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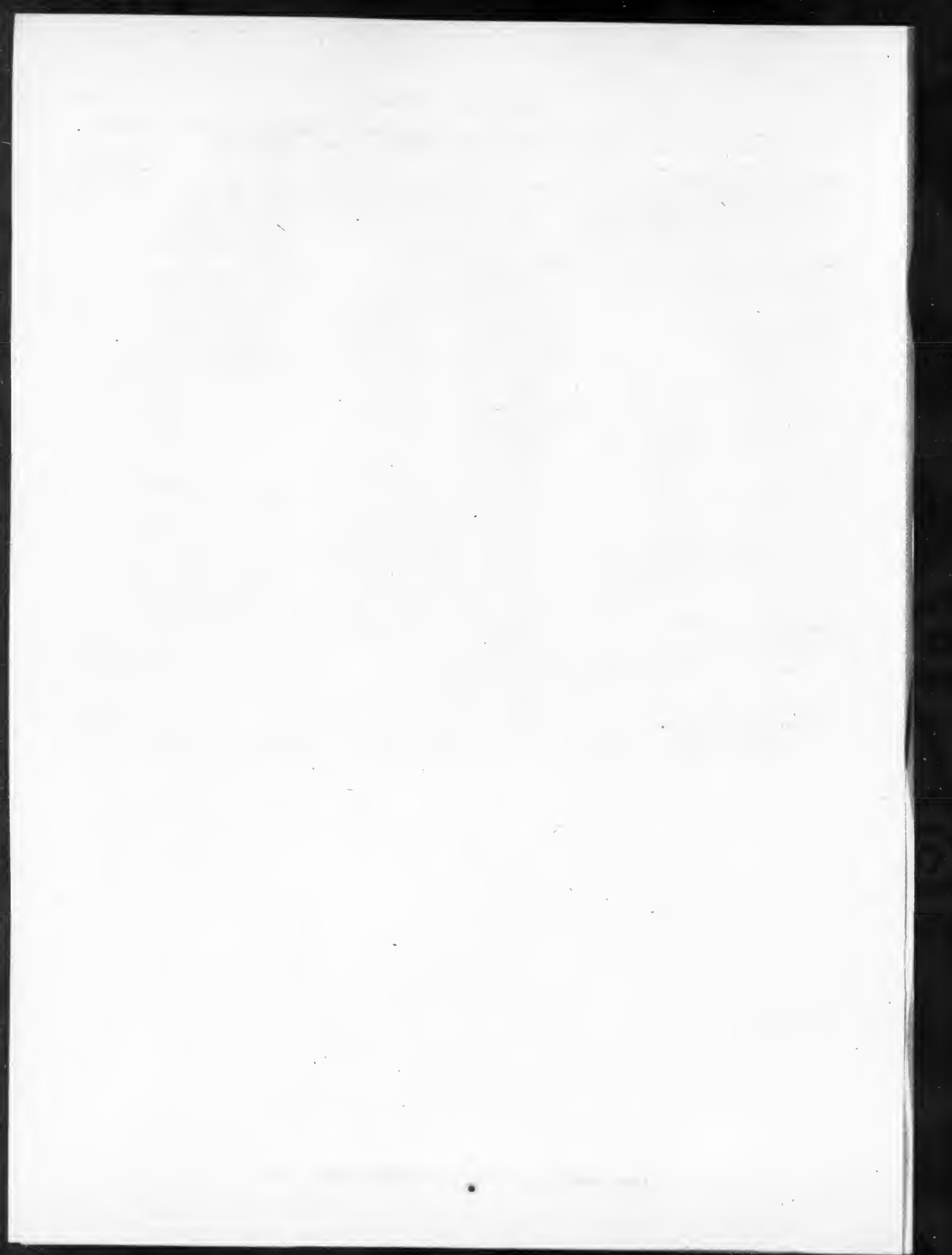
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This is a listing of public bills enacted by Congress and approved by the President, together with the law number, the date of approval, and the U.S. Statutes citation. Subsequent lists will appear every Wednesday in the FEDERAL REGISTER, and copies of the laws may be obtained from the U.S. Government Printing Office.

Note.—No acts approved by the President were received by the Office of the Federal Register from Friday, January 10 to Friday, January 17, 1975.



# rules and regulations

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

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

## Title 5—Administrative Personnel CHAPTER I—CIVIL SERVICE COMMISSION PART 213—EXCEPTED SERVICE

### Department of Commerce

Section 213.3214 is amended to show that the Schedule B authority covering 15 positions of Minority Business Opportunity Specialist in grades GS-9 through GS-15 in the Office of Minority Business Enterprise is extended from December 31, 1974, to December 31, 1976.

Effective January 22, 1975 § 213.3214 (c) (1) is amended as set out below.

§ 213.3214 Department of Commerce.

(c) Office of Minority Business Enterprise.

(1) Until December 31, 1976, not to exceed 15 positions of Minority Business Opportunity Specialist at grades GS-9 through GS-15.

(5 U.S.C. secs. 3301, 3302; E.O. 10577, 3 CFR 1954-58 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*  
[FR Doc.75-1976 Filed 1-21-75; 8:45 am]

## PART 213—EXCEPTED SERVICE Department of Housing and Urban Development

Section 213.3384 is amended to show that one position of Secretary (Administrative Aide) to the Deputy Assistant Secretary for Public Affairs is excepted under Schedule C.

Effective on January 22, 1975, § 213.3384(a) (58) is added as set out below.

§ 213.3384 Department of Housing and Urban Development.

(a) Office of the Secretary. . . .

(58) One Secretary (Administrative Aide) to the Deputy Assistant Secretary for Public Affairs.

(5 U.S.C. secs. 3301, 3302; E.O. 10577, 3 CFR 1954-58 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*  
[FR Doc.75-1977 Filed 1-21-75; 8:45 am]

## PART 213—EXCEPTED SERVICE Department of Housing and Urban Development

Section 213.3384 is amended to show that one position of Executive Assistant to the President, Government National Mortgage Association is excepted under Schedule C. This section is further amended to show that one position of Special Assistant to the President, Government National Mortgage Association, is revoked.

Effective January 22, 1975, §§ 213.3384 (b) (15) is added and (b) (10) is revoked as set out below.

§ 213.3384 Department of Housing and Urban Development.

(b) Office of the Assistant Secretary for Housing Production and Mortgage Credit—Federal Housing Administration Commissioner. . . .

(10) [Revoked]

(15) One Executive Assistant to the President, Government National Mortgage Association.

(5 U.S.C. secs. 3301, 3302; E.O. 10577, 3 CFR 1954-58 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*  
[FR Doc.75-1978 Filed 1-21-75; 8:45 am]

## PART 213—EXCEPTED SERVICE Department of Justice

Section 213.3110 is amended to show that 150 positions in the GS-132 series, grades 9 through 15, in the Drug Enforcement Agency are excepted under Schedule A.

Effective January 22, 1975, § 213.3110 (c) (2) is added as set out below.

§ 213.3110 Department of Justice.

(c) Drug Enforcement Administration.  
(2) 150 positions of Intelligence Research Agent and/or Intelligence Operation Specialist in the GS-132 series, grades GS-9 through GS-15.

(5 U.S.C. secs. 3301, 3302; E.O. 10577, 3 CFR 1954-58 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,  
[SEAL] JAMES C. SPRY,  
*Executive Assistant to the Commissioners.*  
[FR Doc.75-1979 Filed 1-21-75; 8:45 am]

## Title 7—Agriculture CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

### PART 220—SCHOOL BREAKFAST AND NONFOOD ASSISTANCE PROGRAMS AND STATE ADMINISTRATIVE EXPENSES

#### Appendix—Apportionment of Nonfood Assistance Funds Pursuant to Child Nutrition Act of 1966, Fiscal Year 1975

Pursuant to section 5 of the Child Nutrition Act of 1966, as amended, Pub. L. 89-642, 80 Stat. 887, nonfood assistance funds available for the fiscal year ending June 30, 1975, are apportioned among the States as follows:

State	Total apportionment	State agency	Withheld for private schools
Alabama	\$418,810	\$341,119	\$77,691
Alaska	51,336	51,336	
Arizona	259,673	259,673	
Arkansas	196,784	184,085	12,699
California	3,108,508	3,108,508	
Colorado	289,480	214,983	74,497
Connecticut	521,262	521,262	
Delaware	66,222	66,222	
District of Columbia	86,996	86,996	
Florida	962,147	962,147	
Georgia	531,987	531,987	
Guam	11,905	11,905	
Hawaii	111,789	74,969	36,820
Idaho	84,460	79,124	5,335
Illinois	1,906,523	1,906,523	
Indiana	540,533	540,533	
Iowa	317,690	317,690	
Kansas	242,857	242,857	
Kentucky	344,916	344,916	
Louisiana	571,250	571,250	
Maine	187,943	142,849	45,094
Maryland	425,980	425,980	
Massachusetts	790,353	790,353	
Michigan	1,023,080	1,023,080	
Minnesota	482,571	482,571	
Mississippi	376,855	376,855	
Missouri	431,824	431,824	
Montana	153,453	136,953	16,500
Nebraska	239,161	193,206	45,955
Nevada	43,127	33,308	9,819
New Hampshire	121,294	121,294	
New Jersey	1,875,206	1,875,206	
New Mexico	116,485	116,485	
New York	2,287,868	2,287,868	
North Carolina	534,804	534,804	
North Dakota	72,144	62,361	9,783
Ohio	1,968,988	984,985	984,003
Oklahoma	210,470	210,470	

Section 5(c)

Table with 4 columns: State, Total apportionment, State agency, Withheld for private schools. Lists states from Oregon to Wyoming with corresponding values.

Pursuant to sections 5(b) and 5(e) of the Child Nutrition Act of 1966, as amended, Pub. L. 89-642, 80 Stat. 887, nonfood assistance funds available for the fiscal year ending June 30, 1975, are apportioned among the States as follows:

Section 5(b)

Table with 4 columns: State, Total apportionment, State agency, Withheld for private schools. Lists states from Alabama to Wyoming with corresponding values.

Table with 4 columns: State, Total apportionment, State agency, Withheld for private schools. Lists states from Alabama to Wyoming with corresponding values.

(Secs. 2, 5, 6 and 8 through 16, 80 Stat. 885-890 (U.S.C. 1771, 1774, 1775, 1777-1785))

Dated: January 15, 1975.

JAMES E. SPRINGFIELD, Acting Administrator.

[FR Doc.75-1781 Filed 1-21-75; 8:45 am]

PART 225—SPECIAL FOOD SERVICE PROGRAM FOR CHILDREN

Appendix—Apportionment of Food Assistance and Nonfood Assistance Funds Pursuant to National School Lunch Act for Fiscal Year 1975

Pursuant to section 13, of the National School Lunch Act, as amended, food assistance and nonfood assistance funds available for the fiscal year ending June 30, 1975, are apportioned among the States as follows:

Table with 2 columns: State, Total Apportionment. Lists states from Alabama to Wyoming with corresponding values.

Total 24,500,000

Table with 2 columns: State, Total Apportionment. Lists Guam, Puerto Rico, Virgin Islands, Samoa, American, Trust Territory.

Total 500,000

Grand total 25,000,000

(Sec. 13, 82 Stat. 117: (42 U.S.C. 1761))

Dated: January 15, 1975.

JAMES E. SPRINGFIELD, Acting Administrator.

[FR Doc.75-1782 Filed 1-21-75; 8:45 am]

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

**PART 959—ONIONS GROWN IN SOUTH TEXAS**

**Expenses and Rate of Assessment**

This document authorizes the South Texas Onion Committee to spend not more than \$94,311 for its operations during the fiscal period ending July 31, 1975, and to collect two cents (\$.02) per 50-pound container on assessable onions, or equivalent quantity handled by first handlers under the program.

The committee is the administrative agency established under Marketing Agreement No. 143 and Order No. 959, both as amended, regulating the handling of onions grown in South Texas. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

Notice was published in the December 9 FEDERAL REGISTER (39 FR 43848) regarding the proposals. It afforded interested persons an opportunity to submit written comments not later than January 6, 1975. None was received.

After consideration of all relevant matters, including the proposals in the notice, it is found that the following expenses and rate of assessment should be approved.

It is further found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) because this part requires that the rate of assessment for a particular period shall apply to all assessable onions from the beginning of such period.

The regulation follows:

**§ 959.215 Expenses and rate of assessment.**

(a) The reasonable expenses that are likely to be incurred during the fiscal period ending July 31, 1975, by the South Texas Onion Committee for its maintenance and functioning, and for such purposes as the Secretary determines to be appropriate, will amount to \$94,311.

(b) The rate of assessment to be paid by each handler in accordance with the marketing agreement and this part shall be two cents (\$.02) per 50-pound container of onions, or equivalent quantity, handled by him as the first handler thereof during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending July 31, 1975, may be carried over as a reserve.

(d) Terms used in this section have the same meaning as when used in the said marketing agreement and this part.

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

Dated: January 17, 1975.

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

[FR Doc.75-2035 Filed 1-21-75; 8:45 am]

**Title 8—Aliens and Nationality**

**CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE**

**Miscellaneous Amendments**

Pursuant to section 552 of Title 5 of the United States Code (50 Stat. 383) and the authority contained in section 103 of the Immigration and Nationality Act (66 Stat. 173; 8 U.S.C. 1103), 28 CFR 0.105(b) and 8 CFR 2.1, miscellaneous amendments, as set forth herein, are prescribed in Parts 100, 108, 238, 242, and 299 of Chapter I of Title 8 of the Code of Federal Regulations.

In § 100.4(d) of Part 100, Border Patrol Sectors Nos. 7, 8, and 20, are being updated to reflect specified substation redesignations and additions.

In Part 108, published December 3, 1974 (39 FR 41832), effective January 2, 1975, the fifth sentence of § 108.2 provides that where an application for asylum is denied for the reason that it is clearly lacking in substance, notification of the denial shall be furnished the Department of State, with opportunity to supply a statement containing matter favorable to the application, and departure shall not be enforced until 30 days following the date of notification. In order to avoid any possible misconstruction of the departure clause, the fifth sentence is being amended to clarify that departure shall not be enforced until 30 days following the date of notification of denial to the Department of State unless a reply has been received from the Department of State prior to the expiration of the 30-day period.

An agreement for preinspection at Hamilton, Bermuda, of flights of Atlanta Skylarks Air Travel Club destined to the United States, has been entered into between that line and the Commissioner of Immigration and Naturalization pursuant to sections 103 and 238(b) of the Immigration and Nationality Act. Likewise, agreements have been entered into between the Commissioner of Immigration and Naturalization and Westours, Inc., and the Commissioner, Department of Public Works, State of Alaska, for the preinspection at Prince Rupert, B.C., Canada, of the sailings of those lines destined to the United States. Accordingly, in Part 238, § 238.4 is amended by adding the specified lines to the listings of transportation lines which have entered into agreements for the preinspection of their passengers and crews at places outside the United States.

In Part 242, § 242.2(e) is amended by adding Poland to the list of countries with which existing treaties require immediate communication with appropriate consular or diplomatic officers whenever a national thereof is detained in exclusion or expulsion proceedings. This addition to the listing is made in accordance with the provisions of Article 29, section 2, of the Consular Convention between the United States and the Polish People's Republic, effective July 6, 1973.

A number of immigration forms listed in Part 299 have been reissued and now reflect more recent edition dates. Accordingly, § 299.1 is amended to reflect the current edition dates of the specified forms.

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

**PART 100—STATEMENT OF ORGANIZATION**

In § 100.4(d), the Border Patrol Sectors are being updated to reflect the following substation redesignations and additions: in Sector No. 7, the redesignation of Browning, and Malta, Montana, and the addition of Plentywood, and Sweetgrass, Montana, as substations; in Sector No. 8, the addition of Roosville, Montana as a substation; and in Sector No. 20, the redesignation of Pensacola, Florida as a substation. As amended, § 100.4(d) reads, in pertinent part, as follows:

**§ 100.4 Field Service.**

(d) *Border Patrol Sectors.* Border Patrol sector headquarters and stations are situated at the following locations:

- SECTOR No. 7—HAVRE, MONT.  
Havre, Mont. (Malta, Mont.)  
Shelby, Mont. (Browning, Mont., and Sweetgrass, Mont.)  
Twin Falls, Idaho.  
Whitefish, Mont. (Roosville, Mont.).
- SECTOR No. 8—SPOKANE, WASH.  
Bonners Ferry, Idaho.  
Colville, Wash.  
Oroville, Wash.  
Spokane, Wash.  
Whitefish, Mont. (Roosville, Mont.).
- SECTOR No. 20—NEW ORLEANS, LA.  
Baton Rouge, La.  
Gulfport, Miss.  
Lake Charles, La.  
Little Rock, Ark.  
Miami, Okla.  
Mobile, Ala. (Pensacola, Fla.).  
New Orleans, La.

**PART 108—ASYLUM**

In § 108.2, the fifth sentence is amended to read as follows:

§ 108.2 Decision.

... If an application is denied for the reason that it is clearly lacking in substance, notification shall be given to the Department of State, with opportunity to supply a statement containing matter favorable to the application, and departure shall not be enforced until 30 days following the date of notification unless a reply has been received from the Department of State prior to that time. . . .

**PART 238—CONTRACTS WITH TRANSPORTATION LINES**

§ 238.4 [Amended]

The listing of transportation lines under "At Bermuda" in § 238.4 Preinspection outside the United States is amended by adding thereto in alphabetical sequence: "Atlanta Skylarks Air Travel Club"; the listing of transportation lines in § 238.4 is further amended by adding at the end thereof under "At Prince Rupert" the following: "State of Alaska Department of Public Works", and "Westours, Inc.".

**PART 242—PROCEEDINGS TO DETERMINE DEPORTABILITY OF ALIENS IN THE UNITED STATES: APPREHENSION, CUSTODY, HEARING, AND APPEAL**

In § 242.2(e), the list of countries is amended by adding Poland thereto in alphabetical sequence, and by redesignating as footnote one the parenthetical clause immediately following the listing of Ireland. As amended, § 242.2(e) reads as follows:

§ 242.2 Apprehension, custody, and detention.

(e) *Privilege of communication.* Every detained alien shall be notified that he may communicate with the consular or diplomatic officers of the country of his nationality in the United States. Existing treaties require immediate communication with appropriate consular or diplomatic officers whenever nationals of the following countries are detained in exclusion or expulsion proceedings, whether or not requested by the alien, and, in fact, even if the alien requests that no communication be undertaken in his behalf:

China	Poland <sup>1</sup>
Costa Rica	Sierra Leone
Cyprus	Singapore
Gambia	Tanzania
Ghana	Trinidad & Tobago
Ireland <sup>1</sup>	Uganda
Jamaica	United Kingdom:
Kenya	England
Kuwait	Northern Ireland
Malawi	Scotland
Malaysia	Southern Rhodesia
Malta	Wales
Nigeria	Zambia
Philippines	

<sup>1</sup> Unless national requests that such information not be transmitted.

<sup>2</sup> If national is an alien admitted to lawful permanent residence, communication will be made with Polish consulate only upon the request of such national.

**PART 299—IMMIGRATION FORMS**

In § 299.1, the listing of forms is amended to reflect the current edition dates of the following forms:

§ 299.1 Prescribed forms. . . .

Form No.	Title and description
I-53 (1-1-75)-----	Alien Address Report.
I-328 (6-5-74)-----	Order on Motion to Reopen.
I-418 (7-1-74)-----	Passenger List-Crew List.
I-571 (6-1-74)-----	Refugee Travel Document.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

Compliance with the provisions of section 553 of Title 5 of the United States Code (80 Stat. 383) as to notice of proposed rule making and delayed effective date is unnecessary in this instance and would serve no useful purpose because the amendments to § 100.4(d) relate to agency management and organization; the amendment to § 108.2 is clarifying in nature; the amendments to § 238.4 add transportation lines to the listings; the amendment to § 242.2(e) is in conformity with the Consular Convention between the United States and the Polish People's Republic; and the amendments to § 299.1 are editorial in nature.

*Effective date.* The amendments made in this order shall become effective January 22, 1975.

Dated: January 16, 1975.

L. F. CHAPMAN, JR.,  
Commissioner of Immigration  
and Naturalization.

[FR Doc.75-1923 Filed 1-21-75; 8:45 am]

**Title 14—Aeronautics and Space**  
**CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION**

[Docket No. 74-NE-42; Amdt. 39-2025]

**PART 39—AIRWORTHINESS DIRECTIVE**  
**Hamilton Standard Model 54H60 Propellers**

There have been hydraulic control failures in Hamilton Standard Model 54H60 propellers used on certain Lockheed aircraft resulting in propeller pitchlocking which can cause overspeeding and inability to feather. Loss of pitch control is caused by loosening and separation of a threaded extension sleeve, P/N 541850, allowing internal bypassing of hydraulic fluid and loss of control pressure.

Since this condition is likely to exist or develop in all 54H60 propellers used on Lockheed Models L-188 and L-382 type aircraft, an Airworthiness Directive is being issued to require modification of all applicable Model 54H60 propellers.

Since a situation exists that requires immediate adoption of this regulation, it

is found that notice and public procedure hereon are not practicable and good cause exists for making this amendment effective in less than 30 days.

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

**HAMILTON STANDARD.** Applies to propeller Models 54H60-63, -81, -91, -111, -117, and -125.

Compliance required as indicated, unless already accomplished.

To prevent inflight separation of the extension sleeve, P/N 541850, Change B or earlier revision, from the pitch lock regulator assembly resulting in propeller pitchlocking, accomplish the following:

A. Propellers with a total of 2500 or more hours in service as of the effective date of this AD or whose total time in service is unknown, accomplish the requirements of Paragraph (C) below within the next 100 hours time in service.

B. Propellers with less than 2500 hours total time in service as of the effective date of this AD, accomplish the requirements of Paragraph (C) below prior to the accumulation of 2600 hours total time in service.

C. 1. Replace the fluid transfer housing extension sleeve, P/N 541850B or earlier revision, with an extension sleeve, P/N 541850C or later revision, or with a modified extension sleeve in accordance with Hamilton Standard Service Bulletin HS Code 54B60, No. 59, Revision No. 1, dated August 1, 1972, or later FAA approved revision, or in a manner approved by the Chief, Engineering and Manufacturing Branch, FAA, New England Region.

2. Replace the surge valve housing, P/N 543734B or earlier revision, with housing P/N 543734C or later revision, or replace surge valve housing, P/N 535299E or earlier revision with housing P/N 535299F or later revision.

The Manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Hamilton Standard, Division of United Aircraft Corporation, Windsor Locks, Connecticut 06096. These documents may also be examined at the Office of the Regional Counsel, New England Region, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803.

This amendment becomes effective on February 5, 1975.

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

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

WILLIAM E. CROSBY,  
Acting Director,  
New England Region.

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

[FR Doc.75-1949 Filed 1-21-75; 8:45 am]



[Airspace Docket No. 74-SO-110]

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

**Alteration of Transition Area**

On December 6, 1974, a notice of proposed rule making was published in the FEDERAL REGISTER (39 FR 42697) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Augusta, Ga., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the 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., March 27, 1975, as hereinafter set forth.

In § 71.181 (40 FR 441), the Augusta, Ga., transition area is amended as follows:

“ \* \* \* excluding the portion within R-6004 \* \* \* is deleted and “ \* \* \* within a 7-mile radius of Thomson-McDuffie Airport, Thomson, Ga. (Lat. 33°31'45" N., Long. 82°31'00" W.); within 9.5 miles north and 4.5 miles south of the 090° bearing from McDuff RBN (Lat. 33°31'45" N., Long. 82°26'30" W.), extending from the RBN to 18.5 miles east of the RBN \* \* \* is substituted therefor.

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

Issued in East Point, Ga., on January 13, 1975.

PHILLIP M. SWATEK,  
Director, Southern Region.

[FR Doc.75-1950 Filed 1-21-75;8:45 am]

[Airspace Docket No. 75-SO-4]

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

**Alteration of Transition Area**

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

The Bainbridge transition area is described in § 71.181 (40 FR 441). In the description, an extension is predicated on the Bainbridge VOR 352° radial. Since the final approach radial has been changed to Bainbridge VOR 356°, it is necessary to amend the description. Since this amendment is minor in nature, notice and public procedure herein are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.181 (40 FR 441), the Bainbridge, Ga., transition area is amended as follows:

“ \* \* \* Bainbridge VOR 352° \* \* \* is deleted and “ \* \* \* Bainbridge VOR 356° \* \* \* is substituted therefor.

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

Issued in East Point, Ga., on January 14, 1975.

PHILLIP M. SWATEK,  
Director, Southern Region.

[FR Doc.75-1951 Filed 1-21-75;8:45 am]

**CHAPTER II—CIVIL AERONAUTICS BOARD**

**SUBCHAPTER F—POLICY STATEMENT**

[Regulation PS-61, Amdt. 40]

**PART 399—STATEMENTS OF GENERAL POLICY**

**Minimum Rates for Military Airlift Command**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. January 17, 1975.

In notice of rule making EDR-278,<sup>1</sup> which proposed to increase the minimum rates for Military Airlift Command (MAC) foreign and overseas charter services set forth in Part 288 of the Board's Economic Regulations (14 CFR Part 288), the Board indicated that it was reexamining the economic basis of the minimum charges for transportation of Category Z individually ticketed military passengers set forth in Part 399 of its statements of general policy (14 CFR Part 399). The Board further stated that in the event its review was not completed prior to the finalization of the increased rates proposed in EDR-278, it intended to adjust the Category Z charges to the level of the one-way Category B charter rates as determined in that proceeding, in order to preserve the existing relationship between the rates until a definitive determination could be made. By ER-896, adopted contemporaneously herewith, the Board has adopted the proposed increases in the MAC foreign and overseas charter rates as modified therein. Since the Board has not as yet completed its review of the economic basis of Category Z scheduled service, consistent with the statement in EDR-278, we are herein amending § 399.16(b) to adjust the minimum charges set forth therein to the level of the Category B one-way rate adopted in ER-896. However, since it has been our policy for some time to adjust the Category Z rates consistent with changes in the one-way Category B passenger rate established in § 288.7 of Part 288, we have determined that rather than amend § 399.16(b) by establishing revised minimum charges in terms of cents per passenger-mile, we will provide instead that the minimum charges considered fair and reasonable for the transportation of Category Z individually ticketed passengers will be the same as the one-way Category B passenger rate set forth in § 288.7. In this way, we will eliminate the need for further amendments of § 399.16(b) whenever the rates in § 288.7 are adjusted.

At present, the minimum rates established in § 288.7 are subject to a sur-

<sup>1</sup> July 25, 1974 (Docket 26899).

charge based upon fuel prices which is reviewed monthly and adjusted to reflect price changes reported as of the first of each month compared to the base fuel prices reflected in the minimum rates. By tying the minimum charge for Category Z transportation directly to the one-way Category B passenger rate, the Category Z minimum will likewise fluctuate on a monthly basis. We would expect the carriers to revise their tariffs whenever the adjustments in the Category B rate result in significant changes in the Category Z fares. Should the carriers fail to adjust the fares, the Board can act to suspend the tariffs.

In view of the carriers' need for prompt rate relief, we find good cause exists to make this Statement of General Policy effective on less than thirty (30) days' notice. The carriers may file tariffs reflecting the rates established in ER-896 for effectiveness January 27, 1975, on not less than one day's notice.

For the reasons set forth in ER-896, the Civil Aeronautics Board hereby amends Part 399 of its Statements of General Policy (14 CFR Part 399), effective January 17, 1975, as follows:

Amend § 399.16(b) to read as follows:

**§ 399.16 Military Exemptions.**

(b) The minimum charges considered fair and reasonable for the transportation of Category Z individually ticketed passengers in foreign and overseas air transportation and in air transportation between the 48 contiguous States, on the one hand, and Hawaii or Alaska, on the other hand, will be the same as the Category B one-way passenger rate per mile set forth in § 288.7 of Part 288 of the Board's Economic Regulations, applied to the shortest mileage between the commercial air carrier points as shown in the current IATA mileage manual to compute point-to-point passenger fares.

(Secs. 204, 403 and 416 of the Federal Aviation Act of 1958, as amended; 72 Stats. 743, 758 and 771, as amended; 49 U.S.C. 1324, 1373 and 1396.)

By the Civil Aeronautics Board.

Effective: January 17, 1975.

Adopted: January 17, 1975.

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc.75-2027 Filed 1-21-75;8:45 am]

**Title 28—Judicial Administration  
CHAPTER I—DEPARTMENT OF JUSTICE**

[Order No. 589-75]

**PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE**

Subpart A—Organizational Structure of the Department of Justice

Subpart G-2—Office of Special Review  
Office of Special Review

This order establishes an Office of Special Review in the Department of Justice. Its function will be to serve as a special investigating unit to assist the Attorney General and the Deputy Attorney General in promoting the integ-

rity of the programs, activities, and personnel of the Department.

By virtue of the authority vested in me by 28 U.S.C. 509, 510, and 5 U.S.C. 301, Part 0 of Chapter I of Title 28, Code of Federal Regulations, is amended as follows:

§ 0.1 [Amended]

1. Section 0.1 of Subpart A is amended by adding "Office of Special Review" immediately after "Office of the Pardon Attorney".

2. The following new Subpart G-2 is added immediately after Subpart G-1:

**Subpart G-2—Office of Special Review**

§ 0.39 Organization.

The Office of Special Review shall be under the direction of a Director appointed by the Attorney General. The Director shall operate independently from other offices of the Department and shall report directly to the Attorney General and Deputy Attorney General. He shall maintain a small centralized staff, and draw on Department resources as required. All personnel in the Department of Justice assigned to work with or for the Office of Special Review in connection with any investigation shall be under the direction of the Director.

§ 0.39a Functions.

The Director shall: (a) Conduct investigations of Department personnel at the request of the Attorney General or the Deputy Attorney General concerning alleged violations of law or Department regulations or standards of conduct. The Director shall have no authority to initiate such investigations except at the request of the Attorney General or Deputy Attorney General.

(b) File with the Attorney General and Deputy Attorney General and the appropriate office, division, bureau, or board investigative reports containing facts, conclusions, and recommendations.

(c) Formulate and develop proposals concerning special investigation policies, standards, plans, programs and procedures for the Attorney General and Deputy Attorney General.

(d) Review, monitor, and evaluate the capacity and activities of internal inspection units within the Department.

(e) Receive complaints or evidence of alleged violations of law or Department regulations or standards of conduct and recommend to the Attorney General and Deputy Attorney General the initiation of investigations. However, this provision does not preempt the primary responsibility of internal inspection units of the Department to receive such complaints or evidence and to conduct investigations pursuant thereto.

§ 0.39b Relationship to internal inspection units.

(a) Internal inspection units of the Department shall provide such information and assistance as the Director may request in connection with investigations, reviews and evaluations conducted or coordinated by the Director, and shall keep the Director informed of major

investigations which they are conducting.

(b) When allegations of improper conduct are lodged against personnel within a single office, division, bureau or board, primary responsibility for initially investigating such allegations will normally be given to its head or its internal inspection unit.

Dated: January 15, 1975.

W. B. SAXBE,  
Attorney General.

[FR Doc.75-1944 Filed 1-21-75;8:45 am]

**Title 18—Conservation of Power and Water Resources**

**CHAPTER I—FEDERAL POWER COMMISSION**

**SUBCHAPTER A—GENERAL RULES**

[Docket No. RM75-2; Order No. 522]

**PART 2—GENERAL POLICY AND INTERPRETATIONS**

**SUBCHAPTER E—REGULATIONS UNDER NATURAL GAS ACT**

**PART 157—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND FOR ORDERS PERMITTING AND APPROVING ABANDONMENT UNDER SECTION 7 OF THE NATURAL GAS ACT**

**Commission Increases Cost Limitations for Budget-Type Gas-Purchase Facilities and Expands Definition of "Gas-Purchase Facilities"**

JANUARY 16, 1975.

By notice issued August 12, 1974, and published in the FEDERAL REGISTER on August 19, 1974 (39 FR 29938), as amended by notice issued September 10, 1974, and published in the FEDERAL REGISTER on September 17, 1974 (39 FR 33378), the Commission proposes to amend § 157.7 of Part 157—Applications for Certificates of Public Convenience and Necessity and for Orders Permitting and Approving Abandonment Under Section 7 of the Natural Gas Act, Subchapter E—Regulations under Natural Gas Act, and § 2.58 of Part 2—General Policy and Interpretations, Subchapter A—General Rules, Chapter I, Title 18 of the Code of Federal Regulations by revising the definition of "gas-purchase facilities" and by increasing the maximum total annual and single project cost limitations for such facilities.

Subparagraph (4) of paragraph (b) of § 157.7 currently defines gas-purchase facilities as follows:<sup>1</sup>

(4) "Gas-purchase facilities" means those facilities, subject to the jurisdiction of the Commission, necessary to connect applicant's system with the facilities of an independent producer or other similar seller authorized by this Commission to make a sale to the applicant for resale in interstate commerce.

The proposal to amend the regulation and statement of general policy was to expand the definition of gas-purchase facilities to include facilities to connect

producer facilities with the facilities of another natural gas company authorized to transport for the account of or for exchange with the applicant-company, gas purchased by the applicant-company. We noted that in recent years there has been increasing use of transportation and exchange arrangements among pipelines because of the monetary savings involved in having other companies with existing facilities nearer a particular production area transport or exchange gas and that these types of arrangements should be encouraged.

Subparagraphs (1) (i) and (ii) of paragraph (b) of § 157.7 of the regulations under Natural Gas Act and paragraphs (a) (1) and (a) (2) of § 2.58 of the Commission's general policy and interpretations currently provide that the total estimated cost of gas purchase facilities proposed in an application shall not exceed 2 percent of the applicant's gas plant account (Account 101 of the Uniform System of Accounts for Natural Gas Companies, 18 CFR, Part 201) or \$7,000,000, whichever is lesser, except that an applicant with less than \$5,000,000 in such gas plant account may have a total gas purchase budget amount of \$100,000. Further, the cost of gas purchase facilities for any single project must not exceed 25 percent of the total budget amount or \$1,000,000, whichever is lesser, except that a single offshore project is limited only to 25 percent of the total budget amount, which, based on the maximum total budget amount, would be \$1,750,000.

In order to increase the ability of pipelines to make more effective use of budget-type authorizations to attach additional gas supplies to their systems, we proposed to permit an annual total gas purchase budget amount of \$12,000,000 or 2 percent of applicant's gross gas plant, whichever is the lesser. The limitation for any single onshore project was proposed to be increased to 25 percent of the total budget amount or \$1,500,000, whichever is the lesser, with the maximum expenditure for any single offshore project limited to \$2,500,000 or the total budget amount, whichever is the lesser. It was further proposed that an applicant with less than \$5,000,000 in its gas plant account would be allowed a total annual budget amount of \$150,000. Our Order No. 395 issued February 25, 1970, in Docket No. R-373, provided for the current ceilings for gas purchase budget facilities. Inflationary pressures in the economy since that date, as evidenced by the Bureau of Labor Statistics price index, together with the increasing depths and costs of offshore pipeline construction convince us that raising the budget ceilings as proposed herein is appropriate and justified.

Sixteen responses to the notice of proposed rule-making have been received.<sup>2</sup> All respondents support the proposed rule, with six companies suggesting modifications.

<sup>1</sup> Paragraph (d) of § 2.58 of the Commission's general policy and interpretations contains a shorter, but similar definition.

<sup>2</sup> Public Service Electric and Gas Company; Montana-Dakota Utilities Co.; Pacific Gas Transmission Company; Sea Robin Pipeline

Panhandle Eastern Pipe Line Company and its affiliate, Trunkline Gas Company, request that the maximum limitation on single offshore projects should be \$3,000,000 instead of the proposed \$2,500,000. They state that Trunkline has substantial pipeline facilities in the Gulf of Mexico and indicate from their experience in offshore construction that in 1968 at depths of 100 feet, 8 miles of pipeline could be constructed for \$1,750,000 and in 1971 at the same depths 7 miles of pipeline could be constructed for the same amount. They also indicate that in 1974 at depths of 300 feet, less than 2 miles of pipeline can be constructed for \$1,750,000 and that \$2,500,000 will support construction of 3.2 miles of pipeline. Further, they state that in 1974 at depths of 300 feet, \$3,000,000 will support construction of 4.8 miles of pipeline and suggest that a \$3,000,000 limitation is more realistic than the proposed \$2,500,000. All of the other respondents appear satisfied with the \$2,500,000 limitation for single offshore projects, and we do not believe that an increase above that herein proposed should be authorized at this time. Authorization for any specific project costing in excess of \$2,500,000 can be applied for in a separate non-budget certificate application.

Kansas-Nebraska Natural Gas Company, Inc., Montana-Dakota Utilities Co., and Sea Robin Pipeline Company are medium size pipeline companies with gross plant accounts much greater than \$5,000,000, however, their total budget amounts would be limited to 2 percent of their gross plant accounts. They indicate that the 2 percent is not adequate for companies of their size. Montana-Dakota suggests that 3 percent instead of 2 percent of the gross plant should be the limit; Kansas-Nebraska suggests 4 percent or 5 percent should be the amount allowed; and Sea Robin suggests the entire elimination of the percentage ceiling for pipeline companies of its size operating strictly offshore. Sea Robin requests that all companies with gross plant accounts of more than \$5,000,000 be allowed a total budget limitation of \$12,000,000.

Reports from these three respondents received by the Commission in fiscal years 1973 and 1974 show that the actual annual budget expenditures for each was well under their authorized limitation. We do not believe that there has been shown sufficient justification to increase the 2 percent limitation. If good cause

Co.; Consolidated Gas Supply Corporation; Panhandle Eastern Pipe Line Company and Trunkline Gas Company; Natural Gas Pipeline Company of America; Tennessee Gas Pipeline Company, a Division of Tenneco, Inc.; Transcontinental Gas Pipe Line Corporation; Northern Natural Gas Company; Columbia Gulf Transmission Company and Columbia Gas Transmission Corporation; Interstate Natural Gas Association of America; El Paso Natural Company; Kansas-Nebraska Natural Gas Company, Inc.; Cities Service Gas Company; and Colorado Interstate Gas Company, a division of Colorado Interstate Corporation.

can be shown, a company can be granted a waiver of the cost limitation pursuant to § 157.7(b)(2) of the Commission's Regulations. In fact, Sea Robin was granted such waiver in Docket Nos. CP72-45 and CP73-35 and was permitted to construct in each docket a total amount of \$5,000,000; Sea Robin expended only \$1,249,112 and \$588,311 in each docket, respectively. These amounts actually spent were well within 2 percent of the amount recorded in Sea Robin's Account 101.

Montana-Dakota and Cities Service Gas Company request that the Commission expand the proposed definition of gas purchase budget facilities so that facilities constructed by a company transporting gas for or exchanging gas with the purchaser to connect the system of such company with the producer's facilities will be included. Montana-Dakota asserts that the transporters of gas usually construct wellhead and other connections and gas gathering facilities in areas remote from the systems of the gas purchaser, and Cities Service states that in all of its exchange agreements provision is made for the receiving party to install measuring facilities, taps, and side gates for the receipt of gas into its system. In our view, this suggestion to expand the proposed definition of gas-purchase facilities has merit and is more specific than our proposed definition. Accordingly, we shall revise the proposed definition to include such arrangements.

Although no respondent has complained about the proposed total budget limitation of \$150,000 for companies with gas plant accounts less than \$5,000,000, we note that the \$150,000 limitation is greater than the amount to be permitted for companies with gas plant accounts between \$5,000,000 and \$7,499,000. Such companies would be permitted total budget amounts of 2 percent of their gas plant accounts, or \$100,000 to \$149,980, whereas companies with plant accounts less than \$5,000,000 would under the proposed limitation be permitted total budget amounts of \$150,000. Upon consideration, it appears inappropriate to permit a greater total budget amount for companies with plant accounts less than \$5,000,000 than for companies with plant accounts between \$5,000,000 and \$7,499,000. Accordingly, we shall provide for a gas plant account cut-off of \$7,500,000 instead of \$5,000,000. Companies with plant accounts less than \$7,500,000 will be allowed a total budget amount of \$150,000, the same as those with \$7,500,000. This will conform with the current limitation which now permits a total budget amount of \$100,000 for companies with plant accounts less than \$5,000,000.

*The Commission finds.* (1) The notice and opportunity to participate in this proceeding through the submission in writing of data, views, comments, and suggestions in the manner described above are consistent and in accordance with the procedural requirements prescribed in 5 USC 553.

(2) The amendments hereinafter set forth are necessary and appropriate in the administration of the Natural Gas Act.

(3) Since the revisions made herein do not represent substantial departures from the amendment as proposed or impose additional burdens on persons subject to these regulations, further notice prior to adoption is unnecessary.

The Commission, acting pursuant to the authority granted by the Natural Gas Act, particularly sections 7(c), 7(d), 7(e), and 16 thereof (52 Stat. 825, as amended, 56 Stat. 83, 15 U.S.C. 717f(c); 56 Stat. 84, 15 U.S.C. 717f(d); 56 Stat. 84, 15 U.S.C. 717f(e); 52 Stat. 830, 15 U.S.C. 717o), and in accordance with 5 U.S.C. 553, orders:

(A) Section 157.7 in Part 157, Subchapter E of Chapter I, Title 18 of the Code of Federal Regulations is amended as follows:

1. Subparagraphs (b)(1)(i), (b)(1)(ii) and (b)(4) are amended to read as follows:

§ 157.7 Abbreviated applications

(b) Gas-purchase facilities—budget-type applications.

(1)(i) The total estimated cost of the gas purchase facilities proposed in the application does not exceed 2 percent of the applicant's gas plant (Account 101, Uniform System of Accounts Prescribed for Natural Gas Companies) or \$12 million, whichever is the lesser, except that an applicant with less than \$7.5 million in such gas plant account may have a total gas purchase budget amount of \$150,000.

(ii) The cost of gas-purchase facilities for any single project to be installed during the authorized construction period does not exceed 25 percent of the total budget amount or \$1.5 million, whichever is the lesser, except that a single off-shore project, including any in the disputed zone, is limited to \$2,500,000, or the total budget amount, whichever is the lesser.

(4) "Gas-purchase facilities" means those facilities, subject to the jurisdiction of the Commission, necessary to connect the facilities of an independent producer or other similar seller, authorized by this Commission to make a sale of gas to a gas purchaser for resale in interstate commerce, with the system of the gas purchaser or the system of another natural gas company authorized to transport such gas for the account of, or for the exchange of such gas with, the gas purchaser. Budget-type applications to construct and operate "gas-purchase facilities" may be filed by either or both the gas purchaser and another natural gas company authorized to transport gas for the account of, or for the exchange of gas with, the gas purchaser, depending upon which company or companies will actually construct and operate the budget facilities.

(B) Section 2.58 in Part 2, Subchapter A of Chapter I, Title 18 of the Code of Federal Regulations is amended as follows:

1. Subparagraphs (a) (1), (a) (2), and (d) are amended to read as follows:

**§ 2.58 Budget-type certificate applications gas purchase facilities.**

(a) (1) The total estimated cost of the facilities to be installed in a given 12-month period does not exceed 2 percent of the applicant company's plant account or \$12 million whichever is the lesser, except that an applicant with less than \$7.5 million in such gas plant account may have a total gas purchase budget amount of \$150,000.

(2) The total cost of any single project facilities to be installed during the authorization period does not exceed 25 percent of the total budget amount or \$1.5 million, whichever is the lesser, except that a single offshore project, including any in the disputed zone, is limited to \$2,500,000 or the total budget amount, whichever is the lesser.

(d) "Gas-purchase facilities" means those facilities, subject to the jurisdiction of the Commission, necessary to connect the facilities of an independent producer or other similar seller, authorized by this Commission to make a sale of gas to a gas purchaser for resale in interstate commerce, with the system of the gas purchaser or the system of another natural gas company authorized to transport such gas for the account of, or for the exchange of such gas with, the gas purchaser. Budget-type applications to construct and operate "gas purchase facilities" may be filed by either or both the gas purchaser and another natural gas company authorized to transport gas for the account of, or for the exchange of gas with, the gas purchaser, depending upon which company or companies will actually construct and operate the budget facilities.

(C) The amendments adopted herein shall be effective February 21, 1975.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-1968 Filed 1-21-75;8:45 am]

**Title 49—Transportation**

**SUBTITLE A—OFFICE OF THE SECRETARY OF TRANSPORTATION**

[OST Docket No. 1, Amdt. 1-103]

**PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES**

**Delegation to Federal Railroad Administrator and Assistant Secretary for Administration**

The purpose of this amendment is to delegate to the Federal Railroad Administrator and the Assistant Secretary for Administration functions vested in the Secretary by the Amtrak Improvement Act of 1974, Pub. L. 93-496. That Act amends the Rail Passenger Service Act of 1970 (45 U.S.C. 501 et seq.), the High-Speed Ground Transportation Act (49 U.S.C. 1631 et seq.), and the Depart-

ment of Transportation Act (49 U.S.C. 1651 et seq.).

Section 13 of the Amtrak Improvement Act of 1974 requires the Secretary to investigate the feasibility of a high-speed ground transportation system from Tijuana, Mexico, to Vancouver, British Columbia. Section 17 of the Act requires the Secretary to study the potential for integrating rail passenger service with other modes of transportation. Responsibility for conduct of these studies and preparation of the associated reports to the Congress and the President will be assigned by internal DOT Order 1323.2C, Coordination and Transmittal of Reports to the Congress.

Since this amendment relates to Departmental management, procedures and practices, notice and public procedure thereon are unnecessary and it may be made effective in fewer than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, Part 1 of Title 49 of the Code of Federal Regulations is amended as follows:

1. § 1.49, *Delegations to Federal Railroad Administrator*, paragraphs (b) and (l) are amended and a new paragraph (r) is added, to read as follows:

§ 1.49 *Delegations to Federal Railroad Administrator.*

(b) Carry out the Act of September 30, 1965, as amended (79 Stat. 893, 49 U.S.C. 1631 et seq.), relating generally to high speed ground transportation, except issuance of reports required by section 13(c) (49 U.S.C. 1643(c)).

(l) Carry out the functions vested in the Secretary by the Rail Passenger Service Act, except Title II, those functions relating to the Secretary's membership on the board of directors of the National Railroad Passenger Corporation, and subsection (l) (7) of section 305(d) (1) as it relates to the conduct of audits (Pub. L. 91-518; Pub. L. 93-496; 45 U.S.C. 501 et seq.).

(r) Carry out the functions vested in the Secretary by subsection 4(h) of the Department of Transportation Act (49 U.S.C. 1653(h)).

2. In § 1.60, *Delegations to Assistant Secretary for Administration*, paragraph (l) is amended to read as follows:

§ 1.60 *Delegations to Assistant Secretary for Administration.*

(1) *Audit.* (1) Carry out the functions vested in the Secretary by sections 203, as applicable (except authority to issue subpoenas), 212(b), and 402(g) (2) of the Regional Rail Reorganization Act of 1973 (Pub. L. 93-236).

(2) Carry out the functions vested in the Secretary by subsection (l) (7) of section 305(d) (1) of the Rail Passenger Service Act (45 U.S.C. 305(d) (1) (7)); section 6(i) (7) of Pub. L. 93-496 except the authority to prescribe records to be kept by recipients of financial assistance.

(Sec. 9(e), Department of Transportation Act (49 U.S.C. 1657(e)))

*Effective date.* This amendment is effective January 22, 1975.

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

CLAUDE S. BRINEGAR,  
Secretary of Transportation.  
[FR Doc.75-1996 Filed 1-21-75;8:45 am]

[OST Docket No. 1; Amdt. 1-104]

**PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES**

**Delegation to National Highway Traffic Safety Administrator**

The purpose of this amendment is to delegate to the National Highway Traffic Safety Administrator functions vested in the Secretary by the Motor Vehicle and Schoolbus Safety Amendments of 1974 (Pub. L. 93-492, October 27, 1974; 88 Stat. 1470). That Act amends the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1391 et seq.) by (1) requiring notification and remedy of motor vehicle defects or failures to comply with applicable motor vehicle safety standards, (2) prohibiting the requirement of a continuous buzzer or safety belt interlock system, and (3) requiring mandatory schoolbus safety standards. Since the National Traffic and Motor Vehicle Safety Act of 1966, as amended, has previously been delegated to the Administrator, no further delegation under this Act is necessary.

The Act also amends the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 1901 et seq.) by authorizing a special motor vehicle diagnostic inspection demonstration project.

Since this amendment relates solely to Departmental management, procedures and practices, notice and public procedure thereon are unnecessary and it may be made effective in fewer than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, § 1.51, *Delegations to National Highway Traffic Safety Administrator*, of Part 1 of Title 49 of the Code of Federal Regulations, is amended by amending paragraph (f) and adding a new paragraph (h), to read as follows:

§ 1.51 *Delegations to National Highway Traffic Safety Administrator.*

(f) Carry out the functions vested in the Secretary by the Motor Vehicle Information and Cost Savings Act of 1972, as amended (15 U.S.C. § 1901 et seq.).

(h) Carry out the functions vested in the Secretary by section 108 of the Motor Vehicle and Schoolbus Safety Amendments of 1974 (Pub. L. 93-492, October 27, 1974; 88 Stat. 1482).

*Effective date:* This amendment is effective January 22, 1975.

(Sec. 9(e), Department of Transportation Act (49 U.S.C. 1657(e).))

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

CLAUDE S. BRINEGAR,  
Secretary of Transportation.  
[FR Doc.75-1996 Filed 1-21-75;8:45 am]

**Title 40—Protection of Environment**  
**CHAPTER I—ENVIRONMENTAL**  
**PROTECTION AGENCY**  
**SUBCHAPTER C—AIR PROGRAMS**  
 [FRL 309-5]

**PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS**  
**Georgia: Approval of Compliance Schedules**

Section 110 of the Clean Air Act, as amended, and the implementing regulations of 40 CFR Part 51 require each State to submit a plan which provides for the attainment and maintenance of the national ambient air quality standards throughout the State. Each such plan is to contain legally enforceable compliance schedules setting forth the dates by which all sources must be in compliance with any applicable requirements of the plan.

On August 2, 1974, the State of Georgia submitted to EPA, pursuant to the above requirements, a number of compliance schedules. The compliance schedules were reviewed by the Agency to verify adherence to the requirements of 40 CFR Part 51 pertaining to public hearings, notice of hearings, plan revisions, and compliance schedules, as well as consistency with the control strategies of the Georgia implementation plan. The schedules which met these criteria were published in the FEDERAL REGISTER as proposed rulemaking on October 3, 1974 (39 FR 35681). Copies were made available for public inspection at the Agency's Region IV office in Atlanta, at the office of the Georgia Air Quality Control Section in Atlanta, and at the Agency's Freedom of Information Center in Washington, D.C.; all interested parties were invited to submit written comments on the proposed compliance schedules.

No comments were received from the general public or from the affected sources. The Georgia Air Quality Control Section provided information on a number of schedules which had been changed since the Administrator's proposal of October 3, 1974. Those for which final compliance dates had been extended have been deleted from the listing given below. Also, a number of minor corrections have been made in the listing.

Each of the schedules given in the table below establishes a date by which an individual air pollution source must attain compliance with the emission limitations of the State implementation plan. This date is indicated in the succeeding table under the heading "Final Compliance Date". In many cases the schedule includes incremental steps to-

ward compliance, with specific dates set for achieving those steps. While the table below does not list these interim dates, the actual compliance schedules do. The entry "Immediately" under the heading "Effective Date" means that the schedule becomes Federally enforceable immediately upon its approval by the Administrator. Copies of the schedules are available for public inspection at the following locations:

Air Programs Office  
 Environmental Protection Agency  
 1421 Peachtree Street, NE.  
 Atlanta, Georgia 30309

Air Quality Control Section  
 Environmental Protection Division  
 Department of Natural Resources  
 19 Hunter Street, SW.  
 Atlanta, Georgia 30334

Freedom of Information Center  
 Environmental Protection Agency  
 401 M Street SW.  
 Washington, D.C. 20460

An evaluation of any of the schedules can be obtained by consulting the staff of the Agency's Region IV Air Programs Office at the Atlanta address given above.

The Administrator has determined that all the schedules given here satisfy the requirements of 40 CFR Part 51 pertaining to plan revisions and compliance schedules, and that their approval will not hinder the attainment and maintenance of the national ambient air quality standards. Accordingly, they are hereby approved.

This action is effective immediately. The Administrator finds that good cause exists for making its approval action immediately effective since these schedules are already in effect under State law in the State of Georgia and the Agency's action imposes no additional regulatory burden on affected facilities.

(Sec. 110(a), Clean Air Act (42 U.S.C. 1857-c5(a)))

Dated: January 8, 1975.

JOHN QUARLES,  
 Acting Administrator.

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

**Subpart L—Georgia**

Section 52.576 is added as follows:

**§ 52.576 Compliance schedules.**

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of §§ 51.6 and 51.15 of this chapter. All regulations cited are air pollution control regulations of the State.

**GEORGIA**

Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
Duncan & Johnson Lumber Co., Inc., Conical Burner Permit No. 2421-106-1095-T.	Columbus.....	391-3-1-.02(2)(1)...	July 29, 1974	Immediately..	Sept. 16, 1974
Anderson Gin, Cotton Gin Permit No. 0724-107-1311-T.	Covington.....	391-3-1-.02(2)(q).....do.....do.....	.....do.....	.....do.....	May 15, 1974
Arlington Manufacturing Co., Cotton Gin Permit No. 0724-019-1050-T.	Arlington.....	391-3-1-.02(2)(q)..	Apr. 25, 1975	.....do.....	Aug. 15, 1974
John D. Archbold Memorial Hospital, Incinerator Permit No. 8061-136-1237-T.	Thomasville....	391-3-1-.02(2)(c)...	July 29, 1974	.....do.....	Jan. 1, 1975
Barrow & Prescott, Inc., Cotton Gin Permit No. 0724-061-783-T.	Mathews.....	391-3-1-.02(2)(q)..	Apr. 25, 1974	.....do.....	Sept. 1, 1974

## RULES AND REGULATIONS

## GEORGIA—Continued

Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
Basco Co. (Godee Gin), Cotton Gin Permit No. 0724-124-1531-T.	Sylvania.....	391-3-1-.02(2)(q)..	July 29, 1974	do.....	Aug. 15, 1974
Battle Lumber Co., Inc., Conical Burner Permit No. 2421-81-1512-T.	Wadley.....	391-3-1-.02(2)(1).....	do.....	do.....	Dec. 31, 1974
Barley Veneer & Cleat Co., Inc., Conical Burner Permit No. 2499-047-778-T.	Albany.....	391-3-1-.02(2)(1)...	Apr. 25, 1974	do.....	Jan. 18, 1974
Beadlee Lumber Co., Conical Burner Permit No. 2421-35-1510-T.	Moultrie.....	391-3-1-.02(2)(1)..	July 29, 1974	do.....	Dec. 31, 1974
LeRoy T. Bird & Son Ginnery, Cotton Gin Permit No. 0724-016-1161-T.	Portal.....	391-3-1-.02(2)(q).....	do.....	do.....	Aug. 15, 1974
Blakely Peanut Co., Conical Burner Permit No. 5159-49-1483-T.	Blakely.....	391-3-1-.02(2)(1).....	do.....	do.....	Aug. 1, 1974
Blount Asphalt Co., Inc., Hot Mix Asphalt Plant Permit No. 2951-075-1333-T.	Stockbridge.....	391-3-1-.02(2)(k).....	do.....	do.....	Sept. 30, 1974
Buford General Hospital, Incinerator Permit No. 8061-067-890-T.	Buford.....	391-3-1-.02(2)(c)..	Apr. 25, 1974	do.....	Jan. 1, 1975
Ace Post Co., Inc., Conical Burner Permit No. 2491-148-1515-T.	Waycross.....	391-3-1-.02(2)(1)...	July 29, 1974	do.....	Dec. 31, 1974
Burgin Lumber Co., Inc., Conical Burners Nos. 1, 2, 3 Permit No. 2421-120-1516-T.	Cuthbert.....	391-3-1-.02(2)(1).....	do.....	do.....	Do.
Burt Lumber Co., Conical Burner Permit No. 2421-157-1496-T.	Washington.....	391-3-1-.02(2)(1).....	do.....	do.....	Do.
Button Gwinett Hospital Incinerator Permit No. 8061-067-889-T.	Lawrencevilla...	391-3-1-.02(2)(e)...	Apr. 25, 1974	do.....	Jan. 1, 1975
Carroll Inc., Soybean Truck and Railroad Unloading Permit No. 2075-069-990-T.	Gainesville.....	391-3-1-.02(2)(N).....	do.....	do.....	Mar. 1, 1975
Casey Bros., Cotton Gin Permit No. 0724-057-760-T.	Cave Springs....	391-3-1-.02(2)(q).....	do.....	do.....	Aug. 15, 1974
Clarkes Block Co., Concrete Block Facility Permit No. 3271-025-1250-T.	Savannah.....	391-3-1-.02(2)(N)..	July 29, 1974	do.....	Sept. 15, 1974
Cobb Memorial Hospital, Incinerator Permit No. 8061-059-1170-T.	Royston.....	391-3-1-.02(2)(c).....	do.....	do.....	July 1, 1975
Coleman Gin, Cotton Gin Permit No. 0724-053-855-T.	Swainsboro.....	391-3-1-.02(2)(q)..	Apr. 25, 1974	do.....	Aug. 15, 1974
Coley's Gin and Fertilizer Co., Cotton Gin Permit No. 0724-046-832-T.	Vienna.....	391-3-1-.02(2)(q).....	do.....	do.....	Do.
Columbian Peanut Co., Conical Burner Permit No. 5159-120-1485-T.	Shellman.....	391-3-1-.02(2)(1)..	July 29, 1974	do.....	Aug. 1, 1974
Columbian Peanut Co., Conical Burner Permit No. 5159-101-1484-T.	Pelham.....	391-3-1-.02(2)(1).....	do.....	do.....	Do.
Columbian Peanut Co., Peanut Shelling and Cleaning Permit No. 5159-30-1482-T.	Fort Gaines.....	391-3-1-.02(2)(1).....	do.....	do.....	Do.
Comer Gin Co. (Madison County Gin), Cotton Gin Permit No. 0724-095-1542-T.	Danielsville....	391-3-1-.02(2)(q).....	do.....	do.....	Aug. 15, 1974
Connor Bros. Lumber Co., Conical Burner Permit No. 2421-187-1509-T.	Tifton.....	391-3-1-.02(2)(1).....	do.....	do.....	Dec. 15, 1974
Container Corp. of America, Conical Burner Permit No. 2421-134-1506-T.	McRae.....	391-3-1-.02(2)(1).....	do.....	do.....	Dec. 31, 1974
Control Packaging Corp., Fuller's Earth Processing Facility Permit no. 3295-136-1188-T.	Ochlocknee.....	391-3-1-.02(2)(N) (p).....	do.....	do.....	June 15, 1974
Desoto Gin & Peanut Co., Cotton Gin Permit No. 0724-129-769-T.	DeSoto.....	391-3-1-.02(2)(q)..	Apr. 25, 1974	do.....	Sept. 1, 1974
Diamond Shamrock Chemical Co., NOPCO Division: Hydrated Silicon Dioxide Drying Permit No. 2841-115-1453-T.	Cedartown.....	391-3-1-.02(2)(e)..	July 29, 1974	do.....	Dec. 1, 1974
Sulfonated Naphthalene Spray Drying Permit No. 2841-115-1451-T.	do.....	391-3-1-.02(2)(e).....	do.....	do.....	May 1, 1975

RULES AND REGULATIONS

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GEORGIA—Continued

Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
Sodium or Potassium Stearate Soap Manufacturing Permit No. 2841-115-1450-T.	do	391-3-1-.02(2)(e)	do	do	Feb. 1, 1975
Metallic Soap Drying Permit No. 2841-115-1449-T.	do	391-3-1-.02(2)(e)	do	do	July 1, 1975
Dooly Medical Center, Incinerator Permit No. 8061-046-1286-T.	Vienna	391-3-1-.02(2)(c)	do	do	Nov. 1, 1974
Dunn's Cotton Gin, Cotton Gin Permit No. 0724-120-846-T.	Shellman	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
Farmers Gin Co., Cotton Gin Permit No. 0724-019-1534-T.	Edison	391-3-1-.02(2)(q)	July 29, 1974	do	Do.
Farmers Gin Co., Cotton Gin Permit No. 0724-088-903-T.	Smithville	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Sept. 1, 1974
Farmers Gin & Storage Co., Inc., Cotton Gin Permit No. 0724-081-1192-T.	Wadley	391-3-1-.02(2)(q)	July 29, 1974	do	Aug. 15, 1974
Farmers Mill & Elevator Co., Inc., Cotton Gin Permit No. 0724-087-1268-T.	Dexter	391-3-1-.02(2)(q)	July 29, 1974	do	Do.
Funston Gin Co., Inc., Cotton Gin Permit No. 0724-035-1198-T.	Funston	391-3-1-.02(2)(q)	do	do	Do.
Sam Finley, Inc., Hot Mix Asphalt Plant Permit No. 2951-025-1047-T.	Savannah	391-3-1-.02(2)(k)	Apr. 25, 1974	do	Do.
Fitzgerald Oil & Fertilizer Co., Cotton Gin Permit No. 0724-039-1160-T.	Fitzgerald	391-3-1-.02(2)(q)	July 29, 1974	do	Do.
Georgia Pacific Corp., Plaster and Gypsum Wallboard Plant Permit No. 3275-063-1426-T.	Brunswick	391-3-1-.02(2)(e)	do	do	May 1, 1975
Glennville Wood Preserving Co., Inc., Wood-fired Boiler Permit No. 2491-132-1104-T.	Glennville	391-3-1-.02(2)(d)	do	do	Aug. 15, 1974
Griffin-Spalding County Hospital, Incinerator Permit No. 8061-126-1010-T.	Griffin	391-3-1-.02(2)(c)	do	do	July 15, 1974
Cecil Hodges Lumber Co., Conical Burner Permit No. 2421-150-1498-T.	Sandersville	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
John L. Lutchenson Memorial Tri County Hospital, Incinerator Permit No. 8061-023-930-T.	Fort Oglethorpe	391-3-1-.02(2)(c)	Apr. 25, 1974	do	July 1, 1975
IMC Corp., Granular Fertilizer Manufacturing Plant Permit No. 2871-121-1347-T.	Augusta	391-3-1-.02(2)(N)	July 29, 1974	do	Dec. 31, 1974
IMC Corp., Superphosphate and Granular Fertilizer Manufacturing Plant Permit No. 2871-129-1337-T.	Americus	391-3-1-.02(2)(N)	do	do	Do.
Horace Jackson Lumber Co., Inc., Conical Burner Permit No. 2421-150-1497-T.	Sandersville	391-3-1-.02(2)(l)	do	do	Do.
Jenkins County Gin Co., Inc., Cotton Gin Permit No. 0724-082-998-T.	Millen	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
Johnson Concrete Co., Ready-Mix Concrete Plant Permit No. 3273-126-706-T.	Griffin	391-3-1-.02(2)(N)	do	do	Jan. 4, 1974
Keadle Bros. Lumber Co., Conical Burner Permit No. 2421-101-1494-T.	Camilla	391-3-1-.02(2)(l)	July 29, 1974	do	Dec. 31, 1974
Kennestone Hospital, Incinerator Permit No. 8061-033-1179-T.	Marietta	391-3-1-.02(2)(c)	do	do	July 15, 1974
Knight Bros. Lumber Co., Inc., Conical Burner Permit No. 2421-143-1614-T.	Jeffersonville	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
Lamb Bros. Lumber Co., Inc., Conical Burner Permit No. 2421-81-1492-T.	Wrens	391-3-1-.02(2)(l)	do	do	Do.
Leslie Peanut & Gin Co., Inc., Cotton Gin Permit No. 0724-129-1232-T.	Leslie	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
Leonard N. Lokey Manufacturing Co., Conical Burner Permit No. 2499-097-688-T.	Thomson	391-3-1-.02(2)(l)	Apr. 25, 1974	do	Apr. 12, 1974
Louisville Fertilizer & Gin Co., Cotton Gin Permit No. 0724-081-814-T.	Louisville	391-3-1-.02(2)(q)	do	do	Sept. 1, 1974
McAvoy Wood Products Co., Inc., Conical Burner Permit No. 2511-157-1501-T.	Washington	391-3-1-.02(2)(l)	July 29, 1974	do	Dec. 31, 1974
McCay Gin & Warehouse, Cotton Gin Permit No. 0724-040-777-T.	Cordele	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Sept. 1, 1974
McGarly & Welch Gin Co., Cotton Gin Permit No. 0724-075-758-T.	McDonough	391-3-1-.02(2)(q)	do	do	Oct. 1, 1974
Macon County Gin Co., Inc., Cotton Gin Permit No. 0724-046-1042-T.	Byromville	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
Macon County Gin Co., Inc., Cotton Gin Permit No. 0724-094-841-T.	Montezuma	391-3-1-.02(2)(q)	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
Cliff Martin Gln Co., Inc., Cotton Gln Permit No. 0724-081-1275-T.	Wrens.....	391-3-1-.02(2)(q)	July 29, 1974	do	Do.
Meadows & Thomas, Inc., Cotton Gln Permit No. 0724-138-1243-T.	Lyons.....	391-3-1-.02(2)(q)	do	do	Do.
Millen Fertilizer Co. (Millen Gln), Cotton Gln Permit No. 0724-082-1194-T.	Millen.....	391-3-1-.02(2)(q)	do	do	Do.
Mobley Lumber Co., Inc., Conical Burner Permit No. 2421-124-1493-T.	Sylvania.....	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
Monroe County Hospital, Inclinerator Permit No. 8061-102-1165-T.	Forsyth.....	391-3-1-.02(2)(c)	do	do	June 21, 1975
Hubert Moore Lumber Co., Open Burning Permit No. 2421-010-1001-T.	Alapaha.....	391-3-1-.02(5)(a)	Apr. 25, 1974	do	Jan. 1, 1975
Pelham Phosphate Co.: Ammonium Thiosulfate Plant Permit No. 2871-101-1401-T.	Pelham.....	391-3-1-.02(2)-(N)(R).	July 29, 1974	do	June 15, 1974
Superphosphate Plant Permit No. 2871-101-1400-T.	do	391-3-1-.02(2)(N)(R)	do	do	Do.
Granular Fertilizer Plant Permit No. 2871-101-1399-T.	do	391-3-1-.02(2)(N)(R).	do	do	June 15, 1975
Plains Cotton Warehouse, Peanut Shelling and Cleaning Permit No. 5159-129-1487-T.	Plains.....	391-3-1-.02(2)(N)	do	do	Aug. 1, 1974
Planters Product Co., Conical Burner Permit No. 5159-125-1490-T.	Donalsonville...	391-3-1-.02(2)(l)	do	do	Do.
Producers Gln Co., Cotton Gln Permit No. 0724-046-1183-T.	Pinehurst.....	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
Producers Gln Service, Cotton Gln Permit No. 0724-150-1181-T.	Harrison.....	391-3-1-.02(2)(q)	do	do	Do.
Pulliam Lumber Co., Conical Burner Permit No. 2421-02-1508-T.	Mitchell.....	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
Riddle & Slack Lumber Co., Conical Burner Permit No. 2421-137-1517-T.	Tifton.....	391-3-1-.02(2)(l)	do	do	Do.
J. M. Rowland Gln, Cotton Gln Permit No. 0724-017-837-T.	Midville.....	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
St. Joseph Hospital, Inclinerator Permit No. 8061-121-1408-T.	Augusta.....	391-3-1-.02(2)(c)	July 29, 1974	do	Oct. 20, 1974
Sasser Gln Co., Cotton Gln Permit No. 0724-135-922-T.	Sasser.....	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
Shingler Farm Service, Inc., Cotton Gln Permit No. 0724-159-1281-T.	Poulan.....	391-3-1-.02(2)(q)	July 29, 1974	do	Do.
H. E. Sims Lumber Co., Inc., Conical Burner Permit No. 2421-141-1511-T.	LaGrange.....	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
C. H. Simmons Warehouse, Cotton Gln Permit No. 0724-133-1175-T.	Reynolds.....	391-3-1-.02(2)(q)	do	do	Aug. 15, 1974
The Slinger Co., Peanut Shelling and Cleaning Permit No. 5159-129-1486-T.	Lumpkin.....	391-3-1-.02(2)(N)	do	do	Aug. 1, 1974
Smith Gln Co., Cotton Gln Permit No. 0724-008-1029-T.	Adairsville.....	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
Smith Setzer & Sons of Georgia, Inc., Cement Storage Silos and Concrete Mixer Equipment Permit No. 3272-106-909-T.	Watkinsville...	391-3-1-.02(2)(N)	do	do	Apr. 1, 1974
Murph Gln & Warehouse, Cotton Gln Permit No. 0724-094-1533-T.	Marshallville...	391-3-1-.02(2)(q)	July 29, 1974	do	Aug. 15, 1974
Musella Gln & Cotton Co., Cotton Gln Permit No. 0724-039-1201-T.	Musella.....	391-3-1-.02(2)(q)	do	do	Do.
Myers Hardwood Co., Conical Burner Permit No. 2448-184-1507-T.	Lumber City...	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
National Gypsum Co., Plaster and Gypsum Wallboard Plant Permit No. 3275-025-1315-T.	Garden City...	391-3-1-.02(2)(e)	do	do	July 1, 1975
National Homes Manufacturing Co., Conical Burner Permit No. 2451-97-1502-T.	Thomson.....	391-3-1-.02(2)(l)	do	do	Dec. 31, 1974
Roy V. Noble Co., Cotton Gln Permit No. 0724-046-822-T.	Pinehurst.....	391-3-1-.02(2)(q)	Apr. 25, 1974	do	Aug. 15, 1974
Roy V. Noble Co., Cotton Gln Permit No. 0724-046-821-T.	Vienna.....	391-3-1-.02(2)(q)	do	do	Do.
Nu-Knox, Inc., Conical Burner Permit No. 2421-97-1500-T.	Thomson.....	391-3-1-.02(2)(l)	July 29, 1974	do	Dec. 31, 1974
Peach County Hospital, Inclinerator Permit No. 8061-111-1167-T.	Fort Valley...	391-3-1-.02(2)(c)	July 29, 1974	do	July 1, 1974
Southeastern Brick Co., Brick Production Permit No. 3271-148-1238-T.	Waycross.....	391-3-1-.02(2)(N)	do	do	Sept. 30, 1974



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Source	Location	Regulation involved	Date of adoption	Effective	Final compliance date
Southern States Phosphate & Fertilizer, Granular Fertilizer Manufacturing Plant and Normal Superphosphate Manufacturing Plant Permit No. 2871-025-1445-T.	Savannah.....	391-3-1-.02(2)(N)	.....do.....	do.....	Dec. 31, 197
Stapleton Gin Co., Cotton Gin Permit No. 0724-061-762-T.	Stapleton.....	391-3-1-.02(2)(q)	Apr. 25, 1974	.....do.....	Aug. 15, 1974
Sumner Construction Corp., Hot Mix Asphalt Plant Permit No. 2951-137-1041-T.	Tifton.....	391-3-1-.02(2)(k)	.....do.....	do.....	Do.
Swift Fertilizer, Granular Fertilizer Plant Permit No. 2871-047-1330-T.	Albany.....	391-3-1-.02(2)(N)	July 29, 1974	.....do.....	Dec. 31, 1974
Swift Chemical Co., Savannah Superphosphate and Granular Fertilizer Manufacturing Plant Permit No. 2871-025-1332-T.	Savannah.....	391-3-1-.02(2)(N)	.....do.....	do.....	Do.
Temple Gin Co., Cotton Gin Permit No. 0724-073-1185-T.	Hartwell.....	391-3-1-.02(2)(c)	.....do.....	do.....	Aug. 15, 1974
Tom's Foods, Ltd., Boiler Permit No. 2065-106-1346-T.	Columbus.....	391-3-1-.02(2)(d)	.....do.....	do.....	June 30, 1975
J. A. Thomas Gin, Cotton Gin Permit No. 0724-108-1182-T.	Farmington.....	391-3-1-.02(2)(q)	.....do.....	do.....	Aug. 15, 1974
Town Creek Feed Mill, Feed Mill Permit No. 2048-028-1479-T.	Canton.....	391-3-1-.02(2)(N)	.....do.....	do.....	Jan. 31, 1975
Tom's Foods, Ltd., Bulk Sugar Railroad Car Unloading Permit No. 2065-106-1345-T.	Columbus.....	391-3-1-.02(2)(N)	.....do.....	do.....	Dec. 1, 1974
H. V. & T. G. Thompson Lumber Co., Inc., Conical Burner Permit No. 2421-103-1495-T.	Ailey.....	391-3-1-.02(2)(l)	.....do.....	do.....	Dec. 31, 1974
Trappnell Gin Co., Cotton Gin Permit No. 0724-021-1162-T.	Metter.....	391-3-1-.02(2)(q)	.....do.....	do.....	Aug. 15, 1974
Tugaio Construction Co., Inc., Hot Mix Asphalt Plant Permit No. 2951-127-1012-T.	Toocoo.....	391-3-1-.02(2)(k)	Apr. 25, 1974	.....do.....	Do.
Turner County Hospital, Incinerator Permit No. 8061-142-873-T.	Ashburn.....	391-3-1-.02(2)(c)	.....do.....	do.....	Jan. 1, 1975
Twiggs Gin Co., Inc., Cotton Gin Permit No. 0724-143-874-T.	Jeffersonville.....	391-3-1-.02(2)(q)	.....do.....	do.....	Aug. 15, 1974
USS Agri-Chemicals, Division of U.S. Steel Corp., Granular and Superphosphate Fertilizer Manufacturing Plant Permit No. 2871-106-1317-T.	Columbus.....	391-3-1-.02(2)(N)	July 29, 1974	.....do.....	Dec. 31, 1974
N. A. West Block Co., Inc., Cement Silo and Boiler Permit No. 3271-061-876-T.	East Ellijay.....	391-3-1-.02(2)(N)	Apr. 25, 1974	.....do.....	June 30, 1974
Pearson Mills, Conical Burner Permit No. 2421-111-907-T.	Fort Valley.....	391-3-1-.02(2)(l)	.....do.....	do.....	Apr. 30, 1974

[FR Doc.75-1867 Filed 1-21-75;8:45 am]

[FRL 309-6]

**PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS**

**Kentucky: Approval of Compliance Schedules**

Section 110 of the Clean Air Act, as amended, and the implementing regulations of 40 CFR Part 51 require each State to submit a plan which provides for the attainment and maintenance of the national ambient air quality standards throughout the State. Each such plan is to contain legally enforceable compliance schedules setting forth the dates by which all sources must be in compliance with any applicable requirements of the plan.

On March 19, 1974 (39 FR 10277), the Administrator announced that the Kentucky implementation plan had been resubmitted for the Agency's approval on December 5, 1973, following a decision of the U.S. Court of Appeals for the Sixth Circuit vacating the Administrator's original approval (37 FR 10842). Included as part of the resubmitted plan

were a number of compliance schedules. On August 15 (39 FR 29357) the Administrator approved the Kentucky plan, noting that his earlier disapproval (38 FR 16144) of its compliance schedule portion would remain in effect until all the requirements of 40 CFR Part 51 pertaining to compliance schedules had been satisfied.

The compliance schedules submitted by Kentucky with its resubmitted plan were reviewed by the Agency to verify adherence to the requirements of 40 CFR Part 51 pertaining to public hearings, notice of hearings, plan revisions, and compliance schedules, as well as consistency with the control strategies of the Kentucky implementation plan. The schedules which met these criteria were published in the FEDERAL REGISTER as proposed rulemaking on August 27, 1974 (39 FR 30942). Copies were made available for public inspection at the Agency's Region IV office in Atlanta; at the office of the Kentucky Division of Air Pollution Control in Frankfort; and at the Agency's Freedom of Information Center

in Washington, D.C.; all interested parties were invited to submit written comments on the proposed compliance schedules.

No comments were received from the general public or from the affected sources. The Kentucky Department for Natural Resources and Environmental Protection and the Jefferson County Air Pollution Control District provided information on a number of schedules which had been changed since the Administrator's proposal of August 27, 1974. Those for which final compliance dates had been extended have been deleted from the listing given below. Also, a number of minor corrections have been made in the listing.

Each of the schedules given in the table below establishes a date by which an individual air pollution source must attain compliance with the emission limitations of the State implementation plan. This date is indicated in the succeeding table under the heading "Final Compliance Date." In many cases the schedule includes incremental steps toward compliance, with specific dates set for achieving those steps. While the table below does not list these interim dates, the actual compliance schedules do. The entry "Immediately" under the heading "Effective Date" means that the schedule becomes Federally enforceable immediately upon its approval by the Administrator. Copies of the schedules are available for public inspection at the following locations:

Air Programs Office  
Environmental Protection Agency  
1421 Peachtree Street, NE.  
Atlanta, Georgia 30309

Division of Air Pollution  
Kentucky Department for Natural Resources and Environmental Protection  
311 E. Main Street  
Frankfort, Kentucky 40601

Freedom of Information Center  
Environmental Protection Agency  
401 M Street, SW.  
Washington, D.C. 20460

Also, the Jefferson County schedules may be examined at the office of Air Pollution Control District of Jefferson County, 400 Reynolds Building, 2500 S. Third Street, Louisville, Kentucky 40208.

An evaluation of any of the schedules can be obtained by consulting the staff of the Agency's Region IV Air Programs Office at the Atlanta address given above.

The Administrator has determined that all the schedules given here satisfy the requirements of 40 CFR Part 51 pertaining to plan revisions and compliance schedules, and that their approval will not hinder the attainment and maintenance of the national ambient air quality standards. Accordingly, they are hereby approved.

This action is effective immediately. The Administrator finds that good cause exists for making this approval action immediately effective since these schedules are already in effect under State and

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local law in the Commonwealth of Kentucky and the Agency's action imposes no additional regulatory burden on affected facilities.

(Sec. 110(a), Clean Air Act (42 U.S.C. 1857c-5(a)))

Dated: January 8, 1975.

**JOHN QUARLES,**  
*Acting Administrator.*

Part 52 of Chapter 1, Title 40, Code of Federal Regulations, is amended as follows:

**Subpart S—Kentucky**

Section 52.927 is amended by adding paragraph (c) as follows:

**§ 52.927 Compliance schedules.**

(c) The compliance schedules for the sources identified below are approved as meeting the requirements of §§ 51.6 and 51.15 of this chapter. All regulations cited are air pollution control regulations of the State, except in the case of Jefferson County schedules, for which the regulations cited are those of the local air pollution control agency.

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>JEFFERSON COUNTY*</b>				
Brown & Williamson Tobacco Corp.: Tobacco manufacturing equipment.	3.2.1	Feb. 6, 1973	Immediately	July 25, 1973
Celanese Coating Co., Jones Dabney Division: Paint manufacturing equipment.	5.0	do	do	Apr. 19, 1975
E. I. Dupont de Nemours & Co.: Boilers and process	5.5	do	do	Do.
	3.1.1	Feb. 12, 1973	do	Apr. 1, 1975
	3.1.3	do	do	Do.
	4.0.1, 3.2	do	do	Do.
	5.0, 5.5	do	do	Do.
Ford Motor Co., Louisville Assembly Plant:				
Coal-fired boilers	3.1, 3.1.3	Feb. 12, 1973	do	Apr. 19, 1975
Paint spray booths	4.0, 5.5.2	do	do	Do.
Paint bake ovens	5.5.1	do	do	Do.
General Electric Co.:				
Coal-fired boilers	3.1, 3.1.3	do	do	Aug. 31, 1974
Zinc melting furnace	3.0, 3.2	do	do	Do.
Incinerator	4.0, 5.5	do	do	Do.
B. F. Goodrich Chemical Co.:				
Coal-fired boilers	3.1	Feb. 12, 1973	do	Apr. 19, 1975
Process operations	4.0	do	do	Do.
	3.2	do	do	Do.
	5.0	do	do	Do.
Louisville Refinery, Ashland Oil, Inc.; Hydrocarbon storage and refining.	5.0, 5.1	do	do	Mar. 15, 1975
	5.2, 5.3	do	do	Do.
	5.4, 5.5	do	do	Do.
Ralston Purina soybean plant; grain handling	3.2	do	do	Jan. 15, 1974
Robm and Hass Kentucky, Inc.: Coal-fired boilers	3.1	do	do	Apr. 19, 1975
	4.0	do	do	Do.
	3.2	do	do	Do.
Standard Oil Co.: Storage and loading of hydrocarbons.	5.0	do	do	Nov. 30, 1974
Sun Oil Co.: Gasoline storage loading rack	5.1.1	do	do	Apr. 10, 1975
	5.0.1	do	do	Do.
Henry Vogt Machine Co. boiler plant: Coal fired boilers	3.1	Mar. 12, 1974	do	Sept. 17, 1974
	4.0	do	do	Do.
	3.2	Feb. 12, 1973	do	Jan. 31, 1974
Anaconda Aluminum Co., Robards Lane plant, Aluminum container manufacturing.	5.5	do	do	Do.
Anaconda Aluminum Co., 1430 South 13th St.: Aluminum foil rolling.	5.5	do	do	Apr. 19, 1975
Anaconda Aluminum Co., 1225 West Burnett St.: Aluminum foil coating.	5.0.1	do	do	Jan. 31, 1975
Atlantic Richfield Products: Gasoline storage tanks	5.1.1	do	do	Apr. 15, 1975
Office of the Mayor, City Hall, Louisville, Ky.: Incinerator.	3.0.1	do	do	Apr. 19, 1975
Fawcett Printing Corp.: Printing process	5.5.1	do	do	Apr. 19, 1975
	5.5.2	do	do	Do.
	5.5.3	do	do	Do.
Gulf Oil Co.: Gasoline storage	5.0	do	do	Do.
	5.1	do	do	Do.
Reliance Universal, Inc.: Paint manufacturing	3.2	do	do	Do.
	5.5	do	do	Do.
H. J. Scheirich Co.:				
Paint spray	5.5.2	do	do	Do.
Wood-fired boilers	3.1	do	do	Do.
Naval Ordnance Station:				
Metal pickling	3.2	do	do	Apr. 19, 1975
Metal cleaning	5.5	do	do	Do.
Metal polishing				
Metal painting				
Wood Mosaic: Wood veneering	3.2	Mar. 12, 1973	Immediately	Jan. 1, 1975
Blue Grass Cooperage: Woodworking	3.2.2	Mar. 14, 1973	do	Apr. 19, 1975
Diamond-Kosmos, Cement Division: Portland cement	3.2.1.1	Mar. 14, 1975	do	Do.
Gambie Brothers, Inc.: Woodworking	3.2.2	Mar. 14, 1973	do	July 16, 1973
International Harvester:				
Induction furnace	3.2.2	do	do	Dec. 31, 1974
Machine shop	3.2.2	do	do	Do.
Porter Paint Co.: Paint manufacturing	3.2.2	do	do	Mar. 30, 1975
	5.5.2	do	do	Do.
Alreo Carbide Division:				
Carbide furnace	3.2	May 9, 1973	do	Feb. 28, 1975
Dry acetylene generator	3.3	do	do	Do.

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Source	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>JEFFERSON COUNTY—Continued</b>				
Louisville Medical Center: Boiler plant.....	3.1	do	do	Dec. 1, 1974
	4.0	do	do	Do.
Louisville and Nashville railroad repair shops.....	3.2	do	do	Apr. 1, 1975
	3.3	do	do	Do.
	5.5	do	do	Do.
Central Hospital; Powerplant.....	3.1	June 20, 1973	do	Jan. 31, 1975
	4.0	do	do	Do.
Hazelwood Hospital; Powerplant.....	3.1	do	do	Do.
	4.0	do	do	Do.
B. F. Goodrich Chemical Co.; Three coal-fired boilers..	3.1.1	July 11, 1975	do	Apr. 19, 1975
	3.1.3	do	do	Do.
Brown-Forman Distillers Corp.; Boiler.....	3.1, 5.5	Aug. 8, 1973	do	Apr. 19, 1975
	4.0, 7.0	do	do	Do.
Texaco, Inc.; Storage tanks.....	5.0.2	Mar. 12, 1973	do	Jan. 31, 1974
<b>ADAIR COUNTY</b>				
Gibson Lumber Co.:				
Sawdust.....	AP-3	Aug. 7, 1973	Immediately..	Oct. 17, 1973
Haul road.....	AP-3	do	do	Do.
Chipper.....	AP-3	do	do	Do.
Debarker.....	AP-3	do	do	Do.
City Supply Co.: Cement silo.....	AP-3	Oct. 1, 1973	do	May 30, 1974
Morrison Lumber Co.:				
Sawdust blower.....	AP-3	Oct. 4, 1973	do	Jan. 1, 1974
Workyard.....	AP-3	do	do	Sept. 18, 1973
Barnes Milling Co.:				
Receiving area.....	AP-3	June 15, 1973	do	Apr. 1, 1974
Cyclone separator and bulk loadout.....	AP-3	do	do	Do.
Day and Day feed mill: Cyclone dust collector.....	AP-3	June 13, 1973	do	Dec. 21, 1973
M. & W. Milling Co.: Cyclone dust collector.....	AP-3	do	do	Oct. 30, 1973
Neal Lumber Co.:				
Sawmill.....	AP-3	Sept. 28, 1973	do	Oct. 1, 1973
Workyard.....	AP-3	do	do	Sept. 1, 1973
<b>ALLEN COUNTY</b>				
Scottsville Ready Mix:				
Cement silo.....	AP-3	July 2, 1973	Immediately..	Sept. 1, 1973
Stone bin.....	AP-3	do	do	Aug. 6, 1973
Batcher.....	AP-3	do	do	Do.
<b>ANDERSON COUNTY</b>				
Austin, Nichols Distilling Co., Inc.:				
Drying of stillage.....	AP-3	June 15, 1973	Immediately..	Dec. 31, 1974
Grain mill.....	AP-3	do	do	Do.
Hoffman Distilling Co.: Indirect heat exchange.....	AP-3	do	do	June 1, 1974
<b>BALLARD COUNTY</b>				
Sippi Product Co.:				
Kilns.....	AP-9	Oct. 26, 1973	Immediately..	Jan. 15, 1975
Mixer vent.....	AP-3	do	do	Jan. 15, 1974
<b>BARREN COUNTY</b>				
Supreme Mills, Inc.:				
Pellet cooler.....	AP-3	Oct. 3, 1973	Immediately..	April 1, 1974
Grain cleaner.....	AP-3	do	do	Do.
Monroe Bros. Feed Mill: Cyclone ext.....	AP-3	July 10, 1973	do	Aug. 1, 1974
<b>BELL COUNTY</b>				
Cumberland Gap Corp.:				
Debarker.....	AP-3	May 29, 1973	Immediately..	Jan. 1, 1974
Cyclone #2.....	AP-3	do	do	Do.
Cyclone #3.....	AP-3	do	do	Do.
Cyclone at railroad car.....	AP-3	do	do	Do.
Vibrator screen.....	AP-3	do	do	Do.
Haul roads.....	AP-3	do	do	May 1, 1974
Arthur Asher Co.:				
Burning of sawdust.....	AP-3	Sept. 28, 1973	do	Do.
Log and lumber yards.....	AP-3	do	do	Aug. 1, 1973
Bell Concrete Industries:				
Storage bin.....	AP-3	July 2, 1973	do	Oct. 1, 1973
Stock pile.....	AP-3	do	do	Do.
Batch hopper.....	AP-3	do	do	Do.
Truck loading.....	AP-3	do	do	Do.
Cement silo.....	AP-3	do	do	Do.
Haul roads.....	AP-3	do	do	April 6, 1973
Tenn-Flake of Middlesboro:				
Boiler.....	AP-3	June 15, 1973	do	Nov. 15, 1973
High press system.....	AP-3	do	do	Dec. 1, 1973
Unloading station.....	AP-3	do	do	Jan. 15, 1974
Cone and face dryers.....	AP-3	do	do	April 1, 1974
Yard area.....	AP-3	do	do	May 31, 1973
Transfer tower enc.....	AP-3	do	do	Aug. 30, 1973
Fuel bin cyclone.....	AP-3	do	do	Oct. 15, 1973

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>BOONE COUNTY</b>					
American Sign & Advertising Service, Inc.:					
Degreaser.....		AP-5	Sept. 28, 1973	Immediately..	April 1, 1974
Paint booths.....		AP-5	.....do.....	.....do.....	June 1, 1974
Bi-Coun Farm Bureau: Cyclone collector ty		AP-3	Oct. 3, 1973	.....do.....	Mar. 15, 1974
<b>BOURBON COUNTY</b>					
Department of Health, Division of Tuberculosis, Control District #3 Tuberculosis hospital:					
Inclinator.....		AP-3	Aug. 6, 1973	Immediately..	Sept. 1, 1974
Coal-fired boilers.....		AP-3	.....do.....	.....do.....	Mar. 1, 1975
<b>BOYD COUNTY</b>					
Herne Block & Building Supply Co., Inc.: Cement silo vent.					
		AP-3	Oct. 2, 1973	Immediately..	Dec. 1, 1973
Middles States Building Supplies Co.:					
Aggregate piles.....		AP-3	June 8, 1973	.....do.....	Aug. 1, 1973
Batching plant.....		AP-3	.....do.....	.....do.....	Do.
Cement bin.....		AP-3	.....do.....	.....do.....	Do.
<b>BOYLE COUNTY</b>					
Concrete Materials Corp. Re: Danville facility cement silo stack.					
		AP-3	Aug. 6, 1973	Immediately..	Nov. 1, 1973
Boyle Block Co.: Cement storage bin.....					
		AP-3	Oct. 1, 1973	.....do.....	Dec. 31, 1973
Genesco, Inc.:					
Dye spray.....		AP-3	Oct. 4, 1973	.....do.....	Mar. 1, 1974
Vinyl sawing.....		AP-3	.....do.....	.....do.....	Do.
Sole trimmer.....		AP-3	.....do.....	.....do.....	Do.
<b>BREATHITT COUNTY</b>					
Breathitt County Coal Corp.:					
Haul road.....		AP-3	Oct. 1, 1973	Immediately..	Dec. 31, 1973
Truck dump.....		AP-3	.....do.....	.....do.....	Do.
Crusher.....		AP-3	.....do.....	.....do.....	Do.
Stockpile.....		AP-3	.....do.....	.....do.....	Do.
Big Sandy Ready Mix Concrete, Inc.:					
Cement silo vent.....		AP-3	June 12, 1973	.....do.....	Do.
Cement weigh hopper.....		AP-3	.....do.....	.....do.....	Do.
Truck loading.....		AP-3	.....do.....	.....do.....	Do.
Haul roads.....		AP-3	.....do.....	.....do.....	Do.
<b>BRECKINRIDGE COUNTY</b>					
Community Milling Co.:					
Dump area.....		AP-3	June 12, 1973	Immediately..	Jan. 15, 1974
Cyclone exit.....		AP-3	.....do.....	.....do.....	Do.
<b>BULLITT COUNTY</b>					
M. E. Washington Ready-Mix Concrete:					
Cement silo.....		AP-3	Oct. 3, 1973	Immediately..	May 3, 1974
Truck loading hopper.....		AP-3	.....do.....	.....do.....	Do.
Cyclone Store: Cement silo vent.....		AP-3	June 15, 1973	.....do.....	May 20, 1973
<b>BUTLER COUNTY</b>					
Morgantown feed mill: Grain dryer and cyclone exit....					
		AP-3	July 25, 1973	Immediately..	Oct. 30, 1973
<b>CALDWELL COUNTY</b>					
Princeton Mills, Inc.:					
Unloading and loading points.....		AP-3	June 15, 1973	Immediately..	May 1, 1973
Hammermill and cyclone.....		AP-3	.....do.....	.....do.....	Aug. 9, 1973
<b>CALLOWAY COUNTY</b>					
Fitts Block & Ready Mix Co., Inc.:					
Cement silo vent.....		AP-3	June 15, 1973	Immediately..	Dec. 30, 1973
Batch discharge.....		AP-3	.....do.....	.....do.....	Do.
Haul roads.....		AP-3	.....do.....	.....do.....	Do.
Aggregate handling.....		AP-3	.....do.....	.....do.....	Do.
<b>CAMPBELL COUNTY</b>					
Hall Concrete Products Inc.: Cement silo.....					
		AP-3	Oct. 4, 1973	Immediately..	Apr. 1, 1974
Kent Division of LCA Corp.: 01 and 02 baking ovens....					
		AP-5	Sept. 28, 1973	.....do.....	Nov. 1, 1974
Reliance Universal Inc.:					
Cement silo.....		AP-3	Oct. 23, 1973	.....do.....	Mar. 1, 1974
Haul roads.....		AP-3	.....do.....	.....do.....	Dec. 31, 1973
The Ceramic Coating Co.:					
Sign furnace.....		AP-3	Sept. 28, 1973	.....do.....	Dec. 1, 1974
Large vellet furnace.....		AP-3	.....do.....	.....do.....	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>CAMPBELL COUNTY—continued</b>					
Scheper Woodwork, Inc.: Cyclone exhaust.....		AP-3	Oct. 19, 1973	do.....	June 1, 1974
Big Sandy Ready-Mix Concrete, Inc.:					
Cement silo vent.....		AP-3	June 12, 1973	do.....	Dec. 31, 1973
Cement weigh hopper.....		AP-3	do.....	do.....	Do.
Truck loading.....		AP-3	do.....	do.....	Do.
Haul roads.....		AP-3	do.....	do.....	Do.
Perry & Derrick Paint Co.: Scale house.....		AP-5	June 13, 1973	do.....	Aug. 1, 1973
<b>CARTER COUNTY</b>					
Grahn-Industrial Pallet: Sawdust blowpipe.....		AP-3	Sept. 28, 1973	Immediately..	Jan. 30, 1974
U.S. 60 Concrete:					
Aggregate piles.....		AP-3	June 13, 1973	do.....	Aug. 1, 1973
Batching plant.....		AP-3	do.....	do.....	Do.
Cement bin.....		AP-3	do.....	do.....	Do.
<b>CASEY COUNTY</b>					
Casey County Farm Supply: Cyclone dust collector....		AP-3	June 12, 1973	Immediately..	Oct. 30, 1973
<b>CHRISTIAN COUNTY</b>					
Dalton Bros. Brick: Soove kilns.....		AP-3	Sept. 8, 1973	Immediately..	Aug. 1, 1974
Kirkpatrick Concrete & Supply Co.:					
Weigh hopper.....		AP-3	Oct. 3, 1973	do.....	Dec. 30, 1973
Cement silo.....		AP-3	do.....	do.....	Do.
Aggregate handling and stockpiles.....		AP-3	do.....	do.....	Do.
Thomas Industries: Koulene stripper.....		AP-3	Sept. 28, 1973	do.....	Oct. 1, 1974
<b>CLARK COUNTY</b>					
Bundy Tubing, Division of Bundy Corp.: Inclinator..		AP-3	Sept. 28, 1973	Immediately..	Apr. 1, 1974
Concrete Materials Corp., Winchester, Ky.: Cement silo stack.		AP-3	June 12, 1973	do.....	Nov. 1, 1973
The Freeman Corp.:					
Teepee (veneer mill).....		AP-3	June 15, 1973	do.....	July 1, 1973
Chipper (veneer mill).....		AP-3	do.....	do.....	July 31, 1973
Teepee (sawmill).....		AP-3	do.....	do.....	Aug. 15, 1974
Road and yard.....		AP-3	do.....	do.....	May 15, 1973
<b>CLAY COUNTY</b>					
London-Clay Ready-Mix Inc.:					
Cement silo.....		AP-3	June 13, 1973	Immediately..	May 30, 1973
Mixer truck.....		AP-3	do.....	do.....	Do.
Shamrock Coal Co.: Haul road.....		AP-3	June 15, 1973	do.....	May 31, 1973
<b>CRITTENDEN COUNTY</b>					
Turner & Conyer Lumber Co., Inc.:					
Cyclone on chipper.....		AP-3	June 15, 1973	Immediately..	Jan. 31, 1974
Sawdust exhaust.....		AP-3	do.....	do.....	Do.
<b>CUMBERLAND COUNTY</b>					
Farmers Feed Mill: Cyclone dust collector.....		AP-3	June 12, 1973	Immediately..	Sept. 30, 1973
<b>DAVIESS COUNTY</b>					
Kentucky Concrete Pipe Co.:					
Cement bin.....		AP-3	Oct. 1, 1973	Immediately..	Feb. 1, 1974
Batcher.....		AP-3	do.....	do.....	Do.
Do.....		AP-3	do.....	do.....	Do.
Do.....		AP-3	do.....	do.....	Do.
Mixer.....		AP-3	do.....	do.....	Do.
Do.....		AP-3	do.....	do.....	Do.
Haul roads.....		AP-3	do.....	do.....	Do.
Mixer.....		AP-3	do.....	do.....	Do.
Owensboro Precast Concrete:					
Dryer.....		AP-3	do.....	do.....	May 30, 1974
Cement silo.....		AP-3	do.....	do.....	Do.
Anglo Sweet Feed Mills, Inc.:					
Cyclone exit.....		AP-3	June 28, 1973	do.....	Dec. 30, 1973
Receiving plt.....		AP-3	do.....	do.....	Do.
Bulk loadout.....		AP-3	do.....	do.....	Do.
Can-Tex Industries, Division of Harsco Corp.:					
Exhaust dust from plant building.....		AP-3	June 29, 1973	do.....	Oct. 1, 1974
Fugitive dust.....		AP-3	do.....	do.....	Jan. 1, 1974
Exhaust from periodic kilns.....		AP-9	do.....	do.....	Oct. 1, 1974
Green Coal Co.:					
Boilers.....		AP-3,4	July 2, 1973	do.....	Oct. 1, 1973
Dump hopper.....		AP-3	do.....	do.....	Do.
Preparation building.....		AP-3	do.....	do.....	Do.
Ben F. Medley & Co., Kentucky Distillers, Ltd.:					
Grain handling facility 3, 4, 5.....		AP-3	June 15, 1973	do.....	Jan. 31, 1974
Coal-fired boiler.....		AP-3	do.....	do.....	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>DAVIESS COUNTY—continued</b>					
<b>Mullican Feed Mill, Inc.:</b>					
Truck dump.....		AP-3	do	do	Feb. 30, 1974
Cyclone dust collector.....		AP-3	do	do	Nov. 30, 1973
Cyclone dust collector (seed cleaner).....		AP-3	do	do	Do.
Overhead loadout bin.....		AP-3	do	do	Mar. 30, 1973
Truck loadout, spout.....		AP-3	do	do	May 31, 1973
Overhead loadout bin.....		AP-3	do	do	Do.
Bulk feed station, loadout spout.....		AP-3	do	do	Do.
<b>ESTILL COUNTY</b>					
Concrete Materials Corp.: Cement silo.....		AP-3	July 26, 1973	Immediately..	Nov. 1, 1973
<b>FAYETTE COUNTY</b>					
Featherlite Pre-Cast Corp.: Cement silo.....		AP-3	Oct. 5, 1973	Immediately..	Dec. 1, 1973
Kentucky Concrete Pipe Co.: Cement silo.....		AP-3	Oct. 1, 1973	do	Feb. 1, 1974
Perry Lumber Co.: Cyclone emission from pallet manufacturing.....		AP-3	Oct. 4, 1973	do	Aug. 4, 1974
Southwestern Tobacco Co.:					
Powerplant.....		AP-3	do	do	Dec. 31, 1973
Drying.....		AP-9	do	do	Oct. 1, 1974
University of Kentucky:					
Incinerator.....		AP-3	June 12, 1973	do	Do.
Boilers Nos. 1 and 2.....		AP-3	do	do	Nov. 1, 1973
<b>FLOYD COUNTY</b>					
<b>Big Sandy Ready Mix Concrete, Inc.:</b>					
Conveyor.....		AP-3	Sept. 28, 1973	Immediately..	Mar. 30, 1974
Cement silo.....		AP-3	do	do	Do.
Stock piles.....		AP-3	do	do	Do.
<b>Big Sandy Ready Mix Concrete, Inc.:</b>					
Cement silo vent.....		AP-3	June 12, 1973	do	Dec. 31, 1973
Cement weigh hopper.....		AP-3	do	do	Do.
Truck loading.....		AP-3	do	do	Do.
Haul roads.....		AP-3	do	do	Do.
Kentucky Hydrocarbon Co.: Incinerator.....		AP-3	Sept. 28, 1973	do	Oct. 1, 1973
<b>FRANKLIN COUNTY</b>					
City of Frankfort municipal incinerator: Incinerator.....		AP-3	June 15, 1973	Immediately..	Aug. 1, 1973
Kentucky State University: Coal-fired boilers.....		AP-3	June 12, 1973	do	Sept. 1, 1974
National Distillers Production Co.:					
Boilers.....		AP-3	June 15, 1973	do	Apr. 9, 1975
Cyclone.....		AP-3	do	do	June 1, 1974
21 Brands, Inc.: Boilers.....		AP-3	do	do	July 1, 1974
<b>FULTON COUNTY</b>					
<b>Lattus Ready Mix:</b>					
Aggregate piles.....		AP-3	May 24, 1973	Immediately..	Apr. 4, 1973
Cement silo.....		AP-3	do	do	July 4, 1973
Truck loading point.....		AP-3	do	do	Do.
<b>GALLATIN COUNTY</b>					
Gallatin County Farm Supply: Cyclone collector.....		AP-3	Oct. 1, 1973	Immediately..	Jan. 1, 1974
<b>GRANT COUNTY</b>					
<b>Grant County Concrete Co., Inc.:</b>					
Cement silo vent.....		AP-3	June 13, 1973	Immediately..	Apr. 3, 1973
Cement hopper.....		AP-3	do	do	Do.
Truck loadout.....		AP-3	do	do	June 3, 1973
Do.....		AP-3	do	do	Do.
<b>GRAVES COUNTY</b>					
Kentucky-Tennessee Clay Co.: Rotary dryer.....		AP-3	June 15, 1973	Immediately..	June 1, 1973
Farmington Sweet Feed Mill: Hammermill and cyclone.....		AP-3	June 12, 1973	do	Nov. 3, 1973
Goodman & Sons Lumber Co.:					
Main saw and edger.....		AP-3	Oct. 1, 1973	do	July 1, 1974
Blowpipe exhaust.....		AP-3	do	do	Do.
Rhodes Feed & Supply: Cyclone on hammermill.....		AP-3	June 15, 1973	do	Sept. 3, 1973
Mayfield Milling Co.:					
Air loader (boxcars).....		AP-3	do	do	Oct. 1, 1973
Belt loader.....		AP-3	do	do	Do.
Spout loaders.....		AP-3	do	do	Do.
Truck dump points.....		AP-3	do	do	Do.
Grain dryer.....		AP-3	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>GRAVES COUNTY—continued</b>					
<b>Mayfield Sweet Feed Mill, Inc.:</b>					
Cyclone on hammermill		AP-3	do	do	Dec. 1, 1973
Dryer (grain)		AP-3	do	do	June 1, 1974
<b>GRAYSON COUNTY</b>					
<b>Koppers Co., Inc.:</b>					
Debarker		AP-3	Oct. 1, 1973	Immediately	Jan. 1, 1974
Chipper		AP-3	do	do	Do.
Letchfield Concrete Products, Inc.: Cement silo		AP-3	June 15, 1973	do	Nov. 15, 1973
<b>Cannyville Roller Mill:</b>					
Cyclone		AP-3	do	do	Jan. 15, 1974
Unloading area		AP-3	do	do	Nov. 1, 1973
Bulk loadout		AP-3	do	do	Do.
<b>GREEN COUNTY</b>					
<b>Green County Milling Co.: Cyclone dust collectors</b>					
		AP-3	June 12, 1973	Immediately	Sept. 30, 1973
<b>Greensburg Manufacturing Co.:</b>					
Boiler house cyclone, mfg. bldg. cyclone, truck loading cyclone		AP-3	May 28, 1973	do	Jan. 31, 1975
Boiler (wood)		AP-3	May 28, 1973	do	Do.
<b>GREENUP COUNTY</b>					
<b>E. I. DuPont de Nemours &amp; Co., Inc.: Sulfuric acid plant</b>					
		AP-3	June 15, 1973	Immediately	May 1, 1974
<b>Shepherd Lumber Co.:</b>					
Sawdust blowpipe		AP-3	Oct. 22, 1973	do	Oct. 1, 1973
Haul roads		AP-3	do	do	Oct. 1, 1973
<b>Russell Ready Mix Corp.:</b>					
Aggregate piles		AP-3	June 8, 1973	do	Aug. 1, 1973
Batching plant		AP-3	do	do	Do.
Cement bin		AP-3	do	do	Do.
Chesapeake & Ohio Railway Co.: Boiler		AP-3	Aug. 1, 1973	do	April 9, 1975
<b>HANCOCK COUNTY</b>					
<b>Young's Feed &amp; Grain: Cyclone exit</b>					
		AP-3	Sept. 28, 1973	Immediately	Dec. 30, 1974
<b>National Southwire Aluminum Co.:</b>					
Air control stack		AP-3	June 12, 1973	do	Dec. 1, 1974
Carbon bake stack		AP-3	do	do	Apr. 1, 1975
<b>HARDIN COUNTY</b>					
<b>Elizabethtown Ready Mix Concrete Co.:</b>					
Cement vent		AP-3	June 6, 1973	Immediately	May 3, 1974
Cement silo vent		AP-3	do	do	Do.
Weigh hopper		AP-3	do	do	June 3, 1974
Truck loading hopper		AP-3	do	do	Sept. 3, 1973
Haul road		AP-3	June 3, 1973	do	June 3, 1973
Dow Corning Corp.: Sealant base mixing		AP-3	June 15, 1973	do	Jan. 1, 1974
<b>Dtecks Concrete Block Co., Inc.:</b>					
Cement silo		AP-3	Oct. 28, 1973	do	May 15, 1974
Haul roads		AP-3	do	do	Oct. 15, 1973
<b>Crucible Inc., Magnet Division:</b>					
Powder iron mixing		AP-3	June 15, 1973	do	Aug. 15, 1973
Vinyl chloride coating system		AP-3	do	do	May 15, 1973
Mean and brake oven		AP-3	do	do	Do.
Tower oven		AP-3	do	do	Jan. 1, 1975
<b>HARRISON COUNTY</b>					
<b>Joseph E. Seagram &amp; Sons, Inc.: Coal-fired boilers</b>					
		AP-3	July 27, 1973	Immediately	Jan. 1, 1975
<b>HARLAN COUNTY</b>					
<b>Dixie Fuel Co.: Stockpile</b>					
		AP-3	Oct. 2, 1973	Immediately	Dec. 1, 1973
<b>Grays Knob Coal Co.:</b>					
Main stockpile		AP-3	do	do	Do.
Haul roads		AP-3	do	do	Do.
<b>Harlan Fuel Co.:</b>					
Stockpile		AP-3	do	do	Do.
Haul roads		AP-3	do	do	Do.
<b>Gaines Lumber Co.:</b>					
Wasteburner		AP-3	June 15, 1973	do	Oct. 1, 1973
Haul roads		AP-3	do	do	Apr. 5, 1973
<b>Harlan Ready Mix Concrete Co.:</b>					
Stockpile		AP-3	June 12, 1973	do	Do.
Weigh bin		AP-3	do	do	Do.
Loadout shoot		AP-3	do	do	Oct. 1, 1973
Cement silo		AP-3	do	do	Do.
Haul roads		AP-3	do	do	Apr. 5, 1973

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>MART COUNTY</b>					
Mundfordville Milling Co.: Cyclone exhaust.....		AP-3	June 15, 1973	Immediately..	Jan. 1, 1974
Square Deal Lumber Co.:					
Concrete batch.....		AP-3	June 12, 1973	do.....	June 15, 1973
Haul roads.....		AP-3	do.....	do.....	Do.
Pascal Feed Co.: Cyclone dust collector.....		AP-3	June 13, 1973	do.....	Oct. 30, 1973
Horse Cave Feed Mill:					
Cyclone exit.....		AP-3	July 2, 1973	do.....	Dec. 30, 1973
Receiving pit.....		AP-3	do.....	do.....	Do.
Bulk loadout.....		AP-3	do.....	do.....	Do.
<b>HENDERSON COUNTY</b>					
The Osborn Manufacturing Co.:					
Boiler.....		AP-3	Aug. 10, 1973	Immediately..	Feb. 28, 1975
Spray booth.....		AP-3	do.....	do.....	Nov. 30, 1973
Katterjohn, Inc.:					
Spray paint booth.....		AP-3	Oct. 28, 1973	do.....	Oct. 1, 1973
Wood waste blow.....		AP-3	do.....	do.....	Aug. 1, 1974
Pipe discharge.....		AP-3	do.....	do.....	Do.
James C. Ellis Grain Co.:					
Truck dumps.....		AP-3	June 21, 1973	do.....	Apr. 1, 1975
Car load out.....		AP-3	do.....	do.....	Do.
Suction air cyclone.....		AP-3	do.....	do.....	Do.
Randolphs grain dryer, Hess grain dryer.....		AP-3	do.....	do.....	Do.
<b>HOPKINS COUNTY</b>					
Green River Clay Products: Gas-fired kiln.....		AP-3	June 12, 1973	Immediately..	Oct. 1, 1974
Zeigler Coal Co.:					
Coal crusher.....		AP-3	June 15, 1973	do.....	Feb. 1, 1974
Belt transfer to stack.....		AP-3	do.....	do.....	Do.
Belt transfer to rail.....		AP-3	do.....	do.....	Do.
Yard area.....		AP-3	do.....	do.....	Dec. 31, 1973
<b>JACKSON COUNTY</b>					
McWhorter Slave Co.:					
Headsaw.....		AP-3	Sept. 28, 1973	Immediately..	Sept. 1, 1973
Yard area.....		AP-3	do.....	do.....	July 18, 1973
<b>JESSAMINE COUNTY</b>					
Crouse Concrete & Builders Supply:					
Cement silo vent.....		AP-3	Oct. 1, 1973	Immediately..	Dec. 30, 1973
Weigh hoppers.....		AP-3	do.....	do.....	Do.
Batch discharge.....		AP-3	do.....	do.....	Do.
Haul roads.....		AP-3	do.....	do.....	Do.
Aggregate handling.....		AP-3	do.....	do.....	Do.
Stockpiles.....		AP-3	do.....	do.....	Do.
Wings Mixed Concrete Co., Inc.:					
Cement silo vent.....		AP-3	June 8, 1973	do.....	May 15, 1973
Rock dust.....		AP-3	do.....	do.....	July 16, 1973
Aggregates.....		AP-3	do.....	do.....	Do.
<b>JOHNSON COUNTY</b>					
Adams Construction Corp.: Asphalt plant.....		AP-3	June 15, 1973	Immediately..	Dec. 30, 1973
<b>KENTON COUNTY</b>					
The Safeguard Corp.: 03, 04, 05 kapok shredded foam systems.....		AP-3	Oct. 1, 1973	Immediately..	Dec. 1, 1974
<b>KNOX COUNTY</b>					
Ely Fuel Co.:					
Coal dumping.....		AP-3	Oct. 1, 1973	Immediately..	Jan. 1, 1974
Coal crushing.....		AP-3	do.....	do.....	Do.
Coal conveyor.....		AP-3	do.....	do.....	Do.
Haul roads and coal storage.....		AP-3	do.....	do.....	Do.
Richland Coal Co.:					
Crushing and screening.....		AP-3	do.....	do.....	Feb. 1, 1974
Coal loading.....		AP-3	do.....	do.....	Do.
Patterson Lumber Co.:					
Debarker.....		AP-3	July 2, 1973	do.....	Oct. 1, 1973
Chip screen.....		AP-3	do.....	do.....	Do.
Haul roads.....		AP-3	do.....	do.....	May 1, 1973



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<b>LARUE COUNTY</b>					
<b>Larue County Ready-Mix Inc.:</b>					
Cement Silo Vent Weigh Hoppers.....		AP-3	June 12, 1973	Immediately..	Dec. 30, 1973
Batch discharge.....		AP-3	do.....	do.....	Do.
Haul Roads.....		AP-3	do.....	do.....	Do.
Aggregate handling.....		AP-3	do.....	do.....	Do.
<b>LAUREL COUNTY</b>					
<b>London Clay Ready Mix, Inc.:</b>					
Truck loading.....		AP-3	July 26, 1973	Immediately..	May 15, 1973
Cement silo.....		AP-3	do.....	do.....	July 15, 1973
<b>LAWRENCE COUNTY</b>					
<b>Kentucky Power Co.:</b>					
Boiler #1.....		AP-3	June 15, 1973	Immediately..	Dec. 31, 1973
Boiler #2.....		AP-3	do.....	do.....	June 30, 1973
<b>LEE COUNTY</b>					
<b>Beattyville Concrete Block Co., Inc.:</b>					
Cement silo.....		AP-3	June 12, 1973	Immediately..	Oct. 30, 1973
<b>LETCHER COUNTY</b>					
<b>Beth-Elkhorn Coal Corp.:</b>					
Thermal dryer.....		AP-3	June 11, 1973	Immediately..	Apr. 29, 1974
Horizontal fire tube boiler.....		AP-3, 4	do.....	do.....	Do.
<b>Green &amp; Webb Lumber Co., Inc.:</b>					
Teepee burner.....		AP-3	June 15, 1973	do.....	Sept. 1, 1973
Debarking.....		AP-3	do.....	do.....	June 3, 1973
Truck and railroad car loading.....		AP-3	do.....	do.....	Do.
Haul roads.....		AP-3	do.....	do.....	Apr. 3, 1973
<b>LEWIS COUNTY</b>					
<b>Moore &amp; White Lumber Co., Inc.:</b>					
Chipper.....		AP-3	June 15, 1973	Immediately..	June 5, 1973
Teepee burner.....		AP-3	do.....	do.....	Jan. 5, 1974
Haul roads.....		AP-3	do.....	do.....	May 5, 1973
<b>LINCOLN COUNTY</b>					
<b>Standford Ready Mix; Cement silo vent.....</b>					
		AP-3	June 8, 1973	Immediately..	Apr. 30, 1973
<b>LOGAN COUNTY</b>					
<b>Rockwell Manufacturing Co.:</b>					
Melting furnace stack.....		AP-3	June 12, 1973	Immediately..	Apr. 15, 1974
Incinerator.....		AP-3	do.....	do.....	Mar. 15, 1974
<b>Kentucky Mills, Inc.:</b>					
Chipper.....		AP-3	June 15, 1973	do.....	Dec. 15, 1973
Chipper at railroad car.....		AP-3	do.....	do.....	May 10, 1973
Stockpile.....		AP-3	do.....	do.....	Dec. 15, 1973
Sawdust blowpipe.....		AP-3	do.....	do.....	Do.
<b>Lewisburg Roller Mills:</b>					
Truck dump pit.....		AP-3	do.....	do.....	June 1, 1973
Hammer mill cyclone.....		AP-3	do.....	do.....	Apr. 1, 1974
<b>MADISON COUNTY</b>					
<b>Bullders Concrete Block Co., Inc.:</b>					
Cement silo.....		AP-3	Oct. 1, 1973	Immediately..	Dec. 31, 1973
Receiving hopper.....		AP-3	do.....	do.....	Dec. 1, 1973
<b>Wyatt Supply Co.:</b>					
Silo vent.....		AP-3	June 8, 1973	do.....	Aug. 15, 1973
Truck loadout.....		AP-3	do.....	do.....	Do.
Weight batcher to mixer.....		AP-3	do.....	do.....	Do.
<b>Westinghouse Electric Corp.: Scrap crushing</b>					
Concrete Materials Corp.—Richmond facility: Cement silo stack.....		AP-3	June 12, 1973	do.....	July 1973
Concrete Materials Corp.—Berea facility: Cement silo stack.....		AP-3	do.....	do.....	Nov. 1, 1973
Concrete Materials Corp.—Berea facility: Cement silo stack.....		AP-3	do.....	do.....	Do.
Concrete Materials Corp.—Berea facility: Cement dump into trucks.....		AP-3	do.....	do.....	Apr. 15, 1973
<b>MAGOFFIN COUNTY</b>					
<b>Ivyton Coal Co., Inc.:</b>					
Dump area.....		AP-3	Oct. 1, 1973	Immediately..	Feb. 1, 1974
Crusher.....		AP-3	do.....	do.....	Do.
Conveyer.....		AP-3	do.....	do.....	Do.

## RULES AND REGULATIONS

Source	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>MARION COUNTY</b>				
Bourbon Cooperage Co.:				
Boilers.....	AP-3	Sept. 26, 1973	Immediately..	Dec. 1, 1974
Collector.....	AP-3	.....do.....	.....do.....	Do.
Elizabethtown Ready Mix Concrete Co.:				
Cement silo vent.....	AP-3	June 12, 1973	.....do.....	May 3, 1974
Cement weigh hopper.....	AP-3	.....do.....	.....do.....	June 3, 1974
Truck loading hopper.....	AP-3	.....do.....	.....do.....	Aug. 3, 1973
Haul road.....	AP-3	.....do.....	.....do.....	June 3, 1973
<b>MARSHALL COUNTY</b>				
Long Concrete Co., Inc.: Cement silo vent.....	AP-3	June 6, 1973	Immediately..	May 31, 1973
Boiler (coal).....	AP-3	July 26, 1973	.....do.....	Sept. 1, 1974
G.A.F. Corp.:				
Methylamine process.....	AP-4	July 26, 1973	.....do.....	Apr. 1, 1978
Birmingham Milling Co.: Cyclone.....	AP-9	.....do.....	.....do.....	Dec. 31, 1974
Terry Smith Concrete Products:				
Cement silo.....	AP-3	June 12, 1973	.....do.....	Mar. 2, 1974
Batch mix.....	AP-3	Oct. 3, 1973	.....do.....	Jan. 1, 1974
Aggregate bins.....	AP-3	.....do.....	.....do.....	Do.
Haul roads.....	AP-3	.....do.....	.....do.....	Do.
B.F. Goodrich Chemical Co.:				
Process cleaning vents.....	AP-3	Oct. 9, 1973	.....do.....	Sept. 1, 1974
Steam boiler.....	AP-4	.....do.....	.....do.....	June 15, 1978
American Aniline & Extract Co.:				
Sodium methacrylate recovery system.....	AP-3	Oct. 19, 1973	.....do.....	Sept. 30, 1973
Do.....	AP-3	.....do.....	.....do.....	Apr. 30, 1974
<b>MCCRACKEN COUNTY</b>				
Sippi Products Co.: Gas-fired kiln.....	AP-9	Oct. 26, 1973	Immediately..	Oct. 15, 1974
Long Block Co., Inc.:				
Weighing hopper.....	AP-3	Oct. 2, 1973	.....do.....	Jan. 1, 1974
Conveyor dumping aggregate storage.....	AP-3	.....do.....	.....do.....	Do.
Central States Veneers, Inc.:				
Yard and roads.....	AP-3	Sept. 28, 1973	.....do.....	Sept. 30, 1973
Debarking.....	AP-3	.....do.....	.....do.....	Do.
Sawdust discharge.....	AP-3	.....do.....	.....do.....	July 1, 1974
Chipper screen.....	AP-3	.....do.....	.....do.....	Sept. 30, 1973
<b>MCCLEAN COUNTY</b>				
Green River Chair Co.:				
Boiler.....	AP-3	Aug. 6, 1973	Immediately..	Nov. 18, 1974
Woodworking facility.....	AP-3	.....do.....	.....do.....	Mar. 1, 1975
Paint spray booths.....	AP-3	.....do.....	.....do.....	June 1, 1974
<b>MEADE COUNTY</b>				
Meade County Ready Mix Concrete:				
Truck loading point.....	AP-3	June 8, 1973	Immediately..	May 1, 1973
Cement silo.....	AP-3	.....do.....	.....do.....	Jan. 15, 1974
Aggregates.....	AP-3	.....do.....	.....do.....	May 1, 1973
The Flintkote Co., Division Diamond-Kosmos Cement:				
Rock drill.....	AP-3	Oct. 6, 1973	.....do.....	Mar. 9, 1974
Crusher.....	AP-3	.....do.....	.....do.....	Sept. 9, 1973
<b>MERCER COUNTY</b>				
Harrodsburg Ready Mix Concrete Co., Inc.:				
Cement silo vent.....	AP-3	June 8, 1973	Immediately..	May 14, 1973
Aggregate.....	AP-3	.....do.....	.....do.....	Do.
<b>METCALFE COUNTY</b>				
Dickerson Lumber Co.:				
Cyclone on teepee.....	AP-3	June 15, 1973	Immediately..	Nov. 30, 1973
Teepee burner.....	AP-3	.....do.....	.....do.....	Do.
<b>MONROE COUNTY</b>				
Graham Pallet Co.:				
Dust house.....	AP-3	Oct. 4, 1973	Immediately..	Dec. 1, 1973
Loading conveyor.....	AP-3	.....do.....	.....do.....	Aug. 16, 1973
Monroe Sweet Feed Mill:				
Cyclone exit.....	AP-3	June 15, 1973	.....do.....	Dec. 30, 1973
Receiving pit.....	AP-3	.....do.....	.....do.....	Do.
Bulk loadout.....	AP-3	.....do.....	.....do.....	Do.
<b>MORGAN COUNTY</b>				
Wells Ready Mix Concrete: Truck dump.....	AP-3	June 8, 1973	Immediately..	Aug. 28, 1973

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>MUHLBERG COUNTY</b>					
<b>Peabody Coal Co., River Queen Mine:</b>					
Bollers		AP-3, 4	Oct. 5, 1973	Immediately	Oct. 15, 1974
Crusher		AP-3	do	do	Mar. 1, 1974
<b>U &amp; W Pallet Co., Inc.:</b>					
Blowpipe exhaust		AP-3	Oct. 1, 1973	do	Jan. 31, 1974
Planer		AP-3	do	do	Do.
Notcher		AP-3	do	do	Jan. 31, 1974
Yard area haul roads		AP-3	do	do	Dec. 31, 1973
<b>NELSON COUNTY</b>					
<b>D. B. Sutherland &amp; Sons: Dust room collector</b>					
Heaven Hill Distilleries Inc.: Grain cleaning and grain milling		AP-3	June 22, 1973	Immediately	Sept. 30, 1973
		AP-3	June 12, 1973	do	Jan. 31, 1974
<b>Bardstown Mills, Inc.:</b>					
Cyclone exit		AP-3	June 13, 1973	do	Dec. 31, 1974
Receiving area		AP-3	do	do	Do.
Grain dryer		AP-3	do	do	Do.
<b>Bardstown Ready-Mix Concrete Co.:</b>					
Cement silo vent		AP-3	June 15, 1973	do	May 3, 1974
Weigh hopper		AP-3	do	do	Do.
Truck loading		AP-3	do	do	July 3, 1973
Haul road		AP-3	do	do	June 3, 1973
<b>Joseph E. Seagram &amp; Sons, Inc., Fairfield Plant: Coal-fired boiler</b>					
		AP-3	June 14, 1973	do	Jan. 1, 1975
<b>Rose Construction Co., Inc.: Truck loading</b>					
		AP-3	Oct. 1, 1973	do	Dec. 31, 1973
<b>Ray A. Parrish &amp; Sons:</b>					
Cement silo		AP-3	do	do	June 1, 1974
Yard storage areas		AP-3	do	do	Aug. 1, 1973
<b>OHIO COUNTY</b>					
<b>Dunaway Timber Co., Inc.:</b>					
1, 2, and 3 cyclone exhaust		AP-3	Oct. 1, 1973	Immediately	Jan. 31, 1974
Yard work area		AP-3	do	do	Sept. 1, 1973
<b>Ross Brothers Lumber Co.:</b>					
Blower, saw		AP-3	June 15, 1973	do	May 15, 1973
Blower, chipper		AP-3	do	do	Do.
Debarker		AP-3	do	do	Do.
Haul roads		AP-3	do	do	Do.
<b>Young Manufacturing Co., Inc.:</b>					
Incinerator		AP-3	do	do	June 30, 1973
Incinerator		AP-3	do	do	Do.
Cyclone I		AP-3	do	do	Do.
Cyclone II		AP-3	do	do	Jan. 1, 1974
Cyclone III		AP-3	do	do	Do.
125 hp boiler		AP-3, 4	do	do	Apr. 1, 1975
<b>OLDHAM COUNTY</b>					
<b>Southern States Lagrange Corp.: Coal-fired boiler</b>					
		AP-3	June 7, 1973	Immediately	Dec. 31, 1973
<b>PENDLETON COUNTY</b>					
<b>Griffin Industries, Inc.: Rendering facility</b>					
		AP-9	Oct. 4, 1973	Immediately	Feb. 1, 1974
<b>Black River Mining Co.:</b>					
Surface plant		AP-3	June 15, 1973	do	May 1, 1973
Lime kilns		AP-3	do	do	Apr. 3, 1973
Lime kiln		AP-3	do	do	June 15, 1973
<b>Clyde S. Parker Ready Mix:</b>					
Cement silo		AP-3	June 22, 1973	do	May 4, 1973
Cement loading hopper		AP-3	do	do	Do.
Aggregate loading belt		AP-3	do	do	Do.
<b>FERRY COUNTY</b>					
<b>Blue Diamond Coal Co.:</b>					
Conveyor belt discharge to ground storage		AP-3	June 11, 1973	Immediately	July 30, 1973
Conveyor belt discharge to ground storage—Lincoln		AP-3	do	do	Do.
Railroad car loading		AP-3	do	do	May 1, 1973
Truck haul roads		AP-3	do	do	May 15, 1973
Truck dump		AP-3	do	do	Aug. 31, 1973
R. O. M. bin #3 conveyor belt discharge		AP-3	do	do	Aug. 30, 1973
Railroad car shakeout		AP-3	do	do	Dec. 31, 1973
Blending bin belt discharge		AP-3	do	do	Nov. 30, 1973
Loadouts at blending belts		AP-3	do	do	June 31, 1973
Railroad car loading		AP-3	do	do	Nov. 30, 1973
Conveyor belt discharge to clean coal storage		AP-3	do	do	Do.
Loading rooms preparation plant		AP-3	do	do	May 18, 1973
Coal dryer		AP-3	do	do	Sept. 30, 1974
Preparation plant heating plant boiler		AP-3	do	do	Do.
Mine car dump		AP-3	do	do	Do.
Mine car dump preparation plant		AP-3	do	do	Dec. 31, 1973
Conveyor belt discharge baker branch		AP-3	do	do	July 30, 1973

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>PIKE COUNTY</b>					
Caney Branch Coal Co., Inc.: Receiving hopper.....		AP-3	Oct. 2, 1973	Immediately..	Mar. 1, 1974
Colley Block Co., Inc.: Cement silo vent.....		AP-3	Oct. 1, 1973	do.....	Do.
Double O Coal Co.: Coal Stockpile.....		AP-3	Oct. 2, 1973	do.....	Jan. 1, 1974
Kentucky Elkhorn Coals, Inc.: Truck Bin.....		AP-3	Oct. 1, 1973	do.....	May 30, 1974
Crusher.....		AP-3	do.....	do.....	Do.
Williamson Appalachian Regional Hosp.: Boilers.....		AP-3	June 11, 1973	do.....	Oct. 1, 1974
Incinerator.....		AP-3	do.....	do.....	Nov. 1, 1973
<b>POWELL COUNTY</b>					
H. B. Sipple Brick Co.: Kiln exhaust.....		AP-9	June 15, 1973	Immediately..	Oct. 1, 1974
Grinding and screening operation.....		AP-3	do.....	do.....	Dec. 31, 1973
<b>PULASKI COUNTY</b>					
American Concrete Pumping Co.: Cement silo.....		AP-3	Oct. 3, 1973	Immediately..	Mar. 14, 1974
Aggregate.....		AP-3	do.....	do.....	Do.
Mid State Automotive Parts Rebuilders: Buffer and degreaser.....		AP-3	Sept. 28, 1973	do.....	Nov. 1, 1973
Paint booth.....		AP-3	do.....	do.....	Do.
Lear Siegler, Inc.: Incinerator.....		AP-3	do.....	do.....	Apr. 5, 1974
Ready Mix Concrete Co.: Cement Silo Weigh Hopper.....		AP-3	June 14, 1973	do.....	Dec. 30, 1973
Batch discharge.....		AP-3	do.....	do.....	Do.
Haul roads.....		AP-3	do.....	do.....	Do.
Aggregate handling.....		AP-3	do.....	do.....	Do.
Cement silo vent.....		AP-3	do.....	do.....	Do.
Mixer.....		AP-3	do.....	do.....	Do.
Robinson Milling Co., Inc.: Cyclone dust collector.....			June 15, 1973	do.....	Dec. 31, 1973
Cyclone dust collector.....			do.....	do.....	June 30, 1974
Cyclone dust collector.....			do.....	do.....	Dec. 31, 1974
<b>ROCKCASTLE COUNTY</b>					
Farmers Feed & Supply: Cyclone exit.....		AP-3	Oct. 5, 1973	Immediately..	May 1, 1974
Truck dump pit.....		AP-3	do.....	do.....	Dec. 30, 1973
Standford Ready Mix: Silo vent.....		AP-3	June 14, 1973	do.....	June 15, 1973
Stockpile.....		AP-3	do.....	do.....	May 31, 1973
Batch loadout.....		AP-3	do.....	do.....	Do.
<b>ROWAN COUNTY</b>					
B & W Pallet Co.: Sawdust blow pipe.....		AP-3	Sept. 28, 1973	Immediately..	Jan. 30, 1973
Morehead State University: Boiler.....		AP-3	June 15, 1973	do.....	Sept. 1, 1973
Consolidated Ready Mix, Inc.: Cement silo.....			do.....	do.....	Dec. 30, 1973
J. C. Wells & Son, Inc.: Teepee burner.....		AP-3	do.....	do.....	Apr. 15, 1973
Haul roads.....		AP-3	do.....	do.....	Do.
White Lumber Co.: Teepee burner.....		AP-3	do.....	do.....	Apr. 1, 1974
Sawmill.....		AP-3	do.....	do.....	July 1, 1973
Haul roads.....		AP-3	do.....	do.....	May 1, 1973
<b>RUSSELL COUNTY</b>					
Russell Co. Feed Mill, Inc.: Cyclone dust collector.....		AP-3	June 15, 1973	Immediately..	Dec. 31, 1973
Farmers Feed Mill: Cyclone dust collector.....		AP-3	June 15, 1973	do.....	Oct. 30, 1973
<b>SCOTT COUNTY</b>					
Nally & Gibson Georgetown Inc.: Cement silo.....		AP-3	Oct. 5, 1973	Immediately..	Dec. 30, 1973
Cement batcher.....		AP-3	do.....	do.....	Do.
Truck loading point.....		AP-3	do.....	do.....	Do.
Aggregate bin.....		AP-3	do.....	do.....	Do.
<b>SHELBY COUNTY</b>					
Bagdad Roller Mills, Inc.: Tal plant.....		AP-3	June 14, 1973	Immediately..	Apr. 9, 1975
Climax Mills, Inc.: Cyclone separator.....		AP-3	June 12, 1973	do.....	Apr. 1, 1974
<b>SIMPSON COUNTY</b>					
Hudsons Farm Service: Cyclone exit.....		AP-3	June 15, 1973	Immediately..	Dec. 30, 1973
Receiving pit.....		AP-3	do.....	do.....	Nov. 30, 1973
Bulk loadout.....		AP-3	do.....	do.....	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>SPENCER COUNTY</b>					
Crescent Roller Mills Co., Inc.:	Cyclone dust collector	AP-3	Oct. 3, 1973	Immediately	Feb. 1, 1974
<b>TAYLOR COUNTY</b>					
Whitney and Whitney Lumber Co.:	Yard area	AP-3	Oct. 4, 1973	Immediately	Sept. 18, 1973
J. E. Bailey Wood Products:	Yard area	AP-3	do	do	Do.
Taylor County Feed Co.:	Cyclone dust collector		July 2, 1973	do	Nov. 30, 1973
Buckhorn Coal and Lumber Co.:	Silo vent	AP-3	June 15, 1973	do	Oct. 30, 1973
	Batch dump	AP-3	do	do	Do.
Campbellsville Milling Co.:	Cyclone	AP-3	do	do	Sept. 30, 1973
	Receiving and shipping	AP-3	do	do	Do.
<b>TODD COUNTY</b>					
Allensville Grain Co., Inc.:	Grain unloading	AP-3	June 12, 1973	Immediately	Apr. 1, 1974
	Grain dryer	AP-3	do	do	Apr. 4, 1974
<b>TRIGG COUNTY</b>					
Futrell Sawmill:	Main saw and edger	AP-3	Oct. 1, 1973	Immediately	Jan. 31, 1974
	Yard area	AP-3	do	do	July 26, 1973
<b>UNION COUNTY</b>					
Custom Feed Mills:	Cyclone exit	AP-3	June 15, 1973	Immediately	Jan. 30, 1974
Morgan Concrete & Materials Co.:	Cement silo	AP-3	June 12, 1973	do	Dec. 30, 1973
	Batch discharge	AP-3	do	do	Do.
<b>WARREN COUNTY</b>					
Tri-County Stone Co.:	Primary crusher	AP-3	June 6, 1973	Immediately	May 1, 1973
	Hammer mill	AP-3	do	do	Do.
	Limbe pulverizer	AP-3	do	do	Do.
Colt Industries—Holley Carburetor Division:	Incinerator	AP-3	June 15, 1973	do	July 31, 1973
Dibrell-Ky., Inc.:	Redrying	AP-9	Oct. 1, 1973	do	Dec. 1, 1974
Farmers Supply & Produce:	Cyclone collector	AP-3	do	do	Mar. 1, 1974
Pan American Mills, Inc.:	Receiving area	AP-3	July 2, 1973	do	Nov. 1, 1973
	Hammermill cyclone	AP-3	do	do	Feb. 1, 1974
<b>WASHINGTON COUNTY</b>					
Hayden Mill & Grain		AP-3	July 17, 1973	Immediately	Sept. 30, 1973
Springfield Redrying Co.:	Ordering exhaust	AP-9	Oct. 4, 1973	do	Oct. 1, 1974
<b>WEBSTER COUNTY</b>					
Sebree Feed & Grain Inc.:	Truck receiving	AP-3	Oct. 4, 1973	Immediately	Oct. 30, 1973
	Rail car loading	AP-3	do	do	Do.
Morgan Concrete & Materials:	Cement silo weigh	AP-3	June 12, 1973	do	Dec. 30, 1973
	Hopper, batch discharge	AP-3	do	do	Do.
<b>WHITLEY COUNTY</b>					
Kentucky Mills, Inc., of Williamsburg:	Saw	AP-3	June 15, 1973	Immediately	June 1, 1973
	Cyclone	AP-3	do	do	Do.
Pennington Ready-Mix Co.:	Cement storage	AP-3	Oct. 1, 1973	do	Jan. 30, 1974
	Truck loading	AP-3	do	do	Do.
	Conveyors	AP-3	do	do	Do.
	Haul roads	AP-3	do	do	Do.

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
WOODFORD COUNTY					
National Distillers Projects Co.:					
Bollers.....		AP-3	June 15, 1973	Immediately	Apr. 9, 1975
Cyclone.....		AP-3	do.	do.	June 1, 1974

\*These compliance schedules were adopted pursuant to the Air Pollution Control Regulations of the Jefferson County Air Pollution Control District. The schedules are approved by the State of Kentucky Department for Natural Resources and Environmental Protection and are submitted in satisfaction of the currently applicable State regulation. They are enforceable by the State agency pursuant to the provisions of KRS 224.450(4).

[FR Doc. 75-1868 Filed 1-21-75; 8:45 am.]

[FRL 311-3]

#### PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

##### Mississippi: Approval of Compliance Schedules

Section 110 of the Clean Air Act, as amended, and the implementing regulations of 40 CFR Part 51 require each State to submit a plan which provides for the attainment and maintenance of the national ambient air quality standards throughout the State. Each such plan is to contain legally enforceable compliance schedules setting forth the dates by which all sources must be in compliance with any applicable requirements of the plan.

On March 6 and August 9, 1973, pursuant to 40 CFR 51.6 the State of Mississippi submitted for the Environmental Protection Agency's approval revisions to the compliance schedule portion of the plan. The compliance schedules submitted by Mississippi were reviewed by the Agency to verify adherence to the requirements of 40 CFR Part 51 pertaining to public hearings, plan revisions, and compliance schedules, as well as consistency with the control strategies of the Mississippi implementation plan. The schedules which met these criteria were published in the FEDERAL REGISTER as proposed rulemaking on August 13, 1974 (39 FR 28984). Copies were made available for public inspection at the Agency's Region IV office in Atlanta, and at the office of the Mississippi Air and Water Pollution Control Commission in Jackson; all interested parties were invited to submit written comments on the proposed compliance schedules.

No comments were received from the general public or from the affected sources. The Mississippi Air and Water Pollution Control Commission at hearings on February 28, 1974, and December 16, 1974, considered modifications to a number of these compliance schedules and changed their final compliance dates. These sources have been deleted from the list of proposed schedules and will be proposed again at a later date. A number of other compliance schedules

were found to contain errors and were also deleted. These schedules will be promulgated at a later date. The name of Meridian Wood Products in Lauderdale County has been changed to J. R. Savage & Company.

Each of the schedules given in the table below establishes a date by which an individual air pollution source must attain compliance with the emission limitations of the State implementation plan. This date is indicated in the succeeding table under the heading "Final Compliance Date." In many cases the schedule includes incremental steps toward compliance, with specific dates set for achieving those steps. While the table below does not list these interim dates, the actual compliance schedules do. The entry "Immediately" under the heading "Effective Date" means that the schedule becomes Federally enforceable immediately upon its approval by the Administrator. Copies of the schedules and the Mississippi plan are available for public inspection at the following locations:

Air Programs Office  
Environmental Protection Agency  
1421 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
Division of Air Pollution Control  
Mississippi Air & Water Pollution Control Commission  
Robert E. Lee Building  
Jackson, Mississippi 39205  
Freedom of Information Center  
Environmental Protection Agency  
401 M Street SW.  
Washington, D.C. 20460

An evaluation of any of the schedules can be obtained by consulting the staff of the Agency's Region IV Air Programs Office at the Atlanta address given above.

The Administrator has determined that all the schedules given here satisfy the requirements of 40 CFR Part 51 pertaining to plan revisions and compliance schedules, and that their approval will not hinder the attainment and maintenance of the national ambient air quality standards. Accordingly, they are hereby approved.

This action is effective immediately. The Administrator finds that good cause

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exists for making this approval action immediately effective since these schedules are already in effect under State law in Mississippi and the Agency's action imposes no additional regulatory burden on affected facilities.

(Sec. 110(a), Clean Air Act (42 U.S.C. 1857c-5(a)))

Dated: January 8, 1975.

JOHN QUARLES,  
Acting Administrator.

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

Subpart Z—Mississippi

1. Section 52.1270, paragraph (c) (2) is amended by inserting in proper chronological order the date August 9 (1973).

2. Section 52.1274 is amended by inserting additional lines in the table of paragraph (a) as follows:

§ 52.1274 Compliance schedules.

(a) \* \* \*

MISSISSIPPI

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>ADAMS COUNTY</b>					
Johns-Manville	Natchez	APC-S-1	June 4, 1973	Immediately	Sept. 30, 1973
Benbuck Lumber Co.	do.	APC-S-1	do.	do.	Sept. 20, 1974
Stahman Lumber Co.	do.	APC-S-1	do.	do.	Do.
J. M. Jones Lumber Co., Inc.	do.	APC-S-1	do.	do.	Do.
Natchez Gravel Co.	do.	APC-S-1	do.	do.	Do.
Jitney Jungle No. 3	do.	APC-S-1	do.	do.	Oct. 30, 1974
Armstrong Rubber Co., Southern Division	do.	APC-S-1	do.	do.	Apr. 12, 1974
International Paper Co.: a. Recovery Furnace System.	do.	APC-S-1	do.	do.	May 31, 1973
International Paper Co.: a. Lime Kiln System.	do.	APC-S-1	do.	do.	Do.
<b>ALCORN COUNTY</b>					
Worsham Brothers	Corinth	APC-S-1	June 4, 1973	Immediately	Sept. 19, 1974
Choate Feed Mill	do.	APC-S-1	do.	do.	Sept. 20, 1974
Horton Brothers	do.	APC-S-1	do.	do.	Aug. 21, 1974
Corinth Seamless Hosiery Inc.	do.	APC-S-1	do.	do.	Sept. 20, 1974
Corinth Brick & Tile Co., Inc.	do.	APC-S-1	do.	do.	Do.
Magnolia Hosiery Mill	do.	APC-S-1	do.	do.	Do.
<b>ATTALA COUNTY</b>					
The Attala Co.	Kosciusko	APC-S-1	June 4, 1973	Immediately	Sept. 20, 1974
Mississippi Cottonseed Products Co.	do.	APC-S-1	do.	do.	Do.
The Lawln Co.	Kosciusko	APC-S-1	do.	do.	Sept. 20, 1974
Sheller Globe Corp. Plant No. 2	do.	APC-S-1	do.	do.	Do.
Sheller Globe Corp. Plant No. 3 (Tee Pee Burner)	do.	APC-S-1	do.	do.	Do.
Sheller Globe Corp. Plant No. 3 (Manufacturing)	do.	APC-S-1	do.	do.	Do.
<b>BENTON COUNTY</b>					
Benton County Co-op.	Ashland	APC-S-1	June 4, 1973	Immediately	Sept. 20, 1974
<b>BOLIVAR COUNTY</b>					
Cleveland Chemical Co.	Cleveland	APC-S-1	June 4, 1973	Immediately	Sept. 20, 1974
Concrete Products Co.	do.	APC-S-1	do.	do.	Do.
Douglas & Lomason Co.	do.	APC-S-1	do.	do.	Do.
Sanders Elevator Corp.	do.	APC-S-1	do.	do.	Do.
B & G Manufacturing Co.	Benoit	APC-S-1	do.	do.	Do.
Bolivar County Hospital	Cleveland	APC-S-1	do.	do.	June 30, 1973
<b>CALHOUN COUNTY</b>					
Calhoun County Feed Mill	Calhoun City	APC-S-1	June 4, 1973	Immediately	Sept. 20, 1974
Calhoun County Garment Co.	do.	APC-S-1	do.	do.	Do.
Brookwood Furniture Co.	Bruce	APC-S-1	do.	do.	Sept. 22, 1974
Calhoun Grain & Seed Elevator	do.	APC-S-1	do.	do.	Sept. 20, 1974
Blackjack Charcoal Co.	do.	APC-S-1	do.	do.	Do.
Week's Feed & Seed Mill	do.	APC-S-1	do.	do.	Do.
Vardaman Hospital	Vardaman	APC-S-1	do.	do.	Do.
Schoofield Furniture Manufacturing Co.	Calhoun City	APC-S-1	do.	do.	Sept. 21, 1974
Patch Concrete Service Inc.	Bruce	APC-S-1	do.	do.	Oct. 9, 1974
D.S.L. Manufacturing Inc.	do.	APC-S-1	do.	do.	May 17, 1974

## RULES AND REGULATIONS

## MISSISSIPPI—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>CARROLL COUNTY</b>					
Anel Engineering Industries Inc.	Winona	APC-S-1	June 4, 1973	Immediately	Sept. 21, 1974
Dresser Minerals	Valden	APC-S-1	do.	do.	Do.
<b>CHICKASAW COUNTY</b>					
Chickasaw Milling Co.	Houston	APC-S-1	June 4, 1973	Immediately	Sept. 20, 1974
S & Y, Inc.	do.	APC-S-1	do.	do.	Do.
Patch Concrete Service, Inc.	do.	APC-S-1	do.	do.	Oct. 9, 1974
Houston Feed Mills	do.	APC-S-1	do.	do.	Sept. 15, 1974
<b>CLAIBORNE COUNTY</b>					
Port Gibson Oil Works	Port Gibson	APC-S-1	June 4, 1973	Immediately	Sept. 20, 1974
Kling Construction Co.	do.	APC-S-1	do.	do.	Do.
<b>CLARKE COUNTY</b>					
Monroe Allen Contract	Enterprise	APC-S-1	June 4, 1973	Immediately	Sept. 20, 1974
Koppers Co., Inc.	Stonewall	APC-S-1	do.	do.	Do.
<b>CLAY COUNTY</b>					
Crown Chemical & Mfg. Co.	West Point	APC-S-1	June 4, 1973	Immediately	Sept. 20, 1974
Pennabaker Ready Mix Concrete	do.	APC-S-1	do.	do.	Do.
Truelove Lumber Co.	do.	APC-S-1	do.	do.	Do.
Winters Dimension Mill	do.	APC-S-1	do.	do.	Do.
Allied Enterprises of Pheba	Pheba	APC-S-1	do.	do.	Do.
Building Service Co.	West Point	APC-S-1	do.	do.	Do.
Mary Holmes College	do.	APC-S-1	do.	do.	Do.
Phillips Contracting Co., Columbus	do.	APC-S-1	do.	do.	Aug. 15, 1974
<b>COAHOMA COUNTY</b>					
Coahoma Chemical Co., Inc.	Clarksdale	APC-S-1	June 4, 1973	Immediately	Sept. 20, 1974
Delta Oil Mill, Inc.	Jonestown	APC-S-1	do.	do.	Do.
Presley Gln Co.	Alligator	APC-S-1	do.	do.	Dec. 1, 1974
City of Clarksdale Water & Light Department	Clarksdale	APC-S-1	do.	do.	Oct. 25, 1974
<b>COPIAH COUNTY</b>					
Emerite Corp.	Hazlehurst	APC-S-1	June 4, 1973	Immediately	Sept. 21, 1974
Hutchison Lumber Co.	Georgetown	APC-S-1	do.	do.	Do.
Sanderson Farms Inc.	Hazlehurst	APC-S-1	do.	do.	Do.
T. L. James & Co.	Mississippi Highway 28 east of I-55	APC-S-1	do.	do.	Oct. 15, 1974
Edward Hines Lumber Co.	Hazlehurst	APC-S-1	do.	do.	May 17, 1974
<b>COVINGTON COUNTY</b>					
W. E. Blain & Son, Inc.	Mount Olive	APC-S-1	June 4, 1973	Immediately	Sept. 21, 1974
Pine Belt Ready Mix Concrete	Collins	APC-S-1	do.	do.	Do.
Polk & Duckworth Feed Mills	Mt. Olive	APC-S-1	do.	do.	Do.
Rutland Lumber Co.	Collins	APC-S-1	do.	do.	Do.
Upton Milling Co.	do.	APC-S-1	do.	do.	Do.
<b>DESOTO COUNTY</b>					
Forging Die Engineering Co.	Olive Branch	APC-S-1	June 4, 1973	Immediately	Oct. 20, 1974
Douglas Corp.	Nesbit	APC-S-1	do.	do.	Do.
Desoto Chemical & Supply Co.	do.	APC-S-1	do.	do.	Do.
Central Concrete Co.	Horn Lake	APC-S-1	do.	do.	Do.
American Electric Manufacturing Corp.	Southaven	APC-S-1	do.	do.	Do.
Ajax Lumber Co.	Olive Branch	APC-S-1	do.	do.	Do.
Light & Power Utilities Corp.	do.	APC-S-1	do.	do.	Dec. 15, 1974
Amax Aluminum Extrusion Products	Hernando	APC-S-1	do.	do.	Oct. 1, 1974
Unitizer Co.	Olive Branch	APC-S-1	June 4, 1973	do.	Oct. 20, 1974
Tex Gas	Southaven	APC-S-1	do.	do.	Do.
Plastic Laminates	Walls	APC-S-1	do.	do.	Do.
Olive Branch Ready Mix	Olive Branch	APC-S-1	do.	do.	Do.
Memphis Chair Co.	Hernando	APC-S-1	do.	do.	Do.
Olive Branch Motor Co.	Olive Branch	APC-S-1	do.	do.	Do.
Magnolia Kitchens	do.	APC-S-1	do.	do.	Do.
KE RVAN Metal Products	do.	APC-S-1	do.	do.	Do.
Holiday Industries	Hernando	APC-S-1	do.	do.	Do.
Gayoso Farms	Horn Lake	APC-S-1	do.	do.	Do.



RULES AND REGULATIONS

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Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>FORREST COUNTY</b>					
A & R Feed Mill	Hattiesburg	APC-8-1	June 4, 1973	Immediately	Oct. 1, 1974
Alexander Materials Co., Inc.	Petal	APC-8-1	do	do	Do.
F & S Prestress, Inc.	Hattiesburg	APC-8-1	do	do	Do.
Hattiesburg Concrete Products Co.	do	APC-8-1	do	do	Do.
Hattiesburg Compress Co.	do	APC-8-1	do	do	Do.
Mack's Ready Mix Concrete Co., Inc.	do	APC-8-1	do	do	Do.
McCoy Ready Mixed Concrete	do	APC-8-1	do	do	Do.
Callahan Ready Mix Concrete Co., Inc.	do	APC-8-1	do	do	Oct. 20, 1974
W. E. Blain & Sons	do	APC-8-1	do	do	Do.
Southeastern Concrete, Inc.	do	APC-8-1	do	do	Oct. 6, 1974
Miss. Poultry Co.	do	APC-8-1	do	do	Oct. 9, 1974
Koppers Co., Inc.	do	APC-8-1	do	do	Do.
Murray Envelope Corp.	do	APC-8-1	do	do	Do.
<b>FRANKLIN COUNTY</b>					
Georgia-Pacific	Roxie	APC-S-1	June 4, 1973	Immediately	Oct. 20, 1974
<b>GEORGE COUNTY</b>					
U. B. Wilson	Lucedale	APC-S-1	do	do	Oct. 6, 1974
J. M. Rogers & Sons, Inc.	Benndale	APC-S-1	do	do	Dec. 1, 1974
O'Neal Logging Co., Inc.	Lucedale	APC-S-1	do	do	Oct. 6, 1974
A. F. Holcomb Lumber Co.	do	APC-S-1	do	do	Do.
M. W. Hleksi	do	APC-S-1	do	do	Do.
Jim Havens	Benndale	APC-S-1	do	do	Do.
Dickerson Sawmill Co.	Lucedale	APC-S-1	do	do	Oct. 1, 1974
Evans Feed & Supply	do	APC-S-1	do	do	Sept. 9, 1974
<b>GRENADA COUNTY</b>					
J. D. Vaughan Sawmill	Grenada	APC-S-1	June 4, 1973	Immediately	Oct. 6, 1974
Grenada Steam Laundry & Cleaners	do	APC-S-1	do	do	Do.
Grenada County Hospital	do	APC-S-1	do	do	Oct. 1, 1974
Grenada Sand & Gravel Co.	do	APC-S-1	do	do	Sept. 1, 1974
Memphis Hardwood Flooring Co.	do	APC-S-1	do	do	Aug. 20, 1974
<b>HANCOCK</b>					
Monitor Panel Co.	Bay St. Louis	APC-S-1	June 4, 1973	Immediately	Oct. 6, 1974
Terry Feeney, Inc.	Waveland	APC-S-1	do	do	Do.
Wallace-Murray Corp.	Bay St. Louis	APC-S-1	do	do	Oct. 1, 1974
Hancock General Hospital	do	APC-S-1	do	do	Oct. 30, 1974
<b>HARRISON COUNTY</b>					
Faulkner Concrete Pipe Co.	Gulfport	APC-S-1	June 4, 1973	Immediately	Oct. 6, 1974
Cumbest Manufacturing Co.	Pass Christian	APC-S-1	do	do	Do.
Chemifax, Inc.	Gulfport	APC-S-1	do	do	Do.
Bitoxi Block Co., Inc.	do	APC-S-1	do	do	Do.
Allied Enterprises	do	APC-S-1	do	do	Do.
A & P Supermarket No. 114	Long Beach	APC-S-1	do	do	Do.
Mavar Shrimp & Oyster Co.	Biloxi	APC-S-1	do	do	Oct. 1, 1974
Masonite Corp. Alpine Div.	Gulfport	APC-S-1	do	do	Do.
Gulf Paving, Inc.	do	APC-S-1	do	do	Do.
Gulfport Glass Corp.	do	APC-S-1	do	do	Do.
Hi-Life Packing Co.	do	APC-S-1	do	do	Do.
Hubbell Machine Equipment	Biloxi	APC-S-1	do	do	Do.
Industrial Steel & Machine Works	Gulfport	APC-S-1	do	do	Do.
McElroy Machine & Manufacturing Co., Inc.	Biloxi	APC-S-1	do	do	Do.
Maybelle Dress Manufacturing	Gulfport	APC-S-1	do	do	Do.
Progressive Metallurgy	do	APC-S-1	do	do	Do.
West Creek Lumber Co.	Saucier	APC-S-1	do	do	Do.
PlastiFax	Gulfport	APC-S-1	do	do	Oct. 13, 1974
Holcomb Asphalt Company, Inc.	do	APC-S-1	do	do	Dec. 15, 1974
Coastal Materials Co.	do	APC-S-1	do	do	Oct. 1, 1974
Clements Wire & Manufacturing Co.	Biloxi	APC-S-1	do	do	Oct. 6, 1974
<b>HINDS COUNTY</b>					
Delta Industries (Prestressed Concrete Facility)	Jackson	APC-S-1	June 4, 1973	Immediately	Oct. 1, 1974
Delta Industries (Lightweight Aggregate Facility)	do	APC-S-1	do	do	Do.
Klean Steel Mfg. Co.	do	APC-S-1	do	do	May 1, 1973
MacGowan Coffee Co.	do	APC-S-1	do	do	Oct. 6, 1974
V. A. Taylor Dogwood Mill	Utica	APC-S-1	do	do	Do.
Union Fork & Hoe Co.	Jackson	APC-S-1	do	do	Do.
Valley Cement Industries	do	APC-S-1	do	do	Do.
Vaughn Construction Co.	do	APC-S-1	do	do	Do.
Westbrook Manufacturing Co.	do	APC-S-1	do	do	Do.
Whitfield Milling Co.	do	APC-S-1	do	do	Do.
Gitken Gin Co.	Edwards	APC-S-1	do	do	Dec. 1, 1974
O. R. Johnson Milling Co.	Clinton	APC-S-1	do	do	Sept. 28, 1974
Magna American Corp.	Raymond	APC-S-1	do	do	Oct. 1, 1974

## RULES AND REGULATIONS

## MISSISSIPPI—Continued

Source	Location	Regulation Involved	Date of adoption	Effective date	Final compliance date
Borden's.....	do.....	APC-S-1	do.....	do.....	Do.
Delta Industries (Concrete Block Facility).....	do.....	APC-S-1	do.....	do.....	Do.
Delta Industries (Ready-Mix Concrete Facility).....	do.....	APC-S-1	do.....	do.....	Do.
Jackson Iron & Metal Works.....	do.....	APC-S-1	do.....	do.....	Dec. 15, 1974
Atlanta Scrap Processors, Inc.....	do.....	APC-S-1	do.....	do.....	Oct. 1, 1974
Warren Brothers.....	do.....	APC-S-1	do.....	do.....	Aug. 20, 1974
Filtrol Corp.....	do.....	APC-S-1	do.....	do.....	Aug. 19, 1974
Zinccon Electronic Products.....	do.....	APC-S-1	do.....	do.....	Oct. 6, 1974
Harper Foundry and Machine Co.....	do.....	APC-S-1	do.....	do.....	Sept. 12, 1974
Kitchens Brothers Manufacturing.....	Utica.....	APC-S-1	do.....	do.....	Sept. 29, 1974
Burger King Restaurant, Inc.....	Jackson.....	APC-S-1	do.....	do.....	Oct. 20, 1974
Delta Cotton Gin & Fertilizer Co.....	do.....	APC-S-1	do.....	do.....	July 31, 1975
Dura-Tuff Treads, Inc.....	do.....	APC-S-1	do.....	do.....	June 30, 1975
HOLMES COUNTY					
Durant Sportswear, Inc.....	Durant.....	APC-S-1	June 4, 1973	Immediately	Oct. 6, 1974
Ebenezer Gin.....	Ebenezer.....	APC-S-1	do.....	do.....	Dec. 1, 1974
Alfred H. Ervin.....	Lexington.....	APC-S-1	do.....	do.....	Oct. 6, 1974
Mileston Corp. AAL.....	Tchula.....	APC-S-1	do.....	do.....	Dec. 1, 1974
Pluto Planting Co.....	Thornton.....	APC-S-1	do.....	do.....	Do.
Koppers Co., Inc.....	Durant.....	APC-S-1	do.....	do.....	Aug. 15, 1974
A & B Milling Co., Inc.....	do.....	APC-S-1	do.....	do.....	Sept. 20, 1974
HUMPHREYS COUNTY					
Belzoni Nitrogen Corp.....	Belzoni.....	APC-S-1	June 4, 1973	Immediately	Oct. 6, 1974
Y-D Lumber Co.....	do.....	APC-S-1	do.....	do.....	Do.
Turners Gin.....	do.....	APC-S-1	do.....	do.....	Dec. 1, 1974
Planters Gin of Belzoni, Inc.....	do.....	APC-S-1	do.....	do.....	July 31, 1975
ITAWAMBA COUNTY					
American Colloid Co.....	Fulton.....	APC-S-1	June 4, 1973	Immediately	Oct. 6, 1974
Blue Bell, Inc.....	do.....	APC-S-1	do.....	do.....	Do.
Riley Lumber Co.....	do.....	APC-S-1	do.....	do.....	Do.
T. F. Evans Lumber Co., Inc.....	Evergreen.....	APC-S-1	do.....	do.....	Sept. 15, 1974
JACKSON COUNTY					
Chicago Bridge & Iron.....	Pascagoula.....	APC-S-1	do.....	do.....	Do.
Conway Woodworking Co.....	do.....	APC-S-1	do.....	do.....	Do.
Crossfield Products.....	do.....	APC-S-1	do.....	do.....	Do.
M. M. Flechas Shipyard.....	do.....	APC-S-1	do.....	do.....	Do.
Graham Boats, Inc.....	do.....	APC-S-1	do.....	do.....	Do.
Halter Marine Fabricators, Inc.....	Moss Point.....	APC-S-1	do.....	do.....	Do.
Jitney Jungle.....	do.....	APC-S-1	do.....	do.....	Do.
Katz & Besthoff, Inc.....	Pascagoula.....	PAC-S-1	do.....	do.....	Do.
Leo Krebs & Sons.....	do.....	APC-S-1	do.....	do.....	Do.
F. B. Walker & Sons, Inc.....	Pascagoula.....	APC-S-1	do.....	do.....	Oct. 6, 1974
Weatherby Materials, Inc.....	Moss Point.....	APC-S-1	do.....	do.....	Oct. 30, 1974
Delta Crossotting Company, Inc.....	Gautler.....	APC-S-1	do.....	do.....	Do.
Standard Oil Co.....	Pascagoula.....	APC-S-1	do.....	do.....	Oct. 24, 1974
International Paper (Tee Pee Burner).....	Moss Point.....	APC-S-1	do.....	do.....	Oct. 30, 1973
Mississippi Chemical Corp., No. 1 Mixed Fertilizer Plant.....	Pascagoula.....	APC-S-1	Feb. 27, 1973	do.....	July 1, 1975
JASPER COUNTY					
Skelly Oil Co.....	Bay Springs.....	APC-S-1	June 4, 1973	do.....	Oct. 1, 1974
V. A. Sauls.....	Heidelberg.....	APC-S-1	do.....	do.....	Do.
JEFFERSON COUNTY					
Feeders Milling Co.....	Fayette.....	APC-S-1	do.....	do.....	Sept. 28, 1974
Jefferson County Hospital.....	do.....	APC-S-1	do.....	do.....	Do.
JEFFERSON DAVIS COUNTY					
Reardon Lumber Co.....	Prentiss.....	APC-S-1	do.....	do.....	Do.
Edward Hyman Co.....	do.....	APC-S-1	do.....	do.....	Oct. 1, 1974
Stamps Lumber Co.....	do.....	APC-S-1	do.....	do.....	Do.
JONES COUNTY					
Beard's Feed & Fertilizer.....	Laurel.....	APC-S-1	do.....	do.....	Sept. 28, 1974
Baroid Division, National Lead.....	do.....	APC-S-1	do.....	do.....	Do.
Dresser Industries.....	do.....	APC-S-1	do.....	do.....	Do.
Laurel Machine & Foundry Co.....	do.....	APC-S-1	do.....	do.....	Do.
Lone Star Producing Co.....	do.....	APC-S-1	do.....	do.....	Sept. 30, 1974
James Fuller Hickory Mill (Lindsey Wagon Co.).....	do.....	APC-S-1	do.....	do.....	Oct. 1, 1974
Morgan Wood Ind.....	do.....	APC-S-1	do.....	do.....	Oct. 9, 1974
S. T. Owens Asphalt.....	Ellisville.....	APC-S-1	do.....	do.....	Do.
U.S. Plywood, Champion Papers Inc.....	Laurel.....	APC-S-1	do.....	do.....	Do.
Pine Belt Ready Mix Concrete, Inc.....	do.....	APC-S-1	do.....	do.....	Sept. 30, 1973
Hood Lumber Co.....	do.....	APC-S-1	do.....	do.....	Oct. 1, 1974
Laurel Concrete Products.....	Meridian Ave., Laurel.....	APC-S-1	do.....	do.....	June 6, 1973
Do.....	North 13th Ave., Laurel.....	APC-S-1	do.....	do.....	Do.

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MISSISSIPPI—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>KEMPER COUNTY</b>					
J. A. McDade Lumber Co.	Electric Mills	APC-8-1	June 4, 1973	Immediately	Oct. 9, 1974
Monroe Dean Sawmill	Dekalb	APC-8-1	do	do	Do.
Nolan Martin Sawmill	Scoboa	APC-8-1	do	do	Do.
Koppers, Inc.	Electric Mills	APC-8-1	do	do	Oct. 13, 1974
<b>LAFAYETTE COUNTY</b>					
A & S Paving	Oxford	APC-8-1	June 4, 1973	Immediately	Oct. 9, 1974
Chambers Corp.	do	APC-8-1	do	do	Do.
Emerson Electric	do	APC-8-1	do	do	Do.
W. E. "Pat" Gandy	Paris	APC-8-1	do	do	Do.
Oxford Milling Co.	Oxford	APC-8-1	do	do	Do.
Elliot Lumber Co.	do	APC-8-1	do	do	Do.
Oxford-Lafayette County Hospital	do	APC-8-1	do	do	Oct. 30, 1974
<b>LAMAR COUNTY</b>					
Amerada Hess	Purvis	APC-8-1	June 4, 1973	Immediately	Oct. 9, 1974
B. K. Pole & Timber Co.	Lumberton	APC-8-1	do	do	Do.
Breland Ready Mix & Supply Co.	do	APC-8-1	do	do	Do.
Do.	Purvis	APC-8-1	do	do	Do.
Purvis Hardwood Lumber Co.	do	APC-8-1	do	do	Do.
Southland Oil Co.	Lumberton	APC-8-1	do	do	Do.
Williamson & Williamson Lumber	Sumrall	APC-8-1	do	do	Do.
<b>LAUDERDALE COUNTY</b>					
Cities Service Oil Co.	do	APC-8-1	June 4, 1973	Immediately	Oct. 9, 1974
J. B. Gunn Jr.	do	APC-8-1	do	do	Do.
Meridian Moulding, Inc.	do	APC-8-1	do	do	Do.
General Box Co.	do	APC-8-1	do	do	Do.
Lauderdale County Co-op.	do	APC-8-1	do	do	Sept. 12, 1974
J. R. Savage Co.	do	APC-8-1	do	do	Sept. 13, 1974
Miami Window Division, Russell Alum. Corp.	do	APC-8-1	do	do	Oct. 30, 1974
Paul O'Leary Lumber Co.	Toomsuba	APC-8-1	do	do	Sept. 21, 1974
Owen Bros. Packing Co.	Meridian	APC-8-1	do	do	Do.
Sanders Lumber Co.	do	APC-8-1	do	do	Do.
Scruggs Sawmill	do	APC-8-1	do	do	Do.
Soule Steam Feed Works	do	APC-8-1	do	do	Sept. 22, 1974
Tuscaloosa Veneer	do	APC-8-1	do	do	Sept. 23, 1974
Winn-Dixie (22d St.)	do	APC-8-1	do	do	Do.
Meridian Concrete & Materials	do	APC-8-1	do	do	Do.
Ready Mix Concrete Co.	Kewance	APC-8-1	do	do	Dec. 15, 1973
Do.	Lockhart	APC-8-1	do	do	Jan. 1, 1974
Do.	Meridian	APC-8-1	do	do	Do.
<b>LAWRENCE COUNTY</b>					
Lawrence County Hospital	Monticello	APC-8-1	do	do	Aug. 15, 1974
Rutland Gin	Jayess	APC-8-1	do	do	Dec. 1, 1974
Sam Finley	Silvercreek	APC-8-1	do	do	Aug. 15, 1974
Gulf Fibre Products Co.	Monticello	APC-8-1	do	do	Sept. 23, 1974
Kelliwood Co.	do	APC-8-1	do	do	Do.
South Central Ready Mix, Inc.	do	APC-8-1	do	do	Do.
St. Regis Paper Co. (Combination Boiler)	do	APC-8-1	Feb. 27, 1973	do	Aug. 1, 1974
St. Regis Paper Co. (Recovery Boilers No. 1 and No. 2 TRS)	do	APC-8-1	do	do	Jan. 1, 1975
St. Regis Paper Co. (Noncondensable Gas System TRS)	do	APC-8-1	do	do	Mar. 1, 1975
<b>LEAKE COUNTY</b>					
Henderson South Manufacturing Co.	Carthage	APC-8-1	June 4, 1973	Immediately	Sept. 23, 1974
Leake County Milling Co., Inc.	do	APC-8-1	do	do	Do.
M & C Creosote	do	APC-8-1	do	do	Do.
Monroe Allen Contractor	do	APC-8-1	do	do	Do.
<b>LEE COUNTY</b>					
Anderson Mfg. Co.	Tupelo	APC-8-1	do	do	Do.
B & B Concrete Co., Inc.	do	APC-8-1	do	do	Do.
Barber Pure Milk Co.	do	APC-8-1	do	do	Sept. 23, 1974
Blackman Machine & Tool Co.	do	APC-8-1	do	do	Do.
Blue Bell, Inc.	do	APC-8-1	do	do	Do.
C. B. Hale Sawmill	do	APC-8-1	do	do	Do.
Dacus Drug Co.	Baldwin	APC-8-1	do	do	Do.
Day-Brite Lighting	Tupelo	APC-8-1	do	do	Do.
Denny Lumber Co.	do	APC-8-1	do	do	Do.
Fashion Furniture, Inc.	do	APC-8-1	do	do	Do.
Futorian Corp.—Tupelo Division	Decorian	APC-8-1	do	do	Do.
Hickory Springs Manufacturing of Arkansas	do	APC-8-1	do	do	Do.
International Minerals & Chemicals	do	APC-8-1	do	do	Do.
Kent's Store	do	APC-8-1	do	do	Do.
Mid-South Packers	do	APC-8-1	do	do	Do.

## RULES AND REGULATIONS

## MISSISSIPPI—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Newth Morris Box Co.	do.	APC-8-1	do.	do.	Do.
National Springs Corp. of Mississippi	do.	APC-8-1	do.	do.	Do.
Planters Lumber Co.	do.	APC-8-1	do.	do.	Do.
Prath Lumber Co.	Plantersville	APC-8-1	do.	do.	Do.
Riverside Chemical Co. (Seed Cleaning Facility)	Tupelo	APC-8-1	do.	do.	Sept. 26, 1974
Riverside Chemical Co. (Grain Elevator)	do.	APC-8-1	do.	do.	Do.
Sadler Manufacturing Co.	do.	APC-8-1	do.	do.	Do.
S.A.R. Manufacturing Co.	do.	APC-8-1	do.	do.	Do.
Scarsdale Quilting	do.	APC-8-1	do.	do.	Do.
Senters Transit Mix, Inc.	do.	APC-8-1	do.	do.	Do.
Sheller Globe Corp.	do.	APC-8-1	do.	do.	Do.
South-Aire, Inc., of Mississippi	do.	APC-8-1	do.	do.	Do.
Southern Imperial, Inc.	do.	APC-8-1	do.	do.	Do.
Super Sagless Spring Corp.	do.	APC-8-1	do.	do.	Do.
Triangle Manufacturing	do.	APC-8-1	do.	do.	Do.
Tupelo Brick & Tile Co.	do.	APC-8-1	do.	do.	Do.
Tupelo Marble Works	do.	APC-8-1	do.	do.	Do.
Tupelo Scrap & Steel Co.	do.	APC-8-1	do.	do.	Do.
United Cement Co.	do.	APC-8-1	do.	do.	Do.
W & S Milling & Molasses Co.	do.	APC-8-1	do.	do.	Do.
Walled Lake Door Co.	do.	APC-8-1	do.	do.	Do.
LEFLORE COUNTY					
J. J. Ferguson Ready Mix	Greenwood	APC-8-1	do.	do.	Sept. 23, 1974
Greenwood Asphalt Co.	do.	APC-8-1	do.	do.	Do.
Midway Gin Co.	Glendora	APC-8-1	do.	do.	Dec. 1, 1974
Mississippi Cottonseed Products Co.	Greenwood	APC-8-1	do.	do.	Sept. 23, 1974
National Art Co.	do.	APC-8-1	do.	do.	Do.
Race Track Plantation Co., Inc.	do.	APC-8-1	do.	do.	Dec. 1, 1974
Yazoo Valley Oil Mill	do.	APC-8-1	do.	do.	Sept. 23, 1974
LINCOLN COUNTY					
Boise Cascade Corp.	Brookhaven	APC-8-1	June 4, 1973	Immediately	Sept. 23, 1974
Ingle Sawmill	do.	APC-8-1	do.	do.	Do.
Keystone Seneca Wire Cloth Co.	do.	APC-8-1	do.	do.	Do.
Linwood Gin Co.	Vaughn	APC-8-1	do.	do.	Dec. 1, 1974
Lincoln Ready Mix Concrete	Brookhaven	APC-8-1	do.	do.	Oct. 24, 1974
Southwest Paving	do.	APC-8-1	do.	do.	Oct. 20, 1974
LOWNDES COUNTY					
Columbus Brick Co.	Columbus	APC-8-1	June 4, 1973	Immediately	Sept. 23, 1974
Columbus Plastics, Inc.	do.	APC-8-1	do.	do.	Do.
Davis Lumber Co.	do.	APC-8-1	do.	do.	Do.
General Tire & Rubber Co.	do.	APC-8-1	do.	do.	Do.
U.S. Borax and Chemical Corp.	do.	APC-8-1	do.	do.	Do.
Winn-Dixie Montgomery	do.	APC-8-1	do.	do.	Do.
MADISON COUNTY					
Burtonic Plastics	Ridgeland	APC-8-1	June 4, 1973	Immediately	Sept. 27, 1974
Canton Casket Co.	Canton	APC-8-1	do.	do.	Do.
Canton Plating Co.	do.	APC-8-1	do.	do.	Do.
Canton Poultry Co.	do.	APC-8-1	do.	do.	Do.
College Suppliers	Ridgeland	APC-8-1	do.	do.	Do.
Gilbert & Ryan, Inc.	Canton	APC-8-1	do.	do.	Do.
Ridgeland Seed & Feed, Inc.	Ridgeland	APC-8-1	do.	do.	Do.
Riverside Chemical Co. (Dry Fertilizer Blending)	Canton	APC-8-1	do.	do.	Do.
Riverside Chemical Co. (Liquid Insecticide Blending)	do.	APC-8-1	do.	do.	Do.
St. Charles Tool & Die Co., Inc.	Flora	APC-8-1	do.	do.	Do.
Supreme Milk Co.	Canton	APC-8-1	do.	do.	Do.
Tougaloo College	Tougaloo	APC-8-1	do.	do.	Do.
Trawick Construction of Canton	Canton	APC-8-1	do.	do.	Do.
MARION COUNTY					
Breland Ready-Mix & Supply Co.	Columbia	APC-8-1	June 4, 1973	Immediately	Sept. 23, 1974
Pope Tire Service	do.	APC-8-1	do.	do.	Do.
MARSHALL COUNTY					
Deluxe Products	Holly Springs	APC-8-1	June 4, 1973	Immediately	Sept. 23, 1974
Holly Springs Brick & Tile Co., Inc.	do.	APC-8-1	do.	do.	Do.
ITT Thompson Industries, Inc.	do.	APC-8-1	do.	do.	Do.
Occidental Chemical Co.	Byhalia	APC-8-1	do.	do.	Do.
The Wurlitzer Co.	Holly Springs	APC-8-1	do.	do.	Do.
Coated Abrasive Co.	do.	APC-8-1	do.	do.	Aug. 15, 1974
MONROE COUNTY					
Allied Chemical Corp.	Aberdeen	APC-8-1	June 4, 1973	Immediately	Sept. 27, 1974
American Colloid Co.	do.	APC-8-1	do.	do.	Do.
Comer Packing Co.	do.	APC-8-1	do.	do.	Do.
Conoco Chemical	do.	APC-8-1	do.	do.	Do.
Cramco Division	Amory	APC-8-1	do.	do.	Do.
Morris Ready-Mix	Aberdeen	APC-8-1	do.	do.	Do.
Palmer Construction Co.	Amory	APC-8-1	do.	do.	Do.
Monroe Cotton Oil Co.	Aberdeen	APC-8-1	do.	do.	Dec. 1, 1974
Burrill Ind.	Prairie	APC-8-1	do.	do.	Aug. 20, 1974
Farmers Gin, Inc.	Hamilton	APC-8-1	Feb. 27, 1973	do.	July 1, 1975

RULES AND REGULATIONS

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Source	Location	Regulation Involved	Date of adoption	Effective date	Final compliance date
<b>MONTGOMERY COUNTY</b>					
Anel Engineering Industries	Winona	APC-S-1	June 4, 1973	Immediately	Sept. 27, 1974
Davidson Marble & Granite Works	do	APC-S-1	do	do	Do.
Ferguson Concrete Co.	do	APC-S-1	do	do	Do.
Independent Linen Co.	do	APC-S-1	do	do	Do.
Lee Kirk Gln.	Duck Hill	APC-S-1	do	do	Dec. 1, 1974
Leleon, Inc.	Winona	APC-S-1	do	do	Sept. 27, 1974
McRee Egg Farm	Kilmichael	APC-S-1	do	do	Do.
Williams Wood Products, Inc.	Duck Hill	APC-S-1	do	do	Do.
Winona Handle Co.	Winona	APC-S-1	do	do	Do.
Herring Bros. Gln.	Kilmichael	APC-S-1	do	do	Sept. 2, 1973
<b>NESHOBA COUNTY</b>					
Weyerhaeuser Co. (Hardwood Dimension Mill)	do	APC-S-1	June 4, 1973	Immediately	Oct. 20, 1974
Weyerhaeuser Co. (Sawmill)	do	APC-S-1	do	do	Do.
Weyerhaeuser Co. (Tee Pee Burner)	do	APC-S-1	do	do	Do.
C & C Co., A Joint Venture	do	APC-S-1	do	do	Sept. 23, 1974
Riverside Chemical Co. (Animal Feed Manufacturing)	do	APC-S-1	do	do	Do.
Riverside Chemical Co. (Bulk Fertilizer Blending)	do	APC-S-1	do	do	Do.
Riverside of Philadelphia Gln.	do	APC S 1	do	do	Dec. 1, 1974
Cooper Williams Gln Co.	do	APC-S-1	do	do	Do.
<b>NEWTON COUNTY</b>					
Prath Lumber Co.	Union	APC-S-1	June 4, 1973	Immediately	Sept. 23, 1974
S. E. Welsh Lumber Co.	do	APC-S-1	do	do	Do.
James Willis Sawmill	Newton	APC-S-1	do	do	Do.
Monroe Allen Contractor	do	APC-S-1	do	do	Oct. 9, 1974
Koppers Co.	Hickory	APC-S-1	do	do	Aug. 21, 1974
<b>NOXUBEE COUNTY</b>					
Sam Finley, Inc.	Shuqualak	APC-S-1	June 4, 1973	Immediately	Sept. 23, 1974
Woody Jones Creosote Plant	do	APC-S-1	do	do	Do.
MFC Services Pearl Plant	do	APC-S-1	do	do	Do.
R. E. Prince Lumber Co.	Shuqualak	APC-S-1	do	do	Do.
T. L. James & Co.	Macon	APC-S-1	do	do	Oct. 20, 1974
Black Belt Gln.	Brookville	APC-S-1	do	do	Dec. 1, 1974
Valley Farm Gln.	Bigbee Valley	APC-S-1	do	do	Oct. 31, 1974
E. P. Nunn & Co.	Shuqualak	APC-S-1	do	do	Dec. 1, 1974
<b>OKTIBBEHA COUNTY</b>					
Montgomery Bros	Longview	APC-S-1	June 4, 1973	Immediately	Sept. 29, 1974
Perkins Feed Mill	Maben	APC-S-1	do	do	Do.
R & S Sawmill	do	APC-S-1	do	do	Do.
Riverside Chemical Co. (Animal Feed Manufacturing Plant)	Starkville	APC-S-1	do	do	Do.
Riverside Chemical Co. (Bulk Fertilizer Manufacturing)	do	APC-S-1	do	do	Do.
Riverside Chemical Co. (Grain Elevator)	do	APC-S-1	do	do	Do.
Riverside Feed Mills, Inc.	do	APC-S-1	do	do	Do.
Shuffield Gln.	Maben	APC-S-1	do	do	Dec. 1, 1974
Patch Concrete Service, Inc.	do	APC-S-1	do	do	Sept. 28, 1974
Atlas Ready-Mix Concrete, Inc.	Starkville	APC-S-1	do	do	Do.
Beattie Feed Mill	do	APC-S-1	do	do	Do.
Briarwood Lamps, Inc.	do	APC-S-1	do	do	Do.
Carborundum Co.	do	APC-S-1	do	do	Do.
Waymond Fondren Sawmill	Maben	APC-S-1	do	do	Do.
J. G. Hendricks Sawmill	do	APC-S-1	do	do	Do.
C. G. McBride Sawmill	do	APC-S-1	do	do	Sept. 29, 1974
The Monte Glove Co.	do	APC-S-1	do	do	Sept. 28, 1974
Herschede Hall Clock Co.	Starkville	APC-S-1	do	do	June 30, 1974
<b>PANOLA COUNTY</b>					
Breedlove Manufacturing Co.	Batesville	APC-S-1	June 4, 1973	Immediately	Sept. 30, 1974
Crenshaw Oil Co., Inc.	Crenshaw	APC-S-1	do	do	Do.
New Deal Gln.	Como	APC-S-1	do	do	Dec. 1, 1974
Modern Gln Co. of Como	do	APC-S-1	do	do	Do.
Dunlap & Kyle Co., Inc.	Batesville	APC-S-1	do	do	July 1, 1974
Self's Bobo Gln, Inc.	Marks	APC-S-1	Feb. 27, 1973	do	July 31, 1975
<b>PEARL RIVER COUNTY</b>					
Chloride C.P. Co.	Picayune	APC-S-1	June 4, 1973	Immediately	Sept. 30, 1974
Crosby Wood Preserving Co.	do	APC-S-1	do	do	Do.
Ingram Ind., Inc.	do	APC-S-1	do	do	Do.
Interpine Lumber Co.	do	APC-S-1	do	do	Do.
Lossett's Welding & Machine Works Inc.	do	APC-S-1	do	do	Do.
McNeill Hardwood Co.	McNeill	APC-S-1	do	do	Do.
Neco Electrical Products Corp.	Picayune	APC-S-1	do	do	Do.
Pearl River County Hospital	Poplarville	APC-S-1	do	do	Do.
Picayune Concrete Co.	Picayune	APC-S-1	do	do	Do.
Poplarville Manufacturing Co.	Poplarville	APC-S-1	do	do	Do.
Standard Container Co.	Picayune	APC-S-1	do	do	Do.
Stewart Dura-Vann, Inc.	do	APC-S-1	do	do	Do.
SMECO Stewart Machine & Engineer Inc.	do	APC-S-1	do	do	Do.
L. J. Thigpen Feed Co., Inc.	Poplarville	APC-S-1	do	do	Do.
Wesley Fertilizer Plant, Inc.	do	APC-S-1	do	do	Do.

## RULES AND REGULATIONS

## Mississippi—Continued

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Farmers Warehouse of Picaune, Inc.	Picaune	APC-8-1	do	do	Oct. 24, 1974
T. L. James & Co., Inc.	Crossroads	APC-8-1	do	do	Aug. 15, 1974
<b>FERRY COUNTY</b>					
Hilton Jones Sawmill	Richton	APC-8-1	June 4, 1973	Immediately	Sept. 30, 1974
Joslyn Mfg. & Supply Co.	do	APC-8-1	do	do	Do.
<b>PIKE COUNTY</b>					
Beacham Memorial Hospital	Magnolia	APC-8-1	June 4, 1973	Immediately	Sept. 30, 1974
Kent's Store	McComb	APC-8-1	do	do	Do.
Lamb Lumber Co.	Summit	APC-8-1	do	do	Do.
Lea's Milling Co.	Osyka	APC-8-1	do	do	Do.
Ole Hickory Sausage Plant	McComb	APC-8-1	do	do	Oct. 1, 1974
Maco Coffee & Candy Co.	do	APC-8-1	do	do	Do.
D. G. Seago & Son Lumber Co.	Summit	APC-8-1	do	do	Oct. 30, 1974
W. O. Sellers Lumber Co.	McComb	APC-8-1	do	do	Oct. 1, 1974
Sun Oil Co.	do	APC-8-1	do	do	Do.
Southwest Mississippi Junior College	Summit	APC-8-1	do	do	Oct. 23, 1974
Fernwood Industries	Fernwood	APC-8-1	do	do	Sept. 30, 1974
<b>PONTOTOC COUNTY</b>					
Brookwood Furniture	Pontotoc	APC-8-1	June 4, 1973	Immediately	Oct. 1, 1974
Keystone Metal Moulding	do	APC-8-1	do	do	Oct. 3, 1974
Minn-Conn Zion Gin	do	APC-8-1	do	do	Dec. 1, 1974
Minn-Conn Ecu Gin	Ecu	APC-8-1	do	do	Do.
Ram Golf Corp.	Pontotoc	APC-8-1	do	do	Oct. 3, 1974
Sneed's Farm Supply Milling Co., Inc.	do	APC-8-1	do	do	Do.
Riverside Chemical Co. (Liquid Fertilizer Blending)	do	APC-8-1	do	do	Do.
Riverside Chemical Co. (Grain Elevator)	do	APC-8-1	do	do	Do.
Riverside Chemical Co. (Dry Fertilizer Blending)	do	APC-8-1	do	do	Do.
Bankhead Lumber Co.	do	APC-8-1	do	do	Oct. 1, 1974
<b>PRENTISS COUNTY</b>					
Booneville Grain Co.	Booneville	APC-8-1	June 4, 1973	Immediately	Oct. 13, 1974
Jordan Ind., Inc.	do	APC-8-1	do	do	Do.
Jumpertown Gin	do	APC-8-1	do	do	Do.
S & J Ready-Mix	do	APC-8-1	do	do	Do.
South Central Plastics, Inc.	do	APC-8-1	do	do	Do.
Walden Sawmill	do	APC-8-1	do	do	Do.
Cole Sawmill	do	APC-8-1	do	do	Oct. 4, 1974
<b>QUITMAN COUNTY</b>					
Sabino Gin Co.	Lambert	APC-8-1	June 4, 1973	Immediately	Dec. 1, 1974
Peoples Gin Co., Inc.	Darling	APC-8-1	do	do	Do.
Peoples Gin Co.	Lambert	APC-8-1	do	do	Do.
Owens Gin Co.	Clarksdale	APC-8-1	do	do	Do.
North Gin Co.	Lambert	APC-8-1	do	do	Do.
Planter's Gin Co. at Crenshaw	Crenshaw	APC-8-1	do	do	Do.
DeMar Plantation Gin	Marks	APC-8-1	do	do	Do.
Valley Gin, Inc.	do	APC-8-1	do	do	July 17, 1975
Self and Company Certified Gin	do	APC-8-1	do	do	Do.
Self's Belem Gin	do	APC-8-1	do	do	Do.
Self's Farmer's Gin	do	APC-8-1	do	do	Do.
<b>RANKIN COUNTY</b>					
Aztec Industries, Inc.	Plain	APC-8-1	June 4, 1973	Immediately	Oct. 13, 1974
Beard Ready Mix, Inc.	Pelahatchie	APC-8-1	do	do	Do.
Contract Manufacturing, Inc.	Florence	APC-8-1	do	do	Do.
Davis Feed Mill	Pelahatchie	APC-8-1	do	do	Do.
Glass Container Corp.	Flowood	APC-8-1	do	do	Do.
Jackson Oil Prod.	Jackson	APC-8-1	do	do	Do.
Kent's Department Store	do	APC-8-1	do	do	Do.
Mississippi Steel Division, Magna Corp.	do	APC-8-1	do	do	Do.
Mosaic Tile Co.	Flowood	APC-8-1	do	do	Do.
Pelahatchie Poultry Co.	Pelahatchie	APC-8-1	do	do	Do.
Polk Concrete Products, Inc.	Jackson	APC-8-1	do	do	Do.
Star Market, Pearson Rd.	do	APC-8-1	do	do	Do.
International Paper Co.	Brandon	APC-8-1	do	do	Dec. 1, 1975
Mississippi Materials Co.	Jackson	APC-8-1	do	do	Mar. 1, 1975
<b>SCOTT COUNTY</b>					
Austin Road Co.	Forest	APC-8-1	June 4, 1973	Immediately	Oct. 13, 1974
Canton Milling, Inc.	Morton	APC-8-1	do	do	Do.
Forest Packing Company, Inc.	Forest	APC-8-1	do	do	Do.
Hankins & Eubanks Lumber Co.	Lake	APC-8-1	do	do	Do.
King Lumber Co.	Forest	APC-8-1	do	do	Do.
Little Princess Foods	do	APC-8-1	do	do	Do.
B. C. Rogers & Sons (Chicken Processing Plant)	Morton	APC-8-1	do	do	Do.
B. C. Rogers & Sons (Feed Mill)	do	APC-8-1	do	do	Do.
Southeastern Poultry	Forest	APC-8-1	do	do	Do.
M. L. Stewart Lumber Co.	Morton	APC-8-1	do	do	Do.
Sunbeam Corp.	Forest	APC-8-1	do	do	Do.
Talon Division of Textron	Morton	APC-8-1	do	do	Do.
Warren Bros.	Forest	APC-8-1	do	do	Do.
J. B. Wolf Sawmill	Lake	APC-8-1	do	do	Do.
Moore Farming Co., Inc.	Morton	APC-8-1	do	do	Oct. 10, 1974

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**MISSISSIPPI—Continued**

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>SHARKEY COUNTY</b>					
Hands Gin	Cary	APC-S-1	June 4, 1973	Immediately	Dec. 1, 1974
LCR Manufacturing	Anguilla	APC-S-1	do	do	Oct. 13, 1974
<b>SIMPSON COUNTY</b>					
A. C. Quality Farms, Inc.	Mendenhall	APC-S-1	June 4, 1973	Immediately	Oct. 13, 1974
Grubbs Poultry Market	Magee	APC-S-1	do	do	Do.
Reynolds Lumber Co.	do	APC-S-1	do	do	Do.
Roach Cabinet & Millwork	do	APC-S-1	do	do	Do.
Sullivan Curing & Processing Plant	Mendenhall	APC-S-1	do	do	Do.
Super Duper Gin	Magee	APC-S-1	do	do	Dec. 1, 1974
MFC Services	do	APC-S-1	do	do	Aug. 20, 1974
<b>SMITH COUNTY</b>					
K. D. Products, Inc.	Raleigh	APC-S-1	June 4, 1973	Immediately	Oct. 13, 1974
Lindsey Wood Co.	Taylorville	APC-S-1	do	do	Do.
T. H. Luckey Lumber	Mize	APC-S-1	do	do	Do.
Pine Belt Ready-Mix Concrete	Taylorville	APC-S-1	do	do	Oct. 1, 1974
Raleigh Lumber Co. Concrete	Raleigh	APC-S-1	do	do	Oct. 20, 1974
Taylorville Gin Co.	Taylorville	APC-S-1	do	do	Dec. 1, 1974
<b>STONE COUNTY</b>					
Breland Ready-Mix & Supply Co., Inc.	Wiggins	APC-S-1	June 4, 1973	Immediately	Oct. 13, 1974
Hillcrest Farms	Perkinston	APC-S-1	do	do	Do.
N. E. Neely Lumber Co.	Wiggins	APC-S-1	do	do	Do.
Wiggins Lumber Co.	do	APC-S-1	do	do	Do.
International Paper	do	APC-S-1	do	do	Aug. 20, 1974
McHenry Lumber Co.	McHenry	APC-S-1	do	do	Oct. 13, 1974
<b>SUNFLOWER COUNTY</b>					
Berryhill Bros. Planting Co.	Rome	APC-S-1	June 4, 1973	Immediately	Dec. 1, 1974
Crawford Ready Mix Co.	Indianola	APC-S-1	do	do	Oct. 4, 1974
Farmers Gin Co., Inc. (No. 3)	Drew	APC-S-1	do	do	Dec. 1, 1974
Mrs. Lucy B. Hill	Rome	APC-S-1	do	do	Do.
Indianola Supply & Cotton Gin Co., Inc.	Indianola	APC-S-1	do	do	Do.
I.T.T. Thompson Ind.	Drew	APC-S-1	do	do	Oct. 4, 1974
J.F.W.P. Gin Co., Inc.	Sunflower	APC-S-1	do	do	Dec. 1, 1974
Ludlow Corp.	Indianola	APC-S-1	do	do	Oct. 4, 1974
Manning Gin Co., Inc.	Drew	APC-S-1	do	do	Dec. 1, 1974
Sunflower Gin	Sunflower	APC-S-1	do	do	July 31, 1975
Noel Ind., Inc.	Ruleville	APC-S-1	do	do	Oct. 4, 1974
Mississippi State Penitentiary Gin	Parchman	APC-S-1	do	do	Dec. 1, 1974
Paymaster Oil Mill Co.	Ruleville	APC-S-1	do	do	Oct. 4, 1974
Ruleville Manufacturing Co.	do	APC-S-1	do	do	Do.
West Packing Co.	Indianola	APC-S-1	do	do	Do.
Baird Gin Co.	Baird	APC-S-1	do	do	Dec. 1, 1974
Parker Bros. & Cummin, Inc.	Drew	APC-S-1	do	do	Do.
Delta Brick & Tile Co., Inc.	Indianola	APC-S-1	do	do	July 31, 1975
<b>TALLAHATCHIE COUNTY</b>					
Brazil Gin	Summer	APC-S-1	June 4, 1973	Immediately	Dec. 1, 1974
Charlton Manufacturing Co.	Charleston	APC-S-1	do	do	Oct. 4, 1974
A. P. deMange Lumber Co., Inc.	do	APC-S-1	do	do	Oct. 5, 1974
W. L. Lowe	Glendora	APC-S-1	do	do	Do.
Tallahatchie General Hospital	Charleston	APC-S-1	do	do	Do.
Farmer's Gin of Charleston, Inc.	do	APC-S-1	do	do	Dec. 1, 1974
<b>TATE COUNTY</b>					
B & M Cleaners and Shirt Laundry	Senatobia	APC-S-1	June 4, 1973	Immediately	Oct. 5, 1974
A. B. Cullen & Sons	Coldwater	APC-S-1	do	do	Do.
The Dehner Co.	do	APC-S-1	do	do	Do.
Folan Dry Cleaners	Senatobia	APC-S-1	do	do	Do.
Senatobia Fixture Co.	do	APC-S-1	do	do	Do.
Sterling Gin Co.	do	APC-S-1	do	do	Dec. 1, 1974
Thyratria Gin Co., Inc.	do	APC-S-1	do	do	Do.
Chromcraft Corp.	do	APC-S-1	do	do	Aug. 1, 1974
W. L. Wallace & Sons Gin Co.	Coldwater	APC-S-1	do	do	Dec. 1, 1974
Farmers Gin Co., Inc.	do	APC-S-1	do	do	July 31, 1975
<b>TIPPAH COUNTY</b>					
BASF Wyandotte Corp.	Blue Mountain	APC-S-1	June 4, 1973	Immediately	Oct. 5, 1974
J. E. Butler Sawmill	Falkner	APC-S-1	do	do	Do.
Genesco	Ripley	APC-S-1	do	do	Do.
L. J. Grisham Sawmill	do	APC-S-1	do	do	Do.
Hot Mix, Inc.	Tiptersville	APC-S-1	do	do	Oct. 20, 1974
Johnson Lumber Co.	Walnut	APC-S-1	do	do	Oct. 5, 1974
Nails Sawmill, Inc.	do	APC-S-1	do	do	Do.
North Ripley Lumber Co.	Ripley	APC-S-1	do	do	Do.
Oil-Dri Production Co.	do	APC-S-1	do	do	Do.
Ripley Saw Co.	do	APC-S-1	do	do	Do.
Walnut Wood Products Co., Inc.	Walnut	APC-S-1	do	do	Do.
Jeff Young Sawmill	Ripley	APC-S-1	do	do	Do.
Dickerson & Peeler Sawmill	do	APC-S-1	do	do	Aug. 20, 1974
Falkner Gin Co.	Falkner	APC-S-1	do	do	Dec. 1, 1974

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## MISSISSIPPI—Continued

Source	Location	Regulation Involved	Date of adoption	Effective date	Final compliance date
Walnut Gin Co.	Walnut	APC-S-1	do.	do.	Do.
J. E. Hodum Sawmill	do.	APC-S-1	do.	do.	Oct. 1, 1974
Fred Bass Sawmill	do.	APC-S-1	do.	do.	Oct. 5, 1974
TISHOMINGO COUNTY					
Burnsville Gin Co.	Burnsville	APC-S-1	June 4, 1973	Immediately	Dec. 1, 1974
Miss. Stone Co., Inc.	Iuka	APC-S-1	do.	do.	Oct. 1, 1974
Tishomingo County Hospital	do.	APC-S-1	do.	do.	Do.
Genesco	do.	APC-S-1	do.	do.	Oct. 9, 1974
TUNICA COUNTY					
Abbey & Leatherman, Inc.	Robinsonville	APC-S-1	June 4, 1973	Immediately	Dec. 1, 1974
Owen Bros. Gin	Tunica	APC-S-1	do.	do.	Do.
Planters Oil Mill	do.	APC-S-1	do.	do.	Oct. 1, 1974
Tunica Manufacturing Co., Inc.	do.	APC-S-1	do.	do.	Do.
Seven-Mile Gin	do.	APC-S-1	do.	do.	Dec. 1, 1974
Taylor Gin Supply Co.	Dundee	APC-S-1	do.	do.	Do.
Three Way Gin Co.	Tunica	APC-S-1	do.	do.	Do.
Tunica County Hospital	do.	APC-S-1	do.	do.	Aug. 20, 1974
UNION COUNTY					
Denton Sleeping Garment Mills	New Albany	APC-S-1	June 4, 1973	Immediately	Oct. 6, 1974
Ertel Mfg. Corp.	do.	APC-S-1	do.	do.	Do.
Laher Spring & Electric Car Corp.	do.	APC-S-1	do.	do.	Do.
Long Bros. Gin	Blue Spring	APC-S-1	do.	do.	Dec. 1, 1974
Master-Bilt Product Division	New Albany	APC-S-1	do.	do.	Oct. 6, 1974
U.S. Extrusion Impacts, Inc.	do.	APC-S-1	do.	do.	Do.
Union Lumber Co. (Lumber)	do.	APC-S-1	do.	do.	Do.
Union Lumber Co. (Ready Mix Concrete)	do.	APC-S-1	do.	do.	Do.
Roger's Gin & Supply Co.	do.	APC-S-1	do.	do.	Dec. 1, 1974
MFC Services	do.	APC-S-1	do.	do.	Aug. 20, 1974
WALTHALL COUNTY					
Cantwell's Feed Mill	Tylertown	APC-S-1	June 4, 1973	Immediately	Oct. 6, 1974
Walthall Gin Co.	do.	APC-S-1	do.	do.	Dec. 1, 1974
WARREN COUNTY					
Vicksburg Terminal Elevators	Vicksburg	APC-S-1	June 4, 1973	Immediately	Oct. 13, 1974
Vicksburg Tow Co.	do.	APC-S-1	do.	do.	Do.
Westinghouse Electric Co.	do.	APC-S-1	do.	do.	Do.
Wood Bros. Manufacturing Co.	do.	APC-S-1	do.	do.	Do.
Donnel Builders, Inc.	do.	APC-S-1	do.	do.	Oct. 20, 1974
Brunswick Gin	do.	APC-S-1	do.	do.	Dec. 1, 1974
Big River Shipbuilding, Inc.	do.	APC-S-1	do.	do.	Oct. 20, 1974
Port Gibson Concrete Co.	do.	APC-S-1	do.	do.	Do.
Vicksburg Concrete Co., Inc.	do.	APC-S-1	do.	do.	Do.
Valley Mills Co.	do.	APC-S-1	do.	do.	Do.
Sangamo Elec. Co.	do.	APC-S-1	do.	do.	Do.
Magnolia Homes Manufacturing Corp.	do.	APC-S-1	do.	do.	Do.
Ludke Electric, Inc.	do.	APC-S-1	do.	do.	Do.
Jitney Jungle No. 4	do.	APC-S-1	do.	do.	Do.
Gooch's Feed Mill	do.	APC-S-1	do.	do.	Do.
Flintkote Co.	do.	APC-S-1	do.	do.	Do.
Anderson-Tully Co. Mill D	Waltersville	APC-S-1	do.	do.	Oct. 9, 1974
Anderson-Tully Co. Mill J	do.	APC-S-1	do.	do.	Do.
Anderson-Tully Co. Waltersville Mill	do.	APC-S-1	do.	do.	Do.
Vicksburg Convalescent Home	Vicksburg	APC-S-1	do.	do.	Apr. 1, 1974
Vicksburg Chemical Vent No. 1	do.	APC-S-1	do.	do.	Apr. 1, 1975
Vicksburg Chemical Vent No. 2	do.	APC-S-1	do.	do.	June 30, 1975
W. J. Runyan & Son Construction Co.	Highway 27, Vicksburg	APC-S-1	do.	do.	Oct. 31, 1974
W. J. Runyan & Son Construction Co.	Highway 61 N, Vicksburg	APC-S-1	do.	do.	Do.
Mercy Hospital Street Memorial	Vicksburg	APC-S-1	do.	do.	July 1, 1974
International Paper Co.:					
a. Paper Mill Continuous Digestor	do.	APC-S-1	do.	do.	May 31, 1975
b. Evaporator	do.	APC-S-1	do.	do.	Do.
c. Lime Kiln	do.	APC-S-1	do.	do.	Do.
Atlas Tank Manufacturing Co.	do.	APC-S-1	do.	do.	Dec. 31, 1974
WASHINGTON COUNTY					
Mississippi Marine Corp.	Greenville	APC-S-1	June 4, 1973	Immediately	Oct. 13, 1974
Greenville Mill Division	Mohasco	APC-S-1	do.	do.	Do.
Tri-State Concrete Products, Inc.	do.	APC-S-1	do.	do.	Do.
Walker Farms Dairy Products, Inc.	Stoneville	APC-S-1	do.	do.	Do.
Y-D Lumber Co.	Hollandale	APC-S-1	do.	do.	Do.
Staple Cotton Services Assoc.	do.	APC-S-1	do.	do.	Oct. 20, 1974
Rode Ready Mix Concrete Co.	do.	APC-S-1	do.	do.	Do.
Hollandale Elevator Co.	Hollandale	APC-S-1	do.	do.	Do.
Warren Bros. Co.	Greenville	APC-S-1	do.	do.	Do.
Mid States Steel & Wire	do.	APC-S-1	do.	do.	Oct. 9, 1974
Arkansas Valley, Ind., Inc.	do.	APC-S-1	do.	do.	Oct. 13, 1974
Belton Bagging Co.	do.	APC-S-1	do.	do.	Do.
Brown's Sheet Metal & Roofing, Inc.	do.	APC-S-1	do.	do.	Do.
Clark Farm & Gin Co.	Arcola	APC-S-1	do.	do.	Dec. 1, 1974
Delta Metal Forming	Greenville	APC-S-1	do.	do.	Oct. 13, 1974



MISSISSIPPI—Continued

Source	Location	Regulation Involved	Date of adoption	Effective date	Final compliance date
Greenville Head & Block Co., Inc.	do	APC-S-1	do	do	Do.
Greenville Ready-Mix Concrete Co., Inc.	do	APC-S-1	do	do	Do.
Mid-States Metal Products	do	APC-S-1	do	do	Do.
Cleaver Brooks Co.	do	APC-S-1	do	do	Do.
Chicago Mill & Lumber Co.	do	APC-S-1	do	do	July 31, 1975
Crowe Gin Co.	Hollandale	APC-S-1	do	do	Dec. 1, 1974
Dillingham Manufacturing Co.	Leland	APC-S-1	do	do	Aug. 21, 1974
Hampton Gin & Supply Co.	Glen Allen	APC-S-1	do	do	Dec. 1, 1974
Horton Gin Co., Inc.	Hollandale	APC-S-1	do	do	Do.
Refuge Plantation Gin	Greenville	APC-S-1	do	do	Do.
Valley Chemical Co.	do	APC-S-1	do	do	Aug. 21, 1974
Leland Oil Works	Leland	APC-S-1	do	do	Oct. 19, 1974
Burdette Gin Co.	do	APC-S-1	Feb. 27, 1973	do	July 31, 1975
Dean Gin Co.	Tribbett	APC-S-1	do	do	Do.
Highland Plantation Gin	Greenville	APC-S-1	do	do	Do.
Hollandale Gin Co.	Hollandale	APC-S-1	do	do	Do.
North Leland Gin Co.	Leland	APC-S-1	do	do	Do.
Rebel Gin Co.	Arcola	APC-S-1	do	do	Do.
WAYNE COUNTY					
Day Co., Inc.	Waynesboro	APC-S-1	June 4, 1973	Immediately	July 1, 1975
Wayne Manufacturing Co.	do	APC-S-1	do	do	Oct. 1, 1974
Longleaf Forest Products	do	APC-S-1	do	do	Oct. 20, 1974
WEBSTER COUNTY					
Mersman Bros. Corp.	Eupora	APC-S-1	June 4, 1973	Immediately	Oct. 1, 1974
Doolittle Gin Co.	do	APC-S-1	do	do	Dec. 1, 1974
WILKINSON COUNTY					
Laurel Hill Lumber Co.	Woodville	APC-S-1	June 4, 1973	Immediately	Oct. 20, 1974
WINSTON COUNTY					
Louisville Sawmill (Koppers Co.)	Louisville	APC-S-1	June 4, 1973	Immediately	Oct. 1, 1974
Spartus Corp.	do	APC-S-1	do	do	Do.
Winston County Community Hospital	do	APC-S-1	do	do	Do.
Wand-Boydston	do	APC-S-1	do	do	Oct. 20, 1974
YALOBUSHA COUNTY					
Riles Lumber Co.	Water Valley	APC-S-1	June 4, 1973	Immediately	Oct. 1, 1974
The New Gin	Coffeeville	APC-S-1	do	do	Dec. 1, 1974
YAZOO COUNTY					
Cathey-Williams-Jones Co.	Bentonla	APC-S-1	June 4, 1973	Immediately	Oct. 13, 1974
Gooch Bros. Lumber	Yazoo City	APC-S-1	do	do	Do.
Vaughn Gin Co.	Vaughn	APC-S-1	do	do	Dec. 1, 1974
Yazoo Paving Co.	Yazoo City	APC-S-1	do	do	Oct. 13, 1974
Yazoo Ready Mix	do	APC-S-1	do	do	Do.
Planters Gin of Bentonla	Bentonla	APC-S-1	do	do	Dec. 1, 1974
McGraw-Curren Lumber Co.	Yazoo City	APC-S-1	do	do	Oct. 20, 1974

[FR Doc.75-1869 Filed 1-21-75;8:45 am]

[FRL 309-4]

**PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS**  
**North Carolina: Approval of Compliance Schedules**

On September 9, 1974 (39 FR 32563), the Administrator proposed the approval of a number of individual compliance schedules submitted by the State of North Carolina pursuant to 40 CFR 51.6 and 51.15 pertaining respectively to plan revisions and compliance schedules. These schedules had been adopted by the North Carolina Board of Water and Air Resources after notice and public hearing before being submitted for the

Agency's approval on November 20, 1973, and on May 13, 1974. Each establishes a date by which an individual air pollution source must attain compliance with the emission limitations of the State implementation plan. This date is indicated in the succeeding table under the heading "Final Compliance Date". In many cases the schedule includes incremental steps toward compliance, with specific dates set for achieving those steps. While the table below does not list these interim dates, the actual compliance schedules do. The entry "Immediately" under the heading "Effective Date" means that the schedule becomes enforceable by the Federal

Government immediately upon its approval by the Administrator.

Copies of the proposed schedules were made available for public inspections at the Agency's Region IV office in Atlanta, Georgia and at the North Carolina Office of Water and Air Resources' headquarters in Raleigh. Written comments were solicited from the public, but no response was received. The State offered a number of minor corrections, which have all been incorporated in the listing given below.

An evaluation of the remaining schedules may be obtained by consulting personnel of the Agency's Region IV Air Programs Office, 1421 Peachtree Street NE., Atlanta, Georgia. Copies of the schedules, together with the North Carolina plan, are available for public inspection at the Atlanta office and also at the Division of Stationary Source Enforcement, 401 M Street SW., Washington, D.C. 20460 and at the office of the North Carolina Division of Environmental Management, Air Quality Section.

The Administrator has determined that all the schedules given here satisfy the requirement of 40 CFR Part 51 pertaining to compliance schedules and plan revisions, and that their approval will not hinder the attainment and maintenance of the national ambient air quality standards. Accordingly, they are hereby approved.

This action is effective immediately. The Administrator finds that good cause exists for making this action immediately effective since these schedules are already in effect under North Carolina law, and the Agency's action imposes no additional regulatory burden on affected facilities.

(Sec. 110, Clean Air Act, (41 U.S.C. 1857c-5))

Dated: January 8, 1975.

JOHN QUARLES,  
 Acting Administrator.

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

**Subpart II—North Carolina**  
**§ 52.1770 [Amended]**

1. Section 52.1770 is amended by inserting in proper chronological order in paragraph (c) the dates November 20 [1973] and May 13 [1974].

2. Section 52.1774 is amended by inserting in proper order in the table of paragraph (a) new lines as follows:

**§ 52.1774 Compliance schedules.**

(a) \* \* \*

## RULES AND REGULATIONS

Source	Location	Permit number	Regulation involved	Date of adoption	Effective date	Final compliance date
<b>ALAMANCE COUNTY</b>						
Burlington Industries, Mayfair Plant.....	Burlington.....	T-2449.....	II-2.2, IV-2.30.....	Mar. 18, 1974	Immediately....	Mar. 31, 1975
Wilson Bradshaw Sawmill.....	Haw River.....	T-2431.....	II-1.3.....	do.....	do.....	July 31, 1974
<b>ANSON COUNTY</b>						
Wade Mfg. Co.....	Wadesboro.....	T-2421.....	II-2.2, IV-2.30.....	Mar. 18, 1974	Immediately....	Dec. 31, 1974
<b>BLADEN COUNTY</b>						
Columbian Peanut Co.....	Elizabethtown.....	T-2439.....	IV-2.30.....	Mar. 18, 1974	Immediately....	July 1, 1974
<b>BEAUFORT COUNTY</b>						
Hackney & Sons, Inc.....	Washington.....	T-2410.....	IV-2.60.....	Mar. 18, 1974	Immediately....	Jan. 1, 1975
<b>BRUNSWICK COUNTY</b>						
Bolliva Lumber Co.....	Navassa.....	T-2384.....	II-1.3.....	Aug. 23, 1973	Immediately....	June 1, 1974
Standards Products, Inc.:	Southport.....	T-2216.....	II-5.2, IV-2.30.....	June 27, 1973	do.....	May 31, 1974
(a) Evaporator.....	do.....	do.....	do.....	do.....	do.....	Do.
(b) Dryer.....	do.....	do.....	do.....	do.....	do.....	Do.
<b>CLEVELAND COUNTY</b>						
Oras Biggerstaff:	Shelby.....	T-2454.....	II-2.2, IV-2.30.....	Mar. 19, 1974	Immediately....	Sept. 30, 1974
Gln #1.....	Bolling Springs.....	T-2455.....	do.....	do.....	do.....	Do.
Gln #2.....	Shelby.....	T-2456.....	do.....	do.....	do.....	Do.
Gln #3.....	Fallston.....	T-2458.....	do.....	Mar. 20, 1974	do.....	Do.
A. M. Bogas & Sons.....	Bellwood.....	T-2460.....	do.....	Mar. 22, 1974	do.....	Do.
Boggs & Williams Gln Co.....	Shelby.....	T-2459.....	do.....	Mar. 20, 1974	do.....	Do.
Morgan & Company Inc.....						
<b>CUMBERLAND COUNTY</b>						
Cape Fear Car Service, Inc.....	Fayetteville.....	T-2435.....	II-2.2, IV-2.30.....	Mar. 18, 1974	Immediately....	July 15, 1974
<b>DAVIDSON COUNTY</b>						
Hekman Cabinets.....	Lexington.....	T-2417.....	IV-1.10, II-2.2, IV-2.30.....	Mar. 18, 1974	Immediately....	Nov. 1, 1974
E. E. Wilson Floor Covering, Inc.....	do.....	T-2420.....	II-1.3.....	do.....	do.....	Mar. 1, 1974
Burlington Industries, Inc., Philpott Plant:	do.....	T-2338.....	IV-2.60.....	June 29, 1973	do.....	Dec. 13, 1973
(a) Furniture finishing.....	do.....	do.....	IV-2.30.....	do.....	do.....	July 1, 1974
(b) Dust cyclone.....	do.....	do.....	II-2.2, IV-1.20.....	do.....	do.....	May 1, 1975
(c) Wood waste boiler.....	do.....	do.....				
<b>EDGECOMBE COUNTY</b>						
Carolina Enterprise Inc.....	Tarboro.....	T-2430.....	II-2.2, IV-2.30, IV-2.60.....	Mar. 18, 1974	Immediately....	Oct. 1, 1974
<b>FRANKLIN COUNTY</b>						
Rishel Furniture Co.....	Louisburg.....	T-2452.....	IV-2.60.....	Mar. 18, 1974	Immediately....	July 31, 1974
<b>GRAHAM COUNTY</b>						
Graham Board of Commissioners.....	Robbinsville.....	T-2368.....	II-2.2, IV-1.10, IV-2.40.....	June 27, 1973	Immediately....	Oct. 15, 1974

RULES AND REGULATIONS

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Source	Location	Permit number	Regulation Involved	Date of adoption	Effective date	Final compliance date
<b>GRANVILLE COUNTY</b>						
Adams Products Co.	Oxford	T-2437	II-2.2, II-5.2, IV-2.30, IV-2.60	Mar. 18, 1974	Immediately	Apr. 1, 1974
General Processors, Inc.	do	T-2424	II-2.2, IV-2.30	do	do	Aug. 1, 1974
Graystone Concrete Products Inc.	do	T-2444	do	do	do	Nov. 1, 1974
IMI Warp Knits	do	T-2423	do	do	do	June 1, 1974
Oxford Laundry & Cleaner	do	T-2225	II-2.2, IV-1.10, IV-2.40	June 28, 1973	do	Sept. 30, 1974
<b>HALIFAX COUNTY</b>						
Columbian Peanut Co.	Enfield	T-2427	II-2.2, IV-2.30	Mar. 18, 1974	Immediately	Sept. 1, 1974
Do	Scotland Neck	T-2450	IV-2.30	do	do	July 1, 1974
<b>HARNETT COUNTY</b>						
Perry Bros. Tire Service	Dunn Durham	T-2446	II-2.2, IV-2.30	Mar. 18, 1974	Immediately	May 15, 1974
<b>HENDERSON COUNTY</b>						
Manning Fisher Co., Inc.	Hendersonville	T-2462	II-2.2, IV-2.30	Mar. 22, 1974	Immediately	June 1, 1974
<b>HERTFORD COUNTY</b>						
Colombian Peanut Co.	Ahoskie	T-2398	IV-2.30	Mar. 18, 1974	Immediately	July 1, 1974
<b>IREDELL COUNTY</b>						
Baystate Milling Co.	Mooresville	T-2411	II-2.2, IV-2.30	Mar. 18, 1974	Immediately	May 1, 1974
Statesville Chair Co.	Statesville	T-2418	do	do	do	Dec. 31, 1974
Statesville Plywood & Veneer Co.	do	T-2413	do	do	do	July 1, 1974
<b>JOHNSTON COUNTY</b>						
Mitchell Concrete Products	Smithfield	T-2433	II-2.2, IV-2.30	Mar. 18, 1974	Immediately	Aug. 31, 1974
Guy C. Lee Mfg. Co.	do	T-1963	II-2.2, IV-1.10, IV-2.40	Dec. 3, 1972	do	June 1, 1973
<b>LEE COUNTY</b>						
Sanford Finishing Corp.	Sanford	T-2441	II-2.2, IV-2.30	Mar. 18, 1974	Immediately	June 30, 1974
<b>LINCOLN COUNTY</b>						
Mohican Mills	Lincolnton	T-2304	II-2.2, IV-2.30	June 28, 1973	Immediately	Dec. 31, 1974
<b>MARTIN COUNTY</b>						
Martin Co. Board of Education, Robersonville Primary	Robersonville	T-835	II-1.3, II-2.2, IV-1.100	Apr. 27, 1971	Immediately	Sept. 30, 1973
<b>MASH COUNTY</b>						
Burlington Industries:						
(a) Sheffield Plant	Rocky Mount	T-2447	II-2.2, IV-2.30	Mar. 18, 1974	Immediately	Sept. 30, 1974
(b) Finishing Plant	do	T-2448	do	Mar. 19, 1974	do	Mar. 31, 1975
China American Tobacco Company	do	T-2422	do	Mar. 18, 1974	do	July 1, 1974
Independent Tobacco Services Corp.	do	T-2434	do	do	do	Sept. 1, 1974
<b>NEW HANOVER COUNTY</b>						
Southern Box & Plywood	Wilmington	T-2374	IV-1.10, II-2.2	Aug. 23, 1973	Immediately	July 31, 1974
Carolina Methanol, Inc.	do	T-2267	IV-2.60	Oct. 16, 1973	do	Mar. 16, 1975
Babcock & Wilcox Company	do	T-2409	do	Mar. 18, 1974	do	Dec. 31, 1974
E. W. Godwin & Sons	do	T-2408	II-2.2, IV-1.10	do	do	Do
Carolina Power & Light L. V. Sutton #2 Unit	do	T-1846	II-2.2, IV-1.10, IV-2.40	Aug. 8, 1972	do	Dec. 1, 1974
Hercules, Inc.	do	T-2197	IV-2.60	June 27, 1973	do	May 31, 1975
<b>NORTHAMPTON COUNTY</b>						
Seyern Peanut Company, Inc.	Seyern	T-2442	II-2.2, IV-2.30	Mar. 18, 1974	Immediately	Oct. 1, 1974
E. L. Timberlake Jr. Company	Woodland	T-2432	do	do	do	June 1, 1974
<b>ORANGE COUNTY</b>						
Triem, Inc.	Carrboro	T-2425	IV-2.6	Mar. 18, 1974	Immediately	Sept. 30, 1974
Hines Liner Company (Liner Plant)	Hillsboro	T-1732	II-2.2, IV-1.10, IV-2.40	June 29, 1972	do	July 31, 1973
<b>PASQUOTANK COUNTY</b>						
A. B. Houtz & Sons, Inc.	Elizabeth City	T-2397	II-1.3	Oct. 15, 1973	Immediately	June 1, 1974
<b>PENDER COUNTY</b>						
Holt Hosiery Mills, Inc.	Penderlea	T-2306	II-2.2, IV-1.10, IV-2.40	Oct. 15, 1973	Immediately	July 1, 1974
<b>PERSON COUNTY</b>						
The Loxreen Co., Inc.	Roxboro	T-2423	II-2.2, IV-2.3	Mar. 13, 1974	Immediately	June 1, 1974
<b>PITT COUNTY</b>						
Town of Bethel	Bethel	T-287	II-1.3	Sept. 6, 1973	Immediately	Mar. 1, 1974

## RULES AND REGULATIONS

Source	Location	Permit number	Regulation involved	Date of adoption	Effective date	Final compliance date
RANDOLPHE COUNTY						
W. R. Grace & Company, Const. Products Div.....	High Point.....	T-2419.....	II-2.2, IV-2.30.....	Mar. 18, 1974	Immediately....	Oct. 1, 1974
RUTHERFORD COUNTY						
Burlington Industries, Inc., J. C. Cowan Plant.....	Forest City.....	T-2461.....	II-2.2, IV-2.30, IV-2.60.	Mar. 22, 1974	Immediately....	Dec. 31, 1974
SCOTLAND COUNTY						
Epring Mills, Crandall Plant.....	Wagram.....	T-504.....	II-1.8, II-2.2, IV-1.10, IV-2.40.	Mar. 2, 1971	Immediately....	Mar. 31, 1973
SURREY COUNTY						
North Carolina Granite Company.....	Mt. Alry.....	T-2416.....	II-2.2, IV-2.30.....	Mar. 18, 1974	Immediately....	Apr. 1, 1974
UNION COUNTY						
Epring Mills Inc.....	Monroe.....	T-2412.....	II-2.2, IV-2.30.....	Mar. 18, 1974	Immediately....	July 1, 1974
VANCE COUNTY						
Kerilon, Inc.....	Henderson.....	T-2426.....	II-2.2, IV-2.30.....	Mar. 18, 1974	Immediately....	Dec. 31, 1974
Fram Corporation, General Products Div.....	do.....	T-2438.....	do.....	do.....	do.....	June 1, 1974
WAKE COUNTY						
Athey Products Corp.....	Wake Forest.....	T-2443.....	IV-2.60, IV-2.30.....	Mar. 18, 1974	Immediately....	Aug. 30, 1974
Paul Beasley Concrete, Inc.....	Fuquay-Varina.....	T-2436.....	II-2.2, IV-2.30.....	do.....	do.....	Do.
Cameron Court Apartments.....	Raleigh.....	T-2445.....	II-1.3, IV-1.30.....	do.....	do.....	July 17, 1974
Tobacco Growers Services.....	Fuquay-Varina.....	T-2429.....	II-2.2, IV-2.30.....	do.....	do.....	Aug. 31, 1974
WARREN COUNTY						
General Box Company.....	Warrenton.....	T-2440.....	II-1.3.....	Mar. 31, 1974	Immediately....	Aug. 1, 1974
YADKIN COUNTY						
Yadkin Granite Ready Mix Company.....	Jonesville.....	T-2415.....	II-2.2, IV-2.30.....	Mar. 18, 1974	Immediately....	July 1, 1974
WILKES COUNTY						
Lowes Company Inc Bucham Lumber.....	N. Wilkesboro.....	T-2265.....	II-2.2, IV-2.30.....	June 27, 1973	Immediately....	Dec. 31, 1974

[FR Doc.75-1870 Filed 1-21-75;8:45 am]

[FRL 309-7]

**PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS****Tennessee: Approval of Compliance Schedules**

On March 19, 1974 (39 FR 10273), the Administrator proposed the approval of a number of individual compliance schedules submitted by the State of Tennessee pursuant to the requirements of 40 CFR 51.6 and 51.15 pertaining respectively to plan revisions and compliance schedules. These schedules had been adopted by the Tennessee Air Pollution Control Board after notice and public hearing before being submitted for the Agency's approval on March 23, May 15, July 3, July 18, July 20, October 15, and October 16, 1973. Each establishes a date by which an individual air pollution source must attain compliance with the emission limitations of the State implementation plan. This date is indicated in the succeeding tables under the heading "Final Compliance Date." In many cases the schedules include incremental steps toward compliance, with specific dates set for achieving those steps. While the tables below do not list these interim dates, the

actual compliance schedules do. The entry "Immediately" under the heading "Effective Date" means that the schedule becomes enforceable by the Federal Government immediately upon its approval by the Administrator.

Copies of the proposed schedules were made available for public inspection at the Agency's Region IV office in Atlanta, Georgia, at the office of the Tennessee Division of Air Pollution Control in Nashville, and at the offices of the local control agencies involved. Written comments were solicited from the public, but no response was received. At the State's request, a number of schedules, including most of the Memphis-Shelby County ones, have been deleted from the original proposal since new schedules have since been negotiated with the facilities concerned. Also, one facility originally listed for Nashville-Davidson County has ceased operation and hence has been deleted.

An evaluation of the remaining schedules may be obtained by consulting personnel of the Agency's Region IV Air Programs Office, 1421 Peachtree Street, N.E., Atlanta, Georgia 30309. Also, copies of the schedules as well as the Tennessee plan itself are available for public in-

spection at this location at the office of the Agency's Division of Stationary Source Enforcement, 401 M Street, S.W., Washington, D.C. 20460; at the office of the Tennessee Division of Air Pollution Control, C2-212 Cordell Hull Building, Nashville, Tennessee 37219; and at the offices of the local control agencies involved:

City of Memphis-Shelby County Health Department  
814 Jefferson Avenue  
Memphis, Tennessee 38105  
Chattanooga-Hamilton County Air Pollution Control Bureau  
Room 201  
City Hall Annex  
Chattanooga, Tennessee 37402  
Air Pollution Control Division  
Metropolitan Health Department of Nashville and Davidson County  
311-23rd Avenue  
Nashville, Tennessee 37203

The Administrator has determined that all the schedules given here satisfy the requirements of 40 CFR Part 51 pertaining to compliance schedules and plan revisions, and that their approval will not hinder the attainment and maintenance of the national ambient air quality standards. Accordingly, they are hereby approved.

This action is effective immediately. The Administrator finds that good cause exists for making his action immediately effective since these schedules are already in effect under Tennessee law, and the Agency's action imposes no additional regulatory burden on affected facilities.

(Sec. 110, Clean Air Act (42 U.S.C. 1857c-5))

Dated: January 8, 1975.

JOHN QUARLES,  
Acting Administrator.

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

Subpart RR—Tennessee

§ 52.2220 [Amended]

1. Section 52.2220 is amended by inserting in proper chronological order in paragraph (c) (4) the dates March 23, May 15, July 3, July 18, July 20, October 15, and October 16 [1973].

2. Section 52.2223 is amended by adding lines to the table of paragraph (c) (1) and by adding a new paragraph (e) as follows:

§ 52.2223 Compliance schedules.

\* \* \* \* \*  
(c) (1) \* \* \*

Tennessee

Source	Location	Regulation involved	Date of adoption	Effective date	Final compliance date
Bowaters Southern Paper Corp. State order No. 44-0073.	Calhoun.....	CH. VII-9(f)	June 19, 1973	Immediately..	June 1, 1975
General Shale, State order No. 45-0073.	Kingsport.....	CH. VII-8(b)	.....do.....	.....do.....	June 1, 1974
Holston Army Ammunition Plant, State order No 54-0073.	.....do.....	CII. VII-9(c)	.....do.....	.....do.....	Dec. 1, 1973
Tennessee River Pulp & Paper Co., State order No. 93-00073.	Counce.....	CII. VI-2 CH. V-2(b)	.....do.....	.....do.....	
Tennessee Valley Authority, Kingston Steam Plant, Unit 1, State order No. 47-0073.	Kingston.....	CH. VI-2(a)(2) CH. V-2(b)	June 19, 1973	.....do.....	July 1, 1975
Tennessee Valley Authority, Johnsonville Steam Plant:					
(a) Unit 1, State order No. 50-0073.	New Johnsonville	CH. VI-2(a)(2) CH. V-2(b)	Oct. 9, 1973	.....do.....	April 1, 1975
(b) Unit 2, State order No. 49-0073.	.....do.....	CH. VI-2(a)(2) CH. V-2(b)	.....do.....	.....do.....	July 1, 1975
(c) Unit 7, State order No. 48-0073.	.....do.....	CH. VI-2(a)(2) CH. V-2(b)	.....do.....	.....do.....	Mar. 1, 1974
(d) Unit 8, State order No. 52-0073.	.....do.....	CH. VI-2(a)(2) CII. V-2(b)	.....do.....	.....do.....	June 1, 1974
(e) Unit 9, State order No. 51-0073.	.....do.....	CH. VI-2(a)(2) CH. V-2(b)	.....do.....	.....do.....	Sept 1, 1974
(f) Unit 10, State order No. 53-0073.	.....do.....	CH. VI-2(a)(2) CH. V-2(b)	.....do.....	.....do.....	Dec 1, 1974

(e) The compliance schedules for the sources identified below are approved as meeting the requirements of § 51.15 and § 51.6 of this chapter. All regulations cited are air pollution control regulations of the State or those of a local air pollution control agency as noted.

(1) Statewide compliance schedules:

## RULES AND REGULATIONS

## Tennessee

Source	Location	Regulation Involved	Date of adoption	Effective date	Final compliance date
Aluminum Co. of America, State order No. 79-00073.	Alcoa.....	CH. V-2(b) CH. VII-2	Oct. 9, 1973	Immediately..	Aug. 9, 1974
American Enka, State order No. 64-00073:					
(a) Boilers 1, 2, 3.....	Morristown..... Tennessee	CH. V-2(b) CH. VI-2(a)	.....do.....	.....do.....	July 1, 1975
(b) Boilers 4, 5, 6.....	do.....	CH. V-2(b) CH. VI-2(a)	.....do.....	.....do.....	Dec. 30, 1974
(c) Boiler 9.....	do.....	CH. V-2(b) CH. VI-2(a)	.....do.....	.....do.....	June 30, 1974
Athens Plow Co., State order No. 4-00073.	Athens.....	CH. V-2(b) CH. VII-9(b)	Mar. 20, 1973	.....do.....	Aug. 9, 1974
Athens Stove Works, State order No. 55-0073.	do.....	CH. V-2(b) CH. VII-9(b)	June 19, 1973	.....do.....	July 2, 1974
Beaunit Fibers, State order No. 56-0073:					
(a) Stacks 1 and 2.....	Elizabethton.....	CH. V-2(a) CH. VI-2(a)	.....do.....	.....do.....	Mar. 30, 1975
(b) Stack 3.....	do.....	CH. V-2(a) CH. VI-2(a)	.....do.....	.....do.....	Nov. 30, 1974
Bedford Lumber Co.: State order No. 87-00073.....	Shelbyville.....	CH. V-2(b) CH. VI-2(a)(2)	Oct. 9, 1973	.....do.....	Mar. 1, 1974
State order No. 88-00073.....	do.....	CH. V-2(b) CH. VI-2(a)(2)	.....do.....	.....do.....	Oct. 9, 1974
Bristol Foundry & Machine Co., State order No. 71-00073.	Bristol.....	CH. V-2(b) CH. VII-9(b)	.....do.....	.....do.....	Nov. 9, 1973
Bruce Flooring State order No. 72-00073.	Jackson.....	CH. V-2(b) CH. VII-2	.....do.....	.....do.....	Aug. 9, 1974
Burroughs-Ross-Colville Co.: State order No. 65-00073:					
(a) Boiler 1.....	McMinnville.....	CH. V-2(b) CH. VI-2(a)2	.....do.....	.....do.....	Do.
State order No. 66-00073:					
(a) Collectors C-1, C-3.....	do.....	CH. V-2(b) CH. VII-2(a)	.....do.....	.....do.....	Do.
(b) Collector C-7.....	do.....	CH. V-2(b) CH. VII-2(a)	.....do.....	.....do.....	Oct. 1, 1973
Celotex Corp., State Order No. 61-0073:					
(a) Collectors A1-2, B-3, B-4, and E-22.....	Paris.....	CH. V-2(b) CH. VII-2(a)	June 19, 1973	.....do.....	May 1, 1974
(b) Collectors D-12, D-13, and D-14.....	do.....	CH. V-2(b) CH. VII-2(a)	.....do.....	.....do.....	Apr. 1, 1974
(c) Collectors C-0, C-10, and C-11.....	do.....	CH. V-2(b) CH. VII-2(a)	.....do.....	.....do.....	Oct. 30, 1973
Clarksville Foundry & Machine Works, State order No. 73-00073.	Clarksville.....	CH. V-2(b) CH. VII-9(b)	Oct. 9, 1973	.....do.....	Jan. 30, 1974
Dover Corp., State order No. 74-00073.	Middleton.....	CH. V-2(b) CH. VI-2(d)	.....do.....	.....do.....	July 9, 1974
Farrar Construction, State order No. 75-00073.	McMinnville.....	CH. V-2(b) CH. VII-9(g)	.....do.....	.....do.....	Oct. 9, 1973
Harris Manufacturing Co., State order No. 62-0073.	Johnson City.....	CH. V-2(b) CH. VII-2(a)	June 19, 1973	.....do.....	June 1, 1974
Holston Army Ammunition Plant, State order No. 67-00073.	Kingsport.....	CH. V-2(b) CH. VI-2(a)	Oct. 9, 1973	.....do.....	July 1, 1975
Kingsport Foundry & Manufacturing Corp., State order No. 57-0073.	do.....	CH. V-2(b) CH. VII-9(b)	June 19, 1973	.....do.....	Feb. 28, 1974
Koh-Inoor Radiograph, Inc., State order No. 58-0073.	Lewisburg.....	CH. V-2(b) CH. VII-2(a)	.....do.....	.....do.....	Mar. 29, 1974
Lenoir Car Works, State order No. 76-00073.	Lenoir City.....	CH. V-2(b) CH. VII-2	Oct. 9, 1973	.....do.....	Dec. 9, 1973
Marquette Cement Manufacturing Co., State order No. 5-0073.	Cowan.....	CH. V-2(b) CH. VII-2	Mar. 20, 1973	.....do.....	Aug. 9, 1974
Mead Corp., State order No. 59-0073.	Kingsport.....	CH. V-2(b) CH. VI-2(a)(1)	June 19, 1973	.....do.....	July 1, 1975
Monsanto Co., State order No. 6-0073:					
(a) Source 4.....	Columbia.....	CH. V-2 CH. VII-2	Mar. 20, 1973	.....do.....	Mar. 9, 1974
(b) Source 5.....	do.....	CH. V-2 CH. VII-2	.....do.....	.....do.....	Dec. 9, 1973
Royal Oak Charcoal Co.: State order No. 77-00073.....	Jamestown.....	CH. V-2(b) CH. VII-2	Oct. 9, 1973	.....do.....	July 31, 1974
State order No. 79-00073.....	do.....	CH. V-2(b) CH. VII-2	.....do.....	.....do.....	Mar. 1, 1974
Stokely-Van Camp, Inc., State order No. 63-0073.	Tellico Plains.....	CH. V-2(b) CH. VI-2(a)(2)	June 19, 1973	.....do.....	Jan. 30, 1974
Tennessee Asphalt Co., State order No. 79-00073.	LaFollette.....	CH. V-2(b) CH. VII-9(g)	Oct. 9, 1973	.....do.....	Dec. 30, 1973
Tennessee Eastman Co.: State order No. 80-00073.....	Kingsport.....	CH. V-2(b) CH. VII-2	.....do.....	.....do.....	June 1, 1974
State order No. 81-00073.....	do.....	CH. V-2(b) CH. VII-2	.....do.....	.....do.....	Aug. 9, 1974
State order No. 82-00073.....	do.....	CH. V-2(b) CH. VII-2	.....do.....	.....do.....	Nov. 1, 1974
State order No. 83-00073.....	do.....	CH. V-2(b) CH. VII-2	.....do.....	.....do.....	July 1, 1975
State order No. 84-00073:					
(a) Units 18-22.....	do.....	CH. V-2(b) CH. VI-2(a)(1)	.....do.....	.....do.....	Mar. 1, 1975
(b) Units 11-17.....	do.....	CH. V-2(b) CH. VI-2(a)(1)	.....do.....	.....do.....	June 1, 1975
Tennessee Forging Steel Co., State order No. 85-00073.	Harriman.....	CH. V-2(b) CH. VII-2	.....do.....	.....do.....	Oct. 30, 1973
Tennessee Metallurgical, State order No. 89-00073:					
(a) Furnace No. 2.....	Kimball.....	CH. V-2(b) CH. VII-2	.....do.....	.....do.....	Mar. 1, 1974
(b) Furnace No. 1.....	do.....	CH. V-2(b) CH. VII-2	.....do.....	.....do.....	Jan. 15, 1974
Union Carbide Corp., State order No. 86-00073.	Columbia.....	CH. V-2(b) CH. VII-2	.....do.....	.....do.....	Aug. 9, 1974
United States Stove Co., State order No. 3-0073.	South Pittsburg.....	CH. V-2(b)	Mar. 20, 1973	.....do.....	Feb. 9, 1974

(2) Chattanooga-Hamilton County compliance schedules:

Tennessee

Source	Location	Regulation Involved	Date of adoption	Effective date	Final compliance date
Chattanooga Public Schools:					
(a) Elbert Long School	Chattanooga	Sec. 9(8)	Feb. 8, 1973	Immediately	July 1, 1974
(b) Charles A. Bell School	do.	do.	do.	do.	Do.
(c) G. Russel Brown School	do.	do.	do.	do.	Do.
(d) Calvin Donaldson School	do.	do.	do.	do.	Do.
(e) East Chattanooga School	do.	do.	do.	do.	Do.
(f) Highland Park School	do.	do.	do.	do.	Do.
(g) Normal Park School	do.	do.	do.	do.	Do.
(h) Piney Woods School	do.	do.	do.	do.	Do.
(i) Ridgedale School	do.	do.	do.	do.	Do.
(j) Frank H. Trotter School	do.	do.	do.	do.	Do.
(k) Woodmore School	do.	do.	do.	do.	Do.
(l) Rivermont School	do.	do.	do.	do.	Do.
(m) St. Elmo School	do.	do.	do.	do.	Do.
E. I. DuPont de Nemours & Co.:					
(a) Nylon 66 evaporator Nos. 1-5	do.	Sec. 9	do.	do.	Do.
(b) Nylon autoclave Nos. 1-17	do.	do.	do.	do.	Do.
(c) Continuous polymerization lines 1-111	do.	do.	do.	do.	Do.
(d) Continuous polymerization line 1V	do.	do.	do.	do.	Sept. 1, 1973
(e) Lindburg furnace type 36430-E12-S	do.	do.	do.	do.	Aug. 1, 1973
(f) Lindburg furnace type 243624-E12-S	do.	do.	do.	do.	Feb. 1, 1974
(g) Trent furnace model 862640A	do.	do.	do.	do.	Mar. 1, 1974
(h) Lindburg furnace type 36430E12-S	do.	do.	do.	do.	Apr. 1, 1974
(i) Riley boiler	do.	do.	do.	do.	July 1, 1974
(j) B & W boiler	do.	do.	do.	do.	Do.
General Tire Service	do.	do.	do.	do.	Jan. 31, 1974
Randolph Manufacturing Co., Inc.	do.	do.	do.	do.	Do.
Southern Foundry Supply, Inc.	do.	do.	do.	do.	Mar. 31, 1973
Tennessee Awning & Tent Co.	do.	do.	Feb. 9, 1973	do.	June 1, 1973
United States Pipe & Foundry Co.	do.	do.	Feb. 8, 1973	do.	Nov. 1, 1973

(3) Memphis-Shelby County compliance schedules:

Tennessee

Source	Location	Regulation Involved	Date of adoption	Effective date	Final compliance date
Desoto Hardwood Flooring Co.:					
Phase 1	do.	do.	Apr. 5, 1973	do.	May 1, 1974
Wabash, Inc.:					
Phase 1	do.	Secs. 3-17, 3-20	do.	do.	Apr. 1, 1974

(4) Nashville-Davidson County compliance schedules:

Tennessee

Source	Location	Regulation Involved	Date of adoption	Effective date	Final compliance date
Bruce Flooring	Nashville	Sec. 4-1-9	Feb. 7, 1973	Immediately	Dec. 31, 1973

[FR Doc.75-1871 Filed 1-21-75;8:45 am]

[FRL 325-5]

[FRL 273-2]

**PART 85—CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLE ENGINES**  
**Recall Regulations; Corrections**

The corrections detailed below should be made in FR Doc. 74-29755 at page 44370 of Part II of the issue of Monday, December 23, 1974.

- On page 44378, paragraph (b) of Section 85.1807 is improperly sub-divided. Instead of "(b) (1)", the paragraph should be divided "(b) (1) (i)." The "(1)" preceding the word "Subsequent" in the seventh line from the bottom of that paragraph should be changed to "(ii)."
- On page 44381, the fourth line of paragraph (z) should make reference to paragraph (u) instead of paragraph (r).

ALAN G. KIRK,  
 Assistant Administrator for Enforcement and General Counsel.

[FR Doc.75-2180 Filed 1-21-75;9:06 am]

**PART 85—CONTROL OF AIR POLLUTION FROM NEW VEHICLES AND NEW MOTOR VEHICLE ENGINES**  
**Subpart S—Recall Regulations**

**Correction**

In FR Doc. 74-29755, appearing at page 44370 in the issue of Monday, December 23, 1974, make the following changes:

- Directly after the second line of § 85.1806(b) (5) on page 44377 the following line should be inserted:  
 "(6) Number of inspected vehicles".
- The third and fourth lines of § 85.1807(d) (1) on page 44378 reading "section, except as otherwise: *Provided*, The day of the act or event which" should read "section, except as otherwise provided, the day of the act or event from which".

## Title 19—Customs Duties

## CHAPTER I—UNITED STATES CUSTOMS SERVICE

[T.D. 75-28]

## PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

## Government Importations

Section 10.104 of the Customs Regulations (19 CFR 10.104) provides that importations made by or for the account of a military department, the General Services Administration, and the Atomic Energy Commission, may be entered free of duty either under item 832.00, 833.00, or 834.00, Tariff Schedules of the United States. However, these importations may be admitted free of duty only upon receipt by the district director of Customs of a certificate executed by a duly authorized officer or civilian official of the appropriate department or agency stating that the importations constitute an emergency purchase of war material abroad, or that they are strategic and critical materials procured under the Strategic and Critical Materials Stock Piling Act, or that they are source materials purchase abroad, the admittance of which is necessary in the interest of the common defense and security.

At present, entry of the material must be made in the name of the Government department whose representative executed the certificate unless exemption from this requirement is specifically authorized by Headquarters, United States Customs Service. As part of the general delegation of responsibility for certain functions, authority to grant this exemption has been delegated to the regional commissioners of Customs.

§ 10.104 Importations by a military department, the General Services Administration, and the Atomic Energy Commission.

Accordingly, paragraph (e) of section 10.104 of the Customs Regulations (19 CFR 10.104(e)) is amended by deleting the words "Headquarters, U.S. Customs Service" and substituting therefor the words "the regional commissioner of Customs".

(R.S. 251, as amended, secs. 448(b), 624, 46 Stat. 714, as amended, 759 (19 U.S.C. 66, 1448(b) 1624))

Because this amendment relates to agency management, notice and public procedure thereon is found to be unnecessary and good cause exists for dispensing with a delayed effective date under the provisions of 5 U.S.C. 553.

**Effective date.** This amendment shall become effective February 21, 1975.

[SEAL] LEONARD LEHMAN,  
Acting Commissioner of Customs.

Approved: January 14, 1975.

DAVID R. MACDONALD,  
Assistant Secretary of  
the Treasury.

[FR Doc. 75-2039 Filed 1-21-75; 8:45 am]

[T.D. 75-27]

## PART 141—ENTRY OF MERCHANDISE

## Installment Shipments

On August 8, 1974, there was published in the FEDERAL REGISTER (39 FR 28534), a notice of a proposed amendment to § 141.82(a) of the Customs Regulations (19 CFR 141.82(a)), which would extend from 7 days to 10 days the period of time within which installments of a shipment covered by a single order or contract and shipped from one consignor to one consignee must arrive at the port of entry in order to be included in one invoice. No comments were received in response to this notice.

Accordingly, paragraph (a) of section 141.82 of the Customs Regulations (19 CFR 141.82(a)) and the section heading thereto are amended to read as follows:

§ 141.82 Invoice for installment shipments arriving within a period of 10 days.

(a) *One invoice sufficient.* Installments of a shipment covered by a single order or contract and shipped from one consignor to one consignee may be included in one invoice if the installments arrive at the port of entry by any means of transportation within a period of not to exceed 10 consecutive days.

(R.S. 251, as amended, secs. 481, 484, 624, 46 Stat. 719, 722, as amended, 759 (19 U.S.C. 66, 1481, 1484, 1624))

**Effective date.** This amendment shall become effective February 21, 1975.

[SEAL] LEONARD LEHMAN,  
Acting Commissioner of Customs.

Approved: January 15, 1975.

DAVID R. MACDONALD,  
Assistant Secretary  
of the Treasury.

[FR Doc. 75-2037 Filed 1-21-75; 8:45 am]

## Title 21—Food and Drugs

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

## SUBCHAPTER C—DRUGS

## PART 135—NEW ANIMAL DRUGS

## Subpart C—Sponsors of Approved Applications

## PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

## n-Butyl Chloride Capsules

The Commissioner of Food and Drugs has evaluated a new animal drug application (92-151V) filed by Richlyn Laboratories Inc., Castor and Kensington Aves., Philadelphia, PA 19124, proposing safe and effective use of n-butyl chloride capsules as an anthelmintic for dogs. The application is approved.

To facilitate referencing, Richlyn Laboratories is being assigned a code number and placed in the list of firms in § 135.501 (21 CFR 135.501).

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), Parts 135 and 135c are amended as follows:

1. In § 135.501(c) by adding a new code number 104 as follows:

§ 135.501 Names, addresses, and code numbers of sponsors of approved applications.

(c) \* \* \*

Code No. Firm name and address

104 Richlyn Laboratories, Inc., Castor and Kensington Aves., Philadelphia, PA 19124.

2. In § 135c.77 by adding a new paragraph (c) to read as follows:

§ 135c.77 n-Butyl chloride capsules, veterinary.

(c) (1) *Specifications.* n-Butyl chloride capsules, veterinary contain 884 or 1,768 milligrams or 4.42 grams of n-butyl chloride in each capsule.

(2) *Sponsor.* See code No. 104 in § 135.501(c) of this chapter.

(3) *Conditions of use.* (i) It is used for the removal of ascarids (*Toxocara canis* and *Toxascaris leonina*) and hookworms (*Ancylostoma caninum*, *Ancylostoma braziliense*, and *Uncinaria stenocephala*) from dogs.

(ii) (a) Dogs should not be fed for 18 to 24 hours before being given the drug. Administration of the drug should be followed in ½ to 1 hour with a mild cathartic. Normal rations may be resumed 4 to 8 hours after treatment.

(b) The drug is administered orally to dogs. Capsules containing 884 milligrams of n-butyl chloride are administered to dogs as follows: weighing under 5 pounds, 1 capsule; weighing 5-10 pounds, 2 capsules; weighing 10-20 pounds, 3 capsules; weighing 20-40 pounds, 4 capsules; over 40 pounds, 5 capsules. Capsules containing 1,768 milligrams of n-butyl chloride are administered at a dosage level of 1 capsule per dog to dogs weighing 5-10 pounds and 2 capsules per dog to dogs weighing 20-40 pounds. Capsules containing 4.42 grams of n-butyl chloride are administered at a dosage level of 1 capsule per dog to dogs weighing 40 pounds or over.

(iii) A veterinarian should be consulted before using in severely debilitated dogs.

**Effective date.** This order shall be effective January 22, 1975.

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

Dated: January 15, 1975.

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

[FR Doc. 75-1981 Filed 1-21-75; 8:45 am]



**Title 41—Public Contracts and Property Management**

**CHAPTER 7—AGENCY FOR INTERNATIONAL DEVELOPMENT, DEPARTMENT OF STATE**

[AID PR Notice 75-4]

**PROCUREMENT REGULATIONS**

**Miscellaneous Amendments**

This notice incorporates various amendments as follows:

(a) Administrative revisions to reflect 1) changes in the Federal Procurement Regulations (FPR) which affect AID contracts and 2) organizational changes within AID;

(b) "Personal Compensation" is deleted from the "Definitions" clause in contracts with educational institutions because the definition is covered in the "Personnel Compensation" clause of the contract;

(c) The "Subcontracts and Purchase Orders" clause is revised to conform to the requirements of the FPR and Federal Management Circular 73-8; and

(d) The requirements for payment of post differential to short-term contractor employees have been changed.

**PART 7-1—GENERAL**

1. The contents of Part 7-1 are amended to redesignate sections within Subpart 7-1.6 as follows:

**Subpart 7-1.6—Debarred, Suspended, and Ineligible Bidders**

- 7-1.605-3 Notice of suspension.
- 7-1.605-4 [Reserved.]
- 7-1.605-5 Restrictions during period of suspension.

**AUTHORITY:** The provisions of Part 7-1 issued under sec. 621, 75 Stat. 445, as amended; 22 U.S.C. 2381. E.O. 10973, November 3, 1961, 26 FR 10469; 3 CFR 1959-63 Comp.

**Subpart 7-1.3—General Policies**

2. New §§ 7-1.323 and 7-1.323-2 are added as follows:

§ 7-1.323 Preference for U.S. flag carriers.

AID requirements for the use of U.S. flag carriers for international transportation of personnel and cargo are more stringent than those set forth in the clause contained in FPR 1-1.323-2.

§ 7-1.323-2 Clause.

Instead of the clause set forth in FPR 1-1.323-2, AID contracts will contain the provisions governing use of U.S. flag carriers as set forth in AIDPR 7-7.

**Subpart 7-1.6—Debarred, Suspended, and Ineligible Bidders**

§ 7-1.605-4 [Amended]

3. § 7-1.605-4, Notice of suspension, is redesignated as § 7-1.605-3.

4. 7-1.605-4 is reserved.

§ 7-1.605-3 [Amended]

5. § 7-1.605-3, Restrictions during period of suspension, is redesignated as § 7-1.605-5, and the reference to FPR 1-1.605-3(a) in the text is changed to FPR 1-1.605-5(a).

**PART 7-4—SPECIAL TYPES AND METHODS OF PROCUREMENT**

**Subpart 7-4.53—Procurement Under the AID Research and Analysis Program**

§ 7-4.5301 [Amended]

6. § 7-4.5301, Unsolicited research and analysis proposals, is amended to substitute "Bureau for Near East South Asia" for "Bureau for Asia" in paragraph (d) (4) (i) and to substitute "Bureau for East Asia" for "Bureau for Supporting Assistance" in paragraph (d) (4) (iv).

**PART 7-7 CONTRACT CLAUSES**

**Subpart 7-7.50—Clauses for Cost Reimbursement Type Contracts**

7. § 7-7.5001-18, Subcontracts and Purchase Orders, is amended to change the date in the title from "Nov. 1973" to "Jan. 1975" and paragraph (b) is revised to read as follows:

§ 7-7.5001-18 Subcontracts and purchase orders.

(b) Unless authorized by the schedule of this Contract, written approval by the Contracting Officer is required prior to the placement of any subcontract or purchase order which:

(1) Is for the purchase and/or lease of motor vehicles.

(2) Is for the purchase and/or lease of any item of permanent research equipment having an acquisition cost of \$1,000 or more and having an expected service life of one year or more.

(3) Is for the purchase and/or lease of permanent general purpose equipment having an acquisition cost of \$200 or more and having an expected service life of one year or more. For the purpose of this subparagraph (3), the term "general purpose equipment" means any items which are usable for activities of the contractor other than the furnishing of any of the work or services required by this Contract, such as office equipment and furnishings, air-conditioning, reproduction or printing equipment, or any automatic data processing equipment.

(4) Is for the purchase of materials or supplies in excess of \$2,500 which are to be consumed or expended in the performance of this Contract.

(5) Is written on a cost-reimbursement, time and material, or labor-hour basis.

(6) If for the furnishing of any of the work or services required by this Contract.

§ 7-7.5001-33 [Amended]

8. § 7-7.500-33, Convict Labor, is amended to change the citation from "FPR 1-12.203" to "FPR 1-12.204".

9. New § 7-7.5001-43 is added as follows:

§ 7-7.5001-43 Employment of the handicapped.

Insert the clause set forth in FPR 1-12.1304-1.

§ 7-7.5002-3 [Amended]

10. § 7-7.5002-3, Travel Expenses, is amended to change the date in the title from "Sept. 1974" to "Jan. 1975" and to delete the phrase "and with payment of deductibles" from paragraph (k).

§ 7-7.5002-7 [Amended]

11. § 7-7.5002-7, Differentials and Allowances, is amended to change the date in the title from "Sept. 1974" to "Jan. 1975" and to revise the last sentence of paragraph (a) to read as follows: "Short term employees shall be entitled to post differential beginning with the forty-third (43rd) day at post."

**Subpart 7-7.52—Basic Ordering Agreement for Participant Training**

§ 7-7.5201-17 [Amended]

12. § 7-7.5201-17, Convict Labor, is amended to change the citation from "FPR 1-12.203" to "FPR 1-12.204".

13. New § 7-7.5201-27 is added as follows:

§ 7-7.5201-27 Employment of the handicapped.

Insert the clause set forth in FPR 1-12.1304-1.

**Subpart 7-7.53—Contracts for Participant Training**

§ 7-7.5301-16 [Amended]

14. § 7-7.5301-16, Convict Labor, is amended to change the citation from "FPR 1-12.203" to "FPR 1-12.204".

15. New § 7-7.5301-26 is added as follows:

§ 7-7.5301-26 Employment of the handicapped.

Insert the clause set forth in FPR 1-12.1304-1.

**Subpart 7-7.54—Clauses for Fixed Price Type Contract for Technical Services**

§ 7-7.5401-13 [Amended]

16. § 7-7.5401-13, Convict Labor, is amended to change the citation from "FPR 1-12.203" to "FPR 1-12.204".

17. New § 7-7.5401-34 is added as follows:

§ 7-7.5401-34 Employment of the handicapped.

Insert the clause set forth in FPR 1-12.1304-1.

**Subpart 7-7.55—Causes for Cost Reimbursement Contracts With Educational Institutions**

§ 7-7.5501-1 [Amended]

18. § 7-7.5501-1 Definitions, is amended to change the date in the title from "June 1973" to "Jan. 1975" and to delete paragraph (k) in its entirety.

§ 7-7.5501-31 [Amended]

19. § 7-7.5501-31, Convict Labor, is amended to change the citation from "FPR 1-12.203" to "FPR 1-12.204".

20. New § 7-7.5501-39 is added as follows:

§ 7-7.5501-39 Employment of the handicapped.

Insert the clause set forth in FPR 1-12.1304-1.

Filing: This notice should be filed in front of the main text of the AIDPR.

Authority: This AIDPR Notice No. 75-4 is an interim procurement instruction and is issued pursuant to AIDPR 7-1.104-4.

Effective date: This notice is effective on January 31, 1975.

Dated: January 16, 1975.

JOHN F. OWENS,  
*Acting Deputy Assistant Administrator of Program and Management Services.*

[FR Doc.75-2051 Filed 1-21-75;8:45 am]

#### CHAPTER 114—DEPARTMENT OF THE INTERIOR

Pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301 and Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c), Chapter 114, Title 41 of the Code of Federal Regulations, is amended as set forth below.

This amendment relates only to matters of Internal Department practice. It is, therefore, determined that the public rulemaking procedure is unnecessary and this amendment shall become effective January 22, 1975.

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

JANUARY 15, 1975.

#### PART 114-1—INTRODUCTION

##### Subpart 114-1.1—Regulation System

Section 114-1.109-50 is revised so the listing of offices will read as follows:

§ 114-1.109-50 Bureau and Office codification.

- • • • •
- 114A—Office of the Secretary.
- 114B—Office of Management Operations.
- 114C—Reserved.
- 114D—Fish and Wildlife Service.
- 114E—Bureau of Mines.
- 114F—Geological Survey.
- 114G—Office of Coal Research.
- 114H—Bureau of Indian Affairs.
- 114J—Bureau of Land Management.
- 114K—National Park Service.
- 114L—Office of Territorial Affairs.
- 114M—The Alaska Power Administration.
- 114N—Bureau of Outdoor Recreation.
- 114P—Mining Enforcement and Safety Administration.
- 114R—Office of Water Research and Technology.
- 114S—Bureau of Reclamation.
- 114T—Bonneville Power Administration.
- 114U—Southeastern Power Administration.
- 114W—Southwestern Power Administration.
- 114Z—Defense Electric Power Administration.

#### PART 114-3—ANNUAL REAL PROPERTY INVENTORIES

##### Subpart 114-3.1—General Provisions

Section 114-3.105 is amended to read as follows:

§ 114-3.105 Agency liaison.

The Director of Management Services (PM), Office of the Assistant Secretary-Management, is the designated agency representative for this Department for liaison with the General Services Administration on matters related to the owned real property inventories. Any questions concerning these inventories shall be referred to him for handling.

#### Subpart 114-3.2—Annual Report—Real Property Owned by the United States

Sections 114-3.205 and 114-3.206 are amended to read as follows:

§ 114-3.205 Optional reporting method.

Any Bureau or Office desiring to submit its real property inventory in the form of a machine listing supported by punch cards shall notify the Director of Management Services (PM) so that appropriate arrangements can be made with the central office of GSA.

§ 114-3.206 Preparation and due dates.

The annual inventory report on GSA Forms 1166 and 1209 shall be prepared as of June 30 each year and transmitted to reach the Director of Management Services (Attn: PM), Office of the Assistant Secretary-Management, by not later than August 21, in the number of copies indicated below:

GSA Form 1166—An original and one copy. A complete file of all current individual installation reports shall be maintained by the bureau headquarters office.

GSA Form 1209—An original and two copies and one copy to be retained by the bureau headquarters office.

Consolidated GSA Form 1166—An original only is required for retention and use by the Director of Management Services.

#### PART 114-25—GENERAL

##### Subpart 114-25.1—General Policies

The Table of Contents is amended by deleting the reference to § 114-25.104-2, Purchase of new filing cabinets, and § 114-25.104-2 is deleted in its entirety.

§ 114-25.104-2 [Deleted]

##### Subpart 114-25.3—Use Standards

The Table of Contents is amended by addition of the following:

114-25.302-3 Electric Typewriters.

Section 114-25.350, standard lettering for bench marks and corner markers, is amended so the last paragraph will read as follows:

§ 114-25.350 Standard lettering for bench marks and corner marks.

Exceptions to the use of the foregoing lettering will be granted only where special circumstances warrant exemption. Requests for such exemption shall be transmitted through Bureau channels to the Director of Management Services (PM), Office of the Assistant Secretary-Management.

#### PART 114-26—PROCUREMENT SOURCES AND PROGRAMS

##### Subpart 114-26.3—Procurement of GSA Stock Items

Section 114-26.308 is amended to read as follows:

§ 114-26.308 Obtaining filing cabinets.

New filing cabinets should not be acquired until maximum utilization of existing filing cabinets has been obtained through the actions prescribed in 41 CFR 101-25.302-2.

#### Subpart 114-26.4—Purchase of Items From Federal Supply Schedule Contracts

Section 114-26.406-2(d) is amended so the listing of offices will read as follows:

§ 114-26.406-2 Billing code.

(d) \* \* \*

- Southwestern Power Administration—000 through 009 inclusive.
- Bonneville Power Administration—010 through 019 inclusive.
- Geological Survey—020 through 029 inclusive.
- Southeastern Power Administration—030 through 039 inclusive.
- Fish and Wildlife Service—040 through 059 inclusive.
- Bureau of Mines—060 through 099 inclusive.
- Fish and Wildlife Service—100 through 199 inclusive.
- Bureau of Reclamation—200 through 499 inclusive.
- Bureau of Indian Affairs—500 through 549 inclusive.
- National Park Service—550 through 569 inclusive.
- Bureau of Land Management—570 through 599 inclusive.
- Office of the Secretary—600 through 624 inclusive.
- National Park Service—625 through 674 inclusive.
- Reserved—675 through 699 inclusive.
- Alaska Power Administration—700 through 704 inclusive.
- Bureau of Indian Affairs—705 through 784 inclusive.
- Office of Aircraft Services—785 through 799 inclusive.
- Bureau of Land Management—800 through 864 inclusive.
- Reserved—865 through 964 inclusive.
- National Park Service—965 through 999 inclusive.

##### Subpart 114-26.6—Procurement Sources Other Than GSA

The Table of Contents is amended by deleting "114-26.600-51 Other Procurement from the Defense Supply Agency".

Subpart 114-26.6 is amended to read as follows:

§ 114-26.650 Procurement of tax-free alcohol.

(a) Regulatory requirement. Governmentwide regulations governing the procurement and use of tax-free alcohol are contained in Part 213 of Title 26, Code of Federal Regulations.

(b) Departmental policy. It is the policy of the Department of Interior to utilize tax-free ethyl alcohol and tax-free specially denatured alcohol only when no other acceptable commercial product exists or can be procured. To ensure that this policy is strictly enforced, an annual review shall be made to determine the availability of acceptable commercial products which may be substituted for tax-free alcohol without adversely affecting the quality of the work performed or the health or safety of employees.

(c) Tax-free permits. The Bureau of Alcohol, Tobacco and Firearms has issued permits for the purchase of tax-free alcohol and specially denatured

spirits for use in the United States and the Territories and possessions. The following is a list of the current permits and the names and addresses of the manufacturers from whom such items should be procured:

<i>Manufacturer</i>	<i>Tax-free Permit</i>
U.S. Industrial Chemicals, Inc., Division of National Distillers Products Corp., Industrial Alcohol Bonded Warehouse No. 112, Anaheim, Calif.	US-TF-136.
U.S. Industrial Chemicals, Inc., Division of National Distillers Products Corp., Industrial Alcohol Bonded Warehouse No. 7, Boston, Mass.	US-TF-137.
U.S. Industrial Chemicals, Inc., Division of National Distillers Products Corp., Industrial Alcohol Bonded Warehouse No. 2, New Orleans, La.	US-TF-138.
Publisher Industries, Inc., Industrial Alcohol Bonded Warehouse No. 160, Philadelphia, Pa.	US-TF-139.
Commercial Solvents Corp., Industrial Alcohol Bonded Warehouse No. 25, Agnew, Calif.	US-TF-140.
Shell Chemical Corp., Industrial Alcohol Bonded Warehouse No. 224, Culver City, Calif.	US-TF-141.

U.S. Industrial Chemicals Co., Division of National Distillers & Chemical Corp., Industrial Alcohol Bonded Warehouse No. 418, Tuscola, Ill.	US-TF-142.
U.S. Industrial Chemicals Co., Division of National Distillers Products Corp., Industrial Alcohol Bonded Warehouse No. 158, Newark, N.J.	US-TF-143.
Carbide & Carbon Chemicals Co., Industrial Alcohol Bonded Warehouse No. 218, Whiting, Ind.	US-TF-144.
California Packing Corp., Industrial Alcohol Bonded Warehouse No. 77, Honolulu, Hawaii.	US-TF-145.

<i>Manufacturer</i>	<i>Specially Denatured Permit</i>
U.S. Industrial Chemicals Co., Division of National Distillers Products Corp., Anaheim, Calif.	US-SDS-74.
Commercial Solvents Corp., Agnew, Calif.	US-SDS-75.
Commercial Solvents Corp., Terre Haute, Ind.	US-SDS-76.

Requests for any additional permits should be submitted through Bureau channels to the Director of Management Services (PM), Office of the Assistant

Secretary-Management, for transmittal to the Bureau of Alcohol, Tobacco and Firearms.

**PART 114-43—UTILIZATION OF PERSONAL PROPERTY**

**Subpart 114-43.4—Utilization of Abandoned and Forfeited Personal Property**

Section 114-43.402 is amended by adding paragraph (c) as follows:

§ 114-43.402 Forfeited or voluntarily abandoned property.

§ 114-43.402-4 Retention by holding agency.

\* \* \* \* \*

(c) Limousines, heavy sedans, and medium sedans may not be retained for use by a Bureau or Office of the Department of the Interior. Any request for exception to this rule shall be submitted to the Assistant Secretary-Management, accompanied by a justification showing the specific program need for a larger type vehicle, and then only when the proposed use is clearly authorized by the provisions of Federal Management Circular (FMC) 74-1.

[FR Doc.75-2014 Filed 1-21-75;8:45 am]

# proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF THE TREASURY

United States Customs Service

[ 19 CFR Part 1 ]

### CUSTOMS FIELD ORGANIZATION

#### Customs Region VIII Consolidating Customs Ports on Puget Sound, Washington, Into One Customs Port of Entry

In order to provide better Customs service to carriers, importers, and the public in the Seattle, Washington, Customs district (Region VIII), it is considered desirable to expand the port limits of the present Customs port of entry at Tacoma, Washington, and to consolidate that port and Bellingham, Friday Harbor, Anacortes, Everett, Seattle, Olympia, Port Townsend, Port Angeles, and Neah Bay, Washington, into one Customs port of entry to be known as the Puget Sound Customs port of entry.

Accordingly, by virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623, as amended (19 U.S.C. 2), and delegated to the Secretary of the Treasury by Executive Order No. 10289, September 17, 1951 (3 CFR Ch. II), and pursuant to authority provided by Treasury Department Order No. 190, Rev. 10 (40 FR 2216), it is hereby proposed to establish a consolidated Puget Sound Customs port of entry in the Seattle, Washington, Customs district (Region VIII).

The geographical limits of the proposed consolidated port of entry will encompass all of the area within the present port of entry limits of Seattle, Anacortes, Bellingham, Everett, Friday Harbor, Neah Bay, Olympia, Port Angeles, and Port Townsend, Washington, and the port of entry limits of Tacoma, Washington, as extended to include the following territory:

Beginning at the intersection of the westernmost city limits of Tacoma and The Narrows and proceeding in an easterly, then southerly, then easterly direction along the city limits of Tacoma to its intersection with Pacific Highway (U.S. Route 99), then proceeding in a southerly direction along Pacific Highway to its intersection with Union Avenue Extended and continuing in a southerly direction along Union Avenue Extended to its intersection with the northwest corner of McChord Air Force Base, then proceeding along the northern, then western, then southern boundary of McChord Air Force Base to its intersection, just west of Lake Mondress, with the northern boundary of the Fort Lewis Military Reservation, the proceeding in an easterly direction along the northern boundary of the Fort Lewis Military Reserva-

tion to its intersection with Pacific Avenue, then proceeding in a southerly direction along Pacific Avenue to its intersection with National Park Highway, then proceeding in a southeasterly direction along National Park Highway to its intersection with 224th Street, East, then proceeding in an easterly direction along 224th Street, East, to its intersection with Meridian Street, South, then proceeding in a northerly direction along Meridian Street to the northern boundary of Pierce County, Washington, then proceeding in a westerly direction along the northern boundary of Pierce County to its intersection with Puget Sound, then proceeding in a generally southwesterly direction along the banks of the East Passage of Puget Sound, Commencement Bay, and The Narrows to the point of intersection with the westernmost city limits of Tacoma. The proposed port limits of the consolidated port of entry will also include all points and places on the southern boundary of the Juan de Fuca Strait from the eastern port limits of Neah Bay to the western port limits of Port Townsend, all points and places on the western boundary of Puget Sound, including Hood Canal, from the port limits of Port Townsend to the northern port limits of Olympia, all points and places on the southern boundary of Puget Sound from the port limits of Olympia to the western port limits of Tacoma, and all points and places on the eastern boundary of Puget Sound and contiguous waters from the proposed port limits of Tacoma north to the southern port limits of Bellingham.

Currently, vessels arriving at any Customs port of entry on Puget Sound and subsequently moving to any other port of entry on Puget Sound are required to enter and clear at each port. The proposed amendment would permit vessels arriving within the new port limits to enter only at the first port area of arrival and clear only at the port area of departure. Entries for imported merchandise would continue to be accepted at Seattle, Anacortes, Bellingham, Everett, Friday Harbor, Neah Bay, Olympia, Port Angeles, Port Townsend, and Tacoma, and there would be no decrease in Customs services at any of these ports as a result of this consolidation. Each of the former ports of entry in the consolidated area will retain its port code.

Data, views or arguments with regard to the foregoing proposal may be addressed to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229. To insure consideration of such communications, they must be received February 21, 1975.

Written material or suggestions submitted will be available for public inspection in accordance with § 103.8(b) of the Customs Regulations (19 CFR 103.8(b)) at the Regulations Division, Head-

quarters, United States Customs Service, Washington, D.C., during regular business hours.

[SEAL] DAVID R. MACDONALD,  
Assistant Secretary of the Treasury.

JANUARY 15, 1975.

[FR Doc.75-2040 Filed 1-21-75;8:45 am]

## DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

[ 7 CFR Part 210 ]

### NATIONAL SCHOOL LUNCH PROGRAM

#### Notice of Proposed Rulemaking

Notice is hereby given that the Food and Nutrition Service intends to amend the regulations governing the National School Lunch Program in order to implement Federal Management Circular 74-7 (34 CFR Part 256, 39 FR 35787) which prescribes uniform administrative requirements for Federal grants-in-aid to State and local governments, and for other purposes. The background of the Circular is set forth in 34 CFR 256.3 as follows:

On March 27, 1969, the President ordered a 3-year effort to simplify, standardize, decentralize, and otherwise modernize the Federal grant machinery. The standards included in the attachments to this part replace the multitude of varying and oftentimes conflicting requirements in the same subject matter which have been burdensome to State and local governments. Inherent in the standardization process is the concept of placing greater reliance on State and local governments. In addition, the Intergovernmental Cooperation Act of 1968 was passed, in part, for the purpose of: (a) Achieving the fullest cooperation and coordination of activities among levels of Government, (b) improving the administration of grants-in-aid to the States, and (c) establishing coordinated intergovernmental policy and administration of federal assistance programs. \* \* \*

A number of proposed changes to this part leave specific details of program administration to State agency discretion. The Department's role in these areas will be to provide guidance rather than to dictate procedures. In this connection, the requirements of the provisions now removed from these regulations may be viewed as acceptable practices which State agencies may modify to meet their own needs. Before making the proposed changes effective in fiscal year 1976, the Department will provide appropriate guidance materials to State agencies to aid them in developing their own procedures.

In order to implement Federal Management Circular 74-7, the changes listed below are proposed.

(1) State agencies will be responsible for prescribing the accounting records relating to their use of the Federal grants made to them under this part. These records must meet the general requirements of being accurate, current, and complete.

(2) The restrictions on advances of funds to School Food Authorities for April of each year will be dropped. The requirement that the amount of the advance is to be based on the reimbursement needed for 1 month's operations remains in effect.

(3) State agencies will specify the data items on the application form and on the Payment Voucher used to reimburse School Food Authorities.

(4) The requirements for the State Plan of Child Nutrition Operations will be modified to include a plan for monitoring program performance and measuring progress toward achieving program goals. The State Plan will also include plans for a State audit program which will provide for audits of State agencies and School Food Authorities at least once every two years.

(5) The provision dealing with the disqualification of State agencies and School Food Authorities from future participation is clarified by requiring FNS to provide written notice and justification when a Federal grant is terminated for cause.

(6) Record retention requirements are modified to permit State agencies to maintain records in their original form or on microfilm.

(7) State agencies will disallow any portion of a claim and recover any payment made to a School Food Authority that was not properly payable under this part. State agencies will use their own procedures to disallow claims and recover overpayments already made.

(8) FNS will prescribe procurement standards for State agencies. These procedures will be suitable for application at the School Food Authority level if State agencies desire to require them.

Although not required by Federal Management Circular 74-7, the regulations are being amended to give State Governors the opportunity to review and comment on State Plans of Child Nutrition Operations. A number of minor changes of a technical nature are also made.

Comments, suggestions, or objections are invited and in order to be sure of being considered should be delivered to William G. Boling, Director, Child Nutrition Division, Food and Nutrition Service, U.S. Department of Agriculture, Washington, D.C. 20250, or submitted by mail postmarked not later than February 21, 1975. Communications should identify the regulations section and paragraph on which comments, etc., are offered. All comments, suggestions, or objections will be considered before the final amendments are published. All written submissions received pursuant to this notice will be made available for public inspection at the Office of the

Director, Child Nutrition Division, during the regular business hours (8:30 a.m. to 5 p.m.) (7 CFR 1.27(b)).

1. The table of sections is amended by deleting the word "Reimbursement" in § 210.11, by deleting the phrase "for reimbursement" in § 210.12 and inserting in lieu thereof the phrase "of payments to School Food Authorities", by deleting the word "Reimbursement" in § 210.13 and inserting in lieu thereof the word "Payment", by deleting the words "Administrative analyses" in § 210.17 and inserting in lieu thereof the words "Management evaluations", and adding a new § 210.19a entitled "Procurement standards."

2. In § 210.4a, paragraph (b) is amended by deleting the word "and" before item (5), deleting the period at the end of the paragraph and inserting in lieu thereof a semicolon, adding new items (6) and (7), and adding a new paragraph (f).

The added provisions read as follows:

§ 210.4a State Plan of Child Nutrition Operations.

(b) \* \* \* (6) a plan for audits to be made by the State agency which shall:

(i) State the frequency of audits of State agency and School Food Authorities, (ii) Contain assurance of the independence of the audit organization, and (iii) Provide a systematic method to assure timely and appropriate resolution of audit findings and recommendations, and (7) a plan to monitor program performance and measure progress in achieving program goals.

(f) The State agency shall give the Governor, or his delegated agency, the opportunity to comment on the relationship of the State Plan to comprehensive and other State plans and programs and to those of affected areawide or local jurisdictions. A period of 45 days from the date of receipt of the State plan shall be afforded to make such comments.

3. § 210.5 is revised to read as follows:

§ 210.5 Method of payment to States.

(a) Funds to be paid to any State for general cash-for-food assistance or special cash assistance shall be made available by means of Letters of Credit issued by FNS in favor of the State agency. The State agency shall: (1) Obtain funds needed for payment or advance to School Food Authorities through presentation by designated State officials of a Payment Voucher on Letter of Credit in accordance with procedures prescribed by FNS and approved by the U.S. Treasury Department; (2) Draw only such funds as are needed to pay claims certified for payment or to make authorized advances; and (3) Use such funds without delay for the purpose for which withdrawn.

(b) The State agency shall release to FNS any Federal funds made available to it under the Program which are unobligated at the end of each fiscal year. Any such funds shall remain available to FNS for the purpose of the Program until

expended. Release of funds by the State agency shall be made as soon as practicable but in any event not later than 30 days following demand by FNSRO and shall be reflected by a related adjustment in the State agency's Letter of Credit.

4. In § 210.7, paragraph (a) is revised to read as follows:

§ 210.7 Use of funds.

(a) Federal funds made available under the Program shall be used by State agencies, or FNSROs where applicable, to reimburse or make advance payment to School Food Authorities in connection with lunches served to children of high school grade or under in accordance with the provisions of this part: *Provided, however,* That, with the approval of FNS, any State agency, or FNSRO where applicable, may reserve for use in carrying out special developmental projects an amount up to 1 per centum of the funds earned in any fiscal year under the Program. Advance payments to School Food Authorities shall be made at such times and in such amounts as are necessary to meet current fiscal obligations.

5. § 210.8 is amended by deleting the phrase "close of the Federal fiscal year to which they pertain" in paragraph (d) (3) and inserting in lieu thereof the phrase "date of the submission of the final expenditure report", deleting the words "claim for reimbursement" in item (8) of paragraph (e) and inserting in lieu thereof the words "Payment Vouchers", revising paragraphs (b) and (d) (1), and by adding a new item (16) and revising the first sentence and item (13) of paragraph (e). The revised and added provisions read as follows:

§ 210.8 Requirements for participation.

(b) Applications shall include information in sufficient detail to enable the State agency to determine whether the School Food Authority is eligible to participate in the Program and extent of the need for Program payments.

(d) (1) The food service management company shall maintain such records (supported by invoices, receipts, or other evidence) as the School Food Authority will need to meet its responsibilities pertaining to the financial management system and any other requirements prescribed by the State agency;

(e) The State agency, or the Department through FNSRO where applicable, shall enter into a written agreement with each School Food Authority for schools approved for participation in the Program. \* \* \* (13) Maintain a financial management system as prescribed by the State agency or FNSRO where applicable; \* \* \* (16) Retain the individual applications for free and reduced price lunches submitted by families for a period of 3 years after the date of the submission of the final expenditure report.

6. In § 210.10, paragraph (a) (2) is revised to read as follows:

## PROPOSED RULES

## § 210.10 Requirements for lunches.

(a) . . . .  
 (2) The kinds and amounts of foods specified in paragraph (a)(1) of this section are approximate amounts of foods to serve 10 to 12-year old boys and girls. If consistent with State policy, School Food Authorities may allow the younger children to be served lesser amounts of selected foods than are specified in paragraph (a)(1) of this section. School Food Authorities shall encourage the serving to older boys and girls of larger amounts of selected foods than are specified in paragraph (a)(1) of this section. The Department shall issue guidance materials for the use of State agencies and FNSROs on the amount of foods to be served children in the various age groups.

7. § 210.11 is amended by deleting the word "Reimbursement" from the title and by deleting the words "Reimbursement" and "reimbursement" wherever they appear and inserting in lieu thereof the words "Payment" or "payment".

8. Section 210.12 is revised to read as follows:

## § 210.12 Effective date of payments to School Food Authorities.

Payments shall be made only to School Food Authorities operating under an agreement with the State agency or the Department, and shall be made only after execution of the agreement. Such payments may be made in connection with lunches served in accordance with provisions of the Program in the calendar month preceding the calendar month in which the agreement is executed, provided that both months are in the same fiscal year.

9. Section 210.13 is revised by deleting the word "Reimbursement" from the title and inserting in lieu thereof the word "Payment"; by deleting the terms "reimbursement", "Claim for Reimbursement", "claims for reimbursement" and "claims and inserting in lieu thereof the terms "payment", "Payment Voucher", "Payment Vouchers", and "Payment Vouchers", respectively; by deleting the phrase "paragraphs (c) and (d)" in paragraph (a) and inserting in lieu thereof the phrase "paragraph (c)"; by deleting the phrase "paragraphs (b) and (d)" in paragraph (b-1) and inserting in lieu thereof the phrase "paragraph (b)"; by deleting paragraph (d); by deleting the last two sentences of paragraph (e); and by revising paragraph (b) to read as follows:

## § 210.13 Payment procedure.

(b) Payment Vouchers shall include data in sufficient detail to justify the payment claimed and to enable the State to provide the information for the monthly reports required under § 210.14 (c). Payment Vouchers shall be filed with the State agency, or FNSRO where applicable, by the 10th day of the month following the month covered. Not more

than 10 days of the beginning or ending month of Program operations in a fiscal year may be combined on a Payment Voucher with the operations of the month immediately following the beginning month, or preceding the ending month. Payment Vouchers may not combine operations occurring during the ending month of a fiscal year with the beginning month of the next fiscal year.

10. § 210.14 is amended by deleting the phrase "under § 210.13 (c) and (d)" in paragraph (a-3) and inserting in lieu thereof the phrase "under § 210.13(c)"; by deleting the term "Claim for Reimbursement" in paragraph (a-2) and the term "Claims for Reimbursement" in paragraph (a-3) and inserting in lieu thereof the terms "Payment Voucher" and "Payment Vouchers", respectively; by deleting the phrase "end of the fiscal year to which they pertain" in paragraph (g)(1) and inserting in lieu thereof the phrase "date of the submission of the final expenditure report"; by deleting paragraphs (f) and (g)(2); by deleting the phrase "under § 210.13(d) and § 210.15a(d)" in paragraph (g)(4) and inserting in lieu thereof the phrase "under § 210.13(a) and § 210.15a(c)"; by revising paragraphs (a), (a-1), (b), (l), and adding a new paragraph (c) to read as follows:

## § 210.14 Special responsibilities of State agencies.

(a) Each State agency, or FNSRO where applicable, shall provide program assistance, as follows:

(1) Each State agency or FNSRO where applicable, shall provide personnel to administer and monitor program performance and to measure progress towards achieving program goals, as specified in the State Plan of Child Nutrition Operations, provided for under § 210.4a of this part.

(2) To meet the minimum criteria for approval, the portion of the State Plan which deals with program assistance must include: (i) Objectives, (ii) Reasons for the establishment of the objectives, (iii) Methods to be used to accomplish the objectives, (iv) Evaluation methods to be used in determining if the objectives are being met.

(3) Such assistance shall include visits to participating schools to ensure compliance with program regulations and with the Department's nondiscrimination regulations (Part 15 of this title), issued under Title VI of the Civil Rights Act of 1964.

(4) Documentation of such assistance shall be maintained on file by the State agency, or FNSRO where applicable.

(a-1) Each State agency shall establish a system of accounting under which School Food Authorities shall report the information required in § 210.13(b).

(b) Each State agency shall maintain current and complete accounting records of program operations in schools, supported by source documentation, which will adequately identify funds authoriza-

tions, obligations, unobligated balances, assets, liabilities, outlays, and income. The records may be kept in their original form or on microfilm, and shall be retained for a period of three years after the date of the final expenditure report; except that, if audit findings have not been resolved, the records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit.

(c) Each State agency shall report information on the use of program funds quarterly and monthly to CND on a form provided by CND. Both reports shall continue to be submitted on a regular basis after the end of the fiscal year to which they pertain until all unpaid obligations have been liquidated at which time the next reports made should be marked "Final" and submission discontinued for that fiscal year.

(f) [Deleted]

(g)(2) [Deleted]

(i) State agencies shall require School Food Authorities to comply with applicable provisions of this part.

11. § 210.15 is revised to read as follows:

## § 210.15 Review of operating balances.

State agencies shall reduce or deny payments to School Food Authorities which have, in the judgment of the State agency, operating balances which exceed their operating needs.

12. § 210.15a is amended by deleting the term "(13) (ii) (b), (13) (iii) and (13) (iv)" in paragraph (b); by deleting the phrase "in paragraphs (c) and (d) of this section" in paragraph (c-1) and inserting in lieu thereof the phrase "in paragraph (c) of this section"; by deleting paragraph (d); and revising paragraph (c) to read as follows:

## § 210.15a Commodity only schools.

(c) Each School Food Authority of a commodity only school shall report monthly to the State agency, or FNSRO where applicable, the following items: (1) The total number of free lunches served to children meeting the school's approved eligibility criteria for such lunches, and (ii) The total number of reduced-price lunches served to children meeting the school's approved eligibility criteria for such lunches. The reports for the months of October and March of each fiscal year shall be accompanied by an estimate of the number of children in each school that are eligible for free or reduced price lunches under the school's approved eligibility criteria for such lunches.

13. Section 210.16 is amended by deleting paragraph (b) and revising paragraphs (a) and (d) to read as follows:

### § 210.16 Claims against School Food Authorities.

(a) State agencies shall disallow any portion of a claim and recover any payment made to a School Food Authority that was not properly payable under this part. State agencies will use their own procedures to disallow claims and recover overpayments already made.

(b) [Deleted]

(d) The State agency shall maintain all records pertaining to action taken under this section. Such records shall be retained for a period of 3 years after the date of the submission of the final expenditure report.

14. Section 210.17 is revised to read as follows:

### § 210.17 Management evaluations and audits.

(a) In accordance with the plan submitted under § 210.4a(b)(6), the State agency shall provide for audits of the funds and operations of the Program covered by this part, at the State and School Food Authority levels to be made with reasonable frequency but not less frequently than once every two years. The audits shall determine the fiscal integrity of financial transactions and reports, and the compliance with applicable laws and regulations and with the administrative requirements set forth in Appendix G of 34 CFR Part 256. Audits may be made by State agency internal auditors, by State Auditors General, by State Controllers, or by other comparable State audit groups; or by Certified Public Accountants or State licensed public accountants.

(b) While OA shall rely to the fullest extent feasible upon State sponsored audits, it shall, whenever considered necessary, (1) make audits on a statewide basis, (2) perform on-site test audits, and (3) review audit reports and related working papers of audits performed by or for State agencies.

(c) Use of audit guides available from OA is encouraged. When these guides are utilized, OA will coordinate its audits with State sponsored audits to form a network of intergovernmental audit systems.

(d) FNS and OA shall review the program accomplishments and management control systems of State agencies. State agencies shall provide FNS and OA with full opportunity to conduct management evaluations (including visits to schools) and audits of all operations of the State agency under this part. Each State agency shall make available its records, including records of the receipt and expenditure of funds, upon a reasonable request by FNS or OA. OA shall also have the right to make audits of the records and operations of any school.

(e) In making management evaluations or audits for any fiscal year, the State agency, or OA, may disregard any overpayment which does not exceed \$35 or, in the case of State agency administered programs, does not exceed the

amount established under State law, regulations or procedure as a minimum amount for which claim will be made for State losses generally. No overpayment shall be disregarded, however, where there are unpaid claims of the same fiscal year from which the overpayment can be deducted or where there is substantial evidence of violation of criminal law or civil fraud statutes.

15. § 210.19 is amended by inserting the following sentence before the last sentence before the last sentence of paragraph (a): "FNS shall promptly notify the State agency or School Food Authority in writing of any determination made under this paragraph and explain the reasons for the determination."

16. A new § 210.19a is added to read as follows:

### § 210.19a Procurement standards.

(a) *General purpose and scope.* This section provides standards for use by State agencies in establishing procedures for the procurement with Federal grant funds of supplies, equipment, and other services for use in public schools. These standards are furnished to ensure that such materials and services are obtained in an effective manner and in compliance with the provisions of applicable Federal Law and Executive Orders. State agencies may use their own procurement policies provided that procurement for public schools, whose cost is borne in whole or in part as a direct charge by the Federal Government, adheres to the standards set forth in this section.

(b) The standards contained in this section do not relieve the State agency of the responsibilities arising under its contracts. The State agency is the responsible authority regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurements entered into in support of a grant. This includes, but is not limited to: disputes, claims, protests of award, source evaluation, or other matters of a contractual nature. Matters concerning violation of law are to be referred to the State or Federal authority that has proper jurisdiction.

(c) The State agency shall maintain a code or standard of conduct which shall govern the performance of its officers, employees, or agents in contracting with and expending Federal grant funds. The State agency's officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or potential contractors. To the extent permissible under State law, rules, or regulations, such standards shall provide for appropriate penalties, sanctions, or other disciplinary actions to be applied for violations of such standards either by the State agency's officers, employees, or agents, or by contractors or their agents.

(d) All procurement transactions of the State agency, regardless of whether negotiated or advertised and without regard to dollar value, shall be conducted in a manner so as to provide maximum open and free competition. The State

agency should be alert to organizational conflicts of interest or noncompetitive practices among contractors which may restrict or eliminate competition or otherwise restrain trade.

(e) The State agency shall establish procurement procedures which comply with the provisions of this section.

(f) Proposed procurement actions shall be reviewed by appropriate officials of the State agency to avoid purchasing unnecessary or duplicative items. Where appropriate, an analysis shall be made of lease and purchase alternatives to determine which would be the most economical, practical procurement.

(g) Invitations for bids or requests for proposals shall be based upon a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. "Brand name or equal" description may be used as a means to define the performance or other salient requirements of a procurement and, when so used, the specific features of the named brand which must be met by offerors should be clearly specified.

(h) Positive efforts shall be made by the State agency to utilize small business and minority-owned business sources of supplies and services. Such efforts should allow these sources the maximum feasible opportunity to compete for contracts to be performed with Federal grant funds.

(i) The type of procuring instruments used (e.g., fixed-price contracts, cost reimbursable contracts, purchase orders, incentive contracts, etc.) shall be appropriate for the particular procurement and for promoting the best interest of the Federal programs involved. The "cost-plus-a-percentage-of-cost" method of contracting shall not be used.

(j) Formal advertising, with adequate purchase description, sealed bids, and public openings shall be the required method of procurement unless negotiation pursuant to subparagraph 4 of this paragraph is necessary to accomplish sound procurement. However, procurements of \$2,500 or less need not be so advertised unless otherwise required by State law or regulations. When formal advertising is employed:

(1) The awards shall be made to the responsible bidder whose bid is responsive to the invitation and is most advantageous to the State agency, price and other factors considered. Factors such as discounts, transportation costs, and taxes may be considered in determining the lowest bid.

(2) Invitations for bids shall clearly set forth all requirements which the bidder must fulfill in order for his bid to be evaluated by the State agency.

(3) Any or all bids may be rejected when it is in the State agency's interest to do so, and such rejections are in accordance with applicable State law, rules, and regulations.

(4) Procurements may be negotiated by the State agency if it is not practicable or feasible to use formal advertising. Not-

withstanding the existence of circumstances justifying negotiations, competition shall be obtained to the maximum extent practicable. Generally, procurements may be negotiated if one or more of the following conditions prevail:

(i) The public exigency will not permit the delay incident to advertising;

(ii) The material or service to be procured is available from only one person or firm; all contemplated sole source procurements where the aggregate expenditure is expected to exceed \$5,000 shall be referred to the Department for prior approval;

(iii) The aggregate amount involved does not exceed \$2,500;

(iv) The contract is for personal or professional services, or for any service to be rendered by a university, college, or other educational institution;

(v) No acceptable bids have been received after formal advertising;

(vi) The purchases are for highly perishable materials or medical supplies, for material or services where the prices are established by law, for technical items or equipment requiring standardization and inter-changeability of parts with existing equipment, for experimental, developmental or research work, for supplies purchased for authorized resale, and for technical or specialized supplies requiring substantial initial investment for manufacture; or

(vii) Negotiation is otherwise authorized by applicable Federal or State law, rules or regulations.

(k) Contracts shall be made by State agencies only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be given to such matters as contractor integrity, record of past performance, financial and technical resources, and accessibility to other necessary resources.

(l) The procurement records or files of State agencies for negotiated purchases in amounts in excess of \$2,500 shall provide at least the following pertinent information: (1) Justification for the use of negotiation in lieu of advertising, (2) Contractor selection, (3) The basis for the cost of price negotiated. Justification for the use of negotiation in lieu of advertising may be provided on a class basis or on an individual contract basis.

(m) A system for contract administration shall be maintained by the State agency to assure contractor compliance with terms, conditions, and specifications of the contract or order, and to assure adequate and timely follow-up of all purchases.

(n) The State agency shall include provisions to define a sound and complete agreement in all contracts which it awards when the contract costs are to be borne as a direct charge in whole or in part by Federal funds.

(o) In awarding contracts the State agency must comply with the following requirements:

(1) The State agency's contracts shall contain contractual provisions or conditions which will allow for administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate.

(2) All contracts awarded by State agencies in excess of \$2,500 shall contain suitable provisions for termination by the State agency including the manner by which it will be affected and the basis for settlement. In addition, such contracts shall set forth the conditions under which the contract may be terminated for default as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor.

(3) Where applicable, all contracts awarded by State agencies in excess of \$2,500 which involve the employment of mechanics or laborers shall include a provision for compliance with sections 103 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor regulations (29 CFR, Part 5). Under section 103 of the act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis of a standard work day of 8 hours and a standard work week of 40 hours. Work in excess of the standard work day or work week is permissible provided that the worker is compensated at a rate of not less than 1½ times the basic rate of pay for all hours worked in excess of 8 hours in any calendar day or 40 hours in the work week. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market or contracts for transportation.

(4) Contracts awarded by State agencies, the principal purpose of which is to create, develop, or improve products, processes or methods; or for exploration into fields which directly concern public health, safety, or welfare; or contracts in the field of science or technology in which there has been little significant experience outside of work funded by Federal assistance, shall contain a notice to the effect that matters regarding rights to inventions, and materials generated under the contract or agreement are subject to the regulations issued by the Federal grantor agency. The contractor shall be advised as to the source of additional information regarding these matters.

(5) All negotiated contracts (except those of \$2,500 or less) awarded by State agencies shall include a provision to the effect that the State agency, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the contractor which are directly pertinent to a specific grant program for the purpose of making audit, examination, excerpts, and transcriptions.

(6) Contracts in excess of \$100,000

shall contain a provision which requires compliance with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act of 1970 as amended (42 U.S.C. 1857b, et seq.). Suspected violations shall be reported by the State agency in writing to the Regional Office of the United States Environmental Protection Agency, with a copy to the Department.

(p) State agencies shall observe their regular requirements and practices with respect to bonding and insurance.

NOTE.—The reporting and/or recordkeeping requirements contained herein have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

(Catalog of Federal Domestic Assistance Program No. 10.555, National Archives Reference Services).

Dated: January 17, 1975.

RICHARD L. FELTNER,  
Assistant Secretary.

[FR Doc.75-2000 Filed 1-21-75;8:45 am]

## DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[ 49 CFR Part 7 ]

[OST Docket No. 2; Notice 75-1]

### PUBLIC AVAILABILITY OF INFORMATION

#### Proposed Revision

Amendments (Pub. L. 93-579) to the Freedom of Information Act (5 U.S.C. 552) will be effective February 19, 1975. Notice is hereby given that the Department of Transportation proposes to revise its regulations implementing the Freedom of Information Act (49 CFR Part 7), Public Availability of Information, in accordance with the new amendments. Although Pub. L. 93-579 requires only that the schedule of fees for reproduction of requested material be published as a proposal with the opportunity for public comment, the Department believes it is in the public interest to invite comment on all of the implementing regulations. Significant proposed amendments to Part 7 are discussed below.

*Section 7.43.* Indexes of final opinions and orders made in the adjudication of cases, statements of policy and interpretations adopted by the Department and not published in the FEDERAL REGISTER and administrative staff manuals and instructions to staff that affect a member of the public and which are required to be made available will be published quarterly.

*Section 7.53.* Records requested to be made available must be "reasonably described" by the requestor. It is proposed to require that each request describe the record sought to the extent possible, including the subject matter of the record, the date when it was made, the place it was made and the originating person or office.

*Section 7.95.* A uniform fee schedule for recovery of the direct costs of docu-



ment search and reproduction of records must be promulgated after publication for notice and comment. These fees must be waived or reduced when furnishing the information would be in the public interest. A provision for reduction or waiver of fees is contained in the Department's existing regulations and is continued unchanged in § 7.97 of the proposed regulations.

**Section 7.21-7.25.** A determination must be made within ten days after a request for a record has been received and a determination must be made within twenty days after receipt of an appeal of an initial denial of a request for records. Either of these time limits may be extended by not more than ten cumulative days under certain circumstances.

**Section 7.63.** Certain categories of records are exempted from the requirement of disclosure. Some of these exemptions have been modified by the 1974 amendments. The exemption for material classified in the interest of national defense has been amended to require the material to be classified under criteria established by an Executive Order.

**Section 7.75.** The exemption for investigatory records compiled for law enforcement purposes has been narrowed under the Act to apply only in six specific situations.

**Section 7.15.** Any reasonably segregable portion of a record otherwise exempt from the disclosure requirements must be made available. A provision for release of such segregable portions of otherwise exempt records is contained in the Department's existing regulations and is continued unchanged in the proposed rules.

Written data, views and comments on the proposed rules should identify the docket number and be submitted to the Docket Clerk, Office of the General Counsel, Department of Transportation, Washington, D.C. 20590. Final rules must be published by February 19. Since it is necessary to allow adequate time to consider all comments, it is impracticable to allow thirty days for public comment. Therefore, comments received on or before February 10, 1975, will be considered in preparation of the final rules. Copies of all written comments received will be available for examination by interested persons during regular business hours at the above address both before and after February 10, 1975.

In consideration of the foregoing, it is proposed to revise Part 7 of Title 49, Code of Federal Regulations, to read as follows:

**PART 7—PUBLIC AVAILABILITY OF INFORMATION**

**Subpart A—Applicability and Policy**

- Sec. 7.1 Applicability.
- 7.3 Policy.
- 7.5 Definitions.

**Subpart B—General**

- 7.11 Administration of part.
- 7.13 Deletion of identifying detail.
- 7.15 Records containing both available and unavailable information.
- 7.17 Protection of records.

**Subpart C—Time Limits**

- 7.21 Initial determination.
- 7.23 Final determination.
- 7.25 Extension.

**Subpart D—Publication in Federal Register**

- 7.31 Applicability.
- 7.33 Publication required.

**Subpart E—Availability of Opinions, Orders, Staff Manuals, Statement of Policy, and Interpretations: Indexes**

- 7.41 Applicability.
- 7.43 Access to materials and index.
- 7.45 Indexes of public materials.
- 7.47 Copies.

**Subpart F—Availability of Reasonably Described Records**

- 7.51 Applicability.
- 7.53 Public availability of records.
- 7.55 Request for records of concern to more than one Government organization.

**Subpart G—Exemptions**

- 7.61 Applicability.
- 7.63 Records relating to matters that are required by Executive Order to be kept secret.
- 7.65 Records related solely to internal personnel rules and practices.
- 7.67 Records exempted from disclosure by statute.
- 7.69 Trade secrets and commercial or financial information that is privileged or confidential.
- 7.71 Intragovernmental exchanges.
- 7.73 Protection of personal privacy.
- 7.75 Investigatory files compiled for law enforcement purposes.
- 7.77 Reports of financial institutions.
- 7.79 Geological and geophysical information.

**Subpart H—Procedures for Reconsidering Decisions Not To Disclose Records**

- 7.81 General.

**Subpart I—Fees**

- 7.91 General.
- 7.93 Payment of fees.
- 7.95 Fee schedule.
- 7.97 Services performed without charge or at a reduced charge.
- 7.99 Transcripts.
- 7.101 Alternate sources of information.
- Appendix A—Office of the Secretary.
- Appendix B—United States Coast Guard.
- Appendix C—Federal Aviation Administration.
- Appendix D—Federal Highway Administration.
- Appendix E—Federal Railroad Administration.
- Appendix F—St. Lawrence Seaway Development Corporation.
- Appendix G—Urban Mass Transportation Administration.
- Appendix H—National Highway Safety Bureau.

**AUTHORITY:** Freedom of Information Act, Pub. L. 93-579, November 1974; 5 U.S.C. 552.

**Subpart A—Applicability and Policy**

**§ 7.1 Applicability.**

(a) This part implements section 552 of Title 5, United States Code, and prescribes rules governing the availability to the public of the records of the Department of Transportation.

(b) Subpart G of this part describes the records that are not required to be disclosed under this part.

(c) Appendices A through H to this part:

(1) Describe the places and times at which records will be available for inspection and copying;

(2) Define the kinds of records located at each facility;

(3) Identify the location of the indexes to such records; and

(4) Identify the officials having authority to deny requests for disclosure of records under this part.

(d) The Director of Public Affairs may amend Appendix A to this part to reflect any changes in the items covered by that appendix. The head of the operating administration concerned may amend the appendix applicable to that Administration to reflect any changes in the items covered by that appendix.

(e) This part applies only to records that exist at the time the request for the information is made. The Department is not required to compile or procure a record solely for the purpose of making it available under this part.

(f) Indexes are maintained to reflect all records subject to this part, and are available for public inspection and copying as provided in Appendices A through H to this part.

**§ 7.3 Policy.**

In implementing section 552 of Title 5, United States Code, it is the policy of the Department of Transportation to make information within the Department available to the public to the greatest extent possible in keeping with the spirit of that section. Therefore, all records of the Department, except those that the Department specifically determines must not be disclosed in the national interest, for the protection of private rights, or for the efficient conduct of public business to the extent permitted by the Freedom of Information Act, are required to be available for public inspection and copying as provided in this part. Each Officer and employee of the Department is directed to cooperate to this end and to make records available to the public promptly and to the fullest extent consistent with this policy. A record may not be withheld from the public solely because its release might suggest administrative error or embarrass an officer or employee of the Department.

**§ 7.5 Definitions.**

Unless the context requires otherwise, the following definitions apply in this part:

"Department" means the Department of Transportation, including the Office of the Secretary and the following operating administrations:

- (a) The Coast Guard.
  - (b) The Federal Aviation Administration.
  - (c) The Federal Highway Administration.
  - (d) The Federal Railroad Administration.
  - (e) The National Highway Traffic Safety Administration.
  - (f) Urban Mass Transportation Administration.
  - (g) The St. Lawrence Seaway Development Corporation.
- "He" includes she.  
 "Includes" means "includes but is not limited to."

"May" is used in a permissive sense to state authority or permission to do the act prescribed.

"Record" includes any writing, drawing, map, recording, tape, film, photograph, or other documentary material by which information is preserved.

"Secretary" means the Secretary of Transportation or any person to whom he has delegated his authority in the matter concerned.

#### Subpart B—General

##### § 7.11 Administration of part.

Except as provided in Subpart H of this part, authority to administer this part in connection with the records in the Office of the Secretary is delegated to the Director of Public Affairs. Authority to administer this part in connection with records in each operating administration is delegated to the head of that administration. The head of any operating administration may redelegate to officers of that administration the authority to administer this part in connection with defined groups of records. However, the head of an operating administration may redelegate his duties under Subpart H of this part only to his deputy and to not more than one other officer who reports directly to the head and who is located at the headquarters of that administration.

##### § 7.13 Deletion of identifying detail.

Whenever it is determined to be necessary to prevent a clearly unwarranted invasion of personal privacy, identifying details are deleted from any record covered by this part that is published or made available for inspection. A full explanation of the justification for the deletion is attached to the copy of the record published or made available for inspection.

##### § 7.15 Records containing both available and unavailable information.

If a record contains information that the Department determines cannot be disclosed under this part, but also contains information that can be disclosed, the latter information will be provided for public inspection and copying unless—

- (a) It is readily available from another source; and
- (b) The other source is made known to the person desiring the record.

##### § 7.17 Protection of records.

(a) No person may, without permission, remove any record made available to him for inspection or copying under this part, from the place where it is made available. In addition, no person may steal, alter, mutilate, obliterate, or destroy, in whole or in part, such a record.

(b) Section 641 of Title 18 of the United States Code provides, in pertinent part, as follows:

Whoever . . . steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record . . . or thing of value of the United States or of any depart-

ment or agency thereof . . . shall be fined not more than \$10,000 or imprisoned not more than 10 years or both; but if the value of such property does not exceed the sum of \$100, he shall be fined not more than \$1,000 or imprisoned not more than one year or both. . . .

Section 2071 of Title 18 of the United States Code provides, in pertinent part, as follows:

Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited . . . in any public office, or with any . . . public officer of the United States, shall be fined not more than \$2,000 or imprisoned not more than 3 years, or both.

#### Subpart C—Time Limits

##### § 7.21 Initial determination.

An initial determination as to whether to release a record requested pursuant to Subpart F of this part shall be made within ten days (excepting Saturdays, Sundays, and legal public holidays) after the request is received in accordance with paragraph (a) of § 7.43 except that this time limit may be extended by up to ten working days in accordance with § 7.25. The person making the request will be notified immediately of such determination. If such determination is to release the requested record, such record shall be made promptly available. If such determination is not to release the record, the person making the request shall, at the same time he is notified of such determination, be notified of (a) the reason for the determination; (b) the right of such person to appeal the determination; and (c) the names and titles or positions of each person responsible for the denial of the request.

##### § 7.23 Final determination.

A determination with respect to any appeal made pursuant to § 7.81 will be made within twenty days (excepting Saturdays, Sundays, and legal public holidays) after receipt of such appeal except that this time limit may be extended by up to ten working days in accordance with § 7.25.

##### § 7.25 Extension.

In unusual circumstances as specified in this section, the time limits prescribed in either § 7.21 or § 7.23, but not both, may be extended by written notice to the person making a request setting forth the reasons for such extension and the date on which a determination is expected to be dispatched. Such notice shall not specify a date that would result in an extension for more than ten working days. As used in this subparagraph, "unusual circumstances" means, but only to the extent reasonably necessary to the proper processing of the particular request—

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

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

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

#### Subpart D—Publication in Federal Register

##### § 7.31 Applicability.

This subpart implements section 552 (a) (1) of Title 5, United States Code, and prescribes rules governing the publication in the FEDERAL REGISTER of the following:

(a) Descriptions of the organization of the Department, including its operating administrations and the established places at which, the officers from whom, and the methods by which, the public (1) may secure information; and (2) make submittals or requests or obtain decisions.

(b) Statements of the general course and methods by which the Department's functions are channeled and determined, including the nature and requirements of all formal and informal procedures available.

(c) Rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports or examinations.

(d) Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability adopted by the Department.

(e) Each amendment, or repeal of any material listed in paragraphs (a) through (d) of this section.

##### § 7.33 Publication required.

(a) General. All material described in § 7.31 is published in the FEDERAL REGISTER. For the purposes of this paragraph, material that is reasonably available to the class of persons affected by it is considered to be published in the FEDERAL REGISTER if it has been incorporated by reference therein with the approval of the Director of the Federal Register.

(b) Effect of nonpublication. Except to the extent that a person has actual and timely notice of the terms thereof, no person may in any manner be required to resort to, or be adversely affected by, any procedure or matter required to be published in the FEDERAL REGISTER but not so published.

Subpart E—Availability of Opinions, Orders, Staff Manuals, Statements of Policy, and Interpretations: Indexes

##### § 7.41 Applicability.

(a) This subpart implements section 552(a) (2) of Title 5, United States Code. It prescribes the rules governing the availability, for public inspection and copying, of the following:

(1) Any final opinion (including a concurring or dissenting opinion) or order made in the adjudication of a case.

(2) Any policy or interpretation that has been adopted under the authority of the Department, including any policy or interpretation concerning a particular factual situation, if that policy or interpretation can reasonably be expected to have precedential value in any case involving a member of the public in a similar situation.

(3) Any administrative staff manual or instruction to staff that affects any member of the public, including the prescribing of any standard, procedure, or policy that, when implemented, requires or limits any action of any member of the public or prescribes the manner of performance of any activity by any member of the public. However this does not include staff manuals or instructions to staff concerning internal operating rules, practices, guidelines and procedures for Departmental inspectors, investigators, examiners, auditors and negotiators, the release of which would substantially impair the effective performance of their duties.

In addition, this subpart provides for an index of the materials listed in this paragraph, as available.

(b) Any material listed in paragraph (a) of this section that is not made available for public inspection and copying, or that is not indexed as required by § 7.45, may not be cited, relied on, or used as precedent by the Department to adversely affect any member of the public unless the person against whom it is cited, relied on, or used has had actual and timely notice of that material.

(c) This subpart does not apply to material that is published in the FEDERAL REGISTER or is covered by Subpart F of this part.

#### § 7.43 Access to materials and index.

(a) Except as provided in paragraph (b) of this section, material listed in § 7.41(a) is available for inspection and copying by any member of the public at document inspection facilities of the Department. The index of material available at each facility is published in the FEDERAL REGISTER quarterly and is also located at the facility. Information as to the kinds of materials available at each facility may be obtained from the facility or the headquarters of the operating administration of which it is a part.

(b) The material listed in § 7.41(a) that is published and offered for sale is indexed but is not required to be kept available for public inspection. Whenever practicable, however, it will be made available for public inspection at any document inspection facility maintained by the Office of the Secretary or an operating administration, whichever is concerned.

#### § 7.45 Indexes of public materials.

The index of material subject to public inspection and copying under this subpart covers all material issued, adopted, or promulgated after July 4,

1967. However, earlier material may be included in the index to the extent practicable. Each index contains instructions on how to use it.

#### § 7.47 Copies.

Copies of any material covered by this subpart that is not published and offered for sale may be ordered, upon payment of the appropriate fee, from the office indicated in § 7.53. Copies are certified upon request and payment of the prescribed fee.

#### Subpart F—Availability of Reasonably Described Records

##### § 7.51 Applicability.

This subpart implements section 552(a)(3) of Title 5, United States Code, and prescribes the regulations governing public inspection and copying of reasonably described records. It does not apply, however, to material that is covered by Subpart D of this part, records determined under Subpart G of this part not to be available, and material that is offered for sale by the Government Printing Office.

##### § 7.53 Public availability of records.

(a) Each person desiring access to a record covered by this subpart must comply with the following provisions:

(1) A written request must be made for the record.

(2) Such request must indicate that it is being made under the Freedom of Information Act.

(3) The envelope in which the request is sent must be prominently marked with the letters "FOIA".

(4) The request must be addressed to the appropriate office as set forth in paragraph (c) of this section.

(b) If the requirements of paragraph (a) of this section are not met, the ten day time limit described in § 7.21 will not begin to run until the request has been identified by an employee of the Department as a request under the Freedom of Information Act and has been received by the appropriate office.

(c) Each person desiring access to a record covered by this subpart that is located in the Office of the Secretary, or to obtain a copy of such a record, must make a written request to the Director of Public Affairs, 400 Seventh Street, SW., Washington, D.C. 20590. Each person desiring access to a record covered by this subpart that is located in an operating administration, or to obtain a copy of such a record, must make a written request to that administration at the address set forth in the appendix applicable to that administration. If the person making the request does not know where in the Department the record is located, he may make inquiry of the Director of Public Affairs as to its location.

(d) Each request should describe the particular record to the extent possible. The request should specify the subject matter of the record, the date when it was made, the place where it was made and the person or office that made it. If the description is insufficient, the offi-

cer handling the request will notify the person making the request and, to the extent possible, indicate the additional data required.

(e) Each record made available under this subpart is available for inspection and copying during regular working hours at the place where it is located or, upon reasonable notice, at the document inspection facilities of the Office of the Secretary or each administration as set forth in the appendix applicable to that office or administration. Original records may be copied but may not be released from custody. Upon payment of the appropriate fee, copies will be mailed to the requester.

(f) Except for services performed without charge or at a reduced charge pursuant to § 7.97, each request for a search of records or for a copy of a record must be accompanied by the fee prescribed in the applicable fee schedule. When the fee is not readily ascertainable without examination of the records, the officer or employee receiving the request will furnish an estimate of the fee to the person making the request or the fee may be collected after the records are made available. If a search is necessary the fee for a search is charged, regardless of whether it is successful.

(g) Notwithstanding paragraphs (a) through (f) of this section, informational material, such as press releases, pamphlets, and other material of that nature that is ordinarily made available to the public as a part of any information program of the Government is available upon oral or written request. There is no fee for individual copies of that material as long as it is in supply. In addition, the Department will continue to respond, without charge, to routine oral or written inquiries that do not involve the furnishing of records.

#### § 7.55 Request for records of concern to more than one Government organization.

(a) If the release of a record covered by this subpart would be of concern to both this Department and another Federal agency, the record will be made available only after consultation with the other interested agency.

(b) If the release of a record covered by this subpart would be of concern to both this Department and a State or local government, or a foreign government, the record will be made available by the Department only after consultation with the other interested State or local government or foreign government.

#### Subpart G—Exemptions

##### § 7.61 Applicability.

This subpart implements section 552 (b) of Title 5, United States Code: Section 552(b) exempts certain records from public inspection under section 552(a). The Department will, however, release a record authorized to be withheld under §§ 7.65 through 7.79 unless it determines that the release of that record would be inconsistent with a purpose of the section concerned. Examples given in §§ 7.65 through 7.79 of records included within

a particular statutory exemption are not necessarily illustrative of all types of records covered by the exemption.

**§ 7.63 Records relating to matters that are required by Executive Order to be kept secret.**

Records relating to matters that are specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy include those within the scope of the following, and any further amendment of any of them, but only to the extent that the records are in fact properly classified pursuant to such Executive Order:

- (a) Executive Order 11652 of March 8, 1972 (37 FR 5209, March 10, 1972).
- (b) Executive Order 10865 of February 20, 1960 (3 CFR 1959-1963 Comp., p. 398); and
- (c) Executive Order 10104 of February 1, 1950 (3 CFR 1949-1953 Comp., p. 298).

These records may not be made available for public inspection.

**§ 7.65 Records related solely to internal personnel rules and practices.**

(a) Records related solely to internal personal rules and practices that are within the statutory exemption include memoranda pertaining to personnel matters such as staffing policies and policies and procedures for the hiring, training, promotion, demotion, and discharge of employees, and management plans, records, or proposals related to labor-management relationships.

(b) The purpose of this section is to authorize the protection of any record related to internal personnel rules and practices dealing with the relations between the Department and its employees.

**§ 7.67 Records exempted from disclosure by statute.**

(a) Records relating to matters that are specifically exempted by statute from disclosure include those covered by the following:

- (1) Section 1905 of Title 18, United States Code, protecting trade secrets, processes, and certain economic and other data obtained by examination or investigation, or from reports.
- (2) Revised Statutes section 4448, as amended (46 U.S.C. 234) protecting the source of reports of defects and imperfections of vessels.
- (3) Revised Statutes section 4551, as amended (46 U.S.C. 643) protecting the address, and next of kin of merchant seamen and entries made in records pertaining to merchant seamen.
- (4) Pub. L. 86-660, as amended (23 U.S.C. 313 (note) protecting information in the register of persons whose license to operate a motor vehicle has been denied, terminated, or suspended.
- (5) Section 106 of Pub. L. 89-564 (23 U.S.C. 313 (note)) so far as it relates to identification of individuals in reports on highway traffic accidents.
- (6) Section 902(f) of the Federal Aviation Act of 1958 (49 U.S.C. 1472(f)) re-

lating to information obtained by examining the accounts, records, or memoranda of an air carrier.

(7) Section 1001 of the Federal Aviation Act of 1958 (49 U.S.C. 1481) so far as it relates to the secrecy of acts and proceedings when requisite on grounds of national defense.

(8) Section 1104 of the Federal Aviation Act of 1958 (49 U.S.C. 1504) relating to the withholding, upon request, of information obtained under that Act.

(b) The purpose of this section is to preserve the effectiveness of statutes of the kind listed in paragraph (a) of this section, in accordance with their terms.

**§ 7.69 Trade secrets and commercial or financial information that is privileged or confidential.**

(a) Trade secrets and commercial or financial information that is privileged and for which confidentiality is requested by the person possessing such privilege are within the statutory exemption. This includes the following:

- (1) Commercial or financial information not customarily released to the public, furnished and accepted in confidence.
- (2) Statements of financial interests furnished by employees of the Department.
- (3) Commercial, technical, and financial information furnished by any person in connection with an application for a loan or a loan guarantee.
- (4) Commercial or financial information customarily subjected to an attorney-client or similar evidentiary privilege.
- (5) Materials in which the Department has a property right such as designs, drawings, and other data and reports acquired in connection with any research project, inside or outside of the Department, or any grant or contract.

(6) Business records of the Alaska Railroad of the kind which are ordinarily treated by railroads as confidential.

(b) The purpose of this section is to authorize the protection of trade secrets and commercial or financial records that are customarily privileged or are appropriately given to the Department in confidence. It assures the confidentiality of trade secrets and commercial or financial information obtained by the Department through questionnaires and required reports to the extent that the information would not customarily be made public by the person from whom it was obtained. In any case in which the Department has obligated itself not to disclose trade secrets and commercial or financial information it receives, this section indicates the Department's intention to honor that obligation to the extent permitted by law. In addition, this section recognizes that certain materials, such as research data and materials, formulae, designs, and architectural drawings, have significance not as records but as items of property acquired, in many cases, at public expense. In any case in which similar proprietary material in private hands would be held in confidence, material covered by this section may be held in confidence.

**§ 7.71 Intragovernmental exchanges.**

(a) Any record prepared by a Government officer or employee (including those prepared by a consultant or advisory body) for internal Government use is within the statutory exemption to the extent that it contains—

(1) Opinions, advice, deliberations, or recommendations made in the course of developing official action by the Government, but not actually made a part of that official action, or

(2) Information concerning any pending proceeding or similar matter including any claim or other dispute to be resolved before a court of law, administrative board, hearing officer, or contracting officer.

(b) This section has two distinct purposes. One is to protect the full and frank exchange of ideas, views, and opinions necessary for the effective functioning of the Government and to afford this protection both before and after any action is taken. This judicially recognized privilege of protection against disclosure in litigation or elsewhere is intended to assure that these resources will be fully and readily available to those officials upon whom the responsibility rests to take official and final Department action. However, the action itself, any memoranda made part of that action, and the facts on which it is based are not within this protection. The other purpose is to protect against the premature disclosure of material that is in the development stage if premature disclosure would be detrimental to the authorized and appropriate purposes for which the material is being used, or if, because of its tentative nature, the material is likely to be revised or modified before it is officially presented to the public.

(c) Examples of records covered by this section include minutes, to the extent they contain matter described in paragraph (a) of this section; staff papers containing advice, opinions, suggestions, or exchanges of views, preliminary to final agency decision or action; budgetary planning and programing information; advance information on such things as proposed plans to procure, lease, or otherwise hire and dispose of materials, real estate, or facilities; documents exchanged preparatory to anticipated legal proceedings; material intended for public release at a specified future time, if premature disclosure would be detrimental to orderly processes of the Department; records of inspections, investigations, and surveys pertaining to internal management of the Department; and matters that would not be routinely disclosed under disclosure procedures in litigation and which are likely to be the subject of litigation. However, if such a record also contains factual information, that information must be made available under § 7.15, unless the facts are so inextricably intertwined with deliberative or policy-making processes, that they cannot be separated without disclosing those processes.

§ 7.73 Protection of personal privacy.

(a) Any of the following personnel, medical, or similar records is within the statutory exemption if its disclosure would harm the individual concerned or be a clearly unwarranted invasion of his personal privacy:

(1) Personnel and background records personal to any officer or employee of the Department, or other person, including his home address.

(2) Medical histories and medical records concerning individuals, including applicants for licenses.

(3) Any other detailed record containing personal information identifiable with a particular person.

(b) The purpose of this section is to provide a proper balance between the protection of personal privacy and the preservation of the public's rights to Department information by authorizing the protection of information that, if released, might unjustifiably invade an individual's personal privacy.

§ 7.75 Investigatory files compiled for law enforcement purposes.

(a) Files compiled by the Department for law enforcement purposes, including the enforcement of the regulations of the Department, are within the statutory exemption to the extent that production of such records would (1) interfere with enforcement proceedings, (2) deprive a person of a right to a fair trial or an impartial adjudication, (3) constitute an unwarranted invasion of personal privacy, (4) disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source, (5) disclose investigative techniques and procedures, or (6) endanger the life or physical safety of law enforcement personnel.

(b) The purpose of this section is to protect from disclosure the law enforcement files of the Department, including files prepared in connection with related litigation and adjudicative proceedings. It includes the enforcement not only of criminal statutes but all kinds of laws.

§ 7.77 Reports of financial institutions.

Any material contained in or related to any examination, operating, or condition report prepared by, on behalf of, or for the use of, any agency responsible for the regulation or supervision of financial institutions is within the statutory exemption.

§ 7.79 Geological and geophysical information.

Any geological or geophysical information and data (including maps) concerning wells is within the statutory exemption.

Subpart H—Procedures for Reconsidering Decisions Not To Disclose Records

§ 7.81 General.

(a) Each officer or employee of the Department who, upon a request by a mem-

ber of the public for a record under this part, makes a determination that the record is not to be disclosed, will give a written statement of his reasons for that determination to the person making the request; and indicate the names and titles or positions of each person responsible for the denial of such request, and the availability of an appeal within the Department.

(b) Any person to whom a record has not been made available within the time limits established by Subpart C and any person who has been given a determination pursuant to paragraph (a) of this section, that a record he has requested will not be disclosed, may apply to the head of the operating administration concerned, or in the case of the Office of the Secretary, to the General Counsel of the Department, for reconsideration of the request. A determination that a record will not be disclosed is not administratively final for the purposes of judicial review unless it was made by the head of the operating administration concerned (or his designee), or the General Counsel, as the case may be, unless the applicable time limit has passed without a determination of the appeal having been made.

(c) Each application for reconsideration must be made in writing within sixty days from the date of receipt of the original denial and must include all information and arguments relied upon by the person making the request. Such application must indicate that it is an appeal from a denial of a request made under the Freedom of Information Act. The envelope in which the application is sent must be prominently marked with the letters "FOIA". If these requirements are not met, the twenty day time limit described in § 7.23 will not begin to run until the application has been identified by an employee of the Department as an application under the Freedom of Information Act and has been received by the appropriate office.

(e) Whenever the head of the operating administration concerned, or the General Counsel, as the case may be, determines it to be necessary, he may require the person making the request to furnish additional information, or proof of factual allegations, and may order other proceedings appropriate in the circumstances. The decision of the head of the operating administration concerned, or the General Counsel, as the case may be, as to the availability of the record is administratively final.

(f) The decision by the head of the operating administration concerned, or the General Counsel, as the case may be, not to disclose a record under this part is considered to be a withholding by the Secretary for the purposes of section 552(a) (3) of Title 5, United States Code.

(g) Any final decision by the head of an operating administration or his delegate identified in Appendices B through H of this part, not to disclose a record under this part is subject to concurrence by the Office of General Counsel, Office of the Secretary.

Subpart I—Fees

§ 7.91 General.

(a) This subpart prescribes fees for service performed for the public under Subparts E and F of this part by the Department of Transportation.

(b) This subpart does not apply to any special study, special statistical compilation, table or other record requested under section 9(n) of the Department of Transportation Act. The fee for the performance of such a service is the actual cost of the work involved in compiling the record. All moneys received by the Department in payment of the cost of the work are deposited in a separate account administered under the direction of the Secretary, and may be used for the ordinary expenses incidental to the work.

§ 7.93 Payment of fees.

The fees prescribed in this subpart may be paid by check, draft, or postal money order, payable to the Treasurer of the United States. Except as provided in § 7.53(f), the fees are payable in advance.

§ 7.95 Fee schedule.

- (a) Except as provided in paragraph (j) of this section search for a record under Subpart F of this part, when required, including making it available for inspection ----- \$2.00
- (b) Copies of documents by photocopy or similar method:
  - Each page not larger than 11 x 17 inches (first page) --- .25
  - (Each additional page) --- .05
- (c) Copies of documents by typewriter, each page ----- 2.00
- (d) Certified copies of documents:
  - (1) With Department of Transportation seal ----- 3.00
  - (2) True copy, without seal --- 1.00
- (e) Photographs:
  - (1) Black and White print (with negative) ----- 1.25
  - (2) Black and White print (without negative) ----- 3.15
  - (3) Color print (with negative) --- 3.50
  - (4) Color print (without negative) ----- 6.25
- (f) Duplicate data tapes—each reel of tape or fraction thereof --- 36.00
 

The applicant must furnish the necessary number of blank magnetic tapes. The tapes must be compatible for use in the supplier's computer system, 1/2 inch wide and 2,400 feet long, and must be capable of recording data at a density of 556 or 800 characters per inch. Unless otherwise designated, the tapes will be recorded at 556 CPI density. The Department of Transportation is not responsible for damaged tape. However, if the applicant furnishes a replacement for a damaged tape, the duplication process is completed at no additional charge.
- (g) Microreproduction fees are as follows:
  - (1) Microfilm copies, each 100-foot roll or less --- 3.75
  - (2) Microfiche copies, each standard size sheet (4" x 6", containing up to 65 frames) ----- .15

- (h) Data processed record, each 1,000 lines or fraction thereof..... 1.00
- (i) Preprinted materials, shelf stock, one color standard sizes:
- (1) Each page (excluding blanks)..... .06
- (2) Minimum charge..... 1.00
- (j) Other records: The fee for a copy of a record not described in paragraph (b) through (i) of this section will be supplied on request. The amount of that fee will be the cost of producing and handling. The fee for a search and copy of any record where the cost will obviously be more than \$2 will be determined in accordance with the policy of the Freedom of Information Act.

**§ 7.97 Services performed without charge or at a reduced charge.**

(a) No fee is charged for time spent in preparing correspondence related to a request and in making determinations pursuant to § 7.81.

(b) No fee is charged for documents furnished in response to:

(1) A request from an employee or former employee of the Department for copies of personnel records of the employee;

(2) A request from a member of Congress for his official use;

(3) A request from a State, territory, U.S. possession, county or municipal government, or an agency thereof;

(4) A request from a court that will serve as a substitute for the personal court appearance of an officer or employee of the Department;

(5) A request from a foreign government or an agency thereof, or an international organization.

(c) Documents will be furnished without charge or at a reduced charge, if the Director of Public Affairs, or the head of the operating administration concerned, as the case may be, determines that waiver or reduction of the fee is in the public interest, because furnishing the information can be considered as primarily benefiting the general public. Examples of requests that may fall within this paragraph are reasonable requests from groups engaged in a nonprofit activity designed for the public safety, health, or welfare; schools; and students engaged in study in the field of transportation.

**§ 7.99 Transcripts.**

Transcripts of hearings and oral argument are available for inspection. Where transcripts are prepared by a nongovernment contractor, and the contract permits the Department to handle the reproduction of further copies, the provisions of this Subpart I apply. Where the contract for transcription services reserves the sales privilege to the reporting service, any duplicate copies should be purchased directly from the reporting service.

**§ 7.101 Alternate sources of information.**

In the interest of making documents of general interest publicly available at as reasonable a cost as possible, alternate

sources are arranged whenever practicable. In appropriate instances, material that is published and offered for sale may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402; the Commerce Department's National Technical Information Service (NTIS), Springfield, Va. 22151; the National Audio-Visual Center, National Archives and Records Service, General Services Administration, Washington, D.C. 20405; or the Consumer Product Information Coordinating Center, General Services Administration, Washington, D.C. 20407. (Appendices A through H are continued unchanged.)

This notice of proposed rulemaking is issued under the authority of the Freedom of Information Act, 5 U.S.C. 552 and Pub. L. 93-579, November 1974.

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

CLAUDE S. BRINEGAR,  
Secretary.

[FR Doc.75-1993 Filed 1-21-75;8:45 am]

**ACTION**

**[ 45 CFR Part 1215 ]**

**INSPECTION AND COPYING OF RECORDS**

**Compliance With Public Information Act**

The provisions of the Public Information Act, 5 U.S.C. 522, as amended, require that each agency of the Federal government make available to the public at established places any records reasonably described in a request therefor and other records therein specified.

On September 3, 1974, a notice of proposed rule making was published in the FEDERAL REGISTER (39 FR 31914) proposing to add a new part 1215 to Part 45, Code of Federal Regulations, to provide rules and regulations for the production, inspection, and copying of documents under the provisions of the aforesaid Public Information Act. On November 21, 1974, the Senate, overriding the President's veto, passed H.R. 12471 amending the Freedom of Information Act (Pub. L. 93-502, 93rd Congress, H.R. 12471, November 21, 1974). This Act made several important amendments to the Freedom of Information Act and in view of the consequent need of substantial revisions of the aforesaid proposed rules required by said amendments, the former notice of proposed rule making is hereby canceled and this notice substituted in its place and stead.

Notice is hereby given that the Director of ACTION proposes to amend Chapter XII of Title 45, Code of Federal Regulations, to add a new Part 1215 to provide for regulations permitting the inspection and copying of documents of the ACTION agency.

Inquiries may be addressed and comments or views concerning the new proposed subpart may be submitted to ACTION, 806 Connecticut Avenue NW., Washington, D.C. 20525, Attention: Deputy Director. All comments received on

or before February 18, 1975, will be considered. All comments and responses to this proposal will be available for public inspection during normal business hours at the foregoing address.

It is therefore proposed to add a new Part 1215 to Chapter XII of Title 45 of the Code of Federal Regulations as follows:

**PART 1215—INSPECTION AND COPYING OF RECORDS: RULES FOR COMPLIANCE OF PUBLIC INFORMATION ACT**

Sec.	
1215.1	Purpose.
1215.2	Definitions.
1215.3	Records generally available.
1215.4	Availability of records.
1215.5	Records which may be exempt from disclosure.
1215.6	Authority to release and certify records.
1215.7	Location of records.
1215.8	Identification of records.
1215.9	Manner of requesting records.
1215.10	Schedule of fees.

AUTHORITY: Sec. 412, Pub. L. 93-113, 87 Stat.; 5 U.S.C. 552.

**§ 1215.1 Purpose.**

The purpose of this part is to prescribe rules for the inspection and copying of opinions, policy statements, staff manuals, instructions, and other records of ACTION pursuant to 5 U.S.C. 552.

**§ 1215.2 Definitions.**

As used in this part, the following definitions shall apply:

(a) "The Agency" means ACTION.

(b) "Records" includes all books, papers, maps, photographs, or other documentary material or copies thereof, regardless of physical form or characteristics, made in or received by ACTION and preserved as evidence of its organization, functions, policies, decisions, procedures, operations or other activities, but does not include books, magazines, or other materials acquired solely for library purposes and available to any officially designated library of the agency.

(c) "Identifiable" means, in the context of a request for a record, one which is reasonably described in a manner sufficient to permit the location of the material requested.

(d) "Unit" means an office of the Agency headed by a senior official who shall be responsible for making determinations of availability of documents or records requested hereunder. The head of any such Unit may delegate his responsibility hereunder to his Deputy or some other official during any absence of such official. At present, the units of the Agency for the purposes hereof consist of, the Office of the Director; the Office of Domestic and Anti-Poverty Operations; the Office of International Operations; the Office of Policy and Planning; the Office of Administration and Finance; the Office of General Counsel; the Office of Congressional Affairs; the Office of Minority Affairs; and the Office of Recruitment and Communications, and the ten regional offices.

§ 1215.3 Records generally available.

The agency will make promptly available to any member of the public the following documents:

- (a) All final opinions and orders made in the adjudication of cases;
- (b) statements of policy and interpretation adopted by the office which have not been published in the FEDERAL REGISTER;
- (c) administrative staff manuals and instructions to the staff which affect a member of the public;
- (d) a current index, which shall be updated at least quarterly, covering so much of the foregoing materials as may have been issued, adopted or promulgated after July 4, 1967. The cost of such index or other material referred to in this paragraph shall not exceed the cost of publication or duplication, whichever is less.

(e) To the extent necessary to prevent a clearly unwarranted invasion of personal privacy, the Agency may delete identifying details from materials furnished under this section.

§ 1215.4 Availability of records.

All records of ACTION requested under 5 U.S.C. 552(a)(3) and reasonably described in any request therefor shall be made promptly available to the public for inspection or copying upon compliance with procedures established in this part, except to the extent that a determination is made, in accord with the procedures set forth herein, that a record is exempt from disclosure, and should be withheld in the public interest. All publications and other documents heretofore provided by ACTION in the normal course of business will continue to be made available upon request to the appropriate unit of the agency. No charge will be made for such documents unless necessary by reason of the fact that such document is no longer in print in which case the charge shall not exceed the cost of duplication as set forth herein.

§ 1215.5 Records which may be exempt from disclosure.

The following categories are examples of records maintained by ACTION which, under the provisions of 5 U.S.C. 552(b) may be exempted from disclosure:

- (a) Records required to be withheld under criteria established by an executive order in the interest of national defense or foreign policy and which are in fact properly classified pursuant to any such executive order. Included in this category are records required by Executive Order No. 11652, as amended, to be classified in the interest of national defense or foreign policy.
- (b) Records related solely to internal personnel rules and practices. Included in this category are internal rules and regulations relating to personnel management and operations which cannot be disclosed to the public without substantial prejudice to the effective performance of a significant function of the agency.

(c) Records specifically exempted from disclosure by statute.

(d) Information of a commercial or financial nature including trade secrets given in confidence. Included in this category are records containing commercial or financial information obtained from any person and customarily regarded as privileged and confidential by the person from whom they were obtained.

(e) Interagency or intra-agency memoranda or letters which would not ordinarily be available by law to a party in litigation with the agency. Included in this category are memoranda, letters, interagency and intra-agency communications and internal drafts, opinions and interpretations prepared by staff or consultants and records of deliberations of staff, ordinarily used in arriving at policy determinations and decisions.

(f) Personnel, medical and other files. Included in this category are personnel and medical information files of staff, volunteer applicants, former volunteers, and volunteers, lists of names and home addresses, and other files or material containing private or personal information, the public disclosure of which would violate a pledge of confidentiality and amount to a clearly unwarranted invasion of the privacy of any person to whom the information pertains.

(g) Investigatory files. Included in this category are files compiled for the enforcement of all laws, or prepared in connection with government litigation and adjudicative proceedings, provided however, that such records shall be made available to the extent that their production will not:

- (1) Interfere with enforcement proceedings;
- (2) deprive a person of a right to a fair trial or an impartial adjudication;
- (3) constitute an unwarranted invasion of personal privacy;
- (4) disclose the identity of a confidential source, and in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful security intelligence investigation, confidential information furnished by a confidential source;
- (5) disclose investigative techniques and procedures;
- (6) endanger the life or physical safety of law enforcement personnel.

(h) In the event any document or record requested hereunder shall contain material which is exempt from disclosure under this section, any reasonably segregable portion of such record shall, notwithstanding such fact, and to the extent feasible, be provided to any person requesting same, after deletion of the portions which are exempt under this section.

(i) Documents or records determined to be exempt from disclosure hereunder may nonetheless be provided upon request in the event it is determined that the provision of such document would not violate the public interest or the right of any person to whom such information might pertain, and that dis-

closure is not prohibited by law or Executive Order.

§ 1215.6 Authority to release and certify records.

(a) Authority is hereby delegated to the Chief of the Administrative Services Division, Office of Administration and Finance, to furnish, pursuant to these regulations, copies of records to any person entitled thereto, and upon request to provide certified copies thereof for use in judicial proceedings or other official matters as provided below.

(b) The Chief of the Administrative Services Division, and his deputy, are hereby designated to act as authentication officers. When the authentication officer is unavailable, any other person within such division delegated by the Director may act in his place and stead. The authentication officer is hereby authorized to sign and initial certificates of authentication for and in the name of the Director of ACTION. The form of authentication shall be as follows:

In testimony whereof, I \_\_\_\_\_, Director of ACTION, have hereunder caused my name to be subscribed by the authentication officer of said agency at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_  
 Director of ACTION.

By \_\_\_\_\_  
 Authentication Officer, ACTION.

(c) The authentication officer is also hereby authorized to issue such statements, certificates, or other documents as may be required in connection with judicial proceedings or other official matters to show that, after thorough search of ACTION records, a requested record has not been found (See Rule 44 (b), Federal Rules of Civil Procedure).

(d) Each Regional Director of ACTION shall designate a records officer who shall have the same authority as the Chief of Administrative Services with respect to documents and records kept and maintained in Regional or State offices. Such records officers shall be responsible to the Chief of Administrative Services for such reports as he may require with respect to the production and copying of records.

§ 1215.7 Location of records.

(a) The agency will maintain a central records room at its headquarters in Washington, D.C. The headquarters of ACTION is presently located at 806 Connecticut Avenue, NW., Washington, D.C. The specific location of the central records room shall be the ACTION library, the location of which may change from time to time. The specific location of the library may be determined by requesting such information from the ACTION receptionist in the Office of the Director of ACTION.

(b) The agency has regional offices in the following places:

- Region I  
 John W. McCormack Federal Building  
 Room 1405  
 Boston, Massachusetts 02109
- Region II  
 26 Federal Plaza  
 New York, New York 10007

Region III  
1405 Locust Street  
Philadelphia, Pennsylvania 19102

Region IV  
730 Peachtree Street, NE.  
Atlanta, Georgia 30308

Region V  
1 North Wacker Drive  
Chicago, Illinois 60606

Region VI  
212 No. St. Paul Street  
Dallas, Texas 75202

Region VII  
Two Gateway Center  
5th & State Street  
Kansas City, Kansas 66101

Region IX  
100 McAllister Street  
San Francisco, California 94102

Region X  
1602 Second Avenue  
Seattle, Washington 98101

Although it may not always be feasible in these offices to set aside rooms for the exclusive or primary use of the public, every reasonable effort will be made to accommodate members of the public who wish to use regional office facilities for the purpose of inspecting and copying records. The office will also endeavor to maintain and have readily available in its regional offices materials generally available in the central records room. The Regional Records Officer shall receive and handle requests submitted pursuant to this part.

#### § 1215.8 Identification of records.

(a) In order for the Agency to locate records and make them available it is necessary that it be able to identify the specific records sought. Persons wishing to inspect or secure copies of records should therefore seek to describe and identify them as fully and as accurately as possible. In cases where requests are submitted which are not sufficient to permit identification, the records officer receiving the request will endeavor to assist the person seeking the records in filing in necessary details.

(b) Among the kinds of information which a person seeking records should try to provide in order to permit an identification of a record are the following:

(1) The unit or program of the agency which may be responsible for or may have produced the record such as VISTA, Peace Corps, or UYA.

(2) The specific event or action, if any, and if known, to which the record refers.

(3) The date of the record or the period to which it refers or relates if known.

(4) The type of record, such as an application, a contract, a grant or a report.

(5) Personnel of the office who may have prepared or have knowledge of the record.

(6) Citation to newspapers or publications which are known to have referred to the record.

#### § 1215.9 Manner of requesting records.

(a) Requests under the Freedom of Information Act (5 U.S.C. 552) for access to ACTION records may be filed in person or by mail with the Chief of Administrative Services of the aforesaid at

ACTION headquarters, 806 Connecticut Avenue, NW., Washington, D.C. 20525. Requests for records of a Regional or State office may be filed in person or by mail with the records officer of the respective Regional Office. Personal requests will be received from between 10 a.m. and 4 p.m., Monday through Friday, except for official holidays.

(b) Requested records which are reasonably described shall either be made available within ten working days after receipt of any such request or a written notice that the request cannot be complied with shall be provided to the person making such request within such 10 day period. Any such notice of inability to comply shall specify the reasons for refusal and the right of the person making such request to appeal such adverse determination. In the event a request for a record or document is made to a Regional Records Officer of the Agency or to the Chief of Administrative Services, and such office does not have the requested material, the requestor shall be immediately so notified. Such notice shall specify the Regional or other office of the Agency where such material is to be found or where it is normally maintained. The requestor may then resubmit his request, or request the office which provides the notice to forward the original request to the proper Regional Office or the central office as may be appropriate. The request shall be deemed received when actually received by the appropriate office.

(c) Upon receipt of a notice of failure to comply, a person making a request for information, records, or documents may, within 15 calendar days from the receipt of such notice, appeal such adverse determination to the Deputy Director of ACTION. Such appeal shall be in writing and shall specify the date upon which the notice of failure or refusal to comply was received by the person making such request. The Deputy Director shall make determination with respect to such appeal within 20 working days after receipt of such appeal. Notice of such determination shall be provided to the person making the request in writing. If the original denial of the request for records is upheld in whole or in part, such notice shall include notification of the right of the person making such request to have judicial review of the denial and appeal as provided under the Freedom of Information Act (5 U.S.C. 552).

(d) The time limit specified above for initial compliance, and appeal from a refusal to comply, may be extended by the Agency upon written notice to the person making such request which notice shall set forth the reasons for such extension and the date upon which determination is expected. Such extension may be applied at either the initial stage or the appellate stage, or both, provided that the aggregate of such extensions shall not exceed ten working days. Circumstances justifying an extension shall include the following:

(i) Time necessary to search and collect requested records from segments of

the agency separate from the office processing the request;

(ii) Time necessary to search, collect, and appropriately examine a voluminous number of records demanded in a single request; or

(iii) Time necessary for consultation with another agency having a substantial interest in the determination of the request, or among two or more components of the agency which have an interest in the subject matter of the request.

(e) The time limits provided in this section are mandatory and a person requesting records shall be deemed to have exhausted his administrative remedies with respect to such requests in the event the Agency fails to comply within the said applicable time limit provisions as extended in accord with this section. In unusual circumstances in which additional time is necessary to collect and review the records requested, the Act provides that a court of appropriate jurisdiction may allow the agency additional time for such purpose. Alternatively, the agency and the person making such request may agree as to a reasonable time for completion of agency work upon such request.

(f) Any notification of denial of any request for record under this subsection shall set forth the names and titles or positions of the person primarily responsible for the denial of such request.

(g) Upon receipt of a request for a record or document the Chief of the Office of Administrative Services or the Regional Records Officer will promptly make an initial determination as to whether the request for the record reasonably describes such record with sufficient specificity to determine the unit of the agency to which such request should be referred. Upon making such initial determination, he shall immediately refer such request to the head of the unit concerned. Upon receipt of the request the head of the unit shall promptly determine whether the description of the record contained in the request is sufficient to permit its identification and production.

(h) If the Chief of Administrative Services, the Regional Records Officer or the head of the unit concerned determines that the description contained in the request is not sufficient to reasonably describe the record requested, the requestor shall be so advised and shall be permitted to amend the request to provide any additional information which would better identify the record. The requestor shall be provided with appropriate assistance from the head of the unit concerned, the Chief of Administrative Services, the Regional Records Officer or any member of their staff. A request which is amended in accord herewith shall be deemed to have been received by the Agency on the date of receipt of the amended request.

(i) If the head of the unit concerned determines that the record requested is reasonably described so as to permit its identification, he shall make it available unless he determines, in consulta-



tion with the General Counsel, that (1) the record is exempt from disclosure and (2) it should be withheld in the public interest or to protect the rights of persons to whom the information pertains. When such a determination is made the requestor shall be immediately notified in writing as provided herein.

#### § 1215.10 Schedule of fees.

(a) It is the policy of ACTION to encourage the widest possible distribution of information concerning programs under its jurisdiction. To the extent practicable, that policy will be applied under this part so as to permit requests for inspection or copies of records to be met without substantial cost to the person making the request. Where a request for information does not involve substantial search time or reproduction costs, the information will be furnished without charge as a service to the public.

(b) The following charges will be made for any copies requested by a requestor:

- (1) Copies made by photostat or otherwise (per page)—\$.10.
- (2) Search services shall be charged for at the rate of \$.50 per hour. Such charge may be made whether or not the search is successful in producing the record requested.

(3) In the event a request for documents or records is received which does not state that the requestor will pay any and all reasonably necessary costs, or costs up to an amount specified in such request, and the head of the unit or the Chief of Administrative Services determines that the anticipated cost for search and duplication of the records requested will be in excess of \$25.00, or in excess of the limit specified in the request, the Chief of Administrative Services shall so advise the requestor promptly after receipt of the initial request. Such notification shall specify the anticipated cost of search and reproduction of the records requested. The requestor may thereafter amend his request to specify fewer documents, or agree to accept the estimate of anticipated costs, in which case the request shall be deemed received by the agency upon the date of the requestor's response. A requestor may, prior to making a request, ask for an estimate of cost from the Chief of Administrative Services who shall promptly respond to such request.

(4) Payment shall be made to the Chief of the Administrative Services Division by cash or personal check, money order, etc., payable to ACTION. A receipt for any fees will be provided upon request.

(5) A requestor may ask in his original request, or subsequently, that documents requested be furnished without charge or at a reduced charge. Upon receipt of such request the Chief of Administrative Services Division shall refer such request to the Deputy Director who shall promptly determine whether such request should be complied with. Such request shall be complied with in the event that it is determined that a waiver or reduction of fees is in the public in-

terest because the furnishing of the documents or records requested will primarily benefit the general public. When such a request has been included in a request for documents or records or has been made subsequent thereto, the request shall not be deemed to have been received until a determination on the question of waiver or reduction has been made, provided however, that such determination shall be made within five working days from the date of receipt of any such request. A request for waiver or reduction of fees shall specify the amount of reduction requested and the reasons which cause the requestor to feel that the public interest would be served by a waiver or reduction of fees.

Issued at Washington, D.C. on January 17, 1975.

JOHN L. GANLEY,  
Deputy Director.

[FR Doc. 75-2001 Filed 1-21-75; 8:45 am]

## ENVIRONMENTAL PROTECTION AGENCY

[ 40 CFR Part 52 ]

[FRL 323-7]

### MASS TRANSIT PRIORITY INCENTIVES IN THE STATE OF NEW JERSEY Action on Employer's Provisions

On November 13, 1973 (38 FR 31388), EPA published in the FEDERAL REGISTER a transportation control plan for the State of New Jersey. The plan included § 52.1590, Employer's provision for mass transit priority incentives. On December 7, 1973 (38 FR 33775), EPA published in the FEDERAL REGISTER proposed revisions to § 52.1590. Public hearings were held on the proposed revisions in Camden, Trenton, and Newark, New Jersey on January 10, 11, 12, 1974, respectively. On June 4, 1974 (39 FR 19779) a revised § 52.1590 was published.

The revised regulation requires each employer who maintains 400 or more employee parking spaces to submit an adequate transit incentive program designed to encourage the use of mass transit and carpooling by his employees. Submittal of the plans was required by July 1, 1974. As of December 4, 1974, 140 employer plans were submitted to EPA.

Of the 140 plans received, the Administrator is proposing to take approval action on 93. These plan actions are subject to the condition stated in the regulation that employers are utilizing, in fact, that mix of incentive and disincentive measures most likely to obtain maximum use of carpooling and mass transit. Though good faith efforts to comply with the regulations have been made by most employers, the Administrator hereby strongly reaffirms the need for continued investigation and use of all additional incentive and disincentive measures which may be available.

Proper evaluation of the full effectiveness of these approvable programs will not be possible until February 15, 1975 when semi-annual reports contain-

ing information pursuant to § 52.1590(e) are due to be submitted. Therefore, at this time, EPA must rely upon employer's good faith claims that the programs do utilize the maximum reasonable mix of carpooling and mass transit measures. If, after the Administrator has approved a transit incentive program, the Administrator finds from the semi-annual reports that a program is not providing adequate incentive or disincentive measures, the Administrator will require that additional measures be taken by the employer. In those cases where voluntary compliance is not obtained, EPA will prescribe a plan. These plans will be published in a future FEDERAL REGISTER.

The revised regulation lists the information which will be required in the semi-annual reports. That information includes (1) the number of employees at each of the employer's facilities; (2) the number of employees commuting to work by single passenger automobile, carpool, and mass transit; (3) an estimate of employee vehicle-miles-traveled before and after the program is in effect.

In addition the Administrator is requiring (as provided by 40 CFR 52.1590 (e)(4)), that the following additional information be supplied for the period required by the regulation:

1. The total number of employee automobiles used to commute to work at each affected facility (whether such autos park on the premises of the facility or not) on April 1, 1974 or any date before April 1, 1974 but not earlier than August 1, 1973 for which valid data or estimates are available, and as of the date of the report;

2. The VMT which is generated by single passenger automobiles at each affected facility on April 1, 1974 or any date before April 1, 1974 but not earlier than August 1, 1973 for which valid estimates or data are available, and as of the date of the report;

3. A description of the method by which VMT estimates are determined.

4. The number of parking spaces available for employee use; and,

5. A narrative describing the status of the employer's efforts towards promoting the use of mass transportation and carpooling. Examples of items which might be included are: the number of employee carpool promotion meetings; company sponsored improvements to mass transit facilities; efforts by the company to obtain improved mass transit schedules or facilities; and, other incentive or disincentive measures implemented by the employer.

If a particular facility has more than one work shift, applicable information should be given for each such work shift.

The Administrator is proposing to approve the following plans:

NEW JERSEY-NEW YORK-CONNECTICUT AQCR

1. Naval Ammunition Depot Earle, Colts Neck, New Jersey 07722.
2. State Farm Insurance Companies, One State Farm Plaza, Bloomington, Illinois (for Wayne, New Jersey).

## PROPOSED RULES

3. Becton, Dickinson, and Company, Rutherford, New Jersey 07070.
  4. Bell Laboratories, 600 Mountain Avenue, Murray Hill, New Jersey 07974.
  5. American Can Company, 800 North Union Avenue, Union, New Jersey.
  6. Chubb & Son, Inc., 51 John F. Kennedy Parkway, Short Hills, New Jersey 07078.
  7. Curtiss-Wright Corporation, One Passaic Street, Woodridge, New Jersey 07075.
  8. Ford Motor Company, One Parklane Blvd., Dearborn, Michigan 48126.
  9. Department of the Army, Military Ocean Terminal, Bayonne, New Jersey 07002.
  10. Thomas J. Lipton, Inc., 800 Sylvan Avenue, Englewood Cliffs, New Jersey 07632.
  11. Shulton, Incorporated, Clifton, New Jersey 07015.
  12. E. R. Squibb & Sons, Inc., Georges Road, New Brunswick, New Jersey 08903.
  13. Hackensack Hospital, 22 Hospital Place, Hackensack, New Jersey 07207.
  14. Sea-Land Service, Inc., Fleet Street, P.O. Box 2000, Elizabeth, New Jersey 07207.
  15. Warner-Lambert Company, 201 Tabor Road, Morris Plains, New Jersey 07950.
  16. Hoffmann-Laroche, Inc., Nutley, New Jersey 07110.
  17. American Cyanamid Company, Wayne, New Jersey 07470.
  18. Exxon Chemical Company, P.O. Box 222, Linden, New Jersey 07036.
  19. Delco-Remy, Division of General Motors, New Brunswick, New Jersey 08403.
  20. Western Union, 1 Lake Street, Upper Saddle River, New Jersey 07458.
  21. Wakefern Food Corporation, 600 York Street, Elizabeth, New Jersey 07207.
  22. Western Electric Company, 100 Central Avenue, Kearny, New Jersey 07032.
  23. Eastern Airlines, Incorporated, Woodbridge Township, Iselin, New Jersey 08830.
  24. Carter-Wallace, Inc., Cranbury, New Jersey 08512.
  25. 195 Broadway Corporation, P.O. Box 2017, New Brunswick, New Jersey 08903.
  26. Veterans Administration Hospital, East Orange, New Jersey 07019.
  27. Addressograph Multigraph, 11 Mt. Pleasant Avenue, East Hanover, New Jersey 07936.
  28. Supermarkets General Corporation, 301 Blair Road, Woodbridge, New Jersey 07095.
  29. Schering Corporation, Galloping Hill Road, Kenilworth, New Jersey 07033.
  30. Rowe International, Inc., 75 Troy Hills Road, Whippany, New Jersey 07981.
  31. Alcoa, Inc., 85 Chestnut Ridge Road, Montvale, New Jersey 07645.
  32. Singer Company, Kearfott Division, 1150 McBride Avenue, Little Falls, New Jersey 07424.
  33. N. L. Industries, Inc., 100 Chevalier Avenue, South Amboy, New Jersey 08874.
  34. Otis Elevator Company, 1000 First Street, Harrison, New Jersey 07029.
  35. Boy Scouts of America, North Brunswick, New Jersey 08902.
  36. Merck & Company, Inc., Rahway Site, Rahway, New Jersey 07065.
  37. Crum & Foster Insurance Company, Madison Avenue, P.O. Box 2387, Morristown, New Jersey 07960.
  38. CPC International, Inc., International Plaza, Englewood Cliffs, New Jersey 07632.
  39. The Prudential Insurance Company of America, Prudential Plaza, Newark, New Jersey 07101.
  40. Sandoz Wander, Inc., Route 10, East Hanover, New Jersey 07936.
  41. Anheuser-Busch, Inc., 200 U.S. Highway Newark, New Jersey 07101.
  42. The Mennen Company, Morristown, New Jersey 07960.
  43. Ciba-Geigy Corporation, Summit, New Jersey 07901.
  44. The Lummus Company, 1515 Broad Street, Bloomfield, New Jersey 07003.
  45. Monroe, The Calculator Company, 550 Central Avenue, Orange, New Jersey 07051.
  46. American Hoechst Corporation, Route 202-206 North, Somerville, New Jersey 08876.
  47. Lockheed Electric Co., Inc., U.S. Highway 22, Plainfield, New Jersey 07061.
  48. Johnson & Johnson, New Brunswick, New Jersey 08903.
  49. I.B.M. Corporation, Parson' Pond Drive, Franklin Lakes, New Jersey 07414.
  50. I.B.M. Corporation, P.O. Box 218, Dayton, New Jersey 00810.
  51. Exxon Research and Eng. Co., P.O. Box 218, Florham Park, N.J. 07932.
  52. General Motors Corporation, Linden Plant, 1016 West Edgar Road, Linden, New Jersey 07036.
  53. Cities Service Research & Development Company, Cranbury, New Jersey 08512.
  54. Bristol-Myers Company, 225 Long Avenue, Hillside, New Jersey 07207.
  55. Bendix Corporation, Electric Power Division, Eatontown, New Jersey 07724.
  56. Simmons Company, Brunswick Avenue and Allen St., Elizabeth, New Jersey 07207.
  57. Allied Chemical Corporation, Morristown, New Jersey 07950.
  58. Amax-U.S. Metal Refining Company, 400 Middlesex Avenue, Carteret, New Jersey 07008.
  59. New Jersey Bank, P.O. Box 2177, West Paterson, New Jersey 07509.
  60. Prentice-Hall, Inc., Englewood Cliffs, New Jersey 07632.
  61. Lehn & Fink Products, Co., 225 Summit Avenue, Montvale, New Jersey 07645.
  62. General Learning Corporation, 250 James Street, Morristown, New Jersey 07960.
  63. ITT, 390 Washington Avenue, Nutley, New Jersey 07110.
  64. Givaudan Corporation, 100 Delawanna Avenue, Clifton, New Jersey 07014.
  65. Western Electric—N.J., Service Center, 650 Liberty Avenue, Union, New Jersey 07083.
  66. Holly Stores, Inc., 7373 West Side Avenue, North Bergen, New Jersey 07047.
  67. Siemens Corporation, 186 Wood Avenue Source, Iselin, New Jersey 08830.
  68. Bendix Navigation & Control Div., Teterboro, New Jersey 07608.
- METROPOLITAN PHILADELPHIA AQCR
1. American Cyanamid Company, Agricultural Division, P.O. Box 400, Princeton, New Jersey 08540.
  2. Anchor Hocking Corporation, P.O. Box 80, Salem, New Jersey 08079.
  3. Campbell Soup Company, Camden, New Jersey.
  4. Educational Testing Service, Princeton, New Jersey 08540.
  5. General Electric Company, 2231 East State Street, Trenton, New Jersey 08619.
  6. U.S. Pipe and Foundry Company, Burlington, New Jersey.
  7. Owens-Corning Fiberglas Corporation, Barrington, New Jersey.
  8. RCA, Environmental Engineering, Camden, New Jersey 08034.
  9. E. R. Squibb & Sons, Inc., P.O. Box 4000, Princeton, New Jersey 08540.
  10. Texaco Petroleum Products, Inc., P.O. Box 98, Westville, New Jersey 08903.
  11. Western Electric, P.O. Box 9000, Princeton, New Jersey, 08540.
  12. Mobil Research and Development Corporation, Engineering Department, P.O. Box 1026, Princeton, New Jersey 08540.
  13. Mobil Research and Development Corporation, Paulsboro, New Jersey 08066.
  14. Mobil Oil Corporation, Paulsboro, New Jersey 08066.
  15. Department of the Army, Fort Dix, New Jersey 08640.
  16. Insurance Company of North America, Pacific Employers Group, 1600 Arch Street, Philadelphia, Pa. 19101.
  17. General Motors, Fisher Body Division, Trenton Plant, Parkway Avenue, Trenton, New Jersey 08625.
  18. Stone & Webster Engineering Co., 250 McClellan Avenue, Pennsauken, New Jersey.
  19. Department of the Air Force, McGuire Air Force Base, Wrightstown, New Jersey 08641.
  20. Hercules, Inc., Parlin, New Jersey 08859.
  21. DuPont, Inc., Photo Products Department, Parlin, New Jersey.
  22. DuPont Chambers Works, Deepwater, New Jersey.
  23. New Jersey State Department of Environmental Protection, Trenton, New Jersey 08625.
  24. New Jersey State Department of the Treasury, Trenton, New Jersey 08625.
  25. GTE Information Systems, Inc., Mt. Laurel, New Jersey 08051.

This notice is issued to advise the public that comments may be submitted on whether the proposed approval/disapproval action should be approved or disapproved as required by section 110 of the Clean Air Act. Only comments received on or before February 21, 1975. The Administrator's decision to approve or disapprove the proposed approval/disapproval action is based on whether they meet the requirements of section 110(a)(2)(A)-(H) and EPA regulations in 40 CFR Part 51.

Copies of the employer plans proposed for approval/disapproval action are available for public inspection during normal business hours at the Office of Public Affairs, EPA, Region II, 26 Federal Plaza, New York, N.Y. 10007. Additional copies are available at the Freedom of Information Center, 401 M Street SW., Washington, D.C. 20460. All comments should be addressed to the Regional Administrator, Environmental Protection Agency, Region II, 26 Federal Plaza, New York, N.Y. 10007.

Dated: December 26, 1974.

G. M. HANSLER,  
Regional Administrator,  
Environmental Protection Agency.

[FR Doc.75-1927 Filed 1-21-75;8:45 am]

[ 40 CFR Part 204 ]

[FRL 323-4]

**PROPOSED NEW PORTABLE AIR COMPRESSOR NOISE EMISSION STANDARDS  
Notice of Public Hearing**

Pursuant to section 6 of the Noise Control Act of 1972 (86 Stat. 1234), the Environmental Protection Agency published a notice of proposed rulemaking, 39 FR 38186-38206 dated October 29, 1974, for newly manufactured portable air compressors. Docket No. ONAC 74-1 was established to afford interested persons the opportunity to submit written

data, views, or arguments relative to the proposed regulation. This docket was established with a closing date of December 2, 1974, but was subsequently extended to December 31, 1974 (see 39 FR 42379 dated December 5, 1974).

Final regulation on noise emissions from new portable air compressors will be promulgated in the near future. Prior to such promulgation, it is desirable to ensure that all issues involved in the regulation have been resolved. After review of the extensive material submitted to the official docket for this regulation, the Agency believes there is a need for providing a means for public presentation of any additional substantive information pertinent to these issues. Accordingly, notice is hereby given of public hearings to be held regarding noise emission regulations for newly manufactured portable air compressors. The principal issues to be reviewed concern the enforcement program specified in the regulation, the lead-time set forth for manufacture compliance with the standard, and the projected economic impact of the regulation on manufacturers, users, the construction industry and the general public.

All interested parties are invited to attend these hearings which will be held in Arlington, Virginia, on Tuesday, February 18, 1975, beginning at 9:00 a.m. at the Crystal City Marriott Hotel, 1999 Jefferson Davis Highway; and in San Francisco, California, on Tuesday, February 25, 1975, beginning at 9 a.m. at the Hyatt Hotel, 345 Stockton Street.

Dr. Alvin F. Meyer has been designated as the Presiding Officer for the hearings. He will have the responsibility for maintaining order; excluding irrelevant or repetitious material; scheduling presentations; and, to the extent possible, notifying participants of the time at which they may appear. The hearings will be conducted informally. Technical rules of evidence will not apply.

All interested persons will be given an opportunity to make a statement at the hearings. Such persons should notify the Presiding Officer not later than February 14, 1975, of their intentions to make a statement, so that presentations may be scheduled. Persons who have not given such notice will be heard as time permits following the scheduled statements. It is requested that speakers submit, if practicable, five copies of their statement no later than the day on which they appear. All correspondence relative to the hearings should be addressed to the Presiding Officer, Office of Noise Abatement and Control (AW-571), Attention: Portable Air Compressor Hearing, U.S. Environmental Protection Agency, Washington, D.C. 20460.

The transcript of the hearings and any materials submitted for the record will become part of the official docket for the New Portable Air Compressor Regulation. Accordingly, the official docket reopened for these hearings, ONAC 74-1, will remain open for sub-

mission of official comments until close of business on March 10, 1975.

Dated: January 16, 1975.

ROGER STRELOW,  
Assistant Administrator  
For Air and Waste Management.

[FR Doc.75-1935 Filed 1-21-75;8:45 am]

[ 40 CFR Part 205 ]

[FRL 323-5]

PROPOSED NEW MEDIUM AND HEAVY  
DUTY TRUCKS NOISE EMISSION  
STANDARDS

Notice of Public Hearing

Pursuant to section 6 of the Noise Control Act of 1972 (86 Stat. 1234), the Environmental Protection Agency published a notice of proposed rulemaking, 39 FR 38338-38362 dated October 30, 1974, for newly manufactured medium and heavy duty trucks. Docket No. ONAC 74-1 was established to afford interested persons the opportunity to submit written data, views, or arguments relative to the proposed regulation. This docket was established with a closing date of December 16, 1974, but was subsequently extended to December 31, 1974 (see 39 FR 42379-42380 dated December 5, 1974).

Final regulation on noise emissions from new medium and heavy duty trucks will be promulgated in the near future. Prior to such promulgation, it is desirable to ensure that all issues involved in the regulation have been resolved. After review of the extensive material submitted to the official docket for this regulation, the Agency believes there is a need for providing a means for public presentation of any additional substantive information pertinent to these issues. Accordingly, notice is hereby given of public hearings to be held regarding noise emission regulations for newly manufactured medium and heavy duty trucks. The principal issues to be reviewed are matters relating to available technology to meet the regulation, economic impact of the regulation and the enforcement program specified in the regulation.

All interested parties are invited to attend these hearings which will be held in Arlington, Virginia, on Wednesday and Thursday, February 19 and 20, 1975, beginning at 9 a.m. at the Crystal City Marriott Hotel, 1999 Jefferson Davis Highway; and in San Francisco, California on Wednesday and Thursday, February 26 and 27, 1975, beginning at 9 a.m. at the Hyatt Hotel, 345 Stockton Street.

Dr. Alvin F. Meyer has been designated as the Presiding Officer for the hearings. He will have the responsibility for maintaining order; excluding irrelevant or repetitious material; scheduling presentations; and, to the extent possible, notifying participants of the time at which they may appear. The hearings will be conducted informally. Technical rules of evidence will not apply.

All interested persons will be given an opportunity to make a statement at the

hearings. Such persons should notify the Presiding Officer not later than February 14, 1975, of their intentions to make a statement, so that presentations may be scheduled. Persons who have not given such notice will be heard as time permits following the scheduled statements. It is requested that speakers submit, if practicable, five copies of their statement not later than the day on which they appear. All correspondence relative to the hearings should be addressed to the Presiding Officer, Office of Noise Abatement and Control (AW-571), Attention: Medium and Heavy Duty Truck Hearing, U.S. Environmental Protection Agency, Washington, D.C. 20460.

The transcript of the hearings and any materials submitted for the record will become part of the official docket for the New Medium and Heavy Duty Truck Regulation. Accordingly, the official docket re-opened for these hearings, ONAC 74-1, will remain open for submission of official comments until close of business on March 10, 1975.

Dated: January 16, 1975.

ROGER STRELOW,  
Assistant Administrator  
For Air and Waste Management.

[FR Doc.75-1934 Filed 1-21-75;8:45 am]

FEDERAL ENERGY  
ADMINISTRATION

[ 10 CFR Parts 211, 212 ]

PROGRAM TO REDUCE IMPORTS OF FOREIGN  
CRUDE OIL AND PETROLEUM  
PRODUCTS

Proposed Rulemaking and Public Hearing

The Federal Energy Administration hereby gives notice of a proposal to amend Title 10, Parts 211 and 212, of the Code of Federal Regulations, to revise the Mandatory Petroleum Allocation Regulations and the Mandatory Petroleum Price Regulations. The FEA will receive written comments and hold a public hearing with respect to this proposal.

I. INTRODUCTION

The President has determined that it is in the national interest to achieve a reduction in demand for petroleum products, thereby to reduce the dependence of this country on imports of foreign crude oil and petroleum products. A program to achieve this objective has been announced that, as an initial step, provides for increased import fees on crude oil and petroleum products. The import fees on crude oil will be raised \$1 per barrel in February, March and April, for a total increase of \$3 per barrel. Import fees on petroleum products will also be increased, in lesser amounts.

The implementation of this program requires modifications to the FEA Old Oil Allocation Program and the FEA price regulations in order to mesh these regulations with the operation of the new program. Modifications in the FEA price regulations are also proposed in order to ensure that the burden of the increased import fees will be equitably distributed and appropriately reflected in the price

of gasoline, the product for which demand appears to be most sensitive to price.

The basic modification proposed with respect to the Old Oil Allocation Program is the exclusion of imported products, since the entitlement benefits of that program, insofar as product imports are concerned, can be more efficiently and fairly provided through corresponding reductions in the increased import fees. A further modification in the entitlements program is proposed to help alleviate the impact on small refiners which are buyers of entitlements of the higher cost of entitlements, resulting from the increase of import fees.

With respect to the price regulations, the basic modification proposed is to limit generally the proportion of increased product costs, including increased import fees, that can be passed through and reflected in prices charged for the group of products, taken in the aggregate, consisting of all covered products other than No. 2 oils (No. 2 heating oil and No. 2-D diesel fuel), gasoline, and crude oil. Current regulations preclude a greater than proportionate pass-through of increased product costs for No. 2 oils and propane, and such limitations would be maintained. In addition, the current rule permitting reallocation of increased product costs from No. 2 oils and from covered products other than No. 2 oils, gasoline, and crude oil to gasoline would be maintained. A number of more technical modifications to the price regulations are also proposed.

## II. MODIFICATIONS TO THE OLD OIL ALLOCATION REGULATIONS

**A. Elimination of imported product coverage.** FEA's Old Oil Allocation Program (the entitlements program) will operate to spread the burden of increased crude oil import fees across the nation and among all refiners in order to achieve equitable geographical distribution of these increased costs, to minimize economic distortion and to help maintain the competitive visibility of small and independent refiners and marketers. However, due to the different product coverage and transactions affected by the import and entitlements program, very substantial administrative problems would be encountered if the entitlements program were to be used to alleviate the regional impact of the increased fees on product imports. For example, residual fuel oil and No. 2 heating oil are the only imported products currently subject to the entitlements program, while the import fee program is generally applicable to all products covered by FEA price regulations, except propane and butane. FEA proposes to eliminate most of these problems, and to cushion the impact of the higher import fees upon those marketers and regions relying heavily on imported products by excluding products from the Old Oil Allocation Program and reducing product import fees by an amount equivalent to the benefit that would have been provided under the entitlements program. This approach of

providing a direct offset to the import fees, rather than an indirect benefit through the entitlements program, has the advantage of achieving the proper cost relationship between domestic and imported product, while at the same time reducing both the size and complexity of the Old Oil Allocation Program.

The current entitlements program results in a differential between imported and domestic product prices that is considered to be sufficiently narrow to maintain the competitive viability of petroleum marketers, and to facilitate the sharing of the burden of the higher imported product costs among all regions of the country, yet not so narrow as to eliminate incentives for crude importation and domestic refining.

To maintain this differential, FEA will first allow the current entitlements benefits of 60 cents per barrel of imported product (as compared with benefits of approximately \$2.00 per barrel of imported crude oil), to be offset against the increased import fees. The increased fees on product imports will then be further reduced to equalize the impact of increased import fees on products with the impact of increased import fees on imported crude oil, taking into account also the corresponding increased prices of uncontrolled domestic crude oil.

The amount of this second reduction in the import fees for products will be determined as follows. Under the entitlements program, each refiner is allocated the equivalent of 40 percent of its crude oil runs as price controlled old oil. Therefore, for each dollar increase in crude oil import fees, with the accompanying increase in uncontrolled domestic oil prices, refiners will incur costs of 60 cents more per barrel of all crude oil runs, which can then be passed on to ports and domestically refined product. To maintain parity between product imports and domestically refined product, with respect to the effect of the import fee increase, each dollar increase in crude oil import fees will therefore be accompanied by only a 60 cent increase in the fee on product imports.

Thus, the offsetting reduction in fees to compensate for the elimination of product imports from the entitlements program will be 60 cents per barrel, and there will be an additional 40 cents per dollar reduction in the amount of increased import fees for products as compared with crude oil, in order to maintain the present relative difference in overall crude oil costs versus product import costs. For February 1975, therefore, no net product fee increase will occur; for March, the net increase will be 60 cents per barrel; and for April, \$1.20 per barrel.

**B. Special Rule No. 4.** Also, with respect to the entitlements program, in order to alleviate the cash flow problems of small refiners that are buyers of entitlements, a phase-in of the higher cost of these entitlements, resulting from higher import fees is proposed. This treatment is simply an extension of the existing Special Rule No. 3 to the crude oil allocation regulations by which small

refiners are now being phased into the entitlements program during its first three months of operation.

Special Rule No. 4 of Subpart C of Part 211 will operate in much the same way as Special Rule No. 3, in that small refiners that are buyers of entitlements will have specified exemptions from a portion of their entitlement purchase obligations effecting a phase-in of the full obligation over a three month period, beginning with April's equalization of February costs. The portion of the purchase obligation exempted would approximate the incremental rise in the price of the entitlement attributable to the increase in import fee. If the February entitlement price were set at \$7, of which \$1 was attributable to the increased import fee, FEA would set aside  $\frac{1}{4}$  of each small refiner's purchase obligation as to the first 30,000 barrels per day of its crude runs for that month. If the March and April entitlement prices exceeded the February price by \$1 and \$2, respectively, the exemption from the purchase requirements for March and April would be  $\frac{1}{8}$  and  $\frac{1}{4}$  respectively. For the month of May, small refiners would be required to meet the full purchase requirements of the program.

Cash flow problems for all refiners and resellers resulting from higher import fees will also be mitigated because, although import fees will be "incurred" for purposes of the price regulations when the crude oil or product is imported, actual payment of the fees will not be required under the import program until the close of the month following the month in which the import occurs.

## III. MODIFICATIONS TO THE PRICE REGULATIONS

**A. Limitations on increased cost pass through.** In order to accomplish the modifications in the price regulations outlined above, to limit generally the amount of increased product costs allocable to products other than gasoline, the FEA is proposing to eliminate the provision of its regulations that now permits increased costs attributable to "special products" (No. 2 heating oil and No. 2-D diesel fuel, and gasoline) to be allocated instead to covered products other than "special products." It should be noted in this regard that there have been basic changes with respect to the manner in which No. 2 heating oil and No. 2-D diesel fuel and gasoline will be treated under the price regulations and that these products will therefore no longer be referred to as "special products."

The term "special products" initially signified No. 2 heating oil, No. 2-D diesel fuel, and gasoline, as to which not more than a proportionate share of increased costs could be assigned. Since, then, however, proportionate restraints on increased cost pass-through have been adopted for propane, while they have been eliminated for gasoline. Proportionate limitations are also now proposed for covered products other than "spe-

cial products." The term "special product," as it might continue to be applied to No. 2 heating oil and No. 2-D diesel fuel, and gasoline, is therefore no longer meaningful insofar as restraints on cost pass-through are concerned. Accordingly, FEA proposes to eliminate the term "special products," and to substitute the terms gasoline and "No. 2 oils" (to refer to No. 2 heating oil and No. 2-D diesel fuel), and to use the term "general refinery products" to refer to all covered products other than gasoline, No. 2 oils and crude oil.

Under this revised price regulation, increased product costs would be calculated separately for No. 2 oils, for gasoline, and for general refinery products. Increased costs allocable to No. 2 oils or to general refinery products could be reallocated to gasoline. No increased costs could be reallocated to No. 2 oils or to the category general refinery products from any other category. Increased costs could continue to be allocated among the products within the category labeled general refinery products including residual fuel oil and aviation fuels, as determined by refiners. Conforming changes to the regulations reflecting the revisions in terminology will be published when the final regulation is published.

In this manner, general refinery products, including residual fuel oil and aviation fuels, would not be permitted to bear, overall, a disproportionate share of increased costs, while at the same time a measure of pricing flexibility among these products would be preserved.

**B. Corrective changes in the cost allocation regulations—Use of current sales volumes.** Increased product costs allocable to certain products or categories of products are determined under current regulations on the basis of the percentage of a refiner's three month average sales of that product or product category in the preceding year (the "V<sub>i</sub>" factor of the refiner's price formulae). This use of an historical sales volume to determine allocation of costs may be serving as a disincentive to the increased production of No. 2 oils by refiners, since an increase in percentage yield of this product results in a lesser increment of increased product cost being allocable to prices charged for the product. Accordingly, a revision in the regulations is proposed, to permit use of estimated current sales volumes, rather than historical sales volumes, for purposes of making allocations of increased costs under the refiner's cost formulae.

**Equal application of increased product costs.** FEA regulations require increased costs to be applied equally among classes of purchaser of a particular covered product. Currently for No. 2 oils and for gasoline, this requirement is met simply by operation of the refiner's "special products," cost allocation formula. With respect to covered products other than "special products," however, FEA has not previously specified what product or products constitute "a particular covered product" for purposes of compliance with the equal application of increased cost

requirement. However, the FEA recently issued a clarifying amendment to its regulations which lists the categories of covered products with more specificity. Accordingly, a new regulation which specifies that each such product or category or products shall constitute "a particular covered product" is proposed. This proposal will ensure that all refiners interpret this aspect of the regulations in like manner, and will help to simplify FEA audit procedures.

**C. Import fees and duties.** A number of changes are proposed to make clear that increases in import fees and duties may be passed through as increased product costs when they are incurred by the purchaser. Recognition of import fees and duties as an element of cost is a technical correction to the regulations, and reflects the fact that such costs have always been regarded as a cost of product. A definition of "import fees and duties incurred" is being added to make clear that such fees are to be included as a cost of product only where they will ultimately be paid by the entity acquiring the product (and not, for example, where an entity is purchasing the product at a price which reflects the payment of the fees by another entity), and that the fees are "incurred" (for purposes of pass-through as increased product costs) when the product passes through United States customs, even though payment of the fees by the purchasing firm may be at a later date.

A proposed amendment to § 212.94(c) makes clear that, as has always been intended, the reference to "landed cost" is a reference to that term as it is defined in § 212.83.

**D. Modifications in the regulations governing the carry forward of unrecovered increased product costs.** Current regulations generally provide that increased product costs unrecovered in one month may be carried forward for recovery in a subsequent month. To the extent that there are initial restrictions on the application of increased costs to particular products, there are similar restrictions on the subsequent application of unrecovered increased product costs.

Since the regulations proposed today prevent the reallocation of increased costs from No. 2 oils and gasoline to general refinery products, a revised regulation on the carry-forward of unrecovered increased product costs is proposed, with reallocation of such unrecovered costs among product categories restricted in a manner that is analogous to the proposed restriction governing initial reallocation of increased costs among product categories.

A recent revision to the price regulations limited the extent to which unrecovered increased product costs could be used to increase prices in any single month. Although this provision remains generally desirable, the FEA proposes that this limitation be removed with respect to gasoline, as to which demand seems most responsive to price, in light of the overriding objectives of the program to reduce imports, and the effects

of increased prices on demand that that program is intended to accomplish.

#### IV. GENERAL

**A. Effective dates.** The regulation changes proposed today will be effective, as finally adopted, March 1, 1975, except that the proposed revisions to § 211.62, § 211.67(a)(3), and § 211.67(i)(2) and (4) would be effective April 1, 1975, and the proposed revisions to § 211.66(i) and § 211.67(j) and (l) would be effective May 1, 1975.

**B. Procedures for written comments and public hearing.** Interested persons are invited to participate in this rule-making 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 BW, Washington, D.C. 20461.

Comments should be identified on the outside of the envelope and on documents submitted to FEA Executive Communications with the designation "Program to Reduce Imports—Amended Regulations." Twenty-five copies should be submitted. All comments received by Tuesday, February 4, 1975 before 4:30 e.s.t. and all relevant information, will be considered by the Federal Energy Administration before final action is taken on the proposed regulations.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to that determination. The public hearing in this proceeding will be held at 9:30 a.m. on February 6, 1975 and will be continued, if necessary, on February 7, 1975 at the Federal Building, Room 3000, 12th & Pennsylvania Avenue NW., Washington, D.C., in order to receive comments from interested persons on the matters set forth herein.

Any person who has an interest in the proposed amendments issued today, or who is a representative of a group or class of persons that has an interest in today's proposed amendments, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, and must be received before 4:30 p.m., e.s.t. on January 31, 1975. Such a request may be hand delivered to Room 3309, Federal Building, 12th & 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 proper representative of a group or class of persons that 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 February 3, 1975. Each person selected to be heard will be so notified by the FEA before 4:30 p.m., e.s.t., February 3, 1975 and must submit 100 copies

of his statement to Executive Communications, FEA, Room 3309, Federal Building, Washington, D.C. 20461, before 4:30 p.m., e.s.t., on February 5, 1975.

The FEA reserves the right to select the persons to be heard at these hearings, to schedule their respective presentations and to establish the procedures governing the conduct of the hearings. The length of 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 hearings. These will not be judicial or evidentiary-type hearings. Questions may be asked only by those conducting the hearings, and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearings will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he 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 hearings, to Executive Communications, FEA, before 4:30 p.m., e.s.t. February 5, 1975. Any person who wishes to ask a question at the hearings may submit the question, in writing, to the presiding officer. The FEA or the presiding officer, if the question is submitted at the hearings, will determine whether the question is relevant, and whether the time limitations permit it to be presented for answer.

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

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

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.

The inflationary impact of this proposal has been considered by the FEA, consistent with Executive Order 11821, issued November 27, 1974.

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

In consideration of the foregoing, it is proposed to amend Parts 211 and 212, Chapter II of Title 10 Code of Federal Regulations, as set forth below.

Issued in Washington, D.C., January 17, 1975.

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

1. Section 211.62 is amended by deleting the definitions of "eligible firm," "eligible products," "No. 2 heating oil" and "No. 2-D diesel fuel" and is further amended in the definition of "adjusted national old oil supply ratio" to read as follows:

§ 211.62 Definitions.

"Adjusted national old oil supply ratio" means, for a particular month, the volume of old oil included in the aggregate adjusted crude oil receipts for all refiners, expressed as a percentage of the total volume of the crude oil runs to stills for all refiners for that month. Such volume of old oil shall be decreased by a number of barrels of old oil equal to the number of entitlements issuable to small refiners under § 211.67(e).

2. Section 211.66 is amended by deleting paragraphs (j) and (k) and is further amended by revising paragraph (i) to read as follows:

§ 211.66 Reporting requirements.

(i) *Monthly transaction report.* On or prior to the tenth day of each month, commencing with the month of February 1975, each refiner shall file with the FEA a report certifying its purchases and sales of entitlements for the third month prior to the month in which the report is filed.

(j) and (k) [Deleted].

3. Section 211.67 is amended by the deletion of subparagraph (3) of paragraph (a), and is further amended by revising paragraph (c), subparagraphs (2) and (4) of paragraph (i), paragraph (j), and paragraph (l) to read as follows:

§ 211.67 Allocation of old oil.

(a) . . . .  
(3) [Deleted]

(c) *Refiners with excess entitlements.* For each month, commencing with the month of November 1974, each refiner that has been issued a greater number of entitlements for that month than the number of barrels of old oil included in its adjusted crude oil receipts shall sell excess entitlements.

(1) *Issuance and transfer of entitlements.* . . . .

(2) Each notice published by the FEA evidencing the issuance of entitlements under this section shall specify as to a particular month the adjusted national old oil supply ratio, the name of each

refiner to which entitlements have been issued, the number of entitlements issued to each such refiner, the number of barrels of old oil included in each refiner's adjusted crude oil receipts and the price at which or price range within which entitlements shall be sold.

(4) The price at which entitlements shall be sold and purchased shall be fixed by the FEA for each month. Such price may be fixed in terms of a price range in which entitlement transactions shall be effected or in terms of a single price at which all entitlement transactions shall take place. Such price or price range shall be fixed by the FEA with reference to the differential between the weighted average costs to refiners of old oil and the weighted average costs to refiners of new and released crude petroleum, imported crude oil and crude oil produced from stripper wells.

(j) *Failure to consummate transactions.* The FEA may direct refiners that have not purchased the required number of entitlements under paragraph (b) of this section for a particular month to purchase such required number of entitlements at a price specified by the FEA from any refiner that has entitlements for such month available for sale. The FEA may direct refiners that have entitlements available for sale to sell such entitlements at a price specified by the FEA to refiners that have not purchased their required number of entitlements under paragraph (b) of this section.

(1) *Adjustments to crude oil costs—(1) Computations—(1) Entitlements purchased.* The cost of entitlements purchased in a particular month pursuant to this section by refiners shall be added to the cost of crude oil purchased or landed in that month (which is the period "t" (the month of measurement), for purposes of calculating the increased costs to be applied to product prices in the following month under the "at" factor of the general formulae of § 212.83(c)(2) of this chapter).

(ii) *Entitlements sold.* The sales revenues from entitlements sold in a particular month pursuant to this section by refiners shall be subtracted from the cost of crude oil purchased or landed in that month (which is the period "t" (the month of measurement), for purposes of calculating the increased costs to be applied to product prices in the following month under the "at" factor of the general formulae of § 212.83(c)(2) of this chapter).

(2) *Timing.* The date of purchase or sale of entitlements for purposes of determining the date on which a cost or a cost reduction is incurred under § 212.83(c) of this chapter shall be the date on which the transaction is reported to have taken place on the monthly transaction report filed with the FEA under paragraph (1) of § 211.66.

4. The Appendix to Subpart C of Part 211 is amended by the addition of a Special Rule No. 4 to read as follows:

**SPECIAL RULE NO. 4**

1. *Scope.* This Special Rule provides for a reduction in the entitlement purchase requirements of § 211.67(b) for specified volumes of old oil included in the adjusted crude oil receipts of small refiners for the months of February, March and April, 1975.

2. *Reduction in entitlement purchase requirements for small refiners.* (a) Each small refiner with a volume of crude oil runs to stills of less than 30,000 barrels per day in the month concerned, that is required to purchase entitlements shall be exempted from the purchase requirements of § 211.67(b) as to one-seventh ( $\frac{1}{7}$ ), one-eighth ( $\frac{1}{8}$ ) and one-ninth ( $\frac{1}{9}$ ), respectively, of the number of entitlements otherwise required to be purchased by that small refiner under § 211.67(b) for the months of February, March, and April 1975.

(b) Each small refiner with a volume of crude oil runs to stills in excess of 30,000 barrels per day in the month concerned, that is required to purchase entitlements, shall be exempted from the purchase requirements of § 211.67(b) as to a number of entitlements equal to one-seventh ( $\frac{1}{7}$ ), one-eighth ( $\frac{1}{8}$ ) and one-ninth ( $\frac{1}{9}$ ), respectively, of the number of entitlements for the months of February, March, and April 1975, which is in the same proportion to the total number of entitlements otherwise required to be purchased by that small refiner under § 211.67(b) that 30,000 barrels per day is to the daily average volume of that small refiner's crude oil runs to stills for that month.

3. *Adjustment to number of entitlements issuable.* The total number of entitlements exempted from the purchase requirements of § 211.67(b) pursuant to paragraph 2 of this special rule shall be deducted on a pro-rata basis, from the number of entitlements otherwise issuable to and available for sale by each refiner which has entitlements available for sale in the month concerned.

4. *Provisions of Subpart C.* The provisions of Subpart C of Part 211 shall remain in full force and effect except as expressly modified by the provisions of this special rule.

5. Section 212.31 is revised by deleting the definition of "special products" and by adding, in the appropriate alphabetical order, definitions of "general refinery products" and "No. 2 oils" to read as follows:

**§ 212.31 Definitions.**

"General refinery products" means all covered products other than No. 2 oils, gasoline, and crude oil.

"No. 2 oils means No. 2 heating oil and No. 2-D diesel fuel.

6. Section 212.83 is amended in paragraph (b) by adding, in the appropriate alphabetical order, a definition of "import fees and duties incurred" and by revising the definition of "landed costs" and is further amended by revising paragraph (c), (d), and (e) to read as follows:

**§ 212.83 Allocation of refiner's increased costs.**

(b) *Definitions.* "Import fees and duties incurred"

means only import fees and duties that are paid by or on behalf of the firm purchasing the product and which are in addition to the purchase price of the product, and does not include any import fees and duties paid by or on behalf of firms other than the purchasing firm, such as import fees and duties which are already reflected in the price charged for a product. Import fees and duties are "incurred" (for purposes of determining increased product costs) at the time the product is released from U.S. customs custody or entered into U.S. customs territory, or withdrawn from a bonded warehouse for consumption, whichever occurs first, even though payment of the fees or duties may be at a later date.

"Landed cost" means:

(1) For purposes of covered products purchased in complete arm's-length transactions, the purchase price at the point of origin, plus the actual transportation cost, plus import fees and duties incurred.

(2) For purposes of covered products purchased in arm's-length transactions and shipped pursuant to a transaction between affiliated entities, the purchase price at the point of origin, plus the transportation cost computed by use of the customary accounting procedures generally accepted and consistently and historically applied by the firm concerned, plus import fees and duties incurred.

(3) For purposes of covered products other than crude oil purchased in a transaction between affiliated entities and shipped pursuant to an arm's-length transaction, the cost of the product computed by use of the customary accounting procedures generally accepted and consistently and historically applied by the firm concerned, plus the actual transportation cost, plus import fees and duties incurred.

(4) For purposes of covered products other than crude oil purchased and shipped pursuant to a transaction between affiliated entities, the costs of the product and the transportation both computed by use of the customary accounting procedures generally accepted and consistently and historically applied by the firm concerned, plus import fees and duties incurred.

(5) For purposes of crude oil purchased in a transaction between affiliated entities and shipped pursuant to an arm's-length transaction, the cost of the crude oil computed pursuant to § 212.84, plus the actual transportation cost, plus import fees and duties incurred.

(6) For purposes of crude oil purchased and shipped pursuant to a transaction between affiliated entities, the cost of the crude oil computed pursuant to § 212.84, plus the transportation cost computed by use of the customary accounting procedures generally accepted and consistently and historically applied by the firm concerned, plus import fees and duties incurred.

(e) *Allocation of increased product costs—(1) General rule—(i) No. 2 oils and gasoline.* In computing base prices for sales of No. 2 oils and gasoline, a refiner may increase its May 15, 1973 selling price to each class of purchaser once each calendar month beginning with November 1973 by an amount to reflect the increased product costs attributable to sales of that covered product using the differential between the month of measurement and the month of May 1973: *Provided*, That the amount of increased costs used in computing a base price is calculated by use of the formula set forth in paragraph (c) (2) (i) of this section. The formula of paragraph (c) (2) (i) of this section must be computed separately for No. 2 oils and for gasoline, so that the amount of increased product costs included in computing base prices of No. 2 oils and of gasoline must be equally applied to each class of purchaser.

(ii) *General refinery products.* In computing base prices for a general refinery product, a refiner may increase its May 15, 1973 selling price to each class of purchaser each month beginning with November 1973 by an amount to reflect the increased product costs attributable to sales of general refinery products, using the differential between the month of measurement and the month of May 1973: *Provided*, That the amount of increased costs used in computing a base price is calculated by use of the formula set forth in paragraph (c) (2) (ii) of this section: *And provided*, That the amount of increased product costs included in computing base prices of a particular general refinery product must be equally applied to each class of purchaser. In apportioning the total amount of increased product costs allocable to general refinery products among particular general refinery products, a refiner may apportion amounts of increased product costs to a particular general refinery product in whatever amounts it deems appropriate. For purposes of this section, each of the following products or product categories shall constitute "a general refinery product": Aviation fuels, benzene, butane, gas oil, greases, hexane, kerosene, lubricant base oil stocks, lubricants, naphthas, natural gas liquids, natural gasoline, No. 1 heating oil and No. 1-D diesel fuel, No. 4 fuel oil and No. 4-D diesel fuel, propane, residual fuel oil, special naphthas (solvents), toluene, unfinished oils, xylene, and other finished products. A blend of two or more particular covered products is considered to be that particular covered product constituting the major proportion of the blend.

(iii) *Propane—(A) Special propane rule.* Notwithstanding the provisions of § 212.83(c) (1) (ii) and § 212.83(e), a refiner in computing base prices of propane for the twelve-month period of August 1, 1974 through July 31, 1975:

(1) may not apportion to propane a greater percentage of increased cost of crude oil purchased or landed in the twelve-month period July 1, 1974 through June 30, 1975 than the percentage that the volume of propane sold

## PROPOSED RULES

during the twelve-month period August 1, 1974 through July 31, 1975 which was produced by that refiner from crude oil is to the total volume of all products (including other than covered products) sold by it during the same twelve-month period, which were produced by that refiner from crude oil. Notwithstanding § 212.83(b), for purposes of this special propane rule, cost of crude oil shall not include the cost of natural gas liquids; and

(2) may apportion to propane the increased cost of propane purchased or landed in the twelve-month period of July 1, 1974 through June 30, 1975; and

(3) may apportion to propane the increased product costs attributable to propane produced from natural gas as determined pursuant to the provisions of § 212.146 of Subpart K of this part; and

(4) may not apportion to propane any increased product costs incurred prior to July 1, 1974 and not recovered through July 31, 1974.

(B) *Exception to equal application rule for propane.* Notwithstanding the provisions of paragraph (c) (1) (ii) of this section a refiner may comply with the provisions of that paragraph by applying unequal amounts of increased costs to the weighted average May 15, 1973 selling price of propane to classes of purchaser of propane: *Provided*, That the highest amount of increased cost applied to the weighted average May 15, 1973 selling price to any class of purchaser shall not exceed by more than 100 percent the amount of increased cost applied to the weighted average May 15, 1973 selling price to any other class of purchaser: *And, provided further*, That no greater amount of increased cost shall be applied to the weighted average May 15, 1973 selling price of propane in sales to any class of purchaser which includes either an independent marketer, as defined in § 211.51 of this chapter, or a purchaser that uses the product for residential use, as defined in § 211.51 of this chapter, than is applied to the weighted average May 15, 1973 selling price of propane in sales to any other class of purchaser.

(iv) *Reallocation of increased product costs among product categories.* Increased product costs allocable to No. 2 oils and gasoline pursuant to paragraph (c) (1) (i) of this section and to general refinery products pursuant to paragraph (c) (1) (ii) of this section may be reallocated among product categories each month only as follows:

(A) *General refinery products.* To the extent that a refiner does not allocate its increased product costs for general refinery products to base prices for such products, it may instead allocate that part of its increased product costs for general refinery products only to base prices for gasoline. No increased product costs for general refinery products may be reallocated to base prices for No. 2 oils.

(B) *No. 2 oils.* To the extent that a refiner does not allocate its increased product costs for No. 2 oils to base prices

for No. 2 oils, it may instead allocate that part of its increased product costs for No. 2 oils only to base prices for gasoline. No increased product costs for No. 2 oils may be reallocated to base prices for general refinery products.

(C) *Gasoline.* No increased products costs for gasoline may be reallocated to base prices for general refinery products or No. 2 oils.

(2) *Formulae*—(1) *No. 2 oils and gasoline.* For No. 2 oils and gasoline ( $i=1$  and  $i=2$ ):

$$d_i^u = \frac{A^i \left( \frac{V_i^u}{V^u} \right) + B_i^i + G_i^i + H_i^i}{V_i^u}$$

(ii) *General refinery products.* For general refinery products ( $i=3$ ):

$$D_i^u = A^i \left( \frac{V_i^u}{V^u} \right) + B_i^i + G_i^i - H_i^i$$

(iii) *Definitions.* For purposes of paragraphs (c) (2) (i) and (c) (2) (ii) of this section:

$d_i^u$ —The dollar increase that may be applied in the period "u" to the May 15, 1973 selling price of the covered product or products of the type "i" to each class of purchaser to compute the base price to each class of purchaser, except that the dollar increase that may be applied in the period "u" to the May 15, 1973 selling price of gasoline to compute the base prices to the classes of purchaser that purchase gasoline at retail from a refiner at service stations operated by employees of the refiner may be " $d_i^u$ " plus a maximum of \$0.03 per gallon of gasoline, provided that, in computing " $d_i^u$ " for gasoline, the numerator of the formula in subdivision (1) of this subparagraph is reduced by an amount equal to the product of the actual amount of cents per gallon increase added to " $d_i^u$ " above multiplied by the estimated number of gallons of gasoline to be sold during the period "u" at retail through service stations operated by employees of the refiner. The formula for " $d_i^u$ " must be computed separately for  $i=1$  and for  $i=2$ .

$D_i^u$ —The total dollar amount a refiner may apportion in the period "u" to general refinery products ( $i=3$ ) in whatever amounts it deems appropriate to each particular general refinery product: *Provided*, That the total dollar amount shall be reduced by an amount equal to the total number of gallons of benzene and toluene sold by the refiner during the month of May 1973, multiplied by \$0.20 and further multiplied by an amount equal to the total number of barrels of refinery input to crude oil distillation units processed during the month of measurement and measured in accordance with Bureau of Mines form 6-1300-M divided by the total number of such barrels processed during the month of May 1973. The formula for general refinery products shall only be computed for  $i=3$  (all general refinery products).

$V_i^u$ —The total volume of all covered products (other than propane, which may be included only to the extent that it was refined by the refiner from crude oil) and all products refined from crude oil other than covered products estimated to be sold in the period "u".

$V_i^u$ —The total volume of a specific covered product or products of the type "i" (other than propane, which may be included only to the extent that it was refined by the refiner from crude oil sold during the month "u") estimated to be sold in the period "u".

$$A^i = Q^i \left( \frac{C^i}{Q^i} - \frac{C^o}{Q^o} \right)$$

" $A^i$ " is the total increased cost of crude oil purchased or landed in the period "i" for refining by that refiner. The cost and quantity of crude oil that is consumed as refinery fuel or that is otherwise consumed or disposed of in the period "i" so as not to be available for that refiner's input to crude oil distillation units shall be excluded from this amount (except to the extent permitted with respect to crude oil sold under § 211.65 of this chapter pursuant to the definitions of  $Q^i$  and  $C^i$ ).

Where:

$Q^i$ —The total quantity or volume of crude oil purchased or landed in the period "i" for refining or for resale under § 211.65: *Provided, however*, That this amount shall be reduced by the quantity of crude oil sold under § 211.65 in the period "i".

$Q^o$ —The total quantity or volume of crude oil purchased or landed in the period "o" for refining.

$C^o$ —The total cost of crude oil purchased or landed in the period "o" for refining.

$C^i$ —The total cost of crude oil purchased or landed in the period "i" for refining or for resale under § 211.65: *Provided, however*, That this amount shall be reduced by the revenues from sales of crude oil under § 211.65 made in the period "i", except for any transportation adjustment or the handling fee provided for by § 212.94(b).

$$B_i^i = c_i^i - c_i^o - Y_i (q_i^i - q_i^o)$$

" $B_i^i$ " is the total increased cost of the specific covered product or products of the type "i" purchased or landed in the period "i". The cost of a specific covered product or products of the type "i" shall include the cost of a specific covered product or products not of the type "i" that are blended or further refined to produce the covered product or products of the type "i". The cost and quantity of covered products purchased or landed that are consumed as refinery fuel shall be excluded from this amount.

Where:

$c_i^o$ —The total cost of a covered product or products of the type "i" purchased or landed in the period "o".

$c_i^i$ —The total cost of a covered product or products of the type "i" purchased or landed in the period "i".

$q_i^o$ —The total quantity or volume of a covered product or products of the type "i" purchased or landed in the period "o".

$q_i^i$ —The total quantity or volume of a covered product or products of the type "i" purchased or landed in the period "i".

$Y_i$ —The lowest price at or above which at least 10 percent of the product or products of type "i" were priced in transactions during the month of May 1973 or, if none occurred in that month, the month next preceding May 1973 in which such transactions occurred. Alternatively, the cost of the covered product or products concerned during the month of May 1973 may be used if computed by the use of accounting procedures generally accepted and consistently and historically applied by the firm concerned. *And provided*, That the FEA has approved in writing of the cost figures used.

$$G_i^i = J_i^i - K_i^i + L_i^i$$

" $G_i^i$ " is either: (1) The total dollar amount of increased costs of the covered product or products of the type "i" to the period "i" not recovered in sales of that product through



the period "t", that have been carried forward pursuant to paragraph (e) of this section; or (ii) the total dollar amount by which increased costs of the covered product or products of the type "t" to the period "t" have been over-recovered in sales of that product through the period "t", that must be subtracted pursuant to paragraph (e) of this section.

Where:

$J_t$  = The total dollar amount of increased product costs attributable to the covered product or products of the type "t" from August 1, 1973 to the period "t".

$K_t$  = The total dollar amount of increased product costs attributable to the covered product or products of the type "t" and recovered by sales through the period "t" by adjusting the May 15, 1973 selling prices pursuant to the provisions of this subpart.

$L_t$  = The total dollar amount of non-product costs attributable to includable amounts of commissions incurred during the period "t" beginning with June 1974 with respect to sales through consignee-agents of the covered product or products of the type "t". The includable amount of commission incurred with respect to each item sold through each consignee-agent is the dollar amount per unit of volume by which the commission in the period "t" exceeds the commission in effect on May 15, 1973, provided that the includable amount shall be an amount reasonably intended to cover increased non-product costs of the consignee-agent, and that it shall not exceed the amount of the non-product cost price increase that would be permitted if the consignee-agent took title to the product it distributes and were a seller subject to § 212.93(b) of this part.

And where:

$H_t$  = Either (A) the portion, if any, of the total dollar amount available in the period "u" for inclusion in price adjustments to general refinery products which pursuant to paragraph (c) (1) (iv) of this section the refiner elects to include in prices of gasoline for the period "u" (in which case  $H_t$  shall be positive), or (B) the portion, if any, of the total dollar amount available in the period "u" for inclusion in price adjustments to No. 2 oils which pursuant to paragraph (c) (1) (iv) of this section the refiner elects to include in the price of gasoline for the period "u" (in which case  $H_t$  shall be negative for No. 2 oils and positive for gasoline).

$H_t^*$  = The portion, if any, of the dollar amounts available in the period "u" for inclusion in price adjustments to general refinery products which pursuant to paragraph (c) (1) (iv) of this section the refiner elects to include in calculating the base prices of gasoline for the period "u".

The type of covered product or products is referenced by the subscript  $i$ :

$i = 1$  represents No. 2 oils.

$i = 2$  represents gasoline.

$i = 3$  represents all general refinery products.

The time period for measurement is referenced in the superscript; where:

$o$  = The month of May 1973.

$t$  = The month of measurement (the month of measurement is the month preceding the current month).

$u$  = The current month. Quantities calculated for the current month will be es-

timates which should be based on the best available data.

(e) *Carryover of costs—(1) Computation of amounts carried over—(i) For No. 2 oils and general refinery products—*

(A) If in any month beginning with October 1973 a firm charges prices for No. 2 oils or for general refinery products that result in the recoupment of less than the total dollar amount of increased product costs calculated for that covered product pursuant to the general formula and allowable under paragraphs (c) (1) and (c) (2) of this section, and if that unrecouped amount of increased product costs is not used to increase May 15, 1973 selling prices of gasoline pursuant to paragraph (c) (1) (iv) of this section, that unrecouped amount of increased product costs may be added to the May 15, 1973 selling prices to compute the base prices for that covered product for a subsequent month.

(B) If in any month beginning with October 1973 a firm charges prices for No. 2 oils or for general refinery products that result in the recoupment of more than the total dollar amount of increased product costs calculated for that covered product pursuant to the general formula and allowable under paragraphs (c) (1) and (c) (2) of this section, the excess revenues received must be subtracted from the May 15, 1973 selling prices to compute base prices for that covered product in a subsequent month.

(ii) *For gasoline.* (A) If in any month beginning with October 1973 a firm charges prices for gasoline that result in the recoupment of less than the total dollar amount of increased product costs calculated for gasoline pursuant to the general formula and allowable under paragraphs (c) (1) (i), (c) (1) (iv), and (c) (2) (i) of this section, that unrecouped amount of increased product costs may be added to the May 15, 1973 selling prices to compute the base prices for gasoline for a subsequent month.

(B) If in any month beginning with October 1973 a firm charges prices for gasoline that result in the recoupment of more than the total dollar amount of increased product costs calculated for gasoline pursuant to the general formula and allowable under paragraphs (c) (1) (i), (c) (1) (iv), and (c) (2) (i) of this section, the excess revenues received must be subtracted from the May 15, 1973 selling prices to compute base prices for gasoline in a subsequent month.

(2) *Equal application among classes of purchaser.* With respect to each covered product other than crude oil, when a firm calculates the amount of increased product cost not recouped, which may be added to May 15, 1973 selling prices to compute base prices in a subsequent month, it shall calculate its revenues as though the greatest amount of increased product costs actually added to any May 15, 1973 selling price of that covered product and included in the price charged to any class of purchaser, had been added, in the same amount, to the May 15, 1973 selling prices of such product and included in the price charged to

each class of purchaser; except that, where an equal amount of increased product cost is not included in the price charged to a purchaser because of a price term of a written contract covering the sale of such product which was entered into on or before September 1, 1974, that portion of the increased product costs not included in the price charged to such a purchaser need not be included in the calculation of revenues.

(3) *Reallocation of increased product costs.* The total amount allowable under this paragraph (e) for No. 2 oils and general refinery products may not include any amount represented by the symbol "H" in the formulae in paragraph (c) (2) of this section that the refiner has elected to include in a prior month in the calculation of the maximum permissible amount that may be used to adjust base prices pursuant to paragraph (c) (1) (iv) of this section.

(4) *Limitation on use of amounts carried over.* Notwithstanding the above provisions, the amount of unrecouped increased product costs calculated under the " $G_t$ " factor of the general formulae of paragraph (c) (2) of this section and carried forward pursuant to this paragraph (e) that may be used to compute base prices for the covered product or products of the type "t", other than gasoline, in the current month shall be limited to not more than:

(i) An amount that when added to the increased product costs for the month of measurement, will provide for the same amount of increased product costs to be included in selling prices for the current month of the covered product or products of the type "t" as was included in the selling prices for the preceding month on a weighted average per unit basis, plus

(ii) An amount that is not more than 10 percent of the amount of unrecouped increased product costs calculated under the " $G_t$ " factor of the general formulae of paragraph (c) (2) of this section and carried forward pursuant to this paragraph (e), as of October 31, 1974, or as of the end of any month thereafter.

(5) *Unrecouped increased non-product costs.* Increased non-product costs calculated pursuant to § 212.87 for the month of measurement that are not recouped in the current month (the month immediately succeeding the month of measurement) may not be carried forward for use in computing allowable prices in excess of base prices in any subsequent month. If the allowable prices in excess of base prices charged in a current month result in the recoupment of more than the total amount of increased non-product costs for the month of measurement (the month immediately preceding the current month), the amount of such over-recoupment shall be subtracted from the amount of increased product costs that would otherwise be available in the subsequent month for allocation to base prices of the product or products with respect to which the over-recoupment of increased non-product costs occurred.

7. Section 212.87 is amended to revise § 212.87(b) (1), to renumber the present § 212.87(c) (1) as § 212.87(c) (1) (i), and to add a new § 212.87(c) (1) (ii) to read as follows:

§ 212.87 Increased non-product costs.

(b) *General definition.* (1) Increased non-product costs are, for each month of measurement, the sum of refinery fuel cost increase, the labor cost increase, the additive cost increase, the marketing cost increase,

and the other allowed non-product cost increases, (as defined in this section) multiplied by

$$\left(\frac{V_i^u}{V^u}\right),$$

where:

where:

$V^u$ —The total volume of all covered products (other than propane, which may be included only to the extent that it was refined by the refiner from crude oil) and all products refined from crude oil other than covered products estimated to be sold in the period "u".

$V_i^u$ —The total volume of a specific covered product or products of the type "i" (other than propane, which may be included only to the extent that it was refined by the refiner from crude oil sold during the month "u") estimated to be sold in the period "u".

(c) *Defined categories of non-product costs*—(1) *Refinery fuel cost increase.*

(ii) Refiners shall maintain records of the volume and cost of covered products purchased or landed that are consumed as refinery fuel.

Section 212.93 is amended by revising paragraph (g) to read as follows:

**§ 212.93 Price rule.**

(g) *Special rule on addition to May 15, 1973 prices of unrecouped increased costs of a product in a subsequent month.* For covered products other than gasoline, the amount of unrecouped increased product costs calculated and carried forward under paragraph (e) of this section which may be added to the May 15, 1973, selling prices of that product shall be limited to an amount which is not more than:

(i) An amount which, when added to May 15, 1973 selling prices, will provide for the same selling prices for that product in the current month as prevailed at the close of the preceding month, plus

(ii) An amount which, based on estimated sales volumes for each product, will not result in the application to May 15, 1973 selling prices of more than 10 percent of the amount of unrecouped increased costs of product calculated and carried forward under paragraph (e) of this section, as of October 31, 1974, or as of the end of any month thereafter.

9. Section 212.94 is amended by revising paragraph (c) to read as follows:

**§ 212.94 Allocated crude pricing.**

(c) *Calculations.* For the purpose of calculating the weighted average price of all crude oil delivered to a refiner-seller during each month, a refiner-seller shall use, for domestic crude oil, the delivered cost of all domestic crude petroleum at the point of purchase, plus any gather-

ing or trucking allowance, pipeline tariffs, water transportation costs, terminaling costs and exchange differentials paid to deliver such crude oil to the refiner-seller's refineries; and, for imported crude oil, the landed cost (as defined in § 212.83) plus any pipeline tariffs, water transportation costs, terminaling costs, exchange differentials, insurance, and taxes paid to deliver such crude oil to the refiner-seller's refineries for allocating to base prices of the covered product or products with respect to which the over-recovery of increased non-product costs occurred.

[FR Doc.75-2038 Filed 1-17-75;4:27 pm]

**FEDERAL RESERVE SYSTEM**

[ 12 CFR Part 261 ]

**RULES REGARDING AVAILABILITY OF INFORMATION**

**Proposed Fee Schedule**

Pursuant to its authority under section (a) (4) (a) of the Freedom of Information Act (5 U.S.C. § 552), the Board of Governors proposes to amend § 261.4 (d) of its rules regarding availability of information. The purpose of the proposed amendments is to specify a uniform schedule of fees applicable to all constituent units of the Board.

The present schedule of fees for services performed in response to requests for records under the Freedom of Information Act appears at section 261.4 (d) of Part 261 of Title 12 of the Code of Federal Regulations.

The proposed amendments will set the cost of the duplication of available information at 10 cents per standard page. The cost for search time will be \$10 per hour. Furthermore, the charge for the retrieval and production of information through computer and other information program systems will not exceed the direct and reasonable costs of such services. Detailed schedules of such costs will be available upon request from the Secretary of the Board. These detailed schedules are not included in this notice because of their detailed nature.

Finally, any or all of the above charges may be reduced or waived where the Secretary of the Board finds that the public interest will be benefited.

To aid in the consideration of this matter by the Board, interested persons are invited to submit relevant data, views, comments, or arguments. 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 not later than February 13, 1975.

The proposed amendment to the Board's rules regarding availability of information (12 CFR 261 (d)) would read as follows:

**§ 261.4 Records available to the public upon request.**

(d) Obtaining access to records. Records of the Board subject to this section

are available for inspection and copying during regular business hours at the offices of the Board of Governors of the Federal Reserve System, Federal Reserve Building, 20th and Constitution Avenue, Washington, D.C. 20551, or, in the case of records containing information required to be disclosed under section 12 of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78), at the offices of the Federal Deposit Insurance Corporation or at any Federal Reserve Bank. Every request for access to records of the Board, other than those containing information required under section 12 of the Securities Exchange Act, shall be submitted in writing to the Secretary of the Board, shall state the name and address of the person requesting access to such records, and shall describe such records in a manner reasonably sufficient to permit their identification without undue difficulty. A person requesting access to or copies of particular records shall pay the cost of searching and copying such records at the rate of \$10 per hour for searching and 10 cents per standard page for copying. With respect to information obtainable only by processing through a computer, or other information systems program, a person requesting such information shall pay a fee not to exceed the direct and reasonable cost of retrieval and production of the information requested. Detailed schedules of such charges are available upon request from the Secretary of the Board. Documents may be furnished without charge or at a reduced charge where the Secretary of the Board or such person as he may designate determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public.

By order of the Board of Governors,  
January 20, 1975.

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

[FR Doc.75-2099 Filed 1-21-75;8:45 am]

**GENERAL SERVICES ADMINISTRATION**

[ 41 CFR Part 105-61 ]

**FEEES FOR REPRODUCTION SERVICES: LOCATION OF RECORDS AND HOURS OF USE**

**Notice of Proposed Rulemaking**

Recent amendments to the Freedom of Information Act (5 U.S.C. 552) require the publication of a uniform schedule of fees. This proposed schedule will be published in Subpart 105-61.52. It is also proposed to renumber, reorganize, and update Subpart 105-61.51—Location of Records and Hours of Use.

Interested persons may participate in the proposed rulemaking by submitting written data, views, or arguments in duplicate to the General Services Administration (NAPA), Washington, DC 20408. Comments received before February 19, 1975, will be considered before final action is taken on this proposal.

Copies of all written comments received will be available for examination by interested persons in the Central Research Room, National Archives Building, 8th and Pennsylvania Avenue, Washington, DC.

Dated: January 17, 1975.

JAMES B. RHOADS,  
Archivist of the United States.

It is proposed to amend Chapter 105 of Title 41 of the Code of Federal Regulations, as follows:

**PART 105-61—PUBLIC USE OF RECORDS, DONATED HISTORICAL MATERIALS, AND FACILITIES IN THE NATIONAL ARCHIVES AND RECORDS SERVICE**

The table of contents for Part 105-61 is amended by adding or revising the following entries:

Subpart 105-61.4—105-61.50 (Reserved)	
Subpart 105-61.51—Location of Records and Hours of Use	
105-61.5100	Scope of subpart.
105-61.5101	Location of records and hours of use.
105-61.5101-1	National Archives Building.
105-61.5101-2	[Reserved]
105-61.5101-3	Presidential libraries.
105-61.5101-4	Washington National Records Center.
105-61.5101-5	National Personnel Records Center.
105-61.5101-6	Federal records centers.
105-61.5101-7	Federal archives and records centers.

Subpart 105-61.52 Fees

105-61.5201	Applicability.
105-61.5202	Exclusions.
105-61.5203	Color reproductions.
105-61.5204	Copy negatives.
105-61.5205	Mail orders.
105-61.5206	Fee schedule.
105-61.5207	Payment of fees.
105-61.5208	Effective date.

Subpart 105-61.48 is redesignated as Subpart 105-61.51 and revised as follows:

**Subpart 105-61.51—Location of Records and Hours of Use**

**§ 105-61.5100 Scope of subpart.**

This subpart illustrates exhibits previously referred to in this part.

**§ 105-61.5101 Location of records and hours of use.**

**§ 105-61.5101-1 National Archives Building.**

The National Archives Building, Eighth and Pennsylvania Avenue, NW., Washington, DC 20408. Hours: For the Central Research Room and Microfilm Research Room, 8:45 a.m. to 10 p.m., Monday through Friday, and 8:45 a.m. to 5:15 p.m. on Saturday. For other research rooms, 8:45 a.m. to 5 p.m., Monday through Friday. Records to be used on Friday after 5 p.m. or on Saturday must be requested by 3 p.m. Friday. Records to be used after 5 p.m., Monday through Thursday, must be requested by 4 p.m. of the day on which they are used.

**§ 105-61.5101-2 [Reserved]**

**§ 105-61.5101-3 Presidential libraries.**

(a) Herbert Hoover Library, South Downey Street, West Branch, IA 52358. Hours: 9 a.m. to 5 p.m., Monday through Friday.

(b) Franklin D. Roosevelt Library, Albany Post Road, Hyde Park, NY 12538. Hours: 9 a.m. to 5 p.m., Monday through Friday.

(c) Harry S. Truman Library, Highway 24 at Delaware Street, Independence, MO 64050. Hours: 9 a.m. to 5 p.m., Monday through Friday.

(d) Dwight D. Eisenhower Library, South East Fourth Street, Abilene, KS 67410. Hours: 9 a.m. to 5 p.m., Monday through Friday.

(e) John F. Kennedy Library, 380 Trapelo Road, Waltham, MA 02154. Hours: 8:30 a.m. to 5 p.m., Monday through Friday.

(f) Lyndon B. Johnson Library, 2313 Red River, Austin, TX 78705. Hours: 9 a.m. to 5 p.m., Monday through Friday.

**§ 105-61.5101-4 Washington National Records Center.**

Washington National Records Center, 4205 Suitland Road, Suitland, MD. Mailing address: General Services Administration, Washington National Records Center, Washington, DC 20409. Hours: 8 a.m. to 4:30 p.m., Monday through Friday.

**§ 105-61.5101-5 National Personnel Records Center.**

(a) National Personnel Records Center (military personnel records), 9700 Page Boulevard, St. Louis, MO 63132. Hours: 7:30 a.m. to 4 p.m., Monday through Friday.

(b) National Personnel Records Center (civilian personnel records), 111 Winnebago Street, St. Louis, MO 63118. Hours: 7:30 a.m. to 4 p.m., Monday through Friday.

**§ 105-61.5101-6 Federal records centers.**

(a) Naval Supply Depot, Building 308, Mechanicsburg, PA 17055. Hours: 7:30 a.m. to 4:30 p.m., Monday through Friday.

(b) 2400 West Dorothy Lane, Dayton, OH 45439. Hours: 7:30 a.m. to 4 p.m., Monday through Friday.

**§ 105-61.5101-7 Federal archives and records centers.**

(a) 380 Trapelo Road, Waltham, MA 02154. Hours: 8 a.m. to 4:30 p.m., Monday through Friday.

(b) Military Ocean Terminal, Bldg. 22, Bayonne, NJ 07002. Hours: 8:30 a.m. to 5 p.m., Monday through Friday.

(c) 5000 Wissahickon Avenue, Philadelphia, PA 19144. Hours: 8 a.m. to 4:30 p.m., Monday through Friday.

(d) 1557 St. Joseph Avenue, East Point, GA 30044. Hours: 8 a.m. to 4:30 p.m., Monday through Friday.

(e) 7358 South Pulaski Road, Chicago, IL 60652. Hours: 8 a.m. to 4:30 p.m., Monday through Friday.

(f) 2306 East Bannister Road, Kansas City, MO 64131. Hours: 8 a.m. to 4:30 p.m., Monday through Friday.

(g) 4900 Hemphill Street, Fort Worth, TX 78115. Hours: 8 a.m. to 4:30 p.m., Monday through Friday.

(h) Building 48, Denver Federal Center, Denver, CO 80225. Hours: 8 a.m. to 4:30 p.m., Monday through Friday.

(i) 1000 Commodore Drive, San Bruno, CA 94066. Hours: 8 a.m. to 4:30 p.m., Monday through Friday.

(j) 24000 Avila Road, Laguna Niguel, CA 92677. Hours: 8 a.m. to 4:30 p.m., Monday through Friday.

(k) 6125 Sand Point Way, Seattle, WA 98115. Hours: 8 a.m. to 4:30 p.m., Monday through Friday.

New Subpart 105-61.52 is added as follows:

**Subpart 105-61.52—Fees**

**§ 105-61.5201 Applicability.**

(a) Except as otherwise provided in this section, fees for the reproduction of archives, donated historical materials, and records filed with the Office of the Federal Register are as set forth in § 105-61.5206.

(b) The fees set forth in § 105-61.5206 apply to reproductions of FRC records, except when NARS and the agency that transferred the records have agreed to apply that agency's fee schedule.

(c) The following categories are excluded from the fees set forth in § 105-61.5206.

(1) National Archives publications, including microfilm publications. Prices of publications are available from the Publications Sales Branch (NEPS), National Archives (GSA), Washington, DC 20408.

(2) Audiovisual materials sold by the National Audiovisual Center. Prices for these materials are available from the Distribution Branch (NACD), National Audiovisual Center (GSA), Washington, DC 20409.

(3) Historical photographs and sound recordings that are sold at prices listed in the General Information and Select Audiovisual Records leaflets available from the Publications Sales Branch (NEPS), National Archives (GSA), Washington, DC 20408.

(4) Census schedules (1790-1890). Reproduction of a census entry (i.e., a family unit or household)—\$2.

(5) Military service files and pension files more than 75 years old. Reproduction of a military service file (or selected documents from the file if voluminous)—\$2.

(6) Passenger lists more than 75 years old—\$2.

(7) Orders requiring additional expense to meet unusual customer specifications such as the use of special techniques to make a photographic copy more legible than the original document, or unusual format or background requirement for negative microfilm. Fees for these orders are computed for each order.

PROPOSED RULES

§ 105-61.5202 Exclusions.

No fee is charged for reproduction or authentication in the following instances:

(a) Documents furnished to other elements of the Federal Government. However, a fee may be charged if the appropriate director determines that the service cannot be performed without reimbursement.

(b) When the purpose is to disseminate information about the activities of GSA to the general public through press, radio, television, and newsreel representatives;

(c) When the reproduction is to furnish the donor of a document or other gift with a copy of the original;

(d) When the reproduction is for individuals or associations having official voluntary or cooperative relations with GSA in its work;

(e) When the reproduction is for a foreign, State, or local government or an international agency and furnishing it without charge is an appropriate courtesy;

(f) When furnishing the service free conforms to generally established business custom, such as furnishing personal reference data to prospective employers of former Government employees;

(g) When the reproduction of not more than one copy of the document is required to obtain from the Government financial benefits to which the requesting person may be entitled (e.g., veterans or their dependents, employees with workmen's compensation claims, or persons insured by the Government);

(h) When the reproduction of not more than one copy of the transcript of a hearing or other formal proceeding involving security requirements for Federal employment is requested by a person directly concerned in the hearing or proceeding; and

(i) When the reproduction of not more than one copy of a document is for a person who has been required to furnish a personal document (e.g., birth certificate and retention by an agency of the Government).

§ 105-61.5203 Color reproductions.

Color reproductions are furnished to the public and the Government only on a fee basis.

§ 105-61.5204 Copy negatives.

Requests for photographs of materials for which no copy negative is on file are handled as follows:

(a) The cost of the negative shall be charged to the customer; except in cases where NARS wishes to retain the negative for its own use.

(b) When no fee is charged the negative becomes the property of NARS. When a fee is charged the negative becomes the property of the customer.

§ 105-61.5205 Mail orders.

The following fees apply only when reproductions are ordered by mail:

(a) Except for those processes showing a higher minimum in section 105-61.5206, a minimum fee of \$2 per order is charged for reproductions ordered by mail.

(b) No additional fee is charged for postage and handling when reproductions are sent by surface mail at the lowest rate to domestic addresses.

(c) When a customer requests that reproductions be sent to a foreign address or requests airmail or priority shipment of special postal service to domestic addresses, the order is subject to a shipping fee in addition to the cost of the reproductions. The shipping fee is computed as a percentage of the cost of the items ordered plus a special shipping or postal service fee using the schedule in paragraph (d) or (e). However, no additional charge is made when the special shipping fee is less than \$1.

(d) The following special shipping fees are computed as a percentage of the fee for the item ordered:

Type of reproduction	Shipping fee	
	Foreign surface or expedited domestic mail or freight or express	Foreign airmail
	Percent	Percent
Electrostat.....	5	10
Photostat.....	10	30
Diazo.....	10	20
Copy negative.....	1	2
Slides (2" x 2").....	2	4
Photographic prints (larger than 8" x 10").....	10	20
Sound tapes.....	5	10
Motion pictures.....	3	6
Microfilm.....	3	6
Photographic prints (8" x 10" or smaller).....	4	8

(e) The following fees for special postal service apply when the service is requested by the customer:

Insured mail.....	\$0.40
Certified mail.....	.30
Return receipt.....	.15
Registered mail.....	.95

When packages are sent registered mail, both the shipping fee and the special postal service fee are charged since the U.S. Postal Service charges the airmail rate for registered mail.

§ 105-61.5206 Fee schedule.

(a) Authentication.....	\$2.00	
(b) Still photography (minimum order, \$2):		
(1) Copy negatives (black and white):		
4 by 5 inches.....	2.10	
8 by 10 inches.....	3.25	
(2) Aerial prints (black and white):		
10 by 10 inches or smaller, contact.....	2.00	
10 by 10 inches enlargement.....	3.00	
14 by 14 inches.....	4.00	
18 by 18 inches and 20 by 24 inches.....	5.00	
27 by 28 inches.....	6.00	
40 by 41 inches.....	12.00	
(3) Photographic prints (includes prints from microfilm):		
8 by 10 inches or smaller.....	\$2.55	\$8.25
11 by 14 inches.....	3.20	15.00
16 by 20 inches.....	5.25	25.00
20 by 24 inches.....	7.50	37.00
22 by 28 inches.....	9.80	58.50
24 by 30 inches.....	12.00	90.00
30 by 40 inches.....	3.50	
Septa, add.....		
(4) Slides and transparencies:		
Black and white:		
2 by 2 inches from existing negative.....	1.10	
Additional fee when negative must be made.....	2.10	
Color:		
2 by 2 inches duplicate.....	.75	
2 by 2 inches from opaque original.....	1.50	
4 by 5 inches.....	5.75	
8 by 10 inches.....	10.00	
(5) Photostat (up to 17 by 28 inches).....	1.50	
(6) Diazo (per foot).....	1.45	
(7) Drymounting (per square foot).....	1.00	

(c) Microfilm:	16 mm	35 mm
(1) Negative (per frame; minimum order, \$10).....	\$0.10	\$0.10
(2) Positive (per foot; minimum, \$5 per roll).....	.08	.09

(d) Electrostatic copying	
(1) Paper to paper (up to 8 1/4 by 14 inches):	
Mail order (minimum order, \$2).....	.15
In research rooms.....	.10
(2) Microfilm to paper:	
From negative (Copyflo, minimum order, \$10 per foot).....	1.25
From positive (per frame):	
When work is done by customer (up to 8 1/4 by 14 inches per frame).....	.15
When work is done by NARS (minimum order, \$2):	
Nonconsecutive frames or first of consecutive frame, any size.....	.75
Consecutive or duplicate frames:	
Up to 8 1/4 by 14 inches.....	.25
11 by 17 inches.....	.35
18 by 24 inches.....	.45

(e) Motion pictures (minimum order, \$24):	35 mm	16 mm	35 mm
(1) Basic fee per band or reel.....	\$8.50	\$7.00	\$7.00
(2) Added fee per foot:			
Master positive.....	.05	.04	.06
Duplicate negative.....	.10	.06	.06
Projection print.....	.04	.03	.05
Composite, add.....	.015	.015	.02

(f) Sound recordings:	
Reel to reel or cassette, fee based on length of master 7 1/2 ips, 7 inch reel:	
300 feet (7 1/2 min).....	2.50
600 feet (15 min).....	4.10
900 feet (22 1/2 min).....	6.10
1,200 feet (30 min).....	7.55
1,800 feet (45 min).....	9.55
2,400 (60 min 10 1/2 inch reel).....	14.25

(g) Machine-readable records:	
Tape to tape (per reel).....	75.00
Card to card (per card; minimum order \$10).....	.02
Computer processing (per hour; minimum order \$25).....	200.00

(h) Technical services:	Regular	Overtime
(1) Projectionist (per hour).....	\$11.25	\$15.50
(2) Photographer or other (per hour).....	10.00	13.05

(1) Unlisted processes

Fees for reproduction work indicated in this section 105 or for processes not listed are computed upon request.

§ 105-61.5207 Payment of fees.

Fees may be paid in cash or by check or money order made payable to the National Archives Trust Fund. Remittances from outside the United States must be made by international money order or check drawn in U.S. dollars on a bank in the United States or one of its territories or possessions. Fees must be paid in advance except when the appropriate director approves a request for handling them on an account receivable basis. Accounts more than 90 days overdue are subject to late charges of 12 percent per year. Purchasers with special billing requirements must state them when placing orders and must complete special forms for NARS approval. When special billing forms are not submitted with the order or are completed by NARS there is an added \$5 service charge.

§ 105-61.5208 Effective date.

The fees in § 105-61.5206 are effective beginning February 19, 1975, and ending on June 30, 1975. Orders received after June 30, 1975, will be subject to the fees in effect at that time.

[FR Doc.75-2150 Filed 1-21-75; 8:45 am]

**OFFICE OF MANAGEMENT AND BUDGET**

[ 5 CFR Part 1302 ]

**FREEDOM OF INFORMATION FEES**

**Notice of Proposed Rule Making**

The Office of Management and Budget is considering publishing in Title 5, Chapter III of the Code of Federal Regulations the following regulations concerning the schedule of fees and method of payment for services rendered under the Freedom of Information Act, as amended (5 U.S.C. 552).

Interested persons may comment by submitting such written data, views, or arguments as they may desire. Communications should be submitted to the Assistant to the Director for Administration, Room 243, Executive Office Building, Office of Management and Budget, Washington, D.C. 20503. All communications received on or before February 16, 1975, will be considered before action is taken on the proposed regulations. No public hearing will be held. The proposal contained in this notice may be changed in the light of the comments received.

Comments received will be available for examination by contacting the Assistant to the Director for Administration at the address cited above.

The present schedule of fees for services performed in response to requests for records under the Freedom of Information Act was published in Volume 38, No. 26 of the FEDERAL REGISTER on February 6, 1971.

Section 1302.1 is proposed to be amended as follows.

**§ 1302.1 Schedule of fees and method of payment for services rendered.**

(a) Fees schedule for the search and reproduction of information available under the Freedom of Information Act (5 U.S.C. 552), as amended.

(1) Search for records—\$5.00 per hour when the search is conducted by a clerical employee. \$8.00 per hour when the

search is conducted by a professional employee. No charge for searches of less than 1 hour.

(2) Duplication of records—Records will be duplicated at a rate of \$.25 per page for all copying of 4 pages or more. There is no charge for duplicating 3 or less pages.

(3) Other—When no specific fee has been established for a service, or the request for a service does not fall under one of the above categories due to the amount or type thereof, the Assistant to the Director for Administration is authorized to establish an appropriate fee based on "direct costs" as provided in the Freedom of Information Act and in accordance with Office of Management and Budget Circular No. A-25. Examples of services covered by this provision include searches involving computer time or special travel, transportation, or communications costs.

(b) If records requested under this part are stored elsewhere than the headquarters of the Office of Management and Budget at Washington, D.C., the special costs of returning such records to the headquarters for review will be added to the search costs. Search costs are due and payable even if the record which was requested cannot be located after all reasonable efforts have been made, or if the Office determines that a record which has been requested, but which is exempt from disclosure under this part, is to be withheld.

(c) Where it is anticipated that the fees chargeable under this section will amount to more than \$25, and the requester has not indicated in advance his willingness to pay fees as high as are anticipated, the requester shall be promptly notified of the amount of the anticipated fee or such portion thereof as can readily be estimated. In instances where the estimated fees will greatly exceed \$25.00, an advance deposit may be required. The notice or request for an advance deposit shall extend an offer to the requester to consult with knowledgeable Office personnel in an attempt

to reformulate the request in a manner which will reduce the fees and meet the needs of the requester. Dispatch of such a notice or request shall suspend the running of the period for response by the Office until a reply is received from the requester.

(d) Fees must be paid in full prior to issuance of requested copies. In the event the requester is in arrears for previous requests for which the Office was unable to find or provide the requested information (see b. above), copies of records will not be provided for any subsequent request until the arrears have been paid in full.

(e) Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States, or a postal money order. Remittances shall be made payable to the order of the Treasurer of the United States and mailed to the Assistant to the Director for Administration, Office of Management and Budget, Washington, D.C. 20503.

(f) A receipt for fees paid will be given only upon request. Refund of fees paid for services actually rendered will not be made.

(g) The Assistant to the Director for Administration, or an officer designated by the Assistant to the Director for Administration may in accordance with the Freedom of Information Act, as amended, waive all or part of any fee provided for in this section when the Assistant to the Director for Administration or the designated officer deems it to be in either the Office's interest or in the general public's interest.

(5 U.S.C. 552 as amended by Pub. L. 93-502.)

For the Director of the Office of Management and Budget.

VELMA N. BALDWIN,  
Assistant to the Director  
for Administration.

JANUARY 17, 1975.

[FR Doc.75-2029 Filed 1-21-75;8:45 am]

## notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

### DEPARTMENT OF STATE

#### Agency for International Development ADVISORY COMMITTEE ON VOLUNTARY FOREIGN AID

##### Cancellation of Meeting

The meeting of the Advisory Committee on Voluntary Foreign Aid scheduled for February 5, 1975, announced in the issue of the FEDERAL REGISTER published on Friday, January 17, 1975, 40 FR 3017, is canceled.

Dated: January 17, 1975.

JAROLD A. KIEFFER,  
*Assistant Administrator for  
Population and Humanitarian  
Assistance.*

[FR Doc.75-2052 Filed 1-21-75; 8:45 am]

### DEPARTMENT OF THE TREASURY

#### Office of the Secretary

[Legal Division Order No. 3]

#### ASSISTANT GENERAL COUNSELS

##### Delegation of Authority

DECEMBER 19, 1974.

Under the authority of 26 U.S.C. 7801 and 31 U.S.C. 1009, and Treasury Department Orders No. 120, No. 160 (Revised), No. 172, No. 175, and No. 190 (Revised), I hereby delegate to the Assistant General Counsels, other than the Assistant General Counsel who is the Chief Counsel of the Internal Revenue Service, the authority to perform the following functions, subject to the review prescribed by Legal Division Order No. 1:

1. To provide legal advice to the Assistant Secretaries and other officials in the Office of the Secretary to whom they are to provide legal assistance under Legal Division Order No. 1.
2. To supervise the legal activities of Chief Counsels and Legal Counsels and the legal functions of the Director of Practice, as designated in Legal Division Order No. 1.
3. To receive service of any subpoena, summons, or other judicial process directed to an officer or employee of the Treasury Department in his official capacity in any litigation.
4. To originally classify national security information or material as CONFIDENTIAL and to downgrade and declassify such information or material and to classify official information under the legends LIMITED OFFICIAL USE or OFFICIAL USE ONLY or under existing legends recognized by that Order and to declassify such information.

In the performance of the foregoing responsibilities an Assistant General Counsel shall be responsible for the preparation of all necessary documents in accordance with relevant Legal Division Directives, but shall refer to another Assistant General Counsel, as appropriate, for guidance, action, or review matters of legislation, litigation, or administrative procedure within the special responsibility of that other Assistant General Counsel.

Each Assistant General Counsel may recommend personnel actions with respect to attorneys operating under his supervision in accordance with policies promulgated by the General Counsel and, with respect to nonattorney employees under his jurisdiction, in accordance with Office of the Secretary personnel policies, and may recommend the appointment of Deputy Assistant General Counsels with defined responsibilities. Each Assistant General Counsel shall be responsible for the maintenance by his legal staff of appropriate standards of practice.

An Assistant General Counsel may be designated by the General Counsel to serve as Acting Deputy General Counsel, Deputy General Counsel, or as Acting General Counsel, and may be assigned work within the area of another Assistant General Counsel as necessary.

General Counsel Orders No. 2 and No. 5 (Revision 2) are superseded by this Order.

Effective Date: January 1, 1975.

[SEAL] RICHARD R. ALBRECHT,  
*General Counsel.*

[FR Doc.75-2017 Filed 1-21-75; 8:45 am]

[Legal Division Order No. 4]

#### ASSISTANT GENERAL COUNSEL AND CHIEF COUNSEL, INTERNAL REVENUE SERVICE

##### Delegation of Authority

DECEMBER 19, 1974.

Under the authority of 26 U.S.C. 7801 and Treasury Department Orders No. 120, No. 125, No. 172, No. 175, No. 190 (Revised), and No. 231, and as set forth below, I hereby redelegate to the Chief Counsel for the Internal Revenue Service, subject to my review as occasion may require, the authority delegated to him by General Counsel Order No. 34, which was approved by the Secretary of the Treasury on December 29, 1964, and confirmed by Treasury Department Order 150-64 of December 29, 1964, and which, as modified by Supplement 1 (Revised) and Supplement 2, reads as follows:

1. The Chief Counsel shall be the legal advisor to the Commissioner of Internal Revenue and his officers and employees. In performing his assigned functions, the Chief Counsel shall consult with and assist the Commissioner of Internal Revenue with a view to furthering the policies and programs of the Treasury Department and the Internal Revenue Service. Also, where appropriate, the Chief Counsel will furnish assistance to the Office of the Secretary. It is understood that any legal matter involving Treasury policy about which the Commissioner disagrees with the advice given him by the Chief Counsel will be submitted by the Commissioner to the Secretary or the Deputy Secretary for resolution.

2. To furnish legal opinions, and to assist the Commissioner in the preparation and review of rulings, closing agreements, memorandums of technical advice, and revenue rulings and procedures and other proposed publications or releases, with respect to laws affecting the Internal Revenue Service.

3. To prepare, review, or assist in the preparation of proposed legislation, treaties, regulations, and Executive Orders relating to laws affecting the Internal Revenue Service.

4. To represent the Commissioner of Internal Revenue in cases pending in the Tax Court of the United States as prescribed in section 7452 of the Internal Revenue Code of 1954, and in such cases to exercise the function of decision whether and in what manner to defend, or to prosecute a claim, or to settle, or to abandon a claim or defense therein, subject to Chief Counsel Order 1958-5 (Commissioner Delegation Order No. 60); to acknowledge in the name of the Commissioner the receipt of Tax Court subpoenas served upon the Commissioner of Internal Revenue; to determine whether, and the extent to which, officers and employees of the Internal Revenue Service shall be permitted to disclose Internal Revenue records and information in response to a subpoena or other order of the Tax Court; to determine whether to acquiesce in the decisions of said Court; to file petitions for review of Tax Court decisions; and to enter into written stipulations of venue for review of Tax Court decisions by a United States Court of Appeals.

5. To determine what civil actions should be brought in the courts under the laws affecting the Internal Revenue Service and to prepare recommendations to the Department of Justice for the commencement of such actions and to authorize or sanction commencement of such actions.

6. To determine whether referred income and wagering tax cases should be prosecuted in the criminal courts, to make appropriate recommendations to the Department of Justice in the prosecution of such cases and to make a like determination and recommendation on any other case referred to the Chief Counsel by the Commissioner of Internal Revenue.

7. To determine how actions brought in the courts against the United States or officers or employees thereof should be conducted and to make recommendations to the Department of Justice with respect thereto.

8. To determine which court decisions should be appealed or further reviewed and to make recommendations to the Department of Justice with respect thereto.

9. To cooperate with and, at the request of the Department of Justice or of United States Attorneys, to assist in conducting litigation in the courts, both civil and criminal, and in preparing briefs and arguments with respect thereto.

10. To accept or reject, in my name, railroad reorganization plans, corporate reorganization plans, and real property arrangements (sections 77(e), 199, and 455 of the Bankruptcy Act), in cases wherein the claims of the United States consist solely of Internal Revenue taxes.

11. To review all cases within the provisions of section 6405 of the Internal Revenue Code of 1954 and to prepare and sign the reports required by that section to be submitted to the Joint Committee on Internal Revenue Taxation.

12. To perform the functions prescribed for the General Counsel by section 7122 of the Internal Revenue Code of 1954 and by section 3469 of the Revised Statutes (31 U.S.C. 194), with respect to compromise matters arising in the administration of the Internal Revenue laws.

13. To supervise and evaluate the work of all officers and employees in the Office of the Chief Counsel, and to take the necessary action in all personnel matters pertaining thereto, including those for the appointment, classification, promotion, demotion, reassignment, transfer or separation of such officers and employees, with the exceptions of appointments of attorneys above GS-11, and of promotions of attorneys to positions above GS-14.

14. To be responsible to me for the establishment and maintenance of appropriate standards of practice and for the professional competence, recruitment and evaluation of the work of the employees of his office.

15. Subject to my approval, to establish in the Office of the Chief Counsel such divisions and subdivisions as he may deem advisable and to designate the titles and duties of officers and employees in the Office, except that my approval shall not be required to designate the titles and duties of such officers and employees below the grade GS-16 level.

16. To redelegate any of the authority delegated in this Order to any officer or employee in the Office of the Chief Counsel, and to authorize further redelegation of such authority.

I hereby further delegate to the Chief Counsel, Internal Revenue Service, the following authority delegated to the Assistant General Counsels by General Counsel Orders No. 2 of March 27, 1953, and No. 5 (Revision 2) of November 13, 1972, and to the Chief Counsel for the Internal Revenue Service by General Counsel Order No. 34-1 of March 31, 1967, and Order No. 34-3 of November 15, 1974:

1. To receive service of any subpoena, summons, or other judicial process directed to an officer or employee of the Treasury Department in his official capacity in any litigation.

2. To originally classify national security information or material as CONFIDENTIAL and to downgrade and declassify such information or material and to classify official information under the legends LIMITED OFFICIAL USE or OFFICIAL USE ONLY or under existing legends recognized by that Order and to declassify such information.

3. To administer the oath of office required by 5 U.S.C. 3331 or any other oath required by law in connection with employment in the Federal service, and to redelegate this authority to any officer or employee in the Office of Chief Counsel, Internal Revenue Service.

4. To approve carry-over of annual leave in accordance with the requirements of Pub. L. 93-181, 5 U.S.C. 6304(d), and to redelegate this authority to his next subordinate management official at headquarters and to the Regional Counsels.

General Counsel Orders No. 8, No. 34, No. 34-1, and No. 34-3 are superseded by this Order. Order No. 34-2, delegating authority on economic stabilization functions, is obsolete as of December 31, 1974, and is revoked, effective on that date.

Effective Date: January 1, 1975.

[SEAL] RICHARD R. ALBRECHT,  
General Counsel.

[FR Doc.75-2018 Filed 1-21-75; 8:45 am]

[Legal Division Order No. 6]

**CHIEF COUNSELS FOR THE BUREAU OF ALCOHOL, TOBACCO AND FIREARMS AND FOR THE U.S. CUSTOMS SERVICE**

**Delegation of Authority**

DECEMBER 19, 1974.

Under the authority of 26 U.S.C. 7801 and 31 U.S.C. 1009 and Treasury Department Orders No. 120, No. 125, No. 175, No. 190 (Revised), No. 221, and No. 231, I hereby delegate to the Chief Counsel for the Bureau of Alcohol, Tobacco and Firearms and to the Chief Counsel for the U.S. Customs Service the following authority, subject to the review prescribed herein and in Legal Division Order No. 1:

1. *Legal Advice.* (a) To serve as the legal advisor to the head of the bureau for which he is designated Chief Counsel and the officers and employees of that bureau. In fulfilling this function the Chief Counsel shall consult with and assist the head of the bureau and the officers and employees thereof with a view toward furthering the policies and programs of the Department of the Treasury.

(b) To furnish legal opinions and assist the head of the bureau and the officers and employees thereof in the preparation, review, and publication of rulings, memoranda of technical advice, and procedures with respect to the laws administered by the bureau.

(c) To prepare, review, or assist in the preparation of proposed legislation, regulations, proclamations, and executive orders relating to the laws which affect or are enforced by the bureau.

(d) To provide for the conduct of any administrative proceedings necessary in the administration of pertinent laws and regulations.

2. *Litigation.* (a) Subject to the limitations prescribed in (b) and such specific directions as the Assistant General Counsel (Enforcement, Operations, and Tariff Affairs) may provide in specific cases or categories of cases:

(1) To determine what civil action should be brought in the courts under the laws affecting and administered by the bureau and to prepare recommendations to the Department of Justice for the commencement of such action and to authorize or sanction commencement of such actions.

(2) To make appropriate recommendations to the Department of Justice for the prosecution of cases referred to the Chief Counsel by an appropriate bureau officer.

(3) To determine how actions brought in the courts against the United States or officers or employees thereof should be conducted and make recommendations to the Department of Justice with respect thereto, pertaining to cases within the jurisdiction of the bureau.

(4) To make the initial determination as to which court decisions should be appealed or further reviewed and to prepare recommendations to the Department of Justice with respect thereto.

(5) To cooperate with the Department of Justice or the United States Attorneys, and at their request, assist in conducting litigation in the courts, both civil and criminal, and in preparing briefs and arguments with respect thereto.

(b) Notwithstanding the foregoing authority and excepting litigation in the U.S. Customs Court and the U.S. Court of Customs and Patent Appeals, correspondence with the Department of Justice shall be prepared for the signature of the Assistant General Counsel (EOTA) in the following circumstances:

(1) The litigation involves the merits of an action, ruling, or other decision made in the Office of the Secretary, or

(2) The decision of the case, in the judgment of the Chief Counsel, would affect the administration of a law or regulation by another bureau or office of the Department, or

(3) The litigation would establish a novel and significant precedent of law or policy, or

(4) The Department of Justice has requested the views of the bureau on a question of appeal, certiorari, settlement, compromise, or closing of litigation or claims.

3. *Compromise Authority.* To exercise the authority of the General Counsel to compromise a claim in favor of the United States under 31 U.S.C. 194 and 31 U.S.C. 952, as implemented by 31 CFR Part 5, and under any other specific authority provided in statutes applicable to the operations of the bureau; and only to the Chief Counsel, Bureau of Alcohol, Tobacco and Firearms, to perform the functions prescribed for the General Counsel by 26 U.S.C. 7122 with respect to matters arising under laws administered by the Bureau of Alcohol, Tobacco and Firearms.

4. *Personnel.* (a) To supervise and evaluate the work of all officers and employees of the Chief Counsel's office and to take necessary action in all personnel matters pertaining thereto, including the approval of the carry-over of annual leave under 5 U.S.C. 6304(d), in accord-

ance with bureau or Legal Division directives, with the exception of (1) the appointment of attorneys above GS-11, (2) the promotion of attorneys to positions above GS-14, and (3) demotion or separation of attorneys.

(b) To be responsible to the General Counsel for the establishment and maintenance of appropriate standards of practice and for the professional competence, recruitment, and evaluation of the work of the attorneys in his office.

(c) To administer the oath of office required by 5 U.S.C. 3331 or any other oath required by law in connection with employment in the Federal service.

5. *Organization.* (a) Subject to approval of the General Counsel, to designate the titles and duties of officers and employees in the Chief Counsel's office and to establish in such office divisions and subdivisions and regions as may be advisable.

(b) Subject to approval of the General Counsel, to redelegate any of the authority delegated in this Order to any officer or employee and to authorize further delegation of such authority.

General Counsel Orders No. 46 and No. 47 are superseded by this Order.

Effective Date: January 1, 1975.

[SEAL] RICHARD R. ALBRECHT,  
General Counsel.

[FR Doc.75-2020 Filed 1-21-75; 8:45 am]

[Legal Division Order No. 5]

**CHIEF COUNSEL OF THE OFFICE OF THE  
COMPTROLLER OF THE CURRENCY**  
Delegation of Authority

DECEMBER 19, 1974.

Under the authority of 26 U.S.C. 7801 and 31 U.S.C. 1009, Treasury Department Circular No. 595, and Treasury Department Orders No. 120, No. 175, and No. 190 (Revised), I hereby delegate to the Chief Counsel of the Office of the Comptroller of the Currency the following authority, subject to my review as occasion may require:

1. *Legal Advice.* (a) To serve as the legal adviser to the Comptroller of the Currency and the officers and employees of the Comptroller's office.

(b) To furnish legal opinions and assist the Comptroller of the Currency and his officers and employees in the preparation, review, and publication of rulings, technical memoranda, procedures, charters, and other authorizations as required in the administration of the national banking laws.

(c) To prepare, review, or assist in the preparation of legislation, regulations, proclamations, and executive orders relating to the national banking laws.

(d) To provide for the conduct of any administrative proceedings necessary in the administration of the pertinent laws and regulations.

2. *Litigation.* To represent the Comptroller when he intervenes in bank merger suits brought by the Justice Department; to defend the office against lawsuits; and to assist the Justice De-

partment in the development of cases and prosecution of possible criminal violations.

3. *Compromise Authority.* To exercise the authority of the General Counsel to compromise a claim in favor of the United States under 31 U.S.C. 194 and 31 U.S.C. 952, as implemented by 31 CFR Part 5, and under any other specific authority.

4. *Personnel.* (a) To supervise and evaluate the work of all officers and employees of the Chief Counsel's office and to take necessary action in all personnel matters pertaining thereto with the exception of appointments of attorneys above GS-11, and of promotion of attorneys to positions above GS-14.

(b) To be responsible to the General Counsel for the establishment and maintenance of appropriate standards of practice and for the professional competence, recruitment, and evaluation of the work of the employees in his bureau or office.

5. *Organization.* (a) Subject to approval of the General Counsel, to designate the titles and duties of officers and employees in the Chief Counsel's office and to establish in that office divisions and subdivisions and regions as may be advisable, except that such approval shall not be required to designate the title and duties of officers and employees below the GS-16 level.

(b) To redelegate any of the authority delegated in this Order to any officer or employee and to authorize further delegation of such authority.

Effective Date: January 1, 1975.

[SEAL] RICHARD R. ALBRECHT,  
General Counsel.

[FR Doc.75-2019 Filed 1-21-75; 8:45 am]

[Legal Division Order No. 7]

**CHIEF COUNSELS FOR THE OFFICE OF  
FOREIGN ASSETS CONTROL, FOR THE  
BUREAU OF THE PUBLIC DEBT, AND  
FOR THE OFFICE OF REVENUE SHAR-  
ING**

Delegation of Authority

DECEMBER 19, 1974.

Under the authority of 26 U.S.C. 7801 and 31 U.S.C. 1009 and Treasury Department Orders No. 120, No. 175, and No. 190 (Revised), I hereby delegate to the Chief Counsel for the Office of Foreign Assets Control, the Chief Counsel for the Bureau of the Public Debt, and the Chief Counsel for the Office of Revenue Sharing the following authority, subject to the review prescribed herein and in Legal Division Order No. 1.

1. *Legal Advice.* (a) To serve as the legal adviser to the head of the bureau or office for which he is designated Chief Counsel and the officers and employees of that bureau or office. In fulfilling this function the Chief Counsel shall consult with and assist the head of the bureau or office and the officers and employees thereof with a view toward furthering the policies and programs of the Department of the Treasury.

(b) To furnish legal opinions and assist the head of the bureau or office and

the officers and employees thereof in the preparation, review, and publication of rulings, interpretations, procedures, licenses, and other authorizations as required under the laws administered by such bureau or office.

(c) To prepare, review, or assist in the preparation of proposed legislation, regulations, proclamations, and executive orders relating to the laws which affect or are enforced by the bureau or office.

(d) To provide for the conduct of any administrative proceedings necessary in the administration of pertinent laws and regulations.

2. *Litigation.* (a) Subject to the limitations prescribed in (b) and such specific directions as the Assistant General Counsel (Enforcement, Operations, and Tariff Affairs) may provide in specific cases or categories of cases:

(1) To determine what civil actions should be brought in the courts under the laws affecting and administered by the bureau or office and to prepare recommendations to the Department of Justice for the commencement of such action and to authorize or sanction commencement of such actions.

(2) To make appropriate recommendations to the Department of Justice for the prosecution of cases referred to the Chief Counsel by the head of the bureau or office.

(3) To determine how actions brought in the courts against the United States or officers or employees thereof should be conducted and make recommendations to the Department of Justice with respect thereto, pertaining to cases within the jurisdiction of the bureau or office.

(4) To make the initial determination as to which court decisions should be appealed or further reviewed and to prepare recommendations to the Department of Justice with respect thereto.

(5) To cooperate with the Department of Justice or the United States Attorneys, and at their request, assist in conducting litigation in the courts, both civil and criminal, and in preparing briefs and arguments with respect thereto.

(b) Notwithstanding the foregoing authority, correspondence with the Department of Justice shall be prepared for the signature of the Assistant General Counsel (EOTA) in the following circumstances:

(1) The litigation involves the merits of an action, ruling, or other decision made in the Office of the Secretary, or

(2) The decision of the case, in the judgment of the Chief Counsel, would affect the administration of a law or regulation by another bureau or office of the Department, or

(3) The litigation would establish a novel and significant precedent of law or policy, or

(4) The Department of Justice has requested the views of the bureau on a question of appeal, certiorari, settlement, compromise, or closing of litigation or claims.

3. *Compromise Authority.* To exercise the authority of the General Counsel to



compromise a claim in favor of the United States under 31 U.S.C. 194 and 31 U.S.C. 952, as implemented by 31 CFR Part 5, and under any other specific authority provided in statutes applicable to the operations of the bureau or office.

4. *Personnel.* (a) To supervise and evaluate the work of all officers and employees of the Chief Counsel's office and to take necessary action in all personnel matters pertaining thereto with the exception of (1) the appointment of attorneys, (2) the promotion of attorneys to positions above GS-12, and (3) demotion or separation of attorneys.

(b) To be responsible to the General Counsel for the establishment and maintenance of appropriate standards of practice and for the professional competence, recruitment and evaluation of the work of the attorneys in his office.

(c) To act under the appropriate personnel directives in conducting personnel actions with respect to employees other than attorneys.

5. *Organization.* (a) Subject to approval of the General Counsel, to designate the titles and duties of officers and employees in the Chief Counsel's office and to establish in such office divisions and subdivisions and regions as may be advisable.

(b) Subject to approval of the General Counsel, to redelegate any of the authority delegated in this Order to any officer or employee and to authorize further delegation of such authority.

Effective Date: January 1, 1975.

[SEAL] RICHARD R. ALBRECHT,  
*General Counsel.*

[FR Doc.75-2021 Filed 1-21-75;8:45 am]

#### TUNERS (OF THE TYPE USED IN CONSUMER ELECTRONIC PRODUCTS) FROM JAPAN

##### Tentative Determination To Modify or Revoke Dumping Finding

A finding of dumping with respect to tuners (of the type used in consumer electronic products) from Japan was made in Treasury Decision 70-257 which was published in the FEDERAL REGISTER on December 12, 1970 (35 FR 18914).

After due investigation, it has been determined, tentatively, that tuners (of the type used in consumer electronic products) exported by Victor Company of Japan, Ltd. are not being, nor are likely to be, sold in the United States at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.). The investigation indicated that no sales have been made at less than fair value by the above firm since the finding of dumping, and assurances have been given that future sales of such tuners to the United States will not be made at less than fair value.

Accordingly, notice is hereby given that the Department of the Treasury intends to modify the finding of dumping with respect to tuners (of the type used in

consumer electronic products) from Japan to exclude the tuners sold by Victor Company of Japan, Ltd., from the finding.

In accordance with § 153.37, Customs Regulations (19 CFR 153.37), interested persons may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street, NW., Washington, D.C. 20229, in time to be received by his office not later than February 3, 1975. Such requests must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office on or before February 21, 1975.

This notice is published pursuant to § 153.41(c) of the Customs Regulations (19 CFR 153.41(c)).

Dated: January 16, 1975.

[SEAL] DAVID R. MACDONALD,  
*Assistant Secretary of Treasury.*

[FR Doc.75-2024 Filed 1-21-75;8:45 am]

[Legal Division Order No. 2]

#### DEPUTY GENERAL COUNSEL

##### Delegation of Authority

DECEMBER 19, 1974.

Under the authority of 26 U.S.C. 7801 and 31 U.S.C. 1009, and Treasury Department Orders No. 120, No. 125, No. 175, and No. 190 (Revised), I hereby delegate to the Deputy General Counsel, in addition to the authority given to him as an Assistant General Counsel, and as my deputy under Treasury Department Orders No. 191 (Revised) and No. 215, the authority to perform the following functions, subject to my review as occasion may require:

1. To supervise the day-to-day operations of the Legal Division.
2. To assign legal problems referred at the General Counsel level to an Assistant General Counsel or to the Senior Counselor.
3. To act on personnel actions respecting attorneys in the Legal Division which are referred to the General Counsel, except actions respecting the Assistant General Counsels, the Chief Counsels, their deputies, the Legal Counsels, and the Director of Practice.
4. To represent the General Counsel in novel, significant, or disputed matters requiring contact with an agency outside the Department of the Treasury or involving a matter in dispute between bureaus or offices of the Department.
5. To administer the oath of office required by 5 U.S.C. 3331 or any other oath required by law in connection with employment in the Federal service.
6. To perform such other functions of

the General Counsel as he may from time to time direct.

Effective Date: January 1, 1975.

[SEAL] RICHARD R. ALBRECHT,  
*General Counsel.*

[FR Doc.75-2016 Filed 1-21-75;8:45 am]

[Treasury Department Order No. 190;  
Rev. 10]

#### SUPERVISION OF BUREAUS AND OFFICES

##### Delegation of Authority; and Order of Succession

###### Correction

In FR Doc. 75-885 appearing on page 2216 in the issue of Friday, January 10, 1975 make the following changes:

1. The listing of officials in item 3 should appear as follows:

Assistant Secretary (Trade, Energy, and Financial Resources Policy Coordination)  
Deputy Assistant Secretary for Trade and Raw Materials Policy  
Deputy Assistant Secretary for Energy Policy  
Deputy Assistant Secretary for Financial Resources Policy Coordination  
Assistant Secretary (International Affairs)  
Deputy Assistant Secretary for International Monetary and Investment Affairs  
Deputy Assistant Secretary for Development Finance Policy  
Deputy Assistant Secretary for Research  
Assistant Secretary (Economic Policy)  
Office of Domestic Gold and Silver Operations  
Office of Financial Analysis  
Fiscal Assistant Secretary  
Bureau of Government Financial Operations  
Bureau of the Public Debt  
Treasurer of the United States  
Special Assistant to the Secretary (National Security)  
Special Assistant to the Secretary (Debt Management)  
Office of Debt Analysis  
U.S. Savings Bond Division

2. The listing of officials in item 4 should appear as follows:

Assistant Secretary (Administration)  
Office of Administrative Programs  
Office of Audit  
Office of Budget and Finance  
Office of Computer Science  
Office of Equal Opportunity Program  
Office of Management and Organization  
Office of Personnel  
Assistant Secretary (Legislative Affairs)  
Assistant Secretary (Enforcement, Operations, and Tariff Affairs)  
Office of Law Enforcement  
Office of Operations  
Office of Tariff Affairs  
Office of Foreign Assets Control  
Bureau of Alcohol, Tobacco, and Firearms  
U.S. Customs Service  
Bureau of Engraving and Printing  
Bureau of the Mint  
U.S. Secret Service  
Consolidated Federal Law Enforcement Training Center  
Special Assistant to the Secretary (Public Affairs)

Office of Revenue Sharing

3. The listing of officials in item 5 should appear as follows:

General Counsel  
 Legal Division  
 Office of Director of Practice  
 Assistant Secretary (Tax Policy)  
 Office of Tax Analysis  
 Office of Tax Legislative Counsel (also part of Legal Division)  
 Office of International Tax Counsel (also part of Legal Division)  
 Office of Industrial Economics  
 Commissioner, Internal Revenue Service  
 Assistant Commissioner (Accounts, Collection, and Taxpayer Service)  
 Assistant Commissioner (Administration)  
 Assistant Commissioner (Compliance)  
 Assistant Commissioner (Inspection)  
 Assistant Commissioner (Planning and Research)  
 Assistant Commissioner (Technical)  
 Comptroller of the Currency  
 First Deputy Comptroller  
 Deputy Comptrollers  
 Chief, National Bank Examiners

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[Serial No. I-9110]

#### IDAHO

#### Proposed Withdrawal and Reservation of Lands

JANUARY 15, 1975.

The Department of Agriculture has filed an application, Serial Number I-9110, for the withdrawal of lands described below from all location and entry under the mining laws but not the mineral leasing laws, subject to valid existing rights.

The applicant desires the land for development of a ponderosa pine seed orchard in cooperation with other Federal, State and local agencies. The ultimate objective of the project will be to improve forest trees through development of superior seedling stock for reforestation.

On or before February 21, 1975, all persons who wish to submit comments, suggestions or objections in connection with the proposed withdrawal, may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Room 398, Federal Building, 550 W. Fort Street, P.O. Box 042, Boise, Idaho 83724.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources.

He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the In-

terior who will determine whether or not the lands will be withdrawn as requested by the Department of Agriculture. The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record. If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

The lands involved in the application are:

#### BOISE MERIDIAN

#### PAYETTE NATIONAL FOREST

#### Lost Lake City Orchard

T. 19 N., R. 1 W.,

Sec. 17, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;

Sec. 18, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;

Sec. 20, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

The area described aggregates 145 acres in Adams County.

VINCENT S. STROBEL,

Chief, Branch of L&M Operations.

[FR Doc.75-1943 Filed 1-21-75; 8:45 am]

[Wyoming 40108]

#### WYOMING

#### Application

JANUARY 14, 1975.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Western Oil Transportation Company, Incorporated has applied for an oil pipeline right-of-way across the following lands:

#### SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 45 N., R. 76 W.,

Sec. 8, NW $\frac{1}{4}$ SW $\frac{1}{4}$  and S $\frac{1}{2}$ SW $\frac{1}{4}$ .

The pipeline will be a part of the South Heltd Draw Gathering System in Johnson County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should send their name and address to the District Manager, Bureau of Land Management, P.O. Box 2834, Casper, WY 82601.

PHILIP C. HAMILTON,

Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-1942 Filed 1-21-75; 8:45 am]

#### Bureau of Reclamation

[INT DES 75-3]

#### COLUMBIA BASIN PROJECT, WASHINGTON

#### Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of

1969, the Department of the Interior has prepared a draft environmental statement on the Columbia Basin Project in eastern Washington. Written comments may be submitted to the Regional Director (address below) within 45 days of this notice.

Copies are available for inspection at the following location:

Office of Assistant to the Commissioner—Ecology, Room 7620  
 Bureau of Reclamation, Department of the Interior

Washington, D.C. 20240

Telephone (202) 343-4991

Office of the Regional Director, Bureau of Reclamation

Pacific Northwest Region

Box 043-550 W. Fort Street

Boise, Idaho 83724

Telephone (208) 342-2711, Extension 3110

Columbia Basin Project Office, Bureau of Reclamation

P.O. Box 815, Division Ave. & C Street, NW

Ephrata, Washington 98823

Telephone (509) 754-4344

Single copies of the draft statement may be obtained on request to the Commissioner or the Regional Director. Please refer to the statement number above.

Dated: January 17, 1975.

STANLEY D. DOREMUS,  
 Deputy Assistant Secretary  
 of the Interior.

[FR Doc.75-1972 Filed 1-21-75; 8:45 am]

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### GRAIN STANDARDS

#### Louisiana Grain Inspection Points

Notice is hereby given pursuant to § 26.99 of the regulations (7 CFR 26.99) under the U.S. Grain Standards Act (7 U.S.C. 71 et seq.) that on December 6, 1974, there was published in the FEDERAL REGISTER (39 FR 42700) a notice announcing a request by the Louisiana Department of Agriculture that its assignment of inspection points be amended to add Kinder, Mermentau, and Opelousas, Louisiana, as designated inspection points. Interested persons were given until January 6, 1975, to submit written views and comments with respect to the proposed amendment of assignment.

No comments were received with respect to the December 6, 1974, notice in the FEDERAL REGISTER. After due consideration of market needs and circumstances and other material available to the Department, the assignment of the Louisiana Department of Agriculture is amended to add Kinder, Mermentau, and Opelousas, Louisiana, as designated inspection points.

(Sec. 7, 39 Stat. 482, as amended 82 Stat. 764; 7 U.S.C. 79(f); 37 FR 28464 and 28476)

*Effective date.* This notice shall become effective January 22, 1975.

Done in Washington, D.C. on: January 16, 1975.

E. L. PETERSON,  
 Administrator,  
 Agricultural Marketing Service.

[FR Doc.75-1963 Filed 1-21-75; 8:45 am]

**Farmers Home Administration**  
[Notice of Designation Number A124]

**LOUISIANA**

**Designation of Emergency Areas**

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following parishes in Louisiana:

Bossier                      Caddo

The Secretary has found that this need exists as a result of a natural disaster consisting of excessive rainfall in Bossier Parish from April 15 to May 15, 1974, and in Caddo Parish from June 1 to June 30, 1974. Both of these parishes suffered because of drought from July 15 to August 15, 1974, and additional excessive rainfall from August 16 to November 20, 1974. The latter rainfall, in both parishes, caused boll rot and insect control problems.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Edwin Edwards that such designation be made.

Applications for Emergency loans must be received by this Department no later than March 14, 1975, for physical losses and October 14, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 15th day of January, 1975.

FRANK B. ELLIOTT,  
*Administrator,*  
*Farmers Home Administration.*

[FR Doc.75-1983 Filed 1-21-75;8:45 am]

[Notice of Designation Number A123]

**TEXAS**

**Designation of Emergency Areas**

The Secretary of Agriculture has found that a general need for agricultural credit exists in nine counties in Texas as a result of damages and losses caused by natural disasters. The attached chart lists the counties, the natural disasters and the dates during which the natural disasters occurred.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Dolph Briscoe that such designation be made.

Applications for Emergency loans must be received by this Department no later than March 13, 1975, for physical losses

and October 14, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of pro-

posed rule making and invite public participation.

Done at Washington, D.C., this 16th day of January, 1975.

FRANK B. ELLIOTT,  
*Administrator,*  
*Farmers Home Administration.*

*Texas*

County	Sandstorms	Hailstorms	Drought	Excessive rainfall	Freeze
Cochran.....	6/8/74.....	6/3 and 11 and 8/14/74.....	8/1/73 to 8/31/74.....	9/1/74 to 10/31/74.....	10/15/74.....
Collingsworth.....	6/1 to 31/74 (also wind).....	4/19, 5/23, 6/4, 6/6, and 11/3/74.....	10/1/73 to 4/20/74 and 5/20/74 to 9/15/74.....	9/1/74 to 10/31/74.....	10/15/74.....
Donley.....	6/8/74.....	6 hails from 5/20 to 6/12/74.....	10/1/73 to 8/31/74.....	9/18 to 11/7/74.....	.....
Lamb.....	.....	6/3, 11, and 12/74.....	8/1/73 to 7/31/74.....	8/1/74 to 10/31/74.....	10/15/74.....
Limestone.....	.....	.....	11/19/73 to 8/25/74.....	.....	.....
Martin.....	.....	.....	8/1/73 to 9/14/74.....	9/15 to 10/25/74.....	.....
Nolan.....	.....	.....	9/1/73 to 9/1/74.....	.....	.....
Shaekelford.....	.....	.....	11/1/73 to 9/15/74.....	.....	.....
Upton.....	.....	.....	9/30/73 to 9/15/74.....	9/16 to 10/13/74.....	.....

[FR Doc.75-1984 Filed 1-21-75;8:45 am]

[Notice of Designation Number A122]

**WISCONSIN**

**Designation of Emergency Areas**

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Wisconsin:

Calumet                      Walworth

The Secretary has found that this need exists as a result of a natural disaster consisting of frost in Calumet County September 21 and in Walworth County September 21 and 22, 1974.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Public Law 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Patrick J. Lucey that such designation be made.

Applications for Emergency loans must be received by this Department no later than March 13, 1975, for physical losses and October 14, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 15th day of January, 1975.

FRANK B. ELLIOTT,  
*Administrator,*  
*Farmers Home Administration.*

[FR Doc.75-1985 Filed 1-21-75;8:45 am]

**Food and Nutrition Service**  
[FSP No. 1975-1.2; Amend No. 45]

**FOOD STAMP PROGRAM**

**Purchase Requirements**

Notice of proposed rulemaking was published in the FEDERAL REGISTER ON

December 6, 1974 (39 FR 47200) setting forth a proposal to amend the regulations governing the Food Stamp Program (7 CFR 271) to provide that, effective March 1, 1975, the amount each household will pay for its coupon allotment will be 30 percent of adjusted net monthly income; i.e., income after all allowable deductions have been made, except that one- and two-person households with net monthly income of less than \$20 and all other households with net monthly income of less than \$30 shall continue to receive their coupon allotments without paying anything.

Notice FSP No. 1975-1.1 currently provides that the percentage of income represented by the purchase requirements reflect historical differentials which show a wide variation of the percentage of income by household size and income. Additionally there are further distortions due to the use of income intervals which result in varying percentages of income within these intervals. Under the proposed amendment, these differentials and distortions would be removed, as every household with the same income will pay the same purchase requirement.

Interested persons were given 21 days in which to submit comments, suggestions, or objections to the proposed amendment. Comments on the proposed rulemaking were received from over 4,000 interested persons and organizations.

After consideration of all comments as presented by interested persons, the amendment so proposed to remove the current differentials and distortions is hereby adopted, subject to the following changes:

1. Less than whole dollar amounts shall be dropped in computing the amount that a household shall be required to pay for its total monthly coupon allotment, and

2. The maximum amount that a household shall be required to pay shall be \$1.00 less than its total monthly coupon allotment.

Thus, Notice FSP No. 1975-1.1 for the 48 States and the District of Columbia, issued pursuant to a part of Subchapter C—Food Stamp Program, under Title 7,

Chapter II, Code of Federal Regulations, is amended and superseded, by this Notice FSP No. 1975-1.2 to read as follows:

**MAXIMUM MONTHLY ALLOWABLE INCOME STANDARDS AND BASIS OF COUPON ISSUANCE:**

**48 STATES AND DISTRICT OF COLUMBIA**

Households in which all members are included in the federally-aided public assistance grant, general assistance grant, or supplemental security income benefit shall be determined to be eligible to participate in the program while receiving such grants without regard to the income and resources of the household members.

The maximum allowable income standards for determining eligibility of all other applicant households, including those in which some members are recipients of federally-aided public assistance, general assistance, or supplemental security income benefit, in any State other than Alaska or Hawaii or in the District of Columbia, shall be the higher of:

(1) The maximum allowable monthly income standards for each household size which were in effect in such States or the District of Columbia, prior to July 29, 1971, or

(2) The following maximum allowable monthly income standards:

Household size:	
1	\$194
2	280
3	406
4	513
5	606
6	700
7	793
8	886
Each additional member	+73

<sup>1</sup> Poverty guideline.

"Income" as the term is used in the notice is as defined in paragraph (c) of § 271.3 of the Food Stamp Program Regulation.

Section 7(a) of the Food Stamp Act, as amended, requires that the value of the coupon allotment be adjusted semi-annually by the nearest increment that is a multiple of two to reflect changes in the prices of food published by the Bureau of Labor Statistics.

Prior to the amendment to the Act requiring semi-annual adjustment of the value of the coupon allotment, the adjustments were made at the beginning of each fiscal year; i.e., in July based on the cost of the economy food plan in the preceding December. With the enactment of the semi-annual adjustment, the law specified that the first adjustment be made in January 1974 to reflect changes in food prices through August 1973. A similar procedure was used for the July 1, 1974 adjustment and for the January 1, 1975 adjustment in the value of the coupon allotment which is based on the cost of the economy food plan in August 1974.

The total monthly coupon allotments for some households are not divisible by four. This results in total coupon allotments of uneven dollar amounts for those households which choose to purchase one-fourth or three-fourths of

their total coupon allotment. For such households, the State agency shall round the face value of one-fourth or three-fourths of the total coupon allotment up to the next higher whole dollar amount and shall not change the purchase requirements for such allotments.

Pursuant to section 7(a) of the Food Stamp Act, as amended (7 U.S.C. 2016, Pub. L. 91-671), the face value of the monthly coupon allotment which State agencies are authorized to issue to any household certified as eligible to participate in the Program in the 48 States and the District of Columbia is as follows:

MONTHLY COUPON ALLOTMENTS	
	48 States and District of Columbia
Household size:	
1	\$46
2	84
3	122
4	154
5	182
6	210
7	238
8	266
Each additional person	+22

**PURCHASE REQUIREMENTS**

Pursuant to section 7(b) of the Food Stamp Act, as amended (7 U.S.C. 2016, Pub. L. 91-671), the amount that each household shall be required to pay for its total coupon allotment shall be 30 percent of adjusted net monthly income; i.e., income after all allowable deductions have been made; except that:

1. One- and two-person households with adjusted net income of less than \$20 per month shall continue to receive their coupon allotments without paying anything; and

2. Households of three or more persons with adjusted net income of less than \$30 per month shall continue to receive their coupon allotments without paying anything.

Less than whole dollar amounts shall be dropped in computing the amount that a household shall be required to pay for its total coupon allotment. The maximum amount that a household shall be required to pay shall be \$1.00 less than the total coupon allotment for each household size.

*Effective date:* This amendment shall become effective March 1, 1975.

(78 Stat. 703, as amended; 7 U.S.C. 2011-2026)

(Catalog of Federal Domestic Assistance Programs, No. 10.551, National Archives Reference Services)

Dated: January 17, 1975.

RICHARD L. FELTNER,  
Assistant Secretary.

[FR Doc.75-2034 Filed 1-21-75; 8:45 am]

**Forest Service**

**GRAZING ADVISORY BOARD**

**Meeting**

The San Juan Section of the San Juan National Forest Grazing Advisory Board

will meet at 1:00 p.m. February 13, 1975, at the La Plata Electric Association building south of Durango, Colorado.

The purpose of this meeting is to give permittees an opportunity to advise the Forest Service in matters relating to grazing.

The meeting will be open to the public. Persons who wish to attend should notify Joe Hotter, telephone number 303-247-4179. Written statements may be filed with the committee before or after the meeting.

H. PETER WINGLE,  
Forest Supervisor.

JANUARY 14, 1975.

[FR Doc.75-1940 Filed 1-21-75; 8:45 am]

**GRAZING ADVISORY BOARD**

**Meeting**

The Montezuma Section of the San Juan National Forest Grazing Advisory Board will meet at 1:00 p.m. February 12, 1975, at the Dolores State Bank building in Dolores, Colorado.

The purpose of this meeting is to give permittees an opportunity to advise the Forest Service in matters relating to grazing.

The meeting will be open to the public. Persons who wish to attend should notify James Suckla, telephone number 303-565-7706. Written statements may be filed with the committee before or after the meeting.

H. PETER WINGLE,  
Forest Supervisor.

JANUARY 14, 1975.

[FR Doc.75-1941 Filed 1-21-75; 8:45 am]

**MEDICINE BOW NATIONAL FOREST  
GRAZING ADVISORY BOARD**

**Notice of Meeting**

The Medicine Bow National Forest Grazing Advisory Board will meet at 1 p.m. February 13, 1975, at the Supervisor's Office, 605 Skyline Drive, Laramie, Wyoming 82070.

The purpose of this meeting is to have representatives discuss any problems facing forest range permittees, in the administration and management programs of the Medicine Bow, and also to discuss forest land use and unit planning schedules and procedures.

The meeting will be open to the public. Persons who wish to attend should notify Medicine Bow National Forest at 605 Skyline Drive, Laramie, Wyoming 82070, phone 745-7308 area code 307. Written statements may be filed with the committee before or after the meeting.

ALAN R. DUHNKRACK,  
Forest Supervisor.

JANUARY 13, 1975.

[FR Doc.75-1948 Filed 1-21-75; 8:45 am]

## DEPARTMENT OF COMMERCE

## Domestic and International Business Administration

## ELECTRONIC INSTRUMENTATION 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 Electronic Instrumentation Technical Advisory Committee will be held on Tuesday, February 25, 1975, Room 5230, 9:30 a.m., Main Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C.

The Committee was established to advise 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 electronic instrumentation, 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) Discussion and review of microwave instruments, oscilloscopes and spectrum analyzers.

## 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. Written statements may be submitted at any time before or after the meeting.

On December 16, 1974, the Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined, pursuant to section 10(d) of the Federal Advisory Committee Act, that those portions of the series of meetings of the Committee and of any subcommittees thereof that will involve discussions of matters listed in 5 U.S.C. 552(b)(1) and specifically authorized under criteria established by an executive order to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such executive order, shall be exempt, for the period January 4, 1975 to October 22, 1975, from the provisions of section 10(a)(1) and (a)(3) of the Act, relating to open meetings and public participation therein.

Agenda item (4) will be devoted to the discussion of matters listed in 5 U.S.C. 552(b)(1) and properly classified under Executive Order 11652, dealing with the U.S. and COCOM control program and strategic criteria related thereto. Accordingly, pursuant to the aforementioned determination this por-

tion of the meeting will be closed to the public. All Committee members have appropriate security clearances.

Minutes of the open portion of the meeting will be available upon written request addressed to the Central Reference and Records Inspection Facility, Room 7043, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Room 1620, Domestic and International Business Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202/967-4196.

In accordance with paragraph (4) of the Order of the United States District Court for the District of Columbia in "Aviation Consumer Action Project," et al., v. "C. Langhorne Washburn, et al.," September 10, 1974, as amended, September 23, 1974 (Civil Action No. 1838-73), the Complete Notice of Determination to close portions of the meetings of the Electronic Instrumentation Technical Advisory Committee and of any subcommittees thereof is hereby published.

Dated: January 13, 1974.

RAUER H. MEYER,  
Acting Director,  
Bureau of East-West Trade.

DEPARTMENT OF COMMERCE  
Office of the Assistant Secretary  
for Administration  
ELECTRONIC INSTRUMENTATION  
TECHNICAL ADVISORY COMMITTEE  
Notice of Determination

In response to written requests of representatives of a substantial segment of the electronic industry, the Electronic Instrumentation Technical Advisory Committee was established by the Secretary of Commerce pursuant to Section 5(c)(1) of the Export Administration Act of 1969, 50 U.S.C. App. Section 2404(c)(1) (Supp. III, 1973), as amended, Pub. L. No. 93-500, Section 5(b) (October 29, 1974), to advise the Department of Commerce 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 electronic instrumentation, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

The Committee, which currently has eleven members representing industry and eight members representing government agencies, will terminate no later than January 3, 1977, unless extended by the Secretary of Commerce. All members of the Committee have the appropriate security clearance.

The Committee's activities are conducted in accordance with the provisions of section 5(c)(1) of the Export Administration Act of 1969, as amended, the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. III, 1973), and Office of Management and Budget Circular A-63 (Revised), Advisory Committee Management, effective May 1, 1974. Section 10 of the Federal Advisory Committee Act provides, among other things, that the meetings of advisory committees are to be open to the public, and to public participation, unless the head of the agency (or his delegate) to which the

committee reports determines in writing that all, or some portion, of the agenda of the meeting of the committee is concerned with matters listed in section 552(b) of Title 5 of the United States Code.

Section 552(b)(1) of Title 5, United States Code, provides that information may be withheld from the public if it concerns matters specifically required by Executive Order to be kept secret in the interest of the national defense or foreign policy.

Notices of Determination authorizing the closing of meetings, or portions thereof, of the Computer Peripherals, Components, and Related Test Equipment Technical Advisory Committee and its formal subcommittees, dealing with security classified matters, were approved on June 18, 1973; on July 17, 1973 for the meeting of July 25, 1973; on August 21, 1973 for a series of meetings from August 21, 1973 through December 31, 1973; on December 26, 1973 covering a series of meetings for the period January 1, 1974 through April 30, 1974; and on May 16, 1974, covering a series of meetings from May 1, 1974 through January 3, 1975.

In order to provide advice to the Department under the terms of its charter, the Committee and formal subcommittees thereof will continue to hold a series of meetings dealing with the matters set forth in the first paragraph of this Determination. These meetings will include discussions of the COCOM control list as it relates to the commodities and technical data under its purview, and with the foreign availability of these commodities and technical data. In addition, the Committee and its formal subcommittees will be preparing recommendations for the Department's consideration relating to the U.S. Government's negotiating position on COCOM-related matters. Much of the information relating to the COCOM control list, as well as proposed changes, is now or will be security classified for national security or foreign policy reasons, pursuant to Executive Order No. 11652, 3 C.F.R. 339 (1974). In order for the Committee and its formal subcommittees to provide required advice to the U.S. Government, it will be necessary to provide the Committee and its formal subcommittees with such classified material. Therefore, the portions of the series of meetings of the Committee and of subcommittees thereof that will involve discussions of matters specifically authorized under criteria established by an executive order to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such executive order, must be closed to the public. The remaining portions of the series of meetings will be open to the public.

Accordingly, I hereby determine, pursuant to section 10(d) of the Federal Advisory Committee Act that those portions of the series of meetings of the Committee and of any subcommittees thereof, dealing with the aforementioned classified materials shall be exempt, for the period January 4, 1975, to January 3, 1976, from the provisions of section 10(a)(1) and (a)(3), relating to open meetings and public participation therein, because the Committee and subcommittee discussions will be concerned with matters listed in section 552(b)(1) of Title 5, United States Code. The remaining portions of the meetings will be open to the public.

GUY W. CHAMBERLIN, JR.,  
Assistant Secretary  
for Administration.

Dated: December 12, 1974.

ALFRED MEISANER,  
General Counsel.

Dated: December 12, 1974.

[FR Doc.75-1924 Filed 1-21-75; 8:45 am]

National Bureau of Standards  
CUSTOMARY SYSTEM OF WEIGHTS AND MEASURES

Commercial Weights and Measures Units

In the FEDERAL REGISTER of July 27, 1968 (33 FR 10755), the National Bureau of Standards, in accordance with a recommendation of the House Committee on Science and Astronautics and pursuant to the responsibility of the National Bureau of Standards for "the custody, maintenance, and development of the national standards of measurements" (15 U.S.C. 272), published a listing of the common weights and measures used in normal commerce throughout the United States, and related them to the standards developed in accordance with existing law. In connection with the notice of July 27, 1968, the following explanatory material will assist in the proper interpretation and application of the data in column three under "Linear Measurement, U.S. Customary," and under "Area Measurement, U.S. Customary":

As the July 27, 1968 notice states, all U.S. Customary Units of linear and area measurement that will be found in ordinary commerce are derived from the yard. The yard was last defined in a notice in the Federal Register of July 1, 1959 (24 FR 5348), as being exactly equal to 0.9144 meter.

The foot defined by the equations

$$3 \text{ feet} = 1 \text{ yard} = 0.9144 \text{ meter, exactly}$$

$$1 \text{ foot} = 0.3048 \text{ meter, exactly}$$

is known as the International Foot. In addition, the July 1, 1959 notice defines the U.S. Survey Foot as follows:

$$1 \text{ survey foot} = \frac{1200}{3937} \text{ meter, exactly}$$

$$\text{or } 1 \text{ survey foot} = 0.304 \ 800 \ 61 \text{ meter approximately}$$

Accordingly, it is necessary to differentiate between the international foot, used for engineering, and the U.S. survey foot, used for mapping and land measurement. The metric equivalents listed in the July 27, 1968 notice for land measurements: statute mile (U.S. survey mile), acre, square mile, section, and township are approximate; metric equivalents to more figures can be determined from the survey foot. For example, the U.S. Army survey mile equals 1.609 347 kilometers, approximately, whereas the international mile equals 1.609 344 kilometers, exactly. Metric equivalents of all surveyor's units, e.g., links, rods, and chains, are derived from the survey foot.

The relationship

$$1 \text{ international nautical mile} = 1.852 \text{ kilometers}$$

is exact, but the relationship

$$6 \ 076.115 \text{ international feet} = 1 \text{ international nautical mile}$$

is not exact.

Dated: January 17, 1975.

RICHARD W. ROBERTS,  
Director.

[FR Doc.75-2011 Filed 1-21-75; 8:45 am]

National Oceanic and Atmospheric Administration

MARINE PETROLEUM AND MINERALS ADVISORY COMMITTEE

Meeting Cancellation

The planned February 5, 1975 meeting of the Marine Petroleum and Minerals Advisory Committee's Working Group on International Ocean Investment, which was announced on January 3, 1975 in 40 FR 818 has been cancelled.

Dated: January 15, 1975.

R. L. CARNAHAN,  
Acting Assistant Administrator  
for Administration, National  
Oceanic and Atmospheric Administration.

[FR Doc.75-2012 Filed 1-21-75; 8:45 am]

MARINE PETROLEUM AND MINERALS ADVISORY COMMITTEE

Notice of Open Meeting

The Marine Petroleum and Minerals Advisory Committee (the "Committee") will meet from 9 a.m. until 4:30 p.m. on March 4, 1975 and from 9 a.m. until 12:30 p.m. on March 5, 1975 in Room 6802 of the Department of Commerce Building, 14th Street between E and Constitution Avenue, NW., Washington, D.C. The meeting will be open for public observation.

The Committee was established to advise the Secretary of Commerce on matters pertinent to the Department of Commerce's responsibilities related to marine petroleum and marine minerals resources, on means to facilitate cooperation between the private sectors and government in these matters, and on related Law of the Sea affairs. The members represent the industrial, labor, academic, legal, environmental, and economic sectors concerned with the management, use, conservation, and development of marine petroleum and marine mineral resources.

Included in the matters for Committee consideration and the approximate times for their consideration, at the meeting are the following:

MARCH 4, 1975

9 a.m.—Welcome and Opening Remarks.  
9:15 a.m.—International Ocean Investment Conditions.  
11:45 a.m.—Recess for Lunch.  
1:30 p.m.—Regional Energy Planning.  
4:30 p.m.—Adjourn for the Day.

MARCH 5, 1975

9 a.m.—Call to Order and Administrative Announcements.  
9:10 a.m.—Programs in Marine Hard Minerals.  
11:15 a.m.—Topics Suggested by Members and Plans for Future Agendas and Meetings.  
12:30 p.m.—Adjourn.

Approximately 35 seats will be available for the public on a first-come, first-serve basis. Interested persons may submit written statements relevant to the Working Group's areas of interest before or after the meeting or by mailing such statements to: Executive Secretary, Marine Petroleum and Minerals Advisory

Committee, National Oceanic and Atmospheric Administration (MR3), 6010 Executive Boulevard, Rockville, Maryland 20852.

Inquiries regarding the Committee or the meeting may be addressed to the Executive Secretary, Amor L. Lane, at the address above or by telephoning (301) 496-8518.

Dated: January 15, 1975.

R. L. CARNAHAN,  
Acting Assistant Administrator  
for Administration, National  
Oceanic and Atmospheric Administration.

[FR Doc.75-2013 Filed 1-21-75; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health

ADULT DEVELOPMENT AND AGING RESEARCH COMMITTEE, ET AL

Notice of Renewal

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776), the National Institutes of Health announces the renewal by the Secretary, DHEW, with the concurrence of the Office of Management and Budget Committee Management Secretariat, of the following committees:

Committee	Termination date
Adult Development and Aging Research Committee (renamed Aging Review Committee and restructured.)	
Advisory Committee to the Director, NIH.	May 31, 1976.
Aging Review Committee (formerly Adult Development and Aging Research Committee).	Jan. 4, 1977.
Allergy and Immunology Study Section.	May 31, 1976.
Animal Resources Advisory Committee.	July 31, 1976.
Applied Physiology and Bioengineering Study Section.	May 31, 1976.
Artificial Kidney-Chronic Uremia Advisory Committee.	Do.
Automation in the Medical Laboratory Sciences Review Committee.	Do.
Bacteriology and Mycology Study Section.	Do.
Biochemistry Study Section.	Do.
Biomedical Communications Study Section.	Do.
Biomedical Library Review Committee.	Do.
Biophysics and Biophysical Chemistry A Study Section.	Do.
Biophysics and Biophysical Chemistry B Study Section.	Do.
Board of Scientific Counselors, National Institute of Arthritis, Metabolism, and Digestive Diseases.	Do.

Committee	Termination date
Board of Scientific Counselors, National Institute of Child Health and Human Development.	Do.
Board of Scientific Counselors, National Institute of Dental Research.	June 30, 1976.
Board of Scientific Counselors, National Institute of Environmental Health Sciences.	May 31, 1976.
Cell Biology Study Section.	Do.
Chemical/Biological Information - Handling Review Committee.	July 31, 1976.
Clinical Trials Review Committee (formerly the Therapeutics Evaluations Committee).	Do.
Communicative Disorders Review Committee.	June 30, 1976.
Computer and Biomathematical Sciences Study Section.	May 31, 1976.
Dental Study Section (renamed Oral Biology and Medicine Study Section).	Do.
Developmental Behavioral Sciences Study Section.	Do.
Endocrinology Study Section.	Do.
Epilepsy Advisory Committee.	June 30, 1976.
General Clinical Research Centers Committee.	July 31, 1976.
General Medicine A Study Section.	May 31, 1976.
General Research Support Program Advisory Committee.	July 31, 1976.
Genetics Study Section.	Do.
Hematology Study Section.	Do.
Human Embryology and Development Study Section.	Do.
Infectious Disease Committee.	June 30, 1976.
Lipid Metabolism Advisory Committee.	July 31, 1976.
Mammalian Cell Lines Committee (formerly the Mammalian Mutant Cell Lines Committee).	May 31, 1976.
Mammalian Mutant Cell Lines Committee (renamed Mammalian Cell Lines Committee and restructured).	Do.
Maternal and Child Health Research Committee.	Do.
Medicinal Chemistry A Study Section.	July 31, 1976.
Medicinal Chemistry B Study Section.	Do.
Mental Retardation Research Committee.	May 31, 1976.
Metabolism Study Section.	July 31, 1976.
Microbial Chemistry Study Section.	Do.
Molecular Biology Study Section.	Do.
National Advisory Allergy and Infectious Diseases Council.	June 30, 1976.
National Advisory Child Health and Human Development Council.	May 31, 1976.

National Advisory Environmental Health Sciences Council.	Do.
National Advisory Eye Council.	Do.
National Advisory General Medical Sciences Council.	Do.
National Advisory Research Resources Council.	July 31, 1976.
Neurological Diseases and Stroke Science Information Council.	June 30, 1976.
Neurology B Study Section.	July 31, 1976.
Nutrition Study Section.	Do.
Oral Biology and Medicine Study Section (formerly Dental Study Section).	May 31, 1976.
Pathology A Study Section.	July 31, 1976.
Pathology B Study Section.	Do.
Periodontal Diseases Advisory Committee.	June 30, 1976.
Pharmacology Study Section.	July 31, 1976.
Pharmacology-Toxicology Program Committee (renamed Pharmacology-Toxicology Research Program Committee).	May 31, 1976.
Pharmacology-Toxicology Research Program Committee (formerly Pharmacology-Toxicology Program Committee).	May 31, 1976.
Physiology Study Section.	July 31, 1976.
Population Research Committee.	May 31, 1976.
Population Research Study Section.	July 31, 1976.
Pulmonary Diseases Advisory Committee.	Do.
Reproductive Biology Study Section.	Do.
Surgery B Study Section.	Do.
Therapeutic Evaluations Committee (renamed Clinical Trials Review Committee and restructured).	Do.
Tropical Medicine and Parasitology Study Section.	Do.
Virology Study Section.	Do.
Vision Research Program Committee.	May 31, 1976.
Visual Sciences A Study Section.	July 31, 1976.

Authority for these committees will expire on the dates indicated, unless the Secretary formally determines that continuance is in the public interest.

Dated: January 10, 1975.

R. W. LAMONT-HAVERS,  
Acting Director,  
National Institutes of Health.

[FR Doc.75-1991 Filed 1-21-75;8:45 am]

#### BOARD OF REGENTS, NATIONAL LIBRARY OF MEDICINE, ET AL.

##### Notice of Rechartering

Pursuant to the Federal Advisory Committee Act, 5 U.S. Code Appendix I, the National Institutes of Health announces

the rechartering by the Secretary, DHEW, of the following committees:

Committee	Termination Date
Board of Regents, National Library of Medicine.	Continuing.
National Advisory Dental Research Council.	Do.
National Advisory Neurological Diseases and Stroke Council.	Do.
National Arthritis, Metabolism, and Digestive Diseases Council.	Do.
National Cancer Advisory Board.	Do.
National Heart and Lung Advisory Council.	Do.
President's Cancer Panel----	Do.

Dated: January 10, 1975.

R. W. LAMONT-HAVERS,  
Acting Director,  
National Institutes of Health.

[FR Doc.75-1990 Filed 1-21-75;8:45 am]

#### BOARD OF SCIENTIFIC COUNSELORS

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Cancer Institute, March 25, 26, 27, 1975, Building 31-C, Conference Room 7, National Institutes of Health. This meeting will be open to the public on March 26, 1975, from 9 a.m. to 4 p.m. to discuss the scientific research program of the Laboratory of Theoretical Biology, Division of Cancer Biology and Diagnosis. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in section 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on March 25, 1975, from 7:30 p.m. to adjournment and on March 27, 1975, from 9 a.m. to adjournment for the review, discussion, and evaluation of individual programs and projects conducted by the National Institutes of Health, including consideration of personnel qualifications and performance, the competence of individual investigators, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Nathaniel I. Berlin, Director, Division of Cancer Biology and Diagnosis, National Cancer Institute, Building 31, Room 3A03, National Institutes of Health, Bethesda, Maryland 20014 (301/496-4345) will furnish summaries of meetings, rosters of committee members, and substantive program information.

Dated: January 10, 1975.

SUZANNE L. FREMEAUX,  
Committee Management Officer,  
National Institutes of Health.

[FR Doc.75-1989 Filed 1-21-75;8:45 am]

#### COMMITTEE TO COORDINATE TOXICOLOGY AND RELATED PROGRAMS

##### Notice of Meeting

A meeting will be held to discuss a working draft protocol developed for

the DHEW Committee to Coordinate Toxicology and Related Programs (composed wholly of full-time employees of HEW). The draft protocol describes a study to assess the carcinogenicity of orally ingested asbestos or asbestiform minerals. The entire meeting will be open to the public from 10 a.m. to adjournment on February 11 in Building 31, Conference Room 8, National Institutes of Health, Bethesda, Maryland, and will be devoted to answering any questions or receiving any comments regarding the draft protocol. Written comments will be accepted and must be received by February 14, 1975.

Since attendance by the public will be limited to space available, it is requested that individuals wishing to participate notify Mrs. Sandra Lange, National Institute of Environmental Health Sciences, Research Triangle Park, North Carolina 27709, telephone (919) 549-8411 ext. 3201 [FTS (919) 549-3201] in advance. Mrs. Lange will provide on request an advance copy of the draft protocol and any additional information necessary regarding the meeting.

Dated: January 16, 1975.

SUZANNE L. FREMEAUX,  
*Committee Management Officer,*  
*National Institutes of Health.*

[FR Doc.75-1988 Filed 1-21-75; 8:45 am]

#### NATIONAL ADVISORY COUNCIL ON AGING

##### Notice of Establishment

Pursuant to Pub. L. 93-296, signed into law on May 31, 1974, the National Institutes of Health announces the establishment on December 20, 1974, of the National Advisory Council on Aging.

Purpose: The National Institute on Aging was established to conduct and support biomedical, social, and behavioral research and training related to the aging process and the diseases and other special problems and needs of the aged as authorized by section 461 of the Public Health Service Act (42 U.S. Code 289k-2). The National Advisory Council on Aging shall advise, consult with, and make recommendations to the Secretary on programs relating to the aged which are administered by him and on those matters which relate to the Institute, as provided by section 462 of the Public Health Service Act (42 U.S. Code 289k-3).

Dated: January 15, 1975.

R. W. LAMONT-HAVERS,  
*Acting Director,*  
*National Institutes of Health.*

[FR Doc.75-1986 Filed 1-21-75; 8:45 am]

#### RECOMBINANT DNA MOLECULE PROGRAM ADVISORY COMMITTEE

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Recombinant DNA Molecule Program Ad-

visory Committee on February 28, 1975, at the Bellevue Hotel, Capri Room, 505 Geary Street, San Francisco, California 94102.

The entire meeting will be open to the public from 9 a.m. to adjournment to discuss: the role of the committee, the status of research in the field, research studies required, the mechanisms by which such studies should be supported, and the identification of facilities and resources needed in their performance. Attendance by the public will be limited to space available.

Dr. William J. Gartland, Executive Secretary, National Institutes of Health, Westwood Building, Room 920, Bethesda, Maryland 20014, telephone (301) 496-7714, will provide summaries of the meeting, rosters of committee members and substantive program information.

Dated: January 16, 1975.

SUZANNE L. FREMEAUX,  
*Committee Management Officer.*  
[FR Doc.75-1987 Filed 1-21-75; 8:45 am]

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### Office of the Secretary

[Docket No. D-75-304]

#### ASSISTANT SECRETARY FOR HOUSING MANAGEMENT

##### Redelegation of Authority

*Authority redelegated.* Each Director, Mobile Home Strategic Storage Center, of the Department of Housing and Urban Development is designated a contracting officer and is authorized to enter into and administer procurement contracts with respect to mobile homes, and to make related determinations except determinations under section 302(c) (11), (12), and (13) of the Federal Property and Administrative Services with respect to disaster relief functions of the Department. (Secretary's Redelegation and Delegation of Authority, 37 FR 3376, February 15, 1972)

*Effective date.* This redelegation of authority is effective as of October 25, 1974.

H. R. CRAWFORD,  
*Assistant Secretary for*  
*Housing Management.*

[FR Doc.75-2003 Filed 1-21-75; 8:45 am]

#### DEPARTMENT OF TRANSPORTATION

##### Federal Aviation Administration

#### AIR TRAFFIC CONTROL TOWER AT BEVERLY MUNICIPAL AIRPORT, BEVERLY, MASS.

##### Notice of Commissioning

Notice is hereby given that an Air Traffic Control Tower will be commissioned at Beverly Municipal Airport, Beverly, Massachusetts, on or about January 13, 1975. It will improve operational flow of terminal traffic consisting predominantly of general aviation aircraft.

Communications to the Air Traffic Control Tower should be addressed as follows:

Air Traffic Control Tower,  
Department of Transportation,  
Federal Aviation Administration,  
Beverly Municipal Airport,  
Beverly, Massachusetts 01915.

(Sec. 313(a), 72 Stat. 752; 40 U.S.C. 1354)

Issued in Boston, Mass., on January 6, 1975.

W. E. CROSBY,  
*Acting Director, New England Region.*  
[FR Doc.75-1952 Filed 1-21-75; 8:45 am]

#### Federal Railroad Administration

[FRA Waiver Petition Docket No.  
RSFC-74-20]

#### BUTTE, ANACONDA AND PACIFIC RAILWAY CO.

##### Waiver of Freight Car Safety Standards

The Butte, Anaconda and Pacific Railway Company (BA&P) has petitioned the Federal Railroad Administration (FRA) for exemption from § 215.223 of the FRA Freight Car Safety Standards in order to continue operating 295 freight cars. All of the cars are equipped with one or more components whose use was prohibited, effective January 1, 1975, under FRA regulations (49 CFR 215.223).

The BA&P has 95 freight cars which are more than 50 years old and which are equipped with AB-type brakes. These cars, which bear BA&P reporting marks, are primarily used between Anaconda and Butte, Montana, a distance of 25 miles. This group of 95 cars includes:

- (1) 8 air dump cars of 40 ton capacity which bear BA&P reporting marks in the series between 951 and 963.
- (2) 10 air dump cars of 50 ton capacity which bear BA&P reporting marks in the series between 931 and 949.
- (3) 33 solid bottom ore cars of 50 ton capacity which bear BA&P reporting marks in the series between 1963 and 2503.
- (4) 2 gondolas of 50 ton capacity which bear BA&P reporting marks 251 and 259.
- (5) 6 tank cars with 50 ton capacity which bear BA&P reporting marks in the series between 1028 and 1033.
- (6) 34 hopper bottom ore cars of 50 ton capacity which bear BA&P reporting marks in the series between 1981 and 3523.
- (7) 2 wood frame cabooses which bear BA&P reporting marks 12 and 13.

Certain of the cars listed above, in addition to being equipped with the prohibited brake equipment, are equipped with cast iron wheels. All of the cars are equipped with one or more components whose use was restricted under FRA regulations (49 CFR 215.225). The restricted components with which these cars are equipped include arch bar trucks, D-type couplers, and key type yokes.

These cars are operated at speeds up to 30 miles per hour and are occasion-



ally interchanged with the Burlington Northern at Butte, Montana, BA&P seeks a permanent exemption for these cars and asserts that the good safety record which it has maintained over a number of years supports the granting of this petition.

The petitioner also seeks to have a temporary exemption for 200 solid bottom ore cars. These cars which bear BA&P reporting marks are equipped with trucks that have Hyatt cylindrical type bearings. These bearings are prohibited under FRA regulations. The petitioner has commenced a program to replace these bearings. None of these cars are interchanged and petitioner asserts that due to its low operating speeds and short operating distances no failure of this component has been experienced.

Interested persons are invited to participate in this proceeding by submitting written data, views, or comments. FRA does not anticipate scheduling an opportunity for oral comment on this petition since the facts do not appear to warrant it. An opportunity to present oral comments will be provided however, if requested by any interested person prior to February 10, 1975. All communications concerning this petition should identify the appropriate Docket Number (FRA Waiver Petition Docket Number RSFC-74-20) and should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590. Communications received before February 28, 1975, will be considered by the Federal Railroad Administration before final action is taken. Comments received after that date will be considered so far as practicable. All comments received will be available, both before and after the closing date for communications, for examination by interested persons during regular business hours in Room 5101, Nassif Building, 400 Seventh Street SW., Washington, D.C. 20590.

(Sec. 202, 84 Stat. 971, 45 U.S.C. 431; and § 1.49(n) of the regulations of the Office of the Secretary of Transportation, 49 CFR 1.49 (n).)

Issued in Washington, D.C. on January 15, 1975.

DONALD W. BENNETT,  
Chief Counsel.

[FR Doc.75-1992 Filed 1-21-75; 8:45 am]

**ACTION**  
**NATIONAL VOLUNTARY SERVICE**  
**ADVISORY 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 Council meeting:

Name: National Voluntary Service Advisory Council.

Date: February 12 and 13, 1975.

Place: ACTION, 806 Connecticut Avenue, NW., Washington, D.C. Room 522.

Time: 1 p.m., Wednesday, February 12, 1975; 9 a.m., Thursday, February 13, 1975.

**Purpose of the meeting:** To discuss the work of each of the Council's committees and to chart the work of the Council for the coming year.

Meeting of the Advisory Council is open to the public. Public attendance depending on available space, may be limited to those persons who have notified the Advisory Council Executive Officer in writing at least five days prior to the meeting, of their intention to attend the meeting.

Any member of the public may file a written statement with the Council before, during, or after the meeting. To the extent that time permits, the Council Executive Officer may allow public presentation of oral statements at the meeting.

All communications regarding this Advisory Council should be addressed to Ms. Elizabeth Allemang, Advisory Council Executive Officer, 806 Connecticut Avenue, NW., Washington, D.C. 20525.

ELIZABETH ALLEMANG,  
Staff Assistant,  
Office of the Director.

[FR Doc.75-1980 Filed 1-21-75; 8:45 am]

**CIVIL AERONAUTICS BOARD**

[Docket 27416; Order 75-1-72]

**AMERICAN AIRLINES, INC., ET AL.**  
**Excursion Fares**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 17th day of January, 1975.

American Airlines, Inc. (American), United Air Lines, Inc. (United), Trans World Airlines, Inc. (TWA), and Northwest Airlines, Inc. (Northwest) have filed major excursion-fare proposals<sup>1</sup> in domestic air transportation that would offer discounts during the daytime of 20 percent during the peak season and 25 percent during the off-peak travel period.<sup>2</sup> American also proposes to establish a discount from night coach fares of 6.25 percent during the peak season and 12.5 percent during the off-peak travel period. Appendix A<sup>3</sup> contains a complete listing of the different proposals and the various terms and conditions of travel for each.

In support of their proposals, the carriers assert that during the past year the airline industry has been faced with tremendous fuel-cost increases and general inflation which have been offset only by necessary increases in basic fares. Simultaneously, the personal/pleasure traveler has been faced with the discontinuance of several major discount fares and thus this segment of the overall air market has been faced with even greater cost increases than the increases in the general fare level. The carriers allege that the instant filings are designed to fill this void now

<sup>1</sup> Tariff revisions to Airlines Tariff Publishers, Inc., Agent C.A.B. Nos. 142 and 202.

<sup>2</sup> Peak travel season: June 15-September 15 (same year)—Off-peak season: September 16 (one year)—June 14 (next year).

<sup>3</sup> Filed as part of the original document.

prevalent in the overall fare structure in an effort to regain some of the personal/pleasure passengers who can no longer afford to fly. A complete summary of the carriers' justifications appears in Appendix B.<sup>4</sup> A summary of complaints and answers thereto appears in Appendix C.<sup>4</sup>

Upon consideration of the tariff proposals, the complaints and answers thereto, and all other relevant matters, the Board finds that the day coach excursion fares proposed by Northwest, TWA, and United, and the night coach excursion fares proposed by American may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and should be investigated. The Board has also concluded to suspend the tariffs pending investigation. With respect to the day excursion fares proposed by American, the Board finds that the complaints do not set forth sufficient facts to warrant investigation of the proposal, and the requests therefor and consequently the requests for suspension will be denied and the complaints dismissed.

In Phase 5 of the Domestic Passenger-Fare Investigation (DPFI) the Board found that "all of the discount fares burden the fare level when viewed over the long run." The carriers were required to phase out youth and family fares, and they chose not to continue Discover America fares beyond June 1974. The carriers now argue that, because of current economic conditions, they now forecast very little, if any, growth in traffic in 1975 unless something is done to alter the current pattern of airline fares. They are apprehensive that the personal/pleasure traveler will be "squeezed out" of the air travel market altogether, thereby resulting in even lower load factors and poorer financial results in the future, and so propose the instant new major discount-fare programs as an incentive to travel by air.

<sup>4</sup> Appendices and corrections filed as part of the original document.

<sup>5</sup> The Honorable John E. Moss, et al., Members of Congress, (MOC) have filed a late complaint, accompanied by an appropriate motion which will be granted, requesting that the Board suspend the various proposals should it not intend to eliminate the impact of these fares in making fare-level determinations. Since the Board does intend to do this, as hereinafter discussed, MOC's complaint need not be dealt with further.

<sup>6</sup> The Department of Transportation (DOT) has filed a petition, stated to be neither a complaint nor an answer, in which it argues that the proposed fares are unreasonable and unjustly discriminatory. Nevertheless, it urges that the Board should permit the fares for a short period of time, but only if the Board takes immediate steps to require an across-the-board fare reduction of 10 percent. To the extent DOT would have the Board require that the tariffs expire prior to the proposed expiration dates, the document constitutes a complaint not timely filed against the tariffs, and in the absence of justification for the late filing it will not be considered. The Board intends promptly to establish procedural dates for response to the remainder of DOT's request, which will be disposed of subsequently.

The Board recognized in Phase 5 that excess capacity can and will exist in the short run, and that adjustments in capacity level cannot be accomplished during the same short periods of time in which demand fluctuates. In this regard, the domestic trunkline carriers' load factor dropped 10 points in November from that a year earlier. Since air traffic has historically reflected the ups and downs of the general economy, we believe that some credence can be accorded carrier forecasts in the present situation and that, in these circumstances, a properly constructed discount fare would be consistent with the Board's Phase 5 decision.

The various arguments raised in support of or in opposition to the proposed fares can be condensed into a few basic issues; (a) whether the fares should be offered in all markets or limited to those of 1,500 miles or more; (b) the method of blacking out peak holiday travel or peak times during the week; (c) whether a discount fare should also be offered on night coach services; (d) whether the advance-purchase requirement should be seven or 14 days; and (e) whether the maximum length of stay should be 21 or 30 days.

With respect to market applicability, United argues that the general economic circumstances which necessitate its proposed fares are equally applicable in short-haul as well as longer-haul markets, and that the higher fares in short-haul markets resulting from implementation of Phase 9 are likely to have an adverse impact upon traffic, particularly in light of recent increases in the discount fares which remain in the structure. The Board did not find it necessary to reach a decision in the DPFI as to the generative ability of Discover America fares in short-haul markets since they had previously been canceled in markets under 1,500 miles. Nevertheless, evidence adduced in that proceeding suggests that discount fares are significantly less generative in shorter-haul markets. The various examples of generation/diversion cited by United in its justification are all limited to experience in longer-haul markets or represent average experience over all stage lengths and, accordingly, do not provide a basis upon which to conclude otherwise. By this we do not mean to imply that the 1,500-mile cutoff proposed by some carriers is necessarily the only acceptable market availability for a fare of this sort. To the contrary, in view of the changes in the discount-fare structure and the present economic climate, it is quite possible that such fares could be productively generative in the medium-haul markets, e.g., in the 1,000 and 750 mileage range, and we note in this connection that a 1,500-mile cutoff effectively precludes availability to many persons located in the central states of the country and in the north-south markets.

A significant factor with respect to TWA's proposal is the total lack of specified blackout dates and time periods. In the alternative, TWA proposes to re-

tain the prerogative of blacking out any flight that advance reservations indicate will be heavily booked. While we do not necessarily dispute the advantages of such an approach, TWA is not specific as to its implementation and we believe there is a clear likelihood that the end result might be a virtual lack of effective blackouts. The Board has on numerous occasions expressed the conviction that appropriate blackout periods are essential to the economics of discount fares and we are unable to conclude that TWA's approach represents an adequate alternative to traditional blackout provisions.

The various carrier proponents differ with respect to whether the advance-ticketing requirement should be 7 or 14 days and whether the maximum permissible stay should be 21 or 30 days. None, however, contend that restrictions of this sort are not necessary, and we agree. By the same token, none has advanced persuasive argument in favor of one and not the other, although American has provided some survey information which suggests that a 14-day advance-ticketing requirement would serve to protect diversion without significantly affecting the generative capability of the fare. In any event, we do not believe disposition of the tariff proposals before us turns on these two questions. Both are reasonably restrictive, although we incline to the view that traffic truly generated by the fares could readily meet the 14-day ticketing rule and arrange travel plans to fall within the 21-day stay limit.

In addition to the daytime excursion fares, American also provision to establish discounts of 6.25 percent and 12.50 percent from night coach fares for the peak and off-peak seasons respectively. The alleged purpose is to "protect the viability" of its night coach.<sup>6</sup> American contends that, if its proposed daytime fares are implemented, they will equal or be less than the night coach fare, and that passengers now willing to travel at night will obviously prefer to travel during the daytime if they achieve comparable savings. In other words, the thrust of American's justification is that night coach excursion fares are necessary to protect its night coach services.<sup>7</sup> The Board has many years recognized the value of night coach service, as a means of enhancing aircraft utilization and gaining better use of capacity operated primarily for purposes other than passenger transportation. However, American has not made a convincing showing that the day excursion fares approved herein, restricted as they are, will be likely to divert sufficient traffic from American's existing night coach services (which in many markets are operating at very high load factors) to render the

<sup>6</sup> American contends that the night coach excursion fares will generate 15 percent more traffic, but provides no support for this estimate.

<sup>7</sup> United disputes this contention, pointing out that night coach services have existed for years in markets where a plethora of daytime discount fares were simultaneously provided.

latter uneconomic. If such serious diversion subsequently occurs, it will be open to American to bring this fact to the Board's attention for further consideration of the matter. Moreover, night coach service has ramified during the past several years into what must be considered a significant if not major component of the overall transportation service pattern. It is for this reason that the Board has set down an investigation of the economics of this service, and intends to move forward promptly with that proceeding. The growth of night coach service in volume and its expansion to many new markets in the last two years raises basic questions as to the present economics of the service and the appropriate policy to be pursued. This must await evidence adduced in the proceeding shortly to be activated. In the meantime, we would be most reluctant to permit carriers to offer a fare, in effect a discount on a discount, essentially to promote an increasing volume of night coach service pending completion of the formal investigation.

Eastern has complained against all three excursion fare proposals, alleging that the daytime fares do not show a positive profit impact under the standards set forth in the Board's Phase 5 decision. It may very well be that the carriers have not included a full amount of added costs. On the other hand, we believe the generation/diversion estimates may be conservative given the present economic climate, combined with increases in normal fare levels. There is some reason to believe that elasticity of demand for discretionary travel may be higher under present conditions than it was when the Board reached its decision in Phase 5 of the DPFI.<sup>8</sup> Only a period of experimentation with these fares can provide any basis for conclusion. We give considerable weight to the fact that all the major transcontinental carriers are in general agreement that these fares will have a favorable profit impact and that, based on the limited number of complaints filed, there seems to be a fairly strong consensus in the domestic industry.

However, to ensure that the overall fare level is not burdened by traffic moving on these excursion fares, the Board has decided to include the traffic in its Phase 5 (DPFI) discount-fare adjustment in future evaluation of the industry's revenue need. Accordingly, we will require that the carriers specifically isolate the traffic, adult and children, in their discount-fare traffic submissions pursuant to Phase 5. Additionally we will require the carriers to submit separate monthly reports containing similar data by mileage block in increments of 100 miles, e.g., 1,450 to 1,549 miles, 1,550 to 1,649 miles, etc. We will also require each

<sup>8</sup> In this regard, the Discover America fares had a generation factor of 26.2 percent when available in markets of all stage lengths, and it would seem altogether reasonable to expect a better result in longer haul markets, even without the impetus added by the inflationary state of the economy.

carrier providing these or similar fares to submit a full appraisal to the Board within two months after the expiration date, regardless of whether or not they elect to continue the fares. The appraisal should include a profit-impact test, including detailed support, and a separate analysis of generation and diversion. The impact of the fares by market distance should be included. We leave to the discretion of individual carriers an evaluation of the generative impact of the fares—through survey techniques, traffic analysis, etc. However, we expect a more definitive analysis than a purely judgment estimate.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof,

*It is ordered*, That: 1. An investigation be instituted to determine whether the fares and provisions described in Appendix D attached hereto, and rules, regulations and practices affecting such fares and provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares and provisions, and rules, regulations, or practices affecting such fares and provisions;

2. Pending hearing and decision by the Board, the fares and provisions described in Appendix D hereto are suspended and their use deferred to and including April 18, 1975, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The motion by the Honorable John E. Moss, et al., Members of Congress, for leave to file a late document is hereby granted;

4. Except to the extent granted herein, Dockets 27273, 27274, 27275, 27276, 27277, 27280, 27326, 27335, 27337, and 27338 are hereby dismissed;

5. The investigation ordered herein be assigned before an Administrative Law Judge at a time and place hereafter to be designated;

6. All carriers providing the fares authorized by this order (or similar type fares) are hereby required to isolate this category of traffic, adult and children, in their discount fare submissions in Phase 5 of the Domestic Passenger-Fare Investigation.<sup>3</sup> Additionally, carriers are required to submit separate monthly reports to the Director, Bureau of Economics, containing similar data by mileage block in increments of 100 miles. These carriers will also submit a full appraisal to the Director, Bureau of Economics, within two months after the expiration date of the fares, including a profit-impact test with detailed support, and a separate analysis of generation/diversion, and an evaluation of the generative ability of the fares by market distance.

7. A copy of this order be served upon

Allegheny Airlines, Inc., American Airlines, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., National Airlines, Inc., North Central Airlines, Inc., Northwest Airlines, Inc., Ozark Air Lines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., Western Air Lines, Inc., the Honorable John E. Moss, et al., Members of Congress, and the Port Authority of New York and New Jersey, which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board: Timm, member concurring.<sup>10</sup>

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc.75-2026 Filed 1-21-75;8:45 am]

[Docket 23080-2; Order 75-1-76]

#### PRIORITY AND NONPRIORITY DOMESTIC SERVICE MAIL RATES—PHASE 2

##### Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 17th day of January, 1975.

By Order 74-1-89, dated January 16, 1974, the Board established temporary domestic service mail rates for sack mail and standard and daylight container mail, container minimum chargeable weights, and pickup and delivery charges to be effective on and after March 28, 1973.

Pan American World Airways, Inc. (Pan American), has filed a petition requesting the Board to amend the foregoing order so as to establish a minimum chargeable weight and pickup and delivery charges for the LD-9 container. In support of this request, the carrier states that it has introduced the LD-9 container within its system and wishes to insure that any mail services furnished with the new container type are compensated at the temporary rates established in Order 74-1-89. Pan American further requests the LD-9 container be assigned the same minimum chargeable weight and pickup and delivery charges presently applicable to the A-1 container group.

The Postal Service has filed an answer supporting the petition except for the proposed minimum chargeable weight. Based on available volume, it believes the pivot weight for the LD-9 should be fixed at 5550 pounds, or about 99 percent of the current A-1 weight minimum of 5600 pounds.

On the basis of these pleadings and other information, we proposed to modify Order 74-1-89 to incorporate the LD-9 container but set the minimum chargeable weight urged by the Postal Service. Although similar in internal cube, the LD-9 is not quite as spacious as the basic A-1 container in terms of overall carrying capacity. For this reason, a minimum chargeable weight of 5550 pounds appears more reasonable for the LD-9 than the A-1 weight minimum pro-

<sup>10</sup> Concurring statement filed as part of the original document.

posed by Pan American. On the other hand, we propose to establish the same pickup and delivery charges for both container types. We tentatively find these proposals to be fair and reasonable for the purpose of establishing temporary rates in this proceeding.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and the regulations promulgated in 14 CFR Part 302,

*It is ordered*, That: 1. All interested persons, and particularly Airlift International, Inc., Alaska Airlines, Inc., Allegheny Airlines, Inc., American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., The Flying Tiger Line, Inc., Frontier Airlines, Inc., Hughes Air Corp., National Airlines, Inc., North Central Airlines, Inc., Northwest Airlines, Inc., Ozark Air Lines, Inc., Pan American World Airways, Inc., Piedmont Aviation, Inc., Seaboard World Airlines, Inc., Southern Airways, Inc., Texas International Airlines, Inc., Trans World Airlines, Inc., United Air Lines, Inc., Western Air Lines, Inc., and the Postmaster General are directed to show cause why the Board should not adopt the foregoing findings and conclusions and fix the temporary rates and charges specified herein by amending subparagraphs (e) and (g) of Ordering Paragraph 3 of Order 74-1-89, January 16, 1974, as follows:

(a) In subparagraph (e), insert "LD-9" and "5550" in the columns headed "Container Type" and "Minimum Charge Weight" after "LD-W" and "800", respectively.

(b) In subparagraph (g) change "A-1, A-2, A-3, and LD-7" to "A-1, A-2, A-3, LD-7, and LD-9" in the column headed "Container Type."

2. Further procedures herein shall be in accordance with the rules of practice, 14 CFR Part 302, and, if there is any objection to the findings and conclusions proposed herein, notice thereof shall be filed within 8 days, and, if notice is filed, written answer and supporting documents shall be filed within 15 days, after date of service of this order.

3. If notice of objection is not filed within 8 days, or if notice is filed and answer is not filed within 15 days, after service of this order, or if an answer timely filed raises no material issue of fact, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fixing the temporary rates and charges herein specified.

4. This order shall be served upon the parties listed in paragraph 1 above.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc.75-2025 Filed 1-21-75;8:45 am]

<sup>3</sup> Order 74-12-130, December 31, 1974.

## ENVIRONMENTAL PROTECTION AGENCY

[FRL 324-3]

### CHEMAGRO DIVISION OF MOBAY CHEMICAL CORP.

#### Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (1), 68 Stat. 512; 21 U.S.C. 346a(d) (1)), notice is given that a petition (PP 5F1577) has been filed by Chemagro Division of Mobay Chemical Corp., Post Office Box 4913, Kansas City, MO 64120, proposing establishment of tolerances (40 CFR Part 180) for negligible residues of the fungicide and insecticide 6-methyl-2,3-quinoxalinedithiol cyclic S,S-dithiocarbonate in or on the raw agricultural commodities apples and pears at 0.05 part per million.

The analytical method proposed in the petition for determining residues of the herbicide is a gas chromatography procedure using electron capture detection.

Dated: January 8, 1975.

JOHN B. RITCH, Jr.,  
Director, Registration Division.

[FR Doc.75-1915 Filed 1-21-75;8:45 am]

[FRL 323-8]

### CHEVRON CHEMICAL CO.

#### Filing of Pesticide and Food Additive Petitions

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 408(d) (1), 409(b) (5), 68 Stat. 512; 72 Stat. 1786; 21 U.S.C. 346a(d) (1), 348(b) (5)), notice is given that a pesticide petition (PP 5F1571) has been filed by Chevron Chemical Co., 940 Hensley Street, Richmond, CA 94804, proposing an increase in the established tolerances (40 CFR Part 180) for residues of the insecticide O,S-dimethyl phosphoramidothioate in or on the raw agricultural commodities cauliflower, lettuce, and tomatoes from 1 part per million to 2 parts per million.

Notice is also given that the same firm has filed a related food additive petition (FAP 5H5071) proposing establishment of food additive tolerances (21 CFR Part 121) for residues of the insecticide in tomato pomace at 5 parts per million and cottonseed hulls at 3 parts per million, resulting from application of the insecticide to growing tomatoes and cotton.

The analytical method proposed in the pesticide petition for determining residues of the insecticide is a gas chromatographic procedure using a cesium bromide thermionic detector.

Dated: January 8, 1975.

JOHN B. RITCH, Jr.,  
Director, Registration Division.

[FR Doc.75-1917 Filed 1-21-75;8:45 am]

## FISONS CORP.

[FRL 324-4]

### 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 4H5053), has been filed by Fisons Corp., Two Preston Court, Bedford, MA 01730, proposing establishment of a food additive tolerance (21 CFR Part 121) for combined residues of the herbicide 2-ethoxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl methanesulfonate and its metabolites 2-hydroxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl methanesulfonate and 2,3-dihydro-3,3-dimethyl-2-oxo-5-benzofuranyl methanesulfonate (both calculated as the parent compound) in sugarbeet molasses at 0.5 part per million, resulting from use of the herbicide in a proposed experimental program involving application to growing sugarbeets.

Dated: January 8, 1975.

JOHN B. RITCH, Jr.,  
Director, Registration Division.

[FR Doc.75-1913 Filed 1-21-75;8:45 am]

[FRL 324-2]

## HERCULES INC.

### 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 5H5073) has been filed by Hercules Inc., Wilmington, DE 19899, proposing establishment of a food additive tolerance (21 CFR Part 121) for residues of the herbicide N-chloroacetyl-N-(2,6-diethylphenyl)-glycine, ethyl ester, in dried sugar beet pulp at 0.7 part per million resulting from use of the herbicide in a proposed experimental program involving application to growing sugar beets.

Dated: January 8, 1975.

JOHN B. RITCH, Jr.,  
Director, Registration Division.

[FR Doc.75-1914 Filed 1-21-75;8:45 am]

[FRL 324-1]

## PENNWALT CORP.

### Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (1), 68 Stat. 512; 21 U.S.C. 346a(d) (1)), notice is given that a petition (PP 5F1573) has been filed by Pennwalt Corp., P.O. Box 1297, Tacoma, WA, proposing establishment of tolerances (40 CFR Part 180) for combined residues of the fungicide thiophanate-methyl (dimethyl [(1,2-phenylene) bis(imino carbonothioyl)] bis(carbamate)) and its

meabolite methyl 2-benzimidazolecarbamate (calculated as the fungicide) resulting from preharvest and/or post-harvest application in or on apricots, cherries, nectarines, peaches, plums, and prunes at 15 parts per million and from preharvest application in or on strawberries at 5 parts per million.

The analytical method proposed in the petition for determining residues of the fungicide and its metabolite is a procedure in which the residue is converted to methyl 2-benzimidazolecarbamate by a reaction with acetic acid and cupric acetate. This product is analyzed with a recording UV spectrophotometer scanning from 240 to 300 nanometers.

Dated: JANUARY 8, 1975.

JOHN B. RITCH, Jr.,  
Director,  
Registration Division.

[FR Doc.75-1916 Filed 1-21-75;8:45 am]

[FRL 323-2; OPP-32000/173]

## NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

### Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c) (1) (D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, SW, Washington DC 20460.

On or before March 24, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c) (1) (D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW, Washington DC 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures: Applications sub-

mitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after March 24, 1975.

## APPLICATIONS RECEIVED

- EPA File Symbol 2749-GTI. Aceto Chem. Co., Inc., Agricultural Chem. Div., 126-02 N. Blvd., Flushing NY 11368. CARNATION AID SYSTEMIC FUNGICIDE FOR RUST CONTROL OF CARNATIONS IN GREENHOUSES. Active Ingredients: 5,6-Dihydro-2-methyl-1,4-oxathin-3-carboxanilide-4,4-dioxide 5.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 2749-GIU. Aceto Chem. Co., Inc. SAD 85 PLANT GROWTH REGULATOR FOR PEANUTS. Active Ingredients: Succinic Acid (2,2-Dimethylhydrazide) 85%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 2749-GIN. Aceto Chem. Co., Inc. SIDURON 50WP WEED KILLER. Active Ingredients: Siduron [1-(2-Methylcyclohexyl)-3-phenylurea] 50%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 2749-GIL. Aceto Chem. Co., Inc. TRUDEX 3EC PRE-EMERGENCE HERBICIDE. Active Ingredients: Fluoridifen p-Nitrophenyl-a,a-a-trifluoro-2-nitro-p-tolyl ether 34.2%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 2749-GIG. Aceto Chem. Co., Inc. ACETOVIN 4 WATER DISPERSIBLE LIQUID HERBICIDE. Active Ingredients: 4-(Methylsulfonyl)-2,6-dinitro-N,N-dipropylaniline 42.5%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 10088-UR. Athea Laboratories, 4180 N. 1st St., Milwaukee WI 53212. ACID QUAT DAIRY AND FOOD INDUSTRY CLEANER SANITIZER. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5.0%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5.0%; Phosphoric Acid 30.0%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 35132-T. Custom-Pak, Inc., 14800 Miles Ave., Cleveland OH 44128. CUSTOM PAK HI-CIDE 310 DISINFECTANT CLEANER. Active Ingredients: Didecyl dimethyl ammonium chloride 4.25%; Tetrasodium ethylenediamine tetraacetate 1.60%; Sodium carbonate 2.00%; Sodium metasilicate, anhydrous 0.50%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 35132-L. Custom-Pak, Inc. CUSTOM PAK HI-CIDE 300 DISINFECTANT CLEANER. Active Ingredients: Didecyl dimethyl ammonium chloride 4.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.0%; Sodium metasilicate, anhydrous 0.5%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 35132-A. Custom-Pak, Inc. CUSTOM-PAK HI-CIDE 320 DISINFECTANT CLEANER. Active Ingredients: Didecyl dimethyl ammonium chloride 2.5%; Tetrasodium ethylenediamine tetraacetate 2.0%; Sodium carbonate 1.5%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA Reg. No. 1677-43. Klenzade Products, Div. of Economics Lab., Inc., Osborn Bldg., St. Paul MN 55102. STER-BAG KQ-12. Active Ingredients: n-Alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chloride 10%. Method of Support: Application proceeds under 2(a) of interim policy.
- EPA File Symbol 11497-T. Enviro Chem. Corp., PO Box 29113, Dallas TX 75229. BIO-PINE PINE SCENT DISINFECTANT. Active Ingredients: Potassium Soap 8.64%; Pine Oil 7.00%; O-Benzyl p Chlorophenol 3.50%; Isopropyl Alcohol 2.86%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 279-388. FMC Corp., Agricultural Chem. Div., 100 Niagara St., Middleport NY 14105. CARBAMATE FUNGICIDE. Active Ingredients: Ferbam 76.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 432-LUR. S. B. Penick & Co., a Unit of CPC International, Inc., 100 Church St., New York, NY 10007. BIO-ALLETHRIN TECHNICAL. Active Ingredients: d-trans Allethrin (allyl homology of Cinerin I) min 93.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 2279-A. Southern Protective Products Co., 1135 Sylvan Rd., SW, Atlanta GA 30310. SOUTHERN 2311 CLEAR WOOD PRESERVATIVE. Active Ingredients: Zinc as Metal 13.34%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 3525-AN. Utility Chem. Co., PO Box 444, River St. Station, Paterson NJ 07524. MYTEE BOWL CLEANER. Active Ingredients: Octyl decyl dimethyl ammonium chloride 1.250%; Dioctyl dimethyl ammonium chloride 0.625%; Didecyl dimethyl ammonium chloride 0.625%; Alkyl amino betaine 1.000%; Hydrogen Chloride 8.000%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 10292-EU. Venus Laboratories, 1025 Industrial Dr., Bensenville IL 60106. GLYCOL AIR SANITIZER. Active Ingredients: Isopropyl Alcohol 34.00%; Propylene Glycol 8.50%; Essential Oil VR-17 0.68% Didecyl Dimethyl Ammonium Chloride 0.17%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 20429-E. Warren Chem. Mfg., Inc., 600 Pleasant St., Norwood MA 02062. 606 DISINFECTANT CLEANER. Active Ingredients: Octyl Decyl Dimethyl Ammonium Chloride 0.950%; Dioctyl Dimethyl Ammonium Chloride 0.475%; Didecyl Dimethyl Ammonium Chloride 0.475%; Tetrasodium Ethylenediamine Tetraacetate 1.000%; Trisodium Phosphate 2.000%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 1270-ROE. Zep Manufacturing Co., 1310 Seaboard Industrial Blvd. N.W., Atlanta GA 30318. ZEPSEPTIC. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 0.1%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 0.1%; Isopropanol 53.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 1270-ROR. Zep Manufacturing Co., 1310 Seaboard Industrial Blvd., N.W., Atlanta GA 30318. ZEP VENTURE CLEANER-DEODORIZER-DISINFECTANT. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 0.1%; n-Alkyl (68% C12, 32% C14) dimethyl ethyl-

benzyl ammonium chlorides 0.1%; Tetrasodium ethylenediamine tetraacetate 1.6%. Method of Support: Application proceeds under 2(c) of interim policy.

Dated: January 14, 1975.

JOHN B. RITCH, Jr.,  
Director,  
Registration Division.

[FR Doc.75-1931 Filed 1-21-75; 8:45 am]

[FRL 323-3: OPP-32000/174]

## NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

## Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c) (1) (D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, SW, Washington DC 20460.

On or before March 24, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c) (1) (D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW, Washington DC 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after March 24, 1975.

## APPLICATIONS RECEIVED

EPA File Symbol 2749-GIA. Aceto Chemical Co., Inc., Agricultural Chemicals Div., 126-02 Northern Blvd., Flushing NY 11368. QUINOMETHIONATE 25 WP MITICIDE/FUNGICIDE. Active Ingredients: 6-Methyl-2,3-quinoxalinedithiol cyclic, S,S-dithiocarbonate 25%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2749-GII. Aceto Chemical Co., Inc. COPPER COMPLEX ALGAECIDE. Active Ingredients: Copper as elemental 7.1%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2749-GOE. Aceto Chemical Co., Inc., TRICHLOROBENZOIC ACID CONCENTRATE HERBICIDE. Active Ingredients: Dimethylamine salt of 2,3,6-trichlorobenzoic acid 31.4%; Dimethylamine salt of other chlorinated benzoic acids 20.8%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2749-GOU. Aceto Chemical Co., Inc. ACETO DIUZINE 80WP WEED KILLER. Active Ingredients: Simazine (2-Chloro-4,6-Bis (Ethylamino)-S-Triazine) 40%; Diuron 3-(3,4-dichlorophenyl)-1,1-dimethylurea 40%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2749-GTA. Aceto Chemical Co., Inc. SEEDEX 75W FUNGICIDE. Active Ingredients: 5,6-Dihydro-2-methyl-1,4-oxathin-3-carboxanilide 75%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 2749-GTT. Aceto Chemical Co., Inc. BENOMYL 50WP FUNGICIDE. Active Ingredients: Benomyl [Methyl-1-(butylcarbamoyl)-2-benzimidazolecarbamate] 50%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10807-UA. Aero Mist, Inc., 990 Industrial Park Dr., Marietta GA 30060. MISTY AIRCRAFT INSECTICIDE, AEROSOL RESMETHRIN-2%. Active Ingredients: [5-Benzyl-3-furyl]methyl 2,2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate 2.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 14651-RA. Agricultural Enterprises, Inc., PO Box 0, Fremont NE 68025. AGRI-DUST ANIMAL INSECTICIDE SHAKER DUSTER WITH CO-RAL. Active Ingredients: O,O-Diethyl 0-(3-chloro-4-methyl-2-oxo-(2H)-1-benzopyran-7-yl) phosphorothioate 1%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 14651-RL. Agricultural Enterprises, Inc., PO Box 0, Fremont NE 68025. AGRI-DUST ANIMAL INSECTICIDE WITH CO-RAL. Active Ingredients: O,O-Diethyl 0-(3-chloro-4-methyl-2-oxo-(2H)-1-benzopyran-7-yl) phosphorothioate 1.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8590-UAN. Agway Inc., Fertilizer-Chemical Div., Box 1333, Syracuse NY 13201. AGWAY DUOCIDE RAT BAIT STATION. Active Ingredients: 2-Pivalyl-1,3-indandione 0.025%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8959-ER. Applied Biochemists, Inc., 5300 W. County Line Rd., #6 No., Mequon WI 53092. ROOTRINE. Active Ingredients: Copper Sulfate (Pentahydrate) 99%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3941-EI. Athena Corp., 4838 Woodall, Dallas TX 75247. PEST-GUARD

PRETTY PLEASE BUG-PROOF SHELF PAPER. Active Ingredients: Gamma Isomer of Benzene Hexachloride (from Lindane) 0.27%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 34628-R. The Chloramone Corp., PO Box AC, Wescosville PA 18106. SODIUM HYPOCHLORITE. Active Ingredients: Sodium Hypochlorite 12.5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 11497-RN. Enviro Chem., PO Box 29113, 11262 Leo Lane, Dallas TX 75229. AQUA-KILL 1. Active Ingredients: Diquat dibromide [6,7-dihydrodipyrido (1,2-a:2',1'-c) pyrazinedithium dibromide] 4.35%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 635-129. E-Z Flo Chemical Co., Grower Service Corp., Suite 1000, Stoddard Bldg., Lansing MI 48933. E-Z-FLO MANEB 7 DUST. Active Ingredients: Maneb (Manganese Ethylenebisdithio-carbamate) 7.00%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 14941-R. Katzson Brothers, 960 Vallejo St., Denver CO 80204. KAYBRO ALGAECIDE. Active Ingredients: n-alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chloride 10%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 961-GNL. Lebanon Chemical Corp., PO Box 180, Lebanon PA 17042. LEBANON COUNTRY CLUB HERBICIDE (2,4-D AND SILVEX) WITH 12-4-8 FERTILIZER. Active Ingredients: Dimethylamine salt of 2,4-dichlorophenoxyacetic acid 0.63%; Isooctyl ester of Silvex [2-(2,4,5-trichlorophenoxy)propionic acid] 0.27%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8591-EU. The Mogul Corp., Chagrin Falls OH 44022. MOGUL AG-472. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 25%; Bis (tri-n-butyltin) oxide 5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 9630-L. Mooney Chemicals, Inc., 2301 Scranton Rd., Cleveland OH 44113. 8% COPPER NAP-ALL. Active Ingredients: Copper Naphthenate (Copper as metal 8%) 77%; Mineral Spirits 23%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 9630-U. Mooney Chemicals, Inc., 2301 Scranton Rd., Cleveland OH 44113. 6% COPPER NAP-ALL. Active Ingredients: Copper Naphthenate (Copper as metal 6%) 67%; Mineral Spirits 33%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 18035-RA. Private Label Chemicals, Inc., 2280 Terminal Rd., St. Paul MN 55113. MARK C-10 CONCENTRATED ALGAECIDE FOR INDUSTRIAL RE-CIRCULATING WATER COOLING TOWERS. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 18035-RT. Private Label Chemicals, Inc., 2280 Terminal Rd., St. Paul MN 55113. MARK B-10 CONCENTRATED SWIMMING POOL ALGAECIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support:

Application proceeds under 2(c) of interim policy.

EPA File Symbol 623-GI. United Chemical Co., Inc 5050 E. 52nd St., Kansas City MO 64130. UNITED UCO PHENE DISINFECTANT. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(c) of interim policy.

## REPUBLISHED ITEMS

The following items represent changes to the list of Applications Received published in the FEDERAL REGISTER of January 10, 1975 (40 FR 2256).

EPA File Symbol 2724-EAA. Thuron Industries, Inc., 12200 Denton Dr., Dallas TX 75234. SUPER STRENGTH GOLDEN MALRIN RF-70 FLY BAIT. Method of Support: Application proceeds under 2(b) of interim policy rather than 2(c).

EPA File Symbol 2724-EAL. Thuron Industries, Inc. SUPER STRENGTH GOLDEN MALRIN RF-72 FLY BAIT. Method of Support: Application proceeds under 2(b) of interim policy rather than 2(c).

Dated: January 15, 1975.

JOHN B. RITCH, Jr.

Director,

Registration Division.

[FR Doc.75-1932 Filed 1-21-75; 8:45 am]

[FRL 323-6; OPP-60001]

## VINYL CHLORIDE

## Pesticide Products Containing Vinyl Chloride

On April 26, 1974, an emergency suspension order concerning registrations for certain indoor aerosol products containing vinyl chloride and a notice of intent to cancel registrations was published in the FEDERAL REGISTER (39 FR 14753). On July 19, 1974, an amendment to the notice was published (39 FR 26480); this amendment listed additional products for which the Agency gave notice of intention to cancel. All registrants were individually notified of the emergency suspension order and notice of intent to cancel by means of PR Notice 74-5, dated April 30, 1974.

In accordance with section 6(b) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (86 Stat. 973) and the Notice of Intent to Cancel, the products listed below were cancelled. Unless an affected party requested a hearing, cancellation of these products was effective 30 days from the receipt of notice by the registrant or publication of the notice in the FEDERAL REGISTER, whichever occurred later.

The following is a list of the registrants involved and the products cancelled.

Dated: January 16, 1975.

JAMES L. AGE, Assistant Administrator for Water and Hazardous Materials.

## INDOOR AEROSOL PRODUCTS AFFECTED.

Reg. No.	Product	Company
4200-25	Barcolene Spray Disinfectant.	The Barcolene Co.
7572-4	Blue White Ant & Roach Killer.	Blue White Chemical Co.
4-12	Bonide Household Flea Killer Spray.	Bonide Chemical Co.
106-19	Bullin Bug Bomb.	Bullin & Co.
2382-53	Clpper Mate Lubricates, Sanitizes, Cools.	Carson Chemicals, Inc.
2382-33	Fogging Dispenser.	Do.
2382-30	Lice and Mite Spray.	Do.
2382-47	Paracide with Sevin.	Do.
498-56	Flea Killer for Dogs & Cats.	Chase Products Co.
2337-1	Demert Raw Roach, Ant & Wasp Killer.	Demert & Dougherty.
1990-301	Coop Dairy Insecticide for Milk Houses & Animals.	Farmland Industries, Inc.
1990-334	Insect Repellent for Personal Use.	Do.
1304-24	McNess Push-Button Spray Insect Killer.	Furst-McNess Co.
2270-222	Exceolide 16 oz. Aerosol Bomb.	The Huge Co.
334-306	"K" Insect Spray.	Hysan Corp.
334-124	Mothrid Moth Proofer.	Do.
334-356	Nokout 25 Aerosol Insecticide.	Do.
334-357	Nokout 35 Insecticide.	Do.
334-251	Pet Repel.	Do.
334-387	Spritz Metered Air Sanitizer.	Do.
7555-3	Rodgers' Insecticide & Repellent.	Jay-Rodgers Co.
6222-4	Cat-ette Flea Killer.	Lora Labs.
6222-2	Dogette Flea Killer & Coat Conditioner.	Do.
1926-44	Kilzum Crawling Insect Killer w/Bagon.	Navy Brand Mfg. Co.
1926-43	Kilzum Fly & Mosquito Insecticide w/alsethrin.	Do.
2196-176	Patterson's Aerosol Insect Killer.	Patterson Chemical Co.
4691-102	Anchor Flea, Lice & Tick Bomb.	Phillips-Roxane, Inc.
4691-38	Research FLT Bomb.	Do.
9688-12	Total Release Insect Fogger.	Spray-Chem. Corp.
4684-3	African Violet Spray.	Stim-U-Plant Labs.
731-12	Chaperone Flea & Tick Killer.	Sudbury Lab.
449-543	Pyrethrin Insecticide, Pressurized Dairy Insect.	Woodbury Chem. Co.

[FR Doc.75-1933 Filed 1-21-75; 8:45 am]

[FRL 302-6]

## MOTOR VEHICLE EXHAUST EMISSION RETROFIT DEVICES

## Voluntary Retrofit Evaluation Program

Notice is hereby given of the establishment of a voluntary motor vehicle exhaust emission retrofit device evaluation program. The purpose of the program is to provide a standardized and centralized evaluation program to compile technical data on various exhaust emission retrofit devices which might be considered as possible candidates for implementation in one of the several areas for which retrofit control strategies have been promulgated pursuant to section 110 of the Clean Air Act.

The program was first proposed for public comment in the FEDERAL REGISTER on March 27, 1974 (39 FR 11334) and written comments on the proposed retrofit program were subsequently received from 20 organizations. Principally, the respondents were automobile manufacturers, retrofit device developers, and state air pollution agencies. Analysis of the substantive comments along with a discussion of technical changes to the program is provided below.

Several commenters suggested expanding the program to obtain test data on the retrofit device under a wider range of ambient conditions. In particular, it was suggested that emission and driveability tests be required at high altitudes and low ambient temperatures, in addition to the normal low altitude (sea level) conditions and the specified 63°F to 86°F and 60°F to 86°F temperature ranges for emission tests and driveability tests, respectively. It was also suggested that the impact of high and low temperature and dusty environments on the deterioration with mileage accumulation of the retrofit devices' performance be determined by requiring that some of the durability vehicles accumulate mileage under these conditions.

If all of these suggestions were adopted, the cost of participation in the program would be significantly increased. The concern expressed by a number of potential applicants about the current cost of this voluntary program causes EPA to be cautious about significantly increasing the program cost especially since its workability, to a large degree, lies in its acceptability to the potential applicants. However, EPA also recognizes the validity of the need for these data by those States which have such ambient conditions.

There are four major considerations regarding the suggested inclusion of high altitude testing in the program: (1) Most of the areas in which retrofit strategies are to be implemented are not at high altitude; (2) forcing those applicants who have no intention of selling devices for these high altitude areas to spend a considerable amount of money on evaluation of their device at high altitude would be wasteful and decrease the acceptability of the program to those applicants; (3) since the impact of high altitude on the performance of retrofit devices may be significant, there is a genuine need to quantify this affect for each device being considered for installation by those several areas at high altitude; and (4) the collection of high altitude data as an integrated part of this program would likely result in significantly less cost to both the device manufacturers and the State, at little additional cost to EPA, than if each state with high altitude problems initiated a separate evaluation. To balance considerations, emission and driveability testing at high altitude is made an optional part of the program. Applicants may elect to collect high altitude data in accordance with the procedure outlined and EPA will provide overview, verification, and dissemination to the states.

The majority of the states which plan to implement retrofit strategies experience cold temperature (i.e., 0-20°F) during some part of each year. Thus, there is justification to making some testing at low temperatures a program requirement. Accordingly, driveability testing at low temperatures for two of the ten durability vehicles prior to mileage accumulation is made an additional requirement in this publication. The two tests are sufficient to indicate if there

is a problem and, at the same time, will keep the additional costs to a minimum.

Emission testing at low temperature, however, is not made a part of the program since currently there are no Federal test procedures for testing at low temperatures and, more importantly, there are no known commercial test facilities available to conduct such evaluations. However, the results of several investigations into this area in the near future are expected to allow EPA to make an engineering analysis of the potential effectiveness of retrofits at low ambient temperatures. Accordingly, EPA plans to provide this type of analysis of the applicants' retrofit devices to the states.

The need to determine the deterioration of retrofit devices due to mileage accumulation in hot, cold, or dusty environments is largely dependent upon the particular states in which the applicant wishes to sell his device. Thus, as for high altitude evaluation, this testing is made an optional part of the program. In particular, mileage accumulation under such environmental conditions is made optional on up to two of the ten durability vehicles.

The Administrator recognizes that some retrofit device developers may intend to only market their device in one or two states where high altitude or other special ambient conditions are present. Although this program provides for optional testing at high altitude and at ambient conditions other than those specified in the Federal Emission Test Procedure, such device developers may not wish to also participate in testing their devices at low altitude and the other specified ambient conditions required by these protocols. For this case, it is recommended that the device developer make direct arrangements with that particular state for a device evaluation program (which of course could be structured along the same lines as this program with modifications as needed). Since the developer only intends to seek approval of his device from one or two states, he will not encounter the potentially numerous widely varying state requirements that this program was developed to preclude.

Commenters on the proposed program suggested that the short cycle idle test and loaded-mode emission test (which are identified in the states' Transportation Control Plans for use in inspection/maintenance programs to determine periodically if motor vehicles require maintenance to reduce their emissions) be conducted in the retrofit evaluation program concurrent with the other emission testing. The purpose of doing such tests concurrently would be to establish the emission levels on these test procedures above which retrofitted vehicles would be required to have maintenance performed. Since the costs of adding these tests is very small while the benefit is significant, the requirements that these tests be conducted along with the other emission tests is incorporated in this publication.

Comments received also suggested that, in addition to calculation of fuel economy over the city driving cycle used in the Federal Emission Test Procedure, fuel economy be measured over the newly developed Federal Highway Fuel Economy Test Procedure (39 FR 36847; October 15, 1974). Since testing on the highway cycle thus far has not revealed wide divergence in the relative or ranked fuel economy performance of vehicles from the city driving cycle, such an evaluation is not made mandatory but is added as an optional procedure.

Several of the comments received state that 15,000 miles was too short an interval to determine the deterioration of the retrofit devices' effectiveness in reducing emissions or the mechanical integrity of a retrofitted vehicle. One comment suggested mileage accumulation rates in proportion to the expected remaining useful life; another suggested fewer cars but greater mileage.

The following considerations are relevant to those comments: (1) Durability analysis is the single most expensive evaluation component in the proposed program; and (2) it is not feasible to design a program of reasonable cost which will provide a full evaluation and rigorous statistical analysis of the effects of mileage accumulation on retrofitted vehicles. Rather, the durability testing program is designed to allow a reasonable engineering analysis of the effects of mileage accumulation on the mechanical integrity of the retrofitted vehicle while, at the same time, producing quantitative values by which the deterioration in initial emission reduction associated with the different devices can be compared. Adjusting the mileage accumulation for each vehicle up or down from the proposed 15,000 miles based upon the remaining useful life of the model year vehicles on which the device is to be installed or allowing fewer than the proposed ten durability vehicles to accumulate greater mileages would increase the difficulty of comparing the durability data for the different devices. Due to these considerations, the proposed mileage accumulation specifications have not been changed.

Comments received included suggestions that in order to minimize the cost of the evaluation program, credit should be given for emissions data previously generated. Much of this data has been generated using test procedures other than the 1975 Federal Test Procedure (FTP) which was the required emission test procedure in the proposed program. Thus, for previous data to be suitable for inclusion in these evaluations, it must have either been generated by the FTP or, through the development of a suitable correlation factors, be relatable to the 1975 FTP within an acceptable statistical confidence interval. Accordingly, a procedure by which previously acquired emissions data may be qualified is added to the program.

The qualification of previously acquired data raised the issue of using the Federal Emission Test Procedure with a

hot (rather than cold) engine startup as a method of effecting a cost reduction for emission testing. One of the comments received carried the issue one step further, requesting that even those applicants who have no previous data be allowed to utilize a hot Federal Emission Test Procedure also. EPA considers this to be a reasonable request. Therefore, testing over the hot Federal Emission Test Procedure is made optional for the collection of new emission data if, through the development of a suitable correlation factor, it is relatable to the 1975 FTP within an acceptable statistical confidence interval.

It should be noted, however, that the number of additional cars necessary to be tested with hot start testing may negate any potential savings attributable to hot start testing. However, this trade-off is highly dependent on the correlation shown by a retrofit system between the hot start test and the FTP. The manufacturer will have to make the judgement on which of the test procedures he wishes to follow. It is felt that EPA can allow latitude to the manufacturer in selecting either of these test procedures since the procedural guidelines are rigorously constructed to ensure protection of air quality while allowing test cost savings.

The proposed program provided for the evaluation of retrofit devices on, in addition to light duty vehicles, motor vehicles with gross vehicle weights between 6,000 and 10,000 pounds. The testing provision for these vehicles was included since some states are contemplating retrofit for vehicles in this general weight range. However, the agency's position, policies, and technical approach to regulation of emissions from these vehicles are presently undergoing review. In the near future, regulations covering the test procedures and allowable emission levels for these vehicles are planned to be promulgated. To avoid the confusion that would be caused by the publication of one set of test procedures for these vehicles with this voluntary program followed shortly by publication of possibly different emission test procedures for these vehicles in the form of proposed regulations, the test procedures in this program for this category of vehicles is withdrawn. EPA will, at a future date, include in this program those test procedures necessary to determine the effectiveness of retrofit devices in nonpassenger vehicle applications.

Several automobile manufacturers indicated that they wish to comment on the applicability of specific devices to their vehicles prior to the initiation of device testing. Although such comments might be useful, their solicitation prior to completion of device testing would also create difficulties. First, EPA is not in a position to release information about the applicant's devices prior to completion of the program and then, only that information which the applicant has not shown to be a trade secret. Secondly, an attempt to solicit and respond to manufacturers' comments between receipt of application and approval of the test program would

either require considerably greater expenditures of EPA manpower or cause significant delays to initiation of testing.

However, it is reasonable to obtain the motor vehicle manufacturers' comments after testing is completed. Accordingly, EPA will announce in the FEDERAL REGISTER the completion of each device evaluation and solicit comments from the vehicle manufacturers and other interested parties. Upon receipt of these comments, the retrofit device developer will be given an opportunity to respond to the comments received by EPA on his device. A synopsis and engineering analysis of the vehicle manufacturers' comments and the responses of the retrofit device developers to those comments will then be incorporated into the final report that will be provided to the States.

One automobile manufacturer's comments raised the issue of who is legally liable for adverse effects (e.g., engine failure or unsafe operation) of retrofit devices. The manufacturer's comment was to the effect that a vehicle manufacturer must have an opportunity to approve the use of any retrofit device on his vehicles or, in the alternative, that state law must specifically relieve the manufacturer of any responsibility.

The suggestion that the installation of retrofit devices be made to depend upon automobile manufacturers' approval must be rejected because it is always to the automobile manufacturer's disadvantage to assume liability for engine failure or unsafe operation caused by retrofit devices not of their manufacture. Also, under traditional principles of tort liability, the vehicle manufacturers would not be held liable for damages or injuries caused by use of a device which he did not offer for use or approve, thereby obviating the need to protect the automobile manufacturer through granting him veto power over installation of retrofit devices or by specifically disengaging him from responsibility for adverse effects of retrofit devices through state law.

It is legally sound and advisable for the states to require retrofit device manufacturers to warrant against engine damage and excessive emissions, the latter being similar to Congress's actions under § 207 of the Clean Air Act. EPA encourages the states to take this action where state law does not already so provide.

Other changes from the proposal include changes to the maintenance allowed during mileage accumulation on the durability fleet and a change in the method of calculating the deterioration factor.

Tuneup during the 15,000 miles to be accumulated on durability vehicles will not be allowed unless poor vehicle operation has been noticed by the driver of the vehicle and EPA approval of the tune-up is obtained. Also, no maintenance of the retrofit device during mileage accumulation will be allowed. This change has been made to increase the meaningfulness and comparability of the durability data. The 15,000 miles approximates an annual accumulation rate. Since annual inspection



tion/maintenance will be coupled with retrofit implementation, it is expected that the need for tuneup and retrofit maintenance will be identified and performed only annually for the average vehicle.

The emissions deterioration factor in the proposed program was expressed as the fractional change per mile in the initial emission level after installation of the retrofit device. A more useful way to express deterioration is as the percentage change in the initial emissions reduction at 15,000 miles. Thereby, if the deterioration of a device was said to be 60 percent at 15,000 miles, it would mean that 15,000 miles after installation the device had lost 60 percent of its initial emissions reduction, or, in other words, 60 percent of its initial effectiveness. Thus, a deterioration factor of 0 percent indicates that the device is as effective after 15,000 miles as it was on the first mile. A deterioration factor of 100 percent indicates the device has lost all of its effectiveness after 15,000 miles. This means of expressing deterioration is adopted in this publication.

On May 7, 1974, the Environmental Protection Agency published in the FEDERAL REGISTER a statement of policy on environmental impact statements. Briefly, that policy is that the Agency will prepare environmental impact statements on its most significant regulatory actions, although not required by law to do so. Since this voluntary retrofit evaluation program is not a regulatory action, no environmental impact statement has been prepared.

The voluntary retrofit device evaluation program is set forth below and is operational immediately.

Dated: January 14, 1975.

RUSSELL E. TRAIN,  
Administrator.

#### 1.0 General provisions.

1.1 *Program goals.* The purpose of this program is to provide a standardized and centralized evaluation program to compile technical data on various exhaust emission retrofit devices applicable to light duty vehicles. The program does not include test procedures suitable for the evaluation of fuels, fuel additives, refueling loss retrofit devices, or evaporative emission control retrofit devices.

Data generated under this program will be evaluated by the Administrator of the Environmental Protection Agency (EPA) and published for use by those authorities, state and local, responsible for the implementation of transportation controls to assist in the achievement of ambient air quality goals. It should be stressed that the role of this program will be the generation, analysis and dissemination of technical data, and not one of approval or certification of retrofit devices.

The program will primarily address the emission control potential, durability, driveability, and fuel consumption effects of specific retrofit devices presented for evaluation. Multiple vehicle

testing will allow statistical analysis of the test results. Testing is intended to be performed at independent testing laboratories, and will be subject to monitoring and inspection by the Administrator. All costs incurred in the evaluation other than those of the EPA's participation will be the responsibility of the applicant for evaluation.

1.2 *Eligibility for participation.* Participation in this evaluation program will be available to any individual or company who agrees to follow the procedures set forth in these protocols. Failure to conform to any aspect of these protocols, without the approval of the Administrator may be interpreted as withdrawal from participation in the program.

1.3 *Applicant's responsibilities.* Each applicant for evaluation under this program will be responsible for the following:

(a) Submission of an application, of specified format, to the Administrator prior to initiation of the evaluation. Each application shall include summaries of any information available to the applicant concerning:

(i) Whether or not the device or system in its operation or function causes a motor vehicle equipped with that device or system to emit into the ambient air any substance (other than hydrocarbons, carbon monoxide, oxides of nitrogen, or normal atmospheric constituents such as oxygen, nitrogen, or water vapor) in a quantity differing from that emitted in the operation of the motor vehicle without such device or system, and

(ii) Whether or not the device or system in its operation or function or malfunction results in any unsafe condition endangering the motor vehicle or its occupants or persons or property in close proximity to the vehicle.

(b) Arrangement with independent testing laboratories for testing necessary for all phases of the evaluation.

(c) Payment of all costs incurred in the evaluation, including the costs of shipping vehicles to the EPA's Motor Vehicle Emissions Laboratory in Ann Arbor, Michigan, when required, except for the costs of the EPA participation.

(d) Submission of progress reports and notifications to the Administrator as specified in these protocols.

(e) Submission of a final report, of specified format, to the Administrator promptly after completion of the evaluation (details in section 8.2).

1.4 *Definitions:* (a) Except as specifically defined below, all terms used in these protocols which are defined in the Clean Air Act (42 U.S.C. 1857, F-1 through F-7, as amended by Pub. L. 91-604) or Subpart A of Title 40, Part 85 of the Code of Federal Regulations shall have the meanings provided therein.

(b) "Retrofit" means the addition of a new item, modification or the removal of an existing item of equipment beyond that of regular maintenance, which is made to a motor vehicle after its initial manufacture for the purpose of reducing emissions.

(c) "Light duty vehicle" means a passenger car or passenger car derivative capable of seating 12 passengers or less.

(d) "Baseline configuration" means the unretrofitted test configuration after the vehicle manufacturer's specified tune-up maintenance has been performed.

(e) "Parametrically adjusted configuration" means the test configuration after adjustment of engine parameters to the retrofit specifications, but excluding retrofit hardware installation.

(f) "Retrofitted configuration" means the test configuration after adjustment of engine parameters to the retrofit specifications and after all retrofit hardware has been installed.

(g) "Zero device-miles" means that period of time between retrofit installation and the accumulation of 50 miles of vehicle operation after installation.

(h) "Emission data fleet" means a fleet of vehicles tested at 'zero device miles' in 'baseline configuration', the 'retrofitted configuration', and in some cases, the 'parametrically adjusted configuration' in order to determine the average emission reduction of the 'retrofitted configuration' and where applicable the 'parametrically adjusted configuration' as compared to that of the 'baseline configuration'.

(i) "Durability fleet" means a fleet of vehicles operated for mileage accumulation used to assess deterioration effects associated with the retrofit device.

(j) "Federal emission test procedures" means the test procedures specified in §§ 85.075-7 through 85.075-27 of Title 40, Chapter I, Part 85 of the Code of Federal Regulations in effect on the date of adoption of these protocols, except as those procedures are modified in these protocols.

(k) "Hot Federal emission test procedure" means the operation of the vehicle through one (1) EPA Urban Dynamometer Driving Schedule, a 10-minute soak, followed by an additional operation of the vehicle through another EPA Urban Dynamometer Driving Schedule. An exhaust sample is continuously collected during the second EPA Urban Dynamometer Driving Schedule for subsequent emission analysis.

(l) "Preconditioning" means the operation of the vehicle through one (1) EPA Urban Dynamometer Driving Schedule.

(m) "Independent laboratory" means a test facility operated independently of any motor vehicle, motor vehicle engine, or retrofit device manufacturer for the purpose of performing retrofit device evaluation emissions tests. Additionally, the laboratory shall have no financial interests in the outcome of these tests other than a fixed fee charged for each test performed.

#### 2.0 Vehicle fleet selection.

2.1 *Emission data fleet.* In order to compile data on the effectiveness of specific devices which will ultimately allow state authorities to make realistic device approval decisions, the following statistical goals have been established for this

program. It is desired that the experiment allow determination of the mean percent reduction (or increase) of hydrocarbons, carbon monoxide, and oxides of nitrogen within a band of  $\pm 5\%$  with 90 percent confidence. For example, the results of a particular evaluation might state that the mean hydrocarbon reduction associated with the device is a measured reduction of 25 percent within a band of 20 to 30 percent with 90 percent confidence.

An analysis of the variance experienced in various device evaluations previously performed by the Administrator indicates that a maximum sample size of 113 vehicles should be needed to obtain the desired statistical assurance.

To determine the sample size required for a particular device evaluation, two approaches are available to the applicant. First, the applicant may elect to use a sample size of 113 vehicles. Alternatively, the applicant may conduct a preliminary device evaluation using a 10-vehicle fleet approved by the Administrator. The preliminary test data will be analyzed for variance by the Administrator and a new sample size will be determined which could be 113 or fewer vehicles. The data from the 10 vehicles can be included in the overall analysis. Discussion of the statistical test to be used for fleet sizing can be found in Appendix A.

Once the sample size has been determined, the Administrator will specify the test fleet makeup by model, model year, engine displacement and transmission type. The sample of vehicles to be tested will be representative of the distribution of vehicles in the national population to which the device applies. Because of their limited availability and relatively small impact on air quality, no vehicles more than ten years old will be selected for evaluation. As appropriate, the oldest model year represented will be weighted to account for those older vehicles still in use.

**2.2 Durability fleet.** A fleet of ten vehicles whose composition has been selected by the Administrator using the same criteria as for the emission data fleet, shall be operated and tested through 15,000 miles of device operation.

In order to maximize the potential analysis and interpretation of the information obtained from the durability portion of the program, and to ascertain durability vehicles' engine condition, it is required that each vehicle to be included in the mileage accumulation portions of the program be subjected to engine diagnostic tests prior to and immediately following mileage accumulation (the vehicle to be in the baseline configuration). While certain diagnostic tests will be specified relative to the specific retrofit device under evaluation, the following tests will be performed, analyzed, and reported for each vehicle (tests to be performed as specified by the vehicle manufacturers' shop service manual):

- (a) Engine parameters—timing, dwell, idle speed, idle mixture, idle vacuum.
- (b) Cylinder compression.
- (c) PCV flow.
- (d) Plug voltage and ignition wire inspection.
- (e) Cylinder leak down.

**2.3 Test vehicle tune-up.** All vehicles employed in evaluations within this program will be adjusted to the vehicle manufacturer's specifications prior to conducting baseline testing. The following items may be replaced as necessary with OEM or equivalent replacements:

- (a) Oil.
- (b) Oil filter.
- (c) Air cleaner element.
- (d) Spark plugs.
- (e) Condenser.
- (f) Distributor rotor.
- (g) Distributor points.
- (h) Ignition wires.
- (i) Distributor cap.
- (j) PCV valve.

No adjustments or replacements can be made to any internal engine component. Exhaust systems must be repaired to provide a leak-free system. A close visual scrutiny of each vehicle in the program must be made to assure this leak-free condition. OEM or equivalent parts will be used for replacement of exhaust system components. At least 50 miles of break-in shall be run to provide for removal of drawing oil residue on the replacement parts before beginning the specified tests.

**2.4 Vehicle rejection.** No vehicle within the confines of the selection criteria may be rejected from the program once it has been received by the independent laboratory unless such gross mechanical defects are exhibited as would severely threaten its ability to complete the testing sequence. While diagnostic or inspection tests may be conducted, vehicles will not be rejected due to the results of engine diagnostic tests or inability to adjust engine parameters to the automobile manufacturer's or retrofit installation specifications.

### 3.0 Emission test procedures.

**3.1 Light duty vehicle emission testing.** For the purpose of evaluation under these protocols, testing will utilize the Federal emission test procedure (at altitudes under 549 meters (1,800 feet) except as provided under section 5.4 and 5.5). However, the following modifications will be allowable to the Federal emission test procedures for evaluation of light duty vehicles under these protocols:

(a) No evaporative emission loss, as specified by the Code of Federal Regulations, Part 85, § 85.075-13, need be measured (with the exception of systems modifying or disconnecting existing evaporative control devices or systems in such a manner as would be expected to adversely affect their evaporative emission control performance).

(b) Vehicle preconditioning shall consist of operation of the vehicle through one EPA Urban Dynamometer Driving

Schedule. This preconditioning must be done at least 12 hours before, but no earlier than 24 hours before the emission test.

(c) While the test fuel must meet the specifications outlined in the Code of Federal Regulations, Part 85, § 85.075-10, fuel conditioning as specified for evaporative emission test procedures is not required.

(d) Hot Federal emission test procedure testing will be allowed if an adequate correlation can be established between the hot Federal emission test procedure and the Federal emission test procedure. An adequate correlation exists if the sample size required to bracket the percent reduction estimate is considered satisfactory to the applicant upon solution of Equation (B4) found in Appendix B. The general approach presented in Appendix B, Qualification of Previous Data, can be applied to the collection of new data by the hot Federal Emission Test Procedure with the intention of putting a fixed width confidence interval around the mean percent reduction of each pollutant measured by the Federal Emission Test Procedure. The applicant will be required to test the initial sample of ten vehicles by the Federal Emission Test Procedure. For each vehicle, a mean percent reduction in emissions would be calculated. In addition, the results of bags two and three (the cold stabilized bag and the hot transient bag) would be used to calculate an equivalent hot Federal emission test procedure mean percent reduction. Based on these results, a measurement of the correlation,  $r$ , is computed. The width of the confidence interval can be set equal to 5 percent in order to solve for  $n'$ , the size of the hot Federal emission test procedure data base which would be required. Confidence width:  $5 = (1.833) \sqrt{V(\bar{y}_i)}$ , where  $V(\bar{y}_i)$  is defined in equation (B-2) Appendix B. The manufacturer would then be allowed to test  $n'$  additional vehicles selected by the fleet selection procedure in order to establish an estimate of the mean percent reduction with a confidence of  $\pm 5$  percent. The applicant should realize that this procedure will result in more total emission data fleet tests than the Cox tow sample procedure which is based on all 1975 Federal emission test procedure testing (see Appendix A). In choosing a procedure, the applicant can trade-off the reduced cost of hot Federal emission test procedure testing against the increased number of hot Federal emission test procedure tests required to achieve the same confidence level. Once the initial ten vehicles have been tested, the applicant will be required to commit himself to one of the two specified procedures.

An example is given to illustrate the trade-offs which exist between number of tests and cost of test. The following set of data can be considered as representing the reduction of an initial set of ten vehicles.

## SAMPLE DATA ON 10 VEHICLES

Cold Federal emission test procedure	Hot Federal emission test procedure
10	20
25	40
30	40
25	35
15	10
20	20
25	20
35	40
30	40
50	40

The number of additional vehicles needed to place a  $\pm 5\%$  confidence interval around the mean percent reduction can be computed. If the additional vehicles are to be tested by the hot Federal emission test procedure, an additional 8 vehicles would be needed. This number is arrived at by solving for  $n'$  in equation (B-4) Appendix B. If the additional vehicles are to be tested by the 1975 Federal emission test procedure, an additional 2 vehicles would be needed. This number of 2 is based on the solution of equation (A-5) found in Appendix A.

## 3.2 (Reserved)

3.3 *Emission test configurations.* In order to measure the effectiveness (at zero device-miles) of a retrofit device or system, at least two, and in some cases three, vehicle configurations will be tested.

The first test configuration is a baseline test. In this test the baseline or unretrofitted vehicle emissions will be measured.

The second test may be required at the discretion of the Administrator for the following reason: If a device concept uses both hardware and engine parameter modifications jointly to achieve emission control, it is necessary to distinguish the hardware effects from the parameter adjustments effects. If, in the Administrator's judgement, based on a review of the application for evaluation, the combined effects of retrofit hardware installation and parametric adjustment could be substantially duplicated by parametric adjustment alone, then the Administrator may specify a second test, defined as the parametrically adjusted configuration, to evaluate such adjustment exclusive of the retrofit hardware.

The third test will evaluate the full retrofit system installed on the vehicle.

4.0 *Durability test procedures.*

4.1 *Test configuration.* Vehicles included in the durability fleet will be subjected, at zero device-miles, to the same test sequence as is specified in Section 3.3, with the exception that the baseline tests will be done in duplicate. Subsequently, they will be tested at 3,000 device-mile intervals, up to and including the final mileage point of 15,000 device-miles. Testing at these mileage points will be performed with the vehicle equipped with the full retrofit system.

Subsequent to the 15,000-mile test the vehicle will be tuned as necessary and the retrofit adjusted to the applicant's specifications. The fully restored retro-

fitted configuration will then be tested. The retrofit system will then be removed from the vehicle and the vehicle set to vehicle manufacturer's specifications. A tuned baseline test will then be conducted in duplicate.

4.2 *Mileage accumulation procedure.* Mileage accumulation procedures shall follow those outlined in the Code of Federal Regulations, Part 85, § 85.075-7, except as amended by these protocols. The light duty mileage accumulation schedule or a suitable alternate procedure approved by the Administrator will be used. An alternate mileage accumulation procedure has been approved by the Administrator and is detailed in MSAPC Advisory Circular No. 37 dated December 20, 1973. This Advisory Circular reflects the reduction to 55 mph of the maximum speed limits on public roads.

Fuel used in the mileage accumulation shall be a commercial fuel available in the retail market and conform to the requirements of § 85.075-10(b). The fuel specifications of the commercial fuel utilized will be reported to the Administrator in the final report.

4.3 *Maintenance.* Maintenance during the durability portion of this evaluation can best be considered in three separate categories:

- (a) Normal scheduled vehicle maintenance.
- (b) Unscheduled vehicle maintenance.
- (c) Retrofit maintenance.

Normal scheduled vehicle maintenance can be defined as those periodic services specified in the original owner's manual supplied to the owner at the time of new vehicle purchase. Normal periodic engine oil changes, vehicle lubrication, and oil filter changes, as specified in the original owner's manual, will be allowed during durability mileage accumulation. However, for purposes of these protocols, the following items of normally scheduled vehicle maintenance will not be allowed during the durability mileage accumulation of 15,000 miles:

- (a) Normal tune-up items:
  - (i) Spark plugs.
  - (ii) Condenser.
  - (iii) Rotor.
  - (iv) Distributor contact points.
- (b) Air cleaner element.
- (c) Inspect PCV.
- (d) Dwell and timing check.
- (e) Charging circuit check.

Periodic maintenance items, other than those listed above that are specified in the original owner's manual may be performed upon approval of the Administrator. Notification shall be made to the Administrator of the intent to perform such additional periodic maintenance. The notification shall detail both the nature and frequency of the additional planned maintenance in accordance with the recommendations in the original owner's manual. No such maintenance will be performed without the approval of the Administrator.

Because the vehicles used for durability evaluation in this program will probably have considerable mileage accumulation and unknown maintenance prior to inclusion in the program, it can

be anticipated that certain vehicle and engine failures may occur. These failures may be unrelated to the retrofit device. Unscheduled maintenance will be allowed only in those cases where a significant driveability problem has been indicated by the driver of the vehicle. With the exception of the following, the Administrator shall be notified of the failure and must approve the maintenance prior to correction of the problem:

- (a) Tire replacement (same size).
- (b) Vehicle body repairs (remote from engine and retrofit).
- (c) Windshield wipers.
- (d) Fluid levels unrelated to retrofit.
- (e) Brakes.
- (f) Hoses unrelated to retrofit.
- (g) Belts unrelated to retrofit.
- (h) Suspension failures.
- (i) Wheel alignment.
- (j) Steering.
- (k) Wheel bearings.
- (l) Non engine electrical system.
- (m) Drivetrain components (U-joints, axles, transmission adjustments, etc.).

No other unscheduled maintenance of the engine or drivetrain may be made without the prior approval of the Administrator. Upon notification of a need for unscheduled maintenance, the Administrator may decide that before and after maintenance emission tests are required. If any questionable failure occurs, a general rule to notify the Administrator prior to performance or corrective maintenance will be the safest course of action.

Certain retrofit devices may require periodic maintenance. These maintenance requirements shall be detailed in the application to the Administrator. However, maintenance of the retrofit device shall not be performed during the accumulation of durability mileage of 15,000 miles.

A log of all maintenance shall be kept for every vehicle. These logs will be summarized and reported to the Administrator in the final report.

5.0 *Other test procedures.*

5.1 *Driveability effects.* It is important to assess the impact which installation of a specific retrofit device may have on vehicle driveability. Driveability assessment (at normal ambient temperatures) of the baseline configuration, of the parametric adjustment configuration (if required), and of the fully retrofitted configuration shall be conducted at zero device-miles for all vehicles included in the durability fleet, and at approximately zero device-miles for two (2) of these vehicles at low ambient temperatures (0°F-20°F). Driveability evaluation procedures to be used are presented in Appendix C.

5.2 *Fuel consumption effects.* Part of the cost or benefit of a retrofit system can stem from that system's effect on fuel consumption. Carbon balance fuel consumption shall be calculated for all emission tests in all configurations during the evaluation program. Details of the carbon balance calculation are presented in Appendix D.

The applicant may use, in addition to, but not in place of, the conventional carbon balance measurement, a gravimetric analysis of fuel consumption and/or the recently developed Environmental Protection Agency's Fuel Economy Highway Driving cycle, (39 FR 36847; October 15, 1974). If the applicant utilizes either of these techniques, the results shall be reported in the final report to the Administrator.

5.3 *Specialized testing (required by the Administrator)*. Many of the ultimate users of the data generated by these protocols are contemplating inspection procedures incorporating either an idle mode and/or the loaded mode test. Therefore, both of these tests will be performed whenever the Federal test procedure is performed.

*Idle-mode test*. The Idle-mode test is conducted by measuring two emission samples from each exhaust outlet. The first emission sample is collected with

the vehicle's transmission in neutral and the engine operating at 2250 rpm. The second sample is collected with the vehicle's transmission in the position recommended by the manufacturer for adjusting the idle speed, and the engine idling. An engine speed indicator with a graduated scale from zero to at least 2500 rpm is used for this test.

*Loaded-mode test*. The Loaded-mode test for the first two phases of the driving cycle described in Table I is conducted by measuring the levels of emission concentrations from each exhaust outlet of a motor vehicle operated on a chassis dynamometer, with the vehicle's transmission in the setting recommended by the vehicle manufacturer for the speed-load combination being tested. For the idle phase, vehicles with automatic transmissions are tested in drive, and vehicles with standard transmissions are tested in neutral.

TABLE I.—Driving cycle (speed-load combinations)

Curb weight plus 300 lb	1st phase—high cruise	2d phase—low cruise	3d phase—idle
3,801 lb and up.....	48 to 50 mi/h at 27 to 30 hp.....	32 to 35 mi/h at 10 to 12 hp.....	At idle.
2,801 to 3,800 lb.....	44 to 46 mi/h at 21 to 24 hp.....	29 to 32 mi/h at 8 to 10 hp.....	Do.
2,000 to 2,800 lb.....	36 to 38 mi/h at 13 to 15 hp.....	22 to 25 mi/h at 4 to 6 hp.....	Do.

Both the Idle-mode and Loaded-mode tests are conducted with the vehicle engine at its normal operating temperature, as specified by the vehicle manufacturer.

The equipment used for analyzing the emission concentration levels by either test procedure shall have the following characteristics:

- A warm-up period not to exceed 30 minutes;
- An ability to withstand sustained periods of continuous use;
- A direct and continuous meter readout that allows readings for concentration levels of carbon monoxide (CO) from 0-10%, and of hydrocarbon (HC) from 0-2000 ppm hexane; and, if used for the loaded-mode inspection, at least one additional expanded direct and continuous readout for concentration levels of carbon monoxide and of hydrocarbon, such as from 0-5% and from 0-1000 ppm hexane, respectively;
- An accuracy of better than  $\pm 5\%$  of the full scale reading for each concentration range;
- An ability to be read for each emission concentration level, within 10 seconds after the emission sample has been taken, that is not less than 90 percent of the final reading; and
- A calibration system using a standard gas, or an equivalent mechanical or electrical calibration system which itself is based on a standard gas.

5.4 *Specialized testing (Administrator's discretion)*. Certain individual retrofit devices, due to their specific characteristics, may change engine operation in such a way as to potentially impact engine durability or cause potentially hazardous operational characteristics. It can be visualized, for instance, that

dangerous cooling system temperature conditions, high exhaust valve temperatures, excessive noise levels or increased octane requirements may be encountered for certain devices. Evaluation of these problem areas will be a part of the retrofit evaluation program. In general, these specific evaluations will be limited to the durability fleet vehicles. The Administrator may specify any additional evaluations required for a particular device subsequent to the receipt of the retrofit evaluation application. These evaluations will be based on a technical review of the operation principles of the specific device. For example, these discretionary specialized tests might include emission and driveability testing under high altitude conditions (84.38 kPa (24.72 inches Hg) plus or minus 2.77 kPa (0.82 inches Hg)).

Upon notification from the Administrator that additional specialized tests are required, the applicant will submit a detailed test program for the Administrator's approval, outlining the testing procedures and test location before initiating specialized testing.

5.5 *Specialized testing (applicant's option)*. The Administrator recognizes that some applicants may be desirous of accumulating additional test data at optional test conditions other than those test conditions specified in the 1975 Federal Emission Test Procedure. The Administrator will accept emissions and/or driveability test data generated under the aforementioned high altitude conditions, at high ambient temperatures (90-110°F), at low ambient temperatures (0-20°F), or in dusty environments, for inclusion in the final technical report. *Provided*, The data are generated on no fewer than five vehicles which are similar

to those vehicles selected by the Administrator for the emissions or durability test fleets. The five vehicles will be tested in the baseline, parametrically adjusted (if necessary) and the retrofitted configuration utilizing the cold start 1975 Federal Emission Test Procedure at the optional test condition.

If the applicant wishes to submit previously accumulated data generated under the aforementioned optional test conditions on any test procedure (7 mode, hot start, etc.) other than the 1975 Federal Emission Test Procedure, it will be accepted provided correlation data are submitted on a minimum of five vehicles. Each correlation vehicle will be tested in the baseline, parametrically adjusted (if necessary) and the retrofitted configuration utilizing both the other test procedure and the 1975 Federal Emission Test Procedure at the same optional test condition. For example, both sets of tests would be performed at 100° F on the same vehicles. These data along with any additional data collected at optional conditions will be used to establish the correlation coefficient and confidence interval around the comparable 1975 Federal Test Procedure reduction.

The Administrator will comment in the final technical report about the statistical confidence, applicability, and technical merits of the optional test condition data submitted by the applicant.

6.0 *Use of previously accumulated test data*. The administrator is cognizant of the fact that prior to issuance of this protocol, some applicants may have accumulated emission and durability test data for their retrofit devices using test procedures other than the Federal emission test procedure. Rather than burden these applicants with repetitious testing, the Administrator has formulated a procedure for qualification of previous data. This procedure is outlined in Appendix B. If previous data are submitted for qualification, it will include all previous emission and durability data collected on those vehicles equipped with the retrofit devices as described in the application for evaluation.

The following general guidelines will be followed in the Administrator's analysis of the suitability of previous data:

- Data must have been compiled on a form of the retrofit system which is identical to that currently being evaluated.
- The vehicles used for testing must have been substantially identical to those which would be specified in this program, thus, the Administrator is forced to drastically limit the use of the California controlled cars in this evaluation (no more than 10 percent, roughly corresponding to the national distribution).
- A correlation factor must be developed which results in a confidence interval within the bounds specified in Appendix B.
- The previous testing must have reasonably corresponded to the general procedural conditions specified in this

evaluation; e.g., vehicle tune-up procedures, exhaust system repair, etc.

Qualification of previously acquired durability data will follow the same guidelines with the additional requirements that mileage accumulation procedures and maintenance practices must be reasonably comparable to those specified in this program.

7.0 *Device installation.* In order to assess the requirements for proper device installation through this evaluation, the following procedures should be followed:

(a) Installers will be selected by the testing laboratory who have had no previous experience with installation of the specific system under evaluation.

(b) The applicant will design and conduct necessary training sessions and supply printed instructions to the installers.

(c) The applicant will not directly participate in the installation task.

(d) Anomalies encountered during installation will be corrected. Details on the problem and actions required to avoid the problem in future installations will be submitted in the final report.

(e) Accurate records of the time required for installation and tools or equipment used for installation must be kept.

#### 8.0 Program Administration.

8.1 *Application format.* In order to compile relevant data on specific retrofit control techniques and to allow timely response by the Administrator to requests for evaluation, a standard application format should be used. Submissions should be made to:

Director, Emission Control Technology Division  
Environmental Protection Agency  
2565 Plymouth Road  
Ann Arbor, Michigan 48105  
ATTN: Retrofit Evaluation

Four weeks should be allowed for analysis of the submission and response. As indicated in other sections of this document, evaluation may not proceed prior to the Administrator's approval of test fleets, specification of necessary parametric testing and other testing requirements, and approval of proposed maintenance.

To facilitate rapid response by the Administrator, the application should concisely and yet fully detail the following: (It is recommended that the topics be organized in the same manner as the following outline).

#### APPLICATION FORMAT

##### I. DEVICE OR CONTROL TECHNIQUE DESCRIPTION

- A. Operational theory.
- B. Hardware description.
  1. Component description.
  2. Connections and interfaces to vehicle and/or engine.
  3. Sensors or modulators and calibration and trigger points.
  4. Materials used in device construction.
  5. Parametric adjustments.
- C. Pictorials showing installation.
- D. Retail cost estimate (device cost and installation cost).
- E. Useful life (method of testing and data).

##### II. DEVICE APPLICABILITY

- A. Applicability to vehicle population.
  1. By make and model.
  2. By model year.
  3. By engine.
- B. Exceptions (e.g., multiple carburetion, fuel injection, 4-cylinder engines, trailer towing, high speed, etc.).

##### III. INSTALLATION REQUIREMENTS

- A. Printed installation instructions.
- B. Mechanic training required.
- C. Tools and/or equipment required.
- D. Estimated installation time.
- E. Parametric engine adjustments.
- F. Diagnostic procedures (special equipment).

##### IV. DEVICE MAINTENANCE

- A. Frequency.
- B. Maintenance description.
- C. Time required.
- D. Tools, equipment, materials.
- E. Estimated cost to consumer.
- F. Diagnostic procedures.

##### V. EXISTING TEST DATA (INCLUDING INFORMATION REQUIRED BY SECTIONS 3.1(D) AND 6.0 OF THESE PROTOCOLS.)

##### VI. PROPOSED TESTING LABORATORY

- A. Facility description.
- B. Capabilities.
- C. Calibration and maintenance procedures.

8.2 *Reporting format.* In order for the Administrator to quickly analyze and disseminate the results of retrofit evaluations, the following report format should be employed and submitted to:

Director, Emission Control Technology Division  
Environmental Protection Agency  
2565 Plymouth Road  
Ann Arbor, Michigan 48105  
ATTN: Retrofit Evaluation

#### REPORT FORMAT

##### I. RETROFIT DEVICE EFFECTIVENESS DATA (DATA FLEET)

- A. Summary.
  1. Applicability (device).
  2. Observed mean percent reduction (see Appendix A).
- B. Test Fleet Description (tabular).
  1. Make and model.
  2. Model year.
  3. Engine (CID).
  4. Carburetion.
  5. Transmission.
  6. Odometer mileage.
  7. Program car number.
  8. Vehicle serial number.
- C. Emission Data.
  1. Program car number.
  2. Baseline, HC, CO, CO<sub>2</sub>, NO<sub>x</sub>, fuel consumption.
  3. Parametric HC, CO, CO<sub>2</sub>, NO<sub>x</sub>, fuel consumption (if required).
  4. Retrofitted HC, CO, CO<sub>2</sub>, NO<sub>x</sub>, fuel consumption.
- D. Discussion of Statistical Analysis (see Appendix A).

##### II. DURABILITY RESULTS (DURABILITY FLEET)

- A. Summary.
  1. Individual plots of HC, CO, CO<sub>2</sub>, NO<sub>x</sub> and fuel consumption vs. mileage for the retrofitted vehicles.
  2. Device deterioration factors for individual vehicles and fleet average (see analysis technique in Appendix A).
  3. Percent return in effectiveness of the fully retrofitted configuration due to the 15,000-mile tune-up as compared to the

untuned baseline for individual vehicles and fleet average.

- B. Test Fleet Description (tabular).
  1. Make and model.
  2. Model year.
  3. Engine (CID).
  4. Carburetion.
  5. Transmission.
  6. Odometer mileage (beginning and ending).
  7. Program car number.
  8. Vehicle serial number.
- C. Emission Data versus Mileage (tabular).
  1. Program car number.
  2. Retrofitted configuration HC, CO, CO<sub>2</sub>, NO<sub>x</sub> and fuel consumption vs. mileage.
- D. Vehicle and Device Installation and Maintenance.
  1. Detailed description of all maintenance performed.
  2. Emission test results, where requested, before and after maintenance.
  3. Installation time requirements.

##### III. RESULTS OF OTHER TESTING

- A. Driveability.
- B. Special tests.
- C. Idle and loaded mode tests.

8.3 *Environmental Protection Agency Monitoring.* In addition to those aspects of normal contact with the applicant discussed in previous sections, the Administrator will, to the extent possible, monitor the progress and execution of the retrofit evaluations. This monitoring may include announced and unannounced visits to testing sites, checks of raw data files, and limited correlation and/or confirmatory testing in the Environmental Protection Agency's Ann Arbor Laboratory (vehicle to be shipped to Ann Arbor at applicant's expense if required by the Administrator).

Deficiencies will be reported to both the laboratory and to the applicant in order to facilitate correction. If necessary, caveats concerning the validity of the test results will be added to the test report by the Environmental Protection Agency prior to dissemination.

8.4 *Laboratory qualifications.* In order to qualify as a testing laboratory for this program, a facility must be so equipped as to be capable of conducting emission tests according to the Federal test procedures as specified in these protocols. In addition, the test facility should have the capabilities required for device installation, vehicle maintenance, and other testing as discussed in previous sections. Finally, the testing laboratory must meet the definition of independent laboratory as defined in Section 1.4.

#### APPENDIX A—STATISTICAL PROCEDURES

I. *Determination of emission data fleet size.* Under these protocols, the applicant will elect to use either a one-stage or a two-stage sampling procedure for determining the size of the emission data fleet. The two-stage procedure requires a separate initial testing program and additional statistical analysis, but may result in a smaller total testing requirement than the one-stage procedure.

A. *One-stage sampling procedure.* If the applicant elects the one-stage sampling procedure, the size of the emission data fleet is automatically set at 113 vehicles. This number has been determined by the Administrator based upon the desired statistical confidence in the mean emission reduction

for the emission data fleet and the variability observed in previous device evaluations conducted by the Environmental Protection Agency. The composition of the fleet in terms of models, model years, engine displacements, and transmission types to be included will be specified by the Administrator considering the applicability of the device specified in the application for evaluation.

**B. Two-stage sampling procedure.** If the applicant elects to employ the two-stage sampling procedure, he will be required to arrange initially for emission data (zero device-mile) testing of a 10 vehicle fleet. The composition of the initial fleet will be specified by the Administrator after review of the application for evaluation.

Based upon the results of such testing, the applicant will be required to report to the Administrator separately for each pollutant (HC, CO, and NOx) and fuel consumption, the individual vehicle test results, the sample mean percent reduction ( $\bar{p}$ ), and the sample variance ( $s^2$ ). (See equations (A-2) and (A-3), below.)

$$P_i = \frac{Y_{i1} - Y_{i2}}{Y_{i1}} \times 100\% \quad (\text{A-1})$$

$P_i$  = percent reduction (increase) in emissions or fuel consumption for the  $i^{\text{th}}$  vehicle,

$Y_{i1}$  = baseline emissions in grams/mile or fuel consumption in gallons/mile for the  $i^{\text{th}}$  vehicle, and

$Y_{i2}$  = emissions in grams/mile or fuel consumption in gallons/mile for the  $i^{\text{th}}$  metrically adjusted configuration, vehicle in the retrofitted (or para-

$$\bar{p} = \frac{\sum_{i=1}^n p_i}{n} \quad (\text{A-2})$$

where:

$\bar{p}$  = sample mean percent reduction of the retrofitted (or parametrically adjusted) configuration relative to the baseline configuration, and

$n$  = total number of vehicles in the sample.

$$s^2 = \frac{\sum_{i=1}^n (P_i - \bar{p})^2}{n-1} \quad (\text{A-3})$$

where:

$s^2$  = sample variance.

The required size of the second sample (the remainder of the emission data fleet which will be required to be tested) will be determined by the Administrator using the data submitted for the initial fleet. The total size of the emission data fleet will be selected to provide assurance that the mean percent reduction of each pollutant can be bracketed within a band of at most plus or minus five percent with 90% confidence. The procedure which will be used to size the second sample is discussed in "Estimation by Double Sampling", by W. R. Cox (Biometrics, 1952, Vol. 39). The sample size is given by:

$$n = \frac{4s_1^2}{\Delta^2} \left( 1 + \frac{2}{N} \right) g_\alpha^2 \quad (\text{A-4})$$

where:

$n$  = size of total test sample,

$s_1^2$  = variance of first sample,

$\Delta$  = full width of desired confidence interval expressed as a fraction,

$N$  = sample size of first sample, and

$g_\alpha$  = the normal deviate exceeded with probability  $\alpha$ .

In this case,  $N=10$ , and  $\Delta=0.10$  and  $g_\alpha=1.645$  to achieve the desired confidence intervals. Thus, equation (A-4) reduces to:

$$n = 1298.9(s_1^2) \quad (\text{A-5})$$

where:

$s_1^2$  is expressed in decimal fractions and  $n$ , the total sample size, is taken to the next higher integer.

Thus, the Administrator will use formula (A-5) and the results of the initial fleet test to determine the total size of the emission data fleet. The total sample size will be the largest of the three values of "n" calculated from equation (A-5) for the three pollutants, but in no case will the total sample size be selected at a value greater than 113 vehicles. The initial fleet of 10 vehicles will be counted as part of the total emission data fleet, and the Administrator will specify the composition of the remainder of the fleet.

**II. Statistical analysis of test results for reporting—A. Emission data fleet—1. Calculation of mean percent reductions.** For each pollutant and for fuel consumption, the mean percent reduction ( $\bar{p}$ ) will be calculated according to equation (A-2). Data from all emission data vehicles tested, including the initial 10 vehicle fleet for the two-stage sampling procedure, will be used.

**2. Calculations of confidence intervals.** For each pollutant and for fuel consumption, the 90 percent confidence interval around  $\bar{p}$  will be calculated as follows:

$$90\% \text{ confidence interval} = \bar{p} \pm (1.645) \frac{s}{\sqrt{n}} \quad (\text{A-6})$$

Where:

$s$  = the standard deviation, the square root of the variance, and

$n$  = the size of the total emission data fleet.

**3. Calculation of the median.** The median is the point on the scale of observations on each side of which there are equal areas under the frequency distribution, the 50th percentile point. Thus, the median is the middle observation if there are an odd number of observations. The median is the mean of the two central observations if there are an even number of cases. For each pollutant and for fuel consumption, the median will be computed.

**4. Outlier analysis.** An outlier is defined as any observation which is greater than  $\bar{p}+3s$  or less than  $\bar{p}-3s$  where  $\bar{p}$  is the sample mean percent reduction and  $s$  is the sample standard deviation. For each pollutant and for fuel consumption, all outliers will be listed along with an explanation of possible causes.

**5. Histograms.** For each pollutant and for fuel consumption, a histogram will be calculated. The histogram should contain approximately  $\sqrt{n}$  subdivision where  $n$  is the total sample size.

**6. Ranked list of observations.** For each pollutant and for fuel consumption, a separate ranked list of test results will be prepared listing all results in order of decreasing percent reduction. These lists will be used by the Administrator to extract any patterns which are present in the data. Each list should present for all three pollutants and fuel consumption the percent reduction, baseline, and retrofitted (or parametrically adjusted) values, and the car number, make, model year, and engine displacement.

**B. Durability fleet—1. Graphical presentation of data.** Individual plots will be prepared for each vehicle for each pollutant and for fuel consumption showing the observed absolute emission or fuel consumption levels at each mileage test point for the fully retrofitted configuration. The mean of the tuned vehicle results prior to applying the retrofit device and the mean of the vehicle test results after completion of durability testing and the removal of the device should appear on the same plot.

**2. Calculation of deterioration factors.** For each pollutant and for fuel consumption,

separate linear regression equations will be fitted for each vehicle using a least-squares regression procedure. The model to be used in the regression fit is:

$$e = ax + b \quad (\text{A-7})$$

where:

$e$  = emission or fuel consumption level as a function of mileage,

$x$  = mileage, and

$a, b$  = constants determined through least-squares regression.

**Deterioration factor.** For each vehicle, a deterioration factor ( $di$ ) will be calculated for each pollutant and/or fuel consumption as follows:

$$di = \frac{r_{0,i} - r_{15,000,i}}{r_{0,i}} \times 100\% \quad (\text{A-8})$$

where:

$r_{0,i}$  = the percent reduction at zero miles for the  $i^{\text{th}}$  vehicle for a given pollutant or fuel consumption,

$r_{15,000,i}$  = the percent reduction at 15,000 miles for the  $i^{\text{th}}$  vehicle for a given pollutant or fuel consumption.

where  $r_{0,i}$  and  $r_{15,000,i}$  are calculated as in equation A-1.

The estimate of  $y_{i1}$  is obtained by using the mean of the emission tests with the retrofit device disconnected at either the zero or the 15,000 mileage point. The estimate of  $y_{i2}$  is obtained by using the regression equation (A-7) with  $x=0$  or 15,000 miles.

The mean deterioration factor for each pollutant and for fuel consumption will then be calculated as follows:

$$d = \frac{\sum_{i=1}^{10} d_i}{10} \quad (\text{A-9})$$

and will represent the best estimate of the percent reduction in effectiveness of the retrofit device after a mileage accumulation of 15,000 miles. A deterioration factor 0 percent indicates the device is as effective after a mileage accumulation of 15,000 miles as it was prior to mileage accumulation. A deterioration factor of 100 percent indicates the device has lost all of its effectiveness after a mileage accumulation of 15,000 miles. A negative deterioration factor indicated device performance has improved over 15,000 miles while a deterioration factor of greater than 100 percent indicated a device which at 15,000 miles causes the vehicle to emit more emissions than if the device were not on it.

Assuming linear deterioration, these deterioration values ( $di$ ) can be translated to annual deterioration rates by multiplying the deterioration factor for each of the  $i^{\text{th}}$  vehicles by the ratio of the average annual mileage for that vehicle in any given calendar year to 15,000 miles. The  $d$  can be recalculated to give the average annual deterioration factor.

An example showing the calculation of a deterioration factor ( $di$ ) is as follows: Assume a retrofit device at zero device miles has a percent reduction of 50 percent, and a 20 percent reduction at 15,000 device miles. What is its deterioration factor at 8,000 device miles?

$$\text{At 15,000 miles } di = \frac{50-20}{50} \times 100\% = 60\%$$

The deterioration factor is 60 percent at 15,000 device miles or, in other words, the retrofit device is 40 percent [(1-0.6) x 100%], as effective as it was at zero device miles. To determine its effectiveness at 8,000 device miles, we would calculate as follows:

$$\begin{aligned} \text{At 8,000 miles } di &= di_{at 15,000} \times \frac{8,000}{15,000} \\ &= 60\% \times \frac{8}{15} = 32\% \end{aligned}$$

At 8,000 miles, the device has a deterioration factor of 32 percent, or it is 68 percent as effective as it was at zero device miles.

In order to assess the percent return in effectiveness of the retrofit device due to the 15,000 mile tuneup, the above analysis will be repeated, except that  $y_{12}$  for the 15,000-mile point will use the mean of the emission tests with the retrofit device attached and the vehicle returned. The difference between this value and the value calculated above is the percent return in effectiveness produced by the 15,000 mile tuneup.

APPENDIX B—QUALIFICATION OF PREVIOUS DATA

Any applicant who requests to use previously obtained data (7 mode, cold start 1972 FTP hot start 1972 FTP) will be required to test an initial sample of ten vehicles selected by the Administrator. These vehicles will be tested by both the Federal emission test procedure and the previously utilized test procedure. Appropriate pre-conditioning procedures will be used for each of these tests. In particular, the previously utilized emission test procedure tests will use the same pre-conditioning used for the previously obtained data. This pre-conditioning procedure will be reported to the Administrator. Based on the results of these tests, a measurement of the correlation between the previously utilized emission test procedure and the Federal emission test procedure will be calculated as given in equation (B-1).

$$r = \frac{\sum X_i Y_i - [(\sum X_i)(\sum Y_i)/n]}{(n-1)S_x S_y} \quad (B-1)$$

Where  $r$  is the correlation coefficient for the two test procedures for the sample of ten vehicles,

$X_i$  is the percent reduction in emissions from vehicle  $i$  as determined using the previously utilized emission test procedure,

$Y_i$  is the percent reduction in emissions from vehicle  $i$  as determined using the Federal emission test procedure,

$S_x$  is the standard deviation of the emissions for the sample of ten vehicles as measured using the previously utilized test procedure,

$S_y$  is the standard deviation of the emissions for the sample of ten vehicles as measured using the Federal emission test procedure,  $n$  is the number (10) of vehicles in the sample tested by both procedures.

Using the estimate of correlation calculated above and the applicant's additional previously utilized emission test procedure data, the applicant will calculate the 90 percent confidence interval around the mean Federal emission test procedure reduction and submit this calculation along with the raw data to the Administrator.

The 90 percent confidence interval is defined in (B-2) for a sample of 10 vehicles.

$$\bar{y}_1 \pm 1.833 \sqrt{V(\bar{y}_1)} \quad (B-2)$$

Where  $\bar{y}_1$  is defined as the sample estimate of the mean reduction in emissions as determined using the Federal emission test procedure,

1.833 is the two sided  $t$  value for nine degrees of freedom and 90 percent confidence, and  $V(\bar{y}_1)$  is the mean square error of  $\bar{y}_1$ .

The estimate of the mean reduction in emissions ( $\bar{y}_1$ ) is calculated using equation (B-3).

$$\bar{y}_1 = \bar{y} + b(\bar{x}' - \bar{x}) \quad (B-3)$$

Where  $\bar{x}'$  is the mean emission level as measured using the previously utilized test procedure for a sample of size  $n'$ ,  $\bar{x}$  is the mean emission level as measured

using the previously utilized procedure for a sample of size  $n$  (10),

$\bar{y}$  is the mean emission level as measured using the Federal emission test procedure for a sample of size  $n$  (10),

$b$  is the least squares regression coefficient of  $Y_i$  on  $x_i$  computed from the sample of size  $n$  (10).

The mean square error ( $V(\bar{y}_1)$ ) of the estimate of the mean reduction in emissions is calculated from equation (B-4).

$$V(\bar{y}_1) = \frac{S_y^2(1-r^2)}{n} \left[ 1 + \frac{(n+n')}{n'} \left( \frac{1}{n-3} \right) + \frac{r^2 S_x^2}{n} \right] \quad (B-4)$$

Where  $V(\bar{y}_1)$  is the mean square error of  $\bar{y}_1$ ,

$n'$  is the number of vehicles tested previously by the previously utilized emission test procedure.

If the confidence interval,  $\pm 1.833 V(\bar{y}_1)$ , around the mean percent reduction,  $\bar{y}_1$ , has a width which does not exceed  $\pm 5\%$ , and if the Administrator determines that the vehicle fleet, upon which the previously utilized test procedure data was obtained, adequately represents the population of vehicles to which the device will apply, then it will not be necessary to test any additional vehicles for the emission data fleet.

If the previously collected data does not result in an acceptable confidence interval, the applicant will be required to follow the EPA guidelines on the selection and testing of vehicles by the Federal emission test procedure.

An example of the procedure is presented as follows for the case where it has been assumed that data was previously obtained using the hot Federal Emission Test Procedure:

Assume ten vehicles are tested by the Federal emission test procedure and by the hot Federal emission test procedure. The percent CO reductions are given in the following table for each of the ten vehicles. In addition, assume hot Federal emission test procedure tests were previously conducted on 100 other vehicles and the mean emission reduction measured during the 100 tests results in  $\bar{x} = 32.0$ .

Sample data on 10 vehicles

Federal emission test procedure ( $y_i$ )	Hot Federal emission test procedure ( $x_i$ )
15	17
25	20
35	40
25	30
25	35
40	35
25	30
20	30
30	40

$b = .66$

$r = .71$

$S_y^2 = 51.1\%$

$\bar{y} = 27.0\%$

$\bar{x} = 30.8\%$

$\bar{y}_1 = 27.8\%$

$n = 10$

$n' = 100$

$V(\bar{y}_1) = \frac{51.1(1-.5)}{10} \left[ 1 + \frac{110}{100} \cdot \frac{1}{7} + \frac{.5(51.1)}{100} \right]$

$V(\bar{y}_1) = 3.2\%$

$\bar{y}_1 \pm 1.833 \sqrt{V(\bar{y}_1)} = 27.8\% \pm 3.3\%$

The 90 percent confidence interval has a width of less than  $\pm 5\%$  and, therefore, the previously collected hot start data would be sufficient to establish the mean percent reduction in emissions as measured by the Federal emission test procedure.

APPENDIX C—DRIVEABILITY EVALUATION PROCEDURES

1. *General provisions*—A. *Background*—In addition to its ability to reduce emissions, the effect of a retrofit device on vehicle driveability is an important consideration. Since the term driveability encompasses a large number of different characteristics of the way in which a vehicle responds to different actions by the driver, it is necessary to employ a standardized driveability test procedure if comparisons between vehicles with and without retrofit devices and among different retrofit devices are to be meaningful. This Appendix C presents standard driveability test procedures which are to be used in performing all driveability evaluations required under these protocols.

B. *Definitions of driveability terms*—1. *Road load*. A fixed throttle position which maintains a constant vehicle speed on a level road. Wind effects must be compensated, where possible, by two-way vehicle operation, except where excessive wind (15–20 mph) causes cancellation of the tests.

2. *Wide Open Throttle (WOT) Acceleration*. An acceleration made entirely at wide open throttle (from any speed).

3. *Part Throttle (PT) Acceleration*. An acceleration made at any throttle position less than WOT.

4. *Light Throttle Acceleration*. A part throttle acceleration made at a constant throttle position of approximately one-fourth of full throttle (WOT) opening.

5. *Detent*. That point in throttle opening immediately preceding the point at which the transmission kickdown function of an automatic transmission is energized. (For manual transmission vehicles, wide open throttle will be used in place of detent position).

6. *Tip-In*. A maneuver to evaluate vehicle response (up to two seconds in duration) to the initial opening of the throttle.

7. *Crowd*. An acceleration made at a constant intake vacuum just prior to power enrichment (continually increasing throttle opening). However, this crowd condition does not occur at the same manifold vacuum for all engines.

8. *Idle Quality*. An evaluation of vehicle smoothness with the engine idling, as judged from the driver's seat. The vehicle will be idled in gear in the case of an automatic transmission, and in neutral for a standard transmission vehicle. The air conditioner will be on to maximum setting if vehicle is so equipped.

9. *Backfire*. An explosion in the induction or exhaust system.

10. *Hesitation*. A temporary lack of initial response in acceleration rate to throttle opening.

11. *Stumble*. A short, sharp reduction in acceleration rate.

12. *Stretchiness*. A lack of anticipated response to throttle movement. This may occur on slight throttle movement from road load or during light to moderate accelerations.

13. *Surge*. A continued condition of short, sharp fluctuations in power, such as would be caused by overlean carburetor mixtures. These may be cyclic or random and can occur at any speed and/or load.

14. *Trace*. Rating of a malfunction that is just discernable to a test driver.

15. *Moderate*. Rating of a malfunction that is judged to be probably noticeable to the average driver.

16. **Heavy.** Rating of a malfunction that is pronounced and judged to be obvious to any driver.

II. **Test procedures**—A. **General considerations**—1. **Types of testing required.** Each driveability test consists of two parts, a cold driveability portion and a hot driveability portion. The cold portion of the test evaluates the starting characteristics of the vehicle, idle quality when cold, and driveability during a sequence of acceleration, low speed cruise, and idle modes as the engine warms up. The hot portion of the test evaluates the vehicle's driveability in a fully warmed-up condition during a series of cruise modes of different speeds, during various types of acceleration modes, and during idle. Evaluation of engine shut-down (for idling) and hot restart are also made. The cold start testing is performed after an overnight soak at moderate ambient temperatures (all comparative tests to be conducted within a  $\pm 5^\circ$  F temperature band); no evaluation need be made of vehicle starting or warm-up characteristics which would be encountered after overnight soak at low ambient temperatures.

2. **Test drivers.** A full driveability sequence (cold and hot portions) shall be performed on each vehicle configuration by each of three different test drivers. This is done to minimize the effect on the driveability rating given a vehicle configuration of the different subjective judgments made by different drivers. The same three experienced or trained drivers should be used to evaluate the baseline, retrofitted, and parametrically adjusted (if required) configurations of a given vehicle. The drivers shall not be informed as to what alterations or additions, if any, have been made to the vehicle. If possible, driver and observer teams should be used for the evaluations.

3. **Test facilities.** Driveability testing must be performed on a dry, level, smooth-surfaced track or highway. If a highway is used, care should be taken to eliminate any traffic interference, as well as any traffic-induced effects.

4. **Data recording.** Data should be recorded during the course of each portion of the driveability test, either by the observer, or by the driver at an appropriate portion of the driving sequence. Recommended formats for the data recording sheets are shown in Figures C-1 through C-4.

5. **Driveability test fuel.** The test fuel must meet the specifications outlined in the Code of Federal Regulations, Part 85, § 85.075-10.

B. **Cold driveability portion.** 1. Prior to initiating the cold driveability portion of the test, the vehicle shall have been allowed to "soak" without having been operated for a period of at least 12 hours in an area where the ambient temperature is maintained between 60°F and 86°F, except in the case of the two vehicles used for cold ambient driveability which are maintained between 0-20°F.

2. Record all necessary vehicle and test information as indicated on data sheet 1 (Figure C-1).

3. Start engine per owner's manual procedure and record start time.

4. Record engine speed and idle quality in neutral or park immediately after start, with foot removed from throttle pedal (fast idle cam).

5. If engine stalls, repeat steps 3 and 4.

6. After 10 seconds from start, accelerate engine briefly, and again release throttle; record engine speed, idle quality, and/or number of stalls. If engine stalls, repeat steps 3 through 6.

7. After 15 seconds from start, apply brakes, shift to normal drive range, and

record engine speed, idle quality, and stalls. (This step may be omitted for vehicles equipped with manual transmissions).

8. After 20 seconds from start, make a light throttle acceleration to 25 mph at a constant throttle opening. (Use manufacturer's recommended shift points for manual transmission). Cruise at 25 mph for 0.1 mile (to check for choke loading), open throttle to detent and accelerate from 25 to 35 mph at constant throttle in top gear. Decelerate to a stop and accelerate WOT to 35 mph. (For manual transmission vehicles, accelerate WOT from 20 to 35 mph in gear recommended by manufacturer for this speed range). Decelerate to 10 mph and accelerate 10 to 25 mph at constant light throttle.

9. Observe and record any malfunctions such as the following:

- a. Hesitations.
- b. Stumbles.
- c. Surge.
- d. Stalls.
- e. Backfires.

10. At 0.5 miles from start, brake moderately to a stop. Idle for 30 seconds in drive range (neutral for manual transmission) and record engine speed, intake vacuum, and idle quality.

11. Repeat steps 8, 9, and 10 through 1.5 miles from start (3 cycles).

12. Make a light throttle acceleration to 45 mph at constant vacuum (crowd condition to check lean operating with choke off). (For manual transmission vehicles, make constant vacuum acceleration in high gear from lowest speed attainable in that gear to 45 mph). Decelerate 45 to 25 mph, open throttle to detent and accelerate from 25 to 35 mph at constant throttle in top gear. Decelerate to a stop and accelerate WOT to 35 mph. (For manual transmission vehicles, accelerate WOT from 20 to 35 mph in gear recommended by manufacturer for that speed range). Decelerate to 10 mph and accelerate 10 to 25 mph at constant light throttle. Repeat steps 9 and 10 above.

13. Repeat step 12 through 1.6 miles from start (3 cycles).

C. **Hot driveability portion.** 1. Warm-up vehicle for about 25 miles at 55 mph.

2. Evaluate curb idle in neutral and drive (automatic transmission only) range. Record engine speed, intake vacuum and idle quality.

3. Cruise at road load from 20 through 50

mph at 10 mph increments, and record stretchiness and range.

4. Accelerate WOT from 0 to 30 mph at sudden, moderate and slow throttle opening rates. (For manual transmission, accelerate WOT from 20 to 30 mph in gear recommended by manufacturer for this speed range). Record hesitation, stumble, and surge.

5. Accelerate PT from 0 to 30 mph (20 to 30 mph for manual transmission) at constant throttle positions of  $\frac{1}{4}$ ,  $\frac{1}{2}$ , and  $\frac{3}{4}$  throttle. Record hesitation, stumble, and surge.

6. Evaluate part throttle crowds in high gear at constant vacuum from the minimum speed attainable in high gear to 55 mph (or the maximum speed at each vacuum if less than 55 mph). Several runs are to be made at different vacuums to determine the worst surge condition. Also record hesitations and stumbles.

7. Evaluate "tip-in" characteristics by making several PT accelerations in high gear from 20 to 30 mph. Do not accelerate at a throttle opening which will cause the automatic transmission to downshift. Record hesitations and stumbles.

8. Accelerate WOT from 0 to 55 mph and record acceleration time. Drive 5 miles at 55 mph and brake moderately to stop. Idle for 30 seconds, shut off engine, and soak for 15 minutes.

9. After hot soak, restart engine according to manufacturer's hot-start procedure (record start time and number of attempts). Return to idle, and maintain idle for 60 seconds in drive with air conditioning turned on to maximum setting if vehicle is so equipped (record engine speed, intake vacuum, and idle quality). If engine stalls during the 60 second idle, repeat this hot-start and idle procedure.

III. **Data analysis and reporting.** In evaluating the effectiveness of a retrofit device, the difference in scores for the vehicle with and without the device is important, rather than the absolute value of either score. Thus, variations in the severity of different drivers' evaluations will be nullified. The final rating assigned to a vehicle configuration will be the average of the three drivers' scores.

Driveability demerits to be used in scoring the results of driveability evaluations are given in the table below:

Demerit summary schedule

Function rated	Demerits				Weighting factor	Weighted demerits			
	T	M	H	Yes		T	M	H	Yes
Idle roughness	1	2	4	4	1	1	2	4	16
Hesitation	1	2	4	4	6	6	12	24	24
Stumble	1	2	4	4	6	6	12	24	24
Surge	1	2	4	4	4	4	8	16	16
Stall at start									8
Stall, driving									32
Backfire	1	2	4	4	6	6	12	24	24
Stretchiness	1	2	4	4	1	1	2	4	4
Starting time									(1)

<sup>1</sup>Starting time demerits computed as (seconds-2.0)X1.0.

The purpose of the weighting factor is to assign relative importance to the malfunctions encountered; i.e., a driving stall is more significant to vehicle operational safety than idle roughness. As can be seen, stalls are given only a weighted demerit. When compiling demerits for any maneuver only the most severe malfunction is considered. For example, if during an acceleration a trace hesitation, heavy stumble, and moderate surge were all encountered, the demerits assigned would be based on the heavy stumble. The weighted demerits for the maneuver would be 4x6, or 24 demerits. After each mode of operation has been thus evalu-

ated, a total weighted demerit rating (TWD) can be assigned to a vehicle. Where the driveability test sequence calls for repetition of a given sequence of operating modes, each repetition is scored separately and included in the total rating.

The results of the driveability tests shall be submitted with the final retrofit evaluation report. The results are to be in tabular form showing the total demerits associated with each test configuration and the difference in demerits between the baseline and the parametric and retrofit test configurations. Results are to be reported both for each individual durability test vehicle and for the average of all durability vehicles.



Test No. \_\_\_\_\_  
License \_\_\_\_\_

Cold Start-Driveaway

Start Miles	Mode	Idle			Accel. or Cruise								
		Engine Speed	Intake Vacuum	In. Hg	Sats.	Rough*	Stall	Sats.	Health*	Stumble*	Surge*	Stall	Backfire*
	Start Time (sec.)												
	Restart (sec.)												
	Restart (sec.)												
	Restart (sec.)												
	Fast-Idle Cam												
	Tap Th. (5 sec. from St.)												
	(10 sec. from Start) Dr												
0	PT (0-25): Lt. Th.												
0.1	Cruise (25 mph)												
0.2	PT (25-35): Th. to Detent												
0.3	WOT Accel. (0-35)												
0.4	PT (10-25): Lt. Th.												
0.5	Idle (30 sec.): Dr												
	PT (0-25): Lt. Th.												
0.6	Cruise (25 mph)												
0.7	PT (25-35): Th. to Detent												
0.8	WOT Accel. (0-35)												
0.9	PT (10-25): Lt. Th.												
1.0	Idle (30 sec.): Dr												
	PT (0-25): Lt. Th.												
1.1	Cruise (25 mph)												
1.2	PT (25-35): Th. to Detent												
1.3	WOT Accel. (0-35)												
1.4	PT (10-25): Lt. Th.												
1.5	Idle (30 sec.): Dr												
	PT (0-45): Const. Vac.												
1.9	PT (25-35): Th. to Detent												
2.0	WOT Accel. (0-35)												
2.1	PT (10-25): Lt. Th.												
2.2	Idle (30 sec.): Dr												
	PT (0-45): Const. Vac.												
2.6	PT (25-35): Th. to Detent												
2.7	WOT Accel. (0-35)												
2.8	PT (10-25): Lt. Th.												
2.9	Idle (30 sec.): Dr												

\* I - Trace; M - Moderate; H - Heavy  
Figure C-2

Driveability Test

Date \_\_\_\_\_  
Test Number \_\_\_\_\_  
Fuel \_\_\_\_\_

Test Vehicle

Make \_\_\_\_\_ Engine Type \_\_\_\_\_  
Model \_\_\_\_\_ Displacement \_\_\_\_\_  
Year \_\_\_\_\_ Nominal C.R. \_\_\_\_\_  
Transmission \_\_\_\_\_ Carb. Make \_\_\_\_\_ No. Bble. \_\_\_\_\_  
A/C \_\_\_\_\_ PB \_\_\_\_\_ PS \_\_\_\_\_ Emission Control System \_\_\_\_\_  
License No. \_\_\_\_\_ Odometer: Start \_\_\_\_\_ Finish \_\_\_\_\_

Test Configuration \_\_\_\_\_ Weather \_\_\_\_\_

Ambient Temp.: Start \_\_\_\_\_ °F Finish \_\_\_\_\_ °F  
Observed Barom.: Start \_\_\_\_\_ in. Hg Finish \_\_\_\_\_ in. Hg  
Relative Humidity: Start \_\_\_\_\_ % Finish \_\_\_\_\_ %  
Road Conditions: Wet \_\_\_\_\_ Dry \_\_\_\_\_  
Time: Start \_\_\_\_\_ Finish \_\_\_\_\_  
Soak Time (hrs.) \_\_\_\_\_  
Soak Temp. (°F) \_\_\_\_\_

Test Crew

Driver \_\_\_\_\_ Observers \_\_\_\_\_  
Recorder \_\_\_\_\_

Remarks

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Figure C-1

Test No. \_\_\_\_\_  
License \_\_\_\_\_

Cold Start-Drivenway

Start Miles	Mode	Idle				Acceleration				Backfire*			
		Engine Rpm	Intake Vacuum	In. Hg	Sats.	Rough*	Stall	Sats.	Stumble*		Surge*	Stall	
PT (0-45): Const. Vac.													
3.3 PT (25-35): Th. to Detent													
3.4 NOT Accel. (0-35)													
3.5 PT (10-25): Lt. Th.													
3.6 Idle (30 sec.): Dr													
PT (0-45): Const. Vac.													
4.0 PT (25-35): Th. to Detent													
4.1 NOT Accel. (0-35)													
4.2 PT (10-25): Lt. Th.													
4.3 Idle (30 sec.): Dr													
PT (0-45): Const. Vac.													
4.7 PT (25-35): Th. to Detent													
4.8 NOT Accel. (0-35)													
4.9 PT (10-25): Lt. Th.													
5.0 Idle (30 sec.): Dr													
PT (0-45): Const. Vac.													
5.4 PT (25-35): Th. to Detent													
5.5 NOT Accel. (0-35)													
5.6 PT (10-25): Lt. Th.													
5.7 Idle (30 sec.): Dr													
PT (0-45): Const. Vac.													
6.1 PT (25-35): Th. to Detent													
6.2 NOT Accel. (0-35)													
6.3 PT (10-25): Lt. Th.													
6.4 Idle (30 sec.): Dr													

\* T - Trace; M - Moderate; H - Heavy

Comments:

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Figure C-3

-66-

Warm Vehicle Evaluation

Mode	Accel. or Tip-In -				Road Load				Idle				Backfire*	
	Sats.	Hesit.*	Stumble*	Surge*	Stall	Sats.	Stretchy	Surge*	Engine Rpm	Vacuum In. Hg	Sats.	Rough*		Stall
Idle														
NOT Against T.C.														
20 mph														
30 mph														
40 mph														
50 mph														
55 mph														
Sudden														
Moderate														
(0-30)														
Slow														
1/4 Th.														
1/2 Th.														
3/4 Th.														
14 in.Hg														
12 in.Hg														
(Min. 55 or Max.)														
10 in.Hg														
8 in.Hg														
6 in.Hg														
PT Tip-In From 20														
(Top Gear) From 30														

0-55 mph WOT Acceleration (sec.) \_\_\_\_\_

Drive 5 miles at 55 mph, Idle 30 sec.; Soak 15 min.  
After soak, start according to manufacturer's hot-start procedure; Return to Idle

Start Time (sec.)

Restart (sec.)

Restart (sec.)

Restart (sec.)

Idle in Neutral

(60 sec.)

Comments:

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Figure C-4

**APPENDIX D—CALCULATION OF FUEL CONSUMPTION DATA**

Fuel consumption over the 1975 Federal emission test procedure will be calculated for each vehicle emission test performed as part of a retrofit evaluation. Fuel consumption will be calculated from the emission test results using the carbon balance technique

which is based on the fact that the total mass of carbon (in the form of unburned hydrocarbons, carbon monoxide, and carbon dioxide) emitted by the vehicle per mile of travel provides a measure of the fuel consumed by the vehicle over that distance.

Fuel consumption will be calculated according to the following equations:

$$\text{mi/gal} = \frac{\text{grams of carbon/gallon of fuel}}{\text{grams of carbon in exhaust/mile}}$$

$$= \frac{(K_1) (\text{grams/gallon})}{(K_1) (\text{grams HC/mi}) + (K_2) (\text{grams CO/mi}) + (K_3) (\text{grams CO}_2/\text{mi})} \quad (I)$$

Where:

$K_1$  = carbon weight fraction of gasoline or unburned HC, (mol. wt. C)/(mol. wt.  $\text{CH}_{1.86}$ ) = 0.866

$K_2$  = carbon weight fraction of CO, (mol. wt. C)/(mol. wt. CO) = 0.429

$K_3$  = carbon weight fraction of  $\text{CO}_2$ , (mol. wt. C)/(mol. wt.  $\text{CO}_2$ ) = 0.273

grams/gallon = mean density of Indolene 30 test fuel = 2798

grams HC/mi = weighted average gm/mi of HC over the 1975 Federal test procedures as calculated according to 40 CFR 85.075-26, and similarly for grams CO/mi and grams  $\text{CO}_2$ /mi

$$\text{Fuel consumption} = \frac{1}{\text{mi/gal}} \quad (II)$$

In calculating mean fuel consumption figures for purposes of reporting data on retrofit evaluations, it is necessary to average the fuel consumption values calculated according to equation (II), rather than averaging the mpg figures calculated according to equation (I).

[FR Doc.75-1683 Filed 1-21-75; 8:45 am]

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION APPRENTICESHIP INFORMATION REPORT EEO-2**

**Extension of Deadline for Filing Report**

Notice is hereby given that the 1974 deadline for filing Apprenticeship Information Report EEO-2 as required by 29 CFR 1602.15 is extended from September 30, 1974, to February 28, 1975. The period during which statistics for Report EEO-2 must be obtained remains unchanged. Signed at Washington, D.C. this 31st day of December, 1974.

JOHN H. POWELL, Jr.,  
Chairman, Equal Employment Opportunity Commission.

[FR Doc.75-1969 Filed 1-21-75; 8:45 am]

**LOCAL UNION REPORT EEO-3**

**Extension of Deadline for Filing Report**

Notice is hereby given that the 1974 deadline for filing Local Union Equal Employment Opportunity Report EEO-3 required by 29 CFR 1602.22 is extended from November 30, 1974, to February 28, 1975. The period during which statistics

for Report EEO-3 must be obtained remains unchanged.

Signed at Washington, D.C. this 31st day of December, 1974.

JOHN H. POWELL, Jr.,  
Chairman, Equal Employment Opportunity Commission.

[FR Doc.75-1970 Filed 1-21-75; 8:45 am]

**FEDERAL COMMUNICATIONS COMMISSION**

**RADIO TECHNICAL COMMISSION FOR AERONAUTICS**

**Meeting**

**Correction**

In FR Doc. 75-904 appearing at page 2259, in the issue of January 10, 1975, the first word of the seventh line now reading, "Transport" should read, "Transpoint".

**FEDERAL MARITIME COMMISSION**

**INDEPENDENT OCEAN FREIGHT FORWARDER LICENSE**

**Applicants**

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders pursuant to section 44 (a) of the Shipping Act, 1916, (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to communicate with the Director, Bureau of Certification and Licensing, Federal Maritime Commission, Washington, D.C. 20573.

Amerpol International, Inc., 15 East 26th Street, New York, New York 10010.

Officers: Hermann Nohturft, President/Treasurer, Wlodzimerz Swieszewsky, Exec. Vice-President/Secretary, Wladimir Korotkiewicz, Vice President.

Richard Macchione, 131 State Street, Boston, Massachusetts 02109.

Latinvan, Inc., 7301 "a" N.W. 41st Street, Miami, Florida 33166.

Officers: Manuel E. Rojas, President, Libia B. Rojas, Secretary/Treasurer.

Port Service, Inc., 47-49 Parker Street, Gloucester, Massachusetts 01930.

Officers: Joseph D. Elliott, President/Treasurer, Francis J. Elliott, Director, Frederic A. Elliott, Director.

R. L. Swerer Company, Inc., P.O. Box 1351, Pittsburgh, Pennsylvania 15230.

Officers: William J. Twigger, President, Charles M. Watson, Vice President, David T. Arth, Treasurer, Martha Lee, Secretary.

By the Federal Maritime Commission.

Dated: January 17, 1975.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.75-2032 Filed 1-21-75; 8:45 am]

**INDEPENDENT OCEAN FREIGHT FORWARDER LICENSE NO. 980; EASTERN CARGO FORWARDERS, INC.**

**Order of Revocation**

By letter dated December 9, 1974, Eastern Cargo Forwarders, Inc., 149 Madison Avenue, New York, New York 10016 was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 980 would be automatically revoked or suspended unless a valid surety bond was filed with the Commission on or before January 1, 1975.

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.9 of Federal Maritime Commission General Order 4, further provides that a license will be automatically revoked or suspended for failure of a licensee to maintain a valid bond on file.

Eastern Cargo Forwarders, Inc. has failed to furnish a valid surety bond.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 1 (revised) § 7.04(g) (dated 9/15/73);

It is ordered, That Independent Ocean Freight Forwarder License No. 980 of Eastern Cargo Forwarders, Inc. be returned to the Commission for cancellation.

It is further ordered, That Independent Ocean Freight Forwarder License No. 980 be and is hereby revoked effective January 1, 1975.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Eastern Cargo Forwarders, Inc.

WM. JARREL SMITH, Jr.,  
Deputy Managing Director.

[FR Doc.75-2033 Filed 1-21-75; 8:45 am]

**MEDITERRANEAN DISCUSSION AGREEMENT**

**Notice of Agreement Filed**

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New

York, N.Y., New Orleans, La., San Juan, Puerto Rico and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, by February 3, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

**Notice of Agreement Filed by:**

A. Birnbaum, Chairman, P.T.  
Zim Container Service  
One World Trade Center  
Suite 2969  
New York, New York 10048

Agreement No. 9972-4 among the members of the Mediterranean Discussion Agreement is an application for a two-year extension of the period of approval.

It further modifies the organic agreement by deleting the proviso limiting applications for renewal to six-month periods in favor of a proviso permitting applications for such periods as the signatories may agree and the Commission approve.

By Order of the Federal Maritime Commission.

Dated: January 15, 1975.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 75-2031 Filed 1-21-75; 8:45 am]

**TRANS-PACIFIC FREIGHT CONFERENCE  
OF JAPAN/KOREA  
Notice of Agreement Filed**

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, by February 11, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear

and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

**Notice of Agreement Filed by:**

Charles F. Warren, Esq.  
1100 Connecticut Avenue, NW.  
Washington, D.C. 20036

Agreement No. 150-60 expands the Trans-Pacific Freight Conference's (Japan/Korea) authority to regulate the transportation of cargoes transshipped at ports "without" the geographic scope of the agreement as well as those within the trade from Japan and Korea to ports and/or points in the United States.

By Order of the Federal Maritime Commission.

Dated: January 14, 1975.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 75-2030 Filed 1-21-75; 8:45 am]

**FEDERAL POWER COMMISSION**

[Docket No. E-9206]

**APPALACHIAN RESEARCH AND  
DEFENSE FUND, INC.**

**Filing of Complaint**

JANUARY 16, 1975.

Pursuant to the authority of the Federal Power Act, particularly section 306 thereof, and § 2.1(a) (I) of the Commission's general policy and interpretations, notice is hereby given that a letter from the Appalachian Research and Defense Fund, Inc., dated October 25, 1974, which we are treating as a complaint in the above captioned docket concerning certain practices of Appalachian Power Company which may be contrary to the Federal Power Act, was forwarded to this Commission by letter dated November 6, 1974, by the office of the subcommittee on Budget, Management, and Expenditures of the Senate Committee on Government Operations. We have forwarded this date a copy of the complaint to Appalachian Power Company who shall answer it in writing within thirty days.

We shall direct the Secretary to publish a copy of this complaint together with this notice in the FEDERAL REGISTER.

Any person wishing to do so may submit written comments concerning the above referenced complaint on or before January 28, 1975, to the Federal Power Commission, 825 North Capitol Street,

NE., Washington, D.C. 20426. All comments submitted will be considered by the Commission in determining the appropriate action to be taken.

KENNETH F. PLUMB,  
Secretary.

OCTOBER 25, 1974.

HON. LEE METCALF,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR: I am writing to you because of your long standing interest in the problems associated with the Electric utility industry.

As a staff attorney with the Appalachian Research and Defense Fund in Charleston, I have, in the last year, been involved in several cases dealing with Appalachian Power Co., a wholly-owned subsidiary of American Electric Power Co. These include: (1) The licensing of the Blue Ridge Project on the New River, (2) a general rate case before the West Virginia Public Service Commission, (3) a case before the EPA pursuant to the Governor's request for a one year postponement of clean air standards, and (4) a hearing before the Public Service Commission involving automatic fuel adjustment clauses.

Through my involvement in these cases, it has become clear to me that an attack on the practices of Appalachian Power is merely an attack on the symptoms and not on the root cause of environmental and rate problems associated with Appalachian. Rather, the problem lies with AEP, the parent corporation.

To illustrate this point, consider the following: The West Virginia Public Service Commission has charged that in the first nine months of this year Appalachian Power collected 2½ million dollars in revenue by "repricing captive coal. That is, if the average price of coal purchased on the open market in one month was \$25 per ton and the cost of coal during that same period produced at a captive mine was \$10 per ton, Appalachian charged its customers through the Fuel Adjustment Clause as though the average of all coal purchased during that month was \$25 per ton. This practice is exacerbated by the fact that much of the coal burned by Appalachian is purchased on the spot market at inflated prices and imported into West Virginia while coal produced at mines owned by Appalachian Power has been delivered to plants owned by Indiana & Michigan Power Company at a fraction of the cost West Virginians have paid.

Because of the size of AEP and its numerous operating companies, coal is shifted from one area to another without regard to the effect such moves will have on the customer.

Another aspect of AEP's coal manipulation is, in my belief, very closely related to its recent advertising campaign attacking the EPA and Congressional efforts at strip mine regulation. According to AEP's fuel expert, AEP owns more than 1.5 billion tons of coal. Of that figure, less than 10% of their coal is low sulfur coal. Thus, under present Clean Air Act Standards, the vast majority of their coal cannot be used without stack gas desulfurization technology or coal liquefaction. This situation has led AEP to avoid long term contracts for Eastern low sulfur coal in the expectation that in the not very distant future they will be able to burn their own high sulfur coal either as a result of relaxations in the Clean Air Act or through the installation of sulfur removal technology.

As a result, the majority of Appalachian's low sulfur coal purchases are made on the spot market at prices reportedly ranging

to \$100 per ton. Because their fuel adjustment clause allows a direct pass through of fuel costs, there is no incentive on AEP's part to bargain for lower prices. It is my belief that this practice is being followed by AEP for one of two purposes or both: (1) To boost the price of low sulfur coal to high prices and thereby rally citizen support for relaxation of the Clean Air Act, or (2) to boost the price of low sulfur Eastern coal to make the cost of coal produced in the West and delivered under long term contracts to Midwest and Eastern power plants more attractive. This point is further emphasized by the fact that AEP has entered into several 20-30 year contracts with Western coal suppliers and has not entered into contracts exceeding 3-5 years for Eastern low sulfur coal.

Regardless of the reason for these practices, the results, if they are successful in either area, would be very devastating. The provisions of the Clean Air Act, while somewhat onerous, are vitally important, and the possible effect on Eastern coal suppliers if a Western coal shift is accomplished would add terrifically to the many burdens residents of Appalachia already bear.

To make an already lengthy story somewhat shorter, I would like to see an investigation launched on the practices of AEP. I have some information of my own but feel that research of this nature requires a coordination of efforts among individuals in all areas served by AEP and in New York and Washington. Could you provide additional information on AEP, recommended people to contact, or suggest possible funding sources for such an investigation?

Any assistance which you may be willing to lend in this regard would be quite helpful.

Thank you for your time.

Sincerely,

ROBERT R. RODECKER,  
Staff Attorney.

[FR Doc.75-1953 Filed 1-21-75;8:45 am]

[Docket No. F-9195]

**CENTRAL TELEPHONE AND UTILITIES  
CORP.**

**Filing of Addendum to Contract**

JANUARY 15, 1975.

Take notice that on December 27, 1974, Central Telephone and Utilities Corporation (Central) tendered for filing a proposed addendum to their contract with the N.C.K. Electric Cooperation, Inc. Central requests that the addendum be accepted for filing with the original contract.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 27, 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.75-1954 Filed 1-21-75;8:45 am]

[Docket No. DA-219-Washington]

**CHARLES AND BARBARA MILLER**

**Lands Withdrawn in Power Site**

JANUARY 13, 1975.

Application has been filed by Charles and Barbara Miller of Brewster, Washington, with the Bureau of Land Management, Department of the Interior, for the revocation of the waterpower withdrawals affecting the following described land, thereby requiring Commission consideration under section 24 of the Federal Power Act:

WILLAMETTE MERIDIAN, WASHINGTON

T. 30 N., R. 24 E.,

Sec. 21, That part of lot 5 lying outside the boundary of Project No. 2149 as licensed as shown on revised map Exhibit K, sheet 12 (FPC No. 2149-137) filed in the Office of the Federal Power Commission on March 8, 1971. (Approximately 1.5 acres.)

In a letter transmitting the Millers' application, the Bureau of Land Management requested revocation of the withdrawals and/or a determination with respect to all of lot 5 (approximately 4.30 acres) to enable disposal of the entire lot at public sale.

Lot 5 lies along the Columbia River and is partially inundated by Wells Reservoir, a unit of licensed Project No. 2149, owned by Public Utility District No. 1 of Douglas County, Washington. The land is withdrawn in Power Site Classification No. 349, dated June 22, 1944, and pursuant to the filings on December 23, 1953, and January 12, 1954, of applications for preliminary permit for Project Nos. 2148 and 2149, respectively. All of these withdrawals were made to protect the Wells site which is now adequately protected by the withdrawal for Project No. 2149. The application for Project No. 2148 was denied by Commission order issued September 22, 1954, (13 FPC 1402), upon issuance of a preliminary permit for competing Project No. 2149, (13 FPC 1403).

A notice of land withdrawal for Project No. 2149 was issued by the Commission on April 8, 1971. This notice covers the United States lands lying within the boundary of the Wells Dam and Reservoir unit of the project as shown on approved Exhibit K sheets 1 through 39 (FPC Nos. 2149-126 through -164) filed in the office of the Federal Power Commission on February 2, 1970, and March 8, 1971. A notice of land withdrawal has not yet been issued for the United States lands lying within the boundary of the constructed transmission line unit of Project No. 2149 shown on Transmission Line Exhibit K sheets 1 through 57 (FPC Nos. 2149-225 through -281) filed Decem-

ber 30, 1971. However, a notice will be issued in the near future.

The application for preliminary permit for Project No. 2149 included certain United States lands which lie beyond the limits of the project as shown on said maps. All of these excess lands lie adjacent to Wells Reservoir. Inasmuch as the Wells Reservoir fully develops this reach of the Columbia River, retention of these excess lands in power withdrawal no longer serves a useful purpose.

A determination with respect to that part of said lot 5 lying within the boundary of Project No. 2149 as licensed, to permit its disposal at public sale, is not warranted.

*The Commission finds.* It has no objection to the cancellation of Power Site Classification No. 349 insofar as it pertains to lot 5 of sec. 21, T. 30 N., R. 24 E., Willamette Meridian, Washington.

*The Commission orders.* (1) The withdrawal pursuant to the application for Project No. 2148 is hereby vacated in its entirety.

(2) The withdrawal for Project No. 2149, insofar as it pertains to lands lying beyond the limits of the project as shown on Exhibit K sheets 1 through 39 (FPC Nos. 2149-126 through -164) and Transmission Line Exhibit K sheets 1 through 57 (FPC Nos. 2149-225 through -281), is hereby vacated.

(3) The request for a determination under section 24 of the Federal Power Act with respect to that portion of lot 5 of sec. 21, T. 30 N., R. 24 E., Willamette Meridian, Washington, lying within the boundary of Project No. 2149 as licensed is hereby denied.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-1967 Filed 1-21-75;8:45 am]

[Docket No. RP75-47-3]

**COLUMBIA GAS TRANSMISSION CORP.**

**Petition for Emergency Relief**

JANUARY 15, 1975.

Take notice that on December 27, 1974, as supplemented January 6, 1975, Tele-dyne Ohio Steel (Petitioner), Lima, Ohio, filed a petition, pursuant to § 1.7 (b) of the Commission's rules of practice and procedure and Commission Order No. 467-C, seeking relief from the currently effective curtailment procedures of Columbia Gas Transmission Corporation (Columbia) and an emergency priority allocation of natural gas to become effective at the earliest possible date and to remain in effect until June 1, 1975. The emergency priority allocation requested consists of the following: December 1974, 86,104 Mcf; January 1975, 98,608 Mcf; February 1975, 103,074 Mcf; March 1975, 112,050 Mcf; April 1975, 89,475 Mcf; and May 1975, 82,388 Mcf.

In support of its petition for an emergency allocation of natural gas, Peti-

tioner states that it is engaged in the manufacture of rolls for rolling mills in the steel and nonferrous industries and sells its product to more than 150 plants located throughout the United States. At its Lima facility it operates approximately 100 or more gas furnaces in the production of rolling mill rolls in a continuous process for a period of time ranging up to four and one-half weeks. Petitioner claims that it has no realistic alternative fuel supply available for the vast majority of the furnaces now being supplied by natural gas.

West Ohio Gas Company, which receives its principal volume of gas from Columbia, has advised petitioner that effective December 20, 1974, it will sustain a fifty percent curtailment of its natural gas allocation. Petitioner claims that it cannot continue operations at that curtailment level, and that without the requested emergency priority allocation, its Lima facility will be closed on January 31, 1975.

On December 18, 1974, petitioner requested an emergency priority allocation of natural gas from the Public Utilities Commission of Ohio, but no action has been taken upon that request.

It appears reasonable and consistent with the public interest in this proceeding 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 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) on or before January 25, 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 in accordance with the Commission's rules. This filing which was made with the Commission is available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-1955 Filed 1-21-75; 8:45 am]

[Docket No. RP73-115]

#### CONSOLIDATED NATURAL GAS CO.

#### Order Accepting for Filing and Suspending Proposed Revised Tariff Sheets and Establishing Procedures

JANUARY 15, 1975.

On December 16, 1974, Consolidated Gas Supply Corporation (Consolidated) tendered for filing Second Revised Sheet No. 51-A, Second Revised Sheet No. 51-B, and Second Revised Sheet No. 51-C to its FPC Gas Tariff, First Revised Volume No. 1 to be effective as of December 15, 1975. Notice of these filings was issued on December 31, 1974.

Consolidated's Tariff Sheets now in

effect provide for curtailment of certain partial requirements customers of Consolidated on a pro rata basis and that the gas shortage curtailment provisions in the revised Tariff Sheets provide for end use curtailment.

Additionally, the Tariff Sheets now in effect provide for the determination of industrial requirements on the basis of the highest twelve consecutive calendar months in the most recent twenty-four month period for which data is available. The revised Tariff Sheets will provide for the curtailment of industrial requirements on the basis of data for the twelve month period ended September 30, 1974.

The Revised Tariff Sheets would also permit the filing of petitions for extraordinary relief by any Buyer, including the Hope Natural Division, on behalf of any consumer.

Consolidated requests that the Tariff Sheets be made effective as of December 15, 1974, without suspension or with suspension for only one day to facilitate the orderly implementation of curtailment.

After reviewing the proposed revised tariff sheets, we believe that they may possibly be unjust, unreasonable, unduly discriminatory or otherwise unlawful. This conclusion is founded primarily on the fact that Consolidated's current curtailment tariff is pending before a Presiding Administrative Law Judge for decision thereon. Accordingly, we shall accept Consolidated's proposed tariff revisions for filing and suspend them for one day until January 17, 1975, when they shall be permitted to take effect. In view of the fact that the hearings in Docket No. RP73-115, et al., have been completed and briefs have been filed by the parties, it would appear that a reopening of the record is in order for the purpose of receiving evidence in connection with Consolidated's revised tariff sheets. Additionally, with the proposed imposition of curtailment on the Consolidated system as of February 1, 1975, we believe that the record should include end use data with respect to the base periods that will actually be employed. To the extent that there is any change in this regard from the end use and curtailment implementation data currently in the record, we believe that Consolidated should present supplementary evidence reflecting such changes.

We shall therefore direct the Presiding Administrative Law Judge in these proceedings to convene a formal conference for the purpose of determining the scheduling of dates for the further evidentiary hearings.

Finally, we note, as in the curtailment filings of Transcontinental Gas Pipe Line Corporation (Transco) that Consolidated's curtailment sheets here under consideration and those currently in effect have a compensation feature for a customer company releasing exemption gas which we have found to be ineffective lacking a proper section 7 certification. Therefore, for the reasons stated

in our Transcontinental order<sup>1</sup> pending hearing and final decision, no change in Consolidated's rates shall be effective, nor any transfer of entitlements among Consolidated's customers be effectuated unless and until appropriate certificate and rate filings have been made and approved in accord with sections 4 and 7 of the Act.

*The Commission finds.* (1) It is necessary and appropriate in the public interest and to aid in the enforcement of the Natural Gas Act that the Revised Tariff Sheets herein described and submitted by Consolidated on December 16, 1974, be accepted for filing, suspended for one day and permitted to become effective January 17, 1975, subject to the terms and conditions of this order.

(2) It is necessary and appropriate that the Presiding Administrative Law Judge be directed to convene a formal conference for the purpose of determining the scheduling of dates for the further evidentiary hearings.

*The Commission orders.* (A) Consolidated's filing of December 16, 1974, is hereby accepted for filing, suspended for one day and permitted to become effective January 17, 1975, pursuant to § 154.67(a) of the Commission's regulations and pending further Commission order or opinion in this docket.

(B) The Presiding Administrative Law Judge in these proceedings is hereby directed to convene a formal conference on or before February 28, 1975. In conformance with this order, the purpose of such formal conference shall be to determine the scheduling of dates for the further evidentiary hearings.

By the Commission, Commissioner Brooke, dissenting in part, filed a separate statement appended hereto.<sup>2</sup>

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-1956 Filed 1-21-75; 8:45 am]

[CP73-132, etc.]

DISTRIGAS CORPORATION, ET AL.  
Long-Term Staten Island Applications,  
Long-Term Everett

JANUARY 15, 1975.

On December 16, 1974, Distrigas Corporation (Distrigas), Distrigas of New York Corporation, Distrigas of Massachusetts Corporation (DOMAC), and Distrigas Pipeline Corporation (Applicants) filed a response to our order conditionally granting motion for further extension of time issued November 14,

<sup>1</sup>"Order Granting Rehearing in Part, Denying Rehearing in Part, and Requiring Environmental Impact Statement," issued January 10, 1975, "Transcontinental Gas Pipe Line Corporation, et al.," Docket No. RP72-99, et al.

<sup>2</sup>Dissenting statement filed as part of the original document.

1974, in certain of the above dockets.<sup>1</sup>

Applicants' response outlines the current status of contract negotiations with Sonatrach, and requests (1) the opportunity to report further on the status of the "Ben Franklin" supply contract following the meeting now scheduled for January 6, 1974; (2) that the Commission allow hearings on the long-term Staten Island import and related applications to resume according to scheduling to be set by the Presiding Administrative Law Judge (Judge); (3) that the Commission direct the Judge to fix a date for Applicants to file the balance of their direct evidence on their Everett terminal and sales to be made therefrom; and (4) the relief requested be made applicable to intervenors supporting Applicants.

In light of the apparently active pendency of contract negotiations, and the January 6, 1974, date for further meetings, it is reasonable to allow Applicants to update its reply to our November 14, 1974, order following the January 6, 1974 meeting, as request in Applicants' response.

Concerning the second request, it appears that except for dates certain set for the filing and cross-examination of answering cases to Staff's environmental presentation, no date certain has been set for the resumption of the "Staten Island" hearings. We shall not direct the Judge to set any further specific dates at this time, and instruct him not to do so until Applicants' next report on the status of contract negotiations, at which time Applicants may renew, if appropriate their request to us that hearing and filing dates be set by the Judge. Deferring a ruling until after Applicants' next report will allow time for clarification of need for further hearings, without precluding the possibility of their prompt resumption if appropriate.

The third request, which asks that dates be set for the filing and hearing of evidence relating to Applicants' Everett facility and its operations, is apparently not affected by the forthcoming "Ben Franklin" contract negotiations.<sup>2</sup> In light of the pendency of hearing on the Everett proposal, however Applicants' request for dates should be addressed to the Judge, and is therefore denied without prejudice to its renewal in the proper forum.

The fourth item of relief requested need not be addressed by us at this time. Wherefore, for the reasons outlined above,

*The Commission orders.* (A) Applicants are, as requested, allowed to up-

<sup>1</sup> On December 24, 1974, Brooklyn Union Gas Company filed comments in support of Distrigas' response to our order, and on December 27, 1974, Congressman Murphy filed a detailed reply to Distrigas. Distrigas on January 6, 1975, filed an answer to reply to response. Although none of these described pleadings are provided for by our rules, we have considered them in our order here.

<sup>2</sup> Applicants' response advises that deliveries by the Ben Franklin to Everett are no longer contemplated.

date their response to our November 14, 1974, order following the contract negotiation meeting scheduled for January 6, 1974 in Algeria.

(B) Applicants' requests for specific hearing and filing dates on their long-term import applications are denied without prejudice to their renewal as indicated in the body hereof.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.  
[FR Doc.75-1957 Filed 1-21-75;8:45 am]

[Docket No. CP75-20; Docket No. CI75-116]

**FLORIDA GAS TRANSMISSION CO.  
AND PETROLEUM MANAGEMENT, INC.**

**Extension of Time**

JANUARY 15, 1975.

On January 14, 1975, Petroleum Management, Inc. (PMI) filed a motion to extend the date for filing evidence fixed by order issued December 23, 1974, as most recently modified by notice issued January 3, 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 date for filing direct evidence in the above matter is extended to January 31, 1975. The hearing date will remain as scheduled, February 11, 1975, at 10 a.m. (e.s.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-1958; Filed 1-21-75;8:45 am]

[Docket No. G-2801]

**GETTY OIL CO.**

**Notice of Application**

JANUARY 14, 1975.

Take notice that on January 6, 1975, Getty Oil Company (Applicant), P.O. Box 1404, Houston, Texas 77001, filed in Docket No. G-2801 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon the sale of natural gas in interstate commerce to Columbia Gas Transmission Corporation (Columbia) from its working interest in gas produced from the Erath Unit located in the Erath Field, Vermillion Parish, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that by order issued in Docket No. G-2801 on October 28, 1954, the Commission granted Applicant's predecessor in interest a certificate of public convenience and necessity authorizing the sale under contract dated September 11, 1952, between Tidewater Associated Oil Company (Applicant's predecessor) and Columbia of gas produced from the Erath Unit and accepted for filing said gas sales contract as its FPC Gas Rate Schedule No. 26. The application states that the September 11, 1952, contract provides for a

term of twenty years and as the initial delivery of gas under said contract occurred November 1, 1954, said term expired November 1, 1974.<sup>1</sup>

The application states further that Applicant, as seller, and Transcontinental Gas Pipe Line Corporation (Transco), as buyer, are parties to a gas sales contract dated July 12, 1971, which provides for the commitment of Applicant's interests in the surplus gas in and under certain lands and leases. Surplus gas is stated as defined in said July 1971 agreement to mean that quantity of gas available to Applicant for sale to Transco over and above the quantities Applicant is obligated to deliver to Columbia under the September 11, 1952, contract. Applicant states that its certificate application dated July 22, 1971,<sup>2</sup> contains the statement, "The properties committed under this contract consist of Seller's surplus gas to be produced from the Erath Unit, Vermilion Parish, Louisiana."

Applicant asserts that since it has performed under the September 11, 1952, contract with Columbia the service required of it and in view of the fact that Applicant's July 12, 1971, contract with Transco dedicates to Transco surplus gas defined to include all gas over and above the quantities Applicant was obligated to deliver to Columbia under the 1952 agreement, it is appropriate to terminate service to Columbia under said contract effective November 1, 1974, the expiration date of the September 11, 1952, contract. The application states that there will be no decrease (except for the declining delivery capacity of wells) of deliveries of natural gas for sale or resale in interstate commerce because all of Applicant's working interest gas in the Erath Unit will continue to be delivered into the interstate market under Applicant's FPC Gas Rate Schedule No. 192 which covers Applicant's deliveries to Transco under their contract dated July 12, 1971.

Applicant states that it will continue deliveries to Columbia from its other working interest properties in the Erath, North Erath, and Erath Shallow Fields which sales are covered by Applicant's contract with Columbia dated November 1, 1956, as replaced by a contract dated October 24, 1974.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 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). 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

<sup>1</sup> The current effective rate for the sale of gas proposed to be abandoned is stated to be 26.9875 cents per Mcf including tax reimbursement at 15.025 psia.

<sup>2</sup> Apparently a reference to its application filed July 23, 1971, in Docket No. CI72-50.

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.75-1959 Filed 1-21-75;8:45 am]

[Docket No. RP73-23; PGA 75-2(a)]

**LAWRENCEBURG GAS TRANSMISSION CORP.**

**Filing of Substitute Gas Tariff Sheets**

JANUARY 15, 1975.

Take notice that on January 2, 1975, Lawrenceburg Gas Transmission Corporation (Lawrenceburg) tendered for filing two substitute gas tariff sheets to its FPC Gas Tariff, Original Volume No. 1, designated as Substitute Eighth Revised Sheet No. 3-A (superseding Seventh Revised Sheet No. 3-A) and Substitute Eighth Revised Sheet No. 18-B (superseding Seventh Revised Sheet No. 18-B).

The proposed changes contained therein would increase revenues from jurisdictional sales by \$289,156 as compared to revenues at the current rates in effect since August 1, 1974, based on the 12 months ending November 30, 1974.

Lawrenceburg states that, pursuant to the purchased gas adjustment (PGA) provision in its FPC Gas Tariff, Original Volume No. 1, it filed by letter dated December 19, 1974, Eighth Revised Sheets Nos. 3-A and 18-B in order to track a proposed increase in its cost of gas purchased from Texas Gas Transmission Corporation (Texas Gas), filed December 16, 1974 and proposed to become effective February 1, 1975. By letter dated December 19, 1974, Texas Gas revised its December 16, 1974 filing in order to reflect additional increases by its suppliers, thereby prompting Lawrenceburg to file substitute tariff sheets as noticed herein.

Lawrenceburg requests waiver of the Commission's regulations to permit its substitute tariff sheets to become effective February 1, 1975; and Lawrenceburg states that copies of its filing have been mailed to its two wholesale customers,

Lawrenceburg Gas Company and The Cincinnati Gas & Electric Company, and also to the two interested state commissions, Public Service Commission of Indiana and The Public Utilities Commission of Ohio.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 28, 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.75-1960 Filed 1-21-75;8:45 am]

[Docket No. CP75-198]

**NATURAL GAS PIPELINE CO. OF AMERICA**  
**Notice of Application**

JANUARY 15, 1975.

Take notice that on January 3, 1975, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan Avenue, Chicago, Illinois 60603, filed in Docket No. CP75-198 an application pursuant to section 7 of the Natural Gas Act.

(a) For a certificate of public convenience and necessity authorizing Applicant to continue, as a successor in interest to Texaco Inc. (Texaco), a sale of natural gas of the type usually made by an independent producer;

(b) For permission and approval to abandon certain sales of natural gas to H. L. Hunt, et al. (Hunt), and to Arkansas Louisiana Gas Company (Arkla);

(c) For a certificate of public convenience and necessity authorizing a sale to Arkla, over a defined period of time, of a specified total quantity of natural gas, which sale is to be made under a new special rate schedule and in substitution of those sales to Arkla with respect to which Applicant requests abandonment authorization; and

(d) For a certificate of public convenience and necessity authorizing the construction and operation of the facilities necessary to the substitute sale,

all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant states that the instant application relates to Applicant's plans to develop an underground geological formation in the nearly depleted North Lansing Field, Harrison County, Texas, as an underground natural gas storage reservoir. Applicant, states it has acquired all known producer interests at the North Lansing Field and requests certificate authorization to continue, as a

successor in interest, the only known producer sale in the field not yet certificated to Applicant. Applicant states that said sale has previously been made by Texaco to Arkla under a certificate granted in Docket No. G-7062.

In order to facilitate the conversion of the North Lansing Field to a storage reservoir, Applicant proposes to discontinue production in the field and to abandon all the sales of gas from the field. The sales which Applicant proposes to abandon are the following:

Purchaser	Authorized in Docket No.	Applicant's rate schedule
Hunt.....	CP73-183	OSS-2
Do.....	CP73-194	OSS-6
Do.....	CP73-202	OSS-9
Do.....	CP73-214	OSS-16
Do.....	CP73-280	OSS-30
Do.....	CP73-280	OSS-31
Do.....	CP73-252	OSS-32
Arkla.....	CP73-181	OSS-1
Do.....	CP73-195	OSS-3
Do.....	CP73-196	OSS-4
Do.....	CP73-196	OSS-5
Do.....	CP73-203	OSS-7
Do.....	CP73-201	OSS-8
Do.....	CP73-214	OSS-10
Do.....	CP73-214	OSS-11
Do.....	CP73-214	OSS-12
Do.....	CP73-214	OSS-13
Do.....	CP73-214	OSS-14
Do.....	CP73-280	OSS-17
Do.....	CP73-252	OSS-18
Do.....	CP73-252	OSS-19
Do.....	CP73-252	OSS-20
Do.....	CP73-280	OSS-22
Do.....	CP73-280	OSS-26
Do.....	CP73-280	OSS-28
Do.....	CP73-280	OSS-29
Do.....	(1)	(1)

<sup>1</sup> Texaco received certificate authorization to make this sale to Arkla in Docket No. G-7062. Applicant requests permission and approval to abandon this sale as a successor to Texaco.

<sup>2</sup> This sale is currently made under Texaco's FPC Rate Schedule No. 264.

Applicant further states that all of Applicant's current production from the North Lansing Field is being sold to Arkla, Hunt having previously discontinued purchases from Applicant because declining deliveries had rendered Hunt's operations uneconomical. Applicant has entered into an agreement with Arkla whereby Arkla would surrender its right to purchase the remaining economically recoverable gas reserves in the Field in exchange for Applicant's execution of an agreement covering the sale of equivalent volumes of gas to Arkla. Applicant thus requests a limited-term certificate authorizing the substitute sale to Arkla in an aggregate quantity of gas equal to the estimated economically recoverable gas reserves remaining in the Field at the time of discontinuance of production and abandonment. Applicant relates that it has agreed with Arkla that said reserves are 3.2 million Mcf as of January 1, 1973. Applicant estimates the reserves to be 1.2 million Mcf as of December 31, 1974. Applicant proposes to deliver said quantity to Arkla at an average rate of 3,000 Mcf per day. The price for substitute sale, estimated by Applicant to be approximately 19 cents per Mcf, represents a weighted average of the prices for the several sales to Arkla which Applicant proposes to abandon from the North Lansing Field.



Applicant also requests permanent certificate authorization to construct and operate the facilities necessary to the substitute sale. Applicant proposes the construction of approximately 500 feet of 4½-inch pipeline and certain measuring facilities, including a meter station and a 3-inch side tap. The total cost of such facilities is estimated by Applicant to be \$25,400, which will be met with funds on hand.

Applicant proposes to construct the subject facilities from a 30-inch pipeline, which it proposes in its application in Docket No. CP74-286 to connect Applicant's Gulf Coast Main transmission system with the North Lansing Field, to Arkla's 8-inch pipeline in Harrison County. Applicant requests authorization to continue to operate the facilities proposed in the instant application after termination of the substitute sale to Arkla because the facilities may be useful after said termination.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 6, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) 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 and 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.75-1961 Filed 1-21-75;8:45 am]

[Docket No. RP73-48; PGA75-3]

**NORTHERN NATURAL GAS CO.**

**Rate Change Pursuant to Purchased Gas Cost Adjustment Provision**

JANUARY 15, 1975.

Take notice that Northern Natural Gas Company on December 9, 1974 tendered for filing Seventh Revised Sheet No. 3a of its FPC Gas Tariff, Volume No. 4. The proposed change to become effective January 1, 1975 would increase the rate per Mcf to jurisdictional customers by .62¢ per Mcf. This amount results from a PGA increase filed by Colorado Interstate to become effective January 1, 1975. Colorado Interstate is the pipeline supplier to Northern for sales made under Volume No. 4.

Copies of the filing were served upon the Gas Utility Customers and interested State Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure. (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 29, 1974. All such petitions or protests will be considered 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.75-1962 Filed 1-21-75;8:45 am]

[Docket No. CP74-301]

**SOUTHWEST GAS CORP.**

**Withdrawal and Cancellation of Hearing**

JANUARY 15, 1975.

On December 27, 1974, Southwest Gas Corporation filed a withdrawal of its application in the above-designated matter which was set for hearing by order issued November 14, 1974.

Notice is hereby given that pursuant to § 1.11(d) of the Commission's rules and regulations the withdrawal of the above application shall become effective January 27, 1975. The hearing scheduled for January 23, 1975 is cancelled.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-1964 Filed 1-21-75;8:45 am]

[Docket No. RI75-99]

**TEXAS PACIFIC OIL CO., INC.**

**Petition for Special Relief**

JANUARY 15, 1975.

Take notice that on December 16, 1974, Texas Pacific Oil Company, Inc.,

(Petitioner), 1700 One Main Place, Dallas, Texas 75250, filed a petition for special relief in Docket No. RI75-99, seeking a rate above the applicable area ceiling under Opinion No. 607. Petitioner seeks a price of 32 cents per Mcf for the sale of gas to Arkansas Louisiana Gas Company from the Federal King No. 1 Well, Kinta Field, Haskell County, Oklahoma. The petition is based on the workover of the well and installation of compression equipment.

Any person desiring to be heard or to make any protest with reference to said petition should on or before January 27, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-1965 Filed 1-21-75;8:45 am]

[Docket No. E-9191]

**UTAH POWER & LIGHT CO.**

**Notice of Application**

JANUARY 15, 1975.

Take notice that on December 23, 1974, Utah Power & Light Company (Applicant) tendered for filing pursuant to section 205 of the Federal Power Act and Part 35 of the regulations issued thereunder, an October 22, 1974, Supplement to the Interconnection and Transmission Service Contract with the United States Bureau of Reclamation (USBR), dated May 17, 1962 and designated Rate Schedule FPC No. 98, which provides for Applicant's wheeling of power and energy from the USBR Colorado River Storage Project pursuant to Contract No. 14-06-400-2436. The Supplement permits a ratio of other than one-for-one within the interchange energy account, revises standard provisions N, O, and P relating to power factor deviations, working hours and employment, and adds a new provision GG which only applies when electric service involves multiple points of delivery from both direct and wheeled points. Applicant requests that the Supplement be accepted for filing as of October 22, 1974.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 30, 1975, file with the Federal Power Commission, Washington, D.C., 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests

filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to 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 is available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 75-1966 Filed 1-21-75; 8:45 am]

[Docket No. RP74-91-18]

**TENNESSEE GAS PIPELINE CO.**  
Petition for Extraordinary Relief

JANUARY 16, 1975.

On January 10, 1975, Pennsylvania Gas and Water Company (Penn Gas) filed a petition for extraordinary relief pursuant to section 4 of the Natural Gas Act and § 2.78 of the Commission's General Policy and Interpretations (18 CFR 2.78) from curtailment by Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee). Penn Gas requests that the Commission issue an order directing Tennessee to deliver to Penn Gas 2,507,676 Mcf of natural gas during the period from January 1, 1975, through March 31, 1975. Penn Gas further requests, in view of the alleged disastrous and irreparable impact of Tennessee's announced level of the curtailment of Penn Gas' supply and the short-term duration of the relief requested herein, that Tennessee be directed to provide interim relief for said amount of gas pending evidentiary proof by Penn Gas of entitlement to such relief and subject to a payback condition in the event of a failure on the part of Penn Gas to prove its entitlement to relief. Penn Gas states that in filing this petition it does not concede the propriety or legal validity of Tennessee's announced curtailment implementation but reaffirms its position taken in the complaint filed by Penn Gas in Docket No. RP75-50 that Tennessee's current implementation of its curtailment plan is unreasonable, preferential, discriminatory and unlawful. Penn Gas states further that if the interim relief prayed for by Penn Gas in its complaint in Docket No. RP75-50 is granted, Penn Gas will probably not require the extraordinary relief requested in the instant petition and that this petition is filed as a protective measure to preserve Penn Gas' legitimate rights in the event timely relief is not granted in Docket No. RP75-50. Penn Gas' petition is on file with the Commission and open to public inspection.

Penn Gas is a public utility corporation engaged in the supply and distribution of water and natural gas within the Commonwealth of Pennsylvania. Natural gas service is said to be provided by Penn Gas to the public in parts of the following Pennsylvania counties: Lackawanna, Wyoming, Luzerne, Columbia, Northum-

berland, Snyder, Montour, Union and Lycoming. Penn Gas states that its market is mostly residential, commercial and small process-use industrial and that it does not meet the needs of large interruptible or boiler fuel consumers.

Penn Gas states that it obtains its natural gas supply from three interstate pipeline suppliers: Tennessee, Columbia Gas Transmission Corporation (Columbia) and Transcontinental Gas Pipe Line Corporation (Transco). Penn Gas is said to have no other source of gas supply.<sup>1</sup>

The petition states that Penn Gas has not increased its demand entitlement from Columbia since 1971 nor has Tennessee increased its delivery obligations to Penn Gas since 1968. Penn Gas states that while it was able to contract with Transco for increased contract demand in 1969 and 1970 such increases were for only a portion of Penn Gas' requirements and that the last year in which Penn Gas was able to contract with Transco for the full volumetric level of its requirements was 1968.

Penn Gas asserts that for 4½ years it has had a very restrictive load attachment policy in effect. The petition indicates that since August 1970 no new commercial or industrial attachment commitments have been made (not even in replacement for customers lost as result of business closings) and no additional delivery commitments have been made to existing commercial and industrial customers. The petition further indicates that since October 1970 residential load growth has been prohibited, and only a portion of lost residential service has been replaced by the incurring of new delivery obligations to domestic consumers. Penn Gas states that it was unable to obtain an adequate gas supply even before the instant curtailment and since it has long practiced energy conservation in its service area additional conservation possibilities are not available. The petition asserts that Penn Gas' position is even more critical since Penn Gas has not had dump gas for sale for inferior uses which could now be curtailed to conserve gas supplies for more superior requirements.

The petition alleges that until December 13, 1974, Penn Gas believed, on advice by Tennessee that Tennessee would be curtailing deliveries to Penn Gas at the rate of 5.1 percent of Penn Gas' requirements (on a Tennessee system curtailment rate of about 7 percent). Petitioner states that on December 13, 1974, Penn Gas received a telephone call from

<sup>1</sup> The uncurtailed volumes that would be deliverable to Penn Gas during the period from January 1 through March 31, 1975, for which extraordinary relief is requested is

Supplier	Thousand cubic feet at 14.73 lb/in <sup>2</sup> a	Percent
Tennessee.....	4,904,562	35.42
Columbia.....	2,732,094	19.73
Transco.....	6,210,447	44.85
Total.....	13,847,103	100.00

Tennessee advising that during the period December 16, 1974, through March 31, 1975, Tennessee's system curtailment rate would be raised to 14 percent (later stated by Tennessee at 17.2 percent) and that curtailment of Penn Gas' supply would be increased from 5.1 percent to 45.11 percent.

Penn Gas states that this announced 45 percent curtailment of Penn Gas' supply from Tennessee was totally unexpected and unforeseeable. Penn Gas alleges that Tennessee has in the past advised its customers that its gas reserves were adequate to support full system deliverability and in fact at the hearing in its curtailment proceeding in Docket No. RP74-24, Tennessee's witness testified that full deliverability would be maintained at least until January 1976 at the level of requirements estimated for 1974. Penn Gas states that curtailments were announced by Tennessee earlier in 1974 which were said to have been necessitated, first, by a system capacity insufficiency, and then, later by conditions of the force majeure type but were not heralded as a basic revision in deliverability projections related to the availability of gas reserves. Penn Gas states that, until December 13, 1974, Penn Gas had no basis for believing, in its most pessimistic view, that an increase in the Tennessee system curtailment rate from 7 percent to 17 percent could possibly effect an increased in the curtailment of deliveries to Penn Gas from the rate of 5.1 percent to 45 percent of requirements. Penn Gas alleges Tennessee has not honored its request for the underlying end-use data on which Tennessee is implementing curtailment at the present time and that the validity and appropriateness of this underlying data are in issue in the complaint filed by Penn Gas in Docket No. RP75-50.

Penn Gas states that prior to its receipt of advice by Tennessee of a 45 percent winter curtailment, Penn Gas notified all its interruptible customers that Penn Gas would be unable to sell any interruptible gas during the 1974-75 winter. Penn Gas states it took this action believing that a complete curtailment of interruptible requirements would be necessary to assure its ability to meet the needs of firm customers without alternative capabilities. Until December 13, 1974, Penn Gas states, it considered its winter gas supply adequate for all firm requirements; however, as a result of the announced 45 percent curtailment by Tennessee, Penn Gas has informed all of its larger firm industrial customers that these firm deliveries would be curtailed during the current winter. Penn Gas states it informed them that their deliveries will be curtailed at the rate of 25 percent through January 19, 1975, and at a rate of 58 percent from January 20 through March 31, 1975. The petition states the foregoing staggered curtailment rate is to allow Penn Gas' customers a brief period for evaluation and planning and to enable plants to remain open until such time as Penn Gas is able to seek appropriate relief from the Commission.

The affected customers of Penn Gas and their minimum requirements are set forth in the appendix below.

Penn Gas alleges that curtailment by Penn Gas of firm industrial deliveries in the magnitude it has ordered as a result of Tennessee's announced curtailment of deliveries to Penn Gas would utterly devastate the already sorely depressed economy of northeast Pennsylvania. Petitioner states there is little in place capability on the part of its firm industrial customers to conduct their operations on the burning of fuels alternative to gas. The petition states that while these consumers had no reasonable expectation of such drastic levels of curtailment upon notice by Penn Gas, these industrial concerns have set out on crash programs to accelerate plans for the conversion of production equipment to alternate capabilities, to the extent that conversion is technologically feasible. Penn Gas states that it does not seek extraordinary relief for the benefit of any consumer that can continue operating in the absence of such relief, or any end-use that can be met by existing, in place, alternative fuel capabilities; or for any such capability that can be installed during the present winter.<sup>2</sup> The petition states further that none of the firm customers on whose behalf Penn Gas seeks extraordinary relief has any other source of natural gas supply. Penn Gas states it has requested from Tennessee relief for its firm industrial customers and that Tennessee has informed Penn Gas relief must be sought from the Commission. Penn Gas, therefore, requests the Commission issue an order directing Tennessee to deliver to Penn Gas 2,507,676 Mcf of gas during this winter curtailment period and that such relief be granted on an interim basis pending a hearing on the issues raised in this petition.

It appears reasonable and consistent with the public interest in this case to provide a shortened period for the filing of petitions to intervene and protests. Therefore, any person desiring to be heard or to make any protest with reference to said petition should on or before January 31, 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

<sup>2</sup> Penn Gas states that it does not request relief for industrial uses, that can be met with existing alternate fuel capability or with alternate capabilities convertible during this winter except for Glen-Gery Corporation whose alternative fuel is a unique type of coal in extremely short supply. Penn Gas is seeking extraordinary relief only for the 50 percent of its fuel needs for which coal capability exists and states that any excess gas not required by Glen-Gery as a result of its commitment to obtain adequate coal supplies will not be taken from Tennessee by Penn Gas.

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.

APPENDIX.—Requirements for period Jan. 1 through Mar. 31, 1976

[Thousand cubic feet]

Customer	Minimum requirements	Current allocation by Penn Gas	Extraordinary relief required
Coco Corp.	10,701	5,590	5,111
Charmin Paper	834,132	548,164	285,968
Berwick Forge	85,533	43,707	41,828
Continental Can	8,450	4,285	4,185
Glen-Gery Corp.	59,704	38,713	20,991
Milton Manufacturing	177,734	88,933	88,801
Potlatch Corp.	26,813	15,414	11,899
RCA Corp.	61,150	48,468	17,687
Schott Optical	30,866	15,799	15,067
GTE Sylvania	17,098	8,898	8,149
TRW, Inc.	11,287	5,711	5,576
Watsonville Brick	68,666	33,661	34,985
Shop-Vac Corp.	8,818	4,535	4,283
Casket Shells	9,120	4,639	4,481
Wise Foods	13,462	6,948	6,514
AVCO Corp.	79,743	49,168	30,555
Frito-Lay	12,451	6,802	6,149
Sandvik Steel	19,552	10,132	9,429
U.S. Army	249,672	146,254	103,418
Kawneer Architectural	22,055	11,341	10,714
Rohr American	8,605	4,813	4,292
Certain-Teed	157,000	90,207	66,793
Celotex Corp.	120,097	88,154	31,943
Zenith Electronics	29,056	15,167	13,889
Seranton Defense Plant	16,005	8,187	7,818
Fitchburg Coated	8,876	4,470	4,406
Total	2,146,584	1,302,164	844,420

NOTE.—Tennessee's announced allocation to Penn Gas for the period Dec. 16, 1974, through Mar. 31, 1975, is 1,970,259 Mcf, representing 1,663,256 Mcf for the period Jan. 1 through Mar. 31, 1975, the period for which extraordinary relief is requested herein. The allocation sought by Penn Gas in this petition is 2,507,676 Mcf, representing an increase of 844,420 above the allocation announced by Tennessee.

[FR Doc.75-1879 Filed 1-16-75;2:36 am]

FEDERAL RESERVE SYSTEM

FIRST COMMERCIAL BANKS, INC.

Proposed Acquisition of FCB Life Insurance, Ltd.

First Commercial Banks, Inc., Albany, New York, has applied, pursuant to section 4(c) (8) of the Bank Holding Company Act (12 U.S.C. 1843(c) (8)) and § 225.4(b) (2) of the Board's Regulation Y, for permission to acquire voting shares of FCB Life Insurance, Ltd., Phoenix, Arizona. Notice of the application was published in newspapers of general circulation in the communities to be served: Sayville, Albany, Kingston, and Syracuse (Homer), all in New York.

Applicant states that the proposed subsidiary would engage in the activities of underwriting, as reinsurer, credit life and credit accident and health insurance which is directly related to extensions of credit by the subsidiaries of the Applicant. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than February 13, 1975.

Board of Governors of the Federal Reserve System, January 14, 1975.

[SEAL] GRIFFITH L. GARWOOD,  
Assistant Secretary of the Board.

[FR Doc.75-1936 Filed 1-21-75;8:45 am]

TIPTON INSURANCE AGENCY, INC.

Formation of Bank Holding Co.

Tipton Insurance Agency, Inc., Tipton, Kansas, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company through acquisition of all of the voting shares (less directors' qualifying shares) of The Tipton State Bank, Tipton, Kansas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Tipton Insurance Agency, Inc. has also applied, pursuant to section 4(c) (8) of the Bank Holding Company Act (12 U.S.C. 1843(c) (8)) and § 225.4(b) (2) of the Board's Regulation Y, for permission to acquire the Tipton Insurance Agency, Tipton, Kansas. Notice of the application was published on October 24, 1974 in The Cawker City Ledger, a newspaper circulated in Tipton, Kansas.

Applicant states that the proposed subsidiary would engage in general insurance agency activities, including the sale of fire, casualty, accident, health and life insurance, and credit life and credit accident and health insurance directly related to extensions of credit by The Tipton State Bank. Such activities will be conducted from the premises of The Tipton State Bank in a community having a population of less than 5,000 persons. Applicant states that such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals

in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than February 13, 1975.

Board of Governors of the Federal Reserve System, January 14, 1975.

[SEAL] GRIFFITH L. GARWOOD,  
Assistant Secretary of the Board.

[FR Doc.75-1937 Filed 1-21-75; 8:45 am]

#### WESTERN CORP.

##### Acquisition of Bank

Western Corporation, Rapid City, South Dakota, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of The First National Bank of Chugwater, Chugwater, Wyoming. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Western Corporation, Rapid City, South Dakota, has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Chugwater Insurance Agency, Chugwater, Wyoming, and to retain Newcastle Insurance Agency, Newcastle, Wyoming. Notice of the applications was published on October 25, 1974, in The Platte County Record-Times, a newspaper circulated in Wheatland, Wyoming, and November 14, 1974, in the News Letter Journal, circulated in Newcastle, Wyoming, respectively.

Applicant states that these subsidiaries would engage in the following activities: sale of fire and casualty, auto, and life insurance. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposals can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than February 13, 1975.

Board of Governors of the Federal Reserve System, January 14, 1975.

[SEAL] GRIFFITH L. GARWOOD,  
Assistant Secretary of the Board.

[FR Doc.75-1938 Filed 1-21-75; 8:45 am]

#### FEDERAL PREVAILING RATE ADVISORY COMMITTEE

##### IMPLEMENTATION OF PAY SYSTEM

##### Notice of Committee Meetings

Pursuant to the provisions of section 10 of Pub. L. 92-463, effective January 5, 1973, notice is hereby given that meetings of the Federal Prevailing Rate Advisory Committee will be held on:

Thursday, February 6, 1975.

Thursday, February 13, 1975.

Thursday, February 20, 1975.

The meetings will convene at 10 a.m. and will be held in Room 5A06A, Civil Service Commission Building, 1900 E Street NW., Washington, D.C.

The committee's primary responsibility is to study the prevailing rate system and from time to time advise the Civil Service Commission thereon.

At these scheduled meetings, the committee will consider proposed plans for implementation of Pub. L. 92-392, which law establishes pay systems for Federal prevailing rate employees.

The meetings will be closed to the public on the basis of a determination under section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463) and 5 U.S.C., section 552(b)(2), that the closing is necessary in order to provide the members with the opportunity to advance proposals and counter-proposals in meaningful debate on issues related solely to the Federal Wage System with the view toward ultimately formulating advisory policy recommendations for the consideration of the Civil Service Commission.

However, members of the public who wish to do so, are invited to submit material in writing to the Chairman concerning matters felt to be deserving of the committee's attention. Additional information concerning these meetings may be obtained by contacting the Chairman, Federal Prevailing Rate Advisory Committee, Room 5451, 1900 E Street, NW., Washington, D.C. 20415.

DAVID T. ROADLEY,  
Chairman, Federal Prevailing  
Rate Advisory Committee.

JANUARY 16, 1975.

[FR Doc.75-1975 Filed 1-21-75; 8:45 am]

#### GENERAL SERVICES ADMINISTRATION

##### FEDERAL PROPERTY MANAGEMENT REGULATIONS; TEMPORARY REGULATION F-325

##### Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in intrastate rate proceedings.

2. *Effective date.* This regulation is effective immediately.

##### 3. Delegation.

a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the Arizona Corporation Commission (Docket No. U-1345) involving the application of Arizona Public Service Company for general increases in its rates for electrical and natural gas service.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

Dated: January 13, 1975.

ARTHUR F. SAMPSON,  
Administrator of General Services.

[FR Doc.75-1939 Filed 1-21-75; 8:45 am]

#### INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

##### ELECTRIC FACE EQUIPMENT STANDARD

##### Applications for Renewal Permits

Applications for Renewal Permits for Noncompliance with the Electric Face Equipment Standard prescribed by the Federal Coal Mine Health and Safety Act of 1969 have been received for items

of equipment in underground coal mines as follows:

ICP Docket No. 4201-000, LANE HOLLOW COAL COMPANY, Mine No. 31, Mine ID No. 44 02258 0, Maxie, Virginia,  
 ICP Permit No. 4201-002 (Mescher HD12 Rubber Tired Tractor, Ser. No. 240),  
 ICP Permit No. 4201-003 (Mescher HD12 Rubber Tired Tractor, Ser. No. 288),  
 ICP Permit No. 4201-004 (Mescher HD12 Rubber Tired Tractor, Ser. No. 397),  
 ICP Permit No. 4201-005 (Mescher ED120 Rubber Tired Tractor, Ser. No. 390).

In accordance with the provisions of § 504.7(b) of Title 30, Code of Federal Regulations, notice is hereby given that requests for public hearing as to an application for a renewal permit may be filed on or before February 6, 1975. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street, NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,  
 Chairman,  
 Interim Compliance Panel.

JANUARY 16, 1975.

[FR Doc.75-1971 Filed 1-21-75; 8:45 am]

## INTERNATIONAL TRADE COMMISSION

[TA-131(b)-1]

### PRESIDENT'S LIST OF ARTICLES WHICH MAY BE AFFECTED BY INTERNATIONAL TRADE NEGOTIATIONS

#### Investigation and Hearings

On January 14, 1975, the President, pursuant to section 131(a) of the Trade Act of 1974 (hereinafter referred to as "the Act"), furnished the United States International Trade Commission (hereinafter referred to as "the Commission") a list of articles (hereinafter referred to as the "President's list") to be considered in international trade negotiations to be conducted under authority of section 101 of the Act. The President's list is published in paragraph 11-B of his "Notice of International Trade Negotiations and of Articles which may be Affected by such Negotiations" (40 FR 2659).

1. *Investigation instituted.* In accordance with the President's request and section 131 of the Act, the Commission has instituted an investigation for the purpose of obtaining, to the extent practicable, information of the kind described in section 131(d) of the Act for use in connection with the preparation of advice to the President required by section 131(b) of the Act. This advice will be the Commission's judgment, with respect to each article included in the President's list, as to the probable economic effect of the continuance, elimination, or reduction of United States duties, or con-

tinuance of United States duty-free or excise treatment, on industries producing like or directly competitive articles and on consumers.

#### II. Procedure for conduct of hearings and submission of written views.

A. Public hearings in connection with the investigation will be held in the following cities commencing at 10 a.m. on the dates indicated:

Cities	Dates <sup>1</sup> (1975)
Washington, D.C.	Feb. 25 to 27.
New Orleans, La.	Mar. 4.
Atlanta, Ga.	Mar. 6.
Phoenix, Ariz.	Mar. 11.
San Francisco, Calif.	Mar. 13.
Minneapolis, Minn.	Mar. 18.
Portland, Ore.	Mar. 20.
New York, N.Y.	Apr. 1.
Boston, Mass.	Apr. 3.
Chicago, Ill.	Apr. 8.
Washington, D.C.	Apr. 8.
Cleveland, Ohio.	Apr. 10.
Denver, Colo.	Apr. 14.
Omaha, Nebr.	Apr. 16.
Kansas City, Mo.	Apr. 18.

<sup>1</sup> The hearings in Washington, D.C. scheduled to begin February 25 will conclude on February 27; those scheduled to begin April 8 will continue until all interested parties have been heard. The hearings scheduled in cities other than Washington, D.C., will continue until all interested parties have been heard.

Further notice will be published in the FEDERAL REGISTER as to the names and locations of the hearing rooms in cities other than Washington. The public hearings in Washington, D.C., will be held in the hearing room of the U.S. International Trade Commission, 8th & E Streets, NW., Washington, D.C., commencing at 10 a.m. on the dates indicated.

1. Requests to appear at the public hearings shall be filed in writing with the Secretary of the Commission at least two weeks prior to the commencing date of the hearing in the city at which the appearance is to be made. Such requests shall contain the following information:

- A description of the article or articles on which testimony will be presented, including, if possible, the item number or numbers in the Tariff Schedules of the United States<sup>2</sup> covering the article or articles.
- The name and organization of the witness or witnesses who will testify, and the name, address, telephone number, and organization of the person filing the request.
- A statement indicating whether the testimony to be presented will be on behalf of importers, domestic producers, consumers, or other interests.
- A careful estimate of the aggregate time desired for presentation of oral testimony by all witnesses for whose appearances the request is filed.

<sup>2</sup> The Tariff Schedules of the United States Annotated (1975) is for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402; and is also available for inspection without charge at any field office of the U.S. Customs Service or the Department of Commerce and at depository libraries.

2. Allotment of time: Because of the extensive scope of the President's list, limitation of time for the presentation of oral testimony is in the public interest. Accordingly, in scheduling appearances at the hearing the time to be allotted to witnesses for the presentation of oral testimony will be limited as circumstances require. Supplemental written statements will be allowed in all cases, and should be submitted at the time of presentation of oral testimony.

3. Notification of date of appearance: Persons who have properly filed requests to appear will be individually notified in advance of the date on which they will be scheduled to present oral testimony and of the time allotted for presentation of such testimony.

4. Order of hearings: To the extent practicable the hearings at each city will follow the order of the Tariff Schedules of the United States, beginning with Schedule I, Animal and Vegetable Products.

5. Questioning of witnesses will be limited to members of the Commission and its staff.

B. *Written information and views in lieu of appearances at the public hearings may be submitted by interested persons.* A signed original and nineteen true copies of such statements shall be submitted. Business data which it is desired shall be treated as confidential shall be submitted on separate sheets, each clearly marked at the top "Business Confidential." All written statements, except for confidential business data, will be made available for inspection by interested persons. To be assured of consideration by the Commission, written statements in lieu of appearances should be submitted at the earliest practicable date, but not later than the date of the closing of the public hearings.

III. *Communications to be addressed to Secretary.* All communications regarding the Commission's investigation should be addressed to the Secretary, United States International Trade Commission, Washington, D.C. 20436.

By direction of the United States International Trade Commission.

Issued: January 20, 1975.

KENNETH R. MASON,  
 Secretary.

[FR Doc.75-2129 Filed 1-21-75; 8:45 am]

## NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

### MANAGEMENT OF COASTAL ZONE AND OFFSHORE RESOURCES

#### Open Meeting

JANUARY 17, 1975.

The National Advisory Committee on Oceans and Atmosphere (NACOA) will hold a meeting Thursday and Friday, February 20 and 21, 1975. Both sessions will be open to the public and will be held in Room 6802 of the U.S. Department of Commerce Building, 15th and Constitution Avenue, NW., Washington, D.C., beginning at 9 a.m.

The Committee, consisting of 25 non-Federal members appointed by the President from State and local governments, industry, science, and other appropriate areas, was established by Congress by Pub. L. 92-125, on August 16, 1971. Its duties are to: (1) undertake a continuing review of the progress of the marine and atmospheric science and service programs of the United States, (2) submit a comprehensive annual report to the President and to the Congress setting forth an overall assessment of the status of the Nation's marine and atmospheric activities on or before June 30 of each year, and (3) advise the Secretary of Commerce with respect to the carrying out of the purposes of the National Oceanic and Atmospheric Administration.

The agenda will consist of briefings and discussion organized around the following topics:

**THURSDAY, FEBRUARY 20**

Developmental and regulatory issues in the management of coastal zone and offshore resources.

9 a.m. to noon—case studies by industry representatives on offshore oil and gas, nuclear power plant siting, and coastal recreation.

1:30 to 5 p.m.—views of representatives of the Departments of the Interior, Commerce, Transportation, and the Council on Environmental Quality.

**FRIDAY, FEBRUARY 21**

9 a.m. to 3 p.m.—progress reports from NACOA ad hoc working groups on information needs of coastal zone management, the future of the International Decade of Ocean Exploration, and material for the next NACOA annual report.

The public is welcome and will be admitted to the limit of the seating available. Persons wishing to make formal statements should notify the Chairman in advance of the meeting. The Chairman retains the prerogative to place limits on the duration of oral statements and discussion. Written statements may be submitted at any time.

Additional information concerning this meeting may be obtained through the Committee's Executive Director, Dr. Douglas L. Brooks whose mailing address is: National Advisory Committee on Oceans and Atmosphere, Department of Commerce Building, Room 5225, Washington, D.C. 20230. Telephone: (202) 967-3343.

**DOUGLAS L. BROOKS,**  
*Executive Director.*

[FR Doc.75-2053 Filed 1-21-75;8:45 am]

**NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**

**NATIONAL COUNCIL ON THE ARTS Meeting**

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the National Council on the Arts will be held at 9 a.m.-5 p.m. on February 7, 1975; 9 a.m.-5 p.m. on February 8, 1975; 9:15 a.m.-2 p.m. on Feb-

ruary 9, 1975 in the Shoreham Building, 1st floor conference room, 806 15th Street, NW., Washington, D.C.

A portion of this meeting will be open to the public on February 7 from 9 a.m.-12 noon on a space available basis. Accommodations are limited. During the open session the following topics will be discussed: Preliminary Matters; Bicentennial Discussion; Public Works/Public Service Employment; Cultural Advisory Service; Report Re Reorganization Matters.

The remaining sessions of this meeting, February 7 from 12:30 p.m.-5 p.m., February 8 from 9 a.m.-5 p.m., and February 9 from 9:15 a.m.-2 p.m. are for the purpose of Council review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of January 10, 1973, these sessions, which involve matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b) (4), and (5)), will not be open to the public.

Further information with reference to this meeting can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-7144.

**EDWARD M. WOLFE,**  
*Administrative Officer, National Endowment for the Arts, National Foundation on the Arts and the Humanities.*

[FR Doc.75-2023 Filed 1-21-75;8:45 am]

**NATIONAL SCIENCE FOUNDATION COMMITTEE MANAGEMENT**

**Establishment of Utility Advisory Panel**

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), it is hereby determined that the establishment of a Utility Advisory Panel, as hereinafter identified, is necessary, appropriate, and in the public interest in connection with the performance of duties imposed upon the National Science Foundation by the National Science Foundation Act of 1950, as amended, and other applicable laws. This determination follows consultation with the Office of Management and Budget (OMB), pursuant to section 9. (a) (2) of the Federal Advisory Committee Act and OMB Circular No. A-63, Revised.

1. *Name of panel.* Utility Advisory Panel.

2. *Purpose.* To review the assumptions made by, and the results of, the Energy Conservation Alternatives Study which is supported by the National Science Foundation, the National Aeronautics and Space Administration and the Department of Interior's Office of Coal Research. As the aim of the study is to

evaluate candidate coal energy conversion systems for application to electric power generation, it is necessary to ensure that the results are applicable to electric utilities. This panel will provide advice to the Interagency Steering Committee, which is comprised of two members from each of the supporting agencies, on the compatibility of the assumptions and results with utility operation.

3. *Effective date of establishment and duration.* The Utility Advisory Panel is established, effective 15 days after publication of this notice and after the charter has been filed with the standing committees of Congress having legislative jurisdiction of the National Science Foundation. The panel shall be operative for one year from the date of the filing of the charter.

4. *Membership.* The membership of the Utility Advisory Panel shall be fairly balanced in terms of the points of view represented and the panel's function. Appointments shall be made by the Interagency Steering Committee from representatives of publicly- and privately-owned utilities. Persons with backgrounds in research and in operation will be sought. Approximately seven individuals will be selected to serve. There will be no discrimination on the basis of race, color, national origin, religion or sex.

5. *Panel operation.* The panel will operate in accordance with provisions of the Federal Advisory Committee Act (Pub. L. 92-463), Foundation policy and procedures, OMB Circular No. A-63, Revised and other directives and instructions issued in implementation of the Act.

**LOWELL J. PAIGE,**  
*Acting Director.*

[FR Doc.75-2002 Filed 1-21-75;8:45 am]

**NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-516A and 50-517A]

**LONG ISLAND LIGHTING CO.**

**Receipt of Attorney General's Advice and Time for Filing of Petitions To Intervene on Antitrust Matters**

The Commission has received, pursuant to section 105c. of the Atomic Energy Act of 1954, as amended, a letter of advice from the Attorney General of the United States, dated January 7, 1975 a copy of which is attached as Appendix A below.

Any person whose interest may be affected by this proceeding may, pursuant to § 2.714 of the Commission's rules of practice, 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and requests for hearing shall be filed by February 21, 1975, either (1) by delivery to the NRC Public Docketing and Service Section at 1717 H Street, NW., Washington, D.C., or (2) by mail or telegram addressed to the Secretary, Nuclear Regulatory Commission, Washington, D.C. 20545, ATTN: Docketing and Service Section.

For the Nuclear Regulatory Commission.

JEROME SALTZMAN,  
Deputy Chief, Office of Anti-  
trust and Indemnity, Direc-  
torate of Licensing.

## APPENDIX A

LONG ISLAND LIGHTING COMPANY; JAMESPORT  
NUCLEAR POWER STATION, UNITS 1 AND 2; NRC  
DOCKET NOS. STN 50-516 AND STN 50-517;  
DEPARTMENT OF JUSTICE FILE 60-415-99

JANUARY 7, 1975.

You have requested our advice pursuant to the provisions of section 105 of the Atomic Energy Act of 1954, 68 Stat. 919, 42 U.S.C. 2011-2296, as amended by Pub. L. 91-560, 84 Stat. 1472, in regard to the above-cited application.

**Introduction.** Long Island Lighting Co. (LILCO) has applied for a permit to construct its second nuclear facility, consisting of two 1,150 MW units at Jamesport, New York. These units are scheduled for completion, at the earliest, in May, 1981 and May, 1983. It is presently estimated that the plant construction costs will be about \$1,525,000,000, station switchyard and transmission costs about \$28,000,000 and nuclear fuel inventory costs for the first cores in both units about \$75,000,000, for a grand total estimated cost of \$1,630,000,000. Applicant intends to finance these costs from internal sources, short-term borrowings and the sale of stock and debt obligations.

**The applicant.** LILCO is a combination gas-electric utility on Long Island, New York. Its service area covers almost all of Long Island east of New York City, plus an isolated strip of the Borough of Queens within that City. In 1973 electric revenues accounted for \$338.6 million of the company's total revenues of \$432.6 million.

In its electric operations the Applicant is a fully-integrated electric utility. Aside from the Shoreham nuclear facility, a fossil fueled steam unit and various gas turbine units now under construction, it operates five oil-fired steam electric generating stations and various gas turbine and diesel auxiliary generating units which have a present dependable peak capacity of 3,459 MW. In addition, LILCO and six other New York electric utilities have entered into a non-binding memorandum of understanding with respect to the formation of a jointly-owned generating company to build and operate major generating facilities to be placed in service in the 1980's. Its transmission network includes over 1000 circuit miles with lines ranging up to 138 kv capacity. And its distribution system has almost 47,000 conductor miles of distribution lines to serve its 1230 square mile franchise area, which includes an estimated population exceeding 2.8 million persons, greater than that in each of 25 states.

**Relations with other utilities.** By its geography LILCO is physically a comparatively isolated major electric utility. It is near only two private utilities, Consolidated Edison Co. in adjacent New York City and Connecticut Light and Power Co., and is interconnected with both, the latter via a submarine cable across Long Island Sound. These interconnections make possible a wide range of contractual relations assuring LILCO the cost and reliability benefits available from reserve sharing and coordinated planning and operation.

For example, LILCO is a member of the New York Power Pool. Other participating members, in addition to Consolidated Edison, are Central Hudson Gas & Electric Corp., New York State Electric and Gas Corp., Niagara Mohawk Power Corp., Orange and Rockland Utilities, Inc., the Power Authority

of the State of New York (PASNY), and Rochester Gas and Electric Corp. As a pool member LILCO has the obligation to deliver and the right to receive emergency power, supplemental power and economy power. The Applicant also has coordinating arrangements for emergency and economy power with the Nepool Companies, a group of 31 companies in New England including Connecticut Light and Power Co.

Within LILCO's service area there are the three comparatively small municipal utilities of the Villages of Rockville Center, Freeport and Greenport. The latter has its own generation, with capacity of 7,600 kw to meet its maximum load in 1973 of 2,700 kw. It operates completely isolated, and has had no interconnections with the Applicant since 1964.

The Village of Rockville Center has been interconnected with LILCO since 1937. Discussions are presently under way between the parties to increase the interconnection capability. Since 1960 they have been operating under a contract covering the exchange of emergency power and energy when necessary. This municipal system has its own generation capacity of 35,000 kw to meet its current load of 31,000 kw. However, it has purchased deficient reserve capacity from LILCO, as well as emergency power and energy from time to time, while the latter made one purchase under the contract in 1965.

Freeport has been interconnected with the Applicant since 1954. It has generating facilities of 50,000 kw and a current maximum load of 37,200 kw. Since 1966, it has operated under a contract with LILCO covering exchange of emergency power and on and off peak firm power. Under this arrangement the municipal has continuously purchased a portion of its bulk power requirements from LILCO, while the latter purchased a small amount of power and energy in 1973 from Freeport.

**Conclusions.** On August 4, 1971, we rendered antitrust advice with respect to LILCO's application to construct its Shoreham nuclear power station, Unit 1. It was concluded that the activities under the license would not create or maintain a situation inconsistent with the antitrust laws. No intervening circumstances have appeared to warrant a reversal of that conclusion.

The Applicant's rather isolated location on Long Island severely curtails any potential scope for widespread competitive impact from its operations. The only serious possibility involves the three municipal systems located within its franchise area. None of these has indicated to us any interest in opposing this application, nor in seeking to obtain by purchase or unit power contract a share in the Jamesport station.

The principal concern of Rockville Center and Freeport with LILCO, indeed, is with its willingness to wheel outside power to them. In order to obtain supplemental power to meet load growth, both systems are negotiating with the Power Authority of the State of New York to secure blocks of available PASNY generation as preference municipal customers. This will require arrangements by PASNY with the New York Power Pool companies to wheel the power to them. However, LILCO has assured the municipalities of its agreement in principle to transmit this purchased power at reasonable rates, and is presently discussing the terms and conditions with PASNY.

Accordingly, from the information available to us at this time we conclude that no antitrust hearing by the Atomic Energy Commission will be required with respect to this application.

[FR Doc.75-1825 Filed 1-21-75;8:45 am]

[Docket Nos. 50-496A and 50-497A]

NORTHEAST NUCLEAR ENERGY CO.  
ET AL.

Receipt of Attorney General's Advice and  
Time for Filing of Petitions To Intervene  
on Antitrust Matters

The Commission has received, pursuant to section 105c. of the Atomic Energy Act of 1954, as amended, a letter of advice from the Attorney General of the United States, dated January 8, 1975 a copy of which is attached as Appendix A below.

Any person whose interest may be affected by this proceeding may, pursuant to § 2.714 of the Commission's rules of practice, 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and requests for hearing shall be filed by February 21, 1975 either (1) by delivery to the NRC Public Docketing and Service Section at 1717 H Street NW., Washington, D.C., or (2) by mail or telegram addressed to the Secretary, Nuclear Regulatory Commission, Washington, D.C. 20545, ATTN: Docketing and Service Section.

For the Nuclear Regulatory Commission.

JEROME SALTZMAN,  
Deputy Chief, Office of Anti-  
trust and Indemnity Direc-  
torate of Licensing.

## APPENDIX A

MONTAGUE NUCLEAR POWER STATION, UNITS 1  
AND 2; NORTHEAST NUCLEAR ENERGY COM-  
PANY, ET AL.; NRC DOCKET NOS. 50-496A AND  
50-497A

JANUARY 8, 1975.

You have requested our advice pursuant to the provisions of section 105 of the Atomic Energy Act, as amended, in regard to the above-cited application.

Montague Nuclear Power Station, Units 1 and 2, will consist of two 1150 megawatt units located in the Town of Montague in northern Massachusetts. The estimated cost of the units at completion is approximately \$1,641 million. Unit 1 is scheduled to go into commercial operation between November 1980 and May 1982; Unit 2, between August 1982 and February 1984.

**I. The applicants.** The Montague Nuclear Power Station is being constructed as part of an overall generation expansion program for utilities participating in the New England Power Pool and for other New England utilities. The units are to be jointly owned by a minimum of nine and a maximum of twenty-nine of the below-named applicants. Nine applicants which are committed to become owners of the units are privately-owned utilities; the maximum percentage of ownership of each is as follows:

	Percent
Northeast Utilities (NU)-----	75.00
The Connecticut Light & Power Co. (CL&P) -----	39.75
The Hartford Electric Light Co. (HELCO) -----	21.00
Western Massachusetts Electric Co. (WMEC) -----	14.25
New England Power Co.-----	13.00
Central Maine Power Co.-----	3.00
New Bedford Gas & Electric Light Co.-----	4.50

	Percent
Montaup Electric Co.-----	2.00
Central Vermont Public Service Corp. (CVPSC)-----	1.74
Fitchburg Gas and Electric Light Co.--	0.76

Twenty municipal-owned systems may exercise their respective options to acquire portions of the ownership interests which the aforementioned nine applicants are committed to acquire. Those consumer-owned systems and the maximum ownership interests which they may respectively acquire are: Burlington Electric Department (0.22 percent); Town of Reading Municipal Light Department (0.29 percent); City of Chicopee Municipal Lighting Plant (0.26 percent); City of Holyoke Gas and Electric Department (0.16 percent); Peabody Electric Department (0.16 percent); City of Westfield Gas and Electric Light Department (0.16 percent); Town of Shrewsbury Municipal Light Department (0.12 percent); Town of Wakefield Municipal Light Department (0.11 percent); Town of South Hadley Electric Light Department (0.09 percent); Town of Hudson Light and Power Department (0.08 percent); Marblehead Municipal Light Department (0.07 percent); North Attleborough Electric Department (0.07 percent); Holden Municipal Light Department (0.06 percent); Town of Littleton Electric Light and Water Department (0.5 percent); Town of West Boylston Municipal Lighting Plant (0.04 percent); Ashburnham Municipal Light Plant (0.02 percent); Town of Boylston Municipal Light Department (0.02 percent); Paxton Municipal Light Department (0.02 percent); Sterling Municipal Electric Light Department (0.02 percent); Templeton Municipal Light Plant (0.02 percent).

The Montague units will be constructed and operated by the Applicant Northeast Nuclear Energy Company ("Northeast"), an affiliate of NU. Northeast will have no ownership interest in the units.

II. *Background.* As we have previously indicated in our advice letter concerning the Boston Edison Company application for the Pilgrim Nuclear Power Station, Unit No. 1 (AEC Docket No. 59-293A), dated August 2, 1971, there have been allegations of anti-competitive behavior by the privately-owned electric utilities against various municipal electric systems in New England, particularly in Massachusetts, during the past 10-12 years. In that letter, we indicated that various privately-owned utilities appeared to have been precluding municipal utility systems in New England from gaining access to bulk power supply on the same basis as investor-owned utilities. We concluded that many of the antitrust allegations advanced by Massachusetts municipal utilities raised substantial questions under the antitrust laws with respect to the collective activities of the utilities in New England. We therefore recommended that the Commission hold a hearing on antitrust issues relating to that application.

In the period since the Attorney General's advice on Pilgrim Unit No. 1 was published (36 F.R. 17880-81, September 4, 1971) until the present, various municipal utilities have been engaged in negotiations with privately-owned utilities in New England which would allow the former to secure access to various sources of large scale, relatively low-cost generation, as well as necessary transmission service. Although the parties have reached agreement on the principal points, these negotiations have not yet been wholly concluded. Accordingly, the Department will not, at this time, comment upon or supplement its advice with respect to Pilgrim Unit No. 1.

III. *Competitive considerations.* Our inquiries of various New England utilities concerning the instant application generated responses which appear to indicate that the

adverse effects of the situation outlined in the Department's advice on Pilgrim Unit No. 1 have been, in large part, alleviated. The number of municipal-owned utilities which have become members of the New England Power Pool and which have acquired options to participate in the Montague units would tend to buttress this conclusion. In no case was the Department informed that a utility would seek to prevent the unconditional granting of a license for these units.

One cooperative system, noting that CVPSC is the dominant factor in transmission in its region, complained that its transmission rates are too high due, in part, to allegedly unreasonable cost allocations by the Company. However, there is no allegation that CVPSC has refused or is refusing to wheel power; hence there is no fact situation comparable to that found to constitute an antitrust violation in "Otter Tail Power Co. v. United States," 410 U.S. 366 (1973). In our judgment, the complaints which have been made about CVPSC's wheeling rates can be more appropriately determined by the Federal Power Commission which has jurisdiction over, and is presently examining, the rates in question.

On February 13, 1973, a group of six municipal systems in Connecticut<sup>1</sup> filed an antitrust suit against CL&P, HELCO and NU seeking an injunction and treble damages. The plaintiffs have been wholesale customers of CL&P for many years. The defendants have filed an antitrust counterclaim, and the case is pending. The pendency of the antitrust suit prompted the six municipal systems to refuse to participate in the negotiations which are providing smaller utilities in New England with access to the benefits of large-scale generation and transmission. The six municipal systems do not, however, oppose the unconditional grant of a license for the Montague units. We do not think it appropriate to pass judgment upon the allegations in the antitrust complaint, which have been denied by defendants. We note, however, that plaintiff's antitrust allegations are focused upon the rates, terms, and conditions of CL&P's wholesale service to them. Several of the allegations as to restrictive contract and rate schedule provisions appear to relate to provisions previously, but no longer, in effect. (Provisions embodying a potential restraint on the resale of bulk power were eliminated at the Department's request during the course of our review of the Application for Millstone Nuclear Power Station, Unit No. 3 (AEC Docket No. 50-423A)).

IV. *Conclusion.* The demonstrated commitment of the investor-owned Applicants to allowing municipal-owned utilities in New England to gain access to bulk power from the Montague units and other large-scale generation in New England on the same basis as is available to investor-owned utilities appears to represent a significant step toward improving the competitive structure of the New England utility industry. Under these circumstances, it is our opinion that an antitrust hearing will not be necessary with respect to the instant application.

[FR Doc. 75-1826 Filed 1-21-75; 8:45 am]

[Docket No. P-505-A]

**PUBLIC SERVICE COMPANY OF INDIANA, INC.**

**Notice of Receipt of Partial Application for Construction Permits and Facility Licenses; Time for Submission of Views on Antitrust Matters**

Public Service Company of Indiana, Inc. (the applicant), pursuant to section

<sup>1</sup> Groton, Norwich, Jewett City, Wallingford and the Second and Third Taxing Districts of Norwalk.

103 of the Atomic Energy Act of 1954, as amended, has filed one part of an application, dated December 13, 1974, and docketed December 24, 1974, in connection with its plans to construct and operate two pressurized water reactors in Saluda Township, Jefferson County, Indiana. The portion of the application filed contains the information requested by the Attorney General for the purpose of an antitrust review of the application as set forth in 10 CFR Part 50, Appendix L.

The remaining portions of the application, including the Preliminary Safety Analysis Report and the Environmental Report, are to be submitted for review in early summer 1975. Upon receipt of the remaining portions of the application dealing with radiological health and safety and environmental matters, separate notices of receipt will be published by the Commission, including an appropriate notice of hearing.

A copy of the partial application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545. Docket No. P-505-A has been assigned to the application and it should be referenced in any correspondence relating to it.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Office of Antitrust and Indemnity, Directorate of Licensing, on or before March 17, 1975.

Dated at Bethesda, Maryland, this 8th day of January, 1975.

For the Nuclear Regulatory Commission.

D. B. VASSALLO,  
Chief, Light Water Reactors,  
Project Branch 1-1, Directorate of Licensing.

[FR Doc. 75-1176 Filed 1-14-75; 8:45 am]

**TRANSITION ORGANIZATION**

**Location of Offices**

The Nuclear Regulatory Commission (NRC) was established by the Energy Reorganization Act of 1974, 88 Stat. 1233, effective January 19, 1975 (E.O. 11834).

The major program and staff components of the Nuclear Regulatory Commission (NRC) are organized for transitional purposes as described in this notice. The organizational requirements of NRC are currently undergoing intensive review by the Commission and further refinements are expected in due course. All appointments are effective January 19, 1975.

**PROGRAM COMPONENTS**

The major program components of the Commission are composed of the Office of Nuclear Reactor Regulation, the Office of Nuclear Material Safety and Safeguards, and the Office of Nuclear Regulatory Research, which were cre-



ated by the Energy Reorganization Act of 1974, plus the Commission-created Office of Standards Development, and Office of Inspection and Enforcement.

#### EXECUTIVE DIRECTOR FOR OPERATIONS

The Executive Director for Operations is the coordinating and directive agent below the Commission for the effective performance of the Commission's day-to-day operational and administrative activities. He will coordinate and direct the operating and administrative units in behalf of the Commission. He will further be responsible for coordinating the development of policy options generated by the directors of the program offices. Lee V. Gossick is designated Acting Executive Director for Operations.

#### OFFICE OF NUCLEAR REACTOR REGULATION

The Office of Nuclear Reactor Regulation is responsible for the principal licensing and regulation involving all facilities and materials licensed under the Atomic Energy Act of 1954, as amended, associated with the construction and operation of nuclear reactors licensed under the Atomic Energy Act of 1954, as amended; reviewing the safety and safeguards of all such facilities, materials, and activities; for recommending research necessary for the discharge of those functions of the Commission; and, for developing policy options for Commission consideration. Edson G. Case is designated Acting Director, Office of Nuclear Reactor Regulation. The Office has two principal divisions: the Division of Reactor Licensing, which encompasses the functions of, and replaces the previous sub-directorate of Reactor Projects, and the Division of Technical Review, which encompasses the functions of, and replaces the previous sub-directorate of Technical Review. Angelo Giambusso is appointed Director, Division of Reactor Licensing. Frank Schroeder is designated Acting Director, Division of Technical Review.

#### OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS

The Office of Nuclear Material Safety and Safeguards is responsible for the principal licensing and regulation involving all facilities and materials licensed under the Atomic Energy Act of 1954, as amended, associated with processing, transport, and handling of nuclear materials, including the provision and maintenance of safeguards against threat, thefts, and sabotage of such licensed facilities and materials; for reviewing the safety and safeguards of all such facilities and materials; for recommending research necessary for the discharge of these functions by the commission; and for developing policy options for Commission consideration. Howard J. Larson is designated Acting Director, Office of Nuclear Material Safety and Safeguards.

The initial organization of the Office includes two principal divisions: the Division of Materials and Fuel Cycle Facility Licensing, which encompasses the

functions of, and replaces the previous sub-directorate of Fuels and Materials except for its safeguards related functions; and the Division of Safeguards, which will encompass these functions. Howard J. Larson is appointed Director, Division of Materials and Fuel Cycle Facility Licensing. Ralph G. Page is designated Acting Director, Division of Safeguards.

The organizational arrangements shown for this Office are interim in nature, with more detailed study by the Commission required to establish a permanent organization. When such permanent arrangements are made, the Office will be further responsible for supervision of the security agency study required by section 204 of the Energy Reorganization Act. This function is presently assigned to the Office of Special Studies.

#### OFFICE OF NUCLEAR REGULATORY RESEARCH

The Office of Nuclear Regulatory Research is responsible for developing recommendations for research that the Commission deems necessary for performance of its licensing and related regulatory functions, for planning and implementing such research and for developing policy options for Commission consideration. Herbert J. C. Kouts is appointed Director, Office of Nuclear Regulatory Research.

#### OFFICE OF STANDARDS DEVELOPMENT

The Office of Standards Development is responsible for the development of regulations, criteria, guides, standards, and codes pertaining to (a) nuclear health and safety and environmental protection in the siting, design, construction, and operation of nuclear reactors and other production and utilization facilities, and facilities for the storage, processing, and use of nuclear materials licensed under the Atomic Energy Act of 1954, as amended, and (b) the management and utilization of nuclear materials held by NRC licensees; for recommending research necessary for the discharge of these functions by the Commission; and for developing policy options for Commission consideration. Robert B. Minogue is designated Acting Director, Office of Standards Development.

#### OFFICE OF INSPECTION AND ENFORCEMENT

The Office of Inspection and Enforcement is responsible for the development and administration of programs and policies for (a) inspections and investigations necessary to determine whether licensees are complying with license provisions and rules, and to ascertain whether licensed operations are being conducted safely; (b) establishment of bases for the issuance of denial of a construction permit or license; (c) investigation of accidents, incidents, and theft or diversion of special nuclear materials; (d) enforcement actions; and (e) evaluation of licensed operations as a basis for recommending changes to standards and license conditions and for issuance of reports to the nuclear industry and

the public, for recommending research for the discharge of these functions by the Commission; for developing policy options for Commission consideration; and for providing management and direction of NRC Regional Offices. Donald F. Knuth is appointed Director, Office of Inspection and Enforcement. The relationship of safety and safeguards inspection and enforcement will be under study along with the detailed organization and duties of the Office of Nuclear Material Safety and Safeguards.

#### STAFF COMPONENTS REPORTING TO THE COMMISSION

The following major staff components will report directly to the Commission:

The Atomic Safety and Licensing Board Panel, from whose members Boards are appointed to conduct such hearings and make such decisions as the Commission may authorize or direct in licensing proceedings. Nathaniel H. Goodrich is appointed Chairman of the Atomic Safety and Licensing Board Panel.

The Atomic Safety and Licensing Appeal Panel, from whose members Appeal Boards are appointed by the Commission in particular proceedings. Alan S. Rosenthal is appointed Chairman of the Atomic Safety and Licensing Appeal Panel.

The Office of the Secretary encompasses the functions of the previous Office of the Secretary of the Atomic Energy Commission except those connected with administrative and logistical support of the Commission and with administration of the Public Document Room in Washington, D.C., which are transferred to the Office of Administration. The Secretary will also serve as the NRC Advisory Committee Management Officer. John C. Hoyle is designated Acting Secretary of the Nuclear Regulatory Commission.

The Office of the Agency Inspector and Auditor performs investigations of possible irregularities or misconduct on the part of Commission employees and reports the results of such investigations; directs the activities of the NRC internal audit function, coordinates audit results with appropriate officials and maintains audit liaison with the GAO.

The General Counsel of the NRC is the principal legal advisor to the Commission on all matters except for those specifically assigned to the Solicitor. Howard K. Shapar is designated Acting General Counsel of the NRC.

The Solicitor is responsible for providing the Commission with legal advice and related services in connection with the Commission's adjudicatory and litigation functions. Raymond M. Zimmet is being designated Acting Solicitor.

The Office of Public Affairs is responsible for informing the public of NRC policies, programs, and activities, as appropriate, and for informing NRC management of media coverage of activities of interest to the Commission. John A. Harris is appointed Director, Office of Public Affairs.

The Office of Congressional Liaison is responsible for assisting the Commission in its relationships with Congress.

#### STAFF COMPONENTS REPORTING TO THE EXECUTIVE DIRECTOR FOR OPERATIONS

The following major staff components will report to the Executive Director for Operations:

The Office of Administration is responsible for administration of (a) the agency personnel management program in accordance with applicable laws, Civil Service regulations

where applicable, and NRC policies; (b) the NRC security and classification programs; (c) the Commission's facilities and materials license fee programs; (d) the Commission's contracting activities; (e) NRC activities resulting from the Freedom of Information Act; and (f) activities of the Public Document Room. Extensive efforts will be made to upgrade the activities of the Public Document Room in the near future. The Office is additionally responsible for directing the activities of management and administrative support programs, and for developing policy options for Commission consideration. Daniel J. Donoghue is appointed Director, Office of Administration.

The Office of Equal Employment Opportunity is responsible for the development and coordination of the NRC Equal Employment Opportunity Program for the Commission. Edward E. Tucker is appointed Director, Office of Equal Employment Opportunity.

The Office of the Controller is responsible for performance of duties related to NRC financial matters, including those relating to budgeting and accounting. Andrew W. Jackson, Jr. is designated Acting Controller of the NRC.

The Office of Planning and Analysis is responsible for providing for an overall independent analysis of programs, issues, policy options and alternatives. Edwin G. Triner is designated Acting Director, Office of Planning and Analysis.

The Office of International and State Programs encompasses the functions of, and replaces the previous Office of Government Liaison of the Atomic Energy Commission. Herbert H. Brown is appointed Director, Office of International and State Programs.

The Office of the Executive Legal Director is responsible for providing legal advice and related services to the Executive Director for Operations and the organizational components of NRC reporting to that official. Howard K. Shapar is appointed Executive Legal Director.

The Office of Management Information and Program Control is responsible for the design, development, and implementation of management information and control systems for schedules, manpower, budgets and processes of program offices, and the evaluation of program performance. William G. McDonald is appointed Director, Office of Management Information and Program Control.

The Office of Special Studies presently has staff responsibility for conducting the nuclear energy center site survey provided for by Section 207 of the Energy Reorganization Act of 1974; for conducting the study provided for by Section 204 of the Energy Reorganization Act of 1974 to assess the need for, and the feasibility of establishing a security agency within the Office of Nuclear Safety and Safeguards for the performance of safeguards functions, and for conducting a study of the safeguards aspects relating to the decision to be made by the Commission on the use of mixed oxide fuels in light water reactors. Seymour H. Smiley is appointed Director of the Office of Special Studies. As indicated in the description of the functions of the Office of Nuclear Material Safety and Safeguards, the security agency feasibility study will be transferred to the supervision of that Office when its permanent organizational details are completed.

The statutory Advisory Committee on Reactor Safeguards was transferred intact to the Nuclear Regulatory Commission (NRC) by the Energy Reorganization Act of 1974. Its functions and staffing are continued without change. William Kerr is Chairman, Advisory Committee on Reactor Safeguards.

#### LOCATION OF OFFICES

(1) The principal NRC Offices are maintained within the District of Columbia at 1717 H Street NW., and at 7920 Norfolk Avenue, Bethesda, Maryland. The mail address is Washington, D.C. 20555.

(2) The Regional Offices of the Office of Inspection and Enforcement are as follows:

Region I, 631 Park Avenue, King of Prussia, Pa. 19406.

Region II, Suite 818, 230 Peachtree Street, NW., Atlanta, Ga. 30303.

Region III, 799 Roosevelt Road, Glen Ellyn, Ill. 60137.

Region IV, P.O. Box 5039, White Settlement, Tex. 76108.

Region V, 1990 N. California Blvd., Suite 202, Walnut Creek, Calif. 94596.

Copies of delegations of authority by the NRC are available for public inspection and copying at the Public Document Room, 1717 H Street NW., Washington, D.C.

(5 U.S.C. 552)

For the Nuclear Regulatory Commission.

Dated at Bethesda, Maryland this 20th day of January, 1975.

JOHN C. HOYLE,  
Acting Secretary  
of the Commission.

[FR Doc. 75-2198 Filed 1-21-75; 10:03 am]

### SECURITIES AND EXCHANGE COMMISSION

#### MIDDLE SOUTH UTILITIES, INC.

#### Notice of Proposed Exceptions From Tax Allocation Provisions

Notice is hereby given, That Middle South Utilities, Inc., ("Middle South"), a registered holding company, and its wholly-owned subsidiary companies, System Fuels, Inc., and Middle South Energy, Inc., together with Middle South's other subsidiary companies, have filed a declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 12(b) and 12(f) of the Act and Rule 45(b) (6) promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the declaration, as amended, which is summarized below, for a complete statement of the proposed transactions.

Middle South and its subsidiary companies join annually in the filing of consolidated Federal income tax returns. By Order dated May 23, 1963 (Holding Company Act Release No. 14877), the Commission granted an exception from the tax-allocation provisions of Rule 45(b) (6) whereby each of the companies included in the consolidated tax returns of the Middle South System would be given full investment tax credit contributed by it to the total investment credit allowed in the consolidated returns. Since the date of that Order, Middle South has acquired or created several additional

subsidiaries, including System Fuels, Inc., and Middle South Energy, Inc. With respect to these two subsidiaries, the present filing seeks authorization to put into effect certain additional exceptions from the tax allocation requirements of Rule 45(b) (6).

*System Fuels, Inc.* ("SFI"). SFI was organized on January 3, 1972. It functions as the System's central vehicle for planning and implementing programs for the procurement, storage and transportation of fuel supplies for the electric generating units of the System's operating companies. Those functions include prospecting for, acquiring and developing oil, gas and coal reserves. (See Holding Company Act Release No. 18221, December 17, 1973.) Beginning with the year 1972, SFI has joined in the System's consolidated Federal income tax returns, and it is stated that the procedure as to investment tax credits authorized by the Order of May 23, 1963 has been applied to SFI as a member of the consolidated tax return group. SFI states that tax reductions arising from SFI's qualified asset investments are accounted for on its books by crediting the tax reductions to a deferred credit account and amortizing the amount in such account over the lives of the related assets; and that such annual amortization is credited to expense and thus operates to reduce the price of fuel sold by SFI to the System's operating companies.

Further exceptions from the tax-allocation provisions of Rule 45(b) (6) are now requested for SFI in respect of consolidated tax savings arising from (1) percentage depletion and (2) exploration and development costs, as follows:

(1) SFI's gas exploration program has resulted in six producing natural gas wells as of October 9, 1974, and current estimates are that total natural gas reserves from these fields will approximate 42 million mcf. It is stated that the development of these reserves, and the possibility of developing oil reserves, may give rise to a deduction by SFI for percentage depletion allowances in the consolidated Federal income tax returns filed by the Middle South System. Under the tax-allocation provisions of Rule 45(b) (6), the reduction of consolidated taxes resulting from such depletion allowances would be allocated among the other subsidiaries of Middle South in proportion to the taxable net income of each. Since SFI supplies varying volumes of fuel to the System operating companies at cost, it is stated that a more equitable procedure would be to allocate such tax savings in the first instance to SFI. The latter would account for the tax savings by crediting an equal amount to the cost of natural gas sold by SFI to the System's operating companies, resulting in a commensurate reduction of the unit sales price, in accordance with the full-cost concept of accounting for the sale of natural gas reserves.

(2) Expenditures by SFI in connection with its gas and oil exploration and development program, associated with projects which may or may not lead to successful production, are capitalized on SFI's books but deducted for tax purposes on the System's consolidated tax returns. It is estimated that, in 1974, such expenditures resulted in a tax loss of about \$9,500,000 and a commensurate reduction in the consolidated tax liability (about \$4,750,000 at a 50 percent tax rate). As discovered oil and gas reserves are subsequently produced and sold, the capitalized costs are amortized by charges to income on a unit-of-production basis. It is stated that under Rule 45(b)(6) the reduction in consolidated taxes resulting from such tax losses is allocable to the other subsidiary companies; and as the capitalized costs are thereafter amortized and reflected in the price of fuel sold to the operating companies, taxable income is thereby realized by SFI with resulting tax liability which must be absorbed by the operating companies in the price of fuel purchased from SFI. To enable SFI to sell fuel to the operating companies at its cost price unaffected by fluctuations in tax components in the price caused by timing variations between book and tax treatment of the capitalized costs, it is proposed, beginning with the tax year 1974:

(a) that the consolidated Federal income taxes be allocated among the members of the consolidated group without taking into account reductions of the consolidated tax resulting from inclusion of SFI's exploration and development costs in the consolidated returns;

(b) that such tax reductions be allocated in their entirety to SFI;

(c) that SFI will account for tax reductions so allocated to it by crediting a deferred income tax account, against which will be charged taxes subsequently payable to SFI on taxable income arising from recovery of its exploration and development costs in fuel billings to the operating companies; and

(d) that in years when SFI has taxable income and may be entitled to tax credits under the operating loss carryback and carryover provisions of Section 172(b) of the 1954 Internal Revenue Code, in order to comply with the separate return limitations required by Rule 45(b)(6); any tax credits remitted to SFI as a result of the exceptions from the rule herein requested shall be applied to reduce any credits in future years to which SFI may otherwise be entitled under the separate return limitations of Rule 45(b)(6).

It is further stated that the requested exceptions from Rule 45(b)(6) would augment SFI's cash flow by an amount equal to the annual net accruals to the deferred Federal income tax account, to be used by SFI in furtherance of its oil and gas exploration program, thus decreasing its reliance on other sources of capital including borrowings from its parent operating companies.

*Middle South Energy, Inc. ("MSE").* MSE was organized in 1974 to function

as the future central generating company for the Middle South System, and as a first step in the exercise of that function, it acquired the Grand Gulf Nuclear Electric Station Project ("Project") from an associate company, Mississippi Power & Light Company. Construction of the Project, the first and second units of which are scheduled for completion in 1980 and 1982, respectively, is estimated to cost \$1,227 million. As the initial phase of financing the Project, MSE has heretofore been authorized to issue and sell \$40,000,000 common stock to Middle South and to borrow up to \$308,500,000 from a group of commercial banks (HCAR No. 18437, June 4, 1974). It is stated that during the period of construction MSE will have substantial interest expenses on borrowed funds and that during that period, as well as in the early years of operating the Project, it will incur substantial tax losses. Over the period 1975 through 1982 these tax losses, which will be included in the System's consolidated tax returns, are estimated to range annually from \$5,597,000 to \$51,046,000, and commensurately to reduce the System's annual consolidated tax liabilities.

As a further exception from the tax-allocation prescription of Rule 45(b)(6), it is proposed that, beginning with the tax year 1974, the reductions in the consolidated tax liabilities arising from any net operating losses contributed to the consolidated tax returns by MSE be allocated in their entirety to MSE, which will apply these funds to finance in part the large capital requirements of the Project; that such tax credits to MSE would be used to reduce any loss carryovers in future years to which MSE might otherwise be entitled under the separate return limitations of Rule 45(b)(6); and that in no event will the tax allocated to any other subsidiary company of the Middle South System exceed the amount of tax of such company based upon a separate return computed as if such company had always filed its return on a separate return basis.

When the first unit of the Project commences commercial operation (presently scheduled for 1980) MSE will also contribute to the consolidated tax return a tax reduction attributable to investment tax credit arising from qualified investments of MSE. Under the exception to Rule 45(b)(6) authorized by the Order May 23, 1963 (HCAR No. 14877), the method of allocating consolidated taxes in respect of investment tax credits will be applied to MSE. The latter will account for investment tax credits applicable to it by crediting a deferred account and amortizing the tax credits recorded therein over the lives of the related assets. The amortization amounts will be concurrently credited to operating expense, resulting in reduced costs of power sold to the associated operating companies.

It is stated that no Federal or State commission, other than this Commission, has jurisdiction over the proposed transactions. No special fees or expenses are

to be incurred in connection with the proposed transactions except for the charges for administrative services, at cost, of Middle South Services, Inc., estimated at \$500.

Notice is further given, That any interested person may, not later than February 10, 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 said declaration, as amended, 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 Rule 20(a) and 100 thereof or take such further 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] SHIRLEY E. HOLLIS,  
Assistant Secretary.

[FR Doc.75-1926 Filed 1-21-75;8:45 am]

#### SEC REPORT COORDINATING GROUP (ADVISORY)

##### Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92-463, 86 Stat. 770, the Securities and Exchange Commission announces a public advisory committee meeting.

The Commission's Report Coordinating Group (Advisory), will hold a meeting on February 14, 1975 at the Securities and Exchange Commission, 500 North Capitol Street, Room 876, Washington, D.C. The meeting will commence at 10:00 a.m. local time and will be for the purpose of discussing the FOCUS Report of financial and operational information and development of simplified assessment and trading forms.

The Group's meetings are open to the public. Any interested person may attend and appear before or file statements with the advisory committee. Said statements, if in written form, may be filed before or after the meeting. Oral statements shall be made at the time and

in the manner permitted by the Report Coordinating Group.

The Report Coordinating Group was formed to assist the Commission in developing a coherent, industry-wide, coordinated reporting system. In carrying out this objective, the Report Coordinating Group is to review all reports, forms and similar materials required of broker-dealers by the Commission, the self-regulatory community and others. The Group is expected to advise the Commission on such matters as eliminating unnecessary duplication in reporting, reducing reporting requirements where feasible, and developing the FOCUS Report of financial and operational information. (Securities Exchange Act Release No. 10612; Securities Exchange Act Release No. 10959; Securities Exchange Act Release No. 11440.)

Information concerning the meeting, including the procedures for submitting statements to the Group, may be obtained by contacting: Mr. Daniel J. Pillero II, Secretary, SEC Report Coordinating Group, Securities and Exchange Commission, Washington, D.C. 20549.

[SEAL] SHIRLEY E. HOLLIS,  
Assistant Secretary.

JANUARY 15, 1975.

[FR Doc.75-1925 Filed 1-21-75; 8:45 am]

## SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 1110]

### VIRGINIA

#### Declaration of Disaster Loan Area

Whereas, It has been reported that during the months of November and December, because of the effects of a certain disaster, damage resulted to property located in the State of Virginia;

Whereas, The Small Business Administration has investigated and received reports of other investigations of conditions in the area affected;

Whereas, After reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended:

Now, therefore, As Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in King George, Prince William and Westmoreland Counties, and adjacent affected areas, suffered damage or destruction resulting from severe storms, high winds, and abnormally high tides occurring on or about November 30-December 1, 1974. Adjacent areas include only counties within the state for which the declaration is made and do not extend beyond state lines.

Office: Small Business Administration  
District Office  
Federal Building—Room 3015  
400 North Eighth Street  
Richmond, Virginia 23240

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to March 17, 1975. EIDL applications will not be accepted subsequent to October 17, 1975.

Dated: January 14, 1975.

THOMAS S. KLEPPE,  
Administrator.

[FR Doc.75-1945 Filed 1-21-75; 8:45 am]

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### ADVISORY COMMITTEE ON CONSTRUCTION SAFETY AND HEALTH

##### Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given that the Advisory Committee on Construction Safety and Health, established under section 107(e)(1) of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333) and section 7(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (29 U.S.C. 656), will meet on Wednesday, February 5, and Thursday, February 6, 1975. The meeting will begin at 9 a.m. in Conference Room B of the Interdepartmental Auditorium, located on Constitution Avenue between 12th and 14th Streets, Northwest, Washington, D.C. This meeting will be open to the public, and all interested parties are encouraged to attend.

The proposed agenda for the ensuing meeting calls for the Committee to continue its consideration of the recommendations of the 1926/1910 Project Subcommittee. The recommendations are oriented toward selected items in Part 1910 of 29 CFR which the Subcommittee deemed applicable to Part 1926 of 29 CFR.

Any member of the public wishing to submit written presentations and/or recommendations to the Committee may do so by filing such a statement, together with 20 duplicate copies with the Committee Management Officer by January 31, 1975. Such submissions will be provided to the members of the Committee and will be included in the record of the meeting.

The Committee Chairman may permit oral statements before the Committee by interested persons. Consequently, persons desiring to make an oral presentation should submit a written request to be heard to the Committee Management Officer by January 31, 1975. The request must bear the name and address of the person wishing to appear, the capacity in which he will appear, a short summary of the intended presentation, and the

approximate amount of time required for his presentation. Such submissions will be provided to the Chairman for his consideration.

All materials which have been submitted to or developed by the Committee as well as the official record of all Committee proceedings are available for public inspection and copying at the Committee Management Office. Any copying will be done at the cost of 20¢ per page. However, it should be understood that no arrangement will be made to supply Committee materials to the public at any meeting site.

Any communications relating to Committee activities or requests for copies of materials utilized by the Committee should be addressed to:

Nancy Hucke, Committee Management Officer, Occupational Safety and Health Administration, U.S. Department of Labor, 1726 M Street, Northwest, Washington, D.C. 20210. Phone: (202) 961-2248, 3181.

Signed at Washington, D.C. this day of January, 1975.

JOHN STENDER,  
Assistant Secretary of Labor.

[FR Doc.75-1999 Filed 1-21-75; 8:45 am]

### Office of the Secretary EMERGENCY UNEMPLOYMENT COMPENSATION

#### Notice of Availability

#### Unemployment Compensation in the States of

California	New York
Connecticut	Oregon
Massachusetts	Pennsylvania
Michigan	Rhode Island
Nevada	Vermont
New Jersey	Washington

The Emergency Unemployment Compensation Act of 1974, Pub. L. 93-572, approved December 31, 1974, creates a new temporary unemployment compensation program to furnish up to thirteen additional weeks of Federal supplemental benefits to individuals who remain unemployed and unable to obtain work, after exhausting their rights to regular and extended unemployment compensation.

Federal supplemental benefits are payable in a State which has entered into an agreement with the Secretary of Labor of the United States. The benefits are payable during a Federal Supplemental Benefit Period which begins in a State with the third week after the week in which there is an "on" indicator in the State. A benefit period in a State will last for a minimum period of 26 weeks. Benefits are payable under the Act commencing with the first week which begins after December 31, 1974, or the week which begins after the week in which the State has entered into an agreement under the Act, whichever is the later week.

I have determined that there was an "on" indicator in each of the States

named above for the week which began on December 15, 1974. Accordingly, a Federal Supplemental Benefit Period will commence in each of those States with the week beginning on January 5, 1975, and payments of Federal supplemental benefits may begin with that week.

The supplemental benefits are payable during a benefit period in each State to individuals who have exhausted their rights to regular and extended unemployment compensation under the unemployment compensation law of that State. Former Federal employees, and ex-servicemen and ex-servicewomen, who have exhausted their rights to regular and extended unemployment compensation pursuant to the unemployment compensation law of any of the States in which there is a benefit period in effect will have the same rights as State claimants to supplemental benefits.

Persons who believe they may be entitled to Federal supplemental benefits under the new law, or wish to inquire about their rights, should contact promptly the State employment security office or unemployment insurance claims office in their locality.

Signed at Washington, D.C., this 16th day of January 1975.

PETER J. BRENNAN,  
Secretary of Labor.

[FR Doc.75-1998 Filed 1-21-75;8:45 am]

**SPECIAL UNEMPLOYMENT ASSISTANCE  
IN ALL AREAS OF ALL STATES OF THE  
UNITED STATES AND PUERTO RICO,  
AND IN THE DISTRICT OF COLUMBIA  
AND THE VIRGIN ISLANDS**

**Notice of Availability**

Title II of the Emergency Jobs and Unemployment Assistance Act of 1974, Pub. L. 93-567, approved December 31, 1974, creates a new, temporary unemployment compensation program for the payment of up to 26 weeks of unemployment benefits to unemployed individuals who are not covered by the established State and Federal unemployment compensation laws, and who have no rights to assistance or allowances with respect

to their unemployment under other Federal laws.

Special Unemployment Assistance authorized by the new law is payable in a State which has entered into an agreement with the Secretary of Labor of the United States, in areas of the State served by an entity which is eligible to be a prime sponsor under section 102(a) of the Comprehensive Employment and Training Act of 1973. The benefits are payable during a Special Unemployment Assistance Period which begins in an area (as defined in the Act) with the third week after the week in which there is an "on" indicator in the area. A Special Unemployment Assistance Period will last for a minimum period of 13 weeks.

I have determined that there was an "on" indicator for all areas of all States and Puerto Rico, and for the District of Columbia and the Virgin Islands, for the week beginning on December 1, 1974, because the rate of national unemployment (seasonally adjusted) averaged 6 percent or more for the three calendar months preceding that week. Accordingly, Special Unemployment Assistance shall be payable in all areas of all States and in the District of Columbia and the Virgin Islands, commencing with the week beginning on December 22, 1974, provided that an agreement is entered into under the Act.

Because the "on" indicator in this instance is applicable throughout all States, and the District of Columbia, Puerto Rico, and the Virgin Islands, it is not essential at this time to designate "areas" for the purposes of the Act.

Persons who believe they may be entitled to Special Unemployment Assistance under the new law, or wish to inquire about their rights, should contact promptly the State employment security office or unemployment insurance claims office in their locality.

Signed at Washington, D.C., this 16th day of January, 1975.

PETER J. BRENNAN,  
Secretary of Labor.

[FR Doc.75-1997 Filed 1-21-75;8:45 am]

**INTERSTATE COMMERCE  
COMMISSION**

[Notice No. 677]

**ASSIGNMENT OF HEARINGS**

JANUARY 16, 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. No amendments will be entertained after the date of this publication.

Ex Parte No. 299 Sub 1, Increases in Freight Rates and Charges of The Long Island Railroad Company to Offset Retirement Tax Increases—1973, now being assigned February 10, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

I&S 8986, Quarterly Settlements of Transit Accounts—Wt1, Sw1 Territories, now assigned February 19, 1975, at Kansas City, Mo., will be held in Room 309, Federal Office Bldg., 911 Walnut St.

MC 114239 Sub 32, Farris Truck Line, now assigned February 27, 1975, at Kansas City, Mo., will be held in Room 309, Federal Office Bldg., 911 Walnut St.

MC 128007 Sub 61, Hofer, Inc., now assigned February 26, 1975, at Kansas City, Mo., will be held in Room 309, Federal Office Bldg., 911 Walnut St.

I&S No. 8998, Coal, Southwestern, Western Trunk Line & Central Territories, and FSA No. 42990, Coal From Illinois, Indiana, Kentucky, and Missouri, now assigned February 4, 1975, at Chicago, Ill., is postponed to March 4, 1975 (4 days), at Chicago, Ill., in a hearing room to be later designated.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-1911 Filed 1-21-75;8:45 am]

[Notice No. 678]

## ASSIGNMENT OF HEARINGS

JANUARY 17, 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. No amendments will be entertained after the date of this publication.

MC 136183 Sub 2, Joe Costa, DBA Trinidad Freight Service, now assigned January 27, 1975, at Albuquerque, N.M., is cancelled and transferred to modified procedure.

MC-F-12093, Crouch Bros., Inc.—Purchase (Portion)—Bestway Freight Lines, Inc. and MC-F-12104, Illinois-California Express, Inc.—Purchase (Portion)—Bestway Freight Lines, Inc., now assigned January 25, 1975, at Oklahoma City, Ok., will be at the Skirvin Plaza Hotel, 1 Park Avenue.

MC 114273 Sub 171, Cedar Rapids Steel Transportation, Inc., now assigned February 4, 1975, at Columbus, Ohio, reassigned to February 4, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 106644 Sub 177, Superior Trucking Company, Inc., now assigned February 6, 1975, at Jacksonville, Fla., is cancelled and the application is dismissed.

FF-C-53, Down-East Shippers, Inc., and Trailer Train, Inc.—Investigation of Operations, now being assigned February 25, 1975 (2 days), on the Fifth floor, 150 Causeway Street, Boston, Mass.

MC 139690, Kellert's Incorporated, now being assigned February 27, 1975 (2 days), on the Fifth floor, 150 Causeway Street, Boston, Mass.

MC-F-12087, H. P. Welch Co.—Purchase—E. B. Trans. Co., Inc., and MC 68917 Sub 8, H. P. Welch Co., now being assigned March 3, 1975 (1 week), on the Fifth floor, 150 Causeway Street, Boston, Mass.

MC 22229 Sub 85, Terminal Transport Company, Inc., now assigned February 4, 1975, at Harrisburg, Pa., will be held in Room 804 Federal Building, 228 Walnut Street.

MC 128932 Sub 8, Robert L. Torrans, DBA Commercial Storage & Distribution Co., now being assigned March 4, 1975 (2 days), at Dallas, Tex., in a hearing room to be later designated.

MC 114211 Sub 233, Warren Transport, Inc., now being assigned March 6, 1975 (2 days), at Dallas, Tex., in a hearing room to be later designated.

MC 125115 Sub 5, El Paso Los Angeles Limousine Express, Inc., now being assigned March 10, 1975 (1 week), at El Paso, Tex., in a hearing room to be later designated.

MC 107064 Sub 105, Steere Tank Lines, Inc., and MC 107403 Sub 899, Matlack, Inc., now assigned January 28, 1975, at Dallas, Tex., has been postponed indefinitely.

No. 35956, Morelli Overseas Export Service of Wisconsin, Inc. V. Chicago and North Western Transportation Company, No. 35990, Maritime Shipping Agencies, Inc. V. Chicago and North Western Transportation Company, and No. 35998, Hansen Seaway Service, Ltd. V. Chicago and North Western Transportation Company, Et Al., now being assigned March 18, 1975 (4 days), at Milwaukee, Wis., in a hearing room to be later designated.

MC 127834 Sub 102, Cherokee Hauling & Rigging, Inc., now assigned January 21, 1975, at Columbus, Ohio, cancelled and the application is dismissed.

Ex Parte 310, Increased Freight Rates and Charges, 1975, Nationwide, continued to January 27, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 109478 Sub 134, Worster Motor Lines, Inc., now assigned January 30, 1975, at Chicago, Ill., cancelled and the application is dismissed.

MC 128270 Sub 8, Rediehs Interstate, Inc., now assigned February 7, 1975, at Chicago, Ill., postponed indefinitely.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-2046 Filed 1-21-75;8:45 am]

[Finance Docket No. 26983]

## BALTIMORE AND OHIO RAILROAD CO.

## Abandonment of Lines

JANUARY 17, 1975.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available for public inspection upon request; and

It appearing, that no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Marshall County, West Virginia, on or before January 21, 1975, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 6th day of January 1975.

By the Commission, Commissioner Tuggle.

[SEAL] ROBERT L. OSWALD,  
Secretary.

The Interstate Commerce Commission hereby gives notice that by order dated January 6, 1975, it has been determined that the proposed abandonment by the Baltimore

and Ohio Railroad Company between Moundsville and Board Tree in Marshall County, W. Va., a distance of 26.78 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental effects of the proposed action are not considered significant because no major ecological impacts are involved. In addition, the small amount of traffic involved could be adequately handled by the area's highways without major complications resulting. It should also be noted that in order to provide future rail transportation to the involved area, B&O intends to retain ownership of the right-of-way, so that it can have the option of reinstating rail service should future coal mining operations be developed.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-2086.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before February 5, 1975.

This negative environmental determination shall become final unless good and sufficient reason is filed to demonstrate why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[FR Doc.75-2046 Filed 1-21-75;8:45 am]

[Docket No. AB-6; Sub-No. 7;  
Finance Docket Nos. 27638, 27635]

## BURLINGTON NORTHERN, INC. AND MONTANA CENTRAL RAILROAD AND RECREATION CO.

## Abandonment and Acquisition of Lines, Stock Issuance

JANUARY 17, 1975.

Upon consideration of the record in the above-entitled proceeding, including the petition of Montana Central Railroad and Recreation Company seeking (1) consolidation of the above-entitled proceedings, (2) an order from the Commission directing an appraisal to determine the fair market value of the above-mentioned railroad line; (3) Commission approval of the above-described abandonment application; and (4) Commission approval of the applications in Finance Docket Nos. 27635 and 27638.

It appearing, that concurrent handling and disposition of the above-entitled proceedings would not facilitate and expedite disposition of the issues;

It further appearing, that the relief sought in the balance of the instant petition is relief that is beyond the Commission's power to grant;

It further appearing, that this decision is not a major Federal action significantly affecting the quality of the

human environment within the meaning of the National Environmental Policy Act of 1969:

*It is further ordered*, That the petition be, and it is hereby, denied.

Dated at Washington, D.C., this 8th day of January, 1975.

By the Commission, Commissioner Tuggle.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc. 75-2050 Filed 1-21-75; 8:45 am]

#### IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY ELIMINATION OF GATEWAY APPLICATIONS

JANUARY 16, 1975.

The following applications to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(d)(2)), and notice thereof to all interested persons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of verified statements in opposition with the Interstate Commerce Commission within 30 days from the date of publication. (This procedure is outlined in the Commission's report and order in Gateway Elimination, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding including a detailed statement of protestant's interest in the proposal. No rebuttal statements will be accepted.

No. MC 8958 (Sub-No. 28G), filed June 4, 1974. Applicant: THE YOUNGSTOWN CARTAGE CO., 825 West Federal Street, Youngstown, Ohio 44501. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles of the kind used in construction and manufacture*, between points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, West Virginia, the District of Columbia, and points in Maryland on and east of U.S. Highway 15, on the one hand, and, on the other, points in Lake and Porter Counties, Ind., which are on and north of U.S. Highway 30, Chicago, Illinois, and points within 25 miles thereof; points in Cook County, Illinois which are on and south of U.S. Highway 34; points in Cook, McHenry, DuPage, Lake, DeKalb, Grundy, Kane, Kendall, and Will Counties, Illinois; points in LaSalle County, Illinois, which are within 50 miles of Oswego, Illinois; Libertyville, Grayslake and Belvidere, Illinois, and

points in Kenosha and Walworth Counties, Wisconsin. The purpose of this filing is to eliminate the gateways at all points in New York State; all points in Pennsylvania and Maryland on and east of U.S. 15; Niles, Ohio, Indiana Toll Road Interchange No. 12 and Chicago, Ill.

(2) *Iron and steel articles of the kind used in construction and manufacture*, from points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, West Virginia, the District of Columbia, and points in Maryland on and east of U.S. Highway 15, to points in that part of Michigan east of U.S. Highway 27 and on and south of Michigan Highway 20 and south of Saginaw Bay. The purpose of this filing is to eliminate the gateways at all points in New York State, all points in Pennsylvania and Maryland on and east of U.S. Highway 15, and Niles, Ohio.

(3) *Iron and steel articles of the kind used in construction and manufacture* from Monroe, Michigan, and points in Wayne County, Michigan, to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, West Virginia, the District of Columbia, and those in Maryland on and east of U.S. Highway 15. The purpose of this filing is to eliminate the gateways at Niles, Ohio, all points in New York State, and all points in Pennsylvania and Maryland on and east of U.S. 15.

(4) *Metal, metal products, contractors' equipment, and machinery* from points in Ohio to points in Michigan east of U.S. Highway 27 and on and south of Michigan Highway 20 and south of Saginaw Bay. The purpose of this filing is to eliminate the gateways at Niles, Ohio.

(5) *Metal, metal products, contractors' equipment, and machinery* from Monroe, Michigan, and points in Wayne County, Michigan, to points in Ohio. The purpose of this filing is to eliminate the gateways at Niles, Ohio.

(6) *Metal, metal products, asphalt, roofing cement, and prepared roofing materials*, between points in Ohio, on the one hand, and, on the other, points in Lake and Porter Counties, Indiana, which are on and north of U.S. Highway 30; Chicago, Illinois, and points within 25 miles thereof; points in Cook, McHenry, DuPage, Lake, DeKalb, Grundy, Kane, Kendall, and Will Counties, Illinois; points in La Salle County, Illinois, which are within 50 miles of Oswego, Illinois; Libertyville, Grayslake, and Belvidere, Illinois; and points in Kenosha and Walworth Counties, Wisconsin. The purpose of this filing is to eliminate the gateways at Niles, Ohio, Indiana Toll Road Interchange No. 12, and Chicago, Ill.

(7) *Contractors' equipment and machinery, and iron and steel articles of a kind used in construction and manufacture*, between points in Ohio, on the one hand, and, on the other, those in that part of Michigan on and south of Michigan Highway 21 and on and east of U.S. Highway 27. The purpose of this

filing is to eliminate the gateways at Niles, Ohio.

(8) *Contractors' equipment and machinery, and iron and steel articles of a kind used in construction and manufacture*, between all points in Ohio, on the one hand, and, on the other, points in Lake and Porter Counties, Indiana, which are on and north of U.S. Highway 30; Chicago, Illinois, and points within 25 miles thereof; points in Cook, McHenry, DuPage, Lake, DeKalb, Grundy, Kane, Kendall, and Will Counties, Illinois; points in La Salle County, Illinois, which are within 50 miles of Oswego, Illinois; Libertyville, Grayslake, and Belvidere, Illinois, and points in Kenosha and Walworth Counties, Wisconsin. The purpose of this filing is to eliminate the gateways at Niles, Ohio, Indiana Toll Road Interchange No. 12, and Chicago, Ill.

(9) *Iron and steel articles of the kind used in construction and manufacture, contractors' equipment and machinery*, between points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, West Virginia, the District of Columbia, and points in Maryland on and east of U.S. Highway 15, on the one hand, and, on the other, all points in Ohio. The purpose of this filing is to eliminate the gateways at all points in New York State, all points in Pennsylvania and Maryland on and east of U.S. 15, and Niles, Ohio.

(10) *General commodities*, except those of unusual value, livestock, Classes A and B explosives, and household goods defined by the Commission, between all points in Lake and Porter Counties, Indiana, which are on and north of U.S. Highway 30; Chicago, Illinois, and points within 25 miles thereof; points in Cook, McHenry, DuPage, Lake, DeKalb, Grundy, Kane, Kendall, and Will Counties, Illinois; points in La Salle County, Illinois, which are within 50 miles of Oswego, Illinois; Libertyville, Grayslake, and Belvidere, Illinois; and points in Kenosha and Walworth Counties, Wisconsin, on the one hand, and, on the other, all points in that part of Michigan on and south of a line beginning at Detroit and extending along Michigan Highway 14 to Ann Arbor, thence along Interstate Highway 94 to Marshall, thence along Michigan Highway 96 through Battle Creek to Kalamazoo, and thence along Interstate Highway 94 through Benton Harbor to the Michigan-Indiana State line (formerly shown as points in Michigan on and south of U.S. Highway 12). The purpose of this filing is to eliminate the gateways at Chicago, Ill.

(11) *Metal, metal products, asphalt, roofing cement, and prepared roofing materials* from points in Lake and Porter Counties, Indiana, which are on and north of U.S. Highway 30; Chicago, Illinois, and points within 25 miles thereof; points in Cook, McHenry, DuPage, Lake, DeKalb, Grundy, Kane, Kendall, and Will Counties, Illinois; points in La Salle County, Illinois, which are within 50 miles of Oswego, Illinois; Libertyville, Grayslake, and Belvidere, Illinois; and points in Kenosha and Wal-

worth Counties, Wisconsin; to points in that part of Michigan east of U.S. Highway 27 and on and south of Michigan Highway 20 and south of Saginaw Bay, and junction Interstate Highways 80 and 90 with U.S. Highway 27, also known as Indiana Toll Road Interchange No. 12. The purpose of this filing is to eliminate the gateways at Chicago, Ill., Indiana Toll Road Interchange No. 12, and Toledo, Ohio.

(12) *Iron and steel articles of the kind used in construction and manufacture* from the plant site of Jones & Laughlin Steel Corporation located in Putnam County, Illinois, to points in Ohio, West Virginia, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, the District of Columbia, and points in Maryland on and east of U.S. Highway 15. The purpose of this filing is to eliminate the gateways at Lake County, Ind., Indiana Toll Road Interchange No. 12, Youngstown, Ohio, all points in New York State, and all points in Pennsylvania and Maryland on and east of U.S. 15.

(13) *Iron and steel articles used in the manufacture and processing of iron and steel articles* from Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Pennsylvania, West Virginia, the District of Columbia, and points in Maryland on and east of U.S. Highway 15 to the plant site of Jones & Laughlin Steel Corporation located in Putnam County, Illinois. The purpose of this filing is to eliminate the gateways at all points in New York State, all points in Pennsylvania and Maryland on and east of U.S. 15, Niles, Ohio, Interstate Toll Road Interchange No. 12, and Lake County, Indiana.

(14) *Materials, equipment and supplies, and metal products, used in the manufacture and processing of iron and steel articles* from points in Ohio to plant site of Jones & Laughlin Steel Corporation located in Putnam County, Illinois. The purpose of this filing is to eliminate the gateways at Niles, Ohio, Indiana Toll Road Interchange No. 12, and Lake County, Ind.

No. MC 78228 (Sub-No. 50G), filed June 4, 1974. Applicant: J MILLER EXPRESS, INC., 152 Wabash Street, Pittsburgh, Pa. 15220. Applicant's representative: Henry M. Wick, Jr., 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Pig iron*, in dump vehicles, from points in Ohio, those in that part of New York west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to Lakeville, N.Y., thence along Alternate U.S. Highway 20 to Geneseo, N.Y., thence along New York Highway 63 to junction New York Highway 408, thence along New York Highway 408 to junction New York Highway 16 to Olean, N.Y., thence along New York Highway 16A to the New York-Pennsylvania State line, including points on the indicated portions of the highways specified, those in that part

of Pennsylvania on and west of U.S. Highway 219, and those in West Virginia on and north of U.S. Highway 50 from the Maryland-West Virginia State line to the West Virginia-Ohio State line, and Ashland, Ky., to points in New Jersey, that part of Pennsylvania east of U.S. Highway 219 and that part of West Virginia south of U.S. Highway 50. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

(2) *Scrap metal*, in dump vehicles, between points in Ohio, those in that part of New York west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to Lakeville, N.Y., thence along Alternate U.S. Highway 20 to Geneseo, N.Y., thence along New York Highway 63 to junction New York Highway 408, thence along New York Highway 408 to junction New York Highway 16, thence along New York Highway 16 to Olean, N.Y., thence along New York Highway 16A to the New York-Pennsylvania State line, including points on the indicated portions of the highways specified, those in that part of Pennsylvania on and west of U.S. Highway 219, and those in West Virginia on and north of U.S. Highway 50 from the Maryland-West Virginia State line to the West Virginia-Ohio State line, and Ashland, Ky., on the one hand, and, on the other, points in Pennsylvania, West Virginia, Ohio, Kentucky, Indiana, Illinois, Michigan, New Jersey (except points in Cumberland, Salem, Gloucester, Cape May, Atlantic, Camden, and Burlington Counties), Maryland, Delaware, and Virginia, restricted against the transportation of traffic originating at or destined to points in Canada. The purpose of this filing is to eliminate the gateway of Niagara Falls, N.Y.

(3) *Scrap carbon, furnace lining, and carbon butts*, in bulk, in dump vehicles, from points in Ohio, those in that part of New York west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to Lakeville, N.Y., thence along Alternate U.S. Highway 20 to Geneseo, N.Y., thence along New York Highway 63 to junction New York Highway 408, thence along New York Highway 408 to junction New York Highway 16, thence along New York Highway 16 to Olean, N.Y., thence along New York Highway 16A to the New York-Pennsylvania State line, including points on the indicated portions of the highways specified, those in that part of Pennsylvania on and west of U.S. Highway 219, and those in West Virginia on and north of U.S. Highway 50 from the Maryland-West Virginia State line to the West Virginia-Ohio State line, and Ashland, Ky., to points Pennsylvania, Ohio, and West Virginia. The purpose of this filing is to eliminate the gateway of Niagara Falls, N.Y.

(4) *Alloys and ores*, in dump vehicles, from Philadelphia, Pa., to points in that part of New York west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to Lakeville, N.Y., thence along Alternate U.S. Highway 20 to Geneseo, N.Y., thence along New York

Highway 63 to junction New York Highway 408, thence along New York Highway 408 to junction New York Highway 16, thence along New York Highway 16 to Olean, N.Y., thence along New York Highway 16A to the New York-Pennsylvania State line, including points on the indicated portions of the highways specified, those in that part of Pennsylvania on and west of U.S. Highway 219, and Ashland, Ky. The purpose of this filing is to eliminate the gateways at points in Ohio and those points in West Virginia on and north of U.S. Highway 50.

(5) *Metals, metal alloys, sand, ores, and limestone*, in dump vehicles, from points in Connecticut, Delaware, Massachusetts, New Hampshire, New Jersey (except points in Gloucester and Cumberland Counties and the city of Mount Hope, N.J.), and points in its commercial zone), New York, Pennsylvania (except points in Adams County, Pa., and points in Pennsylvania west of U.S. Highway 15), Vermont, Virginia, and West Virginia (except points in Jefferson and Berkeley Counties and Martinsburg, Millville, and Bakerton, W. Va., and points in their commercial zones), to points in that part of New York west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to Lakeville, N.Y., thence along Alternate U.S. Highway 20 to Geneseo, N.Y., thence along New York Highway 63 to junction New York Highway 408, thence along New York Highway 408 to junction New York Highway 16, thence along New York Highway 16 to Olean, N.Y., thence along New York Highway 16A to the New York-Pennsylvania State Line, including points on the indicated portions of the highways specified, those in that part of Pennsylvania on and west of U.S. Highway 219, and those in West Virginia on and north of U.S. Highway 50 from the Maryland-West Virginia State line to the West Virginia-Ohio State line. The purpose of this filing is to eliminate the gateways of Graham, W. Va., and Vancoram, Ohio.

(6) *Ferro alloys, pig iron, and scrap metals*, in dump vehicles, between points in Vermont and New Hampshire, on the one hand, and, on the other, points in that part of New York west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to Lakeville, N.Y., thence along Alternate U.S. Highway 20 to Geneseo, N.Y., thence along New York Highway 63 to junction New York Highway 408, thence along New York Highway 408 to junction New York Highway 16, thence along New York Highway 16 to Olean, N.Y., thence along New York Highway 16A to the New York-Pennsylvania State line including points on the indicated portions of the highways specified, those in that part of Pennsylvania on and west of U.S. Highway 219, and those in West Virginia on and west of U.S. Highway 219, and those in West Virginia on and north of U.S. Highway 50 from the Maryland-West Virginia State line to the West Virginia-Ohio State line, and Ashland, Ky. The purpose of this filing is to eliminate the



gateways of Braddock, Pa., and East Liverpool, Ohio.

(7) *Ferro alloys, pig iron, and scrap metals*, in dump vehicles, between points in Connecticut, Massachusetts, Rhode Island, Vermont, and New Hampshire, on the one hand, and, on the other, points in that part of Pennsylvania on and west of U.S. Highway 219 and those in West Virginia on and north of U.S. Highway 50 from the Maryland-West Virginia State line to the West Virginia-Ohio State line. The purpose of this filing is to eliminate the gateways of Graham, W. Va., and Vancoram and Vanadis, Ohio.

(8) *Ferro Alloys, silicon metal, and manganese metal*, in dump vehicles, from points in Ohio and Ashland, Ky., to points in Kentucky (except Marshall County, Ky.), Illinois, Indiana, Missouri, Ohio (except Cuyahoga, Geauga, Lorain, Portage, and Washington Counties, Ohio), and Iowa. The purpose of this filing is to eliminate the gateways of Graham, W. Va., and Vancoram and Vanadis, Ohio.

(9) *Coke*, from points in Ohio, those in that part of New York, west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to Lakeville, N.Y., thence along Alternate U.S. Highway 20 to Geneseo, N.Y., thence along New York Highway 63 to junction New York Highway 408, thence along New York Highway 408 to junction New York Highway 16, thence along New York Highway 16 to Olean, N.Y., thence along New York Highway 16A to the New York-Pennsylvania State line, including points on the indicated portions of the highways specified, those in that part of Pennsylvania on and west of U.S. Highway 219, and those in West Virginia on and north of U.S. Highway 50 from the Maryland-West Virginia State line to the West Virginia-Ohio State line, and Ashland, Ky., to points in Pennsylvania. The purpose of this filing is to eliminate the gateways of Harriett (Tonawanda Township), Erie County, Pa.

(10) *Scrap metal*, in dump vehicles, from Poughkeepsie, Binghamton, and Endicott, N.Y., to points in Ohio, those in that part of New York west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to Lakeville, N.Y., thence along Alternate U.S. Highway 20 to Geneseo, N.Y., thence along New York Highway 63 to junction New York Highway 408, thence along New York Highway 408 to junction New York Highway 16, thence along New York Highway 16 to Olean, N.Y., thence along New York Highway 16A to the New York-Pennsylvania State line, including points on the indicated portions of the highways specified, those in that part of Pennsylvania on and west of U.S. Highway 219, and those in West Virginia on and north of U.S. Highway 50 from the Maryland-West Virginia State line to the West Virginia-Ohio State line, and Ashland, Ky. The purpose of this filing is to eliminate the gateways at points in Ohio, and those points in Pennsylvania on and west of U.S. Highway 219.

(11) *Pig iron*, from points in that part of New York west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to Lakeville, N.Y., thence along Alternate U.S. Highway 20 to Geneseo, N.Y., thence along New York Highway 63 to junction New York Highway 408, thence along New York Highway 408 to junction New York Highway 16, thence along New York Highway 16 to Olean, N.Y., thence along New York Highway 16A to the New York-Pennsylvania State line, including points on the indicated portions of the highways specified, those in that part of Pennsylvania on and west of U.S. Highway 219, and Ashland, Ky., to points in Connecticut, Indiana, Maine, Maryland, Massachusetts, Michigan, New Jersey (except points in Cumberland, Salem, Gloucester, Cape May, Atlantic, Camden, and Burlington Counties), New York, Ohio (except points in Cuyahoga, Geauga, Portage, and Lorain Counties), Rhode Island, Virginia, and West Virginia. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

(12) *Coke*, from points in that part of New York west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to Lakeville, N.Y., thence along Alternate U.S. Highway 20 to Geneseo, N.Y., thence along New York Highway 63 to junction New York Highway 408, thence along New York Highway 408 to junction New York Highway 16, thence along New York Highway 16 to Olean, N.Y., thence along New York Highway 16A to the New York-Pennsylvania State line, including points on the indicated portions of the highways specified, those in that part of Pennsylvania on and west of U.S. Highway 219, to points in Connecticut, Indiana, Maine, Maryland, Massachusetts, Michigan, New Jersey (except points in Cumberland, Salem, Gloucester, Cape May, Atlantic, Camden, and Burlington Counties), New York, Ohio (except points on and east of U.S. Highway 21, and points in Cuyahoga and Lorain Counties west of U.S. Highway 21), Rhode Island, Virginia, and West Virginia (except points in Brooke, Hancock, Marshall, and Ohio Counties). The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

(13) *Pig iron*, in dump vehicles, from points in Connecticut, Massachusetts, Rhode Island, Vermont, and New Hampshire, to points in Illinois, Indiana, Kentucky, and Michigan. The purpose of this filing is to eliminate the gateways of Niagara Falls and Buffalo, N.Y.

(14) *Pig iron*, in dump vehicles, from points in Connecticut, Massachusetts, Rhode Island, Vermont, and New Hampshire, to points in Maryland, Indiana, Michigan, Ohio (except points on and east of U.S. Highway 21, and points in Cuyahoga and Lorain Counties west of U.S. Highway 21), and West Virginia (except points in Brooke, Hancock, Marshall, and Ohio Counties). The purpose of this filing is to eliminate the gateways of Niagara Falls, N.Y., and Pittsburgh, Pa.

(15) *Pig iron and coke*, from points in Ohio, to points in West Virginia on and south of U.S. Highway 50. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

(16) *Ferro alloys, silicon metal and manganese metal*, in dump vehicles, from points in Connecticut, Delaware, Massachusetts, New Hampshire, New Jersey (except points in Gloucester and Cumberland Counties and Mt. Hope, N.Y., and points in its commercial zone), New York, Pennsylvania (except points in Adams County, Pa., and points in Pennsylvania west of U.S. Highway 15), Vermont, Virginia, and West Virginia (except points in Jefferson and Berkeley Counties and Martinsburg, Millville, and Bakerton, W. Va., and points in their commercial zones), to points in Ohio (except Cuyahoga, Geauga, Lorain, Portage, and Washington Counties, Ohio), Illinois, Indiana, and Iowa. The purpose of this filing is to eliminate the gateways of Graham, W. Va., and Vancoram, Ohio.

No. MC 113843 (Sub-No. 209G), filed June 4, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Francis P. Barrett, P.O. Box 238, 60 Adams St., Milton, Mass. 02187. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Canned foodstuffs*, from Baltimore and Havre de Grace, Md., and points in that part of Delaware, Maryland, and Virginia on and south of U.S. Highway 40 and east of the Susquehanna River and Chesapeake Bay: (1) to points in Connecticut, Massachusetts, and Rhode Island. The purpose of this filing is to eliminate the gateway of Dunkirk, N.Y., and Binghamton, N.Y. (2) to points in Illinois, Indiana, Michigan, and Kentucky. The purpose of this filing is to eliminate the gateway of Hamlin, Holley, or Williamson, N.Y. (A) (3) to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. The purpose of this filing is to eliminate the gateway of Hamlin, Holley, or Williamson, N.Y. (A) (4) to points in Vermont, New Hampshire, and Maine. The purpose of this filing is to eliminate the gateway of Syracuse, N.Y.

(B) *Fresh and frozen poultry, fresh and frozen seafood, and frozen fruits and vegetables*, from points in Delaware, Maryland, Virginia east of the Chesapeake Bay and south of the Chesapeake and Delaware Canal, Baltimore, Md., the District of Columbia, Hampton and Richmond, Va., and Huntington, W. Va.: (B) (1) to points in Arkansas, Colorado, Kansas, Minnesota, Nebraska, and Oklahoma. The purpose of this filing is to eliminate the gateway of Dundee, N.Y. (B) (2) to points in Kentucky, Maine, Connecticut, Pennsylvania, Massachusetts, Vermont, Rhode Island, New York, and New Hampshire. The purpose of this filing is to eliminate the gateway of Elmira, N.Y. (B) (3) to points in Ohio, Pennsylvania, Indiana, Illinois, Mis-

souri, and Michigan. The purpose of this filing is to eliminate the gateway of Elmira, N.Y. (B) (4) to points in Colorado, Iowa, Minnesota, Nebraska, and Wisconsin. The purpose of this filing is to eliminate the gateway of Brockport, Morton, or LeRoy, N.Y. (B) (5) to points in Arkansas, Colorado, Iowa, Kansas, Kentucky, Minnesota, Missouri, Nebraska, Oklahoma, Texas, and Wisconsin. The purpose of this filing is to eliminate the gateway of Geneva, Westfield, or Penn Yan, N.Y. (B) (6) to points in West Virginia. The purpose of this filing is to eliminate the gateway of Elmira, N.Y. (B) (7) to points in Arkansas, Colorado, Iowa, Kansas, Minnesota, Nebraska, Oklahoma, Texas, and Wisconsin. The purpose of this filing is to eliminate the gateway of Elmira, N.Y. (B) (8) to points in Iowa, Kentucky, Missouri, Texas, and Wisconsin. The purpose of this filing is to eliminate the gateway of Dundee, N.Y. (B) (9) to points in Tennessee. The purpose of this filing is to eliminate the gateways of Elmira, N.Y., and Detroit, Mich. (B) (10) to points in North Dakota and South Dakota. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

(C) *Frozen foods*, (1) from Pocomoke City, Cambridge, Crisfield, Md., to: (C) (1) (a) points in Missouri and Pennsylvania. The purpose of this filing is to eliminate the gateway of Elmira, N.Y. (C) (1) (b) to points in Minnesota, Arkansas, Colorado, Kansas, and Oklahoma. The purpose of this filing is to eliminate the gateway of Dundee, N.Y. (C) (1) (c) to Maine, Massachusetts, New Hampshire, Connecticut, Rhode Island, New York, and Vermont. The purpose of this filing is to eliminate the gateways at Elmira, N.Y. (C) (1) (d) to Grand Forks, N. Dak., and Sioux Falls, S. Dak. The purpose of this filing is to eliminate the gateway of Dundee, N.Y. (C) (1) (e) to points in Tennessee. The purpose of this filing is to eliminate the gateway of Elmira, N.Y., and Detroit, Mich. (C) (2) from Baltimore, Md., the District of Columbia, Hampton and Richmond, Va., and Huntington, W. Va., to: (C) (2) (a) to points in Arkansas, Colorado, Kansas, Minnesota, Nebraska, and Oklahoma. The purpose of this filing is to eliminate the gateway of Dundee, N.Y. (C) (2) (b) to points in Connecticut, Kentucky, Maine, Massachusetts, New Hampshire, New York, Pennsylvania, Rhode Island, and Vermont. The purpose of this filing is to eliminate the gateway of Elmira, N.Y. (C) (2) (c) to points in Illinois, Indiana, Michigan, Missouri, Ohio, and Pennsylvania. The purpose of this filing is to eliminate the gateway of Elmira, N.Y. (C) (2) (d) to points in Iowa and Wisconsin. The purpose of this filing is to eliminate the gateway of Brockport, Morton, or LeRoy, N.Y. (C) (2) (e) to Grand Forks, N. Dak., and Sioux Falls, S. Dak. The purpose of this filing is to eliminate the gateway of Dundee, N.Y. (C) (2) (f) to points in Tennessee. The purpose of this filing is to eliminate the gateways of Elmira, N.Y., and Detroit, Mich. (C) (2) (g) to

points in West Virginia. The purpose of this filing is to eliminate the gateway of Elmira or Buffalo, N.Y.

No. MC 125708 (Sub-No. 137G), filed June 4, 1974. Applicant: THUNDERBIRD MOTOR FREIGHT LINES, INC., Highway 32 East, P.O. Box 192, Crawfordsville, Ind. 47933. Applicant's representative: Anthony C. Vance, 1111 E Street NW, Suite 501, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Grain products*, dry (except in bulk, in tank vehicles), and *grain*, when moving in the same vehicle and at the same time as grain products, dry, (a) from Buffalo, N.Y., Hastings, Minn., Superior, Wis., and Dallas, Tex., to points in Alabama, Arkansas, Florida, Georgia, Indiana, Louisiana, Mississippi, Missouri, and Ohio; and (b) from points in Alabama, Arkansas, Florida, Georgia, Indiana, Louisiana, Mississippi, Missouri (except St. Louis), and Ohio to Kansas, Kentucky, Michigan, Minnesota, New Jersey, New York, Oklahoma, Pennsylvania, Tennessee, Texas, West Virginia, Virginia, and Wisconsin. The purpose of this filing in (1) above is to eliminate the gateway of Alton, Ill.

(2) *Processed and canned foodstuffs* (except apple cider and vinegar), restricted to transportation in vehicles other than those equipped with mechanical refrigeration, (a) between points in Arkansas, Kansas, Missouri, and Oklahoma, on the one hand, and, on the other, points in Illinois (except between Chicago, Ill., on the one hand, and, on the other, points in Arkansas); and (b) from Mount Summit, Ind., to points in Arkansas, Kansas, Missouri, and Oklahoma.

(3) *Processed and canned foodstuffs* (except apple cider and vinegar), between Arkansas, Kansas, Missouri, and Oklahoma, on the one hand, and, on the other, Tennessee (except Memphis, Tenn., and points in the Memphis, Tenn. Commercial Zone, as defined by the Commission).

(4) *Processed and canned foodstuffs*, between points in Illinois, on the one hand, and, on the other, points in Tennessee (except Memphis, Tenn., and points in the Memphis, Tenn. Commercial Zone as defined by the Commission).

(5) *Processed and canned foodstuffs* (except commodities in bulk, in tank vehicles, and frozen foods, apple cider, and vinegar), (a) between points in Mississippi and Louisiana, on the one hand, and, on the other, points in Arkansas, Kansas, Missouri, Oklahoma, Illinois, and Tennessee (except Memphis, Tenn., and points in the Memphis, Tenn. Commercial zone as defined by the Commission); (b) from Mount Summit, Ind., to points in Illinois, Iowa, and points in Tennessee (except Memphis and points in the Memphis Commercial zone as defined by the Commission); and (c) from points in Mississippi and Louisiana to points in Iowa. The purpose of this filing in (2) through (5) above, inclusive, is to eliminate the gateway of Collinsville, Ill.

(6) *Steel, and materials and supplies* used in the manufacture of steel grinding balls (except such building materials as are included within the commodity description "iron and steel articles"), from points in Missouri, New York, Ohio, and Pennsylvania to points in Illinois (except points in the Chicago, Ill., Commercial Zone as defined by the Commission). The purpose of this filing in (6) above is to eliminate the gateway of Greenville, Ill.

(7) *Steel* (except such building materials as are included within the commodity description "iron and steel articles"), (a) from points in Missouri, New York, Ohio, and Pennsylvania to points in Missouri (except Louisiana, Mo.); and (b) from points in Minnesota, Tennessee, Florida, that part of Indiana in the Chicago, Ill., Commercial Zone as defined by the Commission, and Kentucky (except that part of Kentucky north of U.S. Highway 460), to points in Illinois (except points in the Chicago, Ill., Commercial Zone as defined by the Commission), and Missouri. The purpose of this filing in (7) above is to eliminate the gateways of Greenville and Carlinville, Ill.

(8) *Steel* (except commodities which because of size or weight require special handling or the use of special equipment, and except such building materials as are included within the commodity description "iron and steel articles"), (a) from points in North Carolina, North Dakota, South Carolina, South Dakota, Virginia, West Virginia; and Indiana (except points in Indiana located within the Chicago, Ill., Commercial Zone as defined by the Commission), to points in Illinois (except points in the Chicago, Ill., Commercial Zone as defined by the Commission). The purpose of this filing in (8) (a) above is to eliminate the gateway of Greenville, Ill. (b) from points in Indiana (except points in Indiana located within the Chicago, Ill., Commercial Zone as defined by the Commission), North Carolina, North Dakota, South Carolina, South Dakota, Virginia, and West Virginia to points in Missouri (except Louisiana, Mo.). The purpose of this filing in (8) (b) above is to eliminate the gateways of Greenville and Carlinville, Ill. (c) from points in Minnesota, Kentucky (except that part of Kentucky north of U.S. Highway 460), Tennessee, Florida, and that part of Indiana in the Chicago, Ill., Commercial Zone, as defined by the Commission, to points in Kansas, New Jersey, New York, Oklahoma, Pennsylvania, Texas, Michigan, Jefferson County, Ala., Louisiana, Virginia, West Virginia, and Missouri. The purpose of this filing in (8) (c) above is to eliminate the gateways of Greenville, Centralia, Carlinville, Irvington, Ill.

(9) *Steel articles* (except water well casing, pipe, tubing, pipe fittings and protectors and sheet steel), from points in Louisiana and Oklahoma to points in that part of Missouri on and east of U.S. Highway 67.

(10) *Steel articles*, from points in Alabama, Arkansas, that part of Indiana south of U.S. Highway 40, Iowa, Kansas,

Kentucky (except Boyd County), Mississippi, Minnesota, Missouri, Tennessee, Texas, Wisconsin, Michigan, Pennsylvania, and that part of Ohio south of U.S. Highway 40 (except Scioto and Lawrence Counties), to points in that part of Missouri on and east of U.S. Highway 67.

(11) *Iron and steel articles* (except scrap, water well pipe and casing, pipe fittings and protectors, and sheet steel), from points in Macoupin County, Ill. (except Carlinville and points in its commercial zone as defined by the Commission) to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Ohio, Oklahoma, Pennsylvania, Tennessee (except Shelby County), Texas, Wisconsin, and Jefferson County, Ala.

(12) *Iron and steel articles* (except scrap), from points in Macoupin County, Ill. (except Carlinville and points in its commercial zones, as defined by the Commission), to points in Alabama (except Jefferson County), Louisiana, Missouri, Mississippi, and Shelby County, Tenn.

(13) *Iron and steel articles*, (a) from points in Alabama, Arkansas, that part of Indiana south of U.S. Highway 40, Iowa, Kansas, Kentucky (except Boyd County), Mississippi, Minnesota, Missouri, Tennessee, Texas, Wisconsin, Michigan, Pennsylvania, and that part of Ohio south of U.S. Highway 40 (except Scioto and Lawrence Counties), to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Ohio, Oklahoma, Pennsylvania, Tennessee (except Shelby County), Texas, Wisconsin, Louisiana, Alabama, Missouri, Mississippi, and Shelby County, Tenn.; and (b) from points in Louisiana and Oklahoma to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Ohio, Oklahoma, Pennsylvania, Tennessee, Texas, Wisconsin, Alabama, Louisiana, Missouri, and Mississippi. The purpose of this filing in (9) through (13) above, inclusive, is to eliminate the gateway of Carlinville, Ind.

(14) *Steel grinding balls*, in the rough, in bulk, from Kansas City, Mo., to points in Arkansas, Georgia, Iowa, Kentucky, Missouri, Texas, New Jersey, Minnesota, and Florida.

(15) *Steel grinding balls*, in the rough, in bulk (except commodities which because of size or weight require special handling or the use of special equipment), from Kansas City, Mo., to points in Louisiana, Mississippi, New York, North Carolina, North Dakota, South Carolina, South Dakota, Virginia, and West Virginia. The purpose of this filing in (14) and (15) above is to eliminate the gateway of Greenville, Ill.

(16) *Steel tubing, conduit, pipe, and sheet steel* (except such commodities which because of their size or weight require the use of special equipment), (a) from Waukegan, Rockford, Schaumburg, Aurora, Freeport, Peoria, Sterling, Galesburg, Olney, Salem, Evanston (restricted to points within the corporate limits of Evanston), East St. Louis, and

the plant sites and warehouse facilities of International Tube, Inc., International Conduit Corporation, and Continental Tube Company, at Chicago, Ill., to points in Alabama, Florida, Georgia, Maryland, Michigan, North Carolina, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, South Carolina, and Mississippi. The purpose of this filing in (16)(a) above is to eliminate the gateway of Fairbury (Livingston County), Ill. (b) from points in Indiana (except Kokomo), Missouri, New York, Ohio, North Carolina, North Dakota, South Carolina, South Dakota, Virginia, West Virginia, Minnesota, Kentucky (except that part of Kentucky north of U.S. Highway 460), Tennessee, Florida, and Pennsylvania to points in Alabama, Florida, Georgia, Maryland, Michigan, North Carolina, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, South Carolina, and Mississippi. The purpose of this filing in (16)(b) above is to eliminate the gateways of Greenville, Carlinville, and Fairbury, Ill.

(17) *Steel water well pipe and casing, pipe fittings and protectors, and sheet steel*, (a) from points in Missouri, New York, Ohio, and Pennsylvania to points in Wisconsin, Indiana, Minnesota, Iowa, Kentucky, Ohio, Tennessee (except Shelby County), Arkansas, and Nebraska. The purpose of this filing in (17)(a) above is to eliminate the gateways of Greenville and Centralia, Ill. (b) from points in Minnesota, Kentucky (except that part of Kentucky north of U.S. Highway 460), Tennessee, Florida, and that part of Indiana in the Chicago, Ill., Commercial Zone as defined by the Commission, to points in Wisconsin, Indiana, Minnesota, Iowa, Kentucky, Ohio, Tennessee (except Shelby County), Arkansas and Nebraska. The purpose of this filing in (17)(b) above is to eliminate the gateways of Greenville, Centralia, and Carlinville, Ill. (c) from points in Indiana (except points in Indiana located within the Chicago, Ill., Commercial Zone, as defined by the Commission), North Carolina, North Dakota, South Carolina, South Dakota, Virginia, and West Virginia to points in Wisconsin, Iowa, Minnesota, Indiana, Kentucky, Ohio, Tennessee (except Shelby County), Arkansas, Nebraska, Kansas, New York, New Jersey, Pennsylvania, Texas, Michigan, Louisiana, Virginia, West Virginia, and Jefferson County, Ala. The purpose of this filing in (17)(c) above is to eliminate the gateways of Greenville, Centralia, Carlinville, and Irvington, Ill.

(18) *Steel water well casing, pipe, tubing, pipe fittings, and protectors, and sheet steel* (except commodities which because of size or weight require special handling or the use of special equipment), from points in Missouri, New York, Ohio, and Pennsylvania, to points in Kansas, New Jersey, New York, Oklahoma, Pennsylvania, Texas, Michigan, Jefferson County, Ala., Louisiana, Virginia, and West Virginia. The purpose of this filing in (18) above is to eliminate the gateways of Greenville, Centralia, Carlinville, and Irvington, Ill.

(19) *Steel*, (a) from points in Mis-

souri, New York, Ohio, and Pennsylvania to points in Missouri (except Louisiana, Missouri, and points in that part of Missouri east of U.S. Highway 67 extending from Crystal City to the Missouri-Arkansas state line). The purpose of this filing in (19)(a) above is to eliminate the gateway of Greenville, Ill. (b) from points in Illinois to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Nebraska, Minnesota, Ohio, Oklahoma, Pennsylvania, Tennessee (except Shelby County), Texas, Wisconsin, and Jefferson County, Ala. The purpose of this filing in (19)(b) above is to eliminate the gateways of Greenville and Carlinville, Ill., and points in Missouri.

(20) *Water well casing, pipe, tubing, pipe fittings, and protectors, and sheet steel* (except commodities which because of size or weight require special handling or the use of special equipment), from Warren, Ohio, and points in that part of Ohio south of U.S. Highway 40, points in Oklahoma, and St. Louis and Louisiana, Mo., to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nebraska, New York, Ohio, Pennsylvania, Tennessee, Texas, Wisconsin, Virginia, and West Virginia. The purpose of this filing in (20) above is to eliminate the gateways of Centralia, Ill., and Louisiana, Mo.

(21) *Steel tubing, water well casing, water pipe* (except commodities which because of size or weight require special handling or the use of special equipment), from Warren, Ohio, and points in that part of Ohio south of U.S. Highway 40, points in Oklahoma, and St. Louis and Louisiana, Mo., to points in Alabama, Florida, Georgia, Maryland, Michigan, North Carolina, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, South Carolina, and Mississippi. The purpose of this filing in (21) above is to eliminate the gateways of Centralia and Fairbury, Ill.

(22) *Steel*, from points in Illinois to points in Alabama (except Jefferson County), Louisiana, Missouri, Mississippi, and Shelby County, Tenn. The purpose of this filing in (22) above is to eliminate the gateways of Greenville and Carlinville, Ill., and points in Missouri.

(23) *Wooden posts, poles, beams, and pillars, and lumber*, not included in the preceding commodities, from points in Arkansas to points in Wisconsin, Iowa, Indiana, Minnesota, Missouri, Kentucky, Ohio, and Arkansas. The purpose of this filing in (23) above is to eliminate the gateway of Granite City, Ill.

(24) *Water well casing, pipe, tubing, pipe fittings, and protectors, and sheet steel* (except commodities which because of size or weight require special handling or the use of special equipment), from Warren, Ohio, and points in that part of Ohio south of U.S. Highway 40, points in Oklahoma and St. Louis and Louisiana, Mo. to points in Louisiana. The purpose of this filing in (24) above is to eliminate the gateways of Centralia and Irvington, Ill.

(25) *Iron and steel articles* (except commodities which because of size or weight require special handling or the use of special equipment), from points

in Alabama, Arkansas, that part of Indiana south of U.S. Highway 40, Iowa, Kansas, Kentucky (except Boyd County), Mississippi, Minnesota, Missouri, Tennessee, Texas, Wisconsin, Michigan, Pennsylvania, and that part of Ohio south of U.S. Highway 40 (except Scioto and Lawrence Counties) to points in Illinois. The purpose of this filing in (25) above is to eliminate the gateways of Carlinville, Ill., and Louisiana, Mo.

JANUARY 15, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission within 10 days from the date of this publication. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 5470 (Sub-No. E52), (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 26, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Merce, Pa. 16137. Applicant's representative: Patrick McElight, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, in dump vehicles, from Erie, Pa., to points in Maryland and Virginia. The purpose of this filing is to eliminate the gateway of points in Ashtabula County, Ohio, and New Kensington, Pa. The purpose of this correction is to correct the gateway.

No. MC 31462 (Sub-No. E51), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Arkansas, on the one hand, and, on the other, points in Maine. The purpose of this filing is to eliminate the gateways of (1) points in Missouri within 25 miles of Cairo, Ill., (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof, and (3) Hoosick Falls, N.Y.

No. MC 31462 (Sub-No. E120), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Florida, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateways of (1) Alden, Minn., or any point in Minnesota within 35 miles thereof; (2) Burlington, Iowa, or any point within 50 miles thereof; (3) any point in Missouri within 25 miles of Cairo, Ill.; and (4) Gulfport, Miss., or any point within 35 miles thereof.

No. MC 31462 (Sub-No. E121), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Wisconsin, on the one hand, and, on the other, points in that part of Florida east of a line beginning at the Alabama-Florida State line, thence along U.S. Highway 231 to Panama City, Fla. The purpose of this filing is to eliminate the gateways of (1) any point in Georgia; (2) any point in Tennessee; (3) any point in Missouri within 25 miles of Cairo, Ill.; and (4) Burlington, Iowa, or any point in Iowa within 50 miles thereof.

No. MC 31462 (Sub-No. E122), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in that part of Florida on and east of a line beginning at the Florida-Alabama State line, thence along U.S. Highway 231, to Panama City, Fla., on the one hand, and, on the other, points in that part of the Upper Peninsula of Michigan on and west of a line beginning at Escanaba, Mich., thence along U.S. Highway 41 to Marquette, Mich. The purpose of this filing is to eliminate the gateways of (1) Gulfport, Miss., or any point within 35 miles thereof; (2) any point in Missouri within 25 miles of Cairo, Ill., and (3) Burlington, Iowa, or any point in Iowa within 50 miles thereof.

No. MC 31462 (Sub-No. E123), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Florida, on the one hand, and, on the other, points in Minnesota. The purpose of this filing is to eliminate the gateways of (1) Gulfport, Miss., or any point within 34 miles thereof, (2) any point in Missouri within 25 miles of Cairo, Ill., and (3) Burlington, Iowa, or any point in Iowa within 50 miles thereof.

No. MC 31462 (Sub-No. E124), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster,

Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Illinois, on the one hand, and, on the other, points in that part of Florida on and east of a line beginning at the Alabama-Florida State line, thence along U.S. Highway 231 to Panama City, Fla. The purpose of this filing is to eliminate the gateways of (1) Cairo, Ill., or any point in Illinois within 25 miles thereof, (2) any point in Georgia, and (3) any point in Tennessee.

No. MC 31462 (Sub-No. E125), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Florida, on the one hand, and, on the other, points in Georgia. The purpose of this filing is to eliminate the gateway of any point in Georgia.

No. MC 31462 (Sub-No. E126), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Florida, on the one hand, and, on the other, points in North Carolina. The purpose of this filing is to eliminate the gateway of any point in Georgia.

No. MC 31462 (Sub-No. E127), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Tennessee, on the one hand, and, on the other, points in that part of Florida on and east of a line beginning at the Alabama-Florida State line, thence along U.S. Highway 31 to Panama City, Fla. The purpose of this filing is to eliminate the gateway of any point in Georgia.

No. MC 31462 (Sub-No. E128), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Indiana, on the one hand, and, on the other, points in North Dakota. The purpose of this filing is to eliminate the gateways of (1) Burlington, Iowa, or any point in Iowa within 50 miles thereof, and (2) any point which is both within 35 miles of Alden, Minn., and within that part of Minnesota or Iowa on and south of a line beginning at the Mississippi River, thence along U.S. Highway 16 to

junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Mississippi River.

No. MC 31462 (Sub-No. E168), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Iowa, on the one hand, and, on the other, points in Maine. The purpose of this filing is to eliminate the gateway of (1) Burlington, Iowa, or any point in Iowa within 50 miles thereof; (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof; and (3) Hoosick Falls, N.Y.

No. MC 31462 (Sub-No. E169), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Iowa, on the one hand, and, on the other, points in New Hampshire. The purpose of this filing is to eliminate the gateway of (1) Burlington, Iowa, or any point in Iowa within 50 miles thereof; (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof; and (3) Hoosick Falls, N.Y.

No. MC 31462 (Sub-No. E170), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Iowa, on the one hand, and, on the other, points in Vermont. The purpose of this filing is to eliminate the gateway of (1) Burlington, Iowa, or any point in Iowa within 50 miles thereof; (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof, and (3) Hoosick Falls, N.Y.

No. MC 31462 (Sub-No. E172), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, from points in Iowa to points in Kentucky. The purpose of this filing is to eliminate the gateway of (1) any point in Illinois, and (2) Clinton, Ind.

No. MC 31462 (Sub-No. E175), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Household goods*, as defined by the Commission, between points in Iowa, on the one hand, and, on the other, points in North Carolina. The purpose of this filing is to eliminate the gateway of (1) Burlington, Iowa, or any point in Iowa within 50 miles thereof; (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E357), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Nebraska, on the one hand, and, on the other, points in Wisconsin. The purpose of this filing is to eliminate the gateway of (1) Burlington, Iowa, or any point in Iowa within 50 miles thereof, and (2) any point which is both within 35 miles of Alden, Minn., and within that part of Minnesota or Iowa on and south of a line beginning at the Mississippi River, thence along U.S. Highway 16 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Mississippi River.

No. MC 31462 (Sub-No. E394), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in that part of Oklahoma on, west, and south of a line beginning at the Oklahoma-Kansas State line, thence along Oklahoma Highway 99 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 75, thence along U.S. Highway 75 to junction Oklahoma Highway 9, thence along Oklahoma Highway 9 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 271, thence along U.S. Highway 271 to the Oklahoma-Arkansas State line, on the one hand, and, on the other, points in that part of Texas on and west of a line beginning at the Oklahoma State line, thence along Interstate Highway 35 to junction Interstate Highway 35E, thence along Interstate Highway 35E to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 81, thence along U.S. Highway 81 to the International Boundary line between the United States and Mexico. The purpose of this filing is to eliminate the gateway of any point in Okmulgee County, Okla.

No. MC 31462 (Sub-No. E395), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between

points in Oklahoma, on the one hand, and, on the other, points in that part of Virginia east of a line beginning at the Tennessee-Virginia State line, thence along U.S. Highway 11 to junction Virginia Highway 16, thence along Virginia Highway 16 to the Virginia-West Virginia State line. The purpose of this filing is to eliminate the gateway of (1) any point in Georgia; (2) any point in Tennessee; and (3) any points in Missouri within 25 miles of Cairo, Ill.

No. MC 107515 (Sub-No. E499), (Correction), filed October 3, 1974, published in the FEDERAL REGISTER January 2, 1975. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 33050. Applicant's representative: R. M. Tettlebaum, Suite 375, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Edible meats and meat products* (except commodities in bulk, hides, and skins), in vehicles equipped with mechanical refrigeration, (b) from the plant site of Swift Fresh Meat Co., at Clovis, N. Mex., to Chicago, Ill., and to points in Ohio, Indiana, and the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Gatesville, N.C. The purpose of this partial correction is to include the destination point of Chicago, Ill., in (1)(b) above. The remainder of this letter-notice remains as previously published.

No. MC 111320 (Sub-No. E90), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveway and truckaway service, from points in New Jersey to points in that part of Ohio, on and west of a line beginning at Lake Erie, thence along Interstate Highway 77 to junction Interstate Highway 271, thence along Interstate Highway 271 to junction Interstate Highway 71, thence along Interstate Highway 71 to junction Ohio Highway 3, thence along Ohio Highway 3 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Ohio-Kentucky State line. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E100), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective self-propelled road building and contractor's vehicles or machinery*, in driveway and truckaway service, from points in that part of New York, on and west of a line beginning at Lake Ontario, thence along New York Highway 98 to junction New York Highway 63, thence along New York Highway 63 to junction U.S. Alternate Highway 20,

thence along U.S. Alternate Highway 20 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction New York Highway 17, thence along New York Highway 17 to junction New York Highway 14, thence along New York Highway 14 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E101), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective self-propelled road building and contractor's vehicles or machinery*, in driveway and truckaway service, from points in that part of New York, on and east of a line beginning at Lake Ontario, thence along New York Highway 98, to junction New York Highway 63, thence along New York Highway 63 to junction New York Highway 19, thence along New York Highway 19 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E106), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective self-propelled road building and contractor's vehicle or machinery*, in driveway and truckaway service, from points in that part of New York, on and east of a line beginning at Lake Ontario, thence along New York Highway 57 to junction Interstate Highway 81, thence along Interstate Highway 81 to junction New York Highway 13, thence along New York Highway 13 to junction New York Highway 38, thence along New York Highway 38 to junction New York Highway 17, thence along New York Highway 17 to junction New York Highway 282, thence along New York Highway 282 to the New York-Pennsylvania State line, and to points in that part of Ohio, on and west of a line beginning at Lake Erie, thence along Interstate Highway 77 to the Ohio-West Virginia State line. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E122), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New self-propelled road building equipment, and parts thereof*, in driveway and truckaway service, from points in Nevada, to points in that part of Kentucky on and east of a line beginning at the Ohio-Kentucky State line, thence along Interstate Highway 75

to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E123), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New self-propelled road building equipment, and parts thereof*, in driveway and truckaway service, from points in Oregon to points in that part of Indiana on and east of a line beginning at the Indiana-Michigan State line, thence along U.S. Highway 31 to the Indiana-Kentucky State line. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E124), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New self-propelled road building equipment, and parts thereof*, in driveway and truckaway service from points in Oregon to points in that part of Kentucky on and east of a line beginning at the Kentucky-Indiana State line, thence along U.S. Highway 31W to junction Interstate Highway 64, thence along Interstate Highway 64 to junction Interstate Highway 75, thence along Interstate Highway 75 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E125), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New self-propelled road-building equipment, and parts thereof*, in driveway and truckaway service, from points in Oregon to points in that part of Florida on and east of a line beginning at the Florida-Georgia State line, thence along U.S. Highway 319 to Lanark, Fla. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 111320 (Sub-No. E126), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New self-propelled road building equipment, and parts thereof*, in driveway and truckaway service, from points in Washington, to points in that part of Indiana on and east of a line beginning at the Indiana-Michigan State line, thence along U.S. Highway 31 to junction Indiana Highway 37, thence along Indiana Highway 37 to the Indiana-Kentucky State line. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 113459 (Sub-No. E55), filed May 14, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment, (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* when moving in connection therewith; (a) between points in that part of Iowa on and east of U.S. Highway 61, on the one hand, and, on the other, points in that part of Utah on and south of a line beginning at the Utah-Nevada State line and extending along U.S. Highway 50 to its junction with Utah Highway 26, thence along Utah Highway 26 to its junction with U.S. Highway 91, thence along U.S. Highway 91 to its junction with Utah Highway 26, thence along Utah Highway 26 to its junction with Interstate Highway 70, thence along Interstate Highway 70 to the Utah-Colorado State line (points in Oklahoma and Illinois)\*; (b) between points in that part of Wisconsin on and south of a line beginning at the Wisconsin-Illinois State line and extending along U.S. Highway 51 to its junction with Wisconsin Highway 26, thence along Wisconsin Highway 26 to its junction with Wisconsin Highway 59, thence along Wisconsin Highway 59 to its junction with U.S. Highway 18, thence along U.S. Highway 18 to Lake Michigan, on the one hand, and, on the other, points in North Dakota (points in Illinois)\*; and (c) between points in that part of Minnesota on and east of a line beginning at the Minnesota-Iowa State line and extending along Interstate Highway 35 to its junction with U.S. Highway 12, thence along U.S. Highway 12 to the Minnesota-Wisconsin State line, on the one hand, and, on the other, points in that part of Missouri on and south of a line beginning at the Missouri-Illinois State line and extending along Interstate Highway 70 to its junction with Interstate Highway 244, thence along Interstate Highway 244 to its junction with U.S. Highway 67, thence along U.S. Highway 67 to the Missouri-Arkansas State line (points in Illinois)\*; (3) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment, between points in that part of Iowa on and east of Interstate Highway 35, on the one hand, and, on the other, points in Alaska (points in Illinois)\*. Restriction: The operations authorized in (1), (2), and (3) above are restricted against the transportation of agricultural machinery and agricultural tractors, the operations in (2) above are restricted to commodities which are transported on trailers, and the operations authorized in (1)(a) and (b) above are restricted against the transportation of those commodities used in, or in connection with, the construction, operation, repair, servicing,

maintenance, and dismantling of main or trunk pipelines. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 114211 (Sub-No. E302), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth D. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled tractors, road making machinery, and contractors' equipment and supplies*, from points in that part of Minnesota on and west of a line beginning at the Minnesota-Wisconsin State line, thence along Interstate Highway 94 to junction Minnesota Highway 3, thence along Minnesota Highway 3 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction U.S. Highway 218, thence along U.S. Highway 218 to the Minnesota-Iowa State line and from points in that part of Minnesota bounded on the north by the Wisconsin-Minnesota State line, thence along Interstate Highway 94 to junction Minnesota Highway 3, thence along Minnesota Highway 3 to junction U.S. Highway 52, thence along U.S. Highway 52 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction U.S. Highway 218, thence along U.S. Highway 218 to the Minnesota-Iowa State line, thence along the Minnesota-Iowa State line to junction U.S. Highway 69, thence along U.S. Highway 69 to junction Minnesota Highway 109, thence along Minnesota Highway 109 to junction Minnesota Highway 22, thence along Minnesota Highway 22 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction Interstate Highway 494, thence along Interstate Highway 494 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Minnesota-Wisconsin State line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of the plant site of Stinar Corp., in Minneapolis, Minn.

No. MC 114211 (Sub-No. E392), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts thereof*, from points in that part of Iowa on and northwest of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 169 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Iowa-Nebraska State line to points in that part of New York on and east of a line beginning at Oswego, N.Y., thence along New York Highway 57 to Interstate

Highway 81, thence along Interstate Highway 81 to junction New York Highway 13, thence along New York Highway 13 to junction New York Highway 14, thence along New York Highway 14 to the New York-Pennsylvania State line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of the plant site of Stinar Corp. in Minneapolis, Minn.

No. MC 114211 (Sub-No. E412), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pipe and fittings therefor*, from points in that part of Texas on and west of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 271 to junction Texas Highway 19, thence along Texas Highway 19 to junction Texas Highway 154, thence along Texas Highway 154 to junction Texas Highway 37, thence along Texas Highway 37 to junction U.S. Highway 69, thence along U.S. Highway 69 to Port Arthur, Tex., and from points in that part of Oklahoma on and west of a line beginning at the Kansas-Oklahoma State line, thence along U.S. Highway 75 to junction Indian Nation Turnpike, thence along Indian Nation Turnpike to junction U.S. Highway 271, thence along U.S. Highway 271 to the Oklahoma-Texas State line to points in Wisconsin and the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of the plant site of the Griffin Pipe Co., at Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E415), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled tractors, road making machinery, and contractors' equipment and supplies*, from points in that part of Iowa on and northwest of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 169 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Iowa-Nebraska State line to points in Maine, Vermont, New Hampshire, Rhode Island, and to points in that part of Florida on and south of a line beginning at Daytona Beach, Fla., thence along U.S. Highway 92 to junction U.S. Highway 17, thence along U.S. Highway 17 to junction Florida Highway 40, thence along Florida Highway 40 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction Alternate U.S. Highway 27, thence along Alternate U.S. Highway 27 to junction Florida Highway 345, thence along Florida Highway 345 to junction Florida Highway 24, thence along Florida Highway 24 to Lukens, Fla., and to points in that part

of Wisconsin on and north of a line beginning at the Wisconsin-Minnesota State line, thence along U.S. Highway 12 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to Kewanee, Wis., with no transportation for compensation on return except as otherwise authorized, restricted against the transportation of agricultural implements and machinery as defined in Appendix XII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 292. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E417), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled tractors*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith (not including tractors with vehicle beds, bed frames, or fifth wheels, nor any of the above-specified commodities which, because of their size or weight, require the use of special equipment), from points in Missouri to points in the Upper Peninsula of Michigan and to points in that part of Wisconsin on and northwest of a line beginning at the Illinois-Wisconsin State line, thence along Wisconsin Highway 104 to junction U.S. Highway 14, thence along U.S. Highway 14 to junction U.S. Highway 151, thence along U.S. Highway 151 to junction Wisconsin Highway 19, thence along Wisconsin Highway 19 to junction Wisconsin Highway 109, thence along Wisconsin Highway 109 to junction Wisconsin Highway 60, thence along Wisconsin Highway 60 to Port Washington, Wis., restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 114211 (Sub-No. E418), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors*, between points in that part of Missouri bounded on the north by the Iowa-Missouri State line, thence along U.S. Highway 63 to the Arkansas-Missouri State line, thence along the Arkansas-Missouri State line to the Oklahoma-Missouri State line, thence along the Oklahoma-Missouri State line to the Kansas-Missouri State line, thence along the Kansas-Missouri State line to Interstate Highway 35, thence along Interstate Highway 35 to junction Missouri Highway 6, thence along Missouri Highway 6 to junction U.S. Highway 65, thence along U.S. Highway 65 to the Iowa-Missouri State line, on the one hand, and, on the other, points

in that part of South Dakota on and northwest of a line beginning at the Iowa-South Dakota State line, thence along Interstate Highway 90 to junction U.S. Highway 281, thence along U.S. Highway 281 to junction South Dakota Highway 44, thence along South Dakota Highway 44 to junction South Dakota Highway 47, thence along South Dakota Highway 47 to the South Dakota-Nebraska State line. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC 114211 (Sub-No. E420), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled farm machinery and parts thereof*, from points in that part of Iowa on and northwest of a line beginning at the South Dakota-Iowa State line, thence along U.S. Highway 20 to junction Iowa Highway 31, thence along Iowa Highway 31 to junction Iowa Highway 3, thence along Iowa Highway 3 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction Iowa Highway 4, thence along Iowa Highway 4 to the Iowa-Minnesota State line to points in that part of Wisconsin on and northeast of a line beginning at the Minnesota-Wisconsin State line, thence along U.S. Highway 8 to junction Wisconsin Highway 79, thence along Wisconsin Highway 79 to junction U.S. Highway 12, thence along U.S. Highway 12 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to junction Wisconsin Highway 73, thence along Wisconsin Highway 73 to junction Wisconsin Highway 23, thence along Wisconsin Highway 23 to Lake Michigan, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 117574 (Sub-No. E1), (Correction), filed May 2, 1974, re-published in the FEDERAL REGISTER, July 10, 1974. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pa. 17013. Applicant's representative: E. S. Moore, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as by reason of their size or weight require the use of special equipment (except machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, not including boilers, heaters, and castings), between points in Connecticut and Massachusetts, on the one hand, and, on the other, points in Florida, Georgia, Illinois, Indiana, Kentucky, Michigan, Minnesota, South Carolina, Wisconsin, and

North Carolina (except points in Gates, Hertford, Currituck, Camden, Pasquotank, Perquimans, Chowan, Bertie, Martin, Washington, Tyrell, Dare, Hyde, Pitt, Beaufort, Craven, Jones, Onslow, Carteret, and Pamlico Counties, N.C.). The purpose of this filing is to eliminate the gateway points in that part of Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line, and extending along U.S. Highway 219, to the junction with U.S. Highway 322, thence on and north of a line beginning at Gramplan, Pa., and extending along U.S. Highway 322 through Clearfield and State College, to Lewistown, thence along U.S. Highway 522 to Selingsgrove, and thence on and west of U.S. Highway 11 to the New York-Pennsylvania State line. The purpose of this correction is to clarify the exception.

No. MC 119934 (Sub-No. E2), filed May 12, 1974. Applicant: ECOFF TRUCKING, INC., 625 E. Broadway, Fortville, Ind. 46040. Applicant's representative: Robert W. Laser II, 320 N. Meridian St., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn products*, dry and in bulk, from Danville, Ill., to points in Connecticut, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, West Virginia, and that part of Tennessee on and east of a line beginning at the Tennessee-Kentucky State line, thence along Interstate Highway 65 to the Tennessee-Alabama State line. The purpose of this filing is to eliminate the gateway of Indianapolis, Ind.

No. MC 119934 (Sub-No. E6), filed May 12, 1974. Applicant: ECOFF TRUCKING, INC., 625 E. Broadway, Fortville, Ind. 46040. Applicant's representative: Robert W. Laser II, 320 N. Meridian St., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid alum*, in bulk, in tank vehicles, from Middletown, Ohio to points in Illinois. The purpose of this filing is to eliminate the gateway of Anderson, Ind.

No. MC 119767 (Sub-No. E4), filed June 4, 1974. Applicant: BEAVER TRANSPORT, CO., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: David A. Petersen (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A-1) *Frozen foods*, from points in Minnesota to points in Indiana, Ohio, St. Louis, Mo., Louisville, Ky., Pittsburgh, Pa., and points in Michigan on and south of Michigan Highway 21, points in Illinois on and west of a line beginning at the Wisconsin-Illinois State line and extending along U.S. Highway 51 to its junction with U.S. Highway 66 to the Illinois-Missouri State line. (Darlen, Wis.) \*; (A-2) *Frozen foods* from points in Illinois on and south of U.S. Highway 24 and on and east of U.S. Highway 51 to points in Minnesota, Upper Michigan,

and points in the Lower Peninsula of Michigan on and north of Michigan Highway 68, and points in Iowa on and east of U.S. Highway 52. (Darlen, Wis.) \*; (A-3) *Frozen foods*, from points in Illinois on and south of U.S. Highway 36 to points in the Upper Peninsula of Michigan on and north of Michigan Highway 68, points in the Lower Peninsula of Michigan on and north of Michigan Highway 68, points in Minnesota on and east of Interstate Highway 35 and on and north of U.S. Highway 14, points in Iowa on and east of U.S. Highway 52. (Darlen, Wis.) \*; (A-4) *Frozen foods*, from points in Illinois on and north of U.S. Highway 51, points in Michigan, Ohio, Louisville, Kentucky, Pittsburgh, Pa., and points in Minnesota on and north of U.S. Highway 2, points in Indiana on and south of U.S. Highway 24 and on and east of U.S. Highway 421. (Darlen, Wis.) \*; (A-5) *Frozen foods*, from points in Illinois on and north of U.S. Highway 24 and on and east of U.S. Highway 51 to points in Minnesota, the Upper Peninsula of Michigan, and points in Iowa on and east of U.S. Highway 52 (Darlen, Wis.) \*; (A-6) *Frozen foods*, from points in Indiana to points in Minnesota, the Upper Peninsula of Michigan, and points in Iowa on and east of U.S. Highway 52. (Darlen, Wis.) \*;

(B) *Frozen foods*, from points in Wisconsin on and south of Wisconsin Highway 20 and on and east of Wisconsin Highway 67, to points in North Dakota and South Dakota. (Belvidere, Ill.) \*; (C-1) *Food and food products* from points in Minnesota to points in Kentucky. (Burlington, Minn.) \*; (C-2) *Food and food products*, from points in Illinois on and north of Interstate Highway 80 and on and west of U.S. Highway 51, to points in Kentucky. (Burlington, Wis.) \*; (D-1) *Frozen foods*, from points in Wisconsin on and south of Wisconsin Highway 20 and on and east of Wisconsin Highway 67, to points in Kentucky on and south of Kentucky Highway 80 (points in Coles County, Ill.) \*; (D-2) *Frozen foods*, from points in Wisconsin on and west of U.S. Highway 51 and on and north of Wisconsin Highway 33 to points in Kentucky (except Louisville and Paducah). (Coles County, Ill.) \*; (E) *Canned and prepared foodstuffs*, from points in Wisconsin to points in Kentucky. (Bellwood, Ill.) \*; (F-1) *Foodstuffs* (except commodities in bulk in tank vehicles), from points in Minnesota, to points in the Lower Peninsula of Michigan. (Douglas, Bayfield, Ashland, Iron, Sawyer, Washburn, and Burnett Counties, Wis.) \*; (E-2) *Foodstuffs* (except commodities in bulk in tank vehicles), from points in Minnesota to points in the Lower Peninsula of Michigan (except points in Emmet, Cheboygan, Presque Isle, and Charlevoix Counties, Mich.) (points in Walworth, Racine, and Kenosha Counties, Wis.) \*; (E-3) *Foodstuffs* (except commodities in bulk in tank vehicles), from points in Minnesota north of U.S. Highway 14 to points in the Lower Peninsula of Michigan on and north of Michigan Highway 10 (points in Vilas, Oneida, Lincoln, Langlade, Oconto,



Marinette, Florence, and Forest Counties, Wis.) \*; (F-4) *Foodstuffs* (except commodities in bulk in tank vehicles), from points in Minnesota on and south of Minnesota Highway 14, to points in the Lower Peninsula of Michigan on and north of Michigan Highway 10 (points in Vilas, Oneida, Lincoln, Langlade, Oconto, Marinette, Florence, and Forest Counties, Wis.) \*;

(F-5) *Foodstuffs* (except commodities in bulk in tank vehicles), from points in Minnesota on and south of Minnesota Highway 12, to points in the Lower Peninsula of Michigan (points in Wisconsin on and south of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 10 to its junction with U.S. Highway 51, thence along U.S. Highway 51 to the Wisconsin-Illinois State line) \*; (F-6) *Foodstuffs* (except commodities in bulk in tank vehicles), from points in Minnesota on and south of U.S. Highway 2 to points in The Lower Peninsula of Michigan (points in Wisconsin on and south of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 10 to its junction with U.S. Highway 51, thence along U.S. Highway 51 to the Wisconsin-Illinois State line) \*;

(F-7) *Foodstuffs* (except commodities in bulk in tank vehicles), from points in Illinois and points in Knox, Davies, Martin, Dubois, Pike, Bibson, Posey, Vanderburgh, Spencer, and Perry Counties, Ind., to points in Emmet, Cheboygan, Presque Isle and Charlevoix Counties, Mich. (points in Wisconsin on and east of a line beginning at the Wisconsin-Michigan State line and extending along U.S. Highway 141 to its junction with U.S. Highway 41, thence along U.S. Highway 41 to its junction with U.S. Highway 26, thence along U.S. Highway 26 to its junction with U.S. Highway 51, thence along U.S. Highway 51 to the Wisconsin-Illinois State line) \*; (G) *Prepared food products and dairy products and by-products*, from points in Minnesota to Chicago and Elgin, Ill. (Whitewater, Wis.) \*;

(H) *Prepared food and beverages*, from points in Wisconsin to Cincinnati, Ohio (Muster, Ind.) \*; (I-1) *Foodstuffs* (except dairy products, frozen fruit, frozen vegetables, frozen berries and commodities, in bulk, in tank vehicles), from points in Minnesota on and north of U.S. Highway 2 to points in Missouri on and east of U.S. Highway 67 (except points in Mercer, Putnam, Sullivan, Grundy, Livingston, and Linn Counties) (points in Wisconsin west of U.S. Highway 51) \*; (I-2) *Foodstuffs* (except dairy products, frozen fruit, frozen vegetables, frozen berries, and commodities in bulk, in tank vehicles), from points in Minnesota on and north of U.S. Highway 12 to points in Bollinger, Cape Girardeau, Wayne, Butler, Stoddard, Scott, Mississippi, New Madrid, Dunklin, and Pemiscot Counties, Mo. (points in Wisconsin) \*; (II) (A-1) *Frozen foods*, from Fort Dodge, Iowa, to points in Indiana (points in Walworth, Kenosha, and Racine Counties, Wis.) \*; (A-2) *Frozen*

*foods*, from Des Moines, Iowa, to points in Indiana on and east of a line beginning at the Indiana-Michigan State line and extending along U.S. Highway 421 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to its junction with U.S. Highway 231, thence along U.S. Highway 231 to the Indiana-Kentucky State line (points in Vernon, Crawford, Richland, Grant, Iowa, and Lafayette Counties, Wis.) \*. The purpose of this filing is to eliminate the gateway indicated by asterisks above.

No. MC 123407 (Sub-No. E174), filed January 2, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Richard L. Loftus (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board, materials and accessories* used in the installation of the commodities above (except lumber and commodities in bulk) from Roaring River, N.C., to points in Colorado and the Counties of San Juan, Rio Arriba, Taos, and Colfax, New Mexico. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-2049 Filed 1-21-75; 8:45 am]

[Notice No. 5]

#### MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 17, 1975.

The following publications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application) are governed by the new special rule § 1100.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

Special notice. The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable by the Commission.

#### MOTOR CARRIERS OF PROPERTY

No. MC 129660 (Sub-No. 5) (Corrected republication), filed May 8, 1973, and published in the FEDERAL REGISTER issues of June 28, 1973, and October 10, 1974, and republished as corrected this issue. Applicant: MALLETT BROS. TRUCK LINE, INC., Route 2, Box 243, Gautier, Miss. 39553. Applicant's representative:

Donald B. Morrison, 717 Deposit Guaranty Bank Building, P.O. Box 22628, Jackson, Miss. 39205. A Report and Order of the Commission, decided September 5, 1974, and served September 27, 1974, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, (1) of *iron and steel articles* (a) from the facilities of Southern Metal Service, Inc., at Gulfport, Miss., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Tennessee, and Texas, and (b) from Gulfport, Miss., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Tennessee, and Texas, restricted in both (a) and (b) to the transportation of shipments destined to points in the named States, and further restricted in (b) to the transportation of shipments having an immediately prior movement by water in foreign commerce, and (2) of *ferrous scrap*, from points in Mississippi to Gulfport, Miss., restricted to the transportation of shipments originating in Mississippi and having a subsequent movement by rail or water; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this corrected republication is to add the state of Tennessee, to 1(b) above. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 41064 (Sub-No. 4) (Notice of filing of petition to modify a commodity description), filed January 2, 1975. Petitioner: KENT EXPRESS, INC., P.O. Box 60, Railroad & Gaff, Aurora, Ind. 47001. Petitioner's Representative: Howard C. Sauser (Same address as petitioner). Petitioner holds a motor *common carrier* certificate in No. MC 41064 (Sub-No. 4), issued May 10, 1974, authorizing transportation, over regular routes, of *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between Batesville, Ind., and Cincinnati, Ohio, serving all intermediate points, and off-route points within 5 miles of the route specified below: From Batesville over Indiana Highway 46 to Penntown, Ind., thence over Indiana Highway 1 to Sunman, Ind., thence over unnumbered highways via New Alsace, Yorkville, and Guilford, Ind., to junction Indiana Highway 56, thence over

Indiana Highway 56 to junction U.S. Highway 50 to Cincinnati, and return over the same route; and over irregular routes, of *Household goods, farm products, and farm supplies*, between Batesville, Ind., Cincinnati, Ohio, and the above-specified intermediate and off-route points, on the one hand, and, on the other, points in that part of Ohio and Kentucky within 100 miles of Batesville, Ind. By the instant petition, petitioner seeks to modify the above irregular route commodity description so as to read, *Household goods*, as defined by the Commission, and *General Commodities*, except those of unusual value and Classes A and B explosives. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 90870 (Notice of filing of petition to modify a certificate), filed December 30, 1974. Petitioner: GLENN R. RIECHMANN, doing business as RIECHMANN TRUCK SERVICE, Route 2, Box 137, Alhambra, Ill. 62001. Petitioner's representative: Glenn R. Riechmann (same address as Petitioner). Petitioner holds a motor common carrier certificate in No. MC 90870, issued August 13, 1969, authorizing transportation, as pertinent, over irregular routes, of *General commodities*, from St. Louis, Mo., to Pierron, Ill., with no transportation for compensation on return except as otherwise authorized. Restriction: The service authorized herein is subject to the following conditions: The operating rights authorized herein shall be conducted separately from carrier's operations as a private carrier; a separate and distinct accounting system shall be maintained for each; and carrier shall not transport property both as a for-hire and as a private carrier in the same vehicle at the same time. By the instant petition, petitioner seeks to modify the above territorial description so as to read: *General commodities*, between St. Louis, Mo., on the one hand, and, on the other, Pierron, Ill. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 115212 (Sub-Nos. 1, 2, 4, 10, 11, 12, 14, 16, 17, and 22) (Notice of filing of petition for modification of permits), filed December 19, 1974. Petitioner: H. H. H. MOTOR SERVICE, Route 130, Cranbury, N.J. 08512. Petitioner's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Petitioner holds a motor contract carrier permit in No. MC 115212 (Sub-Nos. 1, 2, 4, 10, 11, 12, 14, 16, 17, and 22), issued June 12, 1958, April 30, 1958, July 29 1963, February 3, 1965, May 5, 1965, February 2, 1967, March 17, 1967, November 21, 1968, September 15, 1970, and October 26, 1972, respectively, authorizing transportation, as pertinent,

over irregular routes, in Sub-No. 1 of *Such commodities* as are dealt in by retail women's and children's ready-to-wear apparel stores, and, in connection therewith, *supplies and equipment* used in the conduct of such businesses, between New York, N.Y., on the one hand, and, on the other, points in Indiana, Ohio, Michigan, Wisconsin, and Illinois, under a continuing contract, or contracts, with Diana Stores Corporation, New York, N.Y., in Sub-No. 2 of *women's and children's wearing apparel* (except millinery and shoes), and *supplies and equipment* used in retail women's and children's ready-to-wear apparel stores, between New York, N.Y., on the one hand, and, on the other, points in Kentucky, Tennessee, and West Virginia, under a continuing contract, or contracts, with Diana Stores Corporation of New York, N.Y., in Sub-No. 4 of *such commodities* as are dealt in by retail women's and children's ready-to-wear apparel stores, and in connection therewith, *supplies and equipment* used in the conduct of such businesses, between New York, N.Y., on the one hand, and, on the other, points in Mississippi, under a continuing contract, or contracts, with Diana Stores Corporation, of New York, N.Y.

In Sub-No. 10 of *such commodities* as are dealt in by retail women's and children's ready-to-wear apparel stores, and in connection therewith *supplies and equipment*, used in the conduct of such business, between North Bergen, N.J., on the one hand, and, on the other, points in Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Kentucky, Tennessee, West Virginia, Indiana, Ohio, Michigan, Wisconsin, and Illinois, under a continuing contract, or contracts with Diana Stores Corporation, of New York, N.Y., in Sub-No. 11, of *such commodities* as are dealt in by retail women's and children's ready-to-wear apparel stores, and in connection therewith *supplies and equipment* used in the conduct of such business, between North Bergen, N.J., on the one hand, and, on the other, points in Pennsylvania, under a continuing contract, or contracts, with Diana Stores Corporation, of New York, N.Y., in Sub-No. 14, of *such commodities* as are dealt in by women's and children's ready-to-wear retail apparel stores, and in connection therewith *supplies and equipment* used in the conduct of such business, between North Bergen, N.J., on the one hand, and, on the other, points in Minnesota, under a continuing contract, or contracts, with Diana Stores Corporation, of New York, N.Y., in Sub-No. 16 of *such commodities* as are dealt in by retail women's and children's ready-to-wear retail apparel stores, and in connection therewith *supplies and*

*equipment* used in the conduct of such businesses, between North Bergen, N.J., on the one hand, and, on the other, points in Nebraska, under a continuing contract, or contracts, with Diana Stores Corp., of North Bergen, N.J.

In Sub-No. 17 of *such commodities* as are dealt in by women's and children's ready-to-wear retail apparel stores, and in connection therewith *supplies and equipment* used in the conduct of such business, between North Bergen, N.J., on the one hand, and, on the other, points in Oklahoma, Texas, Louisiana, and New Mexico, under a continuing contract, or contracts with Diana Stores Corporation of North Bergen, N.J., and in Sub-No. 22 of *such commodities* as are dealt in by women's and children's ready-to-wear retail apparel stores, and in connection therewith *supplies and equipment* used in the conduct of such business, between North Bergen, N.J., on the one hand, and, on the other, points in Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Maryland, Missouri, Montana, Nevada, North Dakota, Oregon, South Dakota, Washington, and Wyoming, under a continuing contract or contracts, with Diana Stores Corporation, of North Bergen, N.J. By the instant petition, petitioner seeks to add Daylin, Inc., as a contracting shipper to the authority described above. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 115331 (Sub-No. 366) (Petition to extend explosive authority expiration date), filed January 2, 1975. Petitioner: TRUCK TRANSPORT, INCORPORATED, 230 Saint Clair Avenue, East Saint Louis, 62201. Petitioner's Representative: J. R. Ferris (Same address as petitioner). Petitioner has acquired a motor common carrier certificate pursuant to No. MC-F-11797, approved June 15, 1973, and consummated July 1, 1973, which was previously held by Robert Bernard Schilli, Trustee under the last will of Bernard Raymond Schilli, deceased, doing business as Schilli Transportation in No. MC 129162 (Sub-No. 5), issued April 14, 1971, to expire November 12, 1973, which is to be issued to petitioner in No. MC 115331 (Sub-No. 366), authorizing transportation, over irregular routes, of *Nitro-carbonitrate*: (1) from the plantsite of Monsanto Company near Midland, Ind., to the plantsite of Monsanto Company near Central City, Ky.; and (2) from the plantsite of Monsanto Company near Pyatts, Ill., to points in Indiana, Kentucky, and Missouri. By the instant petition, petitioner seeks to extend the expiration date of the above granted authority. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 118570 (Sub-No. 4) (Notice of filing of petition to modify a commodity description), filed December 30, 1974. Petitioner. DEFAZIO EXPRESS, INC., 1028 Springbrook Ave., Moosic, Pa. 18507. Petitioner's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Petitioner holds a motor contract carrier, permit No. MC 118570 (Sub-No. 4), issued March 8, 1972, authorizing transportation, over irregular routes, of *Coconut oil, coconut oil products, lard substitutes or compounds, cooking oils, glycerine, sterine, toilet preparations, soap, soap powder, soap products, premiums and advertising matter* pertaining to these products and groceries (except commodities in bulk), from the plant sites and storage facilities of The Procter & Gamble Distributing Co., and the Procter & Gamble Manufacturing Co., at points in Bronx, Kings, Nassau, New York, Queens, Richmond (except Clifton and Port Ivory), Rockland, and Westchester Counties, N.Y., Bergen, Essex (except Port Newark), Hudson (except Kearny), Middlesex, Morris, Passaic, Somerset, and Union Counties, N.J., to points in Berks, Carbon, Columbia, Lackawanna, Lehigh, Luzerne, Monroe, Montour, Northampton, Northumberland, Pike, Schuylkill, Snyder, Susquehanna, Union, Wayne, and Wyoming Counties, Pa., and points in Sussex, Warren, and Hunterdon Counties, N.J., under a continuing contract or contracts with the Procter & Gamble Distributing Co., Cincinnati, Ohio. By the instant petition, petitioner seeks to modify the above commodity description so as to read, *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses (except commodities in bulk)*. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 22278 (Sub-No. 48), filed December 26, 1974. Applicant: TAKIN BROS. FREIGHT LINE, INC., 2125 Commercial Street, Waterloo, Iowa 50704. Applicant's representative: John P. Rhodes (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting:

*General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment). (A) Regular routes: (1) Between Stromsburg, Nebr., and Omaha, Nebr., serving all intermediate points: From Stromsburg over U.S. Highway 81 to junction U.S. Nebraska Highway 92 (formerly U.S. Highway 30A), thence over Nebraska Highway 92 to Omaha, Nebr., and return over the same route; and (2) between Stromsburg, Nebr., and Lincoln, Nebr., serving all intermediate points: From Stromsburg over U.S. Highway 81 to junction Nebraska Highway 2, thence over Highway 2 to Lincoln, and return over the same route; and (B) Irregular routes: Between Stromsburg, Nebr., and ten miles thereof, on the one hand, and, on the other, points in Nebraska on and east of Nebraska Highway 61, restricted against the transportation of meat and packing house products originating in Nebraska when destined to points west of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas.

NOTE.—Common control may be involved. Applicant states the requested authority can be joined with other authority held in Docket MC 22278 at Omaha, Nebr., or Sioux City, Nebr., to provide service between Chicago, Quad Cities, Ill., and points in Iowa on U.S. Highways 34, 6, 30, and 218 between Mt. Pleasant and Charles City, Iowa, Iowa Highway 64 between Des Moines, and Council Bluffs, Iowa, U.S. Highway 75 between Omaha, Nebr., and Sioux City, Iowa, Forest City as an off-route point. By this application, applicant seeks to acquire by purchase the intra- and interstate certificates held by Stromberg Motor Freight, Inc., in MC 120483. This is a matter directly related to the Section 5 proceeding in MC-F-12404 published in the FEDERAL REGISTER issue of January 15, 1975. If a hearing is deemed necessary, the applicant requests it be held at either Omaha, Nebr., or Waterloo, Iowa.

No. MC 140504, filed December 16, 1974. Applicant: NATIONAL MACHINERY HAULERS, INC., 9050 Pershall Road, Hazelwood, Mo. 63042. Applicant's representative: Arnold L. Burke, 127 North Dearborn Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, machinery parts, agricultural implements, farm machinery and farm tractors, iron and steel products, and building materials*, between points in Illinois.

NOTE.—Common control may be involved. Applicant seeks authority to acquire the Certificate of Registration of Larry L. Fenner Transport, Inc., and convert the authority transferred from a Certificate of Registration to a Certificate of Public Convenience and Necessity. This is a matter directly related to the Section 5 proceeding in MC-F-12343 published in the FEDERAL REGISTER issue of October 31, 1974. If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC-F-12407. Authority sought for control by THE EDWARD CORPORATION, 3893 Market St. NE., Warren, OH 44484, of BELLEVUE TRUCKING COMPANY, 1250 Medina Rd., Akron (Sharon

Center), OH 44274, and for acquisition by ORIN S. NEIMAN also of Warren, OH 44484, of control of BELLEVUE TRUCKING COMPANY, through the acquisition by THE EDWARD CORPORATION. Applicants' attorneys: Paul F. Beery, 8 E. Broad St., 9th Floor, Columbus, OH 43215, and John Glenn, 1 Cascade Plaza, Akron, OH 44308. Operating rights sought to be controlled: *Machines and commodities*, the transportation of which because of size or weight requires the use of special equipment (except boats), as a *common carrier* over irregular routes, between points in New Jersey, New York, and Pennsylvania, within 200 miles of Newark, N.J., between Newark, N.J., and points in Connecticut, Rhode Island, Massachusetts, Delaware, and Maryland, within 200 miles of Newark, N.J., with restrictions. THE EDWARD CORPORATION holds no authority from this Commission. However, it is affiliated with OHIO FAST FREIGHT, INC., which is authorized to operate as a *common carrier* in all of the States in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a(b).

No. MC-F-12408. Authority sought for control and merger by LEMMON TRANSPORT COMPANY, INCORPORATED, P.O. Box 580, Marion, VA 24354, of the operating rights and property of C. L. WRIGHT TRUCKING, INC., 954 Montrose Drive, So. Charleston, W. Va. 25303, and for acquisition by GUY N. BUSHNELL, also of Marion, VA 24354, of control of such rights and property through the transaction. Applicants' attorney, and representative: Frank B. Hand, Jr., P.O. Box 187, Berryville, VA 22611, and Daryl J. Henry, P.O. Box 580, Marion, VA 24354. Operating rights sought to be controlled and merged: *Oxygen hydrogen, acetylene, acetic acid, viryllite caustic, fluxes, and related products*, as a *common carrier* over irregular routes, from Charleston, W. Va., and points within 8 miles of Charleston, to Covington and Roanoke, Va., Charlotte, N. C., Kingsport, Tenn., Ashland, Ky., Portsmouth, Ohio, and points in that part of Ohio on and east of Interstate Highway 77 and Ohio Highway 21 (both formerly U.S. Highway 21), and those in that part of Pennsylvania on and west of U.S. Highway 219, from Pittsburgh, Johnstown, and Verona, Pa., and Cincinnati, Ohio, to Charleston, W. Va., and points within 8 miles of Charleston; and return with empty containers; *brick*, from Portsmouth, Ohio, to Charleston, W. Va., and points within 8 miles of Charleston; *barytes ore and sulphur*, in bulk, from Spring Hill, W. Va., to South Charleston, W. Va. LEMMON TRANSPORT COMPANY, INCORPORATED, is authorized to operate as a *common carrier* in all of the States in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a(b).

No. MC-F-12409. Authority sought for purchase by CARDINAL FREIGHT SYSTEM, INC., 22½ N. Madison St., Wau-

pun, WI 53963, of a portion of the operating rights of BIRD TRUCKING COMPANY, INC., Fond du Lac St., Waupun, WI 53963, and for acquisition by RAYMOND AND WILBERT JEFFORDS, both of Route 1, Waupun, WI 53963, BERNARD HAFEMANN, Route 2, Waupun, WI 53963, and DONALD F. CRAIN, 215 Howard Drive, Waupun, WI 53963, of control of such rights through the purchase. Applicants' attorney: Allan B. Torhorst, 217 E. Jefferson St., Burlington, WI 53105. Operating rights sought to be transferred: *Canned goods, frozen foods, dairy products and confectionary ingredients, food and foodstuffs, and foodstuffs*, as a common carrier over irregular routes, between specified origins in Wisconsin and Illinois, to points in Wisconsin, Illinois, Michigan, Indiana, and Minnesota. Vendee holds no authority from this Commission. However, it is affiliated with JEFF'S TRUCKING, INC., 408½ Main St., E. Waupun, WI 53963, which is authorized to operate as a common carrier in Wisconsin, Illinois, Minnesota, Iowa, Indiana, and Michigan. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-12410. Authority sought for purchase by GEORGE B. KING, doing business as KING TRANSFER, 714 Pearl St., Onawa, IA 51040, of a portion of the operating rights of ALL-AMERICAN, INC., 900 W. Delaware, Sioux Falls, SD 57101. Applicants' attorney: Carl L. Steiner, 39 S. LaSalle St., Chicago, IL 60603. Operating rights sought to be transferred: *General commodities*, except household goods, as a common carrier over regular routes, between Sioux City, Iowa, and Omaha, Nebr., serving all intermediate points on the described highways. Vendee is authorized to operate as a common carrier in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, Wisconsin, and Wyoming. Application has not been filed for temporary authority under section 210a(b).

NOTE.—MC 127745 (Sub-No. 3), is a matter directly related.

No. MC-F-12411. Authority sought for control by NOEL TRANSFER, INC., 550 E. 5th St., South St. Paul, MN 55075, of DAKOTA EXPRESS, INC., P.O. Box 1252, Sioux Falls, SD 57101, and for acquisition by MICHAEL J. NOEL, also of S. St. Paul, MN 55075, of control of DAKOTA EXPRESS, INC., through the acquisition by NOEL TRANSFER, INC. Applicants' attorney: Donald L. Stern, Suite 530 Univac Bldg., 7100 W. Center Rd., Omaha, NE 68106. Operating rights sought to be controlled: *General commodities*, with certain specified exceptions, and numerous other specified commodities, as a common carrier, over regular and irregular routes, from, to, and between specified points in the States of South Dakota, Minnesota, Nebraska, Iowa, Wisconsin, North Dakota, Illinois, Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New

Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, West Virginia, Virginia, Indiana, Kansas, Missouri, Nevada, Oklahoma, Colorado, Wyoming, and the District of Columbia, with certain restrictions, serving various intermediate and off-route points, over one alternate route for operating convenience only, as more specifically described in Docket No. MC 83217 and Subnumbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carrier involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating, in full, the entirety, thereof. NOEL TRANSFER, INC., holds no authority from this Commission. However, it is affiliated with AJAX TRANSFER COMPANY, 550 E. 5th St., South St. Paul, MN 55075, which is authorized to operate as a contract carrier in Minnesota, Wisconsin, Iowa, Michigan, Illinois, North Dakota, and South Dakota, and LTL PERISHABLES, INC., P.O. Box 37468, Omaha, NE 68152, which is authorized to operate as a common carrier in Iowa, Nebraska, South Dakota, Illinois, Indiana, Minnesota, North Dakota, Wisconsin, Kansas, and Missouri. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12413. Authority sought for purchase by FROZEN OVERLAND EXPRESS, 125 University Ave., Berkeley, CA 94710, of the operating rights of AMERICAN TRANSPORT SYSTEM, INC., 871 Charter St., Redwood City, CA 94063, and for acquisition by GENE OSBORNE, also of Berkeley, CA 94710, of control of such rights through the purchase. Applicants' attorneys: Martin J. Rosen, 140 Montgomery St., San Francisco, CA 94104, and Daniel Baker, 100 Pine St., Suite 2550, San Francisco, CA 94111. Operating rights sought to be transferred: *Bananas*, as a common carrier over irregular routes, from points in the Los Angeles Harbor, Calif., Commercial Zone as defined by the Commission, to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming; *frozen meats*, in vehicles equipped with mechanical refrigeration, from San Francisco and Oakland, Calif., to points in Alameda, Monterey, Sacramento, San Francisco, San Benito, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Stanislaus, Sonoma, Yolo, Merced, Contra Costa, Napa, and Solano Counties, Calif., between San Francisco and Oakland, Calif., on the one hand, and, on the other, points in California, from points in San Francisco, San Mateo, Alameda, Santa Clara, Santa Cruz, Monterey, Stanislaus, and San Joaquin Counties, Calif., to points in Maricopa, Pima, and Pinal Counties, Ariz., with restrictions. Vendee holds no authority from this Commission. However, it is affiliated with OSBORNE HIGHWAY EXPRESS, also of Berkeley, CA 94710, which is authorized to operate as a common carrier in Nevada, Arizona, Cali-

ornia, Colorado, Idaho, Montana, New Mexico, Oregon, Utah, Washington, and Wyoming. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12414. Authority sought for control and merger by STONY'S TRUCKING CO., 11550 Mahoning Ave., North Jackson, OH 44451, of the operating rights and property of MISSISSIPPI-EAST, INC., P.O. Box 769, Clairton, PA 15025, and for acquisition by BUCKEYE TRANSFER CO., and A. POLICASTRO, both of North Jackson, OH 44451, of control of such rights and property through the transaction. Applicants' attorney: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215. Operating rights sought to be controlled and merged: *Machinery, equipment, materials, and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by products, *coal-stripping machinery, and construction machinery*, as a common carrier over irregular routes, between points in Washington, Fayette, and Greene Counties, Pa., on the one hand, and, on the other, points in West Virginia on and north of U.S. Highway 60, and those in Ohio on and east of U.S. Highway 23; *glass-making machinery*, between Washington, Pa., and points within two miles thereof, on the one hand, and, on the other, points in the above-described territory in West Virginia and Ohio; *such commodities as contractors' equipment, heavy and bulky articles, machinery and machine parts, and articles*, requiring specialized handling or rigging because of size or weight, between points in Allegheny, Westmoreland, Fayette, Washington, and Greene Counties, Pa., between points in that part of Ohio on and east of U.S. Highway 21, between points in West Virginia, between points in the above-specified Pennsylvania territory, on the one hand, and, on the other, points in West Virginia and that part of Ohio on and east of U.S. Highway 21. STONY'S TRUCKING CO. is authorized to operate as a common carrier in Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, New York, Ohio, Pennsylvania, and West Virginia. Application has been filed for temporary authority under section 210a(b).

Grand Trunk Western Railroad Co. hereby gives notice that on the 8th day of October, 1974, it filed with the Interstate Commerce Commission, at Washington, D.C., an application F.D. 27778 requesting permission to alter its present point of interchange for international rail traffic at Detroit, Michigan, and Windsor, Ontario, between the applicant and the Canadian National Railways, and have approved the execution of a joint track agreement with the Penn Central Transportation Company whereupon the same service will be performed, to and across international waters at Detroit, Michigan, and Windsor, Ontario, by utilizing the Penn Central Transportation Company's trackage and tunnel facilities in lieu of the present connec-

tions via the Canadian National Railways car ferry service.

The applicant is a carrier by rail, subject to part I of the Interstate Commerce Act and therefore prays to the Interstate Commerce Commission for permission to have joint use of a section of railroad line owned and operated by the Penn Central Transportation Company, extending from West Detroit, Michigan, and through the tunnel to the Essex Terminal in Windsor, Ontario, all within the cities of Detroit, Michigan, and Windsor, Ontario, a distance of 5.2 miles.

In the opinion of the Applicant, the relief sought by this Application is not a major Federal action significantly affecting the quality of the human environment. In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation — National Environmental Policy Act, 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factor set forth in Ex Parte No. 55 (Sub-No. 4), supra, Part (b) (1)-(5), 340 I.C.C. 431, 461. The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than thirty (30) days from the date of first publication in the FEDERAL REGISTER.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-2047 Filed 1-21-75; 8:45 am]

#### MOTOR CARRIER INTRASTATE APPLICATIONS

JANUARY 17, 1975.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a) (6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by special rule § 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed, and shall not be addressed to or filed with the Interstate Commerce Commission.

California Docket No. 55416, filed December 26, 1974. Applicant: GRILEY FREIGHTLINES, 2350 Dominguez Street, Long Beach, Calif. 90801. Applicant's representative: Carl H. Fritze, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Certificate of Public Con-

venience and Necessity sought to operate a freight service as follows: Transportation of *General commodities*, between the points hereinafter designated: (1) all points and places in the designated "Los Angeles area", including all points and places, within, and three miles laterally of the following boundary line: Beginning at the intersection of State Highway No. 27 and State Highway No. 1, northerly on State Highway No. 27 to a point where the city limits of the City of Los Angeles is intersected thereby, westerly, northerly, and easterly along said city limits of Los Angeles to its intersection with the southerly boundary of the Angeles National Forest at a point approximately 1.2 miles east of the joiner of Interstate Highway No. 5 and State Highway No. 14, southeasterly and easterly along the Angeles National Forest and San Bernardino National Forest boundary to the county road known as Mill Creek Road, westerly along Mill Creek Road to the county road 3.8 miles north of Yucaipa, southerly along said county road to and including the unincorporated community of Yucaipa, westerly along Redlands Boulevard to Interstate Highway No. 10, northwesterly along Interstate Highway No. 10 to and including the City of Redlands, westerly along Interstate Highway No. 10 to Interstate Highway No. 15, southerly along Interstate Highway No. 15 to Alessandro, westerly along unnamed county road to State Highway No. 91 in Arlington, westerly along State Highway No. 91 to State Highway No. 55, southerly on State Highway No. 55 to the Pacific Ocean, westerly and northerly along the shore line of the Pacific Ocean to a point directly south of the intersection of State Highway No. 27 and State Highway No. 1, thence northerly along an imaginary line to point of beginning; and (2) between all points and places on and within 25 miles laterally of the following described routes subject to the restrictions hereinafter noted:

(a) Between San Ysidro and Paso Robles over Interstate Highway 5, U.S. Highway 101, and State Highway 1. (b) Between Ventura and Fresno over State Highway 33 to State Highway 41, thence over State Highway 41 to Fresno. (c) Between Paso Robles and Famoso over State Highway 46. (d) Between Los Angeles and Fresno over Interstate Highway 5 and State Highway 99. (See Restriction 1 hereof.) (e) Between Ford City and Greenfield over State Highway 119. (f) Between junction State Highway 99 (near Olddale) and Fresno via State Highways 65, 63, Orosl, Cutler, Dinuba, Kingsburg, and Sanger. (g) Between San Diego and San Bernardino via Interstate Highway 15. (h) Between Riverside and Colton, on the one hand, and Calexico, on the other hand, via Interstate Highway 10 and State Highways 60, 86, and 111. (See Restriction 2 hereof.) (i) Between San Diego and junction State Highway 86 near El Centro via Interstate Highway 8. (j) Between the northerly boundary line of the country of San Luis Obispo and San Francisco over U.S. Highways 101 and 101 By-pass. (k) Between the northerly boundary line of Fresno County and Sacramento

over State Highway 99. (l) Between San Francisco and Sacramento over Interstate Highway 80. (m) Between San Francisco and Stockton over State Highway 17, Interstate Highways 580, 205, and 5. (n) Between Manteca and junction Interstate Highway 5 over State Highway 120. (o) Between Gilroy and Califa over State Highway 152; and (p) Between McKittrick and Tracy over State Highway 33. Applicant may make use of any street, road, highway, ferry, or toll bridge necessary or convenient for the purpose of performing the service herein authorized. Through routes and rates may be established between any and all points specified hereinabove.

*Restrictions:* The lateral 25 mile authority hereinabove set forth shall not include the right to serve: (1) Any point which is located both east of State Highway 99 (not including points on State Highway 99) and north of the Los Angeles Area between Los Angeles and Bakersfield; and (2) Any point on State Highway 62 connecting Interstate Highway 10 and the community of Twentynine Palms. Applicant shall not transport any shipments of: (1) Used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of Item No. 10-C of Minimum Rate Tariff No. 4-A. (2) Automobiles, trucks, and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses, and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses, and bus chassis. (Provided that this exception to general commodities shall not apply to service between the City of Los Angeles and Goleta and intermediate points on U.S. Highways 101 and 101 Alternate, and further provided that special equipment shall not be used in the transportation of any of the commodities listed in this paragraph 2.) (3) Livestock, viz.: Bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep-camp outfits, sows, steers, stags, or swine. (4) Liquids, compressed gases, commodities in semi-plastic form, and commodities in suspension in liquids in bulk in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles. (5) Commodities when transported in bulk in dump trucks or in hopper-type trucks. (6) Commodities when transported in motor vehicles equipped for mechanical mixing in transit; and (7) Logs. Intrastate, interstate, and foreign commerce authority sought.

*HEARING:* Date, time, and place not yet fixed. Requests for procedural information should be addressed to the California Public Utilities Commission, State Building, Civic Center, 455 Golden Gate Avenue, San Francisco, Calif. 94102, and should not be directed to the Interstate Commerce Commission.

By the Commission,

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-2048 Filed 1-21-75; 8:45 am]

**IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY LETTER NOTICES**

JANUARY 17, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination rules (49 CFR 1065(a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission within 10 days from the date of this publication. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 5470 (Sub-No. E54), (Correction), filed May 29, 1974, published in the FEDERAL REGISTER September 26, 1974. Applicant: TAJON, INC., R.D. 5, Box 146, Mercer, Pa. 16137. Applicant's representative: Patrick McEligot, 918 Sixteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, in dump vehicles, from Cleveland, Ohio, to points in Maryland and Virginia. The purpose of this filing is to eliminate the gateway of points in Trumbull County, Ohio, and New Kensington, Pa. The purpose of this correction is to correct the gateway points.

No. MC 31462 (Sub-No. E131), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Indiana, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateway of (1) Burlington, Iowa, or any point within 50 miles thereof; and (2) any point which is both within 35 miles of Alden, Minn., and within that part of Minnesota or Iowa on and south of a line beginning at the Mississippi river thence along U.S. Highway 16 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Mississippi River.

No. MC 31462 (Sub-No. E171), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, from points in that part of Michigan, on the Lower Peninsula, on, east, and south of a line beginning at the Michigan-Indiana State line, thence along Interstate Highway 69 to junction Interstate Highway 94, thence along Interstate Highway 94 to junction U.S. Highway 131, thence along U.S. Highway 131 to junction Interstate Highway 96, thence along Interstate Highway 96 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction Michigan Highway 72, thence along Michigan Highway 72 to junction U.S. Highway 131, thence along U.S. Highway 131 to junction Michigan Highway 32, thence along Michigan Highway 32 to Alpena, Mich., to points in Iowa. The purpose of this filing is to eliminate the gateway of Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E173), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in that part of Iowa on and east of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 169 to junction Iowa Highway 141, thence along Iowa Highway 141 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction Iowa Highway 5, thence along Iowa Highway 5 to the Iowa-Missouri State line, on the one hand, and, on the other, points in that part of South Dakota on and north of a line beginning at the Iowa-South Dakota State line, thence along U.S. Highway 18 to junction U.S. Highway 183, thence along U.S. Highway 183 to the South Dakota-Nebraska State line. The purpose of this filing is to eliminate the gateway of any point which is both within 35 miles of Alden, Minn., and within that part of Minnesota or Iowa on and south of a line beginning at the Mississippi River, thence along U.S. Highway 16 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Mississippi River.

No. MC 31462 (Sub-No. E174), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in North Dakota, on the one hand, and, on the other, points in that part of Iowa on and east of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 71 to the Iowa-Missouri State line. The purpose of this filing is to eliminate the gateway of any point which is both within 35 miles of Alden, Minn., and within that part of Minnesota or Iowa on and south of a line beginning

at the Mississippi River, thence along U.S. Highway 16 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Mississippi River.

No. MC 31462 (Sub-No. E176), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Iowa, on the one hand, and, on the other, points in Virginia. The purpose of this filing is to eliminate the gateways of (1) Burlington, Iowa, or any point in Iowa within 50 miles thereof; and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E177), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Iowa, on the one hand, and, on the other, the District of Columbia. The purpose of this filing is to eliminate the gateways of (1) Burlington, Iowa, or any point in Iowa within 50 miles thereof; and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E178), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Iowa, on the one hand, and, on the other, points in West Virginia. The purpose of this filing is to eliminate the gateways of (1) Burlington, Iowa, or any point in Iowa within 50 miles thereof; and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E179), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Iowa, on the one hand, and, on the other, points in Maryland. The purpose of this filing is to eliminate the gateways of (1) Burlington, Iowa, or any point in Iowa within 50 miles thereof; and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E180), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Iowa, on the one hand, and, on the other, points in New Jersey. The purpose of this filing is to eliminate the gateways of (1) Burlington, Iowa, or any point in Iowa within 50 miles thereof; and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E181), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Iowa, on the one hand, and, on the other, points in New York. The purpose of this filing is to eliminate the gateways of (1) Burlington, Iowa, or any point in Iowa within 50 miles thereof; and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E182), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Iowa, on the one hand, and, on the other, points in Massachusetts. The purpose of this filing is to eliminate the gateways of (1) Burlington, Iowa, or any point in Iowa within 50 miles thereof; and (2) Fort Wayne, Ind., or any point in Indiana within 40 miles thereof.

No. MC 31462 (Sub-No. E183), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in that part of Iowa on and east of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 59 to the Iowa-Missouri State line, on the one hand, and, on the other, points in that part of Montana on, east, and north of a line beginning at the International Boundary line between the United States and Canada, thence along U.S. highway 91 to junction U.S. Highway 2, thence along U.S. Highway 2 to Browning, Mont., thence along U.S. Highway 89 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 91, thence along U.S. Highway 91 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 91, thence along U.S. Highway 91 to the Montana-Wyoming State line, thence along the

Montana-Wyoming State line to junction U.S. Highway 212, thence along U.S. Highway 212 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Montana-North Dakota State line. The purpose of this filing is to eliminate the gateways of (1) any point which is both within 35 miles of Alden, Minn., and within that part of Minnesota or Iowa on and south of a line beginning at the Mississippi River, thence along U.S. Highway 16 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Mississippi River; and (2) any point in North Dakota within 200 miles of Williston, N. Dak.

No. MC 31462 (Sub-No. E184), filed May 13, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Tex. 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Iowa, on the one hand, and, on the other, points in Mississippi. The purpose of this filing is to eliminate the gateway of Cairo, Ill., or any point in Illinois within 25 miles thereof.

No. MC 35890 (Sub-No. E8) (Correction), filed May 3, 1974, republished in the FEDERAL REGISTER October 8, 1974. Applicant: BLODGETT FURNITURE SERVICE, INC., 3801 36th St. SE., Grand Rapids, Mich. 49508. Applicant's representative: John J. Freel (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, uncrated, (e) between points in that part of North Carolina on, north, and east of a line beginning at the North Carolina-Tennessee State line and extending along U.S. Highway 421 to junction North Carolina Highway 115, thence along North Carolina Highway 115 to junction U.S. Highway 21, thence along U.S. Highway 21 to the North Carolina-South Carolina State line, on the one hand, and, on the other, points in Wisconsin. The purpose of this filing is to eliminate the gateway of Grand Rapids, Mich. The purpose of this partial correction is to include those proposals inadvertently omitted from the previous publication. The remainder of this letter-notice remains as previously published.

No. MC 73828 (Sub-No. E1), filed July 8, 1974. Applicant: D & R MOVING & TRUCKING, INC., Suite 1515, One LeFrak City Plaza, Flushing, N.Y. 11368. Applicant's representative: Daniel Vollkemmer, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (I) *Household goods*, between points in Connecticut, Massachusetts, Rhode Island, New Jersey, and Pennsylvania, on the one hand, and, on the other, points in Nassau and Suffolk Counties, N.Y.; (II) *Household goods*, between points in Maryland, Virginia,

and the District of Columbia, and that part of Pennsylvania on and west of U.S. Highway 219, on the one hand, and, on the other, points within 100 miles of Columbus Circle, New York, N.Y., in the counties of Bergen, Passaic, Essex, Hudson, and Union, N.J. The purpose of this filing is to eliminate the gateway of New York, N.Y.

No. MC 107064 (Sub-No. E143), filed May 21, 1974. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, Dallas, Tex. 75221. Applicant's representative: H. L. Rice, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in El Paso and Potter Counties, Tex., to points in Washington on and west of U.S. Highway 97. The purpose of this filing is to eliminate the gateway of Ector County, Tex.

No. MC 107403 (Sub-No. E88), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore, Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *liquid chemicals*, in bulk (except petroleum products and coal tar products), from points in Maryland (within 100 miles of Philadelphia, Pa.), to points in Alabama, Georgia, Mississippi, Tennessee, West Virginia, South Carolina, North Carolina, and Virginia west of U.S. Highway 220. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC 107403 (Sub-No. E611), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore, Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products, coal tar products, and liquid fuel solvents*, in bulk, in tank vehicles, from Baltimore, Md., to those points in Pennsylvania and West Virginia. The purpose of this filing is to eliminate the gateway of Gettysburg, Pa.

No. MC 107403 (Sub-No. E455), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *sand*, in bulk, in tank or hopper type vehicles, from Knox and Perry Counties, Ohio, to points in Connecticut, Delaware, Maine, Maryland (except points within 150 miles of Monongahela, Pa.), Massachusetts, New Hampshire, New Jersey, Rhode Island, and Vermont. The purpose of this filing is to eliminate the gateway of Spring City, Pa.

No. MC 107478 (Sub-No. E12), filed June 4, 1974. Applicant: OLD DOMINION FREIGHT LINE, P.O. Drawer 2006, High Point, N.C. 27261. Applicant's representative: John T. Coon (same as

above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and tubing and fittings* therefor, from those points in North Carolina and South Carolina, north and east of a line beginning at the North Carolina-Tennessee State line and extending along Interstate Highway 40 to its junction with U.S. Highway 74, thence along U.S. Highway 74 to its junction with U.S. Highway 221, thence along U.S. Highway 221 to its junction with South Carolina Highway 97, thence along South Carolina Highway 97 to its junction with U.S. Highway 521, thence along U.S. Highway 521 to its junction with U.S. Highway 52, thence along U.S. Highway 52 to the Atlantic Ocean, to those points in Florida south and east of a line beginning at the Gulf of Mexico and extending along Florida Highway 60 to its junction with Interstate Highway 75, thence along Interstate Highway 75 to its junction with U.S. Highway 301, thence along U.S. Highway 301 to the Georgia-Florida State line. The purpose of this filing is to eliminate the gateway of Charleston, S.C.

No. MC 108207 (Sub-No. E41), filed May 31, 1974. Applicant: FROZEN FOOD EXPRESS, INC., P.O. Box 5888, Dallas, Tex. 75222. Applicant's representative: Mike Smith (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Condensed milk, cream, and cheese*, from points in Wisconsin on and south of U.S. Highway 8 to points in New Mexico, Louisiana, Arizona, and those points in California on, south, and west of a line beginning at the Pacific Ocean and extending along California Highway 299 to its junction with Interstate Highway 5, thence along Interstate Highway 5 to its junction with California Highway 99, thence along California Highway 99 to its junction with California Highway 65, thence along California Highway 65 to its junction with Interstate Highway 80, thence along Interstate Highway 80 to its junction with California Highway 49, thence along California Highway 49 to its junction with California Highway 120, thence along California Highway 120 to the California-Nevada State line. The purpose of this filing is to eliminate the gateways of points in Texas.

No. MC 109478 (Sub-No. E7), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Rd., P.O. Box 110, North East, Pa., 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned grape juice, tomato juice, jamaes, jellies, and preserves*, other than frozen or in bulk, in tank vehicles, from Geneva, Ohio, to points in Connecticut, Delaware, Illinois, Indiana, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, the District of Colum-

bia, and those points in Maine, on and south of a line beginning at the Maine-New Hampshire State line, extending along U.S. Highway 2 to junction U.S. Highway 1 Alternate, thence along U.S. Highway 1 Alternate to junction Maine Highway 3, thence along Maine Highway 3 to the Atlantic Ocean. The purpose of this filing is to eliminate the gateway of Chautauqua County, N.Y., North East, Pa.

No. MC 109478 (Sub-No. E10), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Road, P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned or preserved foodstuffs, cooking oil, and shortening* (except commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from Toledo, Ohio, to points in New York. The purpose of this filing is to eliminate the gateway of Crawford and Erie Counties, Pa.

No. MC 109478 (Sub-No. E17), filed May 15, 1974. Applicant: WORSTER MOTOR LINES INC., Gay Rd., P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Preserved foodstuffs* (except frozen food), in bulk, in tank vehicles, from Lawton, Mich., to Baltimore, Md., Fall River, Boston, New Bedford and Taunton, Mass., Jersey City, N.J., and those points in New Jersey within 25 miles thereof, Swedesboro, N.J., Providence, R.I., the District of Columbia, points in New York, Philadelphia, Pa., and those points in Pennsylvania on and west of a line beginning at the Pennsylvania-New York State line, extending along U.S. Highway 15 to junction U.S. Highway 220, thence along U.S. Highway 220 to the Pennsylvania-Maryland State line. The purpose of this filing is to eliminate the gateway of Brocton, Mt. Morris, Oakfield, Westfield, LeRoy, and points within 50 miles thereof, Monroe County and Genesee County, N.Y., Geneva, Ohio, and North East, Pa.

No. MC 109478 (Sub-No. E18), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Rd., P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth St., Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods, fresh preserved and prepared foodstuffs, fruits, and vegetables*, from Boston, and Waban, Mass., Jersey City, N.J., and points in New Jersey within 25 miles thereof, points in New York, Philadelphia, Geneva, Ohio, Pa., and Erie County, Pa., to points in the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Genesee County, Monroe County,

Brocton, Westfield, Leroy, N.Y., and points within 50 miles thereof, and points on south and west of a line beginning at Lake Ontario extending along New York Highway 13 to junction U.S. Highway 11, thence along U.S. Highway 11 to the New York-Pennsylvania State line, and Erie County and North East, Pa.

No. MC 109478 (Sub-No. E25), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Rd., P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 W. 10th St., Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Grape juice and tomato juice*, from Boston and Waban, Mass., Jersey City, N.J., and points in New Jersey within 25 miles thereof, Erie County, and Philadelphia, Pa., and New York, to points in Illinois, Indiana, and Ohio. The purpose of this filing is to eliminate the gateways of Brocton, Silver Creek, Westfield, Chautauqua County, Erie County, Genesee County, and Monroe County, N.Y., and Erie County and North East, Pa.

No. MC 109478 (Sub-No. E30), filed May 15, 1974. Applicant: WORCESTER MOTOR LINES, INC., Gay Rd., P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 W. 10th St., Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grape juice*, in bulk, in tank vehicles, from Geneva, Ohio, to points in Connecticut, Delaware, Massachusetts, Rhode Island, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Westfield, N.Y.

No. MC 109478 (Sub-No. E31), filed May 15, 1974. Applicant: WORCESTER MOTOR LINES, INC., Gay Rd., P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 W. 10th St., Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grape juices*, from Chautauqua and Erie Counties, N.Y., and Erie County, Pa., to points in Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Brocton and Westfield, N.Y., and North East, Pa.

No. MC 109478 (Sub-No. E32), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Rd., P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 W. 10th St., Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine*, in bulk, in tank vehicles, from Chicago, Ill., to points in Massachusetts, Connecticut, Rhode Island, New York (except New York City), New Jersey, Pennsylvania, Delaware, Maryland, and the District of Columbia. Restriction: The operating rights granted herein shall be subject to the



restriction that such rights which are in any way duplicative of the operating rights of James H. Powers, Inc., shall be cancelled in the event the latter carrier, or any portion of its operating rights which duplicate those of the above-named carrier, should subsequently come under the control of any person or corporation other than Worcester-Iowa, or persons in control of the latter. The purpose of this filing is to eliminate the gateway of Westfield, N.Y.

No. MC 109478 (Sub-No. E33), filed May 15, 1974. Applicant: WORSTER MOTOR LINES, INC., Gay Rd., P.O. Box 110, North East, Pa. 16428. Applicant's representative: Joseph F. MacKrell, 23 West Tenth Street, Erie, Pa. 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine*, in bulk, in tank vehicles, from Boston and Waban, Mass., Jersey City, N.J., and points in New Jersey within 25 miles thereof, those points in New York on, south, and west of a line beginning at Lake Ontario extending along New York Highway 13 to junction U.S. Highway 11, thence along U.S. Highway 11 to the New York-Pennsylvania State line, and Geneva, Ohio, and Philadelphia, Pa., to St. Paul, Minn. The purpose of this filing is to eliminate the gateway of those points in New York on, south, and west of a line beginning at Lake Ontario, extending along New York Highway 13 to junction U.S. Highway 11, thence along U.S. Highway 11 to the New York-Pennsylvania State line.

No. MC 110525 (Sub-No. E1101), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, in foreign commerce only, (1) from Akron, Ohio, and points in West Virginia, New Jersey, Pennsylvania, and Maryland, to ports of entry between the United States and Canada located on the Niagara River (Niagara Falls, N.Y.); (2) from points in Georgia, North Carolina, South Carolina, Virginia, and that part of Tennessee on and east of U.S. Highway 27, to ports of entry between the United States and Canada located on the Niagara River (points in West Virginia and Niagara Falls, N.Y.); (3) from points in Alabama (except Anniston), Mississippi, Texas (except Fort Worth, Velasco, and points in Harris and Jefferson Counties), Florida, and Louisiana, to ports of entry between the United States and Canada (points in Kanawha County, W. Va., and Niagara Falls, N.Y.); (4) from Chicago, Chicago Heights, and Henry, Ill., the District of Columbia, and points in Delaware, Indiana, and Kentucky, to ports of entry between the United States and Canada located on the Niagara River [(a) Kobuta or Pittsburgh, Pa., and (b) Niagara Falls, N.Y.]; (5) points in Con-

necticut and Rhode Island, to ports of entry between the United States and Canada located on the Niagara River (Carteret, N.J., and Niagara Falls, N.Y.); (6) from points in that part of California in and south of Santa Cruz, Santa Clara, Merced, Mariposa, Madera, and Mono Counties, to ports of entry between the United States and Canada located on the Niagara River (Houston, Tex., Akron, Ohio, and Niagara Falls, N.Y.); and (7) from points in Erie and Oneida Counties, N.Y., to ports of entry between the United States and Canada located on the Niagara River (North Tonawanda, N.Y.); restricted in (2) above against the transportation of bituminous products and materials, and restricted in (4) above against the transportation of liquefied petroleum gases from Chicago, Ill. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 111320 (Sub-No. E102), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective self-propelled road building and contractors' vehicles or machinery*, in driveway and truckaway service, from points in that part of New York, on and east of a line beginning at Lake Ontario, thence along New York Highway 19 to the New York-Pennsylvania State line, and to points in Iowa (except Cedar Rapids, Iowa). The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E103), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective self-propelled road building and contractors' vehicles or machinery*, in driveway and truckaway service, from points in that part of New York on and east of a line beginning at Lake Erie, thence along New York Highway 319 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line, and to points in North Dakota. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E104), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective self-propelled road building and contractors' vehicles or machinery*, from points in that part of New York on and east of a line beginning at Lake Erie, thence along New York Highway 319 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-

Pennsylvania State line, and to points Louisiana and Colorado. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E105), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used, damaged, rejected, or defective self-propelled road building and contractors' vehicles or machinery*, from points in that part of New York on and east of a line beginning at Lake Erie, thence along U.S. Highway 319 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line, and to points in that part of Mississippi on and south-west of a line beginning at the Mississippi-Tennessee State line, thence along U.S. Highway 51 to junction Mississippi Highway 16, thence along Mississippi Highway 16 to the Mississippi-Alabama State line. The purpose of this filing is to eliminate the gateway of Elmira Heights, N.Y.

No. MC 111320 (Sub-No. E107), filed May 31, 1974. Applicant: KEEN TRANSPORT, INC., P.O. Box 668, Hudson, Ohio 44236. Applicant's representative: L. E. Gresh (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment, and parts thereof*, in driveway and truckaway service, from points in that part of New York north of a line beginning at the Pennsylvania-New York State line, thence along New York Highway 17 to junction New York Highway 30, thence along New York Highway 30 to junction New York Highway 23, thence along New York Highway 23 to the New York-Massachusetts State line, and to points in that part of Tennessee on and west of a line beginning at the Kentucky-Tennessee State line, thence along Interstate Highway 75 to junction U.S. Highway 129, thence along U.S. Highway 129 to the Tennessee-North Carolina State line. The purpose of this filing is to eliminate the gateway of Lorain, Ohio.

No. MC 113459 (Sub-No. E65), filed May 14, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment, between points in Indiana, on the one hand, and, on the other, points in Alaska (points in Illinois); and (B) (1) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment; (2) *Parts of commodities*, which, by reason of size or weight, require the use of special equipment, either when incidental to the transportation of such commodities, or when transported as separate and unrestricted shipments; (3) *Self-propelled*

articles, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies when moving in connection therewith; (4) Machinery, equipment, materials, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products (except the stringing and picking up of pipe in connection with main or trunk pipelines); (5) Machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products, and byproducts, water or sewerage, restricted to the transportation of shipments moving to or from pipeline rights-of-way; and (6) Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe incidental to, used in, or in connection with: (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells; between points in that part of Kansas on and south of a line beginning at the Kansas-Colorado State line and extending along U.S. Highway 50 to its junction with U.S. Highway 156, thence along U.S. Highway 156 to its junction with U.S. Highway 40, thence along U.S. Highway 40 to its junction with U.S. Highway 77, thence along U.S. Highway 77 to its junction with Kansas Highway 18, thence along Kansas Highway 18 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to its junction with U.S. Highway 59, thence along U.S. Highway 59 to the Kansas-Missouri State line, on the one hand, and, on the other, points in Utah (points in Oklahoma)\*; and between points in Kansas, on the one hand, and, on the other, points in Nevada (points in Colorado)\*. Restriction: The operations authorized in (A) above are restricted against the transportation of agricultural machinery and agricultural tractors, the operations authorized in (B)(1) and (2) above are restricted against the transportation of those commodities used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of main or trunk pipelines and against the transportation of farm machinery, and the operations authorized in (B)(3) above are restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113459 (Sub-No. E66), filed May 14, 1974. Applicant: H. J. JEFFRIES TRUCK LINES, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same

as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, (except in connection with main or trunk pipelines), and machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipeline (except in connection with main or trunk pipeline); between points in Nevada, on the one hand, and, on the other, points in South Dakota on and west of a line beginning at the Wyoming-South Dakota State line extending along U.S. Highway 14 to the Missouri River, thence along the Missouri River to the North Dakota-South Dakota State line (points in Colorado)\*; and between points in Nebraska, on the one hand, and, on the other, points in that part of Montana on and east of a line beginning at the Wyoming-Montana State line and extending along U.S. Highway 212 to its junction with U.S. Highway 312, thence along U.S. Highway 312 to its junction with Montana Highway 22, thence along Montana Highway 22 to Jordan, Mt., thence in a northwesterly direction in a straight line to Montana Highway 19 at Malta, Mt., thence along Montana Highway 19 to the United States-Canada International Boundary line (points in Nebraska west of U.S. Highway 83)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 113459 (Sub-No. E67), filed May 14, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products (except in connection with main or trunk pipelines), and machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines (except in connection with main or trunk pipelines), between points in Kansas, on the one hand, and, on the other, points in that part of Montana on and east of a line beginning at the Wyoming-Montana State line and extending along U.S. Highway 212 to its junction with U.S. Highway 312, thence along U.S. Highway 312 to its junction with Montana Highway 22, thence along Montana Highway 22 to Jordan, Mont., thence along a straight line to Montana Highway 19 at Malta, Mont., thence along Montana Highway 19 to the United States-Canada International Boundary

line. The purpose of this filing is to eliminate the gateway of points in Colorado east of U.S. Highway 87.

No. MC 113459 (Sub-No. E90), filed June 4, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert A. Fisher (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) (1) Commodities, the transportation of which, by reason of size or weight, require the use of special equipment; and (2) Self-propelled articles, each weighing 15,000 pounds or more; and related machinery, tools, parts, and supplies when moving in connection therewith; between points in that part of Missouri on and south of a line beginning at the Missouri-Kansas State line and extending along U.S. Highway 54 to its junction with Missouri Highway 5, thence along Missouri Highway 5 to its junction with Missouri Highway 7, thence along Missouri Highway 7 to its junction with Interstate Highway 44, thence along Interstate Highway 44 to the Missouri-Illinois State line, on the one hand, and, on the other, points in that part of South Dakota on and west of a line beginning at the South Dakota-North Dakota State line and extending along U.S. Highway 281 to its junction with U.S. Highway 12, thence along U.S. Highway 12 to its junction with U.S. Highway 83, thence along U.S. Highway 83 to the South Dakota-Nebraska State line (points in Oklahoma)\*; (B) (1) Commodities, the transportation of which, by reason of size or weight, require the use of special equipment; and (2) Self-propelled articles, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies when moving in connection therewith; between points in Missouri, on the one hand, and, on the other, points in Wyoming and Colorado (points in Kansas)\*; (C) (1) Commodities, the transportation of which, by reason of size or weight, require the use of special equipment; (2) Self-propelled articles, each weighing 15,000 pounds or more, and related machinery, tools, parts, and supplies when moving in connection therewith; between points in that part of Minnesota on and east of a line beginning at the Minnesota-Wisconsin State line and extending along U.S. Highway 53 to its junction with U.S. Highway 61, thence along U.S. Highway 61 to its junction with Minnesota Highway 23, thence along Minnesota Highway 23 to its junction with Minnesota Highway 65, thence along Minnesota Highway 65 to its junction with U.S. Highway 218, thence along U.S. Highway 218 to the Minnesota-Iowa State line, on the one hand, and, on the other, points in that part of Texas on and south of a line beginning at the Texas-Louisiana State line and extending along U.S. Highway 80 to its junction with U.S. Highway 259, thence along U.S. Highway 259 to its junction with Texas Highway 31, thence along Texas Highway 31 to its junction with U.S. Highway 84, thence along U.S. Highway 84 to its junction with U.S. Highway 67, thence along U.S. Highway 67 to its junction

with U.S. Highway 87, thence along U.S. Highway 87 to its junction with Texas Highway 176, thence along Texas Highway 176 to the Texas-New Mexico State line (points in Illinois)\*; and (D)(1) *Commodities*, the transportation of which, by reason of size or weight, require the use of special equipment; (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* when moving in connection therewith; (3) *Machinery, equipment, materials, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and by-products, water or sewerage, restricted to the transportation of shipments moving to or from pipeline rights-of-way; (4) *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with: (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells; and (5) *Parts of commodities*, which, by reason of size or weight, require the use of special equipment, either when incidental to the transportation of such commodities, or when transported as separate and unrestricted shipments; between points in that part of Arkansas on and east of a line beginning at the Arkansas-Missouri State line and extending along Arkansas Highway 115 to its junction with U.S. Highway 167, thence along U.S. Highway 167 to its junction with Arkansas Highway 14, thence along Arkansas Highway 14 to its junction with U.S. Highway 63, thence along U.S. Highway 63 to its junction with Arkansas Highway 135, thence along Arkansas Highway 135 to its junction with Arkansas Highway 118, thence along Arkansas Highway 118 to the Arkansas-Tennessee State line, on the one hand, and, on the other, points in that part of Louisiana on and west of a line beginning at the Louisiana-Arkansas State line and extending along U.S. Highway 71 to its junction with U.S. Highway 167, thence along U.S. Highway 167 to its junction with Louisiana Highway 82, thence along Louisiana Highway 82 to its junction with Louisiana Highway 333, thence along Louisiana Highway 333 to the Gulf of Mexico (points in Texas)\*. Restriction: The operations authorized in (A)(1) above are restricted against the transportation of those commodities used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of main or trunk pipelines and against the transportation of farm machinery, the operations authorized in (C) are restricted against the transportation of agricultural machinery and agricultural trac-

tors, and the operations authorized in 9(A)(2), (B)(2), (C)(2), and (D)(2) above are restricted to commodities which are transported on trailers. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 114019 (Sub-No. E404), filed May 22, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware*, other than cut, glass containers, common or parts thereof, viz., *bottles* (except siphon bottles and bottles fitted with siphons), *jars and packing glasses*, not exceeding 5 gallons in capacity, with or without their equipment of caps, covers, or stoppers, caps, covers, or tops (other than display), *glassware*, or *jars*, not otherwise indexed by name and paper shipping cartons, from South Connellsville, Pa., to points in Montana, Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Minnesota, Wisconsin, Iowa, and points in that part of Missouri on, north, and west of a line beginning at the Illinois-Missouri State line and extending along Missouri Highway 16 to its junction with Missouri Highway 6, thence along Missouri Highway 6 to its junction with Missouri Highway 11, thence along Missouri Highway 11 to its junction with U.S. Highway 24, thence along U.S. Highway 24 to its junction with Missouri Highway 131, thence along Missouri Highway 131 to its junction with Missouri Highway 2, thence along Missouri Highway 2 to the Missouri-Kansas State line. The purpose of this filing is to eliminate the gateway of Gurnee, Ill.

No. MC 114019 (Sub-No. E407), filed May 19, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packaginghouse products and by-products*, edible, (a) between Kansas City and Wichita, Kans., Kansas City, St. Joseph, South St. Joseph, and St. Louis, Mo., Des Moines and Sioux City, Iowa, and Omaha and South Omaha, Nebr., on the one hand, and, on the other, Detroit and Grand Rapids, Mich., Cleveland, Akron, Canton, and Toledo, Ohio, Pittsburgh, Pa., and Ft. Wayne, Ind., (b) between Des Moines and Sioux City, Iowa, and Omaha and South Omaha, Nebr., on the one hand, and, on the other, Evansville and Indianapolis, Ind., Columbus, Dayton and Cincinnati, Ohio, Louisville, Bellevue, and Covington, Ky., and (c) between Wichita, Kans., and St. Louis, Mo., on the one hand, and, on the other, Madison, Wis. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 114019 (Sub-No. E409), filed May 19, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000

S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt, fibreboard, pulpboard, wallboard, strawboard, tin roofing, caps, roofing, cement, metal clamps and fasteners, roof coating with asbestos, pitch, tar or rosin base, creasote, roofing felt, insulating material, nails, coal tar, and asphaltum paint, building, roofing, and sheathing paper, roofing pitch, composition or prepared roofing, asphalt siding, asphalt, asbestos or composition shingles, sheathing, tin straps with fasteners, and roofing tar*, from Wilmington, Ill., to points in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, New Jersey, Delaware, points in that part of New York on and east of a line beginning at the Pennsylvania-New York State line and extending along New York Highway 14 to its junction with New York Highway 13, thence along New York Highway 13 to its junction with U.S. Highway 11 to its junction with New York Highway 13, thence along New York Highway 13 to the U.S.-Canada International Boundary line, points in that part of Maryland, Virginia, and North Carolina, on and east of a line beginning at the Pennsylvania-Maryland State line and extending along U.S. Highway 11 to its junction with U.S. Highway 522, thence along U.S. Highway 522 to its junction with U.S. Highway 60, thence along U.S. Highway 60 to its junction with U.S. Highway 95, thence along U.S. Highway 95 to its junction with North Carolina Highway 58, thence along North Carolina Highway 58 to Onslow Bay, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Sunbury, Pa.

No. MC 114019 (Sub-No. E411), filed May 19, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and frozen fruit juices*, in vehicles equipped with mechanical refrigeration, from points in Van Buren, Berrien, Cass, Kalamazoo, and St. Joseph Counties, Mich., to points in Minnesota, Kansas, and those points in Arkansas on, south, and west of a line beginning at the Missouri-Arkansas State line and extending along U.S. Highway 167 to its junction with Arkansas Highway 14, thence along Arkansas Highway 14 to its junction with Arkansas Highway 140, thence along Arkansas Highway 140 to the Arkansas-Tennessee State line. The purpose of this filing is to eliminate the gateway of Darien, Wis.

No. MC 114019 (Sub-No. E413), filed May 19, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products and commodities used by packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (a) from St. Louis, Mo., to points in Connecticut, Massachusetts, New Hampshire, and Rhode Island, (b) from Kansas City and Wichita, Kans., Kansas City, St. Joseph, and South St. Joseph, Mo.; Des Moines and Sioux City, Iowa; Omaha and South Omaha, Nebr.; to points in Connecticut, Delaware, Maryland (except Baltimore), Massachusetts, New Jersey, New Hampshire, and Rhode Island. The purpose of this filing is to eliminate the gateways of Chicago, Ill., and Indianapolis, Ind.

No. MC 114211 (Sub-No. E394), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building equipment* (except commodities which because of size or weight require the use of special equipment and except commodities described in *Mercer Extension-Oil Field Commodities*, 74 M.C.C. 459), from points in Kansas to points in Florida, and to points in that part of Louisiana on and southeast of a line beginning at the Gulf of Mexico, thence along Louisiana Highway 27 to junction Louisiana Highway 14, thence along Louisiana Highway 14 to junction U.S. Highway 165, thence along U.S. Highway 165 to junction Interstate Highway 20, thence along Interstate Highway 20 to the Louisiana-Mississippi State line, and to points in that part of Mississippi on and south of a line beginning at the Mississippi-Louisiana State line, thence along Interstate Highway 20 to the Mississippi-Alabama State line, and to points in that part of Alabama on and south of a line beginning at the Mississippi-Alabama State line, thence along U.S. Highway 80 to the Alabama-Georgia State line, and to points in that part of Georgia on and south of a line beginning at the Georgia-Alabama State line, thence along U.S. Highway 80 to junction Georgia Highway 49, thence along Georgia Highway 49 to junction Georgia Highway 22, thence along Georgia Highway 22 to junction Georgia Highway 16, thence along Georgia Highway 16 to junction U.S. Highway 78, thence along U.S. Highway 78 to the Georgia-South Carolina State line, and to points in that part of South Carolina on and south of a line beginning at the Georgia-South Carolina State line, thence along Interstate Highway 20 to junction U.S. Highway 378, thence along U.S. Highway 378 to junction U.S. Highway 501, thence along U.S. Highway 501 to junction U.S. Highway 17, thence along U.S. Highway 17 to Myrtle Beach, S.C. The purpose of this filing is to eliminate the gateway of Claremore, Okla.

No. MC 114211 (Sub-No. E396), filed June 4, 1974. Applicant: WARREN

TRANSPORT, INC., P.O. Box 420 Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Agricultural implements, pumps, water systems, component parts for water systems, towers, and parts for agricultural implements, and pumps*, the transportation of which, because of size or weight, requires special equipment, from points in Nebraska to points in that part of Texas on and east of a line beginning at the Texas-Oklahoma State line, thence along U.S. Highway 271 to junction Texas Highway 19, thence along Texas Highway 19 to junction Texas Highway 30, thence along Texas Highway 30 to junction Texas Highway 6, thence along Texas Highway 6 to junction Texas Highway 159, thence along Texas Highway 159 to junction Texas Highway 36, thence along Texas Highway 36 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction Texas Highway 71, thence along Texas Highway 71 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction Texas Highway 285, thence along Texas Highway 285 to junction U.S. Highway 281, thence along U.S. Highway 281 to McAllen, Tex., with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E403), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hod buggies and self-propelled sweepers* from points in that part of Iowa on and northwest of a line beginning at the Iowa-Minnesota State line, thence along U.S. Highway 169 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Iowa-Nebraska State line to points in Delaware, New Jersey, Massachusetts, Connecticut, and to points in that part of Virginia on and east of a line beginning at the Virginia-West Virginia State line, thence along Interstate Highway 81 to junction Virginia Highway 8, thence along Virginia Highway 8 to junction U.S. Highway 221, thence along U.S. Highway 221 to junction U.S. Highway 52, thence along U.S. Highway 52 to the Virginia-North Carolina State line, and to points in that part of Maryland on and east of a line beginning at the Pennsylvania-Maryland State line, thence along Interstate Highway 81 to the Maryland-West Virginia State line, and to points in that part of Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line, thence along Pennsylvania Highway 14 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction Interstate Highway 81, thence along Interstate Highway 81 to the Pennsylvania-Maryland State line, and to points in that part of New

York on and east of a line beginning at Oswego, N.Y., thence along New York Highway 57 to junction Interstate Highway 81, thence along Interstate Highway 81 to New York Highway 13, thence along New York Highway 13 to junction New York Highway 14, thence along New York Highway 14 to the New York-Pennsylvania State line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E405), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled tractors, road making machinery, and contractors' equipment and supplies*, from that part of Minnesota on and east of a line beginning at the Minnesota-Canada International Boundary line, thence along U.S. Highway 71 to junction Minnesota Highway 6, thence along Minnesota Highway 6 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to junction Minnesota Highway 18, thence along Minnesota Highway 18 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Minnesota-Wisconsin State line to points in Oregon, California, Nevada, Utah, Arizona, New Mexico, Colorado, Texas, Oklahoma, Kansas, Iowa, Missouri, Arkansas, Louisiana, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, Kentucky, Ohio, Indiana, Illinois, Vermont, New Hampshire, Maine, West Virginia, Nebraska, Tennessee, and to points in that part of Washington on and west of a line beginning at the Washington-Idaho State line, thence along Interstate Highway 90 to junction U.S. Highway 395, thence along U.S. Highway 395 to the Washington-Canada International Boundary line, and to points in that part of Idaho on and south of a line beginning at the Idaho-Montana State line, thence along Interstate Highway 90 to the Idaho-Washington State line, and to points in that part of Montana on and west of a line beginning at the Montana-Wyoming State line, thence along U.S. Highway 287 to junction Interstate Highway 90, thence along Interstate Highway 90 to the Montana-Idaho State line, and to points in that part of Wyoming on and southwest of a line beginning at the Wyoming-Montana State line, thence along U.S. Highway 287 to junction U.S. Highway 26, thence along U.S. Highway 26 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Wyoming-Nebraska State line, and to points in that part of Wisconsin on and southeast of a line beginning at the Wisconsin-Illinois State line, thence along Wisconsin Highway 15 to Lake Michigan, and to points in that part of Michigan on and south of a line beginning at Muskegon, Mich., thence along Interstate Highway 96 to the Michigan-Canada International Bound-

ary line, restricted against the transportation to points in Maine, New Hampshire, Rhode Island, and Vermont of agricultural implements and machinery as defined in Appendix XII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 292, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E408), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except those with vehicle beds, bed frames, and fifth wheels), and *contractors' equipment and supplies* which are designed for use in conjunction with tractors, from points in that part of Minnesota on and north of a line beginning at the North Dakota-Minnesota State line, thence along U.S. Highway 10 to junction Minnesota Highway 34, thence along Minnesota Highway 34 to junction U.S. Highway 71, thence along U.S. Highway 71 to the Minnesota-Canada International Boundary line to points in Virginia, Pennsylvania, New York, Maine, Connecticut, Massachusetts, Rhode Island, Delaware, New Jersey, New Hampshire, Vermont, Maryland, and West Virginia, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of that part of the Fargo, N. Dak., commercial zone, located in the state of Minnesota.

No. MC 114211 (Sub-No. E410), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grading, paving, and finishing machinery, equipment, parts, accessories, and attachments*, between points in that part of Iowa on and west of a line beginning at the Minnesota-Iowa State line, thence along Iowa Highway 4 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Iowa Highway 175, thence along Iowa Highway 175 to junction Iowa Highway 39, thence along Iowa Highway 39 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Iowa Highway 37, thence along Iowa Highway 37 to junction Iowa Highway 191, thence along Iowa Highway 191 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Iowa Highway 2, thence along Iowa Highway 2 to the Nebraska-Iowa State line, on the one hand, and, on the other, to points in Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, Maine, and to points in that part of New York on and east of a line beginning at the New York-Canada International Boundary line,

thence along New York Highway 30 to junction New York Highway 86, thence along New York Highway 86 to junction New York Highway 73, thence along New York Highway 73 to junction Interstate Highway 87, thence along Interstate Highway 87 to New York, N.Y. The purpose of this filing is to eliminate the gateway of Canton, S. Dak.

No. MC 114211 (Sub-No. E413), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and parts* thereof, the transportation of which because of size or weight requires special equipment from points in that part of Missouri on and southeast of a line beginning at the Kansas-Missouri State line, thence along U.S. Highway 24 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Missouri Highway 6, thence along Missouri Highway 6 to junction Missouri Highway 15, thence along Missouri Highway 15 to junction U.S. Highway 136, thence along U.S. Highway 136 to the Illinois-Missouri State line to points in Washington, North Dakota, and to points in that part of Montana on and north of a line beginning at the North Dakota-Montana State line, thence along U.S. Highway 12 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Montana Highway 41, thence along Montana Highway 41 to junction Interstate Highway 15, thence along Interstate Highway 15 to junction Beaverhead County Highway 324, thence along Beaverhead County Highway 324 to the Montana-Idaho State line, and to points in that part of Idaho on and north of a line beginning at the Montana-Idaho State line, thence along southern boundary of Idaho County to the Idaho-Oregon State line, and to points in that part of Oregon on and northwest of a line beginning at the Oregon-Washington State line, thence along Oregon Highway 11 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction Oregon Highway 126, thence along Oregon Highway 126 to Florence, Oreg., with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn., and Waterloo, Iowa.

No. MC 119934 (Sub-No. E3), filed May 12, 1974. Applicant: ECOFF TRUCKING, INC., 625 E. Broadway, Fortville, Ind. 46040. Applicant's representative: Robert W. Loper II, 320 N. Meridian St., Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Flour*, in bulk, from Decatur, Ill., to points in Ohio, and that part of Kentucky on and east of a

line beginning at the Kentucky-Ohio State line, thence along U.S. Highway 27 to the Kentucky-Tennessee State line; (B) *Flour*, in bulk, from Decatur, Ill., to points in that part of Ohio on and north of a line beginning at the Ohio-Indiana State line, thence along U.S. Highway 30 to junction U.S. Highway 30S, thence along U.S. Highway 30S to junction U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-Pennsylvania State line, and to points in that part of Michigan on the Lower Peninsula, on and east of a line beginning at Makinaw City, Mich., thence along Interstate Highway 75 to junction U.S. Highway 27, thence along U.S. Highway 27 to the Michigan-Ohio State line. The purpose of this filing is to eliminate the gateway of Fort Wayne, Ind.

No. MC 119988 (Sub-No. E48), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO. INC., P.O. Box 1384, Lufkin, Texas 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Texas 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *Newspaper supplements* otherwise exempt from economic regulation under section 203(b) (7) of the Act when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in Louisiana. The purpose of this filing is to eliminate the gateway of that part of Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 81 to junction U.S. Highway 181, thence along U.S. Highway 181 to the Gulf of Mexico.

No. MC 119988 (Sub-No. E49), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO. INC., P.O. Box 1384, Lufkin, Texas 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Texas 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter*, and (2) *newspaper supplements*, otherwise exempt from economic regulation under section 203(B) (7) of the Act, when transported in mixed loads with printed advertising matter, from the facilities of Allied Printers and Publishers at or near Tulsa, Okla. to that part of Missouri on and south of a line beginning at the Mississippi-Arkansas State line and extending along Mississippi Highway 8 to junction U.S. Highway 278, thence along U.S. Highway 278 to the Mississippi-Alabama State line. The purpose of this filing is to eliminate the gateway of that part of Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 81 to junction U.S. Highway 181, thence along U.S. Highway 181 to the Gulf of Mexico.

No. MC 119988 (Sub-No. E51), filed June 3, 1974. Applicant: GREAT WESTERN TRUCKING CO. INC., P.O. Box

1384, Lufkin, Tex. 75902. Applicant's representative: Joe E. Kinard, 201 W. Commerce St., Dallas, Texas 75208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Printed advertising matter* and (2) *newspaper supplements*, otherwise exempt from economic regulation under section 203(b) (7) of the Act when transported in mixed loads with printed advertising matter, from the plant site and storage facilities of Allied Printers and Publishers at or near Tulsa, Okla., to points in Florida (except points in Escambia and Santa Rosa Counties, Fla.). The purpose of this filing is to eliminate the gateway of that part of Texas on and east of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway 81 to junction U.S. Highway 181, thence along U.S. Highway 181 to the Gulf of Mexico.

No. MC 127651 (Sub-No. E1), filed June 4, 1974. Applicant: EVERETT G. ROEHL, INC., 201 W. Upham St., Marshfield, Wis. 54449. Applicant's representative: Nancy Johnson, Suite 100, 4506 Regent St., Madison Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (I) *Lumber*; (a) from those points in Minnesota on and north of U.S. Highway 12 to points in Illinois on and south of U.S. Highway 66 (Quincy, Wis.)\*; (b) from points in Minnesota on and south of a line beginning at the Minnesota-North Dakota State line and extending along U.S. Highway 10 to its junction with Minnesota Highway 95 and thence along Minnesota Highway 95 to the Minnesota-Wisconsin State line, to points in the Southern Peninsula of Michigan (Quincy, Wis.)\*; (c) from those points in Minnesota north of a line beginning at the Minnesota-North Dakota State line and extending along U.S. Highway 10 to its junction with Minnesota Highway 95, and thence east along Minnesota Highway 95 to the Minnesota-Wisconsin State line, to points in Michigan on and south of Michigan Highway 21 (Onalaska, Wis.)\*; and (d) from points in Minnesota, to points in Indiana (Quincy, Wis.)\*; (II) *Lumber* (except plywood and veneer); (a) from points in Minnesota to points in Kentucky (Quincy, Wis.)\*; and (b) from those points in Minnesota on and east of U.S. Highway 63 and that portion on, north, and east of a line beginning at the United States-Canada International Boundary line and extending along U.S. Highway 71 to its junction with Minnesota Highway 6, thence along Minnesota Highway 6 to its junction with Minnesota Highway 38, thence along Minnesota Highway 38 to its junction with U.S. Highway 169, thence along U.S. Highway 169 to its junction with Minnesota Highway 210, thence along Minnesota Highway 210 to the Minnesota-Wisconsin State line, to Falls City, Nebr. (Dorchester and Onalaska, Wis.)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY ELIMINATION OF GATEWAY APPLICATIONS

JANUARY 17, 1975.

The following applications to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination rules (49 CFR 1065 (d) (2)), and notice thereof to all interested persons is hereby given as provided in such rules.

Carriers having a genuine interest in an application may file an original and three copies of verified statements in opposition with the Interstate Commerce Commission within 30 days from the date of publication. (This procedure is outlined in the Commission's report and order in Gateway Elimination, 119 M.C.C. 530.) A copy of the verified statement in opposition must also be served upon applicant or its named representative. The verified statement should contain all the evidence upon which protestant relies in the application proceeding including a detailed statement of protestant's interest in the proposal. No rebuttal statements will be accepted.

No. MC 107515 (Sub-No. 902-G), filed June 4, 1974. Applicant: REFRIGERATED TRANSPORT CO., INC., 3901 Jonesboro Road, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and cured meats, and dairy products*, as described in the Appendix to the report in Modification of Permits-Packing House Products, 48 MCC 628, (a) between all points in Florida, on the one hand, and, on the other, points in North Carolina, South Carolina, Alabama, Mississippi and Louisiana; (b) between points in Mississippi, on the one hand, and, on the other, points in Louisiana and Alabama; (c) from points in Louisiana, Mississippi, Alabama, Florida, North Carolina and South Carolina to points in Tennessee; (d) from points in Tennessee (except McMinnville, Tenn. and those points in Davidson County, Tennessee formerly known as Nashville, Tenn.), to points in Louisiana, Mississippi, Alabama, Florida, North Carolina and South Carolina; (e) between points in Louisiana, on the one hand, and, on the other, points in Florida, North Carolina, and South Carolina; and (f) between points in Alabama, on the one hand, and, on the other, points in North Carolina, South Carolina, and Florida. The purpose of this filing is to eliminate the gateways at points in Georgia.

No. MC 113908 (Sub-No. 320G), filed June 4, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale Street, Springfield, Mo. 65804. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans.,

66604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid animal and poultry feed supplements*, in bulk, in tank vehicles, from Verona, Mo., to points in Washington, Nevada, California, Montana, Wyoming, North Dakota, South Dakota, Colorado, New Mexico, Arizona, Oregon, Missouri, and Wisconsin. The purpose of this filing is to eliminate the gateway of Mapleton, Ill.

(2) *Wine vinegar* (advanced fermented wine), in bulk, in tank vehicles, from Lake Alfred, Fla., to points in California. The purpose of this filing is to eliminate the gateway of Austin, Minn.

(3) *Animal fats and animal oils*, in bulk, in tank vehicles, from Cherokee, Iowa, to points in California, Idaho, Oregon, Utah, Washington and Phoenix, Ariz. The purpose of this filing is to eliminate the gateway of Huron, S. Dak.

(4) *Corn syrup and blends of corn syrup and liquid sugar* (used as animal and poultry feed ingredients) in bulk, in tank vehicles, from Springdale, Ark., to West Alexandria, Ohio. The purpose of this filing is to eliminate the gateway of Verona, Mo.

(5) *Condensed milk and cream*, in bulk, in tank vehicles, from Evansville, Ind., to points in Arkansas, Oklahoma, Louisiana, Texas, Georgia and Alabama. The purpose of this filing is to eliminate the gateway of Springfield, Mo.

(6) *Vinegar*, in bulk, in tank vehicles, (a) from Rodgers, Ark., to points in Illinois, Michigan, California; (b) from Nixa, Mo., to points in Michigan, Minnesota, Tennessee and California; and (c) from Marionville, Mo., to points in California and Texas. The purpose of this filing is to eliminate the gateways of Joplin and Nixa, Mo., and Amarillo, Tex. in (a) above; Miami, Okla.; Rogers and Fayetteville, Ark.; Denver, Colo.; and Amarillo, Tex. in (b) above, and Nixa, Mo. in (c) above.

(7) *Vinegar stock and apple juice*, in bulk, in tank vehicles, from Corpus Christi, Tex. and points in Starr, Hidalgo, Willacy, and Cameron Counties, Tex., to points in Kentucky, Tennessee, Delaware, and Maryland. The purpose of this filing is to eliminate the gateway of Belding, Mich.

(8) *Wine vinegar*, in bulk, in tank vehicles, from Canadagua, N.Y., to points in California. The purpose of this filing is to eliminate the gateway of Dallas, Tex.

(9) *Alcoholic liquors, neutral spirits, distilled alcohol*, in bulk, in tank vehicles, from Springfield and Verona, Mo., to Helena, Mont. The purpose of this filing is to eliminate the gateway of Atchison, Kans.

(10) *Glycerine*, in bulk, in tank vehicles, from Springfield and Verona, Mo., to Des Moines and Madrid, Iowa. The purpose of this filing is to eliminate the gateway of Kansas City, Kans.

(11) *Synthetic resins (chemicals)*, in bulk, in tank vehicles, from Springfield and Verona, Mo., to points in Alabama. The purpose of this filing is to eliminate the gateway of Kansas City, Kans.

(12) *Nitrogen fertilizer solutions*, in bulk, in tank vehicles, from Springfield and Verona, Mo., to points in Mississippi, Illinois, and Tennessee. The purpose of this filing is to eliminate the gateway of Blytheville, Ark.

(13) *Vinegar and vinegar stock*, in bulk, in tank vehicles, from points in Florida, to points in Minnesota, Iowa, Missouri, Kansas, Nebraska, and Colorado. The purpose of this filing is to eliminate the gateway of Belding, Mich.

(14) *Liquid fertilizer*, in bulk, in tank vehicles, from Nebraska City, Nebr., to points in Arizona, Arkansas, California, Colorado, Kansas, Missouri, Nevada, New Mexico, Oklahoma, Texas, Utah, and Washington. The purpose of this filing is to eliminate the gateway of Springfield, Mo.

(15) *Glycerine, soap stock, liquid soap and fatty acids*, in bulk, in tank vehicles, from Aurora, Ill., to points in Alabama, Arkansas, Delaware, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Mississippi, New York, South Carolina, Tennessee, California, Arizona, Colorado, Missouri, Nevada, New Mexico, Oklahoma, Texas, Utah, and Washington. The purpose of this filing is to eliminate the gateways of Springfield, Mo.; West Alexandria, Ohio; and Verona, Mo.

(16) *Glycerine, soap stock, fatty acids, inedible tallow*, in bulk, in tank vehicles, from Cherokee, Iowa, to points in Wisconsin. The purpose of this filing is to eliminate the gateway of Aurora, Ill.

(17) *Animal fats and animal oil*, in bulk, in tank vehicles, from Cherokee, Iowa, to points in Alabama, Delaware, Georgia, Kentucky, Mississippi, South Carolina, and Tennessee. The purpose of this filing is to eliminate the gateway of Springfield, Mo.

(18) *Vinegar, vinegar stock*, in bulk, in tank vehicles, from New York City, N.Y., to points in Oklahoma, Texas, Arkansas, Mississippi, Louisiana, Alabama, Georgia, and California. The purpose of this filing is to eliminate the gateway of Silica, Mich.

(19) *Animal and poultry feed and animal and poultry feed ingredients*, in bulk, in tank vehicles (except animal fats, animal oils, vegetable oils and blends thereof), from Verona, Mo., to points in Indiana, Ohio, New York, Pennsylvania, Vermont, New Hampshire, Maine, Massachusetts, Connecticut, Rhode Island, New Jersey, Maryland, West Virginia, Virginia, Delaware, Kentucky, Tennessee, North Carolina, Mississippi, Alabama, Georgia, South Carolina and Florida. The purpose of this filing is to eliminate the gateway of West Alexandria, Ohio.

(20) *Vinegar and vinegar stock*, in bulk, in tank vehicles, from points in Michigan, to points in Missouri, California, Colorado, Arizona, Nevada, New Mexico, Utah, Washington and Lake Wales, Fla. The purpose of this filing is to eliminate the gateways of Dalhart, Tex.; Miami, Okla.; Rogers, Ark.; Austin, Minn.; Nashville, Tenn.; Wichita, Kans.; and Springfield, Nixa, and Marionville, Mo.

(21) *Nitrogen fertilizer solutions*, in bulk, in tank vehicles, from Blytheville, Ark., to points in Washington, Nevada, California, Montana, Wyoming, North Dakota, South Dakota, Colorado, Kansas, New Mexico, Arizona, Oregon, Nebraska, Missouri, Wisconsin and Oklahoma, Texas and Utah. The purpose of this filing is to eliminate the gateways of Mapleton, Ill. and Springfield, Mo.

(22) *Wine vinegar and vinegar stock*, in bulk, in tank vehicles, from Lake Alfred, Fla., to points in Minnesota, Iowa, Missouri, Kansas, and Colorado. The purpose of this filing is to eliminate the gateway of Cicero, Ill.

(23) *Vinegar*, in bulk, in tank or hopper vehicles, from Chicago, Ill., to points in Oklahoma, Louisiana, Mississippi, Colorado, Arkansas, Texas (except points in Harris County), and California. The purpose of this filing is to eliminate the gateway of Nixa, Mo.

(24) *Liquid animal and poultry feed supplements*, in bulk, in tank vehicles (except animal fats, animal oils, vegetable oils, and blends thereof), from Springfield and Verona, Mo., to points in Indiana, Ohio, New York, Pennsylvania, Vermont, New Jersey, Maryland, West Virginia, Virginia, Delaware, Kentucky, Tennessee, North Carolina, Mississippi, Alabama, Georgia, South Carolina and Florida. The purpose of this filing is to eliminate the gateway of West Alexandria, Ohio and Chattanooga, Tenn.

(25) *Alcoholic liquors (except brandy) and neutral spirits*, in bulk, in tank vehicles, from Auburndale and Lake Alfred, Fla., to points in Washington, Nevada, California, Montana, Wyoming, North Dakota, South Dakota, Colorado, Kansas, Oklahoma, Texas, New Mexico, Arizona, Oregon, Nebraska, Missouri, Wisconsin, Iowa, and Minnesota. The purpose of this filing is to eliminate the gateways of Belding, Mich. and Mapleton, Ill.

(26) *Wine vinegar*, in bulk, in tank vehicles, from Lake Alfred, Fla., to points in California and Washington. The purpose of this filing is to eliminate the gateway of Chicago, Ill. and Grand Beach, Mich.

(27) *Synthetic resins (chemicals)*, in bulk, in tank vehicles, from Kansas City, Mo., to points in Arizona, California, Colorado, Kansas, Missouri, Oklahoma, Oregon, Texas, Washington, and Wisconsin. The purpose of this filing is to eliminate the gateway of Mapleton, Ill.

(28) *Choline chloride*, in bulk, in tank vehicles, from Mapleton, Ill., to Springfield, Ark.; Jackson, Miss.; Ft. Worth, Tex.; and points in Alabama. The purpose of this filing is to eliminate the gateway of Kansas City, Kans.

(29) *Vinegar*, in bulk, in tank vehicles, from North Rose, N.Y., to points in California. The purpose of this filing is to eliminate the gateways of Memphis, Tenn. and St. Paul, Minn.

(30) *Liquid chemicals*, in bulk, in tank vehicles, from Mapleton, Ill., to points in Arkansas and Utah. The purpose of this

filing is to eliminate the gateway of Springfield, Mo.

(31) *Choline chloride*, in bulk, in tank vehicles, from Kansas City, Kans., to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, Virginia, West Virginia, New Jersey, Maryland, Delaware, North Carolina, South Carolina, Georgia, Florida, Alabama, Kentucky, Indiana, Ohio, Mississippi, Texas, Arkansas, Oklahoma, Arizona, California, Colorado, Nevada, New Mexico, Utah, and Washington. The purpose of this filing is to eliminate the gateways of Chattanooga, Tenn. and Springfield, Mo.

(32) *Fruit juice and fruit juice concentrates*, in bulk, in tank vehicles, from points in Texas, to Lawton, Mich.; Brocton, Watkins Glen and Westfield, N.Y.; North East, Pa.; points in Ohio, Kentucky, Tennessee, Delaware, and Maryland. The purpose of this filing is to eliminate the gateways of Springdale, Ark. and Belding, Mich.

(33) *Vinegar stock and vinegar*, in bulk, in tank vehicles, from points in California and Washington, to points in Oklahoma, Kansas, Arkansas, Iowa, Ohio, Indiana, Louisiana, Mississippi, Colorado, Texas, Illinois, Michigan, Missouri, Alabama, Florida, Georgia, South Carolina, North Carolina, Tennessee, Kentucky, West Virginia, Pennsylvania, New York, Virginia, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, New Jersey, District of Columbia, Maryland and Delaware. The purpose of this filing is to eliminate the gateways of Harlingen, Amarillo, Dallas, Dalhart, and Weslaco, Tex.; Marionville and Nixa, Mo.; Springdale, Rogers, and Texarkana, Ark.

(34) *Apple juice*, in bulk, in tank vehicles, from points in Wayne County, N.Y., to points in Minnesota, Iowa, Missouri, Kansas, Nebraska, Colorado, Oklahoma, Texas, Arkansas, Mississippi, Louisiana, Alabama, and Georgia. The purpose of this filing is to eliminate the gateway of Belding, Mich.

(35) *Wine and wine products*, in bulk, in tank vehicles, from points in California, to points in Mississippi, Louisiana, Alabama, Georgia, Arkansas, and Lakeland, Fla. The purpose of this filing is to eliminate the gateways of Detroit, Mich. and the Clermont and Covington, Ky. Commercial Zone.

(36) *Formaldehyde*, in bulk, in tank vehicles, from Demopolis, Ala., to points in Arizona, Arkansas, California, Colorado, Kansas, Missouri (except east of Missouri Highways 15 and 19), Nevada, New Mexico, Oklahoma, Texas (except Harris County, Tex.), Utah and Washington. The purpose of this filing is to eliminate the gateway of Springfield, Mo.

(37) *Condensed cream and milk*, in bulk, in tank vehicles, from Dallas, Tex., to points in Tennessee, Kentucky, and Missouri. The purpose of this filing is to eliminate the gateway of Little Rock, Ark.

(38) *Condensed milk and cream*, in bulk, in tank vehicles, from Kansas City,

## NOTICES

Mo., to points in Tennessee and Kentucky. The purpose of this filing is to eliminate the gateway of Little Rock, Ark.

(39) *Liquid sugar*, in bulk, in tank vehicles, from Grimes, Iowa, to points in Kansas (except Kansas City, Mo./Kans.); Missouri, South Dakota, Chattanooga, Tenn.; Colorado, Oklahoma, Oregon, Texas, Washington, and Wisconsin. The purpose of this filing is to eliminate the gateways of Lincoln and Omaha, Nebr. and Mapleton, Ill.

(40) *Vinegar*, in bulk, in tank vehicles, from Hutchinson and Wichita, Kans., to points in California, Michigan, Ohio, Indiana, Louisiana, and Mississippi. The purpose of this filing is to eliminate the gateways of Dalhart, Tex.; Guyman, Okla.; La Junta, Colo.; Nevada and Nixa, Mo.

(41) *Glycerine, fatty acids and inedible tallow*, in bulk, in tank vehicles,

from Springfield and Verona, Mo., to points in Pennsylvania and Wisconsin. The purpose of this filing is to eliminate the gateway of Aurora, Ill.

No. MC 135648 (Sub-No. 2G), filed May 31, 1974. Applicant: ACKERMAN MOTOR LINES, INC., P.O. Box 4, Hackensack, N.J. 07840. Applicant's representative: Herbert Burstein, One World Trade Center, Suite 2373, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between points in Warren and Hunterdon Counties, N.J., on the one hand, and, on the other, points in Pennsylvania on and north of a line beginning at the Pennsylvania-New Jersey State line at or near

Yardley, Pa., and extending west along Pennsylvania Highway 332 to Newton, Pa., thence over Pennsylvania Highway 413 to its junction with U.S. Highway 202 at or near Buckingham, Pa., thence southwest on U.S. Highway 202 to Montgomeryville, Pa., thence northeast over Pennsylvania Highway 463 to Hatfield, Pa., thence southwest over unnumbered highway to intersection with a line between Lansdale and Allentown, Pa., thence north through Allentown, Martin's Creek, Stroudsburg, to Pennsylvania-New Jersey State line, near Portland, Pa., including points on the indicated portions of the highways specified. The purpose of this filing is to eliminate the gateway of New York, N.Y.

By the Commission.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-1912 Filed 1-21-75;8:45 am]



