph (b)(2) of this section herein, applicable to the particular extension of credit, and not for the purpose of discriminating on the basis of marital status.

(2) A creditor may inquire as to marital status in order to determine whether to:

(i) Allow the applicant to seek credit as an agent of a non-applicant spouse;

(ii) Apply the doctrine of "necessaries," a "family expense statute" or any other applicable State law which imposes liability upon either spouse for credit purchases made by, or credit extended to, the other spouse;

(iii) Request or require the joinder of both spouses, as set forth more fully in paragraph (e) of this section, in order to create a valid lien, pass clear title, waive inchoate rights to property or assign earnings; or

(iv) Apply community property laws, where relevant to the requested extension of credit, as set forth fully in paragraph (f) of this section.

(c) *Scope of permissible inquiries regarding a spouse.* (1) Where an applicant seeks credit and does not rely on the creditworthiness of a spouse, a creditor may request and consider only the following information with regard to the spouse:

(i) The name and home address of the non-applicant spouse;

(ii) Whether the spouses are separated; and

(iii) The obligee and amount of debts owed by the non-applicant spouse for which the property or income of the applicant is or may become liable under applicable State laws.

(2) Where an applicant seeks credit and relies on the creditworthiness of a non-applicant spouse, a creditor, whether applying the doctrine of agency, "necessaries," a "family expense statute" or any other applicable State law which imposes liability upon either spouse for credit purchases made by, or credit extended to, the other spouse, may request and consider only the following information with regard to marital status:

(i) The name and home address of the non-applicant spouse;

(ii) Whether the spouses are separated;

(iii) the employment, business address and income of the non-applicant spouse;

(iv) The obligee and amount of debts owed by the non-applicant spouse for which the property or income of the applicant is or may become liable under applicable State law; and

(v) Any other factors which, under the creditor's ordinary standards of creditworthiness, would affect a determination of the creditworthiness of the non-applicant spouse.

(3) A denial of credit because an applicant refuses to answer any inquiries concerning marital status which are permitted by this Part shall not constitute discrimination. An applicant's failure to answer such inquiries after a good faith effort to do so is not a refusal to answer for purposes of this section.

(d) *Treatment of exemptions of certain types of income from execution by creditors.* If any portion of a separated, divorced or widowed person's income is derived from a source which, under applicable federal or State law, is exempt from execution, a creditor may give consideration to such an exemption in determining the applicant's creditworthiness only if the creditor routinely considers such exemptions in evaluating creditworthiness, and if:

(1) Under applicable federal or State law, such income may not be assigned as security or collateral for an extension of credit; and

(2) The applicant's non-exempt income or property does not qualify the applicant for the requested extension of credit under the creditor's standards of creditworthiness.

(e) *Requests for signatures of both spouses in order to create a valid lien, pass clear title, waive inchoate rights to property or assign earnings.* (1) A creditor may request or require the signatures of both spouses only where both signatures are necessary under the applicable statutory or decisional law of a State in order to create a valid lien, pass clear title, waive inchoate rights to property or assign earnings, if such property or earnings are to be the basis or security for the transaction.

(2) Where the law of a State is unclear as to whether the signatures of both spouses are necessary to create a valid lien, pass clear title, waive inchoate rights to property or assign earnings, a creditor may request or require the signatures of both spouses if done in good faith reliance on a legal or similarly reliable opinion that there exists a reasonable probability that the signatures of both spouses are necessary.

(3) If, under applicable State law and this Part, the signatures of both spouses are necessary to create a valid lien, pass clear title, waive inchoate rights to property or assign earnings, and both signatures cannot be obtained, a denial of credit does not constitute discrimination where, under the creditor's standards of creditworthiness, credit cannot be extended in the amount sought without the particular security or collateral.

If a lesser amount of credit than originally sought by the applicant would be extended by the creditor without the signatures of both spouses, the creditor must so notify the applicant and give him or her the option of applying for a lesser amount of credit.

(f) *Request for signatures of both spouses in community property States where an extension of credit is sought by one spouse alone.*

(1) Where a spouse seeks unsecured credit individually or as a sole obligor who may designate other authorized users, a creditor is permitted to request or require the signatures of both spouses in a community property State only if:

(i) The applicable State law denies the applicant power to manage or control the particular portion of the community property which would be sufficient to satisfy the obligation created for the credit requested under the creditor's standards of creditworthiness; and

(ii) The applicant does not have sufficient separate property to make him or her worthy of the amount of credit sought without regard to any community property; and

(iii) The creditor does not choose to apply, or the applicable State law does not contain, the doctrine of "necessaries", a "family expense statute" or any other doctrine which imposes liability upon either spouse for purchases made by, or credit extended to, the other spouse.

(2) Where a spouse in a community property State seeks an extension of credit for which a security interest in property is required, the provisions of § 227.5(e) apply to determine the situations in which a creditor may request or require the signatures of both spouses in order to create a valid lien, pass clear title, waive inchoate rights to property or assign earnings.

(g) *Separate extension of credit to each spouse.* (1) A creditor may extend separate credit to each spouse if each applies for credit separately and voluntarily, any State law to the contrary notwithstanding.

(2) Where any state law is pre-empted by this section, each spouse is solely responsible for any such separate extension of credit. Where, in addition, the signatures of both spouses are necessary under the Act and paragraph (e) of this section in order to create a valid lien, pass clear title, waive inchoate rights to property or assign earnings, the creditor may require the signatures of both spouses without violating the Act or this Part.

(3) When each spouse separately and voluntarily applies for and obtains separate accounts with the same creditor, those accounts shall not be aggregated or otherwise combined for purposes of determining permissible finance charges or permissible loan ceilings under the laws of any State or of the United States. In any such case, however, the sum of the finance charges of the two separate accounts shall not exceed the finance charge which the creditor would have charged if the accounts had been combined, unless each spouse shall have separately and voluntarily requested a separate account in a separate, dated and signed personal statement which shall include a statement to the effect that the applicant knows that the separate account will require the applicant to pay a greater finance charge than if the accounts were combined. The use of printed or otherwise duplicated forms for such statements is prohibited unless the statement declares clearly and conspicuously and with greater prominence than any other portion of the statement, the fact that the applicant will pay a greater finance charge than if the accounts were combined.

(h) *Reevaluation of existing accounts.* A creditor may require that a new application be made in order to ascertain whether an applicant's financial circumstances have changed; and may terminate credit or change the conditions of credit where warranted by the creditor's standards of creditworthiness upon the occurrence of any of the following events only if the same policy is applied to both sexes on like occasions:

(1) A change in an applicant's marital status;

(2) Bankruptcy of an applicant's spouse;

(3) A denial of responsibility for an account by any party liable thereunder.

(i) A creditor shall apply ordinary standards of creditworthiness in determining whether:

(1) A particular applicant;

(2) The spouse of an applicant; or

(3) Both an applicant and his or her spouse together meet creditor's requirements for a particular requested extension of credit.

Effective date: The effective date of these Regulations shall be October 28, 1975.

Notice and comments. To aid in consideration of this proposal, a hearing will be held before available members of the Board on the terrace floor of its building on 20th and C Streets NW., Washington, D.C. on May 28 and 29, 1975, beginning at 10 a.m. The proceeding will consist of presentations of statements in oral or written form.

Any persons desiring to give testimony, present evidence, or otherwise participate in these proceedings should file with the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, on or before May 14, 1975, a written request containing a statement of the nature of the petitioner's interest in the proceedings, the extent of participation desired, a summary of the matters concerning which petitioner wishes to give testimony or submit evidence, and the names and identity of witnesses who propose to appear.

Interested persons need not participate in the proceedings through oral presentation in order to have their views considered.

Interested persons are invited to submit relevant data, views, and arguments concerning this proposal. Any such material should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received no later than June 30, 1975. Such material will be made available for public inspection and copying upon request, except as provided in § 261.6(a) of the Board's rules regarding availability of information. All views previously expressed in written comments on the pending proposal are under consideration by the Board and are available for inspection and copying in Room 1020 of the Board's building. Anyone wishing to submit written comments on the issues to be considered at the hearing may do so at any time before the close of business on May 14, 1975.

This notice is published pursuant to section 553(b) of Title 5 United States Code, and § 262.2(a) of the rules of procedure of the Board of Governors of the Federal Reserve System (12 C.F.R. 262.2 (a)).

By order of the Board of Governors, April 22, 1975.

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

[FR Doc.75-10846 Filed 4-24-75;8:45 am]

COMMODITY FUTURES TRADING COMMISSION

[17 CFR Part 1]

COMMODITIES OR COMMODITY FUTURES CONTRACTS; LEVERAGE CONTRACTS FOR GOLD AND SILVER; DOMESTIC SALES OF FOREIGN FUTURES CONTRACTS

Antifraud Rules

The Commodity Futures Trading Commission ("Commission") is considering the adoption of antifraud rules applicable to the following types of transactions:

(a) Transactions that involve any commodity and that are of the character of, or are commonly known to the trade as, an "option," "privilege," "indemnity," "bid," "offer," "put," "call," "advance guaranty" or "decline guaranty";

(b) Transactions for the delivery of silver bullion, gold bullion, bulk silver coins or bulk gold coins that are executed pursuant to standardized contracts commonly known to the trade as margin accounts, margin contracts, leverage accounts or leverage contracts; and

(c) The solicitation or acceptance in the United States of orders for commodity futures contracts that are traded or executed upon boards of trade, exchanges or markets located outside the United States.

Under section 2(a)(1) of the Commodity Exchange Act ("Act"), 7 U.S.C. 2, as amended by section 201(b) of the Commodity Futures Trading Commission Act of 1974, Pub. L. 93-463, 88 Stat. 1395, the Commission has "exclusive jurisdiction" with respect to

> Accounts, agreements (including any transaction which is of the character of, or is commonly known to the trade as, an 'option', 'privilege', 'indemnity', 'bid', 'offer', 'put', 'call', 'advance guaranty', or 'decline guaranty'), and transactions involving contracts of sale of a commodity for future delivery, traded or executed on a contract market designated pursuant to section 5 of this Act or any other board of trade, exchange, or market, and transactions subject to regulation by the Commission pursuant to section 217 of the Commodity Futures Trading Commission Act of 1974 * * *.

As Congress recently recognized: "In transactions covered in sections 201 and 217 of the Act [the CFTCA], it is incumbent that the Commission act as speedily as possible to exercise its regulatory prerogatives in these areas to prevent the creation of any possible gaps in regulation."[1]

The Commission views these proposed rules as interim measures and may adopt additional regulations in the three above-described areas after further study. If adopted, the instant rules may be combined into a single rule.

1. *Commodity Options.* Under sections 4c(b) and 8a(5) of the Act, 7 U.S.C. 6c(b) and 12a(5), the Commission has regulatory authority over any transaction that involves a commodity and that is "of the character of, or is commonly known to the trade as, an 'option', 'privilege,' 'indemnity', 'bid', 'offer', 'put', 'call', 'advance guaranty', or 'decline guaranty.'" Congress conferred this authority upon the Commission because "trading in * * * options relating to commodities or commodity futures * * * is now poorly regulated, if it is

[1] H. Rep. No. 94-122, 94th Cong., 1st Sess. 8 (1975).

regulated at all."[3] However, the Act's main antifraud provision, section 4b, may not apply to option transactions involving commodities or commodity futures contracts since those transactions are not made "on or subject to the rules of any contract market." Accordingly, unless and until the Commission adopts an antifraud rule applicable to these option transactions, the Commission may be unable to provide purchasers of these options with the degree of protection Congress clearly intended them to have.

Pursuant to the authority of sections 4c(b) and 8a(5) of the Act, the Commission proposes to adopt the following antifraud rule.

§ 1.____ Commodity options.

It shall be unlawful for any person, directly or indirectly, to make use of the mails or any means or instrumentality of interstate commerce in, or in connection with, an order to make, or the making of, any transaction involving any commodity regulated under the Act but not specifically set forth in section 2(a)(1) of the Act prior to the enactment of the Commodity Futures Trading Commission Act of 1974, which is of the character of, or is commonly known to the trade as, an 'option', 'privilege', 'indemnity', 'bid', 'offer', 'put', 'call', 'advance guaranty', or 'decline guaranty',

(a) To employ any device, scheme, or artifice to defraud,

(b) To make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, or

(c) To engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

The proposed rule is intended to apply to sales in the United States of foreign as well as domestic options.

2. *Leverage Contracts.* Under section 217(a) of the CFTCA, 88 Stat. 1405, and section 8a(5) of the Act, the Commission has authority to adopt rules designed to prevent fraud in connection with transactions for the delivery of silver bullion, gold bullion, bulk silver coins or bulk gold coins that are executed pursuant to a standardized contract commonly known to the trade as a margin account, margin contract, leverage account, or leverage contract. However, as in the case of commodity options, the Act's main antifraud provision, section 4b, may not apply to such transactions because they are not made on or subject to the rules of any contract market. Since Congress clearly intended the Commission to regulate these transactions, the Commission considers it important that an antifraud rule applicable to such transactions become effective promptly. The text of the proposed rule is as follows:

§ 1.____ Leverage contracts.

It shall be unlawful for any person, directly or indirectly, to make use of the mails or any means or instrumentality of interstate commerce in, or in connection with, an order to make, or the making of, any transaction for the delivery of silver bullion, gold bullion, bulk silver coins or bulk gold coins pursuant to a standardized contract commonly known to the trade as a margin account, margin contract, leverage account or leverage contract,

(a) To employ any device, scheme, or artifice to defraud,

(b) To make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, or

(c) To engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

3. *Domestic Sales of Foreign Futures Contracts.* While the Commission has a vital interest in the manner in which orders for commodity futures contracts are solicited or accepted in the United States, the Act's main antifraud provision may not apply if the futures contract in question is traded or executed upon a foreign market. As stated above, section 4b applies only to transactions made on or subject to the rules of a board of trade designated as a contract market, and the section of the Act that requires designation, section 4, 7 U.S.C. 6, refers to boards of trade located in the United States. Thus, in order to protect domestic purchasers of foreign futures contracts from fraudulent schemes, the Commission is considering the adoption of an antifraud rule that would read as follows:

§ 1.____ Domestic sales of foreign futures contracts.

It shall be unlawful for any person, directly or indirectly, to make use of the mails or any means or instrumentality of interstate commerce in, or in connection with, any order to make, or the making of, any contract of sale of any commodity for future delivery that is traded or executed on any board of trade, exchange or market located outside the United States,

(a) To employ any device, scheme, or artifice to defraud,

(b) To make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, or

(c) To engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

Interested persons may participate in this proposed rulemaking by submitting evidence in written form to the Commission at the following address: Commodity Futures Trading Commission, Room 149-W, Administration Building, U.S. Department of Agriculture, 14th St. and Independence Ave., S.W., Washington, D.C. 20250. All comments received on or before May 16, 1975 will be considered before final action is taken on the proposals. The Commission considers this to be an appropriate notice period because of the nature of the rules and the urgent need to declare the proposed rules effective as soon as possible.

Issued in Washington, D.C. on April 24, 1975.

By the Commission.

WILLIAM T. BAGLEY,
Chairman.

[FR Doc.75-11115 Filed 4-24-75;11:25 am]

[3] Statement of Chairman Talmadge on consideration of the Conference Report on H.R. 13113, October 10, 1974, in *Senate Committee Print, The Commodity Futures Trading Commission Act of 1974*, 93d Cong., 2d Sess. 6 (1974). Cong. Rec., October 10, 1974, p. S18866.

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 DEFENSE

Department of the Army

MILITARY HISTORY RESEARCH COLLECTION ADVISORY COMMITTEE

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463) announcement is made of the following committee meeting:

Name: US Army Military History Research Collection Advisory Committee.
Date: 22, 23 May 1975.
Place: Upton Hall, Carlisle Barracks, Pennsylvania 17013.
Time: 1 p.m.–4:45 p.m., 22 May 1975, 9 a.m.–11:30 a.m., 23 May 1975.

Proposed Agenda:

1 p.m.–4:45 p.m., 22 May 1975: Review of Military History Research Collection activities.
9 a.m.–10 a.m., 23 May 1975: Continuation of review:
10 a.m.–11:30 a.m.: Executive session.

Purpose of Meeting: The committee will review the activities of the US Army Military History Research Collection (MHRC) activities during the past year based on reports and records and will formulate a recommendation to the Secretary of the Army for the advancement and development of MHRC. Meetings of the Advisory Committee are open to the public. Public attendance, depending on available space, may be limited to those persons who have notified the Advisory Committee Management officer in writing, at least 5 days prior to the meeting of their intention to attend the May 22 or 23 meetings.

Any person may file a written statement with the Committee before, during or after the meeting. To the extent that time permits the Committee Chairman may allow public presentation of oral statements at the meeting. All communications regarding this Advisory Committee meeting should be addressed to:

LTC Charles Hanson, Advisory Committee Management Offices for the US Army Military History Research Collection, USAMHRC, Carlisle Barracks, Pennsylvania 17013.

Dated: April 17, 1975.

For the Chief of Military History.

DONALD A. ROBERTS,
LTC, AD, Executive Officer, Plans, Programs and Administration.

[FR Doc.75–10812 Filed 4–24–75;8:45 am]

Office of the Secretary

DEFENSE SCIENCE BOARD TASK FORCE ON ACCURACY

Meeting

The Defense Science Board Task Force on Accuracy will meet in closed session on 20 and 21 May 1975 at the Pentagon, Washington, D.C.

The meeting of the Task Force originally scheduled for 21 and 22 April 1975, at the Pentagon, Washington, D.C. as published in the FEDERAL REGISTER of April 3, 1975 (FR Doc 75–8699) has been cancelled.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense.

The Task Force will undertake a review of the accuracy of U.S. and Soviet strategic offensive systems to determine the confidence that can be placed in our present estimates of accuracy and it will recommend an R&D program which can lead to improved accuracy.

In accordance with section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Task Force meeting concerns matters listed in section 552(b) of Title 5 of the United States Code, specifically subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

APRIL 22, 1975.

[FR Doc.75–10845 Filed 4–24–75;8:45 am]

DEPARTMENT OF JUSTICE

UNITED STATES v. AMERICAN TECHNICAL INDUSTRIES

Proposed Consent Judgment and Competitive Impact Statement Thereon

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16 (b) through (h), that a proposed consent judgment and a competitive impact statement as set out below have been filed with the United States District Court for the Middle District of Pennsylvania in Civil Action No. 73–246, *United States of America* v. *American Technical Industries, Inc.* The complaint in this case alleges that the acquisition of Masterpiece, Inc. by American Technical Industries substantially lessened competition in the market for artificial Christmas trees. The proposed judgment perpetually enjoins ATI from acquiring any company engaged in the manufacture or sale of artificial Christmas trees, and enjoins ATI for ten years from acquiring from others any patent relating to artificial Christmas trees. ATI would also be compelled to license royalty free certain patents which it acquired from Masterpiece and to provide a manual to patent licensees describing its methods for manufacturing artificial Christmas trees. Public comment is invited on or before June 23, 1975. Such comments and responses thereto will be published in the FEDERAL REGISTER and filed with the Court. Comments should be directed to John J. Hughes, Chief, the Middle Atlantic Office, Antitrust Division, Department of Justice, 501 U.S. Custom House, Philadelphia, Pennsylvania 19106.

Dated: April 17, 1975.

THOMAS E. KAUPER,
Assistant Attorney General, Antitrust Division.

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF PENNSYLVANIA

[CIVIL NO. 73–246]

In the matter of United States of America, Plaintiff, v. American Technical Industries, Inc. Defendant, Stipulation. Filed: December 3, 1975.

It is stipulated by and between the undersigned parties by their respective attorneys, that:

1. The parties consent that a Final Judgment in the form hereto attached may be filed and entered by the Court at any time after the expiration of thirty (30) days following the date of filing of this Stipulation without any further notice to any party or other proceedings, either upon the motion of any party or upon the Court's own motion, provided that plaintiff has not withdrawn its consent as hereinafter provided.

2. The plaintiff may withdraw its consent hereto at any time within the said period of thirty (30) days by serving notice thereof upon the defendant and filing said notice with the Court.

3. In the event plaintiff withdraws its consent thereto, this Stipulation shall be of no effect whatever in this or any other proceeding and the making of the Stipulation

shall not in any manner prejudice any consenting party in any subsequent proceedings.

Dated: November 27, 1974.

For the Plaintiff:

THOMAS E. KAUPER,
Assistant Attorney General.

JOHN L. WILSON,

BADDIA J. RASHID,

ROGER L. CURRIER,

CHARLES F. B. MCALEER,

WALTER L. DEVANY,

NORMAN E. GREENSPAN,

JOHN J. HUGHES,
Attorneys, Department of Justice,
Antitrust Division,
Department of Justice,
501 U.S. Custom House,
Philadelphia, Pa. 19106.

For the Defendant:

CHARLES H. MILLER,
Marshal, Bratter, Greene, Allison & Tucker,
430 Park Avenue,
New York, N.Y. 10022.

UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

[Civil No. 73-246]

In the matter of *United States of America*, Plaintiff, v. *American Technical Industries, Inc.*, Defendant. *FINAL JUDGMENT.*

Plaintiff, the United States of America, having filed its complaint herein on May 7, 1973; defendant American Technical Industries, Inc. having filed its answer denying the substantive allegations of the complaint; a motion by plaintiff for preliminary injunction against the further commingling or transfer of the assets of Masterpiece, Inc. having been granted after a hearing thereon; and the parties by their respective attorneys having consented to the entry of this Final Judgment without trial and without this Final Judgment constituting any evidence against, or any admission by, any party in respect to any issue of fact or law herein;

Now therefore, without trial, and upon consent of the parties hereto it is hereby

Ordered, adjudged and decreed as follows:

I. This Court has jurisdiction of the subject matter hereof and the parties hereto. The complaint states claims upon which relief may be granted against the defendant under Section 7 of the Act of Congress of October 15, 1914 (15 U.S.C. § 18), commonly known as the Clayton Act, as amended.

II. As used in this Final Judgment:

(A) "Person" means any individual, partnership, firm, corporation, association or other business or legal entity;

(B) "Artificial Christmas tree" means any tree made of polyvinyl chloride, polyethylene or aluminum which is used indoors during the Christmas season; and

(C) "Patent" means any United States Letters Patent presently granted and any United States Letters Patent which may be granted on any Application which is on file in the United States Patent Office on the date of entry of this Final Judgment, and any division, continuance, reissue or extension of any such patent covering, in whole or in part, the design, manufacture or assembly of artificial Christmas trees or machines or equipment necessary for the design, manufacture or assembly of artificial Christmas trees.

III. The provisions of this Final Judgment applicable to the defendant shall also apply to its officers, directors, employees, and subsidiaries including but not limited to Masterpiece, Inc., now known as Masterpiece of Pennsylvania, Inc., its successors and assigns, and to any person in active concert or participation with any of them who receives actual notice of this Final Judgment by personal service or otherwise.

IV. American Technical Industries, Inc. is ordered and directed:

(A) To grant without charge to any applicant making written request therefor an unrestricted, nonexclusive, and royalty-free license for the design, manufacture, assembly, and sale in the United States of America of artificial Christmas trees or equipment to be used in the manufacture of artificial Christmas trees under the following patents and patent applications, which include all patents and patent applications owned or controlled by Masterpiece, Inc., now known as Masterpiece of Pennsylvania, Inc., and all American Technical Industries, Inc. patents or patent applications developed by Masterpiece, Inc. employees:

Patent No.	Description	Granted	Expires
3,223,454	Apparatus for making brushes	Dec. 14, 1965	Dec. 14, 1982
204,887	Christmas tree	May 24, 1966	May 24, 1980
3,278,364	Artificial Christmas tree	Oct. 11, 1966	Oct. 11, 1983
3,365,529	Artificial tree limb tapering method	Jan. 23, 1968	Jan. 23, 1985
3,459,243	Fully automatic cross-limb attaching machine	Aug. 5, 1969	Aug. 5, 1986
3,458,893	Artificial tree limb tapering machine	do	Do.
3,594,260	Artificial shrubbery and method of manufacturing the same	July 20, 1971	July 20, 1988
3,665,577	Apparatus for manufacturing artificial shrubs	May 30, 1972	May 30, 1986
3,746,601	Artificial shrub suitable for indoor or outdoor use	July 17, 1973	July 17, 1990

Patent application Serial No.	Date filed	Description
339,468	Mar. 5, 1973	Collapsible artificial shrub.

Such license shall provide that the licensee is free to contest in any proceeding the validity and scope of the licensed patents. Any existing licensee under any of the above listed patents for the design, manufacture, assembly or sale of artificial Christmas trees in the United States of America shall have the right to apply for and receive a license under this Final Judgment in substitution for its existing license.

(B) To furnish promptly upon the granting of any license pursuant to section IV(A) hereof, to any licensee who makes written request therefor, one copy of a written manual accurately and completely describing the methods of manufacture employed by American Technical Industries, Inc. in the production of artificial Christmas trees under the patents licensed pursuant to said Section upon the payment by such licensee of a sum not in excess of $50.00.

(C) Within thirty (30) days of the entry of this Final Judgment to withdraw from and terminate all suits or proceedings for the infringement of any patent covered by section IV(A) of this Final Judgment if such suit is based on the design, assembly, manufacture or sale of artificial Christmas trees, provided that the obligation of American Technical Industries, Inc. to withdraw from or terminate any such suit shall be conditioned upon the withdrawal or termination of any counterclaim against American Technical Industries, Inc. or any of its subsidiaries.

(D) Within thirty (30) days of the entry of this Final Judgment, to advise the United States Patent Office, Washington, D.C. for publication in the *Official Gazette of United States Patent Office*, that licenses described in section IV(A) of this Final Judgment are available on an unrestricted, nonexclusive and royalty-free basis to any person making written request therefor to American Technical Industries, Inc.

(E) Within thirty (30) days of the entry of this Final Judgment to advise by Certified Mail each domestic manufacturer of artificial Christmas trees known to American Technical Industries, Inc., and to advertise prominently once in each of the next issues of *Toys and Novelties* and *Toy & Hobby World*, two publications heretofore utilized by the defendant in advertising artificial Christmas trees that:

(1) The licenses described in section IV(A) of this Final Judgment are available on an unrestricted, nonexclusive and royalty-free basis to any person making written request therefor to American Technical Industries, Inc.; and

(2) The written manual described in Section IV(B) hereof is available to each licensee at a cost not in excess of $50.00.

Within ninety (90) days after the entry of this Final Judgment, a copy of each letter, the advertisement, and the completed manual will be furnished the plaintiff.

(F) Within ninety (90) days after the entry of this Final Judgment, American Technical Industries, Inc. shall furnish plaintiff an affidavit as to the fact and manner of its compliance with this Section IV.

V. American Technical Industries, Inc. is enjoined and restrained from:

(A) Instituting or threatening to institute any action, based on the design, assembly, manufacture or sale of artificial Christmas trees, for the infringement of any patent covered by Section IV(A) hereof if the claimed infringement occurred:

(1) Prior to the entry of this Final Judgment; or

(2) Subsequent to the entry of this Final Judgment unless prior written notice is given that a license is available pursuant to the provisions of this Final Judgment.

(B) Making any disposition of any patent which may deprive American Technical Industries, Inc. of the power or authority to grant licenses as required in Section IV(A) of this Final Judgment, unless the party or parties acquiring such rights from American Technical Industries, Inc. agree to be bound by this Final Judgment.

(C) Acquiring directly or indirectly for a period of ten (10) years from the date of entry of this Final Judgment ownership or control of any patent other than a patent whose inventor is an employee of American Technical Industries, Inc.

(D) Acquiring any assets or stock of any person engaged in the manufacture or sale of artificial Christmas trees in the United States provided, however, that this injunction does not apply to transactions between American Technical Industries, Inc. and any subsidiaries thereof and provided further that American Technical Industries, Inc. or any of its subsidiaries, may purchase, license or lease machinery hereafter perfected by any third party for the manufacture of artificial Christmas trees and sold by such third party in the regular course of its business and not as part of the disposition of any of its capital assets or the termination of its business on the same terms of purchase, lease or license as shall be available to all United States manufacturers of artificial Christmas trees.

VI. Within ten (10) days of each of the first nine (9) anniversary dates of this Final Judgment, American Technical Industries, Inc. shall file with the Antitrust Division copies of all requests for licenses under Section IV(A) hereof and the disposition of each such request and all requests for written manuals under Section IV(B) hereof and the disposition of each such request.

VII. For the purpose of securing or determining compliance with this Final Judgment:

(A) Any duly authorized representative or representatives of the Department of Justice shall, upon written request by the Attorney General or the Assistant Attorney General in charge of the Antitrust Division and on reasonable notice to defendant made to its principal office, be permitted, subject to any legally recognized privilege:

(1) Access during the office hours of defendant, which may have counsel present, to all books, ledgers, accounts, correspondence, memoranda, and other records and documents in the possession or under the control of defendant which relate to any matters contained in this Final Judgment;

(2) Subject to the reasonable convenience of defendant and without restraint or interference from it, to interview officers or employees of defendant, who may have counsel present, regarding any such matters.

(B) Upon such written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, defendant shall submit such reports in writing with respect to any matters contained in this Final Judgment as from time to time may be requested.

No information obtained by the means provided for in this Section VII shall be divulged by a representative of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the United States, except in the course of legal proceedings to which plaintiff is a party for the purpose of securing compliance with this Final Judgment or as otherwise required by law.

VIII. Jurisdiction of this cause is retained by the Court for the purpose of enabling any of the parties to this Final Judgment to apply to this Court at any time for such further orders or directions as may be necessary or appropriate for the modification of any of the provisions thereof, for the enforcement of compliance therewith and for the punishment of violations thereof.

Dated: ----------

United States District Judge.

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF PENNSYLVANIA

[Civil No. 73-246]

In the matter of UNITED STATES OF AMERICA, Plaintiff, v. AMERICAN TECHNICAL INDUSTRIES, INC., Defendant. *COMPETITIVE IMPACT STATEMENT.* Filed: April 17, 1975.

This Statement is made pursuant to the requirements of Section 5 of the Act of Congress of October 15, 1914, as amended, (15 U.S.C. § 16), commonly known as the Clayton Act.

I

NATURE AND PURPOSE OF THE PROCEEDING

1. This is a civil action instituted, May 7, 1973, against American Technical Industries, Inc. (hereinafter ATI) under Section 15 of the Act of Congress of October 15, 1914, as amended, (15 U.S.C. § 25), commonly known as the Clayton Act.

2. The purpose of the action is to prevent and restrain the continuing violation by ATI of Section 7 of the Clayton Act, as amended, (15 U.S.C. § 18). The violation arose from the acquisition of all of the stock of Masterpiece, Inc. (hereinafter Masterpiece) by ATI on July 19, 1971. The effect of this acquisition may be to substantially lessen competition or to tend to create a monopoly in the manufacture and sale of artificial Christmas trees in the United States.

II

THE EVENTS GIVING RISE TO THE ALLEGED VIOLATION

3. In 1970 approximately $38.9 million worth of artificial Christmas trees were sold in the United States by manufacturers and importers. The market was highly concentrated with the four leading artificial Christmas tree firms accounting for approximately 67.7 percent of total sales. ATI, the largest domestic manufacturer, had sales of approximately $12 million or 30.9 percent of the artificial Christmas tree market. Masterpiece ranked seventh with sales of approximately $1.6 million or 4.2 percent of the market. Both ATI and Masterpiece sold throughout the United States.

4. On July 29, 1971, ATI acquired all of the stock of Masterpiece. This acquisition increased ATI's share of the artificial Christmas tree market from 30.9 percent to 35.1 percent and gave ATI control over patents held by Masterpiece. These Masterpiece patents concerned the manufacture, design and assembly of artificial Christmas trees. One of the most important of the patents related to the design and manufacture of the "Mountain King" tree—a new and unique type of artificial Christmas tree, offering ease of assembly and great potential consumer appeal.

III

THE PROPOSED CONSENT JUDGMENT AND ITS ANTICIPATED EFFECTS ON COMPETITION

5. The proposed Consent Judgment provides that:

(a) ATI will grant to any person upon written request an unrestricted, nonexclusive and royalty-free license for the design, manufacture, assembly and sale in the United States of America of artificial Christmas trees or equipment to be used in the manufacture of artificial Christmas trees under all patents and patent applications owned or controlled by Masterpiece, Inc., now known as Masterpiece of Pennsylvania, Inc., and all American Technical Industries, Inc. patents or patent applications developed by Masterpiece, Inc. employees. (The term patent is defined in Section II (C) of the proposed Judgment and means patents and applications issued or on file as of the date of the Judgment.)

(b) ATI will furnish promptly to each licensee upon written request a written manual accurately and completely describing the methods of manufacture used by ATI under the patents covered by the proposed Judgment. The cost of the manual shall not exceed $50.00

(c) ATI will terminate all suits for infringement of any patent covered by the proposed Judgment if such suit is based on the design, assembly, manufacture or sale of artificial Christmas trees, provided the opposing party terminates all counter claims against ATI or its subsidiaries.

(d) ATI is enjoined from instituting or threatening to institute any patent infringement action based on the design, assembly, manufacture or sale of artificial Christmas trees under any patent covered by the proposed Judgment if the claimed infringement occurred:

(1) Prior to the entry of the proposed Judgment; or

(2) Subsequent to the entry of the proposed Judgment unless prior written notice is given that a license is available pursuant to the proposed Judgment.

(e) ATI is enjoined from acquiring for a period of 10 years from the date of entry of the proposed Judgment any patent relating to artificial Christmas trees other than a patent whose inventor is an employee of ATI or its subsidiaries.

(f) ATI is enjoined, in perpetuity, from acquiring the assets or stock of any company engaged in the manufacture or sale of artificial Christmas trees. This injunction does not apply to transactions between American Technical Industries, Inc. and any subsidiaries thereof. American Technical Industries, Inc. or any of its subsidiaries may purchase, license or lease machinery hereafter perfected by any third party for the manufacture of artificial Christmas trees and sold by such third party in the regular course of its business and not as part of the disposition of any of its capital assets or the termination of its business on the same terms of purchase, lease or license as shall be available to all United States manufacturers of artificial Christmas trees.

6. It is anticipated that the immediate dissemination of the technology represented by the patents on the terms contained in the proposed Judgment would strengthen the market position of existing competitors, increase the probability that potential competitors will enter the market, and eventually result in increased price competition for the class of trees covered by the patents. Further, it is believed that the proposed decree will dilute existing market dominance of ATI

IV

REMEDIES AVAILABLE TO POTENTIAL PRIVATE PLAINTIFFS

7. Any potential private plaintiffs who might have been damaged by the alleged violations will retain the same right to sue for monetary damages and any other legal and equitable remedies which they would have had, were the proposed consent decree not entered. However, this judgment may not be used as *prima facie* evidence in private litigation pursuant to Section 5 (a) of the Clayton Act, as amended, 15 U.S.C. 16 (a).

V

PROCEDURES AVAILABLE FOR THE MODIFICATION OF THE PROPOSED JUDGMENT

8. Within 60 days of the filing of the proposed Judgment with the District Court for the Middle District of Pennsylvania, Harrisburg, Pennsylvania any person may comment regarding the proposed Judgment in writing to:

The Middle Atlantic Office
Antitrust Division
United States Department of Justice
501 U.S. Custom House
Second and Chestnut Streets
Philadelphia, Pennsylvania 19106

9. After the entry of the proposed Judgment, jurisdiction is retained by the United States District Court for the Middle District of Pennsylvania, Harrisburg, Pennsylvania, to enable the parties to the Judgment to apply to the Court for modification of any of the provisions thereof.

VI

ALTERNATIVES TO THE PROPOSED JUDGMENT CONSIDERED BY THE UNITED STATES

10. *Divestiture of Masterpieces.* The United States considered the divestiture of Masterpiece as an alternative to the proposed Judgment. The United States believes that the immediate diffusion of the technology

represented by the patents under compulsory royalty-free licenses will restore competitive conditions to the artificial Christmas tree industry more effectively than the restoration of Masterpiece as a separate company. Full exploitation of the patents by numerous companies of the industry should result in (1) innovative technology based upon existing patents and (2) increased price competition. Furthermore the availability of royalty-free licenses should lower barriers to potential entrants and increase the desirability of market entry.

11. *Dedication to the Public of the "Mountain King" Trademark.* As an alternative to the proposed Judgment, the United States considered dedication of the trademark "Mountain King" in addition to the requirement of compulsory royalty-free licensing as a means of diluting ATI's market dominance. The United States believes that dedication of the trademark could cause confusion as to the source of manufacture of this type of artificial tree. The name, "Mountain King" does not appear to be necessary to permit licensees under the patents to compete effectively.

12. *Other Materials Relating to the Proposed Judgment.* The United States is submitting no materials or documents "which it considered determinative in formulating the proposal" pursuant to Section (b) of the Antitrust Procedures and Penalties Act. 15 U.S.C. 16(b).

Dated: April 17, 1975.

ROGER L. CURRIER,
WALTER L. DEVANY,
NORMAN E. GREENSPAN,
Attorneys, Department of Justice,
Antitrust Division,
Department of Justice,
501 U.S. Customs House,
Philadelphia, Pa. 19106.

[FR Doc.75-10813 Filed 4-24-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES 01115]

MICHIGAN (SURVEY GROUP 69)

Filing of Plat of Survey

APRIL 18, 1975.

1. The plat of survey of the following described land, which was accepted on March 23, 1966, will be officially filed in the Eastern States Office, Silver Spring, Maryland, effective at 10 a.m. on May 26, 1975:

T. 42 N., R. 35 W., Michigan Meridian, Iron County, Michigan Section 8: lot 8, containing 1.00 acre.

2. This plat represents the survey of an island in Stanley Lake which was not included in the original survey of the township as shown on the plat approved January 24, 1852.

3. The island's formation is in all regards similar to the opposite mainland. It is of rich, sandy loam over a large rock outcropping with a total elevation of 32 ft. above the water level of Stanley Lake. Timber consists of cedar, pine, birch, oak, maple, and larch; undergrowth, young trees, brush, vines and grasses.

4. The character of the island and the timber growth thereon attest to its existence in January 26, 1837, when Michigan gained statehood, and at all times since. Lot 8 of section 8 is 100 percent upland in character. It is, therefore, held to be public land.

5. Except for valid existing rights, this land will not be subject to application, petition, location, selection or to any other type of appropriation under any public land law, including the mining and mineral leasing laws, until a further order is issued.

6. All inquiries relating to this land should be sent to the Director, Eastern States, Bureau of Land Management, 7981 Eastern Avenue, Silver Spring, Maryland 20910.

LANE J. BOUMAN,
Acting Director, Eastern States.

[FR Doc.75-10883 Filed 4-24-75;8:45 am]

OUTER CONTINENTAL SHELF OFF LOUISIANA AND TEXAS

Oil and Gas Lease Sales #38 and #38A, May 28, 1975 and July 29, 1975

1. *Authority.* This notice is published pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331–1343) and the regulations issued thereunder (43 CFR Part 3300).

2(a). Two sales of oil and gas leases in areas of the Outer Continental Shelf adjacent to the States of Louisiana and Texas are hereby announced. These sales are designated Sale #38 and Sale #38A. Sale #38 includes tracts 38–329 through 38–549 and tracts 38–568 through 38–630, all described in paragraph 13. Sale #38A includes tracts 38–1 through 38–328 and tracts 38–550 through 38–567, all described in paragraph 13.

BID FILING

2(b). Sealed bids will be received by the Manager, Gulf of Mexico Outer Continental Shelf Office, Bureau of Land Management, The Plaza Tower, Suite 3200, 1001 Howard Avenue, New Orleans, Louisiana 70113, either in person or by mail until 9:30 a.m., c.s.t. on May 28, 1975, for the oil and gas lease sale on tracts in Sale #38. Bids delivered in person to the Manager will be received at his office at the aforementioned address through 4:15 p.m., c.s.t. May 27, 1975, or at the Grand Ballroom, Braniff Place, 1500 Canal Street, New Orleans, Louisiana 70112 between 8:30 a.m., c.s.t. and 9:30 a.m., c.s.t. on May 28, 1975. Bids received by the Manager after 9:30 a.m., c.s.t. on that date will be returned to the bidders unopened. Bids may not be modified or withdrawn unless written modification or withdrawal is received by the Manager by 9:30 a.m., c.s.t. May 28, 1975. All bids must be submitted and will be considered in accordance with applicable regulations, including 43 CFR 3300.1, 3302.1, 3302.4, and 3302.5

2c. Sealed bids will be received by the Manager, Gulf of Mexico Outer Continental Shelf Officee, Bureau of Land Management, The Plaza Tower, Suite 3200, 1001 Howard Avenue, New Orleans, Louisiana 70113, either in person or by mail until 9:30 a.m., c.s.t. on July 29, 1975, for the oil and gas lease sale on tracts in Sale #38A. Bids delivered in person to the Manager will be received at his office at the aforementioned address through 4:15 p.m., c.s.t. July 28, 1975, or at the Tulane Room, Braniff Place, 1500 Canal Street, New Orleans, Louisiana 70112 between 8:30 a.m., c.s.t. and 9:30 a.m., c.s.t. on July 29, 1975. Bids received by the Manager after 9:30 a.m., c.s.t. on that date will be returned to the bidders unopened. Bids may not be modified or withdrawn unless written modification or withdrawal is received by the Manager by 9:30 a.m., c.s.t. July 29, 1975. All bids must be submitted and will be considered in accordance with applicable regulations, including 43 CFR 3300.1, 3302.1, 3302.4, and 3302.5.

3. A single bid in a sealed envelope must be submitted for each tract. The envelope for any tract in Sale #38 should be labeled "Sealed Bid for Oil and Gas Lease (insert number of tract) not to be opened until 10 a.m., c.s.t. May 28, 1975." The envelope for any tract in Sale #38A should be labeled "Sealed Bid for Oil and Gas Lease (insert number of tract) not to be opened until 10 a.m., c.s.t. July 29, 1975. A suggested bid form is shown in paragraph 15. Bidders must submit with each bid one-fifth of the cash bonus in cash or by cashier's check, bank draft, certified check, or money order, payable to the order of the Bureau of Land Management. Oil payment, overriding royalty, logarithmic or sliding scale bids may not be submitted. No bid for less than a full tract as listed in paragraph 13 will be considered. Bidders are warned against violation of section 1860 in Title 18 U.S.C. prohibiting unlawful combination or intimidation of bidders.

4. Bids submitted on all tracts to be offered at these sales must be on a cash bonus bid basis with a fixed royalty of 16⅔ percent. Leases which may be issued will provide for a yearly rental or minimum royalty of $3 per acre or fraction thereof. Companies submitting joint bids must express on the bid form the proportionate interest of each company participating in that joint bid in a percent to a maximum of five decimal places.

5. Each bidder must have submitted by 9:30 a.m., c.s.t. May 28, 1975, for any tract in Sale #38 or by 9:30 a.m., c.s.t. July 29, 1975, for any tract in Sale #38A, the certification required by 41 CFR 60–1.7(b) and Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375, on the Compliance Report Certification Form, Form 1140–8 (November 1973) and the Affirmative Action Representation Form, Form 1140–7 (December 1971).

6. Tracts being offered for lease may be located on the following official leasing maps:

(1) Outer Continental Shelf, Louisiana Leasing Maps—Set of 26. These maps may be purchased for $15 per set.

(2) Outer Continental Shelf, East Texas Leasing Maps—Set of 8. These maps may be purchased for $5 per set.

(3) Outer Continental Shelf, South Texas Leasing Maps—Set of 7. These maps may be purchased for $5 per set.

(4) Official Leasing Maps: Bay City NG–15–1, Garden Banks NG–15–2, New Orleans NH–15–12, Mobile South No. 1 NH–16–7, and Mobile South No. 2 NH–16–10. These five maps may be purchased for $2 each.

7. All maps and forms referred to above and copies of the lease form referred to in paragraph 12 of this notice, without the modifications and stipulations set out in that paragraph may be obtained from the Manager, Gulf of Mexico Outer Continental Shelf Office, at the above address.

BID OPENING

8a. Bids for any tracts in Sale #38 will be opened on May 28, 1975, at 10 a.m., c.s.t. in the Grand Ballroom, Braniff Place at the above address. The opening of bids is for the sole purpose of publicly announcing and recording bids received and no bids will be accepted or rejected at that time. If the Department is prohibited for any reason from opening any bid before midnight, May 28, 1975, that bid will be returned unopened to the bidder as soon thereafter as possible.

8b. Bids for all tracts in Sale #38A will be opened on July 29, 1975, at 10 a.m., c.s.t. in the Tulane Room, Braniff Place at the above address. The opening of bids is for the sole purpose of publicly announcing and recording bids received and no bids will be accepted or rejected at that time. If the Department is prohibited for any reason from opening any bid before midnight, July 29, 1975, that bid will be returned unopened to the bidder as soon thereafter as possible.

9. Any cash, checks, drafts or money orders submitted with a bid may be deposited in a suspense account during the period the bids are being considered. Such a deposit does not constitute and shall not be construed as acceptance of any bids on behalf of the United States.

ACCEPTANCE OR REJECTION OF BIDS

10. No bid for any tract will be accepted and no lease for any tract will be awarded to any bidders unless:

(1) The bidder has complied with all requirements of this notice and applicable regulations;

(2) His bid is the highest valid cash bonus bid; and

(3) The amount of the bid has been determined to be adequate by the United States.

No bid will be considered for acceptance unless it offers a cash bonus in the amount of $25 or more per acre or fraction thereof. The United States reserves the right to reject any bid submitted, including but not by way of limitation, the right to reject any bid for inadequacy even though the cash bonus is in the amount of $25 or more per acre or fraction thereof.

11. The successful bidders for tracts in these sales will be required to execute copies of the lease specified below, pay the balance of the cash bonus bid together with the first year's annual rental and satisfy the bonding requirements set forth in 43 CFR 3304.1 within the time frame provided in 43 CFR 3302.5.

LEASE TERMS AND STIPULATIONS

12. Leases issued as a result of these sales will be on Form 3300–1 (February 1971), as modified in accordance with this paragraph, will contain one or more of the following stipulations and will exclude the following language from section 3(a)(1), paragraph 3, sentence 2 of Form 3300–1, "* * * and gas used for purposes of production from and operations upon the leased area or unavoidably lost * * *."

STIPULATION No. 1 (to apply to all leases resulting from these lease sales.)

(a) If the Supervisor, having reason to believe that a site, structure, or object of historical or archaeological significance, hereinafter referred to as "cultural resource" may exist in the lease area, shall, within one year from the effective date of this lease, give the lessee written notice that the lessor is invoking the provisions of this stipulation, the lessee shall immediately upon receipt of such notice comply with the following requirements:

Prior to any drilling activity or the construction or placement of any structure for exploration or development on the lease, including, but not limited to, well drilling and pipeline and platform placement, hereinafter referred to as "operation," the lessee shall conduct geophysical surveys to determine the potential existence of any cultural resource that may be affected by such operation. If such geophysical surveys show anomalies that suggest the potential existence of a cultural resource that may be adversely affected by any lease operation, the lessee shall: (1) Relocate the site of such operation so as not to adversely affect the anomaly identified; or (2) establish, to the satisfaction of the Supervisor, on the basis of an archaeological survey conducted by a qualified marine archaeologist using such survey equipment and techniques as deemed necessary by said archaeologist, either that such operation will not adversely affect the anomaly identified or that the potential cultural resource suggested by the occurrence of the anomaly does not exist.

All data obtained in the course of any geophysical or archaeological surveys conducted pursuant to the provisions hereof shall be submitted to the Supervisor with any application by the lessee for drilling or other activity, with copies to the Manager, Gulf of Mexico OCS Office, Bureau of Land Management. The Supervisor will prepare a final report, a copy of which shall be supplied to the lessee. Should the Supervisor determine in his report, contrary to the contentions of the lessee, that the existence of a cultural resource which may be adversely affected by such operation is sufficiently established to warrant protection, the lessee shall take no action that may result in an adverse effect on such cultural resource until the Supervisor has given directions as to its disposition.[1]

[1] Adversely affected sites which may be eligible for inclusion on the National Register of Historic Places will be handled according to procedures outlined in 36 CFR 800 (FEDERAL REGISTER, January 25, 1974).

The lessee agrees that, if any site, structure, or object of historical or archaeological significance should be discovered during the conduct of any operations on the leased area, he shall report immediately such findings to the Supervisor, and make every reasonable effort to preserve and protect the cultural resource from damage until the Supervisor has given directions as to its disposition.

(b) Structures for drilling or production, including pipelines, shall be kept to the minimum necessary for proper exploration, development, and production and, to the greatest extent consistent therewith, shall be placed so as not to interfere with other significant uses of the Outer Continental Shelf including commercial fishing. To this end, no structure for drilling or production, including pipelines, may be placed on the Outer Continental Shelf until the Supervisor has found that the structure is necessary for the proper exploration, development and production of the lease area and that no reasonable alternative placement would cause less interference with other significant uses of the Outer Continental Shelf, including commercial fishing. The lessee's exploratory and development plans, filed under 30 CFR 250.34, shall identify the anticipated placement and grouping of necessary structures, including pipelines, showing how such placement and grouping will have the minimum practicable effect on other significant uses of the Outer Continental Shelf, including commercial fishing.

(c) The lessee shall have the pollution containment and removal equipment available as required by OCS Order No. 7, of August 28, 1969, as may be amended. After notification by the Operator to the Supervisor of a significant oil spill as defined by OCS Order No. 7, or an oil spill of any size or quantity which cannot be immediately controlled, the operator shall immediately deploy the appropriate equipment to the site of the oil spill, unless, because of weather and attendant safety of personnel the Supervisor shall modify this requirement.

(d) Upon request of the Supervisor, the geological and geophysical data acquired under this lease and the processed information derived therefrom after it has been processed for the lessee's own use or for delivery to any third party shall be submitted to the Supervisor within 30 days after request. Processed information is defined as data in analog or digital format, the form of which has, in order to facilitate interpretation, been changed through processing operations including, but not limited to, the application of corrections for known perturbing causes, the rearrangement of the data, filtration to remove erroneous signals and interference, and the combination and transformation of data elements. The intent of this provision is to obtain for the United States without cost the geological and geophysical information which the lessee processes for his own use or supplies to third parties. It is not intended to require the lessee to supply interpreted, as distinguished from processed, information.

Without the consent of the lessee, the United States will not, for the life of this lease or until such time as the Supervisor determines that release of such material is required and necessary for the proper development of the field or area, disclose: (1) Any trade secrets and commercial or financial information which are privileged or confidential and which are received by the Department of the Interior pursuant to this lease; and (2) any geological and geophysical information and data, including maps, concerning wells, received by the Department of the Interior pursuant to this lease.

STIPULATION No. 2 (to apply to any lease resulting from these lease sales on that portion inside an arc of a circle having a radius of 20,064 feet and centered at X=3,742,875, Y=71,260 of the tract No. 38–564).

Drill cuttings and drilling muds must be disposed of by shunting the materials to the bottom through a downpipe that terminates an appropriate distance from the bottom as determined by the Supervisor; however, if the shunting method is not adequate to protect the unique character of the subject area, then the Supervisor will require barging the material a minimum of 10 miles from any 25 fathom isobath surrounding live reef-building corals before disposal. Should barging be the method selected, disposal sites must be approved by the Supervisor.

No garbage, untreated sewage, or other solid waste shall be disposed from vessels (work-boats, crew-boats, supply boats, pipe-laying vessels) involved with exploration and development operations within the area of the bank bounded by a line three miles from the 25 fathom isobath around live reef-building corals.

No drilling permits will be issued by the Supervisor until he has found that the lessee's exploration and development plan filed under 30 CFR 250.34 is adequate to insure that exploration and production operations in the leased area will have no significant adverse effect on the biotic community of high value reef sites on the Flower Garden Banks. As a part of the development plan, a reef monitoring program must be included.

The monitoring program will be designed to assess the effects of oil and gas exploration and development operations on the viability of the coral reefs. The development plan should indicate that the monitoring program will be conducted by qualified independent scientific personnel and that program personnel and equipment will be available at the time of operations. The monitoring team will submit its findings to the Supervisor on an interim on-going basis, or immediately in case of imminent danger to the reefs resulting directly from drilling or other operations.

STIPULATION No. 3 (for the protection of low relief, offshore fishing banks, the following stipulation shall apply to leases resulting from these sales on tracts 38–8, 38–18, 38–59, 38–60, 38–62, 38–63, 38–64, 38–65, 38–70, 38–71, 38–72, 38–73, 38–74, 38–80, 38–85, 38–90, 38–91, 38–92, 38–95, 38–96, 38–116, 38–131, 38–132, 38–134, 38–203, 38–206, 38–227, 38–228, 38–231, 38–232, 38–254, 38–257, 38–285, 38–329, 38–335, 38–342, 38–343, 38–397, 38–401, 38–402, 38–403, 38–404, 38–426, 38–430, 38–431, 38–454, 38–458, 38–459, 38–464, 38–477, 38–500, 38–501, 38–502, 38–529, 38–530, 38–544, 38–545, 38–546, 38–547, 38–549, and 38–574).

The lessee agrees that, prior to any drilling activity or placement of any permanent production structures, he will submit as part of his exploration and/or development plan, geophysical or other data on seafloor features sufficient to prove to the Supervisor's satisfaction that conflict with any fishing activities in these areas will be kept to a minimum. Included in the exploration and/or development plan will be the bottom mapping of the proposed drilling sites. On the basis of proximity to topographic features, as determined from the data, these sites should be so located as to cause minimal conflict with any fishing activities in these areas. The aforementioned exploration and/or development plan must be submitted to the Supervisor for approval.

Drill cuttings and drilling muds must be disposed of by shunting the materials to the bottom through a downpipe that terminates an appropriate distance from the bottom or by other appropriate methods if determined by the Supervisor to be necessary to protect the unique character of the subject area.

No drilling permits will be issued by the Supervisor until he has found that the lessee's exploration and/or development plan filed under 30 CFR 250.34 is adequate to insure that exploration and production operations in the lease area will have a minimal adverse effect upon any fishing activities on these tracts.

STIPULATION No. 4 (to apply to leases resulting from these lease sales on tracts 38–205, 38–209, 38–246, 38–248, 38–249, 38–370, 38–372, 38–518, 38–582, and 38–583).

All reservoirs underlying this lease which extend into a royalty bid lease, as indicated by drilling and other information, shall be operated and produced only under a unit agreement covering this royalty bid lease and approved by the Supervisor. Such a unit agreement shall provide for a fair and equitable allocation of production costs. The Supervisor shall prescribe the method of allocating production and costs in the event operators are unable to agree on such a method.

STIPULATION No. 5. (to apply to leases resulting from these lease sales on tracts 38–57, 38–66, 38–69, 38–70, 38–88, 38–89, 38–91, 38–92, 38–95, 38–96, 38–99, 38–101, 38–102, 38–105, and 38–106).

These blocks lie partially within the site of the proposed deepwater terminal and the anchorage area and fairway necessary to operations of the proposed terminal.

No structures, whether drilling or production, temporary or permanent, will be permitted within the confines of the areas described unless the proposed site is not approved or is abandoned or modified to such an extent as to render these restrictions unnecessary.

Within the area defined as follows:
Beginning at a point at
(a) X=3,216,275.61
Y= −37,655.87
to (b) X=3,216,275.61
Y= 211,961.37

Thence within a circle bounded by a radius of 31,047 feet centered at
(c) X=3,217,190.70
Y= 242,994.88
to (d) X=3,228,436.01
Y= 214,055.99
to (e) X=3,228,436.01
Y= −36,274.37
to a point of beginning.

Coordinates are based on the Texas (Lambert) Plane Coordinate System, South Central Zone.

No pipeline right-of-way permits will be issued under the authority of the Department of the Interior within the circle described in the foregoing without the express permission of the federal agency having jurisdiction over deepwater terminals and the permittee for the terminal.

All pipeline right-of-way permits issued under the authority of the Department of the Interior which traverse the proposed fairway will be required to be buried to a minimum depth of 10 feet below the ocean floor.

TRACT DESCRIPTION

13. The tracts offered for bid are as follows:

OCS OFFICIAL LEASING MAP, BRAZOS AREA, TEXAS MAP NO. 5

(Approved July 16, 1954)

Tract No.	Block	Description	Acreage
38–1	437	All	5760
38–2	438	(1)	4125
38–3	451	All	5760
38–4	542	All	5760
38–5	A–3	All	5760
38–6	A–6	All	5760
38–7	A–7	All	5760
38–8	A–14	All	5760
38–9	A–30	All	5760
38–10	A–31	All	5760
38–11	A–33	All	5760
38–12	A–34	All	5760

OCS OFFICIAL LEASING MAP, BRAZOS AREA—SOUTH ADDITION, TEXAS MAP NO. 5B,

(Approved Sept. 24, 1959)

Tract No.	Block	Description	Acreage
38–13	A–50	All	5760
38–14	A–51	All	5760
38–15	A–57	All	5760
38–16	A–58	All	5760
38–17	A–59	All	5760
38–18	A–60	All	5760
38–19	A–77	All	5760
38–20	A–87	All	5760
38–21	A–88	All	5760
38–22	A–100	All	5760
38–23	A–101	All	5760
38–24	A–111	All	5760
38–25	A–112	All	5760
38–26	A–113	All	5760
38–27	A–124	All	5760
38–28	A–125	All	5760
38–29	A–126	All	5760
38–30	A–128	All	5760
38–31	A–129	All	5760
38–32	A–131	All	5760

OCS OFFICIAL LEASING MAP, GALVESTON AREA, TEXAS MAP NO. 6

(Approved July 16, 1954)

Tract No.	Block	Description	Acreage
38-33	180	All	5760
38-34	192	All	5760
38-35	251	(1)	4830
38-36	273	All	5760
38-37	282	All	5760
38-38	283	All	5760
38-39	284	All	5760
38-40	302	All	5760
38-41	323	All	5760
38-42	324	All	5760
38-43	352	All	5760
38-44	383	All	5760
38-45	384	All	5760
38-46	392	S½	2880
38-47	A-34	All	5760
38-48	A-35	All	5760
38-49	A-38	All	5760
38-50	A-39	All	5760
38-51	A-40	All	5760
38-52	A-51	All	5760
38-53	A-52	All	5760
38-54	A-53	All	5760
38-55	A-54	All	5760
38-56	A-55	All	5760
38-57	A-58	All	5760
38-58	A-59	All	5760
38-59	A-60	All	5760
38-60	A-61	All	5760
38-61	A-62	All	5760
38-62	A-77	All	5760
38-63	A-78	All	5760
38-64	A-79	All	5760
38-65	A-80	All	5760
38-66	A-81	All	5760
(2)			
(2)			
38-69	A-85	All	5760
38-70	A-86	All	5760
38-71	A-87	All	5760
38-72	A-88	All	5760
38-73	A-89	All	5760
38-74	A-90	All	5760
38-75	A-91	All	5760
38-76	A-92	All	5760
38-77	A-104	All	5760
38-78	A-105	All	5760
38-79	A-106	All	5760
38-80	A-107	All	5760
38-81	A-110	All	5760

OCS OFFICIAL LEASING MAP, GALVESTON AREA—SOUTH ADDITION, TEXAS MAP NO. 6A

(Approved SEPT. 24, 1959)

Tract No.	Block	Description	Acreage
38-82	A-117	All	5760
38-83	A-121	All	5760
38-84	A-137	All	5760
38-85	A-138	All	5760
38-86	A-139	All	5760
38-87	A-140	All	5760
38-88	A-141	All	5760
38-89	A-142	All	5760
38-90	A-144	All	5760
38-91	A-145	All	5760
38-92	A-146	All	5760
38-93	A-147	All	5757
38-94	A-170	All	5760
38-95	A-171	All	5760
38-96	A-172	All	5760
38-97	A-173	All	5760
38-98	A-174	All	5760
38-99	A-175	All	5760
38-100	A-185	All	5760
38-101	A-201	All	5760
38-102	A-202	All	5760
38-103	A-203	All	5760
38-104	A-204	All	5760
38-105	A-205	All	5760
38-106	A-206	All	5760
38-107	A-227	All	5760
38-108	A-228	All	5760
38-109	A-238	All	5760
38-110	A-239	All	5760
38-111	A-240	All	5760

OCS OFFICIAL LEASING MAP, HIGH ISLAND AREA, TEXAS MAP NO. 7

(Approved July 16, 1954; Revised August 1955)

Tract No.	Block	Description	Acreage
38-112	50	All	5760
38-113	66	All	5760
38-114	68	All	5760
38-115	69	All	5760
38-116	70	All	5760
38-117	93	All	5760
38-118	109	All	5760
38-119	137	All	5760
38-120	139	All	5760
38-121	154	S½	2880
38-122	173	All	5760
38-123	174	All	5760
38-124	175	All	5760
38-125	178	All	5760
38-126	179	All	5760
38-127	193	All	5760
38-128	194	All	5760
38-129	197	All	5760
38-130	198	All	5760
38-131	199	All	5760
38-132	200	All	5760
38-133	A-155	All	5760

OCS OFFICIAL LEASING MAP, HIGH ISLAND AREA—EAST ADDITION, TEXAS MAP NO. 7A

(Approved Jan. 23, 1967)

Tract No.	Block	Description	Acreage
38-134	A-178	All	5760
38-135	A-181	All	5760
38-136	A-185	All	1480.17
38-137	A-194	All	2919.46
38-138	A-195	All	4358.76
38-139	A-205	All	2918.04
38-140	A-229	All	2880
38-141	A-232	All	5760
38-142	A-233	All	5760
38-143	A-243	All	5760
38-144	A-244	All	2913.80
38-145	A-250	All	5760
38-146	A-253	All	5760

OCS OFFICIAL LEASING MAP, HIGH ISLAND AREA—SOUTH ADDITION, TEXAS MAP NO. 7B

(Approved Sept. 24, 1959)

Tract No.	Block	Description	Acreage
38-147	A-443	All	5760
38-148	A-466	All	5760
38-149	A-492	All	5760
38-150	A-493	All	5760
38-151	A-494	All	5760
38-152	A-495	All	5760
38-153	A-501	All	5760
38-154	A-508	All	5760
38-155	A-522	All	5760
38-156	A-565	All	5760
38-157	A-581	All	5760

OCS OFFICIAL LEASING MAP, HIGH ISLAND AREA—EAST ADDITION—SOUTH EXTENSION, TEXAS MAP NO. 7C

(Approved Sept. 24, 1959)

Tract No.	Block	Description	Acreage
38-158	A-284	All	5760
38-159	A-293	All	4349
38-160	A-294	All	2880
38-161	A-310	All	2008
38-162	A-311	All	4347
38-163	A-318	All	5760
38-164	A-319	All	5760
38-165	A-331	All	2880
38-166	A-333	All	5760
38-167	A-347	All	5760
38-168	A-380	All	5760
38-169	A-400	All	5760

OCS OFFICIAL LEASING MAP, WEST CAMERON AREA, LOUISIANA MAP NO. 1

(Approved June 8, 1954; Revised July 22, 1954)

Tract No.	Block	Description	Acreage
38-170	34	(3)	4506.16
38-171	38	All	5000
38-172	41	W½	2500
38-173	54	All	5000
38-174	55	All	5000
38-175	60	NW¼; S½	3750
38-176	61	NE¼; S½	3750
38-177	63	All	5000
38-178	67	All	5000
38-179	70	All	5000
38-180	77	All	5000
38-181	80	All	5000
38-182	81	All	5000
38-183	82	All	5000
38-184	83	All	5000
38-185	93	All	5000
38-186	94	All	5000
38-187	96	All	5000
38-188	98	All	5000
38-189	99	All	5000
38-190	103	All	5000
38-191	105	All	5000
38-192	195	All	5000
38-193	196	All	5000
38-194	197	All	5000
38-195	198	All	5000
38-196	206	All	5000
38-197	212	All	5000
38-198	217	All	5000
38-199	220	All	5000
38-200	221	All	5000
38-201	222	All	5000
38-202	223	All	5000
38-203	231	All	5000
38-204	232	All	5000
38-205	239	All	5000
38-206	240	All	5000
38-207	243	All	5000
38-208	246	All	5000
38-209	254	All	5000
38-210	255	All	5000
38-211	261	All	5000
38-212	264	All	5000
38-213	277	All	5000
38-214	284	All	5000

OCS OFFICIAL LEASING MAP, WEST CAMERON AREA-WEST ADDITION, LOUISIANA MAP NO. 1A

(Approved Nov. 15, 1955; revised Jan. 30, 1957)

Tract No.	Block	Description	Acreage
38-215	160	All	1266.32
38-216	161	All	5000
38-217	200	All	5000
38-218	291	All	5000
38-219	318	All	5000
38-220	319	All	5000
38-221	327	All	5000
38-222	329	All	5000
38-223	330	All	5000
38-224	331	All	5000
38-225	332	All	5000
38-226	333	All	5000
38-227	339	All	3130.34
38-228	340	All	5000
38-229	345	All	5000
38-230	346	All	5000
38-231	355	All	5000
38-232	356	All	2226.34
38-233	357	All	1322.34
38-234	358	All	5000
38-235	359	All	5000
38-236	374	All	5000
38-237	375	All	5418.34
38-238	376	All	4514.35
38-239	377	All	5000
38-240	386	All	5000
38-241	405	All	5000
38-242	406	All	5000
38-243	407	All	5000
38-244	408	All	5000
38-245	409	All	5000
38-246	415	All	5000
38-247	423	All	5000
38-248	424	All	5000
38-249	425	All	5000
38-250	429	All	5000
38-251	431	All	5000
38-252	432	All	5000
38-253	433	All	5000

OCS OFFICIAL LEASING MAP, WEST CAMERON AREA—SOUTH ADDITION, LOUISIANA MAP NO. 1B

(Approved Sept. 8, 1959)

Tract No.	Block	Description	Acreage
38-254	455	All	5000
38-255	460	All	5000
38-256	476	All	5000
38-257	490	All	5000
38-258	491	All	5000
38-259	493	All	5000
38-260	499	All	5000
38-261	518	All	5000
38-262	519	All	5000
38-263	560	All	5000
38-264	563	All	5000
38-265	584	All	5000
38-266	603	All	5000
38-267	608	All	5000
38-268	613	All	1434.38
38-269	618	All	5000

OCS OFFICIAL LEASING MAP, EAST CAMERON AREA, LOUISIANA MAP NO. 2

(Approved June 8, 1954; Revised Aug. 1, 1973)

Tract No.	Block	Description	Acreage
38-270	21	(2)	1284.63
38-271	22	(2)	3132.46
38-272	29	All	5000
38-273	32	All	5000
38-274	45	All	5000
38-275	46	All	5000
38-276	52	All	5000
38-277	53	All	5000
38-278	56	All	2450.60
38-279	57	All	5000
38-280	58	All	5000
38-281	70	All	5000
38-282	94	All	5000
38-283	95	All	5000
38-284	96	All	5000
38-285	97	All	5000
38-286	102	All	5000
38-287	117	E½	2500
38-288	121	All	5000
38-289	122	All	5000
38-290	123	All	5000
38-291	131	All	5000
38-292	132	All	5000
38-293	135	All	5000
38-294	136	All	5000
38-295	137	All	5000
38-296	141	All	5000
38-297	142	All	5000
38-298	143	W½	2500
38-299	158	All	5000
38-300	159	All	5000
38-301	164	All	1777.38
38-302	172	All	5000
38-303	184	All	5000
38-304	196	All	5000
38-305	197	All	5000
38-306	201	All	5000
38-307	206	All	5000
38-308	207	All	5000
38-309	208	All	5000
38-310	209	All	5000
38-311	210	All	5000
38-312	211	All	5000
38-313	213	All	5000
38-314	214	All	5000
38-315	215	All	5000
38-316	216	All	5000
38-317	221	All	5000
38-318	223	All	5000
38-319	232	All	5000

OCS OFFICIAL LEASING MAP, EAST CAMERON AREA—SOUTH ADDITION, LOUISIANA MAP NO. 2A

(Approved Sept. 8, 1959)

Tract No.	Block	Description	Acreage
38-320	256	All	5000
38-321	263	All	5000
38-322	274	All	5000
38-323	279	All	5000
38-324	285	All	5000
38-325	315	All	5000
38-326	316	All	5000
38-327	331	All	5000
38-328	377	All	5000

OCS OFFICIAL LEASING MAP, VERMILLION AREA, LOUISIANA MAP NO. 3

(Approved June 8, 1954; Geographic Grid Revised June 25, 1954; Revised July 22, 1954)

Tract No.	Block	Description	Acreage
38-329	21	All	4138.89
38-330	33	All	5000
38-331	34	NE¼; E½NW¼; S½	4375
38-332	48	All	5000
38-333	50	All	4605.36
38-334	51	All	4577.34
38-335	73	All	5000
38-336	83	All	5000
38-337	84	All	5000
38-338	109	All	5000
38-339	117	All	5000
38-340	118	All	5000
38-341	122	All	4699.91
38-342	144	All	5000
38-343	146	All	5000
38-344	156	All	5000
38-345	159	All	5000
38-346	168	All	5000
38-347	175	All	5000
38-348	177	All	5000
38-349	178	E½; E½W½; E½NW¼NW¼; S½NW¼SW¼; SW¼SW¼.	4375
38-350	194	S½	2500
38-351	202	All	5148.72
38-352	213	All	5000
38-353	222	All	5260.93
38-354	229	All	5000
38-355	230	All	5000
38-356	232	All	4525.79
38-357	233	All	5000
38-358	241	All	5317.03
38-359	242	All	5373.13
38-360	248	All	5000

OCS OFFICIAL LEASING MAP, VERMILLION AREA—SOUTH ADDITION, LOUISIANA MAP NO. 3B

(Approved Sept. 8, 1959)

Tract No.	Block	Description	Acreage
38-361	266	All	5000
38-362	267	S½	2500
38-363	276	All	5000
38-364	287	All	5000
38-365	299	All	5000
38-366	300	All	5000
38-367	302	All	5709.75
38-368	307	All	5000
38-369	310	All	5000
38-370	316	All	5000
38-371	327	All	5000
38-372	328	All	5000
38-373	334	All	4164.81
38-374	335	All	5000
38-375	354	All	5000
38-376	355	All	4128.72
38-377	397	All	5000
38-378	407	All	5000

OCS OFFICIAL LEASING MAP, SOUTH MARSH ISLAND AREA, LOUISIANA MAP NO. 3A

(Approved Aug. 7, 1959)

Tract No.	Block	Description	Acreage
38-379	26	All	5000
38-380	40	All	5000
38-381	44	All	5000
38-382	45	All	5000
38-383	46	All	5000
38-384	47	All	5000
38-385	52	All	5000
38-386	60	All	5000

OCS OFFICIAL LEASING MAP, SOUTH MARSH ISLAND AREA-SOUTH ADDITION, LOUISIANA MAP NO. 3C

(Approved Sept. 8, 1959)

Tract No.	Block	Description	Acreage
38-387	90	All	5000
38-388	92	All	5000
38-389	93	All	5000
38-390	94	All	2896.99

OCS OFFICIAL LEASING MAP, SOUTH MARSH ISLAND AREA—SOUTH ADDITION, LOUISIANA MAP NO. 3C (CONTD)

Tract No.	Block	Description	Acreage
38-391	97	All	5000
38-392	98	All	5000
38-393	118	All	3185.01
38-394	120	All	2500
38-395	133	All	2500
38-396	150	All	3329.40
38-397	177	All	5000

OCS OFFICIAL LEASING MAP, EUGENE ISLAND AREA, LOUISIANA MAP NO. 4

(Approved June 8, 1954; revised July 22, 1954)

Tract No.	Block	Description	Acreage
38-398	26	All	5000
38-399	41	All	5000
38-400	43	All	5000
38-401	52	All	5000
38-402	69	All	5000
38-403	70	All	5000
38-404	72	All	5000
38-405	134	All	5000
38-406	136	All	5000
38-407	148	All	5000
38-408	149	All	5000
38-409	155	All	5000
38-410	171	All	5000
38-411	185	All	5000
38-412	186	All	5000
38-413	197	All	5000
38-414	224	All	5000
38-415	225	All	5000
38-416	228	All	5000
38-417	229	All	5000
38-418	233	All	5000
38-419	234	All	5000
38-420	262	All	5000

OCS OFFICIAL LEASING MAP, EUGENE ISLAND AREA—SOUTH ADDITION, LOUISIANA MAP NO. 4A

(Approved Sept. 8, 1959)

Tract No.	Block	Description	Acreage
38-421	297	All	5000
38-422	343	All	5000
38-423	364	All	5000
38-424	365	All	5000
38-425	372	All	5000
38-426	379	All	5000
38-427	384	All	5000

OCS OFFICIAL LEASING MAP, SHIP SHOAL AREA, LOUISIANA MAP NO. 5

(Approved June 8, 1954)

Tract No.	Block	Description	Acreage
38-428	61	All	5000
38-429	65	(3)	1577.81
38-430	84	All	5000
38-431	85	All	5000
38-432	111	All	5000
38-433	118	S½	2500
38-434	135	All	5000
38-435	136	All	5000
38-436	137	All	5000
38-437	146	All	5000
38-438	147	All	5000
38-439	184	All	5000
38-440	185	All	5000
38-441	190	All	5000
38-442	191	All	5000
38-443	213	All	5000
38-444	225	S½	2500
38-445	234	All	5000
38-446	235	All	5095.58

OCS OFFICIAL LEASING MAP, SHIP SHOAL AREA—SOUTH ADDITION, LOUISIANA MAP NO. 5A

(Approved Sept. 8, 1959)

Tract No.	Block	Description	Acreage
38-447	236	All	5118.36
38-448	237	All	5000
38-449	238	All	5000
38-450	255	All	5000
38-451	257	All	5000
38-452	258	All	5000
38-453	259	All	5141.14
38-454	260	All	5163.92
38-455	262	All	5000
38-456	263	All	5000
38-457	264	All	5000
38-458	277	All	5000
38-459	290	All	5000
38-460	340	All	5000
38-461	341	All	5000
38-462	346	All	5000
38-463	347	All	5000
38-464	351	All	5000

OCS OFFICIAL LEASING MAP, SOUTH PELTO AREA, LOUISIANA MAP NO. 6

(Approved June 8, 1954; Revised July 22, 1954; Revised Dec. 9, 1954)

Tract No.	Block	Description	Acreage
38-465	13	All	5000

OCS OFFICIAL LEASING MAP, SOUTH TIMBALIER AREA, LOUISIANA MAP NO. 6

(Approved June 8, 1954; Revised July 22, 1954; Revised Dec. 9, 1954)

Tract No.	Block	Description	Acreage
38-466	16	(2)	1564.37
38-467	17	(2)	1032.30
38-468	27	S½SW¼; SE¼	1875
38-469	32	All	5000
38-470	33	All	3772.18
38-471	44	All	5000
38-472	45	All	5000
38-473	46	All	5000
38-474	62	All	5000
38-475	87	All	5000
38-476	90	All	5000
38-477	106	All	5000
38-478	107	All	5000
38-479	110	All	5000
38-480	124	All	5000
38-481	146	All	3772.18
38-482	147	All	5000
38-483	163	All	3772.18

OCS OFFICIAL LEASING MAP, SOUTH TIMBALIER AREA—SOUTH ADDITION, LOUISIANA MAP NO. 6A

(Approved Sept. 8, 1959; Revised July 22, 1968)

Tract No.	Block	Description	Acreage
38-484	212	All	5000
38-485	213	All	5000
38-486	218	All	5000
38-487	224	All	5000
38-488	225	All	5000
38-489	283	All	5000
38-490	284	All	5000
38-491	287	All	5000
38-492	288	All	5000
38-493	289	All	5000
38-494	308	All	5000

OCS OFFICIAL LEASING MAP, GRAND ISLE AREA, LOUISIANA MAP NO. 7

(Approved June 8, 1954)

Tract No.	Block	Description	Acreage
38-495	20	All	5000
38-496	24	(2)	3014.98
38-497	27	All	5000
38-498	31	All	5000
38-499	75	All	5000
38-500	82	W½; SE¼	3750
38-501	83	All	5000

OCS OFFICIAL LEASING MAP, GRAND ISLE AREA—SOUTH ADDITION, LOUISIANA MAP NO. 7A

(Approved Sept. 8, 1959; Revised Mar. 7, 1961)

Tract No.	Block	Description	Acreage
38-502	91	All	5000
38-503	92	All	5000
38-504	100	All	4539.89

OCS OFFICIAL LEASING MAP, WEST DELTA AREA, LOUISIANA MAP NO. 8

(Approved June 8, 1954)

Tract No.	Block	Description	Acreage
38-505	38	All	1796.21
38-506	39	All	5000
38-507	47	All	5000
38-508	48	(3)	4296.08
38-509	61	All	5000
38-510	62	All	5000
38-511	76	All	5000
38-512	100	All	5000

OCS OFFICIAL LEASING MAP, WEST DELTA AREA—SOUTH ADDITION, LOUISIANA MAP NO. 8A

(Approved Sept. 8, 1959; Revised Nov. 24, 1961)

Tract No.	Block	Description	Acreage
38-513	118	All	5080.60
38-514	119	All	5080.60
38-515	120	All	5000

OCS OFFICIAL LEASING MAP, SOUTH PASS AREA, LOUISIANA MAP NO. 9

(Approved June 8, 1954; Revised July 22, 1954; Revised May 11, 1973)

Tract No.	Block	Description	Acreage
38-516	32	(3)	3683.80
38-517	45	(3)	2460.55

OCS OFFICIAL LEASING MAP, SOUTH PASS AREA—SOUTH AND EAST ADDITION, LOUISIANA MAP NO. 9A

(Approved Sept. 8, 1959)

Tract No.	Block	Description	Acreage
38-518	73	All	5000
38-519	86	All	5000
38-520	87	All	3540.45
38-521	88	All	3540.45

OCS OFFICIAL LEASING MAP, MAIN PASS AREA, LOUISIANA MAP NO. 10

(Approved June 8, 1954; Revised July 22, 1954)

Tract No.	Block	Description	Acreage
38-522	18	N½ [3]	2485.38
38-523	30	(3)	2237.12
38-524	58	NE¼SE¼ [3]	312.16
38-525	59	S½ [4]	2019.70
38-526	59	S½; NE¼ [3]	1406
38-527	72	(3)	486.76
38-528	74	(3)	1733.48
38-529	86	All	4994.55
38-530	87	All	4994.55
38-531	120	All	4994.55
38-532	121	All	4994.55
38-533	124	All	4994.55
38-534	125	All	4994.55

OCS OFFICIAL LEASING MAP, MAIN PASS AREA—SOUTH AND EAST ADDITION, LOUISIANA MAP NO. 10A

(Approved Sept. 8, 1959)

Tract No.	Block	Description	Acreage
38-535	206	All	4994.55
38-536	209	All	4994.55
38-537	210	All	4994.55
38-538	252	All	4994.55
38-539	255	All	4994.55
38-540	256	All	4994.55
38-541	277	All	4994.55
38-542	278	All	4994.55
38-543	297	All	4560.81

Footnotes at end of table.

OCS OFFICIAL LEASING MAP, CHANDELEUR AREA, LOUISIANA MAP NO. 11

(Approved June 8, 1954; Revised July 22, 1954)

Tract No.	Block	Description	Acreage
38-544	24	All	5000
38-545	25	All	5000
38-546	31	All	5000
38-547	32	All	5000
38-548	33	All	5000
38-549	34	All	5000

OCS OFFICIAL LEASING MAP, BAY CITY NG-15-1

(Approved June 8, 1973)

Tract No.	Block	Description	Acreage
38-550	N638 E63	All	5760
38-551	N638 E64	All	5760
38-552	N638 E84	All	5760
38-553	N639 E61	All	4205.50
38-554	N639 E62	All	5760
38-555	N639 E63	All	5760
38-556	N639 E64	All	5760

OCS OFFICIAL LEASING MAP, GARDEN BANKS NG 15-2

(Approved February 15, 1973)

Tract No.	Block	Description	Acreage
38-557	N637 E89	All	4791.02
38-558	N637 E90	All	4158.04
38-559	N637 E91	All	5257.36
38-560	N637 E101	All	5760
38-561	N637 E111	All	5760
38-562	N638 E91	All	2652.18
38-563	N638 E111	All	5760
38-564	N639 E92	All	2267.78
38-565	N639 E93	All	3283.61
38-566	N640 E110	All	5760
38-567	N641 E110	All	1215.46

OCS OFFICIAL LEASING MAP, NEW ORLEANS NH-15-12

(Approved Feb. 15, 1973)

Tract No.	Block	Description	Acreage
38-568	N643 E147	All	4256.60
38-569	N644 E147	All	504.66
38-570	N644 E162	All	5760
38-571	N644 E163	All	5760
38-572	N645 E162	All	5760
38-573	N645 E163	All	5760
38-574	N656 E165	All	3750.66

OCS OFFICIAL LEASING MAP, MOBILE SOUTH NO. 2 NH-16-10

(Approved Feb. 15, 1973)

Tract No.	Block	Description	Acreage
38-575	N655 E48	All	5760
38-576	N656 E48	All	5760
38-577	N658 E46	All	3873.13
38-578	N658 E61	All	5760
38-579	N658 E62	All	5760
38-580	N663 E63	All	2768.41
38-581	N663 E64	All	5286.78
38-582	N664 E64	All	2508.86

OCS OFFICIAL LEASING MAP, MOBILE SOUTH NO. 1 NH-16-7

(Approved Oct. 10, 1972; Revised Feb. 15, 1973; Revised Aug. 1, 1973)

Tract No.	Block	Description	Acreage
38-583	N665 E65	All	2210.16
38-584	N667 E75	All	5760
38-585	N667 E76	All	5760
38-586	N667 E77	All	5760
38-587	N668 E74	All	5760
38-588	N668 E75	All	5760
38-589	N668 E76	All	5760
38-590	N668 E77	All	5760
38-591	N668 E78	All	5760
38-592	N669 E74	All	5221.36
38-593	N669 E75	All	5760
38-594	N669 E76	All	5760

OCS OFFICIAL LEASING MAP, NORTH PADRE ISLAND AREA, TEXAS MAP NO. 2

(Approved July 16, 1954)

Tract No.	Block	Description	Acreage
38-595	883	(1) (2)	815
38-596	884	All [3]	5760
38-597	885	All [3]	5760
38-598	886	All [3]	5760
38-599	887	All [3]	5760
38-600	896	All [3]	5760
38-601	897	All [3]	5760
38-602	898	All [3]	5760
38-603	899	(1) (2)	1785
38-604	904	(1) (2)	2365
38-605	905	All [3]	5760
38-606	906	All [3]	5760
38-607	907	All [3]	5760
38-608	914	All [3]	5760
38-609	915	All [3]	5760
38-610	916	All [3]	5760
38-611	917	All [3]	5760
38-612	918	All [3]	5760
38-613	927	All [3]	5760
38-614	929	All [3]	5760
38-615	936	All [3]	5760
38-616	947	All [3]	5760
38-617	948	All [3]	5760
38-618	955	All [3]	5760
38-619	956	All [3]	5760
38-620	967	All [3]	5760
38-621	968	All [3]	5760
38-622	978	All [3]	5760
38-623	989	All [3]	5760
38-624	997	All [3]	5760
38-625	1007	(1) (2)	5460
38-626	1008	All [3]	5760
38-627	1010	All [3]	5760
38-628	1019	All [3]	5760
38-629	1021	All [3]	5760
38-630	1022	(1) (2)	3675

[4]NOTE.—There is a hiatus in the numbers of the tracts listed. Two of the tracts identified in the Final Environmental Impact Statement are not included in this notice.

[1] That portion seaward of the three marine league arc.

[2] That portion located more than one foot seaward of the Third Supplemental Decree Line (404 U.S. 388 (Dec. 20, 1971)).

[3] Tract is in Zone 2 as that zone was defined in the agreement between the United States and the State of Louisiana, Oct. 12, 1956.

[4] That portion located in Zone 2 as that zone was defined in the agreement between the United States and the State of Louisiana, Oct. 12, 1956, and landward of the Third Supplemental Decree Line (404 U.S. 388 (Dec. 20, 1971)).

[5] That portion located in Zone 3 as that zone was defined in the agreement between the United States and the State of Louisiana, Oct. 12, 1956, and landward of the Third Supplemental Decree Line (404 U.S. 388 (Dec. 20, 1971)).

[6] Tracts 38-595 through 38-630 inclusive are covered in Environmental Impact Statement FES 75-63 (1975 Outer Continental Shelf Oil and Gas General Lease Offshore Texas OCS Sale No. 37, dated Nov. 26, 1974).

14. Some of the tracts offered for lease may fall in fairway areas (including the prolongations thereof) or anchorage areas, or both, or in areas where applications therefor are pending. For the location of those areas and operational restrictions which will or might be imposed, the District Engineer, Galveston District, and the District Engineer, New Orleans District, Corps of Engineers, U.S. Army should be consulted.

SUGGESTED BID FORM

15. It is suggested that bidders submit their bids in the following form:

OIL AND GAS BID

The following bid is submitted for an oil and gas lease on the land of the Outer Continental Shelf specified below:

Tract No.	Total amount bid	Amount per acre	Amount of cash bonus submitted with bid

Proportionate Interest of Company Submitting Bid

N.O. Misc. No. _____ _____%

(Company)

(Address)

Signature (Please type signer's name under signature)

WITHDRAWAL OF TRACTS

16. The United States reserves the right to withdraw any tract from these sales prior to the issuance of a written acceptance of a bid for that tract.

GEORGE L. TURCOTT,
Associate Director,
Bureau of Land Management.

Approved: April 22, 1975.

JOHN C. WHITAKER,
Under Secretary of the Interior.

[FR Doc.75-10953 Filed 4-24-75;8:45 am]

National Park Service

GOLDEN GATE NATIONAL RECREATION AREA CITIZENS' ADVISORY COMMISSION

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Golden Gate National Recreation Area Citizens' Advisory Commission will be held at 9:30 a.m. on May 17, 1975 at Department of Public Health Building, 101 Grove Street, Room 300, San Francisco, California.

The purpose of the Golden Gate National Recreation Area Citizens' Advisory Commission is to provide for the free exchange of ideas between the National Park Service and the public on problems and programs pertinent to the National Park System in Marin and San Francisco counties.

Members of the Citizens' Advisory Commission are as follows:

Mr. Frank Boerger, Chairman
Mr. Ernest C. Ayala
Mr. Richard Bartke
Mr. Fred Blumberg
Mr. Joseph Caverly
Mr. Lambert Lee Choy
Mrs. Daphne Greene
Mr. Peter Haas, Sr.
Mr. Joseph Mendoza
Mrs. Amy Meyer
Mr. John R. Mitchell
Mr. Merrit Robinson
Mr. William Thomas
Mr. Gene Washington
Dr. Edgar Wayburn

The major items on the agenda will be:

1. Staff Report on Potential Additions to GGNRA/Pt. Reyes in Marin, San Mateo and Santa Cruz Counties.

2. Status Report on State Legislation Authorizing the Transfer of State Park Properties to the National Park Service in Marin and San Francisco Counties.

3. Status Report—Fort Mason Interim Use Proposals.

This meeting will be open to the public. Any member of the public may file with the Commission a written statement concerning the matters to be discussed.

Persons wishing further information cerning the matters to be discussed. submit written statements may contact William J. Whalen, General Superintendent, Golden Gate National Recreation Area, Fort Mason, San Francisco, CA 94123, telephone 556-2920.

Minutes of the meeting will be available for public inspection by June 2, 1975 in the Office of the General Superintendent, Golden Gate National Recreation Area, Fort Mason, San Francisco.

Dated.: April 15, 1975.

JOHN H. DAVIS,
Acting Regional
Director, Western Region.

[FR Doc.75-10876 Filed 4-24-75;8:45 am]

HALEAKALA NATIONAL PARK, HAWAII SEVEN POOLS DEVELOPMENT OPTIONS

Workshops

Notice is hereby given that the National Park Service will hold two public workshops on the Island of Maui, Hawaii, during May, 1975, to provide for public involvement and citizen participation in planning for the Seven Pools area, Haleakala National Park.

The workshops will be held in Hana, Maui, May 27, 1975, in the Helene Hall, at 7 p.m., and in Kahului, Maui, on May 29, 1975, in the Kahului Public Library, at 7 p.m.

Concurrent with these workshops will be a series of consultations between members of the National Park Service and appropriate Federal, State and local government officials, organizations and individuals.

The purpose of these workshops and consultations is to provide for wide public involvement, including ideas, suggestions and comments from individuals and organizations on the concepts and composition of the development options and National Park management for the Seven Pools area prior to drafting a Development Concept Plan.

Anyone wanting additional information on the workshops, the National Park Service planning process, or wishing to submit comments on the development options may write to the Superintendent,

Haleakala National Park, P.O. Box 537, Makawao, Maui, Hawaii 96768.

JOHN H. DAVIS,
Acting Regional Director, Western Region, National Park Service.

[FR Doc.75-10958 Filed 4-24-75;8:45 am]

JOHN MUIR NATIONAL HISTORIC SITE, CALIF. MASTER PLAN ASSESSMENT

Intent To Hold Workshops

Notice is hereby given that the National Park Service will hold two public workshops in the San Francisco Bay Area during May 1975, to provide for public involvement and citizen participation in developing the Master Plan for John Muir National Historic Site, Martinez, California.

The workshops will be held in Martinez, California, May 22, 1975, in Room Number One, Martinez Junior High School, Court and Warren Streets, at 7:30 p.m., and in San Francisco, May 24, 1975, in the Conference Room, Headquarters Building Number 201, Golden Gate National Recreation Area, Fort Mason, at 1 p.m.

Concurrent with these workshops will be a series of consultations between members of the National Park Service and appropriate Federal, State and local government officials, organizations and individuals.

The purpose of these workshops and consultations is to provide for wide public involvement, including ideas, suggestions and comments from individuals and organizations on the concepts and composition of the Assessment for John Muir National Historic Site prior to drafting a Master Plan.

Anyone wanting additional information on the workshops, the National Park Service planning process, or wishing to submit comments on the Master Plan Assessment may write to the Superintendent, John Muir National Historic Site, 4202 Alhambra Avenue, Martinez, California 94553.

JOHN H. DAVIS,
Acting Regional Director, Western Region, National Park Service.

[FR Doc.75-10959 Filed 4-24-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Soil Conservation Service

JAMESTOWN FLOOD PREVENTION RC&D MEASURE, TENN.

Availability of Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500.6(e) of the Council of Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and part 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19651) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Jamestown Flood Prevention RC&D Measure, Fentress County, Tennessee.

The environmental assessment of this federal action indicates that the measure will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the measure. As a result of these findings, Mr. Paul M. Howard, State Conservationist, Soil Conservation Service, USDA, 561 United States Courthouse, Nashville, Tennessee, 37203, has determined that the preparation and review of an environmental impact statement is not needed for this measure.

The measure concerns a plan for flood prevention. The planned works of improvement include channel work on an intermittent stream to provide a 100-year level of flood protection. Other measure purposes are: (1) to minimize health hazards from disease vectors harbored in low lying areas of the flood plain; (2) to eliminate damages to property, roads, and streets due to flooding; (3) to enhance opportunities for economic development; and, (4) to improve the aesthetics of the flood plain area.

The environmental assessment file is available for inspection during regular business hours at the following location:

Soil Conservation Service, USDA, 561 U.S. Courthouse, Nashville, Tennessee 37203.

Single copies of the negative declaration are available on request from the above address.

No administrative action on implementation of the proposal will be taken until May 12, 1975.

(Catalog of Federal Domestic Assistance Program No. 10.901, National Archives Reference Services.)

ROBERT E. WILLIAMS,
Deputy Administrator for Field Services, Soil Conservation Service.

APRIL 18, 1975.

[FR Doc.75-10811 Filed 4-24-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

COMPUTER PERIPHERALS, COMPONENTS AND RELATED TEST 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 Computer Peripherals, Components and Related Test Equipment Technical Advisory Committee will be held on Thursday, June 5, 1975, at 9:30 a.m., in Room 5230, Main Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C.

The Computer Peripherals, Components and Related Test Equipment Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee for two additional years, pursuant to section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. section 2404(c)(1) (Supp. III, 1973) and the Federal Advisory Committee Act.

The Committee advises the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to computer peripherals, components and related test equipment, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

The Committee meeting agenda has four parts:

GENERAL SESSION

(1) Opening remarks by the Chairman.

(2) Presentation of papers or comments by the public.

(3) Nomination and election of a new Chairman.

EXECUTIVE SESSION

(4) 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 respect to agenda item (4), the Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on December 16, 1974, 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 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.

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 series of meetings of the Computer Peripherals, Components and Related Test Equipment Technical Advisory Committee and of any subcommittees thereof, was published in the FEDERAL REGISTER (40 FR 2458, appearing in the issue of January 13, 1975).

Dated: April 22, 1975.

RAUER H. MEYER,
Director, Office of Export Administration, Bureau of East-West Trade, U.S. Department of Commerce.

[FR Doc.75–10868 Filed 4–24–75;8:45 am]

National Bureau of Standards

COBOL CODING FORM

Proposed Federal Information Processing Standard

Under the provisions of Pub. L. 89–306 and Executive Order 11717, the Secretary of Commerce is authorized to establish uniform Federal ADP standards. A proposed Federal Information Processing Standard, COBOL Coding Form, is being recommended for Federal use. The development of the proposed standard form was accomplished through the cooperative efforts of FIPS Task Group 9 (COBOL) and the Interagency Reports and Standards Forms Division of the National Archives. It is based upon a review and analysis of numerous COBOL coding forms being used throughout the Federal Government.

Prior to the submission of this proposal to the Secretary of Commerce for approval, it is essential to assure that proper consideration is given to the needs and views of manufacturers, the public, and state and local governments. The purpose of this notice is to solicit such views.

Dated: April 18, 1975.

Interested parties may submit comments to the Associate Director for ADP Standards, Institute for Computer Sciences and Technology, National Bureau of Standards, Washington, D.C. 20234, within 90 days from the date of this notice.

Dated: April 18, 1975.

RICHARD W. ROBERTS,
Director.

PROPOSED FEDERAL INFORMATION PROCESSING STANDARDS PUBLICATION _____
DATE _____
ANNOUNCING THE STANDARD FOR

COBOL CODING FORM

Federal Information Processing Standards Publications are issued by the National Bureau of Standards pursuant to section 111 (f)(2) of the Federal Property and Administrative Services Act of 1949, as amended, Pub. L. 89–306 (79 Stat. 1127), as implemented by Executive Order 11717 (38 FR 12315, dated May 11, 1973) and Part 6 of Title 15 Code of Federal Regulations.

Name of Standard. COBOL Coding Form.

Category of Standard. Software, Documentation.

Explanation. This publication provides a standard COBOL Coding Form (SF–) together with an explanation of its use and physical specifications. The standard form is based upon a review and analysis of numerous COBOL coding forms being used throughout the Federal Government. The development of the standard form was accomplished through the cooperative efforts of FIPS Task Group 9 (COBOL) under the auspices of the National Bureau of Standards and the Interagency Reports and Standards Forms Division of the National Archives.

Approving Authority. Secretary of Commerce.

Maintenance Agency. Department of Commerce, National Bureau of Standards (Institute for Computer Sciences and Technology).

Related Documents. a. Federal Information Processing Standards Publication 21, Federal Standard COBOL.

b. American National Standard X3.23–1974, COBOL.

c. Federal Information Processing Standards Publication 33, Character Set for Handprinting.

Applicability. The standard COBOL coding form is provided for use in the coding of COBOL source programs. It is also for use as an input document in the transcription of COBOL source programs to a medium acceptable to computer systems.

Implementation Schedule. This standard becomes effective upon publication. Federal departments and agencies, based upon their specific operational requirements, will develop and provide implementing instructions for the use of this standard within their organizations as appropriate.

Specifications. The standard COBOL Coding Form (affixed) is designed to accommodate the COBOL reference format, provide space for general identifying information and provide a guide for hand printed characters. (The form has been reduced to facilitate inclusion in this publication. The standard form will be 21.59 cm (8½ inches) by 35.56 cm (14 inches).)

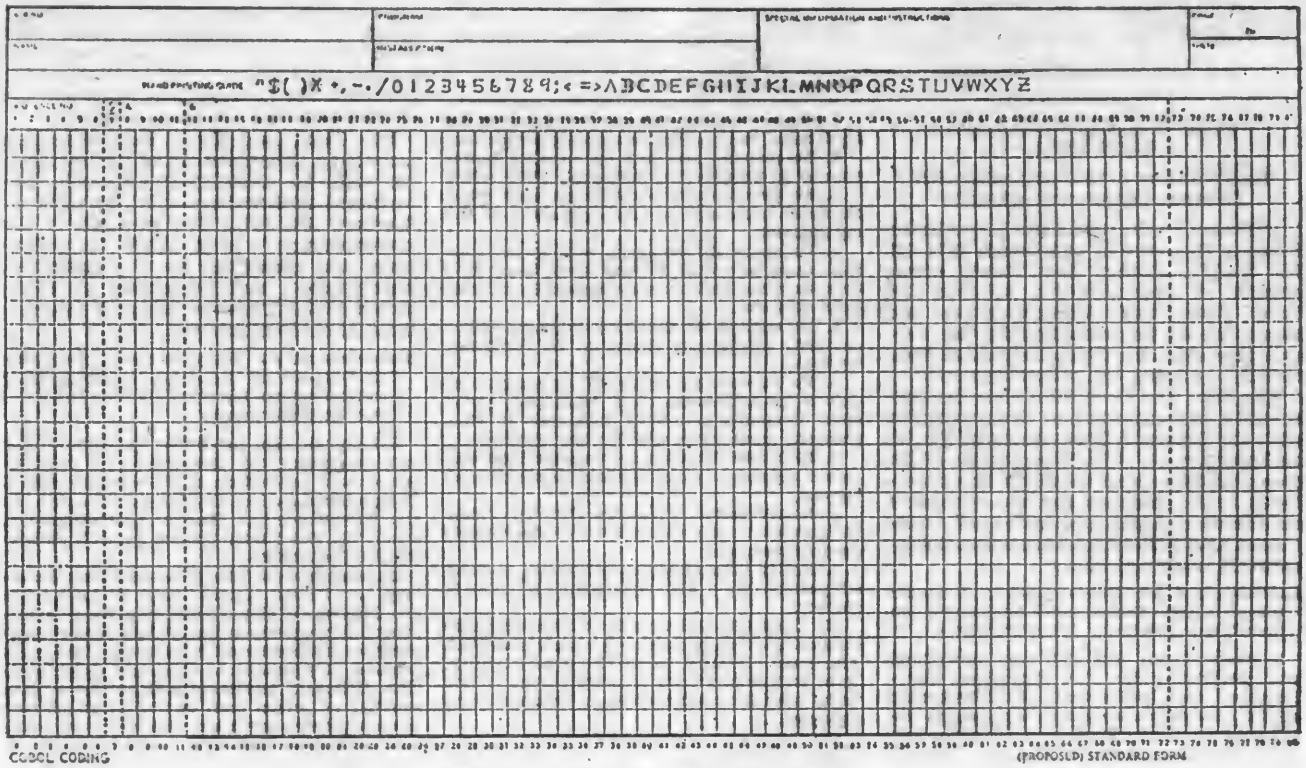
a. *Heading Blocks.* The space in the heading blocks is provided to meet the minimal requirements of general use. Included is space to specify the Job Number, Program, Name (Programmer Name, Organization Name, etc.), Installation, Page Number, Date, and Special Information and Instructions.

b. *Hand Printing Guide.* The programming subset of characters for hand printing as specified in FIPS Publication 33 is included as an aid. Only the COBOL character set is listed. The characters are listed in the ASCII collating sequence (low (left) to high (right)).

c. *Body.* The body of the standard COBOL coding form is designed to accommodate the reference format specifications contained in American National Standard X3.23–1974, section I, Paragraph 5.8. The four major sections of the reference format (sequence number, indicator area, area A and area B) are delineated by broken vertical lines.

Where to Obtain Copies. Copies of this publication are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Refer to Federal Information Processing Standards Publication _____ (FIPS PUB _____).

Copies of the Standard Form _____, COBOL Coding Form, are available as a GSA Federal Supply Stock Item, NSN _____. The forms will be issued in units of 50 copies to a pad. Supplies and price information for Standard Form _____ should be obtained from the nearest GSA supply distribution facility.



[FR Doc.75-10652 Filed 4-24-75;8:45 am]

COMMONALITY AND AUTOMATION IN BLOOD BANKING OPERATIONS

Conference

The National Bureau of Standards will co-sponsor a Conference on Commonality and Automation in Blood Banking Operations on May 12–14, 1975. The purposes of the Conference are to promote the orderly introduction and application of automation to increase the safety, productivity and quality of blood banking operations; and to provide a mechanism to allow all interested parties to become aware of the automation program plans and to have the opportunity to participate in the effort, as appropriate. The Conference will focus on the blood banking community's automation requirements and the technology needed to satisfy those requirements.

Other co-sponsors of the Conference are the Committee for Commonality in Blood Banking Automation, made up of representatives of the American Association of Blood Banks, the American National Red Cross, and the Council of Community Blood Centers; the Bureau of Biologics, Food and Drug Administration; and the Division of Blood Diseases and Resources, National Heart and Lung Institute, National Institutes of Health.

The blood banking automation program was formed because considerations of safety and economics are exerting strong pressures toward automation of blood banking operations. It has already been demonstrated that automation can significantly reduce errors in blood product labelling and in the administration of blood products to patients. The Committee for Commonality believes that automation can also significantly increase the efficiency and reduce the costs associated with processing and distribution of blood and blood products, maintenance of operational records, billing and compilation of statistical information. The introduction of such automation is dependent initially upon the development and adoption of common, standardized codes and labels that are both human and machine readable.

The Conference will focus first on describing the nature of the problems facing the blood service complex; and presenting evaluations and recommendations of the Committee for Commonality relative to resolving these problems from the points of view of blood products labelling, the management of blood programs, the assignment of codes, the selection of machine-readable symbols for representing these codes, and transfusion safety. In the second part of the program, industrial groups will discuss the technical capabilities for meeting these requirements. There will also be demonstrations of various technologies relevant to the problem. The final part of the Conference will be an open session where all participants will have an opportunity to state their viewpoints and ask questions.

Although all interested parties are invited, the Conference should be of special interest to all segments of the blood banking community, manufacturers of blood banking supplies and equipment, manufacturers of labels, manufacturers of automatic marking and reading equipment, and manufacturers of associated computer equipment.

The Conference will be held in the Green Auditorium at the National Bureau of Standards, Gaithersburg, Maryland, starting at 10 am, May 12, 1975 with registration commencing at 9 am. Pre-registrations will be accepted until May 1, 1975; the fee is $30. Checks should be made payable to the Conference on Commonality and should be sent to the Committee for Commonality in Blood Banking Automation, Department S, 9312 Old Georgetown Road, Bethesda, Maryland 20014. Registration may be done each day of the conference until 10 am at a cost of $40.

Further information may be obtained by contacting the Conference Chairman, Dr. Leonard I. Friedman, telephone (301) 530–6040, or Mr. Zane Thornton, Deputy Director, Institute for Computer Sciences and Technology, National Bureau of Standards, telephone (301) 921–3155.

RICHARD W. ROBERTS,
Director.

APRIL 21, 1975.

[FR Doc.75-10820 Filed 4-24-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[FDA–225–75–4037]

ARTX TELECOMMUNICATION EQUIPMENT

Memorandum of Understanding with Colorado Department of Health

Pursuant to the notice published in the FEDERAL REGISTER of October 3, 1974 (39 FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the Colorado Department of Health on February 10, 1975. The purpose of the memorandum is to establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment. It reads as follows:

MEMORANDUM OF UNDERSTANDING BETWEEN THE COLORADO DEPARTMENT OF HEALTH AND THE FOOD AND DRUG ADMINISTRATION

I. *Purpose.* To establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment located in the Milk, Food, and Drug Section, 4210 East 11th Avenue, Denver, Colorado 80220.

II. *Background.* The FDA, Assistant Secretary for Health, Department of HEW, and the General Services Administration have approved a program to install full telecommunication transmit and receive terminals in a number of prime state food and drug agencies. Although terminals will be placed in a number of prime food and drug regulatory agencies, there are a number of other agencies with food and drug responsibilities in each state, where no terminal will be installed. Therefore, your agency, being one that received a terminal, must agree to share the terminal with other food and drug agencies in your state to assure that the communication system is accessible to all agencies with food and drug related responsibilities.

In addition to terminal-sharing, it is necessary for our two agencies to assure that proper operation and necessary supporting requirements for the equipment is maintained and proper security is provided for the equipment.

III. *Substance of Agreement.* A. The Food and Drug Administration agrees:

1. To arrange for the installation of the equipment in the location designated by your agency.

2. To support financially the cost of initial installation of the equipment and pay directly to GSA and Western Union the monthly rental cost. After the initial installation, the state will be responsible for relocation installation cost, unless relocation is in conjunction with a major move of the terminal agency to a new location address.

3. To identify for you those units in your state on which terminal-sharing must be accomplished.

4. To require that the terminal location agency (your agency) submit to FDA a terminal-sharing plan to be developed by you and other sharing units in your state.

5. To arrange through Western Union for training of terminal operators.

6. To provide operation instruction manual.

7. To withdraw financial support for the terminal if gross misuse of the terminal is practiced after due notice.

B. The State Terminal Agency agrees:

1. To provide suitable physical location for equipment with adequate security protection.

2. To provide and pay for electric power source to operate the terminal. (110 volts)

3. To provide for paper, tape and other material necessary for the operation of the equipment.

4. To share the terminal with other food and drug agencies in the state according to a terminal-sharing plan agreed to by each potential user.

5. To submit to the FDA Regional Office monthly traffic log. (Form to be furnished by FDA)

6. To submit promptly all messages received for addressees other than your agencies. Transmit promptly messages to FDA received from other appropriate agencies.

7. Maintain operator coverage for the terminal between normal working hours of your agency.

8. Notify vendor (Western Union) of any breakdown of the equipment or other needs for maintenance.

9. Notify FDA (Regional or Headquarters) of periods that the equipment is out-of-service.

10. That the system will be used *only* for communication between your state and FDA (Regional, District, or Headquarters Office). It is understood that the equipment is not to be used for communication between state agencies.

IV. *Name and Address of Terminal Agency.* Colorado Department of Health, Milk, Food, and Drug Section, 4210 East 11th Avenue, Denver, Colorado 80220.

V. *Liaison Officers.* For Colorado Department of Health: Orlen J. Wiemann, Chief, Milk, Food and Drug Section. Address: 4210 East 11th Avenue, Denver, Colorado 80220. Telephone No.: (303) 388–6111.

For FDA: John R. Vodneck, Program Analyst. Address: 500 U.S. Customhouse. Telephone No.: 837–4915.

VI. *Period of Agreement.* This agreement, when accepted by both parties, will have an effective period of performance three (3) years from date of signature and may be modified by mutual consent by both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the Colorado Department of Health: Edward G. Dreyfus, M.D., M.P.H., Executive Director. Date: February 10, 1975.

Approved and accepted for the Food and Drug Administration: E. Pitt Smith, Deputy Regional Food and Drug Director. Date: February 5, 1975.

Effective date. This Memorandum of Understanding became effective February 10, 1975.

Dated: April 18, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner, for Compliance.

[FR Doc.75–10834 Filed 4–24–75;8:45 am]

[FDA–225–75–4042]

ARTX TELECOMMUNICATION EQUIPMENT

Memorandum of Understanding With the District of Columbia Department of Environmental Services

Pursuant to the notice published in the FEDERAL REGISTER of October 3, 1974 (39 FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the District of Columbia Department of Environmental Services on February 18, 1975. The purpose of the memorandum is to establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment. It reads as follows:

MEMORANDUM OF UNDERSTANDING BETWEEN THE DISTRICT OF COLUMBIA DEPARTMENT OF ENVIRONMENTAL SERVICES AND THE FOOD AND DRUG ADMINISTRATION

I. *Purpose.* To establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment located in the Environmental Health Administration, Room 733, 801 North Capitol St., N.E., Washington, D.C. 20004.

II. *Background.* The FDA, Assistant Secretary for Health, Department of HEW, and the General Services Administration have approved a program to install full telecommunication transmit and receive terminals in a number of prime state food and drug agencies. Although terminals will be placed in a number of prime food and drug regulatory agencies, there are a number of other agencies with food and drug responsibilities in each state, where no terminal will be installed. Therefore, your agency, being one that received a terminal, must agree to share the terminal with other food and drug agencies in your state to assure that the communication system is accessible to all agencies with food and drug related responsibilities.

In addition to terminal-sharing, it is necessary for our two agencies to assure that proper operation and necessary supporting requirements for the equipment is maintained and proper security is provided for the equipment.

III. *Substance of Agreement.* A. The Food and Drug Administration agrees:

1. To arrange for the installation of the equipment in the location designated by your agency.

2. To support financially the cost of initial installation of the equipment and pay directly to GSA and Western Union the monthly rental cost. After the initial installation, the state will be responsible for relocation installation cost, unless relocation is in conjunction with a major move of the terminal agency to a new location address.

3. To identify for you those units in your state on which terminal-sharing must be accomplished.

4. To require that the terminal location agency (your agency) submit to FDA a terminal-sharing plan to be developed by you and other sharing units in your state.

5. To arrange through Western Union for training of terminal operators.

6. To provide operation instruction manual.

7. To withdraw financial support for the terminal if gross misuse of the terminal is practiced after due notice.

B. The State Terminal Agency agrees:

1. To provide suitable physical location for equipment with adequate security protection.

2. To provide and pay for electric power source to operate the terminal. (110 volts)

3. To provide for paper, tape and other material necessary for the operation of the equipment.

4. To share the terminal with other food and drug agencies in the state according to a terminal-sharing plan agreed to by each potential user.

5. To submit to the FDA Regional Office monthly traffic log. (Form to be furnished by FDA)

6. To submit promptly all messages received for addressees other than your agencies. Transmit promptly messages to FDA received from other appropriate agencies.

7. Maintain operator coverage for the terminal between normal working hours of your agency.

8. Notify vendor (Western Union) of any breakdown of the equipment or other needs for maintenance.

9. Notify FDA (Regional or Headquarters) of periods that the equipment is out-of-service.

10. That the system will be used *only* for communication between your state and FDA (Regional, District, or Headquarters Office). It is understood that the equipment is not to be used for communication between state agencies.

IV. *Name and Address of Terminal Agency.* Department of Environmental Services, 415 12th Street, NW., Washington, D.C. 20004

V. *Liaison Officers.* For District of Columbia Department of Environmental Services: William J. Maisel, Environmental Health Administration. Address: Room 733, 801 N. Capitol St., NE., Washington, D.C. Telephone No.: (202) 629–3013.

For FDA: J. Donald Sherry, Director, Investigations Branch. Address: 900 Madison Avenue, Baltimore, Md. 21201. Telephone No.: (301) 962–4099.

VI. *Period of Agreement.* This agreement, when accepted by both parties, will have an effective period of performance three (3) years from date of signature and may be modified by mutual consent by both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the District of Columbia Dept. of Environmental Services: Ballus Walker, Director, Environmental Health Administration for DC Department of Environmental Services. Date: February 18, 1975 (2:30 p.m.).

Approved and accepted for the Food and Drug Administration: T. C. Maraviglia, Regional Food & Drug Director, FDA, Region III. Date: February 14, 1975.

Effective date. This Memorandum of Understanding became effective February 18, 1975.

Dated: April 18, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.75–10833 Filed 4–24–75;8:45 am]

[FDA–225–75–4053]

ARTX TELECOMMUNICATION EQUIPMENT

Memorandum of Understanding With the Kansas Department of Health and Environment

Pursuant to the notice published in the FEDERAL REGISTER of October 3, 1974 (39 FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the Kansas Department of Health & Environment on March 31, 1975. The purpose of the memorandum is to establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment. It reads as follows:

MEMORANDUM OF UNDERSTANDING BETWEEN THE KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT AND THE FOOD AND DRUG ADMINISTRATION

I. *Purpose.* To establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment located in the office of the Bureau of Foods and Drugs, Bldg. 728, Kansas Department of Health & Environment, Forbes Air Force Base, Topeka, Kansas 66620.

II. *Background.* The FDA, Assistant Secretary for Health, Department of HEW, and the General Services Administration have approved a program to install full telecommunication transmit and receive terminals in a number of prime state food and drug agencies. Although terminals will be placed in a number of prime food and drug regulatory agencies, there are a number of other agencies with food and drug responsibilities in each state, where no terminal will be installed. Therefore, your agency, being one that received a terminal, must agree to share the terminal with other food and drug agencies in your state to assure that the communication system is accessible to all agencies with food and drug related responsibilities.

In addition to terminal-sharing, it is necessary for our two agencies to assure that proper operation and necessary supporting requirements for the equipment is maintained and proper security is provided for the equipment.

III. *Substance of Agreement.* A. The Food and Drug Administration agrees:

1. To arrange for the installation of the equipment in the location designated by your agency.

2. To support financially the cost of initial installation of the equipment and pay directly to GSA and Western Union the monthly rental cost. After the initial installation, the state will be responsible for relocation installation cost, unless relocation is in conjunction with a major move of the terminal agency to a new location address.

3. To identify for you those units in your state on which terminal-sharing must be accomplished.

4. To require that the terminal location agency (your agency) submit to FDA a terminal-sharing plan to be developed by you and other sharing units in your state.

5. To arrange through Western Union for training of terminal operators.

6. To provide operation instruction manual.

7. To withdraw financial support for the terminal if gross misuse of the terminal is practiced after due notice.

B. The State Terminal Agency agrees:

1. To provide suitable physical location for equipment with adequate security protection.

2. To provide and pay for electric power source to operate the terminal. (110 volts)

3. To provide for paper, tape and other material necessary for the operation of the equipment.

4. To share the terminal with other food and drug agencies in the state according to a terminal-sharing plan agreed to by each potential user.

5. To submit to the FDA Regional Office monthly traffic log. (Form to be furnished by FDA)

6. To submit promptly all messages received for addressees other than your agencies. Transmit promptly messages to FDA received from other appropriate agencies.

7. Maintain operator coverage for the terminal between normal working hours of your agency.

8. Notify vendor (Western Union) of any breakdown of the equipment or other needs for maintenance.

9. Notify FDA (Regional or Headquarters) of periods that the equipment is out-of-service.

10. That the sstem will be used *only* for communication between your state and FDA (Regional, District, or Headquarters Office). It is understood that the equipment is not to be used for communication between state agencies.

IV. *Name and Address of Terminal Agency.* Kansas Department of Health & Environment, Building 728, Forbes Air Force Base, Topeka, Kansas 66620.

V. *Liaison Officers.* For Terminal Agency: Mr. Evan Wright, Director, Bureau of Food and Drugs. Address: Building 728, Forbes Air Force Base, Topeka, Kansas 66620. Telephone No.: (913) 296–3708.

For FDA: Dwight F. Ringhausen, Asst. to Director for FSIA. Address: 1009 Cherry Street, Kansas City, Missouri 64106. Telephone No.: (816) 374–3817.

VI. *Period of Agreement.* This agreement, when accepted by both parties, will have an effective period of performance three (3) years from date of signature and may be modified by mutual consent by both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the Kansas Dept. of Health and Environment: Dwight F. Metzler, Secretary of Health & Environment. Date: March 27, 1975.

Approved and accepted for the Food and Drug Administration: James A. Adamson, Deputy Regional Food & Drug, Director. Date: March 31, 1975.

Effective date. This Memorandum of Understanding became effective March 31, 1975.

Dated: April 18, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.75–10837 Filed 4–24–75;8:45 am]

[FDA–225–75–4022]

ARTX TELECOMMUNICATION EQUIPMENT

Memorandum of Understanding with the Kentucky Department of Human Resources

Pursuant to the notice published in the FEDERAL REGISTER of October 3, 1974 (39 FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the Kentucky Department of Human Resources on March 14, 1975. The purpose of the memorandum is to establish the procedures and guidelines for

the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment. It reads as follows:

MEMORANDUM OF UNDERSTANDING BETWEEN THE KENTUCKY DEPARTMENT OF HUMAN RESOURCES (BUREAU OF HEALTH SERVICES) AND THE FOOD AND DRUG ADMINISTRATION

I. *Purpose.* To establish the procedures and guidelines for the operation, maintenance and protection of FDA-rented ARTX Telecommunication Equipment located in Room 203, Office of Consumer Health Protection, Bureau for Health Services Building, 275 East Main Street, Frankfort, Kentucky 40601.

II. *Background.* The FDA, Assistant Secretary for Health, Department of HEW, and the General Services Administration have approved a program to install full telecommunication transmit and receive terminals in a number of prime state food and drug agencies. Although terminals will be placed in a number of prime food and drug regulatory agencies, there are a number of other agencies with food and drug responsibilities in each state, where no terminal will be installed. Therefore, your agency, being one that received a terminal, must agree to share the terminal with other food and drug agencies in your state to assure that the communication system is accessible to all agencies with food and drug related responsibilities.

In addition to terminal-sharing, it is necessary for our two agencies to assure that proper operation and necessary supporting requirements for the equipment is maintained and proper security is provided for the equipment.

III. *Substance of Agreement.* A. The Food and Drug Administration agrees:

1. To arrange for the installation of the equipment in the location designated by your agency.

2. To support financially the cost of initial installation of the equipment and pay directly to GSA and Western Union the monthly rental cost. After the initial installation, the state will be responsible for relocation installation cost, unless relocation is in conjunction with a major move of the terminal agency to a new location address.

3. To identify for you those units in your state on which terminal-sharing must be accomplished.

4. To require that the terminal location agency (your agency) submit to FDA a terminal-sharing plan to be developed by you and other sharing units in your state.

5. To arrange through Western Union for training of terminal operators.

6. To provide operation instruction manual.

7. To withdraw financial support for the terminal if gross misuse of the terminal is practiced after due notice.

B. The State Terminal Agency agrees:

1. To provide suitable physical location for equipment with adequate security protection.

2. To provide and pay for electric power source to operate the terminal. (110 volts.)

3. To provide for paper, tape, and other material necessary for the operation of the equipment.

4. To share the terminal with other food and drug agencies in the state according to terminal-sharing plan agreed to by each potential user.

5. To submit to the FDA Regional Office monthly traffic log. (Form to be furnished by FDA.)

6. To submit promptly all messages received for addressees other than your agencies. Transmit promptly messages to FDA received from other appropriate agencies.

7. Maintain operator coverage for the terminal between normal working hours of your agency.

8. Notify vendor (Western Union) of any breakdown of the equipment or other needs for maintenance.

9. Notify FDA (Regional or Headquarters) of periods that the equipment is out-of-service.

10. That the system will be used *only* for communication between your state and FDA (Regional, District, or Headquarters Office). It is understood that the equipment is not to be used for communication between state agencies.

IV. *Name and Address of Terminal Agency.* Kentucky Department of Human Resources, Bureau of Health Services, 275 East Main Street, Frankfort, Kentucky 40601.

V. *Liaison Officers.* For Kentucky Dept. of Human Resources: Shelby Johnson, Actg. Dir., Ofc. of Consumer Health Protection. Address: 275 East Main St., Frankfort, KY 40601. Telephone No.: (502) 564-3722.

For FDA: Hayward E. Mayfield, Director, Nashville District. Address: 297 Plus Park Blvd. Nashville, TN 37217. Telephone No.: (615) 749-5851.

VI. *Period of Agreements.* This agreement, when accepted by both parties, will have an effective period of performance three (3) years from date of signature and may be modified by mutual consent by both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the Kentucky Dept. of Human Resources: C. Leslie Dawson, Secretary, Department for Human Resources. Date: March 6, 1975.

Approved and accepted for the Food and Drug Administration: M. D. Kinslow, Regional Food and Drug Director, Region IV. Date: March 14, 1975.

Effective date. This Memorandum of Understanding became effective March 14, 1975.

Dated: April 18, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.75-10832 Filed 4-24-75;8:45 am]

[FDA-225-75-4027]

ARTX TELECOMMUNICATION EQUIPMENT

Memorandum of Understanding With the Massachusetts Department of Public Health (Division of Food and Drugs)

Pursuant to the notice published in the FEDERAL REGISTER of October 3, 1974 (39 FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the Massachusetts Department of Public Health (Division of Food and Drugs) on February 6, 1975. The purpose of the memorandum is to establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment. It reads as follows:

MEMORANDUM OF UNDERSTANDING BETWEEN THE MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH (DIVISION OF FOOD AND DRUGS) AND THE FOOD AND DRUG ADMINISTRATION

I. *Purpose.* To establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment located in Room 770, 600 Washington St., Boston, Massachusetts; Department of Public Health.

II. *Background.* The FDA, Assistant Secretary for Health, Department of HEW, and the General Services Administration have approved a program to install full telecommunication transmit and receive terminals in a number of prime state food and drug agencies. Although terminals will be placed in a number of prime food and drug regulatory agencies, there are a number of other agencies with food and drug responsibilities in each state, where no terminal will be installed. Therefore, your agency, being one that received a terminal, must agree to share the terminal with other food and drug agencies in your state to assure that the communication system is accessible to all agencies with food and drug related responsibilities.

In addition to terminal-sharing, it is necessary for our two agencies to assure that proper operation and necessary supporting requirements for the equipment is maintained and proper security is provided for the equipment.

III. *Substance of Agreement.* A. The Food and Drug Administration agrees:

1. To arrange for the installation of the equipment in the location designated by your agency.

2. To support financially the cost of initial installation of the equipment and pay directly to GSA and Western Union the monthly rental cost. After the initial installation, the state will be responsible for relocation installation cost, unless relocation is in conjunction with a major move of the terminal agency to a new location address.

3. To identify for you those units in your state on which terminal-sharing must be accomplished.

4. To require that the terminal location agency (your agency) submit to FDA a terminal-sharing plan to be developed by you and other sharing units in your state.

5. To arrange through Western Union for training of terminal operators.

6. To provide operation instruction manual.

7. To withdraw financial support for the terminal if gross misuse of the terminal is practiced after due notice.

B. The State Terminal Agency agrees:

1. To provide suitable physical location for equipment with adequate security protection.

2. To provide and pay for electric power source to operate the terminal. (110 volts)

3. To provide for paper, tape and other material necessary for the operation of the equipment.

4. To share the terminal with other food and drug agencies in the state according to a terminal-sharing plan agreed to by each potential user.

5. To submit to the FDA Regional Office monthly traffic log. (Form to be furnished by FDA)

6. To submit promptly all messages received for addressees other than your agencies. Transmit promptly messages to FDA received from other appropriate agencies.

7. Maintain operator coverage for the terminal between normal working hours of your agency.

8. Notify vendor (Western Union) of any breakdown of the equipment or other needs for maintenance.

9. Notify FDA (Regional or Headquarters) of periods that the equipment is out-of-service.

10. That the system will be used *only* for communication between your state and FDA (Regional, District, or Headquarters Office). It is understood that the equipment is not to be used for communication between state agencies.

IV. *Name and Address of Terminal Agency.* Massachusetts Department of Public Health, Division of Food and Drugs, 600 Washington Street, Boston, Massachusetts 02111.

V. *Liaison Officers.* For Massachusetts Department of Public Health (Division of Food and Drugs): Dr. George A. Michael, Dir., Div. of Food and Drugs. Address: 600 Washington Street, Boston, Massachusetts 02111. Telephone No.: (617) 727-2670.

For FDA: Richard J. Davis. Address: Boston. Telephone No.: 223-5067.

VI. *Period of Agreement.* This agreement, when accepted by both parties, will have an effective period of performance three (3) years from date of signature and may be modified by mutual consent by both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the Massachusetts Department of Public Health (Division of Food and Drugs): William J. Bicknell, Commissioner, Massachusetts State Department of Public Health. Date: February 6, 1975.

Approved and accepted for the Food and Drug Administration: A. J. Beebe, Reg. Food and Drug Director. Date: February 6, 1975.

Effective date. This Memorandum of Understanding became effective February 6, 1975.

Dated: April 18, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.75-10836 Filed 4-24-75;8:45 am]

[FDA-225-75-4007]

ARTX TELECOMMUNICATION EQUIPMENT

Memorandum of Understanding With the Oregon Department of Human Resources, Health Division

Pursuant to the notice published in the FEDERAL REGISTER of October 3, 1974 (39 FR 35697), stating that future memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:

The Food and Drug Administration executed a Memorandum of Understanding with the Oregon Department of Human Resources, Health Division on January 29, 1975. The purpose of the memorandum is to establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment. It reads as follows:

MEMORANDUM OF UNDERSTANDING BETWEEN THE OREGON DEPARTMENT OF HUMAN RESOURCES HEALTH DIVISION AND THE FOOD AND DRUG ADMINISTRATION

I. *Purpose.* To establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARTX Telecommunication Equipment located in Room 925, State Office Building, 1400 S.W. 5th Ave., Portland, Oregon 97201.

II. *Background.* The FDA, Assistant Secretary for Health, Department of HEW, and the General Services Administration have approved a program to install full telecommunication transmit and receive terminals in a number of prime state food and drug agencies. Although terminals will be placed in a number of prime food and drug regulatory agencies, there are a number of other agencies with food and drug responsibilities in each state, where no terminal will be installed. Therefore, your agency, being one that received a terminal, must agree to share the terminal with other food and drug agencies in your state to assure that the communication system is accessible to all agencies with food and drug related responsibilities. (*Note: In your case there will be no need to share the terminal with any other agency at the present time.*) *A terminal is also being placed in the Oregon Department of Agriculture in Salem, Oregon.* It is necessary for our two agencies to assure that proper operation and necessary supporting requirements for the equipment is maintained and proper security is provided for the equipment.

III. *Substance of Agreement.* A. The Food and Drug Administration agrees:

1. To arrange for the installation of the equipment in the location designated by your agency.

2. To support financially the cost of initial installation of the equipment and pay directly to GSA and Western Union the monthly rental cost. After the initial installation, the state will be responsible for relocation installation cost, unless relocation is in conjunction with a major move of the terminal agency to a new location address.

3. To identify for you those units in your state on which terminal-sharing must be accomplished. *This is not necessary for your agency since your agency will be the sole user of the terminal.*

4. To require that the terminal location agency (your agency) submit to FDA a terminal-sharing plan to be developed by you and other sharing units in your state. (*Not necessary for your agency*).

5. To arrange through Western Union for training of terminal operators.

6. To provide operation instruction manual.

7. To withdraw financial support for the terminal if gross misuse of the terminal is practiced after due notice.

B. The State Terminal Agency agrees:

1. To provide suitable physical location for equipment with adequate security protection.

2. To provide and pay for electric power source to operate the terminal. (110 volts)

3. To provide for paper, tape and other material necessary for the operation of the equipment.

4. To share the terminal with other food and drug agencies in the state according to a terminal-sharing plan agreed to by each potential user. (*Not necessary with your agency*).

5. To submit to the FDA Regional Office monthly traffic log. (Form to be furnished by FDA).

6. To submit promptly all messages received for addressees other than your agencies. Transmit promptly messages to FDA received from other appropriate agencies. (*Not necessary.*)

7. Maintain operator coverage for the terminal between normal working hours of your agency.

8. Notify vendor (Western Union) of any breakdown of the equipment or other needs for maintenance.

9. Notify FDA (Regional or Headquarters) of periods that the equipment is out-of service.

10. That the system will be used *only* for communication between your state and FDA (Regional, District, or Headquarters Office). It is understood that the equipment is not to be used for communication between state agencies.

IV. *Name and Address of Terminal Agency.* Oregon Department of Human Resources, Health Division, 1400 S.W. 5th Avenue, Portland, Oregon 97201.

V. *Liaison Officers.* For Oregon Dept. of Human Resources, Health Division: Mrs. Mary Lundy, Administrative Assistant. Address: Oregon Department of Human Resources, Health Division, 1400 S.W. 5th Ave., Portland, OR 97201. Telephone No.: (503) 229-5806.

For FDA: J. Kenneth Kinney, Federal-State Liaison Officer. Address: 5003 Federal Office Bldg., Seattle, WA 98174. Telephone No.: (206) 442-5304.

VI. *Period of Agreement.* This agreement, when accepted by both parties, will have an effective period of performance three (3) years from date of signature and may be modified by mutual consent by both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the Oregon Department of Human Resources: Robert W. Oliver, Administrator, State Health Division. Date: January 29, 1975.

Approved and accepted for the Food and Drug Administration: James W. Swanson, Regional Food and Drug Director, Seattle Field Office, Region X. Date: January 24, 1975.

Effective date. This Memorandum of Understanding became effective January 29, 1975.

Dated: April 18, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.75-10838 Filed 4-24-75;8:45 am]

PANEL ON REVIEW OF BACTERIAL VACCINES AND TOXOIDS

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; 5 U.S.C. App. I), the Food and Drug Administration announces the renewal of the Panel on Review of Bacterial Vaccines and Toxoids by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond April 16, 1975.

Authority for this committee will expire April 16, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: April 21, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.75-10829 Filed 4-24-75;8:45 am]

PANEL ON REVIEW OF GASTROENTEROLOGY AND UROLOGICAL DEVICES

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; 5 U.S.C. App. I), the Food and Drug Administration announces the renewal of the Panel on

Review of Gastroenterology and Urological Devices by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond April 16, 1975.

Authority for this committee will expire April 16, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: April 21, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.75-10830 Filed 4-24-75;8:45 am]

PANEL ON REVIEW OF OBSTETRICAL AND GYNECOLOGY DEVICES

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; 5 U.S.C. App. I), the Food and Drug Administration announces the renewal of the Panel on Review of Obstetrical and Gynecology Devices by the Secretary, Department of Health, Education, and Welfare, for an additional period of 2 years beyond April 16, 1975.

Authority for this committee will expire April 16, 1977, unless the Secretary formally determines that continuance is in the public interest.

Dated: April 21, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.75-10831 Filed 4-24-75;8:45 am]

[FAP 5A3027]

PETROLITE CORP.

Notice of Withdrawal of Petition for Food Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Petrolite Corp., Bareco Division, P.O. Drawer K, Tulsa, OK 74115, has withdrawn its petition (FAP 5A3027), notice of which was published in the FEDERAL REGISTER of October 15, 1974 (39 FR 36885), proposing that § 121.1228 *Synthetic paraffin and succinic derivatives* (21 CFR 121.1228) be amended to provide for the safe use of synthetic petroleum wax meeting the definition and specifications prescribed in § 121.1239 *Petroleum wax, synthetic* (21 CFR 121.1239), as a substitute for the Fischer-Tropsch process synthetic paraffin described therein, in the preparation of synthetic paraffin, and succinic derivatives intended for use as coatings or components of coatings for fresh grapefruits, lemons, limes, muskmelons, oranges, sweet potatoes, and tangerines.

Dated: April 18, 1975.

HOWARD R. ROBERTS,
Acting Director, Bureau of Foods.

[FR Doc.75-10824 Filed 4-24-75;8:45 am]

[FAP 5H3037]

VESTAL LABORATORIES

Notice of Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 5H3037) has been filed by Vestal Laboratories, 4963 Manchester Ave., St. Louis, MO 63110 proposing that § 121.2547 *Sanitizing solutions* (21 CFR 121.2547) be amended to provide for the safe use of an aqueous solution containing *ortho*-phenylphenol, *ortho*-benzyl-*para*-chlorophenol, *para*-tertiary amylphenol, sodium *alpha*-alkyl(C_{12}-C_{18})-*omega*-hydroxy-poly(oxyethylene) sulfate with the poly(oxyethylene) content averaging one mole, potassium coconut oil soap, and isopropanol or hexylene glycol as a sanitizing solution for food processing equipment and utensils.

The environmental impact analysis report and other relevant material have been reviewed, and it has been determined that the proposed use of the additive will not have a significant environmental impact. Copies of the environmental impact analysis report may be seen in the office of the Assistant Commissioner for Public Affairs, Rm. 15B-42 or the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, during working hours, Monday through Friday.

Dated: April 18, 1975.

HOWARD R. ROBERTS,
Acting Director, Bureau of Foods.

[FR Doc.75-10825 Filed 4-24-75;8:45 am]

Health Resources Administration

FEDERAL HOSPITAL COUNCIL

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following National Advisory body scheduled to assemble during the month of May 1975:

Name: Federal Hospital Council
Date and Time: May 22, 1975, 9:00 a.m.
Place: Conference Room E, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland
Open for entire meeting.

Purpose: Advises the Secretary and Administrator, Health Resources Administration, on matters relating to the administration of the hospital and medical facilities survey and construction program. Approves regulations for the administration of the Hospital and Medical Facilities Survey and Construction Act (Hill-Burton) prior to promulgation by the Administrator, HRA, and the Secretary.

Agenda: Agenda items include the following: discussion of progress in implementation of new legislation; report on monitoring activities by State agencies of reasonable volume of care assurances; discussion of HEW plan to monitor assurances; resume of responses to proposed regulation changes affecting billing provisions; presentations by individuals or groups having previously requested in writing an opportunity to be heard; and solicitation from Council of their reactions to any recommended changes in the regulations as proposed by the Department.

Anyone wishing to attend, obtain a roster of members or other relevant information should contact Mr. Henry S. Desjarlais, Parklawn Building, Room 12-21, 5600 Fishers Lane, Rockville, Maryland 20852, Telephone (301) 443-1138.

Agenda items are subject to change as priorities dictate.

The meeting is open to the public for observation. Anyone wishing to attend, obtain a roster of members, or other relevant information should contact the person listed above.

Dated: April 15, 1975.

DANIEL F. WHITESIDE,
Associate Administrator for Operations and Management.

[FR Doc.75-10814 Filed 4-24-75;8:45 am]

Office of Education

ADVISORY COUNCIL ON BILINGUAL EDUCATION

Public Meeting Change

Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), that a meeting of the Advisory Council on Bilingual Education that was to be held on Monday, April 28, and on Tuesday, April 29, 1975 from 9 a.m. to 5 p.m. has been cancelled and has been rescheduled for Monday, May 12, and on Tuesday, May 13, 1975 from 9 a.m. to 5 p.m. The Council will meet on Monday, May 12, in the Office of Civil Rights Conference Room on the 5th Floor of the RKO Building located at the Government Center, Bulfinch Place, Boston, Massachusetts and on Tuesday, May 13, in the public Health Services Conference Room on the 14th Floor of the John F. Kennedy Federal Building located at the Government Center in Boston. Notice of the April 28 and 29 meeting appeared April 4, 1975 on page 15118 of FEDERAL REGISTER Volume 40.

Records shall be kept of all proceedings, and shall be available for public inspection at Room 3600, Regional Office Building #3, 7th and D Streets, SW Washington, D.C. 20202

Signed at Washington, D.C. on April 18, 1975.

LEROY WALSER,
Acting Director, Division of Bilingual Education.

[FR Doc.75-10815 Filed 4-24-75;8:45 am]

Office of Education

FOREIGN LANGUAGE AND AREA STUDIES RESEARCH PROGRAM

Extended Closing Date for Receipt of Proposals

Notice is hereby given that pursuant to the authority contained in section 602 of the National Defense Education Act of 1958, as amended, (20 U.S.C. 512) the Commissioner of Education is extending, for the reasons set forth below, the deadline date for the receipt of applications for contracts under the Foreign Language and Area Studies Program. The present deadline date of April 15, 1975 was set forth in the FEDERAL REGISTER of March 14, 1975 (40 FR 11931).

The Office of Education is for the first time treating proposals for contracts under this program as unsolicited proposals in accordance with Subpart 3-4.52 of the HEW Procurement Regulations (41 CFR 3-4.52). Because the solicitation procedures this year are new and generally unfamiliar to the field of interested applicants, numerous requests were received to extend the deadline date of April 15. In accordance with these requests, the Commissioner has decided to extend the deadline date for the receipt of applications to May 15, 1975. Therefore proposals for contracts under the Foreign Language and Area Studies Research Program must be received by the Office of Education Application Control Center on or before May 15, 1975.

A. *Proposals sent by mail.* A proposal sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, SW., Washington, D.C. 20202, Attention: 13.436. A proposal sent by mail will be considered to be received on time by the Application Control Center if:

(1) The proposal was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The proposal is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare or the U.S. Office of Education).

B. *Hand delivered proposals.* A proposal to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. Hand delivered proposals will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturday, Sundays or Federal holidays. Proposals will not be accepted after 4 p.m. on the closing date.

C. *Program information.* Information may be obtained from the Foreign Language and Area Research Program, Bureau of Postsecondary Education, U.S. Office of Education, Room 3928, 7th and D Streets, SW., Washington, D.C. 20202.

(Catalog of Federal Domestic Assistance Number 13.436, Higher Education—Foreign Language and Area Research Program)

Dated: April 18, 1975.

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

[FR Doc.75-10895 Filed 4-24-75;8:45 am]

NATIONAL ADVISORY COMMITTEE ON THE HANDICAPPED

Public Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), that the next meeting of the National Advisory Committee on the Handicapped will be held on May 19-21, 1975, 8:30 a.m., in Room 1134, Federal Office Building 6, 400 Maryland Avenue SW., Washington, D.C.

The National Advisory Committee on the Handicapped is established under (20 U.S.C. 123g) section 448(b) of the General Education Provisions Act. The Committee is established to review the administration and operation of programs for the handicapped in the Office of Education, and make recommendations for their improvement.

The meeting of the Committee shall be open to the public. The proposed agenda includes discussions regarding the status of the 1975 NACH Annual Report; reports from subcommittees; reports from members who attended NACH-oriented national conventions; a review of legislation affecting education of the handicapped; consideration of NACH organization; and a discussion of possible themes and areas of concentration for the 1976 Annual Report. Records shall be kept of all Committee proceedings and shall be available for public inspection at the Office of the Deputy Commissioner, Bureau of Education for the Handicapped, located in Room 2100, Regional Office Building 3, 7th and D Streets SW., Washington, D.C. 20202.

Signed at Washington, D.C. on April 18, 1975.

EDWIN W. MARTIN,
Deputy Commissioner, Bureau of Education for the Handicapped.

[FR Doc.75-10821 Filed 4-24-75;8:45 am]

RESEARCH AND STUDIES COMMITTEE OF THE NATIONAL ADVISORY COUNCIL ON ADULT EDUCATION

Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (P.L. 92-463), that the Research and Studies Committee of the National Advisory Council on Adult Education will meet on May 10, 1975, from 10:00 a.m. to 4:00 p.m., Office of the National Advisory Council on Adult Education, Room 323, Pennsylvania Bldg., 425 13th Street NW., Washington, D.C.

The National Advisory Council on Adult Education is established under section 311 of the Adult Education Act (80 Stat. 1216.20 U.S.C. 1201). The Council is directed to:

Advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 306 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering adult education activities and services.

The Council shall review the administration and effectiveness of programs under this title, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations.

The meeting of the Committee shall be open to the public. The proposed agenda includes Research and Studies Committee program thrusts for FY-76, and a status report on the Council's position paper for the national clearinghouse on adult education.

Records shall be kept of the Research and Studies Committee proceedings (and shall be available for public inspection at the Office of the National Advisory Council on Adult Education located in Room 323, Pennsylvania Bldg., 425 13th Street NW., Washington, D.C. 20004).

Signed at Washington, D.C. on April 21, 1975.

GARY A. EYRE,
Executive Director, National Advisory Council on Adult Education.

[FR Doc.75-10882 Filed 4-24-75;8:45 am]

Office of the Secretary

OFFICE OF ASSISTANT SECRETARY FOR HUMAN DEVELOPMENT; OFFICE OF YOUTH DEVELOPMENT

Statement of Organization and Functions

Part 1 of the Statement of Organization, Functions, and Delegation of Authority of the Department of Health, Education, and Welfare, Office of the Secretary, Assistant Secretary for Human Development, is amended to revise Subchapter 1R20, Office of Youth Development, 38 FR 22669, August 23, 1973. These changes include revision of the functions and organizational structure of the Office

of Youth Development. The revised portions of Chapter 1R20 read as follows:

1R20.00 *Mission.* The mission of the Office of Youth Development is to provide leadership within the Department of Health, Education, and Welfare to enable the Department to more effectively address the needs and concerns of youth. Specific leadership activities include the development and dissemination of information on youth needs and problems, the promotion of consumer involvement in programs which affect youth, and the coordination of strategies, goals, and programs with other Federal agencies serving youth.

Within the authorities delegated to it, the Office of Youth Development administers Title III of the Juvenile Justice and Delinquency Prevention Act of 1974, Public Law 93–415, under which it makes grants and provides technical assistance to localities and nonprofit private agencies for the purpose of developing local facilities to deal primarily with the immediate needs of runaway youth outside the law enforcement structure and the juvenile justice system.

1R20.10 *Organization.* The Office of Youth Development consists of the following organizational elements which report directly to the Commissioner: (1) Office of the Commissioner, (2) Division of Runaway Youth Programs, (3) Division of Youth Activities, (4) Division of Planning, Research, and Development.

1R20.20 *Functions.*

A. *Office of the Commissioner.*—The Commissioner of the Office of Youth Development reports directly to the Assistant Secretary for Human Development. The Commissioner has direct responsibility for the overall administration of the Office which includes coordinating its organizational elements and developing its policies, proceedures, objectives, goals, and priorities.

B. *Division of Runaway Youth Programs.*—This Division is concerned with the needs and problems of juveniles who have left home without the permission of their parents or guardians.

Its specific mission is to establish or strengthen runaway houses to provide temporary shelter and counseling services. In addition, the Division seeks to improve treatment of such juveniles through promulgation of model statutes regarding runaway youth and to discourage their inappropriate institutionalization through the development of community-based alternatives.

This Division has responsibility for developing policies, procedures, regulations, and priorities for funds appropriated under Title III of the Juvenile Justice and Delinquency Prevention Act of 1974, Pub. L. 93–415, as well as for montoring the implementation of the Act through the Regional Offices.

C. *Division of Youth Activities.*—The Division of Youth Activities is concerned with the conditions which adversely affect or concern young people. It facilitates communication and collaboration between youth, the Department, youth-servicing organizations, and other major public and private institutions which impact upon youth. It strives to involve youth in major governmental and public and private institutional policy-making and program development.

This Division provides technical assistance to youth groups and institutions which serve them. It further seeks to create new roles for youth. The Division also advocates the funding of youth-initiated proposals and encourages Departmental responsiveness to the needs and concerns of young people.

D. *Division of Planning, Research, and Development.*—The Division of Planning, Research, and Development is responsible for the conduct of the Office's planning activities and for the collection of data related to youth development.

The Division oversees the development of the Office's Forward, Research and Evaluation, Training and Technical Assistance Plans, and other planning efforts, including the operational planning system objectives. In conjunction with the Division of Runaway Youth Programs, it develops and oversees the evaluation of runaway houses which are funded by the Office of Youth Development. The Division, as a result of these evaluations, assesses the effectiveness of funded runaway houses in alleviating the problems of runaway youth and strengthening family relationships.

This Division has the responsibility for reviewing research and demonstration proposals in terms of quality, feasibility, and duplication of other research efforts. It also develops research project schedules and priorities, monitors funded research projects and reviews results for completeness and sufficiency, and coordinates reports and research findings. It also analyzes and synthesizes research and evaluation findings and disseminates them in usable form to program planning units, concerned professionals, community leaders, parents, and other interested parties.

Dated: April 18, 1975.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.75–10880 Filed 4–24–75;8:45 am]

OFFICE OF HUMAN DEVELOPMENT; OFFICE FOR HANDICAPPED INDIVIDUALS

Statement of Organization, Functions, and Delegations of Authority

Part 1 of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health, Education, and Welfare is amended to include: a revision to Subchapter 1R55, Office for Handicapped Individuals, Office of Human Development, published in the FEDERAL REGISTER on March 29, 1974 at 39 FR 11614.

This Subchapter is revised to reflect a name change for the Office for Handicapped Individuals which replaces the Office for the Handicapped in accordance with section 111(m) Rehabilitation Act Amendments of 1974, Pub. L. 93–516. Revised Subchapter 1R55, Office for Handicapped Individuals reads as follows:

1R55.00 *Mission.* The Office for Handicapped Individuals (OHI) implements the provisions of section 405 of the Rehabilitation Act of 1973, by providing a focal point within the Office of Human Development (OHD) for review, coordination, information and planning related to policies, programs, procedures and activities within DHEW and other Federal agencies relevant to the physically and mentally handicapped.

1R55.10 *Organization.* The Office for Handicapped Individuals is under the direction of the Director, OHI, who reports directly to the Assistant Secretary for Human Development. The Office includes a staff of specialists who are responsible for planning and evaluation programs, coordination, and the dissemination of information related to problems affecting the handicapped.

1R55.20 *Functions.* The Office for Handicapped Individuals carries out its mission through the following functions:

1. Serves as the focal point in the Department for the consideration of issues and policies affecting the handicapped.

2. Prepares a long-range plan that includes projection for the provision of comprehensive services to handicapped individuals, and for programs of research, evaluation and training related to such services and individuals.

3. Analyzes on a continuing basis: program operations to determine consistency with applicable provisions of law; progress towards meeting the goals and priorities set forth in the long-range plan; and the effectiveness of all programs providing services to all handicapped individuals. Seeks the elimination of unnecessary duplication and overlap in such programs under the jurisdiction of the Secretary.

4. Encourages coordinated and cooperative planning designed to produce maximum effectiveness, sensitivity and continuity in the provision of services for handicapped individuals by all programs.

5. Develops means of promoting the prompt utilization of engineering and other scientific research to assist in solving problems in educaton, health, employment, rehabilitation, architectural, housing and transportation barriers, and other areas so as to bring about full integration of all handicapped individuals into all aspects of society.

6. Provides a central clearinghouse for information and resource availability for handicapped individuals. This includes evaluation of information and data systems within the Department of Health, Education, and Welfare, other Departments and agencies of the Federal government, public and private agencies and organizations of other sources.

Dated: April 17, 1975.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.75–10881 Filed 4–24–75;8:45 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. EX75-14; Notice 2]

HARNISCHFEGER CORP.

Petition for Temporary Exemption From Federal Motor Vehicle Safety Standard

The National Highway Traffic Safety Administration has decided to deny Harnischfeger Corp. a temporary exemption from 49 CFR 571.121, Motor Vehicle Safety Standard No. 121, *Air Brake Systems*.

Notice of the petition was published on March 10, 1975, and an opportunity afforded for comment (40 FR 11019).

Harnischfeger manufactured approximately 922 motor vehicles in fiscal 1974. Of these, 303 were on/off highway, carrier-mounted hydraulic cranes and it is for such vehicles that the petition is made. Vendors have failed to supply equipment items necessary for conformance, and in the company's estimation it will require an exemption until September 1, 1976, to insure delivery and "to complete tests and implementing production schedules without disruption." Although the company had a net income exceeding $11,600,000 in the fiscal year ending October 31, 1974, it argued that a denial would cause a loss of $20,000,000, or one-fourth the 1975 budget of the Hydraulic Equipment Division which manufactures the vehicles. This reduction in output, from $50,000,000 to $30,000,000, could result in a corresponding reduction in work force of 350 people in the Cedar Rapids, Iowa, plant, causing hardship to personnel and the area.

Oshkosh Truck Corporation opposed the petition. No other comments were filed. Oshkosh argues that an exemption unfairly penalizes manufacturers who have worked in good faith to meet the standard.

Harnischfeger's petition covers two different types of crane carriers, Models T 250/300 and T 150/200. The former group of vehicles are advertised as having a top speed of 50 mph. Standard No. 121 has been amended (40 FR 8953) so that it no longer applies to a vehicle whose top speed does not exceed 45 mph, which has no cargo or passenger-carrying capacity, and which is equipped with all-wheel drive. The T 250/300 vehicles would come within the exclusion were their maximum speed reduced 5 mph. In that event neither compliance nor exemption from compliance would be necessary.

The T 150/200 models accounted for approximately 11½ percent of Harnischfeger's production in fiscal 1974 (107 units out of 922). According to petitioner "The 1975 fiscal year production rate has been 10 units/month. Perhaps one-half will be shipped to the export market."

Since vehicles manufactured for export do not have to meet Standard No. 121, the question is whether a cessation of production of five units a month, representing perhaps 6 percent of Harnischfeger's overall vehicle production, would cause substantial economic hardship. In light of Harnischfeger's net income of $11,645,639 in fiscal 1974, it is concluded that hardship has not been proven. The effect upon employment should be minimal as petitioner will be able to continue producing vehicles for the export market.

For the reasons discussed above the Administrator finds that a sufficient showing has not been made that compliance with 49 CFR 571.121, Motor Vehicle Safety Standard No. 121, would cause Harnishfeger Corporation substantial economic hardship, and its petition is denied.

(Sec. 3, Pub. L. 92-548, 36 Stat. 1159 (15 U.S.C. 1410); delegation of authority at 49 CFR 1.51).

Issued on April 21, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.75-10906 Filed 4-24-75;8:45 am]

[Docket No. EX 75-10; Notice 2]

WARNER & SWASEY CO.

Petition for Temporary Exemption From Federal Motor Vehicle Safety Standard

The National Highway Traffic Safety Administration has decided to deny the petition of The Warner & Swasey Company for temporary exemption from Motor Vehicle Safety Standard No. 121, *Air Brake Systems*.

Notice of the petition was published on March 10, 1975, in the FEDERAL REGISTER and an opportunity afforded for comment (40 FR 11019).

Warner & Swasey manufactured 491 trucks during 1974. The company seeks an exemption because it "has not received certain parts (primarily axles) necessary to begin manufacture of the vehicles at this time and may not receive such parts in sufficient quantity for up to six months after March 1, 1975." In addition, because of a 7-month strike during 1974 the company has been unable to exhaust its non-complying parts inventory before March 1, 1975, as it had intended to do. It anticipates that approximately 137 vehicles would be built while the exemption is in effect. The company had net sales of $181,427,000 in the first nine months of 1974, and its net income was $8,133,000. If the exemption is not granted, the company projects a loss in revenues of $7,557,816. In addition, the company would be forced to lay off 651 employees from 1 to 3 months, with a "total estimated loss of wages for the employees, families and communities affected [of] $841,122." Complying vehicles will be built at the end of the exemption period.

Oshkosh Truck Corporation was the sole commenter on the petition, recommending that it be denied. In the opinion of Oshkosh a temporary exemption would unfairly penalize those manufacturers who were able to comply by the effective date.

In reviewing Warner & Swasey's petition the NHTSA has determined that the company's need for an exemption is less than it initially appeared, and that only 44 vehicles are concerned rather than 137. These vehicles are 37 hydroscopic vehicles (H-300) whose undercarriages will be produced by the Duplex and Gradall Divisions and which will be completed by the Badger Division, and 7 25-ton crane carriers to be manufactured by the Duplex Division alone. Warner & Swasey had also listed 33 undercarriages separately resulting in an overcount. It has withdrawn its request covering 6 concrete pump chassis. Ten G-660 models to be produced by Gradall pursuant to a contract with the U.S. Navy are already excused from compliance by 49 CFR 571.7(c) which provides a blanket exemption for all military vehicles. Exemptions had also been requested for 44 additional G-660 models on the basis of inability to obtain parts. Information available to NHTSA indicates that parts necessary for conformance are now being shipped to Warner & Swasey.

The question thus is whether petitioner has demonstrated that compliance by the remaining 44 vehicles with Standard No. 121 would cause substantial economic hardship. The vehicles concerned were never intended to conform to Standard No. 121. The 25-A model vehicle will no longer be produced when the inventory is exhausted. This inventory for 7 vehicles is valued at $147,000. It appears that some if not all of this inventory could be used for replacement purposes, and in vehicles intended for export. The existence of the inventory is obviously attributable to a lack of demand for the vehicles rather than to compliance problems; four 25-A models were produced in 1974. The projected loss of revenues—$230,000—is thus speculative, and in light of the company's sales and net income ($181,427,000 and $8,133,000 respectively) for the first nine months of 1974, it is found that a denial would not create substantial economic hardship.

With respect to the H-300 models, Duplex has in inventory 15 undercarriages, and Gradall 18; Badger will complete 4 vehicles on undercarriages not included in the other divisional totals. Petitioner attributes the existence of the Gradall inventory to accumulation as a result of labor stoppages. The total inventory for 37 H-300 vehicles at $9,000 a vehicle is $333,000, and the projected loss of revenue, $2,755,000. Since a follow-on G-440 hydroscopic model will be produced and conforming parts are available for its manufacture, the inventory figure is the significant one and the NHTSA does not find in this instance that denial would cause the company substantial economic hardship. Finally, because of the narrowed scope of the exemption it is not possible to estimate whether a denial would still cause unemployment. However, because of the apparent availability of conforming parts the NHTSA anticipates that any effect upon petitioner's work force will be

temporary in duration and limited in scope.

For the reasons discussed above the Administrator finds that a sufficient showing has not been made that compliance with 49 CFR § 571.121, Motor Vehicle Safety Standard No. 121, would cause The Warner & Swasey Company substantial economic hardship, and its petition is denied.

(Sec. 3, Pub. L. 92-548, 86 Stat. 1159 (15 U.S.C. 1410); delegation of authority at 49 CFR 1.51).

Issued on April 21, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.75-10905 Filed 4-24-75;8:45 am]

ADVISORY COUNCIL ON HISTORIC PRESERVATION

GEORGE ROGERS CLARK NATIONAL HISTORICAL PARK

Open Meeting

In the FEDERAL REGISTER of April 21, 1975 (40 FR 17626), notice was published for the regular meeting of the Advisory Council on Historic Preservation on May 7-8, 1975, at 9:30 a.m., in Room 2008 of the New Executive Office Building, 726 Jackson Place NW., Washington, D.C. At its meeting, the Advisory Council will, in accordance with section 106 of the National Historic Preservation Act, consider the effect of the proposed construction of a visitor center by the National Park Service at the George Rogers Clark National Historical Park, a property included in the National Register of Historic Places, and will discuss other matters relating to historic preservation. It is the purpose of this notice to advise that the executive session of that meeting, previously announced as closed, will be open to the public.

Agenda and additional information concerning the meeting and the submission of oral and written statements to the Council are available from the Executive Secretary, Advisory Council on Historic Preservation, Suite 430, 1522 K Street NW., Washington, D.C. 20005 (202) 254-3974.

Dated: April 21, 1975.

ROBERT R. GARVEY, Jr.,
Executive Director.

[FR Doc.75-10867 Filed 4-24-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 27111, etc.; Order 75-4-103]

GREATER PEORIA AIRPORT AUTHORITY, ET AL.

Order Instituting an Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 21st day of April, 1975.

Petition of the Greater Peoria Airport Authority and the Peoria Association of Commerce for a service investigation, Docket No. 27111; applications of Continental Air Lines, Inc., Ozark Air Lines, Inc. for amendments of certificates of public convenience and necessity, Docket Nos. 25654 and 27262; the Peoria Service Investigation, Docket 27761.

On October 18, 1974, the Greater Peoria Airport Authority and the Peoria Association of Commerce (Peoria) petitioned the Board for an investigation of the need for an additional air carrier at Peoria and for improved service between Peoria, on the one hand, and (a) Chicago, Kansas City, Denver, and Los Angeles, (b) Atlanta, and (c) Detroit, Cleveland, and Cincinnati, on the other. In support of its petition, Peoria states that the air service it has been receiving, limited as it is to a single carrier—Ozark—whose authority is restricted, has been focused on Chicago and has not been commensurate with Peoria's needs. Peoria claims that its air service unjustly suffers compared to other cities of its size, due to the lack of multicarrier complementary service. In particular, Peoria supports its application for an investigation of its need for improved service in each of three directions. To the west, Peoria claims that 119,482 annual passengers would be available to support improved service. To the Detroit/Cleveland/Cincinnati areas Peoria claims that 52,721 passengers annually would be available to support single-plane service. To Atlanta, Peoria claims 26,014 annual O&D passengers reflecting Peoria's community of interest with southeast points.

On November 15, 1974, Continental Air Lines answered in support of Peoria's petition, stating that it would participate in any such investigation and would therein pursue its previously filed application (now in Docket 25654) to amend its certificate by adding Peoria as an intermediate point on segment 6 of route 29 to allow Continental to provide service between Peoria and Chicago, Kansas City, Denver, and Los Angeles-Ontario-Long Beach.[1]

Ozark Air Lines also answered Peoria's petition, stating, *inter alia*, that, while Peoria is receiving adequate service within the limitations of Ozark's current certificate, Peoria is correct in asserting its need for more direct service beyond Ozark's present certificate authority. Nevertheless, Ozark disputes the need for a general investigation of the scope proposed in Peoria's filings. The carrier points to its subpart M application in Docket 23117 as the better method of dealing with service between central Illinois points, including Peoria, and Denver/points west;[2] sees no justification for a new carrier in the Peoria-Kansas City market; points out that it has one-stop authority in the Peoria-Denver market via Sioux City and will offer one-stop Peoria-Denver and two-stop Champaign/Urbana-Denver service effective April 1, 1975;[3] argues that in the interests of expedition, neither Detroit/Cleveland authority[4] nor Los Angeles, Atlanta, or Cincinnati service ought to be considered here; and states that it will not oppose additional service to Chicago by another carrier provided that such a carrier will undertake a major share of the Peoria-Chicago service responsibility, freeing Ozark to reallocate its Chicago (O'Hare) slots to other service.

Requests for intervention have been filed by (and are herein granted to) the Metropolitan Airport Authority of Rock Island County, Illinois, the City and County of Denver, Colorado, the Public Utilities Commission of the State of Colorado, and the Illinois Department of Transportation.[5]

Upon consideration of the pleadings and relevant data of which we may take notice, we have decided to institute an investigation to consider the need for new or improved service between Peoria, on the one hand, and Chicago, Detroit, Cleveland, Kansas City, and Denver, on the other hand. Also in issue will be new or improved service between Springfield and Champaign/Urbana, on the one hand, and Detroit, Cleveland, and Denver, on the other. We will not, however, accede to the Peoria parties' request to include Peoria-Cincinnati, Peoria-Los

[1] Originally filed on June 27, 1973. In this application Continental also requests that its certificate condition (6), which presently reads:

"(6) The holder shall serve Kansas City, Mo., and Chicago, Ill., on the same flight only when such flight originates or terminates at Los Angeles-Ontario-Long Beach, Calif., or a point west thereof."

be amended to account for the addition of Peoria, as follows:

"(6) All nonstop flights between Chicago, Illinois and Kansas City, Missouri shall originate or terminate at Los Angeles-Ontario-Long Beach, California or a point west thereof."

[2] Dated February 18, 1971, this subpart M application requests unrestricted authority not only in the Denver-Peoria and Champaign/Urbana markets but also in the Denver-Des Moines, Cedar Rapids/Iowa City, Davenport, and Moline markets.

[3] On December 16, 1974, Ozark filed an application (Docket 27262) for a certificate amendment and for an order to show cause why its Denver-Sioux City segment should not be extended to include Springfield and Peoria as intermediate points and Champaign/Urbana as the new eastern terminal point. An answer in support of Ozark's application was filed by the Champaign/Urbana parties. Answers in opposition were filed by Continental and Peoria. United, in its answer, states that it has no objections to Ozark's petition provided that restrictions are adopted to preclude new single-plane authority for Ozark in the Denver-New York/Washington markets and additional single-plane authority in the Denver-Chicago market. In connection with the above pleadings; we will grant the motion of the Champaign/Urbana parties to file an unauthorized document and a similar one filed by Ozark in connection with its consolidated reply to Peoria, Continental, and United.

[4] On January 17, 1975, Ozark applied (in Docket 27418) for amendment of its certificate so as to authorize a new route segment to link Peoria with Champaign/Urbana, Springfield, Ill., Detroit, Mich., and Cleveland, Ohio.

[5] The Greater Cincinnati Chamber of Commerce and the Kenton County Airport Board also have filed a petition for leave to intervene. Since we are not setting the issue of Peoria-Cincinnati service for hearing, we will deny that petition.

Angeles, or Peoria-Atlanta service within the scope of the investigation.

As our basis for instituting an investigation at this time, we find that Peoria is a large and growing community with a metropolitan population of over a third of a million, situated in the midst of one of the nation's richest farming areas, and enjoying also a well-diversified industrial and commercial base. Peoria is a proven generator of air travel; its O&D passenger traffic recorded in the Board's surveys grew from 240 per day in 1960 to 685 per day in 1972. In the earlier year it was served by American and Trans World Airlines as well as by Ozark, but these two trunklines subsequently withdrew and for a number of years Ozark has been the community's sole certificated carrier. It is today the largest such one-carrier community in the United States, in terms of both metropolitan population and air traffic generation.[6]

Although Peoria's air service and traffic has grown apace during Ozark's period of service, and although Ozark today provides the community with nonstop and single-plane service to most of its major communities of interest, there are other such communities which are not served by Ozark, while between Peoria and still others of its significant communities of interest Ozark's authority is subject to hampering restrictions. Moreover, the civic parties complain that Ozark is not fully utilizing the authority it already has in some of Peoria's significant markets, and that load factors in the key Peoria-Chicago market are so high as to result in traveler inconvenience. Finally, there are grounds for believing that Peoria's overall air travel potential may now have developed to the point where the community could economically support the services of a second carrier and accordingly could begin to enjoy the undoubted advantages, competitive and otherwise, of two-carrier service. In view of all of the foregoing considerations (no one of which is by itself controlling), we conclude that an investigation of Peoria's further air service needs is warranted at this time.

Peoria in 1972 exchanged 130 true O&D passengers a day with Chicago, and a substantially larger volume of Peoria traffic moved to and from Chicago for connections.[7] In the recent month of November 1974, for example, an average of 565 passengers a day enplaned at Peoria on flights to Chicago. This indicates that the Peoria-Chicago market could probably support a second carrier. Moreover, inclusion of a Peoria-Chicago issue in the investigation will make it easier to consider certificating a new carrier at Peoria, since a route award stub-ending at Peoria would be of doubtful viability.[8]

Detroit and Cleveland ranked high in 1972 O&D traffic to and from Peoria and, moreover, would furnish additional gateways to other points in the east. Peoria's traffic exchanged with Kansas City is comparable with that of the two above-named points. Although Ozark holds nonstop authority in this market, and furnishes a limited amount of directionally imbalanced service, it appears that Kansas City is a logical point to include in any investigation of new service between Peoria and the west. Similarly, although Denver ranks somewhat lower than the foregoing cities in the O&D traffic it exchanges with Peoria, it would be a logical gateway for a substantial volume of Peoria traffic to and from points in the west and southwest. Moreover, both of the present applicant carriers seek new or improved authority between Peoria and Denver. For the foregoing reasons, nonstop authority between Peoria and Chicago, Detroit, Cleveland, Kansas City, and Denver will be included in the investigation.

We will not, however, include nonstop authority between Peoria and Los Angeles, Cincinnati, or Atlanta. Although Los Angeles ranks with Detroit, Cleveland, and Kansas City, and ahead of Denver, in its O&D traffic exchanged with Peoria, there are relatively few points beyond Los Angeles whose Peoria traffic could conveniently flow through that point. As a result, when potential tributary traffic is taken into account, Los Angeles ranks considerably behind Kansas City or Denver as a gateway for Peoria traffic to the west. Because of Los Angeles' great distance from Peoria, moreover, any nonstop service in the market would have to employ large, long-range aircraft, and even allowing for tributary traffic at both the Peoria and the Los Angeles ends, the economic potential for any such nonstop service would appear decidedly questionable for some time to come.

Neither Cincinnati nor Atlanta in 1972 exchanged as many as ten true O&D passengers a day with Peoria. Cincinnati's own Peoria traffic is clearly too small to warrant direct service; the point also does not appear to be a good potential gateway to the east or southeast, nor could it conveniently be served on the same flights as Detroit and/or Cleveland. While Atlanta would give access to a large number of points in the southeast, the total traffic between Peoria and all of these points is so modest that the viability of a Peoria-Atlanta direct service would appear to be quite doubtful, particularly since it could hardly be expected that all or even the bulk of Peoria's traffic to or from the southeast tributary points would actually use the very limited Altanta service which is the most that could be offered. Meanwhile, connecting service between Peoria and Atlanta and other major southeast points is available via St. Louis without excessive circuity, although the bulk of the traffic may well continue to prefer the more circuitous but also more frequent connecting service via Chicago.

We have decided to include in the investigation limited issues of service to Springfield and Champaign/Urbana. These two central Illinois communities have a combined metropolitan population approximately equal to Peoria's, and between them generate somewhat more air traffic. Springfield, of course, is the state capital and Champaign/Urbana is the site of the state university's main campus. The successful experience of Ozark's extension to New York and Washington from Peoria, Springfield, and Champaign/Urbana shows that combined traffic from all three of these central Illinois communities can support a greater volume of service than any one of them could alone.

Of course, if Ozark were awarded a new route segment from Peoria to the east or west, it could provide service between Springfield, Champaign/Urbana, and points on the new segment by tacking authorities over Peoria; but it seems desirable to at least put in issue a form of authority which would give the carrier maximum flexibility as to the order in which the central Illinois communities could be served on flights over such a new segment. Accordingly, we will consolidate into the investigation Ozark's applications in Dockets 27262 and 27418, thereby including issues of nonstop service between Springfield and Champaign/Urbana on the one hand and Detroit, Cleveland, and Denver on the other. We nevertheless intend that the principal focus of the investigation shall remain on Peoria's needs, and we do not anticipate awarding new or improved Springfield or Champaign/Urbana authority except in conjunction with corresponding Peoria authority.

Similarly, we do not intend the investigation to be drawn afield from Peoria's needs into focusing on issues of one-stop service between major communities to the east and west of Chicago, *e.g.*, between Chicago, Detroit, or Cleveland, on the one hand, and Kansas City, or Denver, on the other.[9] While we do not con-

[6] Portland, Maine, which in 1972 generated slightly more O&D passengers than Peoria although its population was smaller, has had two certificated carriers since Air New England commenced its certificated operations earlier this year. We note, in this connection, that during Ozark's labor stoppage in the spring of 1973, Peoria was without certificated service altogether for several months.

[7] Of course, certification of new service at Peoria to additional destinations could be expected to divert some of this connecting traffic away from the Chicago gateway—in itself a desirable result—but the volume of connecting traffic via Chicago would undoubtedly continue to be quite large.

[8] In consideration of the congestion at Chicago's O'Hare Airport, and the possible competitive impact of any service awarded herein on Ozark's existing Peoria-Chicago service and United's Denver-Chicago service, we will specifically put in issue the possibility of restricting any new Peoria-Chicago authority granted by this proceeding to service at Midway Airport.

[9] Or, for that matter, between the western hubs and Washington or New York/Newark, a point raised by United in response to Ozark's show-cause request in Docket 27262.

sider a specific pretrial restriction necessary at this stage, we would expect to make any new route awards in this proceeding in such a form (by imposing appropriate restrictions, if necessary) as would preclude such awards giving rise to a new service in any of the major city-pair markets cited above which was shown at the hearing to create potentially effective new competition for existing services of other carriers in these markets.

We will not, as Ozark requests, set its applications in Dockets 27262 and 27418 for separate hearing, nor will we proceed in Docket 27262 by show-cause order.[10] In our judgment a proceeding of the scope outlined herein will permit a more careful and comprehensive scrutiny of Peoria's additional service needs than would separate hearings limited to the above applications, even though the latter might be easier to complete quickly. Under other circumstances we might perhaps be able to improve Ozark's Peoria-Denver authority by show-cause procedures even in the face of a competing application by a carrier not serving Peoria, but in view of our overall objectives described above such action would be inappropriate here. Along with Ozark's applications in Dockets 27262 and 27418, we will consolidate herein Continental's application in Docket 25654 [11] to the extent it conforms to the issues in this investgation.

In setting down this relatively broad investigation of Peoria's additional service needs, we wish to emphasize that our present order is not intended to create any conclusive or semi-conclusive presumption that all or any part of the new or improved authority at issue herein will necessarily be granted. That judgment must await the outcome of the hearing. In the past the Board's preliminary screening process for route applications and petitions for service investigations has on occasion been perceived as being so rigorous that it has sometimes been assumed that the setting of a route case for hearing amounted virtually to a predetermination that the route or routes in issue should be awarded, so that the major question remaining for decision was thought to be the selection of a carrier or carriers to operate them.

Regardless of what may have been thought to be the Board's past policy,[12] we wish to make it clear that no such prejudgment is to be inferred from the present order, or from such other orders setting cases for hearing as we may adopt hereafter. As part of the continuing process of reappraising our responsibilities under the statute, and our route hearing policies in particular, we have concluded that we should refocus our preliminary screening process, so as to stress primarily the relative priority which various applications appear on the basis of the preliminary pleadings to deserve in relation to each other, and to defer even preliminary judgment on the ultimate merits of such applications, except insofar as they enter into the question of priorities. Accordingly, we emphasize again that nothing said in this order of investigation is to be construed as a predetermination in any way of the public convenience and necessity issues encompassed therein.

Finally, we have determined that the proceeding instituted herein is by its very nature not one which could lead to a "major Federal action significantly affecting the quality of the human environment" within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA). In a case such as the instant one all prospective environmental effects, direct and secondary, proceed in the first instance from changes in aircraft schedules and levels of service. Our conclusion in regard to the environment is largely based, therefore, upon our finding that there are unlikely to be environmentally significant changes in such schedules and service levels should new service be authorized in any of the markets at issue.

In its application in Docket 27262, Ozark proposes service to Peoria along a Champaign/Urbana-Peoria-Denver routing. Compared to the Champaign/Urbana-Peoria-Sioux City-Denver service Ozark will offer starting April 1, 1975, Ozark's proposal in this case would actually reduce operations at Sioux City while maintaining the same level of operations at Champaign/Urbana, Peoria, and Denver.

Continental, in its application in Docket 25654, proposes to add a stop at Peoria on its existing Chicago-Kansas City-West segment 6. This service would add operations at Peoria. Nevertheless, much of Peoria's present west bound traffic backhauls to Chicago and Continental's operations at Peoria might well be offset by a resultant reduction in pressure for increased Peoria-Chicago service. Considering the level of service that will be offered even if no award is made in this case and the level of traffic which might be carried under an award of authority in the markets at issue here, it is doubtful that there will be a significant increase in the number of frequencies under any service authorized in this case.

The limited potential for increased frequencies as a result of this case must be placed against the large overall level of traffic at the cities involved. It is estimated that during FY 1976, Chicago, the nation's second largest air traffic hub in fiscal year 1972, will experience 921,000 aircraft operations (711,000 at O'Hare and 210,000 at Midway). Denver will experience 370,000 operations; Detroit 727,000 (City, Metropolitan, and Willow Run Airports); Cleveland 450,000 operations (at Burke Lakefront, Cuyahoga, and Hopkins Airports); Kansas City 446,000 (International and Municipal), and Peoria 200,000 operations.[13] It is, therefore, unreasonable to conclude on the face of the matter that authorization of any new service in the markets at issue in this case would lead to more than very minor environmental changes.

Accordingly, it is ordered That: 1. To the extent indicated in paragraphs 2 and 3 hereof, the petition of the Peoria parties be and it is hereby granted;

2. A proceeding to be known as the *Peoria Service Investigation*, Docket 27761, be and it hereby is instituted and shall be set down for hearing before an Administrative Law Judge of the Board at a time and place hereinafter to be designated;

3. The proceeding instituted by paragraph 2 above shall include the following issues:

(a) Do the public convenience and necessity require the certification of an air carrier or air carriers to engage in first or additional nonstop air transportation between Peoria, Ill., on the one hand, and Chicago, Ill., Detroit, Mich., Cleveland, Ohio, Kansas City, Missouri, and Denver, Colo., on the other; and between Springfield and Champaign/Urbana, Ill., on the one hand; and Detroit, Cleveland, and Denver, on the other hand;

(b) If the answer to (a) is in the affirmative, which carrier or carriers should be authorized to engage in such service;

(c) What conditions, if any, should be placed on the operations of such carrier(s), including but not limited to a restriction requiring any new service between Peoria and Chicago to be provided through the Midway Airport;

4. Any new service authorized pursuant to this proceeding will be ineligible for subsidy;

5. Insofar as they conform to the scope of the proceeding set forth above, the applications of Continental Air Lines,

[10] As a result of our action herein, Ozark's subpart M application in Docket 23117 will become partially moot and will be dismissed without prejudice to the refiling of those portions not duplicated by Docket 27262. It would unduly extend the scope of this proceeding to include issues of improved Denver service for the Iowa communities included in the Docket 23117 application.

[11] In seeking to add Peoria as an intermediate point on its existing segment 6, Continental technically puts in issue nonstop authority between Peoria and Colorado Springs. We see no need at this point to exclude this very minor issue from the case, but will do so if it shows signs of complicating the issues to any material extent, since the volume of Peoria-Colorado Springs traffic would certainly not warrant any such complication. As previously stated, Peoria-Los Angeles nonstop authority will not be in issue. Continental's existing certificate conditions will be in issue only to the extent needed to allow it to provide the Peoria service at issue herein, without improving its authority in other unrelated markets.

[12] Although numerous past decisions could certainly be cited in which less than all (and sometimes none) of the new authority in issue was awarded.

[13] *Terminal Area Forecast*, 1975–1985, Department of Transportation, FAA Office of Aviation Economics, Aviation Forecast Division, July 1973. (The forecasts in this study were prepared before the energy crisis in the fall of 1973 and therefore do not reflect its impact on future activity levels.)

Inc. in Docket 25654, and Ozark Air Lines, Inc. in Dockets 27262 and 27418, be and they hereby are consolidated with the proceeding instituted herein; to the extent not consolidated, the foregoing applications be and they hereby are dismissed without prejudice;

6. Ozark's application in Docket 23117 is hereby dismissed without prejudice;

7. Ozark's petition for order to show cause in Docket 27262 be and it hereby is denied;

8. Except to the extent granted herein, the petition of the Peoria parties in Docket 27114 be and it hereby is denied;

9. The motions of the Champaign and Urbana, Illinois, Chamber of Commerce and Ozark Air Lines, Inc. for leave to file otherwise unauthorized documents be and they hereby are granted;

10. The petition of the Metropolitan Airport Authority of Rock Island County, Illinois, the City and County of Denver, Colorado, with the Public Utilities Commission of the State of Colorado, and the Illinois Department of Transportation for leave to intervene be and they hereby are granted;

11. The petition of the Greater Cincinnati Chamber of Commerce and the Kenton County Airport Board for leave to intervene be and it hereby is denied; and

12. Applications, motions to consolidate, and petitions for reconsideration of this order shall be filed no later than twenty (20) days after the date of service of this order, and answers thereto shall be filed no later than ten (10) days thereafter.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-10904 Filed 4-24-75;8:45 am]

[Docket No. 27621 etc.; Order 75-3-116]

UNITED AIR LINES INC.

Order of Suspension, Investigation, and Consolidation

Correction

In FR Doc. 75-8530 appearing on page 14977 in the issue for Thursday, April 3, 1975, the fifteenth line of the first column on page 14978, which now reads "are significant questions as to the legal-", should read "are significant questions as to the level".

COMMISSION ON CIVIL RIGHTS

MASSACHUSETTS

Hearing on Public School Desegregation

Notice is hereby given pursuant to the provisions of the Civil Rights Act of 1957, 71 Stat. 634, as amended, that a public hearing of the U.S. Commission on Civil Rights will commence on June 16, 1975, at the U.S. Department of Transportation, Transportation Systems Center, Kendall Square, Cambridge, Massachusetts. An executive session, if appropriate, will be convened on May 27, 1975, at the John F. Kennedy Federal Building, Room 2003, Government Center, Boston, Massachusetts.

The purpose of the hearing is to collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, or national origin particularly concerning public school desegregation and equal educational opportunity; to appraise the laws and policies of the Federal Government with respect to denials of equal protection of the laws under the Constitution because of race, color, religion, sex, or national origin particularly concerning public school desegregation and equal educational opportunity; and to disseminate information with respect to denials of equal protection of the law under the Constitution because of race, color, religion, sex, or national origin particularly concerning public school desegregation and equal educational opportunity.

Dated at Washington, D.C., April 22, 1975.

ARTHUR S. FLEMMING,
Chairman.

[FR Doc.75-11073 Filed 4-23-75;5:15 pm]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

List of Statements Received

Environmental impact statements received by the Council on Environmental Quality from April 14 through April 18, 1975. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the minimum period for public review and comment on draft environmental impact statements is forty-five (45) days from this FEDERAL REGISTER notice of availability, (June 10, 1975.) The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies will also be available at cost from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: David Ward, Acting Coordinator, Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 331-E, Administration Building, Washington, D.C. 20250, 202-447-3853.

FOREST SERVICE

Final

Cholla Project, Arizona, April 16: The statement refers to the proposed addition by the Arizona Public Service Company of two 250 MW coal-fired generating units to the existing 115 MW Cholla Plant near Joseph City, Arizona. A 500 KV transmission line, approximately 211 miles long, from the Cholla Plant to the Saguaro Plant near Red Rock is planned for construction. Adverse impacts include: the emission of 51.3 tons of SO2, and 44.8 tons of NOx, and 6.4 tons of particulates per day; approximately 8,000 acres will be disturbed at the McKinley mine during the life of the project; and, construction will result in disturbance of soil, vegetation, and wildlife. Comments made by: CEQ, EPA, DOI, USDA, State and local agencies. (ELR Order No. 50570.)

Warren Planning Unit, Payette National Forest, Idaho and Valley Counties, Idaho, April 17: The statement refers to a proposed land use plan for the 352,000-acre Warren Planning Unit of the Payette National Forest. The plan identifies similar units of land and allocates these units to differing intensities of management. The land will be managed for wilderness characteristics, timber production, mineral exploration, domestic livestock grazing, and related objectives. Implementation of the plan would result in the loss of the wilderness option on 132,000 acres of potential wilderness area. The plan retains 35,500 acres to be managed as wilderness; an additional 126,000 acres would remain in primitive status. Comments made by: COE, USDA, EPA, DOI, DOC, State agencies, concerned citizens and organizations, and businesses. (ELR Order No. 50585.)

Red Rock Peak Unit, Salmon National Forest, Lemhi County, Idaho, April 18: The statement refers to a proposed land use plan for the 120,330 acre Redrock Unit of the Salmon National Forest. The planning area was divided into four management areas which will be managed for appropriate resource uses, protection needs, and management needs. Major environmental impact will be due to timber harvest, mining, and road construction. Of the 87,070 acres of inventoried lands within the unit, 17,414 acres (20%) will remain unroaded. Comments made by: HUD, EPA, DOI, State agencies, and concerned citizens. (ELR Order No. 50589.)

Spruce Budworm Suppression Addendum, several counties in Maine, April 15: The statement is an addendum to a final statement submitted to CEQ April 10, 1974. Proposed is the aerial spraying of a maximum of 3,500,000 acres of state and private woodlands with mexicarbate, fenitrothion and carbaryl to protect forests from damage by the spruce budworm, Choristoneura fumiferana (Clem.). The spraying may also be toxic to many other non-target insects, but effects are expected to be minimal. Comments made by: DOI, HEW, EPA, and State agencies. (ELR Order No. 50561.)

Sandia Mountains, Cibola National Forest, N. Mex., April 14: Management direction is proposed which places emphasis on protection of the soil and water resources, protection of key wildlife and unique vegetation areas, and protection of wilderness and scenic values. State Highway 536 will be reconstructed from State Highway 44 to the Crest Observation Platform. SH 44 in Las Huertas Canyon will be paved to a low-standard two-way road, and there will be no construction of new highways. Existing recreation sites in all Management Units will be retained and improved, and construction of new recreation sites will be limited to the projected average use demands by the year 1990. Comments made by: USDA, DOI, EPA, AHP, DOT, State and local agencies, and other groups. (ELR Order No. 50542.)

Boulder Mountain Unit, Dixie National Forest, Wayne and Garfield Counties, Utah, April 14: The statement refers to the land use plan for the 250,000 acre Boulder Mountain Planning Unit of the Dixie M.F. The Unit will be managed for the protection of its watersheds, for recreational uses, livestock grazing, timber production, wildlife resources, and related values. Of the nine inventoried roadless areas in the Unit, only one complete area (the 48,000 acre Boulder Top area) and

parts of two other areas are recommended for special management. Comments made by: DOI, EPA, USDA, HEW, AHP, State and local agencies, and concerned citizens. (ELR order No. 50544.)

SOIL CONSERVATION SERVICE

Draft

Upper Bayou Nezpique Watershed, Evangeline and Allen Parishes, La., April 14: The project is for watershed protection, flood prevention, drainage, irrigation and recreation in the 214,200-acre Upper Bayou Nezpique Watershed. The floodway, dikes, 8 reservoir embankments and spillways, irrigation pool, sediment pools, borrow areas, and channel rights-of-way will require the loss of 74 agricultural acres and 2182 forested acres. One family of six persons will be displaced by construction. (ELR Order No. 50543.)

Final

Lye Creek Drain Watershed Project, Montgomery County, Ind., April 15: Proposed is a watershed protection, flood prevention, and drainage project on the Lye Creek Drain Watershed. Project measures will include land treatment, and 11.3 miles of channel work. Impact of the project will include the loss of 154 acres of grassland, the changing of 137 acres of wildlife habitat to cropland and forest, the commitment of 15 acres of woody habitat to channel work, and increased noise, air and water pollution during construction. Comments made by: DOD, HEW, DOI, DOT, EPA, State and local agencies. (ELR Order No. 50556.)

East Fork Pond River Watershed, Christian, Muhlenberg, and Todd Counties, Ky., April 15: The statement refers to the proposed East Fork Pond River Watershed protection and flood prevention project in Christian, Muhlenberg, and Todd Counties. Included in the project are two floodwater retarding structures and 15.8 miles of channel work. Adverse impacts are alteration of 82 acres of wildlife habitat, and disruption of aquatic and terrestrial ecological systems in the stream affected by channel work. Comments made by: COE, HEW, DOI, DOT, AHP, EPA, and one State agency. (ELR Order No. 50555.)

Norman-Polk Watershed, Norman and Polk Counties, Minn., April 17: The statement discusses a project for watershed protection, flood prevention, and drainage in Norman and Polk Counties. The plan includes land treatment and structural measures consisting of 28 miles of channel work and 6 grade stabilization structures. Adverse impacts are temporarily reduced soil fertility, removal of 252 cropland farm production, increased sediment and peak discharge into Red River. Comments made by: COE, HEW, DOI, DOT, EPA AHP, and State agencies. (ELR Order No. 50581.)

DEPARTMENT OF DEFENSE

Final

Rehabilitation of Eniwetok Atoll, Marshall Islands, April 16: The statement, prepared by the Defense Nuclear Agency with the assistance of the Atomic Energy Commission and the Department of the Interior, refers to the proposed clean-up of the island and the resettlement of the Eniwetok people. The island was used after World War II as a proving ground for modern weapons, including nuclear weapons, and clean-up will include the removal and disposal of materials which could pose radiation or other hazards. Among the adverse impacts of the action are a projected population increase which could result in overcrowding in future years; and expected fish kills from the blasting of ship channels in the lagoon (5 volumes). Comments made by: EPA, HEW, USCG, AEC, DOD, and AHP. (ELR Order No. 50580.)

ARMY

Contact: Mr. George A. Cunney, Jr., Acting Chief, Environmental Office, Directorate of Installations, Office of the Deputy Chief of Staff for Logistics, Washington, D.C. 20310, 202–OX 4–4269.

Final

Aliamanu Military Reservation, Family Housing Project, Oahu County, Hawaii, April 18: The proposed action consists of construction of 1,600 housing units for Army personnel and 1,000 units for Navy personnel at Aliamanu Military Reservation under the FY74 and FY75 Family Housing Programs. The total development for housing of some 10,868 persons, includes facilities such as schools, parks, a small grocery store, and a fire station. Adverse effects include increased traffic congestion on adjacent road systems, the cost to the public for the construction of support facilities such as schools and busing, and the loss of an area of open space. Comments made by: DOT, HEW, EPA, DOI, USDA, USCG, State and local agencies. (ELR Order No. 50587.)

ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn: DAEN–PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314, 202–693–6861.

Draft

Napa River Flood Control Project, Napa County, Calif., April 16: The proposed flood control project entails channel wildening and realignment, dredging, riprap on portions of the riverbanks, and construction of concrete step-walls through the central urban area of the city of Napa, California. Acquisition of 577 acres of former tidelands will be used to mitigate permanent loss of fish and wildlife due to degradation, permanent removal of 10 buildings (3 residential and 7 commercial), temporary loss of foliage due to the removal of plant materials, and temporary construction disruption (including noise, traffic congestion and loss of recreational opportunity). (San Francisco District.) (ELR Order No. 50573.)

Salem Harbor Electrical Generating Sta., Unit 5, Massachusetts, April 17: Proposed is the addition of an 850-megawatt generating unit to the present capacity of 775 megawatts for the existing four units of the Salem Harbor Generating Station. For cooling the oil-fired steam-electric plant, an additional seawater intake and an offshore discharge for the fifth unit will be constructed. The temperature will rise in Salem Harbor and fish and planktonic organisms will be entraped in the intake mechanism. Other adverse effects would be the increase in the number of tankers in Salem Harbor and stack emissions from the oil-burning plant. (Waltham District.) (ELR Order No. 50586.)

Grand Haven Harbor, Shore Damage Mitigation, Ottawa County, Mich., April 18: Proposed is a project to mitigate shore erosion in the vicinity of Grand Haven Harbor that is attributable to the Federal navigation structures at the harbor. Sediment accumulation at the harbor mouth will serve as the unpolluted source of material for seven beach nourishment supply sites. The dredging will cause temporary benthic damage, displacement of fish, night-time nuisance light, exhaust emissions discharge, inconvenience during operations, and associated detraction from the recreational and aesthetic qualities of the area. (Detroit District.) (ELR Order No. 50590.)

Trimble Wildlife Area Replacement, Clinton and Clay Counties, Mo., April 14: This supplemental environmental statement refers to authorization for acquisition of 2600 acres of land for basic replacement of Trimble Wildlife Area and acquisition of 1500 acres of land in lieu of development in Andrew and Holt Counties, Missouri. Adverse effects of the land acquisition are relocation of 12 families, loss of a small amount of agricultural production, possible increases in crop depradations by wildlife, potential increase of insect pest species and temporary noise and air pollution. (Kansas City District.) (ELR Order No. 50550.)

Broken Bow Lake, Pine Creek Lake, Millwood Lake, Okla. and Ark., April 14: The project entails the operation and maintenance of Broken Bow and Pine Creek Lakes, Oklahoma, and Millwood Lake, Arkansas. Major project activities include the operation of reservoirs for flood control; municipal and industrial water supply; hydroelectric power generation; management of land and water resources; and operation and maintenance of project structures and facilities. Adverse impacts are soil erosion (due to heavy recreational use, traffic and wave action on the shoreline); damage or loss of vegetation (due to pool fluctuation and construction activity), and alterations of the natural environment through recreational development. (Tulsa District.) (ELR Order No. 50546.)

Delaware River, Adjacent Waterways, Maintenance, Pennsylvania and Delaware, April 14: This statement is a revision of a draft eis filed 31 March 1975. The proposed project is the construction of a 1300 foot diameter turning basin and the maintenance of a maneuvering area adjacent to the navigation channel in the vicinity of the Tioga Marine Terminal in Philadelphia. Maintenance dredging operations will increase turbidity and suspended sediment, thereby reducing the dissolved oxygen content in the water and killing some fish and waterfowl. Other adverse impacts are possible contamination of waters near the disposal site and problems associated with industrial growth. (Philadelphia District.) (ELR Order No. 50547.)

Lock Haven Flood Protection Project, Clinton County, Pa., April 14: The statement is a revised draft of an eis filed 5 July 1974. The proposed flood protection project consists of the construction of a wall and earth levee system along the west branch of the Susquehanna River and Bald Eagle Creek to protect the city of Lock Haven. Adverse environmental impacts include loss of an unrestricted view of the river, visual change to the setting of the historic Water Street District of Lock Haven, and loss of some trees. (Baltimore District.) (ELR Order No. 50549.)

Oceana Local Flood Protection Project (2), Wyoming County, W. Va., April 14: The statement is a revision of a draft eis filed with CEQ 12 July 1973. Proposed is the widening of 25,000 feet of channel for the purpose of flood control at Oceana. Two sediment retention basins will also be built. The project will displace 13 homes and outbuildings and destroy some vegetation and associated wildlife habitat. (Huntington District.) (ELR Order No. 50545.)

Final

Beaver Lake Project Operation, Arkansas, April 16: The statement evaluates the impacts of the operation and maintenance of Beaver Lake, a hydroelectric power generation, flood control, water supply, and recreation project near Rogers, Arkansas. Adverse impact includes that resulting from lake fluctuation and from heavy recreational use. (Little Rock District.) (61 pages.) Comments made by: USDA, DOI, EPA, DOC, and State agencies. (ELR Order No. 50576.)

Cucamonga Creek and Tributaries, San Bernardino and Riverside Counties, Calif., April 15: Proposed is a flood control project which will consist of a debris basin and 15 miles of channel works. There will be some loss of wildlife habitat due to development accelerated by the flood protection; 193 acres will be committed to the project. (Los Angeles District.) Comments made by: USDA, HEW, HUD, DOI, DOT, AHP, EPA, and State and local agencies. (ELR Order No. 50554.)

San Juan Harbor, Maintenance Dredging, Puerto Rico, April 16: The project consists of maintaining the authorized depths of San Juan Harbor navigation channels by the removal of shoaled materials. Approximately 3,190,000 cu. yds. of material will be removed and placed in upland and ocean disposal areas in scheduled FY–74 and FY–75 maintenance. Adverse impacts include the destruction of some benthic organisms, temporary turbidity and siltation caused by dredging, loss of vegetation in the upland disposal area, and some organisms will be covered at the offshore disposal site. (Jacksonville District.) Comments made by: USDA, DOC, HUD, DOT, EPA, FPC, DOI, and commonwealth agencies. (ELR Order No. 50575.)

North Fork of the Feather River, Plumas County, Calif. In the FEDERAL REGISTER of January 24, 1975, the abstract should have read "A total of 570 acres (336 agricultural and 234 residential) will be protected by the project" instead of "A total of 570 acres (336 agricultural and 234 residential) will be lost to the project" as printed.

ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. Sheldon Meyers, Director, Office of Federal Activities, Room 3630 Waterside Mall, Washington, D.C. 20460, 202–755–0940.

Draft

North Lake Tahoe-Truckee River Basin, Supplement, Nevada, Placer, El Dorado Counties, Calif., April 15: The statement is a supplement to a final eis filed with CEQ 30 September 1974 and discusses seven environmental issues unresolved in the final statement. The review period will be 30 days from 15 April 1975. (17 pages.) (ELR Order No. 50562.)

FEDERAL ENERGY ADMINISTRATION

Contact: Mr. Ernest A. Sligh, Director, Environmental Impact Division, Federal Energy Administration, New Post Office Building, 12th and Pennsylvania Avenue NW., Washington, D.C. 20461, 202–961–6214.

Final

Coal Conversion Program, April 15: The statement analyses FEA's proposed strategy for the implementation of the Energy Supply and Environmental Coordination Act of 1974. The eis presents the methodology by which major fuel burning installations will be selected to receive an order prohibiting them from burning natural gas or petroleum products as their primary energy source. The procedures which may be used to select candidates are described, along with the impacts associated with differing degrees of program implementation. Impacts of the proposal include those generally associated with coal burning, and vary in degree from site to site. Comments made by: EPA, DOC, DLAB, TREA, USDA, State agencies, and private companies. (ELR Order No. 50560.)

In order to give the agency more time to review comments received on the draft, and in order to meet the statutory deadline for agency action by June 30, 1975, the Council has granted the agency's request for a waiver of a portion of the thirty day waiting period on the final statement. The waiting period after the final statement will be twenty rather than thirty days.

GENERAL SERVICES ADMINISTRATION

Contact: Mr. Andrew E. Kauders, Executive Director of Environmental Affairs, General Services Administration, 18th and F Streets NW., Washington, D.C. 20405, 202–343–4161.

Final

Alabama Army Ammunition Plant Disposal, Talladega County, Ala., April 15: Proposed is the disposal of 1,354 acres of land at the Alabama Army Ammunition Plant, Childersburg, Alabama. Disposal will be by negotiated sale to the Kimberly-Clark Company. The statement indicates that conveyance of the property would result in significant lessening of the impacts on the area with respect to air and water pollution. Comments made by: HEW, EPA, and DOI. (ELR Order No. 50553.)

Grosse Ile South Channel Range Light Disposal, Wayne County, Mich., April 15: Proposed is the disposal by GSA of the 20.66 acre Gross Ile South Channel Range Light property, through public sale under sealed bid. No adverse environmental impact is anticipated (31 pages). Comments made by: COE, EPA, and DOI. (ELR Order No. 50552.)

Interagency Motor Pool, Dallas, Tex., April 15: The proposed action consists of leasing space for the GSA Interagency Motor Pool which will most likely result in new construction. The facility will consist of 3,500 sq. ft. of net usable office and storage for 8 employees, and 166,000 sq. ft. of net usable parking area or 550 parking spaces. The facility will provide a service area which will include two 10,000 gallon underground gasoline tanks and an automatic drive-through carwash. There will be short-term construction inconveniences caused by the project. Comments made by: AHP, EPA, DOT, and State agencies. (ELR Order No. 50563.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, 202–343–3891.

Draft

Tesuque Indian Pueblo, Santa Fe County, N. Mex., April 18: Proposed is the approval by the Secretary of the Interior of a 99-year lease for 1,342 acres and an option to lease an additional 4,100 acres between Sangre De Cristo Development Co., Inc., and the Tesque Indian Pueblo. A residential community will be developed for approximately 16,000 people. Impacts will consist of developing a population in an area having none, increased use of water, emissions from home heating systems, sewage discharges, and increased traffic exhaust emissions. (ELR Order No. 50588.)

BONNEVILLE POWER ADMINISTRATION

Hangman Creek Area Service (Supplement BPA FY 76), Spokane County, Wash., April 16: The proposed project is the construction of a substation near Hangman Creek, south of Spokane. Approximately 3 acres of grass and shrubs would be removed. Adverse effects of the project are siltation of the creek, some erosion and sedimentation, temporary disturbance to wildlife during construction, and decreased aesthetics due to the presence of the substation in a primarily recreational area. (ELR Order No. 50565.)

Seattle Area Reinforcement (Supplement BPA FY 76), King County, Wash., April 16: Proposed is the construction of 230-kV terminals at Covington and Maple Valley Substations and approximately 10 miles of double-circuit 230-kV line between Covington and Maple Valley Substations over the existing right-of-way. Adverse impacts include limitations on land use and productivity near the facility, loss of soil by erosion, some siltation in small streams, temporary noise, dust, and other disturbances to residents and wildlife, and the visual impact of a taller facility. (ELR Order No. 50566.)

Cheney-Four Lakes Area Svc. (Supplement BPA FY 76), Lincoln and Spokane Counties, Wash., April 16: The project proposes transproposed construction of approximately 26 miles of 230-kV transmission line from the Four Mounds Area west of Spokane to either Cheney or Four Lakes Substation and the proposed construction of a new substation in the Four Mounds area. Adverse effects are limitation on land use and productivity, including the elimination of timber growing and the restriction of construction of buildings on the right-of-way; erosion and siltation; removal of forest habitate and the resultant loss of wildlife; visual impact of the structures; and temporary construction disruption. (ELR Order No. 50567.)

Port Angeles Support (Supplement BPA FY 76), Clallam and Jefferson Counties, Wash., April 16: The project proposes transformer additions to Port Angeles Substation and replacement of approximately 27 miles of 115-kV line with new 230-kV line between Fairmount and Port Angeles Substations. The project's adverse effects include limitations on land use and productivity, erosion and siltation, removal of forest habitat with some loss of wildlife, visual impact of the structures, and temporary construction disturbances to residents and wildlife. (ELR Order No. 50568.)

Okanogan Area Svc. (Supplement BPA FY 76), several counties, Wash., April 16: This project entails the construction of a substation west of Okanogan, a 115-kV line between Okanogan and Tonasket and 230-kV line between Bridgeport and Okanogan. Adverse impacts are limitations on land use and productivity, permanent elimination of 4 acres of rangeland, removal of habitat for the required right-of-way with some loss of wildlife, some erosion and sedimentation, visual impacts, and temporary construction disruption. (ELR Order No. 50569.)

BUREAU OF OUTDOOR RECREATION

Draft

Proposed Rio Grande Wild and Scenic River, Brewster, Terrell, and Val Verde Counties, Tex., April 17: The statement concerns legislative action to include a 191.2-mile segment of the Rio Grande and a minimum of 9,600 acres of adjacent land in the National Wild and Scenic Rivers System. If Mexico has no objection, nor conflicting objectives for their side of the river, the plan will be implemented and the lands retained in their present condition. Commercial and residential use would be precluded and mineral extraction controlled (109 pages). (ELR Order No. 50584.)

BUREAU OF RECLAMATION

Draft

Anadromous Fish Passage, Savage Rapids Dam, Jackson and Josephine Counties, Oreg., April 15: Proposed is a Phase I plan to improve anadromous fish passage problems at Savage Rapids Dam on the Rogue River near Grants Pass, Oregon. The major improvement will be construction of a new fishway on the north side of the river. Construction disruption, lasting 20 months, will result. Phase II plans will be discussed in a separate eis. (ELR Order No. 50564.)

Central Utah Project, Jensen Unit, Uintah County, Utah, April 14: The statement concerns the construction and operation of the Jensen Unit to develop water to irrigate and to augment existing municipal supplies. About 520 acres of land would be inundated by Tyzack Reservoir. The major permanent impact would be scars along the aqueduct alignment which would resist restoration

measures. Salinity of the lower Colorado River is estimated to be increased 1.6 mg/l at Imperial Dam as a result of the project. (ELR Order No. 50551.)

Final

Fryingpan — Arkansas Project, several counties, Colo., April 16: The statement refers to the Fryingpan-Arkansas Project, major features of which include 6 dams and reservoirs, 18 diversion structures, 10 tunnels, 2 canals, 2 powerplants, 52 miles of transmission line, and 2 municipal and industrial water delivery conduits, with a total length of 266 miles. Purposes of the project include: the development of the regional and national economy through irrigations; development of hydroelectric power; water supply and quality improvement; and development of recreation facilities. A total of 39,279 acres will be required to accommodate all project features. The project will deplete the Colorado Basin of 70,000 acre-ft of water, thus increasing salinity. Comments made by: DOI, AHP, EPA, HUD, HEW, USDA, DOT, FPC, State and local agencies and concerned citizens. (ELR Order No. 50577.)

BUREAU OF SPORTS FISHERIES AND WILDLIFE

Final

Rock River, Wis., April 15: The statement considers the treatment of the waters of the Rock River drainage above the Indianford Dam with rotenone and antimycin, in order to remove carp and buffalo fish. The River will then be restocked with sport fish. Approximately 2,802 miles of stream are affected, along with 100,400 acres of marsh. All nontarget fish species and several species of clams will be lost throughout the project area. Comments made by: EPA, DOI, USDA, and University of Wisconsin. (ELR Order No. 50559.)

GEOLOGICAL SURVEY

Draft

OCS Exploration Regulations, April 16: The statement concerns proposed regulations prescribing policies and procedures under which geological and geophysical explorations may be conducted in the Outer Continental Shelf. Permits would be required for any explorations for OCS mineral resources and for scientific research involving the use of solid or liquid explosives or the OCS total of 300 feet. Adverse impacts from exploration include destruction of marine life, air and water pollution, and conflict with other uses of the OCS. (ELR Order No. 50578.)

NATIONAL PARK SERVICE

Final

Saguaro National Monument, Ariz., April 15: The statement refers to the proposed legislative designation of 42,000 acres within the Monument as wilderness, and the designation of an additional 27,100 acres as potential wilderness to be added by the Secretary of the Interior at such time that the lands qualify. There may be some restrictions placed upon visitor use of the area (101 pages). Comments made by: USDA, DOC, COE, DOI, DOT, State and local agencies and concerned citizens. (ELR Order No. 50558.)

Big Cypress National Fresh Water Reserve, Collier, Monroe, and Dade Counties, Fla., April 14: Proposed is the legislative establishment of Big Cypress National Fresh Water Reserve. The Federal Government will acquire legal interest in 570,000 acres of critical lands to protect the water quality, quantity, and flow regimen to the northwest portion of Everglades National Park, and to the estuarine regions in the Gulf of Mexico. The acquisition in arrested development and a loss in tax revenues. Comments made by: DOI, DOC, DOT, COE, USDA, EPA, and one State agency. (ELR Order No. 50548.)

Lincoln Home National Historic Site, Ill., April 15: The statement refers to a proposed master plan for the Lincoln Home National Historic Site. The plan involves the acquisition of 12.28 acres of land, restoration of the historic scene, and development of a visitor use facility. The land acquisition will include 30 improved tracts, and will result in the displacement of 148 people. Comments made by: COE, DOI, HUD, EPA, State and local agencies. (ELR Order No. 50557.)

Saguaro National Monument, Ariz., April 15: The statement refers to the proposed legislative designation of 42,000 acres within the Monument as wilderness, and the designation of an additional 27,100 acres as potential wilderness to be added by the Secretary of the Interior at such time that the lands qualify. There may be some restrictions placed upon visitor use of the area. Comments made by: USDA, DOC, COE, DOI, DOT, State and local agencies and concerned citizens. (ELR Order No. 50558.)

FEDERAL HIGHWAY ADMINISTRATION

Draft

Regal Street, Palouse Highway to 29th Avenue, Spokane, Spokane County, Wash., April 16: The proposed project is the construction of a 1-mile long, 4-lane arterial along Regal Street between the Palouse Highway and 29th Avenue in Spokane, Washington. Alternates 1 and 2 involve construction on undeveloped land which would result in a reduction of wildlife habitat; these alternates also demand fill to a maximum depth of 12 feet through a natural drainage area. Alternate 3 requires the use of highly developed property. Other adverse impacts include the relocation of as many as 5 families, 2 businesses, and 1 church and increased noise and air pollution. (ELR Order No. 50572.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, 400 7th Street SW., Washington, D.C. 20500, 202-426-4357.

FEDERAL HIGHWAY ADMINISTRATION

Draft

SR 167, from SR 410 to SR 18, Washington, Pierce and King Counties, Wash., April 16: The proposed improvement involves the completion of a 8.71-mile section of SR 167, a fully-controlled access freeway with four lanes and four interchanges in the project area, from SR 410 to SR 18 in Washington state. The right-of-way requires 416 acres of agricultural and residential lands. Adverse impacts include the loss of these lands, the displacement of 9 families, the relocation of 3 streams, noise pollution, and heightened industrial and residential growth in the freeway area. (ELR Order No. 50571.)

County Trunk Highway "Q", Kenosha County, Wis., April 16: The statement concerns the construction of a 2-lane, 1.04 mile extension of C.T.H. "Q" from its present terminus at C.T.H. "H" to I-94. The project would require 54 acres of floodplain, marsh, and agricultural land for right-of-way (122 pages). (ELR Order No. 50579.)

Final

I-5, Stockton to Sacramento, Sacramento County, Calif., April 16: The project involves the construction of a 4.8 mile portion of I-5 between Stockton and Sacramento. The facility will be an initial 4 lane freeway entirely on new alignment. Adverse impacts consist of the loss of 228 acres of agricultural land, and the removal of approximately 2,200,000 cu. yds. of material from a borrow site (70 pages). Comments made by: DOI, EPA, DOT, USCG, COE, USDA, State and local agencies and organizations. (ELR Order No. 50574.)

Final

US 20-191, Madison and Fremont Counties, Idaho, April 17: The proposed project involves the construction of 21 miles of four lane US 20-191, beginning at Thornton and proceeding northward to Twin Groves. This is the only access from the west to Yellowstone National Park, and it carries a peak tourist load during the summer months. The amount of land to be used for right-of-way and the number of residences to be displaced will depend upon which of several alternate routes is chosen (202 pages). Comments made by: DOI, EPA, USDA, State and local agencies. (ELR Order No. 50583.)

Richland Avenue, Pennsylvania, York County, Pa., April 17: The proposed project is the construction of 0.9 miles of Richland Avenue in York. The project will displace one family. A Section 4(f) review will be filed to obtain 0.54 acres from Odlon Park. Comments made by: USDA, DOC, HEW, HUD, DOI, DOT, EPA, OEO, COE, State and local agencies. (ELR Order No. 50582.)

Notice of availability of the draft environmental impact statement which appeared in the FEDERAL REGISTER of 11 April 1975 for "Listing of Atlantic Bluefin Tuna as a Threatened Species" was incorrectly dated March 31, 1975. The statement should have appeared in the FEDERAL REGISTER on April 4, 1975 dated March 28, 1975.

GARY L. WIDMAN,
General Counsel.

[FR Doc.75-10822 Filed 4-24-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 363-3]

AREAWIDE WASTE TREATMENT

Management Planning Approvals; Area and Agency Designations

Pursuant to section 208 of the Federal Water Pollution Control Act Amendments of 1972, notice is hereby given of approvals and disapprovals of designation of areawide waste treatment management planning areas and agencies for the period March 8, 1975, through April 4, 1975.

The following area and agency designations have been approved:

Middle Yellowstone Area of Montana (Middle Yellowstone Areawide Planning Organization, Red Lodge, Montana 59068).

Flathead and Lake Counties, Montana (Flathead Drainage 208 Project, Lake County Court House, Polson, Montana 59860).

Louisville, Kentucky (The Kentuckiana Planning and Development Agency, Suite 406, Old Louisville Trust Building, 208 South Fifth Street, Louisville, Kentucky 40202).

Ogden (Weber and Davis Counties), Utah (Weber River Water Quality Planning Council, 714 Municipal Building, Ogden, Utah 84401).

Boise (Ada and Canyon Counties), Idaho (Ada/Canyon Waste Treatment Management Committee, 525 W. Jefferson, Boise, Idaho 83702).

Salem, New Hampshire (Strafford-Rockingham Regional Council, 90 Washington Street, Dover, New Hampshire 03820).

Birmingham, Alabama (Birmingham Regional Planning Commission, 2112 11th Avenue South, Birmingham, Alabama 35205).

Tuscaloosa County, Alabama (West Alabama Planning and Development Council, P.O. Box 4169, Pocatello, Idaho 83201).

Bannock and Caribou Counties, Idaho (Southeast Idaho Council of Governments, P.O. 4169 Pocatello, Idaho 83201).

Columbia, South Carolina (Central Midland Regional Planning Council, 800 Dutch Square Boulevard, Suite 155, Dutch Plaza, Columbia, South Carolina 29210).

Orlando, Florida (East Central Florida Regional Planning Council, 1011 Wymore Road, Suite 105, Winter Park, Florida).

Washington, D.C. Metropolitan Area (Metropolitan Washington Council of Governments, 1225 Connecticut Avenue, Washington, D.C. 20036).

In addition, the designation of the Northeastern Oklahoma area and the Northeast Counties of Oklahoma Economic Development Association as a 208 area and agency respectively, was disapproved. The area does not appear to have complex water quality control problems. The municipal and industrial waste sources are widely dispersed and there is no complex interaction among the discharges. In addition, the State of Oklahoma has preempted the responsibility for planning for nonpoint sources of pollution.

JAMES L. AGEE,
Assistant Administrator for Water and Hazardous Materials.

APRIL 15, 1975.

[FR Doc.75-10806 Filed 4-24-75;8:45 am]

[FRL 356-2]

FUELS AND FUEL ADDITIVES

Suspension of Enforcement of Regulations for Control of Lead Additives in Gasoline

On February 20, 1975, a notice was published in the FEDERAL REGISTER (40 CFR 7480) which stated that enforcement of regulations published by the Environmental Protection Agency (38 FR 33734, December 6, 1973) controlling the amount of lead additives in gasoline would be suspended. Enforcement was suspended because of a decision by the U.S. Court of Appeals for the District of Columbia Circuit on December 20, 1974 setting the regulations aside. Written opinions were issued by the Court on January 28, 1975.

On March 17, 1975, the Court granted the Agency's petition for rehearing of the case *en banc* and vacated the prior judgment and opinions. The rehearing date was subsequently set for May 30, 1975.

The regulations require a phased reduction in the average lead content of gasoline produced on a quarterly basis by each refinery. The reduction schedule was to have begun on January 1, 1975. As a result of the Court's action vacating the earlier judgment, the lead regulations are again in effect. However, EPA has decided to continue to suspend enforcement of the regulations until a decision is made by the Court after the rehearing. If a judgment is issued upholding the regulations, EPA will promptly publish further notice regarding the timing of resumption of enforcement.

The outcome of the litigation over the lead phasedown regulations has no effect on the regulations requiring general availability of unleaded gasoline for use in 1975 vehicles equipped with catalytic converters. Those regulations are being enforced.

Dated: April 18, 1975.

RUSSELL E. TRAIN,
Administrator.

[FR Doc.75-10805 Filed 2-24-75;8:45 am]

[FRL 362-7]

INORGANIC CHEMICALS MANUFACTURING POINT SOURCE CATEGORY

Effluent Guidelines and Standards; Reconsideration

On March 12, 1974, the Environmental Protection Agency promulgated effluent limitations and guidelines for existing sources and standards of performance and pretreatment standards for new sources which are applicable to plants in certain segments of the inorganic chemical manufacturing category. (40 CFR Part 415; 39 FR 9612 et seq.) Subpart U of Part 415 applies to plants producing sulfuric acid by the sulfur burning process.

Subject to a provision authorizing a variance from the regulations specifying the degree of effluent reduction attainable by application of the best practicable control technology currently available (40 CFR 415.22), the regulations required that existing sulfur burning plants achieve no discharge of process waste water pollutants by July 1, 1977.

Subsequently, it was pointed out that some single-absorption sulfur burning plants may be required to install emission control devices in order to comply with ambient air quality standards on sulfur dioxide. It has been alleged that were wet scrubbing devices employed to comply with these air quality requirements, a purge stream may be generated which would constitute a potential source of waterborne waste for some types of scrubbers not present in double absorption plants or at single absorption plants not equipped with such a system.

The Agency believes that the data available to it at the time the regulations for sulfur burning plants were promulgated do not conclusively demonstrate that a no discharge standard is equally appropriate for all single absorption plants at which such emission control devices are operated. Accordingly, the Agency intends to reconsider the applicability of Subpart U of 40 CFR Part 415 to such plants. The purpose of this notice is to announce reconsideration and to solicit data necessary for the Agency to determine whether or not the regulations are appropriately applied to such plants, and if not, to develop all necessary modifications in the regulations.

During the past several months the Agency has assembled information on the performance of certain wet scrubbers and systems employed to treat the purge water stream. In order to supplement these data, the Agency specifically requests information on response to the following questions:

(1) The number of single absorption sulfur burning plants at which air emission control devices are now in operation or under construction.

(2) The type of control device involved, *e.g.*, a Wellman-Lord scrubber, ammonia scrubber, lime/limestone scrubber, etc.

(3) The volume of purge generated per ton of acid produced.

(4) The pollutant characteristics of the untreated purge stream—*e.g.*, total suspended solids, total dissolved solids, sodium sulfite, COD, etc.

(5) The method employed for disposal of the purge—including recovery of sodium sulfate or other byproduct for sale, land disposal, or treatment, and discharge.

(6) The efficiency of the treatment system employed and the pollutants, and amounts, present in any stream discharged to surface waters.

(7) The cost of operation of any recovery disposal or treatment system, including fuel consumed.

Comments on the appropriateness of the Agency's reconsideration of the applicability of 40 CFR 415.22 to single absorption sulfuric acid plants at which air emission control devices are installed, and information in response to the above questions, may be submitted in triplicate to the EPA Office of Public Affairs, Environmental Protection Agency, Washington, D.C. 20460, Attention: Ms. Ruth Brown, A-107. A copy of all public comments will be available for inspection and copying at the EPA Freedom of Information Center, Room 204, West Tower, Waterside Mall, 401 M Street SW., Washington, D.C. All comments received on or before May 27, 1975, will be carefully considered.

Dated: April 17, 1975.

JOHN QUARLES,
Acting Administrator.

[FR Doc.75-10807 Filed 4-24-75;8:45 am]

[FRL 365-1]

MARINE SANITATION DEVICE STANDARD FOR MICH.

Receipt of Petition

Notice is hereby given that a petition has been received from the State of Michigan that the Administrator, by regulation, completely prohibit the discharge from a vessel of any sewage (whether treated or not) into the Michigan waters of Lakes Michigan, Huron, Superior, Erie, and St. Clair, all waterways connected thereto, and all inland lakes. Such action is requested pursuant to section 312(f)(4) of Pub. L. 92-500. The petition states that the majority of the aforementioned waters are designated for both domestic water supply and for total body contact recreation uses which require very high-quality water.

Comments and views regarding this requested action may be filed within 45 days from the date of this notice. Such communications, or requests for a copy of the applicant's petition, should be addressed to the Director, Criteria and Standards Division (WH-451), Office of Water Planning and Standards, OWHM,

Room 737 East Tower, Waterside Mall, Washington, D.C. 20460.

Dated: April 18, 1975.

RUSSELL E. TRAIN,
Administrator.

[FR Doc.75-10801 Filed 4-24-75;8:45 am]

[FRL 364-6]

NEW JERSEY COMPLIANCE SCHEDULES

Public Hearing

On March 17, 1975 (40 FR 12112), the Regional Administrator of Region II of the Environmental Protection Agency published proposed compliance schedules submitted by twelve (12) New Jersey corporate sources in compliance with the requirements of federal regulations codified at 40 CFR 52.1577. Each of the nineteen (19) schedules therein proposed provides for compliance with the terms of the New Jersey particulate control regulations (7:27 N.J.A.C. 6.1 *et seq.*) by or before July 31, 1975. In the notice of proposed rulemaking, the Regional Administrator announced his intention to hold public hearings on the compliance schedules proposed for approval, and indicated that such hearings will be held no earlier than May 27, 1975. The purpose of this notice is to establish the date, time, and location of these public hearings. This information follows:

NEW JERSEY

May 19, 1975 at 10 a.m., Newark College of Engineering, College Center—Room 312, 150 Bleecker Street, Newark, New Jersey, Hearing Officer: Paul Bermingham.

Persons wishing to participate in these public hearings should make their intentions known by notifying the Regional Administrator and supplying five (5) copies of their statements seven (7) days in advance of the hearing date. Notification and copies of such statements should be addressed to the attention of the hearing officer, as identified above, at the following address.

United States Environmental Protection Agency, 26 Federal Plaza, New York, New York 10007, Room 1009.

Copies of the proposed compliance schedules to be considered at the public hearings are available for public inspection at the following offices during normal business hours:

United States Environmental Protection Agency, Region II, 26 Federal Plaza, New York, New York 10007.

United States Environmental Protection Agency, Division of Stationary Source Enforcement, 401 M Street SW., Washington, D.C. 20460.

New Jersey Department of Environmental Protection, Bureau of Air Pollution Control, 5635 Westfield Avenue, Pennsauken, New Jersey 08110.

New Jersey Department of Environmental Protection, Bureau of Air Pollution Control, Room 603, Health-Agriculture Bldg., Trenton, New Jersey 08625.

New Jersey Department of Environmental Protection, Bureau of Air Pollution Control, 25 U.S. Highway 22, Springfield, New Jersey 07081.

Dated: April 21, 1975.

ROGER STRELOW,
Assistant Administrator for Air and Waste Management.

[FR Doc.75-10802 Filed 4-24-75;8:45 am]

[FRL 365-6]

SCIENCE ADVISORY BOARD NATIONAL AIR QUALITY CRITERIA ADVISORY COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given that a meeting of the National Air Quality Criteria Advisory Committee of the Science Advisory Board will be held at 9 a.m. on May 15, 1975, in Conference Room A (Room 1112), Crystal Mall Building No. 2, 1921 Jefferson Davis Highway, Arlington, Virginia.

The purpose of the meeting will be (1) to consult the committee regarding the determination and documentation of adverse effects on the public health and welfare of nickel as an atmospheric pollutant and particularly on revisions of a draft titled, "Scientific and Technical Assessment Report on Nickel," External Review Draft, dated February 1975; (2) to brief the committee on and discuss measurement and atmospheric chemistry of "sulfates;" (3) to discuss and initiate committee involvement in peer review of research plans relating to the sulfur oxides/particulates complex; and (4) to discuss and initiate committee participation in the review and revision of existing air quality criteria. The agenda will also include (5) brief reports and informational items of current interest to the members.

The meeting will be open to the public. Any member of the public wishing to attend or submit a paper should contact the Executive Secretary, Mr. Ernst Linde, Scientist Administrator, Science Advisory Board (RD-673), U.S. Environmental Protection Agency, Washington, D.C. 20460.

The telephone number is (703) 557-7720.

WILSON K. TALLEY,
Assistant Administrator for Research and Development.

APRIL 21, 1975.

[FR Doc.75-10897 Filed 4-24-75;8:45 am]

[FRL 359-4]

STATE-FEDERAL FIFRA IMPLEMENTATION ADVISORY COMMITTEE

Establishment

This notice announces the establishment of the State-Federal FIFRA Implementation Advisory Committee which is determined to be in the public interest in connection with the performance of duties imposed on the U.S. Environmental Protection Agency by law.

The Committee will provide advice and information to EPA regarding the impact on State regulatory programs of the Agency's plans and strategies for implementation of key provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This advice and information will assist the Agency in ensuring that such plans and strategies will facilitate coordination of Federal and State programs for the regulation of the sale and use of pesticides. Activities of the Committee will extend across the entire range of the Agency's duties and responsibilities under FIFRA with particular emphasis on pesticide registration, applicator training and certification, issuance of experimental use permits, and enforcement.

Copies of the committee charter will be filed with appropriate standing committees of the Congress and the Library of Congress as required by the Federal Advisory Committee Act of 1972.

Dated: April 18, 1975.

RUSSELL E. TRAIN,
Administrator.

[FR Doc.75-10804 Filed 4-24-75;8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

LIQUID METAL FAST BREEDER REACTOR PROGRAM

Public Hearing Concerning Proposed Final Environmental Statement

On Friday, January 17, 1975, the U.S. Atomic Energy Commission (AEC) issued a Proposed Final Environmental Statement on the Liquid Metal Fast Breeder Reactor (LMFBR) Program. A notice of the Statement's availability and a solicitation of written comments thereon was published in the FEDERAL REGISTER on January 24, 1975 (40 FR 3804). Comments were requested by April 9, 1975 (40 FR 7479).

The Energy Research and Development Administration (ERDA) began operation on January 19, 1975, in accordance with the Energy Reorganization Act of 1974 (Pub. L. 93-438) and Executive Order 11834 (40 FR 2971). At that time, ERDA assumed responsibility for AEC's research and developmental functions, including those associated with the LMFBR Program. Development of a Final Environmental Statement on the LMFBR Program is necessary before ERDA can or will make any final decisions with regard to the future of that Program. Before issuing a Final Environmental Statement, ERDA will review AEC's Proposed Final Environmental Statement and the comments received on it from Government agencies and others. In this connection, four ERDA officials not previously involved in the Statement's preparation have been appointed by the Administrator of ERDA to review the Proposed Final Environmental Statement and the comments received on it and to report to the Administrator on whether the issues relevant to a decision on the LMFBR Program are adequately treated in the Statement,

whether the options in the Statements have been adequately evaluated, and whether all relevant options have been considered.

These officials are Robert W. Fri, Deputy Administrator; John M. Teem, Assistant Administrator for Solar, Geothermal and Advanced Energy Systems; S. William Gouse, Deputy Assistant Administrator for Fossil Energy; and James S. Kane, Deputy Assistant Administrator for Energy Conservation.

As part of this review, notice is hereby given that ERDA will conduct a public hearing in connection with the Proposed Final Environmental Statement, starting at 10 a.m. on May 27, 1975, in the auditorium of the General Services Administration, 18th and F Streets NW., Washington, D.C. Although substantial opportunities have already been afforded for the identification and public ventilation of the issues involved in the LMFBR Program, ERDA decided to hold this hearing in order to provide Government agencies and others an additional opportunity to present their views on the critical issues in a public forum before ERDA makes its own judgments. To further sharpen and focus the discussion, an ERDA staff statement summarizing and addressing the issues raised in the written comments on the Proposed Final Statement will be made available prior to the hearing to all hearing participants. In view of the extensive prior public proceedings on this matter and the current information available to the participants, it is believed that a nonadversary, legislative-type hearing will amply illuminate the critical issues for decision-making and that discovery, subpoena of witnesses, cross-examination, and similar formal procedures appropriate to a trial are not necessary for this purpose.

Accordingly, the procedures that will govern this public hearing are as follows:

Governmental agencies, organizations, and members of the general public are encouraged to become "full participants" in the proceeding by filing with W. H. Pennington, Office of the Assistant Administrator for Environment and Safety, ERDA, Washington, D.C. 20545, not later than the close of business on May 19, 1975, a notice of intention to participate. The notice shall set forth: (1) the name and address of the participant; (2) the nature of the participant's interest in the proceeding, or his organizational affiliation; (3) the text of any statements to be presented at the hearing, or a reasonably detailed summary thereof; (4) the names and addresses of all witnesses to be produced at the hearing by the participant; and (5) the amount of time desired to complete the presentation. The Presiding Board will endeavor to schedule the full amount of time requested by full participants (those who file a timely notice) subject to the imposition of such reasonable time limits as will assure other full participants a meaningful opportunity to present their views.

Those wishing to participate but who do not file a timely notice as specified herein, may notify Mr. Pennington before the hearing or the Chairman of the Presiding Board during the hearing of their desire to make a presentation. Such parties shall be admitted as "limited participants" and shall be heard at such times as the Presiding Board shall permit for a period of not more than fifteen (15) minutes each, unless the Presiding Board, in its discretion, allows additional time.

The Presiding Board may, in its discretion, permit full participants and ERDA staff witnesses to submit written questions at the hearing and to submit written responses either at the hearing or before the close of the hearing record. In addition, the Presiding Board may, in its discretion, permit full participants, in their oral presentations, to propound questions relating to specific points of fact, and may request ERDA staff witnesses to respond to those questions either orally at the hearing or subsequently in writing before the close of the hearing record. The Presiding Board shall determine when the hearing record will close.

Participants may, but need not, be represented by counsel. Participants and their counsel will reference and produce, on request of the Presiding Board, the documents on which they rely.

Three members of the Presiding Board will constitute a quorum, if one of the members is the Chairman.

Consistent with the full and true disclosure of the facts, duplicative, redundant, irrelevant, or otherwise unproductive testimony will not be permitted and the Presiding Board will impose suitable restrictions to that end. The Presiding Board is authorized to take appropriate action to control the course of the hearing, including authority to maintain order; rule on offers of, and receive, evidence; dispose of procedural requests or similar matters; allocate among participants the time available for presentations; provide for consolidation of presentations, as appropriate; examine participants or witnesses; and hold conferences before or during the hearing for the purpose of delineating contested issues or for other purposes within the authority of the Presiding Board.

Copies of (1) AEC's Proposed Final Environmental Statement, (2) written comments received thereon by ERDA, (3) notices of intention to participate at the public hearing, and (4) ERDA staff's prepared statement responding to the written comments, will be available for inspection at the ERDA Public Document Room at 1717 H Street, NW., Washington, D.C. as well as at ERDA's Albuquerque Operations Office, Kirtland Air Force Base East, Albuquerque, New Mexico; Chicago Operations Office, 9500 South Cass Avenue, Argonne, Illinois; Idaho Operations Office, 550 Second Street, Idaho Falls, Idaho; Oak Ridge Operations Office, Federal Building, Oak Ridge, Tennessee; Richland Operations Office, Federal Building, Richland, Washington; Nevada Operations Office, Las Vegas, Nevada; San Francisco Operations Office, 1333 Broadway, Oakland, California; and Savannah River Operations Office, Savannah River Plant, Aiken, South Carolina.

A transcript of the hearing will be made and a copy of the transcript, together with copies of all documents presented in connection with the hearing will constitute the record of the hearing. The record will be available for inspection at the locations listed above. Documents presented in connection with the hearing will be attached to the Final Environmental Statement if the proponent so requests and if such request is approved by the Presiding Board.

After the conclusion of the hearing, the Presiding Board will forward the record of the hearing to the Administrator together with its report as indicated above. These materials will be considered by the Administrator in connection with the issuance of the Final Environmental Statement and in his determinations concerning the future of the LMFBR Program.

Dated at Washington, D.C., this 21st day of April 1975.

JAMES L. LIVERMAN,
Assistant Administrator for Environment and Safety.

[FR Doc.75-11072 Filed 4-24-75;8:45 am]

CIVIL SERVICE COMMISSION

FEDERAL EMPLOYEES PAY COUNCIL

Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92-463, notice is hereby given that the Federal Employees Pay Council will meet at 2 p.m. on Wednesday, May 21, 1975. This meeting will be held in room 5323 of the U.S. Civil Service Commission building, 1900 E Street NW., and will consist of continued discussions on the fiscal year 1976 comparability adjustment for the statutory pay systems of the Federal Government.

The Chairman of the U.S. Civil Service Commission is responsible for the making of determinations under section 10(d) of the Federal Advisory Committee Act as to whether or not meetings of the Federal Employees Pay Council shall be open to the public. He has determined that this meeting will consist of exchanges of opinions and information which, if written, would fall within exemptions (2) or (5) of 5 U.S.C. 552(b). Therefore, this meeting will not be open to the public.

For the President's Agent:

RICHARD H. HALL,
Advisory Committee Management Officer for the President's Agent.

[FR Doc.75-10899 Filed 4-24-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

OLD OIL ALLOCATION PROGRAM

Entitlement Notice for January 1975

Correction

In FR Doc. 75–7025 appearing at page 12466 in the issue for Tuesday, March 18, 1975, certain figures listed in the table of the Appendix are incorrect and should be changed as follows:

Asiatic: Required to sell—"60,490" should read "60, 495".

Atlantic-Cement: Required to sell—"17,058" should read "17,059".

Delta: Issued—"908, 154" should read "608, 154".

FEDERAL POWER COMMISSION

[Docket No. E–8851]

ALABAMA POWER CO.

Order Accepting for Filing

APRIL 18, 1975.

On March 19, 1975, Alabama Power Company (Applicant) tendered for filing a proposed revised fuel adjustment clause applicable to its Rate Schedules REA–1 (Cooperative customers), and MUN–1 (Municipal customers). The company alleges that this tendered clause is in conformance with the requirements set forth within our Order No. 517 at Docket No. R–479. If accepted, such fuel clause would replace that which was suspended and set for hearing by our order of July 18, 1974 at this docket. Applicant requests that its proposed revised fuel clause be permitted to become effective April 18, 1975, or the earliest date thereafter permitted by existing contracts with affected municipal and cooperative customers.

Notice of Applicant's tendered filing was issued on March 26, 1975, with protests and petitions to intervene due on or before April 16, 1975. On March 28, 1975, a joint[1] protest and motion to reject, was filed by several cooperative and municipal customers which also requested, in the alternative that the company's filing be suspended for the statutory maximum period of five months and set for hearing.

In support of their protest, intervenors allege that the proposed fuel clause does not comply with Order No. 517 in that (1) it is not clear whether § 35.14(2)(d) has been complied with in terms of including the credit provision related to the cost of fossil and nuclear fuel recovered through intersystem sales including the fuel costs related to economy energy sales and other energy sold on an economic dispatch basis; (2) Section 35.14(a)(7) has not been complied with in that the company has not stated whether it purchases fuel from controlled sources; and (3) Section 35.14(a)(2) has not been complied with in that the company has not provided detailed cost support for its base cost of fuel.

Our analysis of the company's proposed fuel clause reveals that it is in substantial compliance with the requirements set forth in Order No. 517. However, it appears that the company has failed to exclude the cost of fossil and nuclear fuel recovered through intersystem sales including the cost related to economy energy sales. Based on this fact, and the fact that the resulting rates have not been shown to be just and reasonable, and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful, we shall accept the applicant's proposed fuel clause for filing, but suspend the use thereof for one day, to become effective April 20, 1975. Although by taking such action we deny the requests of the intervenors for rejection or five month suspension, they do retain the right to raise their allegations during the proceedings which we have previously established at this docket. Therefore, we shall consolidate the issues raised by Applicant's filing of March 19, 1975, with those previously set for hearing at this docket. Further, we shall delegate to the Presiding Judge the authority to establish an independent procedural schedule for purposes of gathering evidence and hearing this issue which will not cause any delay in that schedule which we have already established for the purpose of examining into the Applicant's general wholesale rate increase request.

The Commission finds:

(1) It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Federal Power Act, that the Commission accept Alabama Power's March 19, 1975, filing in Docket No. E–8851, and suspend its use for one day until April 19, 1975, subject to refund.

(2) Good cause does not exist to grant the motion to reject or suspend for the full statutory period filed by the intervenors.

(3) Good cause does exist to consolidate this proceeding with those established by our order of July 18, 1974, at this docket.

The Commission orders:

(A) Alabama Power's March 19, 1975, filing in Docket No. E–8851 is hereby accepted for filing, and the use thereof suspended for one day until April 19, 1975, subject to refund.

(B) The investigation instituted by our order of July 18, 1974, is hereby consolidated for decision with the proceeding instituted by this order.

(C) The Presiding Administrative Law Judge is hereby authorized to establish a procedural schedule for purposes of examining into the justness and reasonableness of Applicant's filing of March 19, 1975, which will not cause any delay in the proceedings heretofore established at this docket.

(D) The Secretary of the Commission shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75–10848 Filed 4–24–75;8:45 am]

[1] Those parties joining in the protest are: Baldwin County Electric Membership Corporation; Clarke Washington Electric Membership Corporation; Coosa Valley Electric Cooperative, Inc.; Dixie Electric Cooperative, Inc.; Pea River Electric Cooperative, Inc.; Pioneer Electric Cooperative, Inc.; Tallapoosa River Electric Cooperative, Inc.; Wiregrass Electric Cooperative, Inc.; The Utility Boards of the Cities of Foley and Sylacauga; and the Cities of Alexander City; Dothan, Fairhope; LaFayette; Lanett; Luverne; Opelika; Piedmont; Troy and Tuskegee.

[Docket No. E–9081]

ARIZONA PUBLIC SERVICE CO.

Order Accepting for Filing and Instituting Investigation

APRIL 18, 1975.

On October 29, 1974, Arizona Public Service Company (APS) tendered for filing an "Agreement for the Transmission of Electric Power and Energy for Resale" (Agreement) with Arizona Electric Power Cooperative, Inc. (AEPCO).[1] Under the terms of the Agreement, APS would permit AEPCO to interconnect to the Round Valley Switching Station, owned by APS, in order to provide electric service to Mohave Electric Cooperative, Inc.

APS states that the subject Agreement includes a monthly transmission facilities charge as well as automatic adjustment clauses for changes in income tax, ad valorem tax, materials, supplies and labor. APS states further that these adjustment clauses, also contained in Rate Schedule FPC Nos. 50, 52, 57, 58 and 59, are currently the subject of Commission investigation in Docket Nos. E–8621, *et al.*

APS has requested an effective date of "early November, 1974" for this Agreement since, the Company states, AEPCO has requested that deliveries under the Agreement be commenced at that time. APS accordingly requests waiver of applicable Commission Regulations in order to permit the instant filing to be effective as of such time.

By letter dated October 30, 1974, AEPCO stated that it supports the instant filing and concurs in APS' request for the aforementioned effective date.

Notice of the instant filing was issued on November 7, 1974, with comments, protests, and petitions to intervene due on or before November 15, 1974. No comments, protests or petitions were received.

Preliminary review of the October 29, 1974, filing found it to be deficient with respect to certain requirements of the Commission's Regulations. Accordingly, the Commission Secretary, by letter dated December 3, 1974, informed APS of the deficiency, stating further that a filing date would not be assigned its submittal until the deficiency was cured. On March 20, 1975, APS submitted additional material which fulfills the filing requirements of the Commission's Regulations.

We believe that APS has shown good cause to grant waiver of our notice requirements in order to permit the instant Agreement to become effective as of

[1] This Agreement has been designated Arizona Public Service Company, Rate Schedule FPC No. 62.

the date the subject service was actually commenced. Nevertheless, our review of the aforementioned automatic adjustment provisions contained in the Agreement indicates that such provisions have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential or otherwise unlawful. Accordingly, we shall accept for filing the tendered Agreement and institute an investigation under section 206 of the Federal Power Act into the lawfulness of the automatic adjustment provisions contained in said Agreement. Because these provisions, as noted above, are currently the subject of investigation in Docket No. E–8621, *et al.*, the section 206 investigation herein ordered shall be consolidated with proceedings in that docket for purposes of hearing and decision.

The Commission finds:

(1) Good cause exists to grant APS' request for waiver of the notice requirements of our Regulations in order to permit the tendered Agreement to become effective as of the date the subject service was actually commenced.

(2) It is necessary and proper in the public interest and in carrying out the provisions of the Federal Power Act that the Commission institute a section 206 investigation and hearing concerning the justness and reasonableness of the automatic adjustment clauses contained in the Agreement filed by APS on October 29, 1974.

(3) Good cause exists to consolidate the section 206 investigation ordered herein with proceedings in Docket No. E–8621, *et al.*

The Commission orders:

(A) Pursuant to the authority of the Federal Power Act, particularly section 206 thereof, the Commission's rules of practice and procedure, and the Regulations under the Federal Power Act, a public hearing shall be held concerning the lawfulness of the automatic adjustment clauses contained in the Agreement filed on October 29, 1974, by APS.

(B) Because the automatic adjustment clauses contained in the Agreement filed by APS on October 29, 1974, are identical to those automatic adjustment clauses which are the subject of investigation in Docket No. E–8621, *et al.*, the section 206 investigation ordered herein shall be consolidated with proceedings in that docket for purposes of hearing and decision.

(C) APS' request for waiver of the notice requirements of the Commission's Regulations is hereby granted to permit the tendered Agreement to become effective as of the date the subject service was actually commenced.

(D) Nothing contained herein shall be construed as limiting the rights of parties to this proceeding regarding the convening of conferences or offers of settlement pursuant to § 1.18 of the Commission's rules of practice and procedure.

(E) The Secretary shall cause prompt publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75–10849 Filed 4–24–75;8:45 am]

[Docket No. CI75–592]

CHEVRON OIL CO., WESTERN DIVISION

Notice of Application

APRIL 18, 1975.

Take notice that on April 3, 1975, Chevron Oil Company, Western Division (Applicant), P.O. Box 599, Denver, Colorado 80201, filed in Docket No. CI75–592 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 various fields in Lea County, New Mexico, all as more fully set forth in the application which is on file wth the Commission and open to public inspection.

Applicant states that it proposes to abandon the sale of gas to Skelly from Continental Oil Company operated Well Nos. 5 and 11, Lockhart A–27 lease, Well No. 1, Lockhart B–13A lease, and Well No. 1, Lockhart B–14A lease, Lea County, which sale has been made pursuant to a percentage-type contract. Applicant states that as oil wells, the casinghead gas therefrom is dedicated to Skelly, and as gas wells, the gas-well gas therefrom is dedicated to El Paso Natural Gas Company, under Applicant's FPC Gas Rate Schedule No. 24. 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 wells.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 12, 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 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.75–10850 Filed 4–24–75;8:45 am]

[Docket No. CP73–40 etc.]

COLORADO INTERSTATE GAS CO. ET AL.

Order Granting Interventions

APRIL 15, 1975.

In the matter of Colorado Interstate Gas Company, a Division of Colorado Interstate Corporation, Docket No. CP73–340; Colorado Oil and Gas Corporation and Gas Producing Enterprises, Inc., Docket No. CI74–430; and Northern Natural Gas Company, Docket No. CP75–243.

Order granting interventions, consolidating proceedings, denying motion of Montana Public Service Commission for consolidation and local hearing, and setting further procedural dates.

This proceeding began with the application of Colorado Interstate Gas Company, a division of Colorado Interstate Corporation (CIG) in Docket No. CP73–340 for authority, *inter alia*, to construct and operate certain facilities to transport volumes of natural gas from the Bearpaw Mountain Area in North Central Montana to CIG's pipeline facilities in the Big Horn Basin of Wyoming and for authority to construct certain looping facilities in Wyoming. Formal hearings on this proposal were directed in our order of November 15, 1973, —— FPC ——. On February 11, 1975, the Montana Power Company (Montana Power), an intervener in these proceedings, moved for an order of the Commission dismissing the proceeding without prejudice to the filing of any modified application by CIG and a new application by Northern Natural Gas Company (Northern), which Montana Power indicates CIG had proposed on the record to file on January 15, 1975. What effect the motion of Montana Power had upon the diligence of CIG and Northern is difficult to know, but it does appear that on February 14, 1975, CIG and Northern executed a formal agreement and that CIG's awaited amendment in Docket No. CP73–340 and Northern's application in Docket No.

CP75–243 were filed February 24, 1975, and February 25, 1975, respectively. Northern also requested consolidation of its application with CIG's amendment, a request which we judge to have merit under § 1.20(b) of the rules of practice and procedure and which we will accordingly grant in this order. With respect to the motion of Montana Power to dismiss without prejudice, there appears to be no purpose to be served by re-opening consideration of this motion and accordingly we simply note that it was denied after expiration of 30 days by operation of § 1.12(e) of our rules.

Under the amended proposal of CIG, in which Northern joins in applying for a related authorization in Docket No. CP75–243, reserves dedicated to CIG will be sold to Northern for transportation through existing Northern facilities in Montana certificated in Docket No. CP70–69 by Opinion No. 618, issued May 11, 1972, 47 FPC 1221. Northern will, in turn deliver to Natural Gas Pipeline Company of America for CIG's account a volume of natural gas equal to approximately ¾ of the Montana volumes tendered by CIG. CIG and Northern further request Commission approval of proposed rate and accounting treatment of certain costs and revenues associated the sale and resale proposal, the details of which we expect to be fully explained during the course of these proceedings. We continue in the belief, expressed in our original order in Docket No. CP73–340 on November 15, 1973, that in view of the issues presented and the requests for formal hearings by Montana Power and Montana Public Service Commission, the public interest requires a record in support of the proposal to transport natural gas from Montana.

On March 17, 1975, 40 FR 12156, joint notice of CIG's amendment and Northern's application was given in the FEDERAL REGISTER. Timely petitions to intervene alleging interests in these proceedings were submitted by the following:

Central Telephone & Utilities Corporation
Metropolitan Utilities District of Omaha
Minnesota Gas Company
Northern States Power Company (Minnesota) and Northern States Power Company (Wisconsin)
Iowa Southern Utilities Company
Wisconsin Gas Company

We believe these interventions should be permitted. A number of petitioners, including Montana Power, Iowa Power and Light Company, Public Service Company of Colorado, and the Montana Public Service Commission (Montana PSC), have been granted intervention by our previous orders in Docket No. CP73–340, and their right to participate in the proceeding as consolidated herein need only be noted. The refiled Notice of Intervention of the Montana Public Service Commission requests consolidation of Northern Natural Gas Company, Docket No. CP75–55 and requests local hearings in Montana. In requesting consolidation of Northern application in Docket No. CP75–55, the Montana PSC indicates that the approval sought by Northern in that docket to raise cost limitations for budge-type facilities will, in the opinion of Montana PSC tend to allow Northern to enter into an exchange with CIG in Central Montana. It appears, however, that Northern has not and cannot use budget-type facilities will, in the opinion CP75–243, and that Northern has in fact not filed a budget-type application in Docket No. CP75–243. We are not persuaded, therefore, that the applications submitted by Northern in Docket Nos. CP75–55 and CP75–243 meet the test stated in § 1.20(b) of our rules of practice and procedure governing consolidations. Perhaps some further explanation by Montana PSC can persuade us, but on the basis of the facts presently before us we must decline consolidation of Northern's application in Docket No. CP75–55 with the present proceedings. With respect to Montana PSC's request for local hearings, we note that hearings were held in Great Falls, Montana at the request of Montana PSC and pursuant to our order in this docket issued April 11, 1974, —— FPC ——. The local hearings previously held in Great Falls were designed to afford to citizens of Montana an opportunity to testify concerning the transportation of natural gas from Montana. No additional reason for a local hearing is set forth in the pleadings now before us, and we must consequently decline the request of Montana PSC for further local hearings.

The Commission finds:

(1) Participation by the above named interveners may be in the public interest.

(2) The applications submitted in Docket Nos. CP73–340, CI74–430, and CP75–243 are appropriate for consolidation under § 1.20(b) of the rules of practice and procedure.

(3) The Motion of Montana Public Service Commission for consolidation of Docket No. CP75–55 with the present proceeding and for local hearings is without merit and should be denied.

The Commission orders:

(A) The above named petitioners are permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however,* That the participation of such interveners shall be limited to matters affecting asserted rights and interests specifically set forth in the petition to intervene; *Provided, further,* That the admission of such interveners shall not be construed as recognition of the Commission that they or any of them might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(B) The application of Northern Natural Gas Company in Docket No. CP75–243 is hereby consolidated with the proceeding in Docket Nos. CP73–340 and CI74–430 for hearing and decision.

(C) The applicants and supporting interveners shall file testimony and exhibits comprising their cases in chief on or before April 16, 1975.

(D) The Presiding Administrative Law Judge shall convene a prehearing conference April 21, 1975, for the purpose of establishing procedures for the orderly and expeditious resolution of the matters at issue in this consolidated docket.

(E) The motion of the Montana Public Service Commission for consolidation of the application of Northern Natural Gas Company in Docket No. CP75–55 with the instant proceedings and for local hearings in Montana is denied.

(F) Pursuant to the authority of the Natural Gas Act, and particularly Sections 4, 5, 7, and 15 thereof, a hearing will be held commencing June 9, 1975, at 10 (e.d.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, concerning the matters presented by the application in the consolidated docket.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75–10851 Filed 4–24–75;8:45 am]

[Docket No. E–9380]

CONSUMERS POWER CO.

Proposed Tariff Change

APRIL 18, 1975.

Take notice that Consumers Power Company (Consumers) on April 14, 1975 tendered for filing a Contract for Electric Service between Consumers and Edison Sault Electric Company (Edison Sault) that, when effective, will cancel and supersede an existing Contract for Electric Service dated December 1, 1966 (as amended) between the same two parties. The new contract envisages that electric energy will be provided to Edison Sault at 138 kV, compared to 46 kV under the existing contract, and will become effective when construction by Edison Sault of 138 kV submarine cables across the Straits of Mackinac is completed. The rates to be charged by Consumers for power and energy under the new contract are the rates approved for 138 kV service by the Commission in its Order of August 30, 1974 in Docket No. E–7803. The new contract also increases the capacity reservation from 16,500 kW to 25,000 kW.

Copies of the filing were served on Edison Sault and on the Michigan Public Service Commission.

Any person desiring to be heard or to protest said Agreement should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 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 9, 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

Agreement are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10852 Filed 4-24-75;8:45 am]

[Docket No. RI75-129]

C. CRADY DAVIS, ET AL.

Order Setting Proceeding for Hearing and Providing for Interventions

APRIL 18, 1975.

On March 20, 1975, C. Crady Davis, *et al.* (Applicant) filed for a unilateral increase [1] from the 24.0 cents per Mcf Opinion No. 658 [2] base ceiling rate to the 57 cents per Mcf Opinion No. 699-H [3] base ceiling rate for a sale of natural gas to Southern Union Gathering Company (Southern) in the San Juan Basin subarea of the Rocky Mountain Area.

Although Applicant's April 23, 1952 twenty-year term base contract with Southern has terminated by its own terms, the proposed rate is not acceptable under Opinion No. 699-H because Applicant has failed to negotiate a renewal contract covering the subject sales.[4] However, in a statement filed in support of its proposed rate increase, Applicant avers that Southern has refused to negotiate in good faith toward a renewal contract. Accordingly, Applicant contends that it should be allowed to charge Southern the current Opinion No. 699-H rate inasmuch as that opinion places an obligation on the buyer to bargain in good faith for a renewal contract.[5] Southern, in a statement filed March 7, 1975, contends, *inter alia*, that it has bargained in good faith with Applicant.

In light of the above, we find that a sufficient question has been raised concerning the applicability herein of the nationwide rate promulgated by Opinion No. 699-H to warrant a formal public hearing. Accordingly, we shall set this case for formal hearing on the limited issues: (1) whether Southern has been guilty of bad faith concerning the negotiation of a renewal contract with Applicant; (2) if so, whether Applicant is entitled to the nationwide rate as a result thereof, and (3) if so, what the appropriate effective date of said rate should be.

[1] To be designated as Supplement No. 14 to Applicant's FPC Gas Rate Schedule No. 1. Applicant's rate increase has been suspended for five months pursuant to Commission order issued April 17, 1975 in Docket No. RI75-129.

[2] Area Rates For The Rocky Mountain Area, Docket No. R-425, 49 F.P.C. 924 (1973).

[3] ---- F.P.C. ---- (December 4, 1974); 18 CFR 2.56a (hereinafter Opinion No. 699-H).

[4] For the nationwide just and reasonable rate promulgated in Opinion No. 699-H to be applicable to a sale once the base contract has terminated, a renewal contract must be entered into for the subject sale. *Id.* mimeo at 40-44.

[5] *Id.* at 42 n.94.

Applicant shall bear the burden of proof with respect to its claim that Southern has been guilty of bad faith concerning the negotiation of a renewal contract.

The Commission finds:

(1) Good cause exists to set for formal hearing the issues set forth in the body of this order.

(2) Good cause exists to allow a period for intervention.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, 7, 14 and 16 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Chapter I) Docket No. RI75-129 is set for the purpose of hearing and disposition.

(B) A public hearing on the issues set forth in the body of this order shall be held commencing on June 17, 1975, 10 a.m. (e.d.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426.

(C) A Presiding Law Judge to be designated by the Chief Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding pursuant to the Commission's rules of practice and procedure.

(D) Applicant and any intervenor supporting the application shall file their direct testimony and evidence on or before May 13, 1975. All testimony and evidence shall be served upon the Presiding Judge, the Commission Staff, and all parties to this proceeding.

(E) The Commission Staff, and any intervenor opposing the application, shall file their direct testimony and evidence on or before June 3, 1975. All testimony and evidence shall be served upon the Presiding Judge, and all other parties to this proceeding.

(F) All rebuttal testimony and evidence shall be served on or before June 10, 1975. All parties submitting rebuttal testimony and evidence shall serve such testimony upon the Presiding Judge, the Commission Staff, and all other parties to the proceeding.

(G) Notice of intervention or petitions seeking leave to intervene in this proceeding shall be filed with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with the rules of practice and procedure, 18 CFR 1.8 and 1.37(f), on or before May 6, 1975.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10853 Filed 4-24-75;8:45 am]

[Docket No. E-8947]

DELMARVA POWER AND LIGHT CO.

Extension of Procedural Dates

APRIL 18, 1975.

On April 14, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued March 14, 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 Staff's Testimony, April 28, 1975.
Service of Intervenor's Testimony, May 12, 1975.
Service of Company Rebuttal, May 27, 1975.
Hearing, June 10, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-12854 Filed 4-24-75;8:45 am]

[Docket No. G-4769 etc.]

EL PASO NATURAL GAS CO.

Payment of Refunds

APRIL 18, 1975.

Take notice that on April 11, 1975, El Paso Natural Gas Company ("El Paso") tendered for filing a Report of Refunds made on March 27, 1975, to its interstate pipeline system jurisdictional and nonjurisdictional keyed customers entitled thereto. El Paso states that such refunds were made in compliance with the Commission's letter order issued February 28, 1975, in the captioned dockets and in accordance with the Stipulation and Agreement dated November 1, 1963, approved by Commission order issued December 4, 1963, in Docket Nos. G-4769, et al., and the applicable provisions of Commission orders issued August 9, 1968, and March 18, 1974, in Docket Nos. AR61-1, et al., and AR64-1, et al., respectively.

El Paso further states that the refunds made encompass producer-supplier refunds, both principal and interest, aggregating $39,645,682.66, in conformity with Article IV of the Stipulation and Agreement dated November 1, 1963, approved at Docket Nos. G-4769, et al.

El Paso states that copies of the filing were served on all parties of record in Docket Nos. G-4769, et al., and interested state regulatory commissions.

Any person desiring to be heard or to make any protest with reference to this filing should, on or before May 5, 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 Commission's rules. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10855 Filed 4-24-75;8:45 am]

[Docket No. RP75-42-5]

EL PASO NATURAL GAS CO. AND CENTRAL ARIZONA IRRIGATION GAS USERS ASSOCIATION

Petition for Extraordinary Relief

APRIL 18, 1975.

Take notice that on April 7, 1975, Central Arizona Irrigation Gas Users Association (Petitioner), % James H. Green, Jr., 32 Luhrs Arcade, 11 West Jefferson St., Phoenix, Arizona 85003, filed in Docket No. RP75-42-5 pursuant to section 5 of the Natural Gas Act and § 2.78 of the Commission's general policy and interpretations (18 CFR 2.78) a petition for extraordinary relief from the gas curtailment plan of El Paso Natural Gas Company (El Paso), or in the alternative for an order of the Commission directing El Paso to classify the irrigation gas used by Petitioner's members as process gas includable in curtailment priority 2, all as more fully set forth in the petition, which is on file with the Commission and open to public inspection.

Petitioner states that the natural gas engines used for irrigation pumping by its members are of such a large size, mostly 250 to 400 h.p., and of such a special design, that they either cannot be converted to an alternate fuel, or it is not technically feasible to do so, and that such engines should therefore, be classified as "process gas" users, includable in priority 2.

Petitioner asserts that if the gas used by its members' engines is not so classified, then the members of Petitioner have a need for extraordinary relief to avoid irreparable injury. Petitioner states that the facts which establish a need for extraordinary relief from curtailment for the irrigation gas users are set forth as a part of Petitioner's motion for reconsideration herein, and will be more fully presented at the time set for the presentation of evidence on the curtailment issue.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said petition 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 accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10856 Filed 4-24-75;8:45 am]

[Docket No. RP75-42-15]

EL PASO NATURAL GAS CO. AND TUCSON GAS & ELECTRIC CO.

Petition for Extraordinary Relief

APRIL 18, 1975.

Take notice that on April 11, 1975, Tucson Gas & Electric Company (Petitioner), P.O. Box 711, Tucson, Arizona 85702, filed in Docket No. RP75-42-15 pursuant to section 5 of the Natural Gas Act and § 2.78 of the Commission's general policy and interpretations (18 CFR 2.78) a petition for extraordinary relief from the gas curtailment plan of El Paso Natural Gas Company (El Paso), or in the alternative for an order of the Commission determining that El Paso has incorrectly determined that none of the volumes of gas Petitioner delivers for irrigation purposes is classifiable as Priority 2 requirements pursuant to the definition of "process gas," all as more fully set forth in the petition, which is on file with the Commission and open to public inspection.

Petitioner states that it renders natural gas service to 141 irrigation pumping accounts and that its 1975 aggregate annual sales to such customers were approximately 1.2 million Mcf of gas. Petitioner avers that it is not technically feasible for its 141 irrigation accounts to convert their existing natural gas fueled pumping engines to an alternate fuel, since over 95 percent of the engines served by Petitioner cannot be converted to alternate fuel use except by total replacement or extensive rebuilding, since the sole viable long-term alternative to natural gas fueled irrigation engines in Petitioner's area is electric driven motors, which would cost at least $50 per horsepower, and since financing of conversion, if required and if financed, would require approximately two years to complete.

Petitioner requests sufficient gas to meet the demands of all its irrigation customers within the base volume limits established by the Commission order accompanying Opinion No. 697-A. Relief is requested for at least 24 months from the date of a final order of the Commission on the status of Petitioner's irrigation gas.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said petition should on or before April 30, 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 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.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10857 Filed 4-24-75;8:45 am]

[Docket No. E-9381]

FLORIDA POWER CORP.

Interconnection Filing

APRIL 18, 1975.

Take notice that on April 14, 1975, Florida Power Corporation (Florida Power) tendered for filing (1) an interconnection agreement dated February 22, 1972 between Florida Power and the City of Sebring Utilities Commission and (2) a Letter of Commitment, also dated February 22, 1972, for firm interchange service under that contract. Florida Power states that both documents pertain to a high voltage interconnection that was energized on July 10, 1974 to replace a previous low voltage interconnection. Florida Power asks that both documents be permitted to become effective on July 10, 1974 and requests waiver of the 30 day notice requirement to permit such an effective date.

Florida Power states that the Service Schedules A, B, D, and E to the Interconnection Agreement tendered herewith for filing provide for various interconnection services (there is no Service Schedule C according to Florida Power). Florida Power states that in accordance with Service Schedule D, the Letter of Commitment tendered for filing provides for sale of firm interchange service by Florida Power to Sebring for a period ending November 30, 1975.

Florida Power states that the various service schedules to the enclosed Interconnection Agreement have negotiated rate provisions the same as those contained in others of Florida Power's interconnection agreements on file with the Commission. Florida Power states that the rates in the Interconnection Agreement and in the Letter of Commitment tendered herewith for filing are not based on special cost of service studies.

Florida Power states that since there is frequent variation in the amounts and type of interchange service furnished, projections of revenues under the various service schedules cannot be made with any degree of accuracy.

Florida Power states that the Interconnection Agreement tendered herewith for filing provides in § 2.2(3) for a charge of $176,000 to be paid by Sebring to Florida Power reflecting estimates of the costs relating to the 69 kv interconnections facilities furnished by Florida Power.

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, N.E., 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 6, 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.75-10858 Filed 4-24-75;8:45 am]

[Docket No. ID-1424]

EDWIN I. HATCH

Supplemental Application

APRIL 18, 1975.

Take notice that on April 14, 1975, Edwin I. Hatch (Applicant) filed a supplemental application with the Federal Power Commission. Pursuant to Section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Director & Chairman, Georgia Power Company, Public Utility.
Director & Vice Pres., Southern Electric Generating Company, Public Utility.

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, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10859 Filed 4-24-75;8:45 am]

[Docket No. E-9377]

IOWA SOUTHERN UTILITIES CO.

Notice of Application

APRIL 18, 1975.

Take notice that on April 1, 1975, Iowa Southern Utilities Company (Applicant), filed an application pursuant to section 204 of the Federal Power Act and Commission regulations thereunder seeking authority to engage in negotiations with underwriters regarding the proposed issuance and sale of $15 million principal amount of First Mortgage Bonds and $6 million in Common Stock via negotiated underwriting.

Applicant is incorporated under the laws of the State of Delaware with its principal business office at Centerville, Iowa and is engaged in the electric utility business in 24 counties in Iowa.

In its letter requesting permission to negotiate, the Applicant represented that because of the small size of the anticipated issue a private placement would be more beneficial to its shareholders and ratepayers. The Applicant further represents that no negotiations or contacts have been made relative to this financing as of this date and will not be made prior to receiving permission to do so from the Commission.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 5, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file and is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10860 Filed 4-24-75;8:45 am]

[Docket No. E-7002]

DEPARTMENT OF THE INTERIOR ET AL.

Request for Approval of Rates and Charges

APRIL 18, 1975.

Notice is hereby given that the Secretary of the Interior (Secretary), acting on behalf of Southeastern Power Administration (SEPA) and pursuant to Section 5 of the Flood Control Act of 1944 (58 Stat. 887, 890), filed a request with the Federal Power Commission on March 28, 1975 in Docket No. E-7002 for confirmation and approval of proposed Wholesale Firm Power Rate Schedules KP-1-B and JHK-1-B and Wholesale Power Rate Schedule KP-2-B applicable to the sale of electric power and energy generated at the John H. Kerr and Philpott Projects (Projects) located on the Roanoke River and Smith River, respectively, in the State of Virginia. The proposed rate schedules are designed to supersede SEPA's current rate schedules for the sale of such power and energy which the Commission approved by order issued on January 7, 1974 in Docket No. E-7002 for the period ending not later than June 30, 1975. The Secretary seeks approval of the proposed rates schedules for a five-year period beginning July 1, 1975 and ending June 30, 1980.

Proposed Wholesale Firm Power Rate Schedule KP-1-B is available to public bodies and cooperatives which operate within a 150 mile radius of the Kerr Project and which are served through the facilities of Virginia Electric and Power Company (VEPCO). It supersedes Wholesale Firm Power Rate Schedule KP-1-A and includes a demand charge of $1.25 per kW of contract demand and an energy charge of 5.00 mills per kWh. Rate Schedule KP-1-B is also applicable to the sale of deficiency energy purchased by SEPA from VEPCO in addition to the sale of firm power generated at the Projects.

Proposed Wholesale Firm Power Rate Schedule JHK-1-B is available to public bodies and cooperatives which operate within a 165 mile radius of the point of interconnection between the electric systems of VEPCO and Carolina Power & Light Company (CP&L) at the Virginia-North Carolina State line in the vicinity of the Kerr Project and which are served through the facilities of CP&L. It supersedes Wholesale Firm Power Rate Schedule JHK-1-A and proposes a demand charge of $1.25 per kW of contract demand and an energy charge of 5.00 mills per kWh.

Proposed Wholesale Power Rate Schedule KP-2-B is available to CP&L and VEPCO. It supersedes Wholesale Power Rate Schedule KP-2-A. The proposed rates for power and energy to CP&L and VEPCO are $1.25 per kW per month for dependable capacity and an amount for dump energy equal to 80% of the calculated saving to CP&L and VEPCO in the cost of fuel.

The proposed Wholesale Firm Power Rate Schedules KP-1-B and JHK-1-B reflect changes in the rates for capacity and energy for power sold to public bodies and cooperatives which will result in an increase of approximately 12 percent in power costs for such customers for Project power. Proposed Wholesale Rate Schedule KP-2-B reflects an increase in the charge for dependable capacity sold to VEPCO and CP&L amounting to 13.6 percent.

In support of the proposed rate schedules, the Secretary submitted to the Commission a Repayment Study, dated March 1975, prepared by SEPA for the purpose of showing that such rate schedules will produce revenues which, together with the revenues collected to date, will repay all costs associated with the production and transmission of electric power and energy generated at the Projects, including the amortization of the Projects' capital investment allocated to power, within 50 years from the commencement of full commercial operation of the Projects.

Proposed Wholesale Firm Power Rate Schedules KP-1-B and JHK-1-B and Wholesale Power Rate Schedule KP-2-B, together with the Repayment Study in support thereof, are on file with the Commission and available for public inspection. Any person desiring to make Comments or suggestions for the Commission's consideration with respect to said rate schedules should submit the same in writing on or before May 7, 1975 to the

Federal Power Commission, Washington, D.C. 20426.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10861 Filed 4-24-75;8:45 am]

[Docket No. E-9379]

NIAGARA MOHAWK POWER CORP.

Tariff Filing

APRIL 18, 1975.

Take notice that Niagara Mohawk Power Corporation, on April 14, 1975, tendered for filing as a rate schedule, a transmission agreement between Niagara Mohawk Power Corporation (Niagara) and Consolidated Edison Company of New York, Inc. (Con Edison), dated March 7, 1975.

The service to be rendered by Niagara provides for the transmission of power and energy between (a) Niagara's transmission connections with Rochester Gas and Electric Corporation (Rochester) and (b) Niagara's transmission connection with the Pleasant Valley 345 Kv substation.

Transmission capacity to be made available to Con Edison will be 150 megawatts. This capacity is to be made available continuously for the term of the agreement.

Copies of this filing were served upon the following:

Consolidated Edison Company of New York, Inc.
4 Irving Place
New York, N.Y. 10003

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 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.75-10862 Filed 4-24-75;8:45 am]

[Docket No. CP75-286]

NORTHWEST PIPELINE CORP.

Application

APRIL 18, 1975.

Take notice that on April 7, 1975, Northwest Pipeline Corporation (Applicant), P.O. Box 1526, Salt Lake City, Utah 84110, filed in Docket No. CP75-286 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities to increase the peak day vaporization capability at its liquefied natural gas (LNG) plant, and for the sale and delivery of vaporized LNG to be produced from such LNG facility, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

By this application, Applicant requests authorization to construct and operate facilities to increase the vaporized gas capacity at its LNG plant, in Benton County, Washington, which is presently under construction, from the presently authorized 150,000 Mcf per day to 225,000 Mcf per day, and for the sale and delivery of vaporized LNG to be produced at the plant to certain of its distributor customers. The volumes of vaporized LNG which Applicant proposes to sell and deliver and for which authorization is sought, is a peak day quantity of up to 207,716 Mcf for the 1976-77 heating season and up to 211,544 Mcf for the 1977-78 heating season. The seasonal quantity of 1,200,000 Mcf as proposed in Docket No. CP74-46 [1] will remain unchanged. Applicant proposes that the withdrawal (seasonal) period will be the five consecutive months commencing November 1, 1976, and each November 1 thereafter, and will extend through the next succeeding March 31. The proposed service will be available on any day during the withdrawal period upon request of the participating customer, to the extent that the participating customer has all or a portion of its allocated seasonal quantity of LNG.

Applicant proposes allocations for the 1976-77 heating season and thereafter, as agreed upon between Applicant and its customers as follows:

	Contract demand		Seasonal quantity	
	Mcf	Therms	Mcf	Therms
1976-77:				
California-Pacific Utilities Co	8,600	89,870	52,000	543,400
Cascade Natural Gas Co	51,200	535,040	416,000	4,347,200
Intermountain Gas Co	36,500	381,425	296,000	3,093,200
Northwest Natural Gas Co	28,708	300,000	58,392	610,200
Southwest Gas Corp	11,483	120,000	29,187	305,000
Washington Natural Gas Co	54,000	564,300	180,000	1,881,000
Washington Water Power Co	17,225	180,000	168,421	1,760,000
Total	207,716	2,170,635	1,200,000	12,540,000
1977-78 and thereafter:				
California-Pacific Utilities Co	8,600	89,870	52,000	543,400
Cascade Natural Gas Co	51,200	535,040	416,000	4,347,200
Intermountain Gas Co	36,500	381,425	296,000	3,093,200
Northwest Natural Gas Co	28,708	300,000	83,062	868,000
Southwest Gas Corp	11,483	120,000	41,531	434,000
Washington Natural Gas Co	54,000	564,300	142,986	1,494,200
Washington Water Power Co	21,053	220,000	168,421	1,760,000
Total	211,544	2,210,635	1,200,000	12,540,000

[1] The Commission, by order dated March 19, 1974, issued to Applicant a certificate of public convenience and necessity authorizing the construction of facilities proposed in Docket No. CP74-46, but held in abeyance its authorization for the operation of the LNG facility, and the sale of vaporized LNG therefrom, pending Applicant's satisfying certain conditions set forth in said order.

The application states that Applicant has a sufficient supply of natural gas during the summer months to meet the estimated firm requirements of its customers and also to meet the requirements of the LNG facility. To assure that the total authorized storage inventory is available at the outset of the heating season, Applicant states it will, to the extent necessary, curtail its interruptible sales during the summer months. Applicant estimates it will require 6,000 Mcf per day during the period April through October 1976 to liquefy for storage in order to have available at the outset of its 1976-1977 heating season its authorized inventory of 1,200,000 Mcf of LNG equivalent.

In order to provide the increased peak day service requested, Applicant proposes to construct an additional vaporizer and appurtenant facilities having a vaporization capacity of 75,000 Mcf per day. The estimated cost of the vaporizer and appurtenant facilities is $556,132 which cost will be met from funds on hand.

Applicant proposes to provide the LNG service proposed in Docket No. CP74-46 and the additional LNG servisce proposed herein under a new rate schedule to be designated LS-1. The demand rates applicable to such rate schedule will be designed so as to recover all the costs directly associated with the LNG plant, such as operation, maintenance, return and taxes. In addition, the commodity rate will recover the cost of gas and the cost of transportation and delivery of the vaporized LNG for the proposed level of operation. The cost delivered into Applicant's transmission system is estimated to be $3.69 per Mcf, $3.66 per Mcf and $3.55 per Mcf for the first, second and third years of operation, respectively.

Applicant states that the limited availability of natural gas from new gas supply sources with which to replace the declining deliverability of existing domestic supply sources will further restrict Applicant's ability to meet its firm contract obligation during the periods of high demand, thereby increasing the level of curtailment its customers are currently experiencing. Applicant further states that the increased development of the LNG facility, while not providing increased annual volumes, will provide additional peak day capability

thereby assisting Applicant in meeting the high priority requirements of its customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 14, 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 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.75-10792 Filed 4-24-75;8:45 am]

[Docket No. CP74-160 etc.]

PACIFIC INDONESIA LNG CO. AND WESTERN LNG TERMINAL CO.

Amendments and Supplement to Applications and Consolidation of Proceedings

APRIL 18, 1975.

Take notice that on March 31, 1975, Pacific Indonesia LNG Company (PacIndonesia), 720 West Eighth Street, Los Angeles, California 90017, filed in Docket Nos. CP74-160 and CP74-207 amendments to its applications filed on November 30, 1973,[1] and February 15, 1974,[2] in the respective dockets pursuant to sections 3 and 7 of the Natural Gas Act for authorization to import liquefied natural gas (LNG) into the United States from the Republic of Indonesia, to construct and operate LNG terminal facilities, and to sell regasified LNG to Southern California Gas Company, (So Cal), which amendments change the pricing formula for the sale of gas to PacIndonesia's supplier in Indonesia and set forth arrangements for Western LNG Terminal Company rather than PacIndonesia to construct and operate terminal facilities in California for the receipt, storage and regasification of the LNG. Take further notice that on March 31, 1975, Western LNG Terminal Company (Western Terminal), 720 West Eighth Street, Los Angeles, California 90017, filed its Oxnard supplement to its application filed on September 17, 1974, in Docket No. CP75-83[3] for a conditioned certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas authorizing the construction and operation of facilities at three proposed locations in southern California, namely, Los Angeles Harbor, Oxnard, and Point Conception, to receive, unload, store and vaporize LNG and authorizing the construction of pipeline facilities for the transportation of such vaporized LNG in interstate commerce. The instant proposals are more fully set forth in the amendments and supplement which are on file with the Commission and open to public inspection.

By its application in Docket No. CP 74-160 PacIndonesia seeks authorization to import into the United States LNG from the Republic of Indonesia. The application states that natural gas is to be purchased from Perusahaan Pertambangan Minyak Dan Gas Bumi Negara (Pertamina), the State Oil and Gas Enterprise of the Republic of Indonesia, by Pacific Lighting International, S.A. (PLI), pursuant to a contract dated September 6, 1973. The application states that the natural gas is to be liquefied by Pertamina and then loaded onto ships, at which loading point PLI will take title. PLI will then sell said LNG to PacIndonesia who takes title on the high seas. The application further states that PacIndonesia has agreed in a precedent letter agreement with Pacific Lighting Marine Company (PL Marine) to execute a definitive LNG Shipping Agreement providing that PL Marine will furnish to PacIndonesia, by time charter or otherwise, LNG ships for transportation of the LNG to California. The LNG to be imported will be discharged by PL Marine at terminal facilities near Oxnard, California, proposed to be constructed and operated by PacIndonesia in its application in Docket No. CP74-207.[4] PacIndonesia intends to sell natural gas derived from this LNG import arrangement to SoCal for use on the latter's natural gas distribution system. The instant amendments reflect three basic changes in PacIndonesia's original proposals.

(1) PacIndonesia states that the Government of the Republic of Indonesia disapproved of the September 6, 1973, contract for the sale of Indonesian gas since in its opinion the contract pricing formula generally did not reflect the development of energy prices and specifically was not linked to the price of Indonesian crude oil. The pricing formula to which the Indonesian Government objected was submitted on February 15, 1974, by PacIndonesia in a supplement to its application.[5]

PacIndonesia states that Pertamina and PLI have entered into an amended contract, dated January 9, 1975, which provides for the following formula calculation of the price of gas:

$$P = Po \times \left(0.5 \frac{A}{\text{U.S. \$11.00}} + 0.5 \frac{1}{230.0}\right)$$

in which:

P = the calculated Contract Sales Price, rounded to the forth decimal place;
Po = U.S. $1.2500;
A = the applicable Indonesian Crude Oil Price which shall be the average of the prices in U.S. dollars per barrel, f.o.b. Indonesia, of all Indonesian crude oils, actually sold for export and invoiced by Seller during the applicable period of computation, weighted for the volumes of each such crude oil so sold and invoiced.
I = the applicable value obtained from the Code 05 Wholesale Price Index for Fuels and Related Products, and Power, with all component subgroups of the Code 05 Index included and weighted in the total Code 05 Index value as compiled by the U.S. Department of Labor, Bureau of Labor Statistics.

(2) PacIndonesia states that on January 9, 1975, an agreement was reached between PLI and Pertamina under which Pertamina, not PL Marine, will provide the shipping for the subject LNG if Pertamina is able to obtain shipping capacity within six months under terms and conditions which are satisfactory to the parties. PacIndonesia states that Pertamina is currently negotiating with shipping firms for satisfactory shipping arrangements which, if and when consummated, will be brought to the attention of the Commission in the form of an amendment to PacIndonesia's application.

(3) PacIndonesia states that it no longer intends to construct and operate the LNG terminal facilities near Oxnard, California. On September 17, 1974, Western Terminal filed an application in Docket No. CP75-83 for authority to construct and operate facilities at Oxnard similar to those facilities proposed by PacIndonesia. PacIndonesia states that the terminal service will be provided by Western Terminal pursuant to a contract between Western Terminal and PacIndonesia dated March 11, 1975.

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[1] Notice of the application in Docket No. CP74-160 was published in the FEDERAL REGISTER on January 7, 1974 (39 FR 1317).

[2] Notice of the application in Docket No. CP74-207 was published in the FEDERAL REGISTER on March 7, 1974 (39 FR 8964).

[3] Notice of the application in Docket No. CP75-83 was published in the FEDERAL REGISTER on October 9, 1974 (39 FR 36387).

[4] By order issued April 8, 1974, the Commission consolidated the proceedings in Docket Nos. CP74-160 and CP74-207.

[5] Notice of the supplement to application was published in the FEDERAL REGISTER on March 14, 1974 (39 FR 9862).

By its application of September 17, 1974, Western Terminal describes its terminal company concept and the required facilities. Western Terminal therein states that it would perform a service only, would not own any of the LNG or revaporized gas, and would not be in the business of selling such gas for resale purposes, although it would engage in the transportation of natural gas in interstate commerce. Further, in the application of September 17, 1974, Western Terminal states that it would make supplemental filings at the time agreements were entered into to provide terminal services and that the supplemental filings would set out the specific facilities required, cost estimates, tariff, financing, and other pertinent data.

By its order of December 23, 1974, the Commission expressed its intention to consolidate Western Terminal's supplemental filings reflecting specific terminaling contracts and facilities in Docket No. CP75–83 with the specific dockets to which they relate. With respect to the instant supplement the related dockets involve the proceedings in Docket No. CP74–160, *et al.*

Western Terminal states that on March 11, 1975, it entered into a definitive agreement to provide terminal service to PacIndonesia at the proposed Oxnard, California, site. Western Terminal states that the definitive agreement provides that Western Terminal will receive, unload, store and vaporize up to an annual quantity of approximately 217 trillion Btu of liquefied natural gas and redeliver during each contract year the resulting volumes requested and designated by PacIndonesia to SoCal at its La Vista Station near Somis, California.

Western Terminal states that its Oxnard facilities will be located on a 210-acre site, 60 miles northwest of Los Angeles. Western Terminal proposes to construct and operate facilities designed to receive LNG transported by ship, unload and transfer it into insulated storage tanks, and withdraw and vaporize it for delivery into gas transmission systems. The facilities will be capable of handling an average of 521,600 Mcf of natural gas per day, with a peaking capacity which will increase the total vaporization capacity to 1,000,000 Mcf per day. In addition, Western Terminal proposes to construct and operate pipelines from the Oxnard LNG Terminal to existing transmission facilities in southern California.

Specifically, Western Terminal proposes to lease from Oxnard Harbor District marine berthing and unloading facilities to accommodate and unload LNG ships of up to 165,000 cubic meters capacity.

Western Terminal also proposes to construct and operate the following:

(1) An LNG transfer system which will carry the LNG from the ships to the storage tanks. This system will consist of one 48-inch-diameter insulated cryogenic line and one 16-inch vapor-return line.

(2) Two tanks of 550,000 barrels each which will be required at the site to handle the PacIndonesia volumes. Each tank will have the following approximate dimensions: Diameter—240 feet; shell height—80 feet; overall height—129 feet.

(3) A vaporization plant which will consist of seawater vaporizers with a capacity of 521,600 Mcf of gas per day, an odorizing and metering system, and required peripheral equipment. It will be situated adjacent to the LNG storage tanks.

(4) Submerged-combustion gas-fired vaporizers will be installed to raise the total vaporization capacity of the terminal to 1,000,000 Mcf of gas per day. They will be used during peak load periods of SoCal and when the seawater vaporizers require maintenance.

(5) Two 9-foot diameter seawater exchange pipelines will be constructed between an adjoining electric generating station and the LNG plant.

(6) 12.2 miles of 42-inch pipeline to transport gas from the Oxnard LNG terminal. This line will tie into the existing gas transmission system of SoCal.

The supplement indicates that the total capital cost for the proposed facilities, including a provision for escalation, is estimated to be $259,734,000. Western Terminal proposes the issuance of first mortgage bonds by private sale and the sale of common stock to Pacific Lighting Corporation, its parent. Anticipated interm financing for capital improvements during the construction period will be provided by (1) construction loans from banks and from others, (2) open account advances from Pacific Lighting Corporation, and (3) the sale of common stock to Pacific Lighting Corporation. Western Terminal states that the actual financing plans and related costs will be determined by market conditions and other circumstances at the time of financing.

Western Terminal proposes to render its terminal services at the Oxnard facilities on a cost-of-service basis pursuant to its FPC tariff. Because the tariff and service agreement will provide the ultimate credit support for project financing (the project itself must contain the necessary financial ingredients to be self-supportive), Western Terminal requests that the proposed tariff be made effective 30 days after issuance of the certificate of public convenience and necessity requested herein.

The instant supplement and the applications in the proceeding in Docket No. CP74–160, *et al.*, appear to present common issues of fact and law and are, therefore, consolidated for hearing.

Any person desiring to be heard or to make any protest with reference to said amendments or supplement should on or before May 13, 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 Commission's rules. Any person who has heretofore filed a petition to intervene, notice of intervention or protest to the granting of the applications in the proceedings in Docket Nos. CP74–160 or CP74–207 need not file again.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75–10863 Filed 4–24–75;8:45 am]

[Docket No. ID–1580]

ROBERT SCHERER

Supplemental Application

APRIL 18, 1975.

Take notice that on April 14, 1975, Robert Scherer (Applicant) filed a supplemental application with the Federal Power Commission. Pursuant to section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Director & President, Georgia Power Company, Public Utility.

Director, Southern Electric Generating Company, Public Utility.

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, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to particpate 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.75–10864 Filed 4–24–75;8:45 am]

[Docket No. ID–1653]

HAL B. WANSLEY

Supplemental Application

APRIL 18, 1975.

Take notice that on April 14, 1975, Hal B. Wansley (Applicant) filed a supplemental application with the Federal Power Commission. Pursuant to section 305(b) of the Federal Power Act, Applicant seeks authority to hold the following positions:

Director & President, Georgia Power Company, Public Utility.
Director, Southern Electric Generating Company, Public Utility.

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, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-10865 Filed 4-24-75;8:45 am]

[Docket No. E-9378]

WISCONSIN POWER & LIGHT CO.

Filing of Letter Agreement

APRIL 18, 1975.

Take notice that on April 14, 1975, Wisconsin Power and Light Company tendered for filing a Letter Agreement dated January 6, 1975, between Wisconsin Public Service Corporation (WPS), Madison Gas and Electric Company (MGE,) Wisconsin Power and Light Company (WPL), and Wisconsin Electric Power Company (WE).

WPL states that the Letter Agreement provides for WPS, MGE, WPL, collectively, to supply WE with 150,000 kilowatts of Limited Term Power for the 24 month period beginning June 1, 1975, and ending May 31, 1977.

WPL further states that this reservation and sale of power by WPS, MGE, WPL, collectively, to WE is in accordance with Article 3 and Service Schedule A of the respective Interconnection Agreements of WPS, MGE, WPL with WE, dated December 23, 1969; June 3, 1965; and June 7, 1971, respectively, as amended effective May 1, 1973.

WPL states that no estimates of the quantities of energy to be exchanged are available.

WPL states that signed duplicate originals of the Letter Agreement have been provided to WPS, MGE, and WE.

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 Paragraph 1.8 and Paragraph 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 1, 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.75-10866 Filed 4-24-75;8:45 am]

INTERNATIONAL TRADE COMMISSION

[TA-131(b)-1, TA-503(a)-1, and 332-74]

PRESIDENT'S LISTS OF ARTICLES WHICH MAY BE AFFECTED BY INTERNATIONAL TRADE NEGOTIATIONS

Hearing

On January 20, March 3, and April 2, 1975, the Commission issued public notices for the above-entitled investigations with respect to the President's list of articles which may be affected by international trade negotiations to be conducted under authority of section 101 of the Trade Act of 1974 (40 FR 3517, 10717) and the President's list of articles which may be designated as eligible articles for purposes of a generalized system of preferences set forth in title V of the Trade Act (40 FR 15456).

There follows the address of the hearing to be held in Augusta, Maine, on May 9 and 10, which was not available upon publication of the aforementioned notice of April 2.

Augusta Civic Center
Kennebec Room
Community Drive

By order of the Commission:

Issued: April 22, 1975.

KENNETH R. MASON,
Secretary.

[FR Doc.75-10903 Filed 4-24-75;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL COUNCIL ON THE HUMANITIES ADVISORY COMMITTEE

Meeting

APRIL 21, 1975.

Pursuant to the Provisions of the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given that a meeting of the National Council on the Humanities will be conducted at Washington, D.C. on May 15 and 16, 1975.

The purpose of the meeting is to advise the Chairman of the National Endowment for the Humanities with respect to policies, programs, and procedures for carrying out his functions, and to review applications for financial support and gifts offered to the Endowment and to make recommendations thereon to the Chairman.

The meeting will be held in the Shoreham Building, 806 15th Street, NW., Washington, D.C. The session of the proposed meeting on May 15, 1975 and the afternoon session on May 16, 1975, will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy. Pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the committee.

The morning session on May 16, 1975 will convene at 9 a.m. and will be open to the public. The agenda for the morning session will be as follows:

I. Minutes of Previous Meeting.
II. Reports:
A. Summary of Recent Business and Introduction of New Staff Members;
B. Application Report;
C. Chairman's Grants;
D. Appropriation Hearings, 1. NFAH Appropriations, 2. Jobs Bill;
E. Report on American Issues Forum.

The remainder of the proposed meeting will be closed to the public.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. John W. Jordan, 806 15th Street, NW, Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,
Advisory Committee Management Officer.

[FR Doc.75-10816 Filed 4-24-75;8:45 am]

NATIONAL LABOR RELATIONS BOARD

AREAS SERVED BY REGIONAL AND SUBREGIONAL OFFICES

Organization and Functions

The National Labor Relations Board amends the list of areas served by Regional and Subregional Offices to read as follows:

AREAS SERVED BY REGIONAL AND SUBREGIONAL OFFICES

(Listed in numerical order except that subregions appear directly under respective regions.)

Region 1. Boston, Massachusetts. Services Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and all Connecticut counties except Fairfield.

Region 2. New York, New York. Services Fairfield County in Connecticut and Bronx, New York, Orange, Putnam, Rockland, and Westchester Counties in New York.

Region 3. Buffalo, New York. Services all New York State counties except the metropolitan area counties serviced by Regions 2 and 29.

Persons may also obtain service at the resident office located in Albany, New York.

Region 4. Philadelphia, Pennsylvania. In Pennsylvania, services Adams, Berks, Bradford, Bucks, Carbon, Chester, Columbia, Cumberland, Dauphin, Delaware, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Monroe, Montgomery,

Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, and York Counties; in New Jersey, services Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, and Salem Counties; and in Delaware, services New Castle County.

Region 5. Baltimore, Maryland. Services Maryland and Virginia; the District of Columbia; Kent and Sussex Counties in Delaware; the city of Bristol in Sullivan County, Tennessee; and, in West Virginia, Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, and Pendleton Counties.

Persons may also obtain service at the resident office located in Washington, D.C.

Region 6. Pittsburgh, Pennsylvania. In Pennsylvania, services Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Centre, Clarion, Clearfield, Clinton, Crawford, Elk, Erie, Fayette, Forest, Franklin, Fulton, Greene, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mercer, Mifflin, Potter, Somerset, Venango, Warren, Washington, and Westmoreland Counties; in West Virginia, Barbour, Brooke, Doddridge, Hancock, Harrison, Lewis, Marion, Marshall, Monongalia, Ohio, Pocahontas, Preston, Randolph, Taylor, Tucker, Upshur, Webster, and Wetzel Counties.

Region 7. Detroit, Michigan. In Michigan, services Alcona, Allegan, Alpena, Antrim, Arenac, Barry, Bay, Benzie, Berrien, Branch, Calhoun, Cass, Charlevoix, Cheboygan, Clare, Clinton, Crawford, Eaton, Emmet, Genesee, Gladwin, Grand Traverse, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Isabella, Jackson, Kalamazoo, Kalkaska, Kent, Lake, Lapeer, Leelanau, Lenawee, Livingston, Macomb, Manistee, Mason, Mecosta, Midland, Missaukee, Monroe, Montcalm, Montmorency, Muskegon, Newaygo, Oakland, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Ottawa, Presque Isle, Roscommon, Saginaw, St. Clair, St. Joseph, Sanilac, Shiawasee, Tuscola, Van Buren, Washtenaw, Wayne, and Wexford Counties.

Region 8. Cleveland, Ohio. In Ohio, services Allen, Ashland, Ashtabula, Auglaize, Belmont, Carroll, Champaign, Columbiana, Coshocton, Crawford, Cuyahoga, Darke, Defiance, Delaware, Erie, Fulton, Geauga, Guernsey, Hancock, Hardin, Harrison, Henry, Holmes, Huron, Jefferson, Knox, Lake, Licking, Logan, Lorain, Lucas, Mahoning, Marion, Medina, Mercer, Miami, Morrow, Muskingum, Ottawa, Paulding, Portage, Putnam, Richland, Sandusky, Seneca, Shelby, Stark, Summit, Trumbull, Tuscarawas, Union, Van Wert, Wayne, Williams, Wood, and Wyandot Counties.

Region 9. Cincinnati, Ohio. In Ohio, services Adams, Athens, Brown, Butler, Clark, Clermont, Clinton, Fairfield, Fayette, Franklin, Gallia, Greene, Hamilton, Highland, Hocking, Jackson, Lawrence, Madison, Meigs, Monroe, Montgomery, Morgan, Noble, Perry, Pickaway, Pike, Preble, Ross, Scioto, Vinton, Warren, and Washington Counties; services all counties in Kentucky except Daviess and Henderson; in Indiana, services Clark, Dearborn, and Floyd Counties; and in West Virginia, services Boone, Braxton, Cabell, Calhoun, Clay, Fayette, Gilmer, Greenbrier, Jackson, Kanawha, Lincoln, Logan, McDowell, Mason, Mercer, Mingo, Monroe, Nicholas, Pleasants, Putnam, Raleigh, Ritchie, Roane, Summers, Tyler, Wayne, Wirt, Wood, and Wyoming Counties.

Region 10. Atlanta, Georgia. Services Georgia; in Tennessee, services Anderson, Bledsoe, Blount, Bradley, Campbell, Carter, Claiborne, Clay, Cocke, Cumberland, Fentress, Grainger, Greene, Grundy, Hamblen, Hamilton, Hancock, Hawkins, Jackson, Jefferson, Johnson, Knox, Loudon, McMinn, Marion, Meigs, Monroe, Morgan, Overton, Pickett, Polk, Putnam, Rhea, Roane, Scott, Sequatchie, Sevier, Sullivan, Unicoi, Union, Van Buren, Warren, Washington, and White Counties; in Alabama, services Autauga, Bibb, Blount, Calhoun, Chambers, Cherokee, Chilton, Clay, Cleburne, Colbert, Coosa, Cullman, De Kalb, Elmore, Etowah, Fayette, Franklin, Greene, Hale, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Lee, Limestone, Madison, Marion, Marshall, Morgan, Perry, Pickens, Randolph, St. Clair, Shelby, Sumter, Talladega, Tallapoosa, Tuscaloosa, Walker, and Winston Counties.

Persons may also obtain service at the resident office in Birmingham, Alabama.

Region 11. Winston-Salem, North Carolina. Services North Carolina and South Carolina.

Region 12. Tampa, Florida. In Florida, services Alachua, Baker, Bradford, Brevard, Broward, Charlotte, Citrus, Clay, Collier, Columbia, Dade, De Soto, Dixie, Duval, Flagler, Gadsden, Gilchrist, Glades, Hamilton, Hardee, Hendry, Hernando, Highlands, Hillsborough, Indian River, Jefferson, Lafayette, Lake, Lee, Leon, Levy, Madison, Manatee, Marion, Martin, Monroe, Nassau, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Putnam, St. Johns, St. Lucie, Sarasota, Seminole, Sumter, Suwannee, Taylor, Union, Volusia, and Wakulla Counties.

Persons may also obtain service at the resident offices in Coral Gables and Jacksonville, Florida.

Region 13. Chicago, Illinois. Services Cook, Du Page, Kane, Lake and Will Counties in Illinois, and Lake County in Indiana.

Subregion 38. Peoria, Illinois. In Illinois, services Boone, Bureau, Carroll, Cass, Champaign, De Kalb, De Witt, Douglas, Ford, Fulton, Grundy, Hancock, Henderson, Henry, Iroquois, Jo Daviess, Kankakee, Kendall, Knox, La Salle, Lee, Livingston, Logan, Macon, Marshall, Mason, McDonough, McHenry, McLean, Menard, Mercer, Morgan, Moultrie, Ogle, Peoria, Piatt, Putnam, Rock Island, Sangamon, Schuyler, Stark, Stephenson, Tazewell, Vermilion, Warren, Whiteside, Winnebago, and Woodford Counties; in Iowa, services Clinton, Des Moines, Dubuque, Jackson, Lee, Muscatine, Scott, and Louisa Counties.

Region 14. St. Louis, Missouri. In Illinois, services Adams, Alexander, Bond, Brown, Calhoun, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Greene, Hamilton, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Macoupin, Madison, Marion, Massac, Monroe, Montgomery, Perry, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Scott, Shelby, Union, Wabash, Washington, Wayne, White, and Williamson Counties; and in Missouri, services Audrain, Bollinger, Butler, Callaway, Cape Girardeau, Carter, Clark, Crawford, Dent, Dunklin, Franklin, Gasconade, Independent City of St. Louis, Iron, Jefferson, Knox, Lewis, Lincoln, Madison, Maries, Marion, Mississippi, Monroe, Montgomery, New Madrid, Oregon, Osage, Pemiscot, Perry, Phelps, Pike, Ralls, Reynolds, Ripley, St. Charles, St. Francois, St. Louis, St. Genevieve, Scotland, Scott, Shannon, Shelby, Stoddard, Warren, Washington, and Wayne Counties.

Region 15. New Orleans, Louisiana. Services Louisiana; in Mississippi, services Adams, Amite, Claiborne, Clarke, Copiah, Covington, Forrest, Franklin, George, Greene, Hancock, Harrison, Hinds, Issaquena, Jackson, Jasper, Jefferson, Jefferson Davis, Jones, Kemper, Lamar, Lauderdale, Lawrence, Leake, Lincoln, Madison, Marion, Neshoba, Newton, Pearl River, Perry, Pike, Ranklin, Scott, Sharkey, Simpson, Smith, Stone, Walthall, Warren, Wayne, Wilkinson, and Yazoo Counties; in Alabama, services Baldwin, Barbour, Bullock, Butler, Choctaw, Clarke, Coffee, Conecuh, Covington, Crenshaw, Dale, Dallas, Escambia, Geneva, Henry, Houston, Lowndes, Macon, Marengo, Mobile, Monroe, Montgomery, Pike, Russell, Washington, and Wilcox Counties; in the State of Florida, the counties of Bay, Calhoun, Escambia, Franklin, Gulf, Holmes, Jackson, Liberty, Okaloosa, Santa Rosa, Walton, and Washington.

Region 16. Fort Worth, Texas. Services Oklahoma and the following counties in Texas: Anderson, Andrews, Angelina, Archer, Armstrong, Bailey, Baylor, Bell, Borden, Bosque, Bowie, Brewster, Briscoe, Brown, Burnet, Callahan, Camp, Carson, Cass, Castro, Cherokee, Childress, Clay, Cochran, Coke, Coleman, Collin, Collingsworth, Comanche, Concho, Cooke, Coryell, Cottle, Crane, Crockett, Crosby, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, Dickens, Donley, Eastland, Ector, Ellis, Erath, Falls, Fannin, Fisher, Floyd, Foard, Franklin, Freestone, Gaines, Garza, Glasscock, Gray, Grayson, Gregg, Hale, Hall, Hamilton, Hansford, Hardeman, Harrison, Hartley, Haskell, Hemphill, Henderson, Hill, Hockley, Hood, Hopkins, Houston, Howard, Hunt, Hutchinson, Irion, Jack, Jeff Davis, Johnson, Jones, Kaufman, Kent, Kimble, King, Knox, Lamar, Lamb, Lampasas, Leon, Limestone, Lipscomb, Llano, Loving, Lubbock, Lynn, Madison, Marion, Martin, Mason, McCulloch, McLennan, Menard, Midland, Milam, Mills, Mitchell, Montague, Moore, Morris, Motley, Nacogdoches, Navarro, Nolan, Ochiltree, Oldham, Palo Pinto, Panola, Parker, Parmer, Pecos, Potter, Presidio, Rains, Randall, Reagan, Red River, Reeves, Roberts, Robertson, Rockwall, Runnels, Rusk, Sabine, San Augustine, San Saba, Schleicher, Scurry, Shackelford, Shelby, Sherman, Smith, Somervell, Stephens, Sterling, Stonewall, Sutton, Swisher, Tarrant, Taylor, Terrell, Terry, Throckmorton, Titus, Tom Green, Trinity, Upshur, Upton, Van Zandt, Ward, Wheeler, Wichita, Wilbarger, Williamson, Winkler, Wise, Wood, Yoakum, and Young.

Persons may also obtain service at the resident office located in Tulsa, Oklahoma.

Region 17. Kansas City, Kansas. Services Nebraska and Kansas and the following counties in Missouri: Adair, Andrew, Atchison, Barry, Barton, Bates, Benton, Boone, Buchanan, Caldwell, Camden, Carroll, Cass, Cedar, Charlton, Christian, Clay, Clinton, Cole, Cooper, Dade, Dallas, Daviess, De Kalb, Douglas, Gentry, Greene, Grundy, Harrison, Henry, Hickory, Holt, Howard, Howell, Jackson, Jasper, Johnson, Laclede, Lafayette, Lawrence, Linn, Livingston, McDonald, Macon, Mercer, Miller, Moniteau, Morgan, Newton, Nodaway, Ozark, Pettis, Platte, Polk, Pulaski, Putnam, Randolph, Ray, St. Clair, Saline, Schuyle, Stone, Sullivan, Taney, Texas, Vernon, Webster, Worth, and Wright.

Region 18. Minneapolis, Minnesota. Services North Dakota, South Dakota, and Minnesota and the following counties in Iowa: Adair, Adams, Allamakee, Appanoose, Audubon, Benton, Black Hawk, Boone, Bremer, Buchanan, Buena Vista, Butler, Calhoun, Carroll, Cass, Cedar, Cerro Gordo, Cherokee, Chickasaw, Clarke, Clay, Clayton, Crawford, Dallas, Davis, Decatur, Delaware, Dickinson, Emmet, Fayette, Floyd, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Henry, Howard, Humboldt, Ida, Iowa, Jasper, Jefferson, Johnson, Jones, Keokuk, Kossuth, Linn, Lucas, Lyon, Madison, Mahaska, Marion, Marshall, Mills, Mitchell, Monona, Monroe, Montgomery, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Polk, Pottawattamie, Poweshiek, Ringgold, Sac, Shelby, Sioux, Story, Tama, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, Webster, Winnebago, Winneshiek, Woodbury, Worth, and Wright; and the following counties in the State of

Wisconsin: Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Clark, Douglas, Dunn, Eau Claire, Iron, Jackson, Pepin, Pierce, Polk, Price, Rusk, St. Croix, Sawyer, Taylor, Trempealeau, and Washburn.

Region 19. Seattle, Washington. Services Alaska, Montana, Idaho, and Washington.

Subregion 36. Portland, Oregon. Services Oregon and Clark County in Washington.

Persons may also obtain service at the resident office located in Anchorage, Alaska.

Region 20. San Francisco, California. In Nevada, services Churchill, Douglas, Elko, Esmeralda, Eureka, Humboldt, Lander, Lyon, Mineral, Ormsby, Pershing, Storey, Washoe, White Pine; and the following counties in California: Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, Eldorado, Fresno, Glenn, Humboldt, Kings, Lake Lasson, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Placer, Plumas, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Yolo, and Yuba Counties.

Subregion 37. Honolulu, Hawaii. Services Hawaii.

Region 21. Los Angeles, California. Services the following counties in California: Imperial, Orange, Riverside, and San Diego, and that portion of Los Angeles County lying east of Harbor Freeway and south of Pasadena Freeway (Arroyo Boulevard, U.S. Highway 66).

Region 22. Newark, New Jersey. In New Jersey, services Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union, and Warren Counties.

Region 23. Houston, Texas. In Texas, services Aransas, Atascosa, Austin, Bandera, Bastrop, Bee, Bexar, Blanco, Brazoria, Brazos, Brooks, Burleson, Caldwell, Calhoun, Cameron, Chambers, Colorado, Comal, De Witt, Dimmit, Duval, Edwards, Fayette, Fort Bend, Frio, Galveston, Gillespie, Goliad, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Hidalgo, Jackson, Jasper, Jefferson, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy Kerry, Kinney, Kleberg, La Salle, Lavaca, Lee, Liberty, Live Oak, McMullen, Matagorda, Maverick, Medina, Montgomery, Newton, Nueces, Orange, Polk Real, Refugio, San Jacinto, San Patricio, Starr, Travis, Tyler, Uvalde, Val Verde, Victoria, Walker, Waller, Washington, Webb, Wharton, Willacy, Wilson, Zapata, and Zavalla Counties.

Region 24. Hato Rey, Puerto Rico. Services Puerto Rico and the U.S. Virgin Islands.

Region 25. Indianapolis, Indiana. Services Indiana, with the exception of Lake, Clark, Dearborn, and Floyd Counties, and Daviess and Henderson Counties in Kentucky.

Region 26. Memphis, Tennessee. Services Arkansas and the following counties in Tennessee: Bedford, Benton, Cannon, Carroll, Cheatham, Chester, Coffee, Crockett, Davidson, Decatur, DeKalb, Dickson, Dyer, Fayette, Franklin, Gibson, Giles, Hardeman, Hardin, Haywood, Henderson, Henry, Hickman, Houston, Humphreys, Lake, Lauderdale, Lawrence, Lewis, Lincoln, McNairy, Macon, Madison, Marshall, Maury, Montgomery, Moore, Obion, Perry, Robertson, Rutherford, Shelby, Smith, Stewart, Sumner, Tipton, Trousdale, Wayne, Weakley, Williamson, and Wilson; also services the following counties in Mississippi: Alcorn, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Coahoma, De Soto, Grenada, Holmes, Humphreys, Itawamba, Layfayette, Lee, Leflore, Lowndes, Marshall, Monroe, Montgomery, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Quitman, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Washington, Webster, Winston, and Yalobusha.

Persons may also obtain service at the resident offices in Little Rock, Arkansas, and in Nashville, Tennessee.

Region 27. Denver, Colorado. Services Wyoming, Colorado, and Utah.

Region 28. Phoenix, Arizona. Services Arizona and New Mexico, and Culberson, El Paso, and Hudspeth Counties in Texas.

Persons may also obtain service at the resident offices in Albuquerque, New Mexico, and in El Paso, Texas.

Region 29. Brooklyn, New York. In New York, services Kings, Nassau, Queens, Richmond, and Suffolk Counties.

Region 30. Milwaukee, Wisconsin. In Wisconsin, services the following counties: Adams, Brown, Calumet, Columbia, Crawford, Dane, Dodge, Door, Florence, Fond du Lac, Forest, Grant, Green, Green Lake, Iowa, Jefferson, Juneau, Kenosha, Kewaunee, La Crosse, Lafayette, Langlade, Lincoln, Manitowoc, Marathon, Marinette, Marquette, Menominee, Milwaukee, Monroe, Oconto, Oneida, Outagamie, Ozaukee, Portage, Racine, Richland, Rock, Sauk, Shawano, Sheboygan, Vernon, Vilas, Walworth, Waushara, Washington, Waukesha, Waupaca, Winnebago, and Wood; in Michigan, services the following counties: Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, and Schoolcraft.

Region 31. Los Angeles, California. Services the following counties in California: Inyo, Kern, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura; that portion of Los Angeles County lying west of Harbor Freeway and north of Pasadena Freeway (Arroyo Boulevard, U.S. Highway 66); in Nevada, services Nye, Lincoln, and Clark Counties.

Persons may also obtain service at the resident office located in Las Vegas, Nevada.

Dated, Washington, D.C., April 21, 1975.

By direction of the Board.

JOHN C. TRUESDALE,
Executive Secretary.

[FR Doc.75-10810 Filed 4-24-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-237]

COMMONWEALTH EDISON CO.

Issuance of Facility License Amendment

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 6 to Facility Operating License No. DPR-19 to the Commonwealth Edison Company (the licensee) which revised Technical Specifications for operation of the Dresden Nuclear Power Station Unit 2 located in Grundy County, Illinois. The amendment is effective as of its date of issuance.

The amendment allows the core spray and low pressure coolant injection (LPCI) systems to remain inoperable under specified conditions when the reactor is placed in the Refuel mode from a cold shutdown condition, in accordance with the licensee's application dated April 4, 1975.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment dated April 4, 1975, (2) Amendment No. 6 to License No. DPR-19 with Change No. 32, and (3) the Commission's concurrently issued related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Morris Public Library at 604 Liberty Street in Morris, Illinois, 60451. A single copy of items (2) and (3) may be obtained upon request addressed to the Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 16th day of April 1975.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch #2, Division of Reactor Licensing.

[FR Doc.75-10878 Filed 4-24-75;8:45 am]

REGULATORY GUIDE

Issuance and Availability

The Nuclear Regulatory Commission has issued a guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 4.1, Revision 1, "Programs for Monitoring Radioactivity in the Environs of Nuclear Power Plants," describes a basis acceptable to the NRC staff for the design of preoperational and operational programs for monitoring levels of radiation and radioactivity in the environs of nuclear power plants. Revision 1 updates this guide for consistency with current NRC practice and other regulatory guides.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed (listed below) or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guide 4.1, Revision 1, will, however, be particularly useful in evaluating the need for an early revision if received by June 23, 1975.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington,

D.C. 20555, Attention: Docketing and Service Section.

Regulatory Guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automotive distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory Guides are not copyrighted and Commission approval is not required to reproduce them.

Other Division 4 Regulatory Guides currently being developed include the following:

Cooling Water System—Protection of Aquatic Organisms (Entrapment).
Cooling Water System—Protection of Aquatic Organisms (Entertainment).
Cooling Water System—Protection of Aquatic Organisms (Cold Shock).
Effluent Monitoring Guide for UF$_6$ Conversion Facilities.
Effluent Monitoring Guide for Uranium Mills.
Effluent Monitoring Guide for Fuel Fabrication Facilities.
Effluent Monitoring Guide for Irradiated Fuel Reprocessing.
Analytical Models for Estimating Radioisotope Concentration in Different Water Bodies.
Methods for Estimating Atmospheric Dispersion of Gaseous Effluents from Routine Releases.
Calculation of Releases of Radioactive Materials in Liquid and Gaseous Effluents from Boiling Water Reactors.
Calculation of Releases of Radioactive Materials in Liquid and Gaseous Effluents from Pressurized Water Reactors.
Calculation of Annual Average Doses to Man from Routine Releases of Reactor Effluents for the Purpose of Implementing Appendix I.
Irreversible and Irretrievable Commitments of Materials Resources.
Land Use Assessment—Agriculture.
Nuclear Power Stations—Guide to Terrestrial Studies.
Standard Format and Content of Site Certification Reports for Designated Sites.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 17th day of April 1975.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Acting Director,
Office of Standards Development.

[FR Doc.75-10877 Filed 4-24-75;8:45 am]

NATIONAL SCIENCE FOUNDATION

ADVISORY PANEL FOR METALLURGY AND MATERIALS

Open Meeting

The Advisory Panel for Metallurgy and Materials will hold an open meeting at 9 a.m. on May 12 and 13, 1975, in Rm. 621, 1800 G Street, NW., Washington, D.C.

The purpose of this Panel (formerly known as Advisory Panel for Engineering Materials) is to provide advice and recommendations for research in the area of metallurgy and materials. The Panel functions in accordance with the Federal Advisory Committee Act, Pub. L. 92-463.

The agenda will include the following:

1. The general status of the programs.
2. Details of the Ceramic Program.
3. Future directions of research in this area.
4. The review process.
5. Rotation plan for panel members.

This meeting is open to the public. Anyone who plans to attend or would like more information about the Panel should contact Mr. C. A. Wert, Head, Metallurgy and Materials Section, Rm. 412, National Science Foundation, Washington, D.C. 20550, telephone (202) 632-7406.

Summary minutes of this meeting may be obtained from the Committee Management Coordination Staff, Management Analysis Office, Rm. 248, National Science Foundation, Washington, D.C. 20550.

FRED K. MURAKAMI,
Committee Management Officer.

APRIL 22, 1975.

[FR Doc.75-10870 Filed 4-24-75;8:45 am]

ADVISORY PANEL FOR NEUROBIOLOGY

Notice of Meeting

The Advisory Panel for Neurobiology will hold a meeting at 9 a.m. on May 13 and 14, 1975, in Rm. 642 at 1800 G Street, NW., Washington, D.C. 20550.

The purpose of this Panel is to provide advice and recommendations as part of the review and evaluation process for specific proposals and projects. This Panel functions in accordance with the Federal Advisory Committee Act, Pub. L. 92-463.

This meeting will not be open to the public because the Panel will be reviewing, discussing, and evaluating individual research proposals that have been assigned to the Neurobiology Program. Also, these proposals contain information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within the exemptions of 5 U.S.C. 552(b), (4), (5), and (6). The closing of this meeting is in accordance with the determination by the Director of the National Science Foundation dated February 21, 1975, pursuant to the provisions of section 10(d) of Pub. L. 92-463.

For further information about this Panel, please contact Dr. James H. Brown, Program Director, Neurobiology Program, Rm. 333, National Science Foundation, Washington, D.C. 20550, telephone (202) 632-4264.

FRED K. MURAKAMI,
Committee Management Officer.

APRIL 22, 1974.

[FR Doc.75-10869 Filed 4-24-75;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 22, 1975 (44 USC 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 thru 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 COMMERCE

Bureau of the Census:
Survey of Housing Energy Conservation, AHS-2 Supp, single-time, households in 461 PSU design, Sunderhauf, M. B., 395-4911.

Bureau of the Census:
General Revenue Sharing, RS-9-L9, annually, Government agencies, Ellett, C. A., 395-6172.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Housing Management:
Family's Dwelling Unit Inspection Report, Section 8, Existing Housing, HUD 52579, on occasion, families participating in sec. 8 program, community and veterans affairs division, 395-3532.

Housing Management:
Application for Tenant Eligibility and Recertification, Section 8, Existing Housing, HUD 52659, on occasion, public housing agencies and owners, community and veterans affairs division, 395-3532.

Housing Management:
Report on Family Characteristics, Section 8, Existing Housing, HUD 52675, semiannually, public housing agencies, community and veterans affairs division, 395-3532.

Housing Management:
Owner's Dwelling Unit Inspection Report, Section 8, Existing Housing, HUD 52580, on occasion, public housing agencies, community and veterans affairs division, 395-3532.

Housing Management:
Request for Lease Approval, Section 8, Existing Housing, HUD 52517, on occasion, families receiving certificates of participation, community and veterans affairs division, 395-3532.

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration:
Preliminary Prospectus for "Ridesharing: a Behavioral Study" and Sole Source Justification, single-time, sample of individuals from Washington urban area, Strasser, A., 395–3880.

EXTENSIONS

ENVIRONMENTAL PROTECTION AGENCY

Fuel Additives Registration—Fuel Manufacturer, EPA 269, semi-annually, petroleum industry, Marsha Traynham, 395–4529.
Fuel Additives Registration—Additive Manufacturer, NAPCA–HQ, on occasion, petroleum industry chemical manufacturers, Marsha Traynham, 395–4529.

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis:
Expenditures of United States Travelers in Mexico, BE–575, on occasion, U.S. residents visiting Mexico, Strasser, A., 395–3880.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education:
Application for Federal Assistance (nonconstruction programs) Title V, Part C, ESEA, OE–4533, annually, Sea's and Lea's Caywood, D.P., 395–3443.

DEPARTMENT OF THE INTERIOR

Bureau of Land Management:
Application for Survey of Islands or Omitted Public Lands, 9180–1, on occasion, individuals, Marsha Traynham, 395–4529.

DEPARTMENT OF TRANSPORTATION

Coast Guard:
Report of Personal Injury or Loss of Life, CG–924E, on occasion, Marsha Traynham, 395–4529.

EXTENSIONS

DEPARTMENT OF TRANSPORTATION

Coast Guard:
Report of Vessel Casualty or Accident, CG–2692, on occasion, Marsha Traynham, 395–4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75–10987 Filed 4–24–75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. 18946; 70–5664]

ARKANSAS-MISSOURI POWER CO.

Proposed Issuance and Sale of Short-Term Bank Notes; Exception From Competitive Bidding

APRIL 21, 1975.

In the matter of Arkansas-Missouri Power Company, 405 West Park Street, Blytheville, Arkansas 72315; (70–5664).

Notice is hereby given that the Arkansas-Missouri Power Company ("Arkansas-Missouri"), a wholly owned subsidiary of Middle South Utilities, Inc., a registered holding company, has filed a declaration and an amendment thereto with this Commission pursuant to sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50(a)(2) thereunder regarding the following proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

Arkansas-Missouri proposes to issue and sell, from time to time during the period commencing on the effective date of this declaration and continuing for one year thereafter, unsecured short-term promissory notes to the First National Bank of Memphis ("Bank") in an aggregate principal amount at any one time outstanding of not more than $3,500,000. The notes, to be issued by Arkansas-Missouri under a line of credit with the Bank, will be payable not more than 90 days from the date of issue and will bear interest, payable at maturity, on the unpaid principal amount thereof at the prime commercial loan rate of the Bank (currently 7½%) in effect at that time. The effective cost of borrowing is equivalent to the prime rate since there are no compensating balances required by the Bank. Any adjustments in the prime rate will become effective, for purposes of this issue, on the first business day of the month next following the month during which any change in the prime rate occurs. The notes will be prepayable in whole or in part at any time, without premium or penalty, at the option of Arkansas-Missouri. As the notes mature they will be renewed (but to mature not later than one year after the effective date of this declaration) or repaid out of funds then available to the company. Arkansas-Missouri currently intends to repay its outstanding short-term note obligations, including the notes to be issued pursuant to this declaration, out of funds generated from the company's operations or from the proceeds of permanent financing and/or the disposition of its natural gas properties.

On the effective date of this declaration Arkansas-Missouri plans to pay to the Bank a commitment fee of $52,500, equal to 1½% of the Bank's maximum commitment, which is non-refundable and not subject to line usage.

The net proceeds to be received by Arkansas-Missouri from the issuance and sale of the notes, together with funds generated by operations, will be applied to the company's 1975 construction program, which is expected to result in estimated expenditures of $6,810,000.

The expenses to be paid by Arkansas-Missouri in connection with the proposed transaction are estimated at $4,000. The declaration states that no State commission and no Federal commission, other than this Commission has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than May 15, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as amended, or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75–10900 Filed 4–24–75;8:45 am]

[Rel. No. 8764 812–3788]

ICI NORTH AMERICA, INC.

Filing of Application

APRIL 21, 1975.

In the matter of ICI North America, Inc., Rollins Building, 1 Rollins Plaza, Wilmington, Delaware 19897 (812–3788).

Notice is hereby given that ICI North America, Inc. ("Applicant"), a Delaware Corporation, filed an application on March 31, 1975, and amendments thereto on April 10, 1975 and April 15, 1975, pursuant to section 6(c) of the Investment Company Act of 1940 (the "Act"), for an order of the Commission exempting Applicant from all provisions of the Act. All interested persons are referred to the application which is on file with the Commission for a statement of the representations made therein which are summarized below.

All of the Applicant's capital stock will be owned by Imperial Chemical Industries Limited ("ICI"), or a wholly owned subsidiary of ICI. As of December 31, 1974, ICI, a United Kingdom Corporation, and its consolidated subsidiaries (together the "ICI Group") had total assets of over £2 billion ($4.7 billion). The ICI Group is engaged in the manufacture of a wide range of products principally in the area of chemicals.

Applicant contends that its sole purpose is to provide a vehicle through which the ICI Group may obtain funds in the United States by public offerings of debt securities registered under the Securities Act of 1933 (the "1933 Act"). Initially, Applicant proposes to borrow, in this manner, within the United States, between $75 million and $150 million for use by the ICI Group on property and

plant and other investments outside the United Kingdom.

These monies would be raised by a public offering by Applicant of between $75 and $150 million principal amount of debentures ("Debentures") to be issued under an indenture (the "Indenture"). Under the Indenture, the Debentures would be unconditionally guaranteed by ICI as to payment of principal, premium, if any, interest, and the making of sinking fund payments. The Debentures and such guaranty ("ICI Guaranty"), which will be endorsed thereon, will be registered under the 1933 Act. The Indenture will be qualified under the Trust Indenture Act of 1939 (the "Trust Indenture Act").

Applicant states that it will lend the proceeds of the public offering of the Debentures to ICI or to a wholly-owned subsidiary of ICI and that such loans will be repayable at such times and in such amounts as will enable Applicant to service the indebtedness represented by the Debentures. Applicant represents that repayment of any loan by it to a wholly-owned subsidiary of ICI will be guaranteed by ICI.

Because its only function will be to make loans to ICI or ICI wholly-owned subsidiaries, Applicant's only assets, other than its capital retained for the payment of expenses, will consist of amounts receivable from ICI or wholly-owned subsidiaries of ICI.

Applicant may make further public offerings of debt securities in the United States in the future. Any such securities would be guaranteed by ICI, the securities and the guarantee would be registered under the 1933 Act, an indenture with respect thereto would be qualified under the Trust Indenture Act, and the net proceeds of such offerings would be loaned to ICI or to wholly-owned subsidiaries of ICI under guarantees of repayment by ICI.

Section 3(a)(3) of the Act defines the term "investment company" to include any issuer which "is engaged or proposes to engage in the business of investing, reinvesting, owning, holding, or trading in securities and owns or proposes to acquire investment securities having a value exceeding 40 per centum of the value of such issuer's total assets (exclusive of government securities and cash items) on an unconsolidated basis." Since substantially all of Applicant's assets will consist of indebtedness to Applicant of ICI and its subsidiaries, Applicant may be deemed to be an investment company under the Act.

Applicant asserts that its sole business will be to lend monies to ICI and to wholly-owned subsidiaries of ICI and that it will not deal with its rights relating to such loans nor deal with or trade in securities. Applicant contends that because its debt securities will be guaranteed by ICI, which will own all of Applicant's outstanding shares of common stock, the purchase of Applicant's debt securities will be the equivalent of purchasing obligations of ICI. Applicant also represents that ICI is not an investment company as defined by section 3(a) of the Act and that ICI could issue debt securities directly without raising questions under the Act. Applicant states ICI chose Applicant to be its financing vehicle in order to facilitate the qualification of the debt securities for purchase by certain institutions. Applicant also contends that since any publicly offered debt securities of Applicant and the ICI guarantees on such securities will be registered under the 1933 Act, Applicant and ICI will be subject to the reporting requirements of the Securities Exchange Act of 1934.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person or transaction from any provision or provisions of the Act to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant has agreed, in the event that the Commission grants the application, to the insertion in the Commission's order of the condition that the Applicant will file with the Commission, within 120 days after the close of each fiscal year of Applicant commencing with the first fiscal year in which it issues and sells any debt securities: (a) the data required by Item 1.08 (except with respect to information relating to persons under common control with the Applicant), 1.09, 1.10, 1.11 of Form N-1R adopted by the Act, and (b) an annual balance sheet, income and surplus statement, and a schedule of investments.

Notice is further given that any interested person may, not later than May 16, 1975 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following May 16, 1975 unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-10901 Filed 4-24-75;8:45 am]

[File No. 81-164; ADMIN. PROC. FILE NO. 3-4653]

WISCO HARDWARE CO.

Notice of and Order for Hearing on Application

APRIL 17, 1975.

Notice is hereby given that Wisco Hardware Company ("the Applicant") has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended, ("the Act") for an order exempting the Applicant from the provisions of section 12(g) of the Act. Exemption from section 12(g) will have the effect of exempting the Applicant from sections 13 and 14 of the Act and any officer, director or ten percent beneficial owner from section 16 thereof.

Section 12(g) of the Act requires the registration of the securities of every issuer which is engaged in interstate commerce or in a business affecting interstate commerce, or whose securities are traded by use of the mails or any means or instrumentality of interstate commerce, and on the last day of the fiscal year has total assets exceeding $1 million and a class of equity securities held of record by 500 or more persons. Registration is terminated 90 days after the issuer files a certification with the Commission that the number of holders of the registered class of securities is fewer than 300 persons.

Section 12(h) empowers the Commission to exempt, in whole or in part, any issuer or class of issuers from the registration, periodic reporting, proxy solicitation, and other requirements of the Act, if the Commission finds by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, income or assets of the issuer, or otherwise, that such exemption is not inconsistent with the public interest or the protection of investors.

The application states in part:

1. The Applicant is a corporation organized under the laws of the State of Wisconsin. The Applicant's most recent audited financial statements indicate that, as of November 30, 1973, the Applicant had total assets exceeding $2 million and 6,518 shares of common stock held of record by 701 persons. More recent financial statements, which are unaudited, show total assets as of September 30, 1974, to be approximately $1.5 million.

2. The Applicant operates a dealer-owned wholesale house which buys, warehouses, merchandises, finances, and distributes lines of general hardware, building materials and related merchandise to member and non-member retail dealers in Illinois, Iowa, Michigan, Minnesota, and Wisconsin. The Applicant also furnishes merchandising catalogs, operates trade shows, and conducts sales promotion programs. The Applicant

seeks to reduce the cost of merchandise to dealer-members through the annual payment, if earned, of patronage refunds which are distributed to members in proportion to their contribution to the Applicant's gross profit.

3. Holding common stock in the Applicant is a prerequisite to membership, but continued membership is not required for subsequent ownership of such stock. If the Board of Directors cancels a dealer's membership, or if a member desires to sell or transfer his shares, the Applicant has a right to repurchase such stock at book value. In addition, no person may own or hold more than 25 shares of common stock.

4. The Applicant's activities are predominantly intra-state. The Applicant is incorporated and has its principal place of business in Wisconsin, and 605 of its common stockholders reside in that state.

5. The Applicant has furnished annual reports containing audited financial statements to stockholders in attendance at the Annual Stockholders Meeting. Because the audit report was not completed in time for the stockholders meeting on January 13, 1975, unaudited information was made available at that meeting.

6. No public market exists for the Applicant's common stock, and there is an absence of any trading interest in such securities. The common stock is not traded on an exchange, and no broker-dealer makes a market in the stock.

It is ordered pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended, that a hearing on the application of Wisco Hardware Company for an exemption from the provisions of sections 12(g) of that Act be held on May 28, 1975 at 10 a.m., at the offices of the Securities and Exchange Commission, 1100 L Street, Room 776, Washington, D.C. An Administrative Law Judge will be designated to preside at the hearing. Any person desiring to be heard is directed to file with the Secretary of the Commission his request as provided for by Rule 9(c) of the Commission's rules of practice, setting forth any issues of fact or law which he desires to controvert and/or setting forth any additional issues which he feels should be considered.

The Division of Corporation Finance advises that it has made a preliminary examination of the application and that, on the basis thereof, the following matters and questions are to be presented for consideration in this proceeding:

1. Whether the number of public investors and the amount of trading interest, actual or potential, in the Applicant's securities justify the requested exemption;

2. Whether the nature and extent of the activities of the Applicant are such to justify the requested exemption;

3. Whether information which is or may be available to investors concerning the Applicant is adequate to justify the requested exemption;

4. Whether the relationship which exists between the Applicant and its stockholders and the limitations which have been placed on the ownership and transfer of the Applicant's stock provide adequate investor protection to justify the requested exemption; and

5. Generally, whether the requested exemption is consistent with the public interest and with the protection of investors.

It is further ordered that the Secretary of the Commission shall give notice of the aforesaid hearing by mailing a copy of this notice and order by certified mail to Wisco Hardware Company and its attorney and that notice to all other persons be given by publication of this notice and order in the FEDERAL REGISTER, and that a general release of this Commission in respect to this notice and order be distributed to the press and mailed to those persons whose names appear on the mailing list for releases.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-10902 Filed 4-24-75;8:45 am]

DEPARTMENT OF LABOR

Manpower Administration

EMPLOYMENT TRANSFER AND BUSINESS COMPETITION DETERMINATIONS

Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75, published January 29, 1975 (40 FR 4393). In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.

4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing on or before May 9, 1975, to: Deputy Assistant Secretary for Manpower, 601 D Street, NW, Washington, D.C. 20213.

Signed at Washington, D.C. this 21st day of April, 1975.

BEN BURDETSKY,
Deputy Assistant Secretary for Manpower.

Applications received during the week ending April 18, 1975

Name of applicant	Location of enterprise	Principal product or activity
G. H. Bass & Co	Wilton, Maine	Manufacture of shoes.
Valley Racqnet Club Association	Morgantown, W. Va	Rental tennis courts.
Harvel Steel, Inc	Glen Allen, Ala	Fabrication of metal parts.
Rosato Clothing Manufactures, Inc	Tupelo, Miss	Manufacture of men's clothes.
Engineered Cast Metals (Tenant of town of Lincoln).	Lincoln, Ala	Manufacture of steel castings.
Talladega Nursing Home	Talladega, Ala	Nursing home.
Jimbo's Jumbos, Inc	Edenton, N.C	Roasting, salting, and packaging of peanuts.
Nu-Way Packing Co	Forest City, N.C	Meat processing.
5 TC Co	Lucedale, Miss	Manufacture of audio-visual equipment; production of training films.
Main Street Corp	Worthington, Minn	Motel restaurant and lounge.
American Pallet Corp	Black River Falls, Wis	Manufacture of hardwood pallet.
Lincoln Haven Rest Homes, Inc	Lincoln, Mich	Nursing home.
Nu-Foods of Michigan, Inc	Edmore, Mich	Processed potato products.
Crestview Corp	Ortonville, Minn	Nursing home.
Telaleasing Enterprises, Inc	Ridgway, Ill	Telephone repair and remanufacturing.
Valley View Medicenter	Marksville, La	Nursing home.
Brownwood Motels, Inc	Brownwood, Tex	Motel and restaurant.
Republic Housing Corp	Duke, Okla	Manufacture of gypsum wallboard.
Wellsville Feed and Grain, Inc	Wellsville, Mo	Sale of grain, feed, and fertilizer.
Snowkluster, Inc	Breckenridge, Colo	Hotel.
Mansion Industries, Inc	Wasco, Calif	Growing of nursery plants.
Crystal River Associates	Glen Arbor, Mich	Resort hotel.

[FR Doc.75-10809 Filed 4-24-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 750]

ASSIGNMENT OF HEARINGS

APRIL 22, 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 139721, All World Travel, Inc., now assigned May 6, 1975, at *Newark, New Jersey* is canceled and reassigned May 6, 1975 (3 days), in Room 3240, William J. Green, Jr. Federal Building, 600 Arch Street, *Philadelphia, Pennsylvania.*

MC 95084, Sub 106, Hove Truck Line, now being assigned July 8, 1975 (3 days), at Omaha, Nebraska, in a hearing room to be designated later.

MC 134790 (Sub 4), Daniel C. Haffner, dba Haffner Trucking Service, now being assigned July 11, 1975 (1 day), at Omaha, Nebraska, in a hearing room to be designated later.

MC-F-12254, Economy Movers, Inc.—Control And Merger—Eckley Trucking and Leasing, Inc., MC 5227, Sub 15, Economy Movers, Inc., now being assigned July 14, 1975, at Omaha, Nebr., in a hearing room to be designated later.

MC-F-12311, Fast Interstate Express, Inc.—Purchase (Portion)—Harper Truck Line, Inc., now assigned June 2, 1975, at New Orleans, La., is cancelled and reassigned for hearing June 2, 1975, in the East Courtroom, U.S. Court of Appeals, 600 Camp Street, New Orleans, La.

MC 139932, H & M Drayage Brokerage, Inc. now assigned June 4, 1975, at New Orleans, La., is cancelled and reassigned for hearing June 4, 1975, in the East Courtroom, U.S. Court of Appeals, 600 Camp Street, New Orleans, La.

AB 46, Sub 3, Chicago, Rock Island, and Pacific Railroad Company. Abandonment Between Fairbury and Ruskin, in Thayer and Nuckolls Counties, Nebraska, now being assigned July 17, 1975 (2 days), at Hebron, Nebr., in a hearing room to be designated later.

MC 117574, Sub 254, Daily Express, Inc., now assigned June 17, 1975, at Chicago, Ill. Will be held in Room 1086A, Everett McKinley Dirksen Building, 219 South Dearborn St.

MC-C-8501, Short Freight Lines, Inc., and Van Haaren Specialized Carriers, Inc.—Investigation and Revocation of Certificates now assigned June 3, 1975, at Chicago, Illinois, will be held in hearing room 347A, 230 S. Dearborn St.

MC 41406, Sub 43, Artim Transportation System, Inc., now assigned June 4, 1975, at Chicago, Illinois, will be held in Room 347A, 230 S. Dearborn St.

MC-F-12264, Mayfield Transfer & Storage Co., Inc.—Purchase (Portion)—Fred Olson Motor Service Company, now assigned June 9, 1975, will be held in Room 347A, 230 S. Dearborn St.

MC 108207, Sub 409, Frozen Food Express, Inc., now assigned June 23, 1975, at Chicago, Ill., will be held in Room 1086A, Everett McKinley Dirksen Building, 219 South Dearborn St.

MC 128270, Sub 8, Rediehs Interstate, Inc., now assigned June 18, 1975, at Chicago, Ill., will be held in Room 1086A, Everett McKinley Dirksen Building, 219 South Dearborn St.

MC 42011, Sub 14, D. Q. Wise and Co., Inc., now assigned June 3, 1975, at Dallas, Texas, is cancelled and transferred to Modified Procedure.

MC 61592, Sub 321, Jenkins Truck Line, Inc. and MC 119493, Sub 110, Monken Co., Inc., now assigned June 5, 1975, at Chicago, Illinois, will be held in Room 1086A, Everett McKinley Dirksen Building, 219 S. Dearborn St.

MC 114273, Sub 221, Cedar Rapids Steel Transportation, Inc., now assigned June 3, 1975, at Chicago, Illinois, will be held in Room 1086A, Everett McKinley Dirksen Building, 219 South Dearborn Street.

MC 117940, Sub 141, Nationwide Carriers, Inc., now assigned June 4, 1975, at Chicago, Illinois, will be held in Room 1086A, Everett McKinley Dirksen Building, 219 South Dearborn Street.

MC 107295, Sub 748, Pre-Fab Transit Co., now being assigned June 3, 1975 (1 day), at Dallas, Texas, in a hearing room to be designated later.

MC 14702, Sub 65, Ohio Fast Freight, Inc., MC 106603, Sub 136, Direct Transit Lines, Inc., MC 128247, Sub 26, Bursal Transport, Inc. and MC 128270 Sub 10, Rediehs Interstate, Inc., now assigned June 9, 1975, at Chicago, Illinois, will be held in Room 1086A, Everett McKinley Dirksen Building, 219 South Dearborn Street.

MC 51146, Sub 397, Schneider Transport, Inc., MC 114457, Sub 206, Dart Transit Company, MC 118989, Sub 117, Container Transit, Inc., and MC 126276, Sub 103, Fast Motor Service, Inc., now assigned June 11, 1975, at Chicago, Illinois, will be held in Room 1086A, Everett McKinley Dirksen Building, 219 South Dearborn Street.

MC 130261, International Weekends, Inc., now assigned May 21, 1975, at Boston, Massachusetts, is postponed to May 28, 1975, at Boston, Massachusetts, at 150 Causeway, 5th Floor.

MC 117119, Sub 522, Willis Shaw Frozen Express, Inc., now being assigned June 18, 1975, at Denver, Colorado, in a hearing room to be designated later.

MC 119619, Sub 77, Distributors Service Co., now being assigned June 18, 1975, at Denver, Colorado, in a hearing room to be designated later.

MC 111375, Sub 72, Pirkle Refrigerated Freight Lines, Inc., now being assigned June 18, 1975, at Denver, Colorado, in a hearing room to be designated later.

MC 134974, Sub 3, Be-Well Farms, Inc., now being assigned July 22, 1975 (1 day), at Boston, Mass., in a hearing room to be designated later.

MC 139561, Hub Bus Lines, Inc., now being assigned July 23, 1975 (3 days), at Boston, Mass., in a hearing room to be designated later.

MC 136647, Sub 17, Green Mountain Carriers, Inc., now being assigned July 28, 1975 (1 week), at Burlington, Vt., in a hearing room to be designated later.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-10908 Filed 4-24-75;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

APRIL 22, 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 12, 1975.

FSA No. 42978—*Pipeline Rates—Petroleum Products from the Southwest.* Filed by Williams Pipe Line Company (No. 3), for interested carriers. Rates on petroleum products, as described in the application, from points in Kansas, Oklahoma, and Nebraska, to points in Iowa and Illinois. Grounds for relief—Market and carrier competition. Tariff—Supplement 9 to Williams Pipe Line Company tariff No. 3, I.C.C. No. 4. Rates are published to become effective on May 18, 1975.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-10907 Filed 4-24-75;8:45 am]

[Notice No. 273]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

APRIL 25, 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 15, 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-75645. By order of March 28, 1975, the Motor Carrier Board approved the transfer to J. W. Crowley, Dwayne Crowley, and Donald Crowley, a partnership, doing business as J. W. Crowley and Sons, Monticello, Utah, of the operating rights in Permit No. MC 34227 issued January 22, 1968, to Pacific

Inland Transportation Company, a corporation, Cortez, Colo., authorizing the transportation of onions, carrots, and potatoes, from Duncan, Ariz., to Albuquerque, N. Mex., serving no intermediate points; agricultural commodities and canned goods, from Denver Colo., to Albuquerque, N. Mex., serving no intermediate points; potatoes, lettuce, peas, broccoli, and cauliflower, from Alamosa, Colo., to Albuquerque, N. Mex., serving no intermediate points, and from Del Norte, Colo., to Albuquerque, N. Mex., serving no intermediate points; canned grapefruit juice, grapefruit, oranges, and agricultural commodities, from Brownsville, Tex., to Albuquerque, N. Mex., serving no intermediate points; such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, equipment, materials, and supplies used in the conduct of such business, from Los Angeles, Calif., to Albuquerque, N. Mex., serving the intermediate points of Brawley and El Centro, Calif., restricted to the pickup of tomatoes, cantaloupes, and honeydew melons, and Phoenix, Ariz., restricted to pickup only, and from Albuquerque, N. Mex., to Gallup, N. Mex., serving no intermediate points, and grapefruit, oranges, bananas, pineapples, lemons, potatoes, onions, and peppers, from El Paso, Tex., to Albuquerque, N. Mex., serving the intermediate points of Socorro, N. Mex., for delivery only. Earl H. Scudder, Jr., P.O. Box 82028, Lincoln, Nebr. 68501, attorney for applicants.

No. MC–FC–75716. By order entered March 21, 1975, the Motor Carrier Board approved the transfer to James E. Patterson, doing business as Worldwide Moving and Storage, Oxnard, Calif., of the operating rights set forth in Certificate No. MC 133711 (Sub-No. 1), issued February 25, 1971, to Patterson-Suer, Inc., doing business as World Wide Moving & Storage, Oxnard, Calif., authorizing the transportation of used household goods, between points in the Los Angeles Harbor Commercial Zone, as defined by the Commission, on the one hand, and, on the other, points in Santa Barbara and Ventura Counties, Calif.; between Oxnard and Port Hueneme, Calif., on the one hand, and, on the other, points in Los Angeles County, Calif., except points in the Los Angeles Harbor Commercial Zone, as defined by the Commission; and between points in Santa Barbara and Ventura Counties, Calif., subject to certain specified restrictions. James E. Patterson, 1131, Industrial Ave., Oxnard, Calif. 93030, representative for applicants.

No. MC–FC–75746. By order entered March 25, 1975, the Motor Carrier Board approved the transfer to Eaton Transfer, Inc., Greenfield, Ind., of the operating rights set forth in Certificate No. MC 81346, issued May 26, 1971, to William R. Brees, doing business as Eaton Transfer Co., Greenfield, Ind., authorizing the transportation of general commodities, with the usual exceptions, between Greenfield, Ind., and Indianapolis, Ind., over specified routes, serving all intermediate points; and household goods, between Greenfield, Ind., and points within 25 miles of Greenfield, on the one hand, and, on the other, points in Illinois, Kentucky, and Ohio. Donald W. Smith, Suite 2465, One Indiana Square, Indianapolis, Ind. 46204, attorney for applicant.

No. MC–FC–75748. By order entered March 25, 1975, the Motor Carrier Board approved the transfer to Merit Service Industries, Inc., Kearny, N.J., of the operating rights set forth in Permit No. MC 116816 (Sub-No. 1), issued July 3, 1974, to Merit Trucking Corp., Kearny, N.J., authorizing the transportation of household appliances, air conditioning equipment, water heaters, central home heating and cooling units, radio, recorder, phonograph, and television sets, and parts and equipment therefor, from and to specified points in New Jersey, New York, and Connecticut, under a continuing contract, or contracts, with certain specified shippers. Edward M. Alfano, 550 Mamaroneck Ave., Harrison, N.Y. 10528, attorney for applicants.

No. MC–FC–75782. By order entered April 17, 1975, the Motor Carrier Board approved the transfer to Sheldon Oil Company, Suisun, Calif., of the operating rights set forth in Certificate No. MC 135438, issued May 5, 1972, to Sheldon Transportation Company, Suisun, Calif., authorizing the transportation of residual fuel oils used in paving operations, asphalt, road oils, and road asphalt emulsions, in bulk, in tank vehicles, from points in Contra Costa, Alameda, Sacramento, and Solano Counties, Calif., to points in Washoe, Storey, Carson City, Douglas, Lyon, Mineral, Churchill, Pershing, Humboldt, and Lander Counties, Nev. Marvin Handler, 100 Pine St., Suite 2550, San Francisco, Calif. 94111, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-10909 Filed 4-24-75;8:45 am]

[Notice 42]

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
Roadway Express, Inc., MC-2202 Sub-455	MC-2202 Sub-454	Sept. 27, 1974
Glenn McGlendon Trucking Co., Inc., MC-52704 Sub-105	MC-52704 Sub-109	Do.
Glen McGlendon Trucking Co., Inc., MC-52704 Sub-110	MC-52704 Sub-113	Do.
Herman Brothers, Inc., MC-61396 Sub-262	MC-61396 Sub-264	Do.
Ashton Trucking Co., MC-62538 Sub-19	MC-62538 Sub-18	Oct. 2, 1974
Warehouse Transport, Inc., MC-71074 Sub-6	MC-71074 Sub-5	Do.
Bass Transportation Co., Inc., MC-87720 Sub-155	MC-87720 Sub-57, 73, 82, 86, and 132.	Sept. 26, 1974
Coastal Tank Lines, Inc., MC-102616 Sub-886	MC-102616 Sub-893	Sept. 27, 1974
Morgan Drive-Away, Inc., MC-103993 Sub-786	MC-103993 Sub-789	Do.
Capiral Transport Co., Inc., MC-104430 Sub-39	MC-104439 Sub-40	Do.
Chemical Leaman Tank Lines, Inc., MC-110525 Sub-1079	MC-110525 Sub-1083	Do.
Twin City Freight, Inc., MC-111496 Sub-14	MC-111496 Sub-15	Sept. 26, 1974
Freeport Transport, Inc., MC-113666 Sub-66, 68, 69 71	MC-113666 Sub-70	Sept. 27, 1974
Dart Transit Co., MC-114457 Sub-135	MC-114457 Sub-138	Do.
D.b.a. Cahlsten Truck Line, MC-115669 Sub-133, 135, 139	MC-115669 Sub-136	Do.
D & L Transport, Inc., MC-116273 Sub-163	MC-116273 Sub-162	
Pulley Freight Lines, Inc., MC-117815 Sub-220	MC-117815 Sub-225	Sept. 26, 1974
Magill Truck Lines, Inc., MC-123649 Sub-4	MC-123649 Sub-5	Sept. 27, 1974
Field Marketing Service, Inc., MC-129973 Snb-7	MC-129973 Sub-9	Do.
Commercial Cartage, Inc., MC-135234 Sub-5	MC-135234 Sub-9	Do.
Echo Trucking Co., MC-135513 Sub-7	MC-135513 Sub-8	Do.
Brownsberger Enterprises, Inc., MC-135660 Sub-7	MC-135660 Sub-8	Sept. 30, 1974
Fry Trucking, Inc., MC-135725 Sub-8	MC-135727 Sub-7	Sept. 26, 1974
Customized Parts Distribution, Inc., MC-136291	MC-136291 Sub-1	Sept. 30, 1974
A & T Trucking, Inc., MC-136801	MC-136801 Sub-1	Do.
Robco Transportation, Inc., MC-136786 Sub-3	MC-136786 Sub-4	Sept. 27, 1974
D.b.a. Preston Dobbs Truck Service, MC-138360	MC-138360 Sub-1	Sept. 26, 1974
Elwood Lynch, MC-138384 Sub-3	MC-138384 Sub-5	Sept. 27, 1974
Central Carrier Corp., MC-138426 Sub-1	MC-138426 Sub 2	Sept. 30, 1974
Kelso McGary, MC-138985	MC-138985 Sub-1	Do.

[SEAL] ROBERT L. OSWALD,
Secretary.

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