

# federal register

BOOK 1 OF 2 BOOKS  
MONDAY, MARCH 29, 1976



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## AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

Ten agencies have agreed to a six-month trial period based on the assignment of two days a week beginning February 9 and ending August 6 (See 41 FR 5453). The participating agencies and the days assigned are as follows:

| Monday          | Tuesday    | Wednesday | Thursday        | Friday     |
|-----------------|------------|-----------|-----------------|------------|
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Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this trial program are invited and will be received through May 7, 1976. Comments should be submitted to the Director of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

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**federal register**

Phone 523-5240



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| 410 | 10425        |
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| 602 | 10215, 10603 |
| 618 | 12152        |
| 619 | 12162        |

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| 405 | 10563, 12035        |
| 640 | 9559, 10625         |

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| 8     | 9875, 10885  |
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| 121   | 9543-9545, 10216, 10885-10888, 10984, 11011, 12878 |

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| 123  | 8975, 11483                            |
| 135c | 9149                                   |
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| 210  | 11011                                  |
| 310  | 9546, 10885                            |
| 314  | 9317, 10885                            |
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| 520  | 9149, 11011                            |
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| 540  | 9150, 10063, 10886, 10984              |
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| 546  | 10886, 11011                           |
| 548  | 10886                                  |
| 555  | 9150                                   |
| 558  | 9150, 9875, 10063, 10216, 10426, 11011 |
| 561  | 8768, 8975, 10426, 11286, 11483        |
| 600  | 10428                                  |
| 610  | 10428, 10762, 10888                    |
| 620  | 10888                                  |
| 630  | 10429                                  |
| 640  | 10762                                  |
| 1301 | 9546                                   |

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| 436  | 11533 |
| 440  | 11533 |
| 1303 | 8794  |

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| 601 | 9318 |
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| 770 | 9321       |
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| 205  | 11286  |
| 207  | 11286, 12224   |
| 213  | 11286  |
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| 886  | 12170  |
| 888  | 13042  |
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| 1914 | 9150-9152, 11287, 12681, 12892, 12894                          |
| 1915 | 9356, 11485, 12885   |
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| 1917 | 9153, 11181-11186, 11491, 11819, 12224, 12225, 12685           |
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| 203  | 11553                                     |
| 242  | 10625                                     |
| 570  | 8797                                      |
| 866  | 10313                                     |
| 880  | 9682                                      |
| 882  | 9997                                      |
| 888  | 8882                                      |
| 1917 | 8978, 9183-9188, 9364, 11319-11322, 12231 |

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| 53    | 9321                                   |
| 301   | 11020                                  |
| 601   | 11021, 12640                           |

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| 1  | 8800, 9891, 10918, 12017 |
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| 5  | 10217, 11022, 11497 |
| 18 | 10432, 11497        |

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| 16 | 12640 |
| 20 | 11714 |
| 50 | 10222 |
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| 5    | 10063                            |
| 60   | 8954, 12654                      |
| 89   | 9066, 12010                      |
| 94   | 10774                            |
| 97   | 10774, 11819                     |
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| 1928 | 10190, 11022                     |
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| 2612 | 12302                            |

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| 601  | 11038               |
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| 730  | 11038               |
| 1910 | 10625, 12716        |
| 1952 | 11038, 12716, 12717 |

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| 11 | 10892, 12302 |
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| 1450 | 8984  |
| 1451 | 8984  |
| 1470 | 8984  |
| 1471 | 8984  |
| 1472 | 8984  |
| 1473 | 8984  |
| 1474 | 8984  |
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| 183 | 11290, 12301        |
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| 2  | 9553  |
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| 3 | 12655, 12656 |
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| 3  | 9201, 9396 |
| 4  | 11291      |
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| 52 | 8769, 8770, 9339, 9547, 10064, 10223, 11819, 12010 |
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| 61 | 11820  |
| 80 | 10065  |
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| 125  | 11303, 11458                     |
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|      | 9344, 10605, 11307, 11514, 12012 |
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| 436  | 10895                            |
| 457  | 10180                            |
| 600  | 11506                            |
| 1510 | 12658                            |

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| 52  | 9376, 9377, 10069, 12905 |
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| 55  | 10071                    |
| 180 | 8798, 12305              |
| 420 | 13015                    |
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| 4700 | 9879  |
| 5400 | 12658 |
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| 1604 | 10629 |
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| 64  | 9188  |
| 146 | 9188  |
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| 0  | 9550                                   |
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| 15 | 9345                                   |
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| 1000 | 11312                                 |
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| 179   | 9188         |
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| 581   | 9374         |
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| 1049  | 9397         |
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| 25  | 9166               |
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# presidential documents

## Title 3—The President

Proclamation 4423

March 26, 1976

### IMPORT LIMITATION ON DRY MILK MIXTURES

*By the President of the United States of America*

#### A Proclamation

Import quota limitations have been imposed on certain dairy products, including dried milk, pursuant to the provisions of Section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624). Those limitations are set forth in Part 3 of the Appendix to the Tariff Schedules of the United States, which schedules are hereinafter referred to as TSUS, under items 950.01, 950.02, and 950.03, and relate to products classified for tariff purposes under items 115.45, 115.50, 115.55, 115.60, and 118.05 of Schedule 1 of the TSUS.

The Secretary of Agriculture has advised me that he has reason to believe that dry milk, containing not more than 5.5 percent butterfat by weight, mixed with other ingredients, and thus classified for tariff purposes under items of the TSUS other than the items referenced above, are being, and are practically certain to be, imported under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, the price support program now conducted by the Department of Agriculture for milk, or to reduce substantially the amount of products processed in the United States from domestic milk.

I agree that there is reason for such belief by the Secretary of Agriculture, and, therefore, have requested the United States International Trade Commission to make an immediate investigation with respect to this matter, pursuant to said Section 22.

The Secretary of Agriculture has also determined and reported to me with regard to such dry milk mixtures that a condition exists which requires emergency treatment and that the import restrictions hereinafter proclaimed should be imposed immediately without awaiting the recommendations of the United States International Trade Commission.

On the basis of the information submitted to me, I find and declare that:

(a) Such dry milk mixtures are being imported, or are practically certain to be imported, into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, the price support program now conducted by the Department of Agriculture for milk, or to reduce substantially the amount of products processed in the United States from domestic milk;

(b) a condition exists which requires the immediate imposition of the import limitations hereinafter set forth, without awaiting the recommendations of the United States International Trade Commission with respect to such action;

(c) there is no representative period, within the meaning of the first proviso to subsection (b) of the said Section 22, for imports of the said dry milk mixtures; and

(d) the imposition of the import limitation hereinafter proclaimed is necessary in order that the entry, or withdrawal from warehouse, for consumption of such dry milk mixtures will not render or tend to render ineffective, or materially interfere

## THE PRESIDENT

with, the price support program now conducted by the Department of Agriculture for milk, or reduce substantially the amount of products processed in the United States from domestic milk.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, by virtue of the authority vested in me by Section 22 of the Agricultural Adjustment Act, as amended, do hereby proclaim that Part 3 of the Appendix to the TSUS is amended by adding after item 950.18 the following:

|        | <i>Articles</i>   | <i>Quota<br/>Quantity</i> |
|--------|---|---------------------------|
| 950.19 | Dried milk (described in items 115.45, 115.50, 115.55, and 118.05) which contains not over 5.5 percent by weight of butterfat and which is mixed with other ingredients, including but not limited to sugar, if such mixtures are capable of being further processed or mixed with similar or other ingredients and are not prepared for marketing to the retail consumers in the identical form and package in which imported; all the foregoing mixtures wherever classified under the Tariff Schedules of the United States. | None                      |

Pending Presidential action upon receipt of the report and recommendations of the United States International Trade Commission with respect thereto, the limitation established by item 950.19 shall be applicable to articles entered, or withdrawn from warehouse, for consumption on and after the effective date of this proclamation. Articles which were exported to the United States on a through bill of lading or which were in a bonded warehouse, but not entered, or withdrawn from warehouse, for consumption prior to the date of publication of this proclamation, shall not be denied entry under the import limitation herein proclaimed.

This proclamation shall be effective on the second day following the day it is published in the FEDERAL REGISTER.<sup>1</sup>

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of March, in the year of our Lord nineteen hundred seventy-six, and of the Independence of the United States of America the two hundredth.

*Gerald R. Ford*

[FR Doc.76-9025 Filed 3-26-76;10:58 am]

<sup>1</sup> The effective date of Proclamation 4423 is March 31, 1976.

# 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 14—Aeronautics and Space

### CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 75-CE-20]

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

##### Designation of Transition Area

On Page 3746 of the FEDERAL REGISTER dated January 26, 1976, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Orange City, Iowa.

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

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

This amendment shall be effective 0901 GMT, July 15, 1976.

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

Issued in Kansas City, Missouri, on March 12, 1976.

GEORGE R. LACAILLE,  
Acting Director, Central Region.

In § 71.181 (41 FR 440), the following transition area is added:

##### ORANGE CITY, IOWA

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Orange City Municipal Airport (latitude 42°59'25" N., longitude 96°03'45" W.); and within 3 miles each side of the 172° bearing from the Orange City Municipal Airport, extending from the 5-mile radius area to 8½ miles south of the airport.

[FR Doc.76-8558 Filed 3-26-76; 8:45 am]

[Docket No. 15497; Amdt. 39-2653]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Hawker Siddeley Aviation Ltd., DH-114 "Heron" Airplanes

There have been reports of cracks occurring in the nose landing gear inner casing on Hawker Siddeley DH-114 "Heron" airplanes that could result in the collapse of the nose landing gear on landing. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness

directive is being issued which requires the inspection and replacement as necessary of the inner casings on Hawker Siddeley DH-114 "Heron" airplanes.

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

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

HAWKER SIDDELEY AVIATION LTD. Applies to de Havilland Model DH-114 "Heron" airplanes certificated in all categories which have not been altered in accordance with Heron Modification 1612.

Compliance is required as indicated.

To detect cracks in the nose landing gear inner casing, and prevent the possible collapse of the nose landing gear upon landing, accomplish the following:

(a) Within the next 50 hours time in service after the effective date of this AD, unless already accomplished within the preceding 600 hours time in service, and thereafter, at intervals not to exceed 600 hours time in service from the last inspection, inspect the nose landing gear inner casing for cracks in accordance with paragraphs 3.1 and 3.2 of section 3 entitled "Inspection" of Hawker Siddeley Aviation Ltd., Technical News Sheet No. U.17, Issue 1, dated September 17, 1973, or an FAA-approved equivalent.

(b) If any cracks are found during an inspection required by paragraph (a) of this AD, before further flight, except that the airplane may be flown in accordance with FAR 21.197 to a base where the repair can be performed, replace the inner casing with a new part of the same part number or a servicable used part of the same part number that has been inspected and found to be free of cracks in accordance with the inspection prescribed in paragraph (a) of this AD. Continue to inspect the replacement casing for cracks in accordance with Hawker Siddeley Aviation Ltd., Technical News Sheet, No. U.17, Issue 1, dated September 17, 1973, or an FAA-approved equivalent at intervals not to exceed 600 hours time in service from replacement.

This amendment becomes effective April 12, 1976.

Issued in Washington, D.C. on March 22, 1976.

J. A. FERRARESE,  
Acting Director,  
Flight Standards Service.

[FR Doc.76-8757 Filed 3-26-76; 8:45 am]

[Docket No. 76-EA-7; Amdt. 39-2562]

#### PART 39—AIRWORTHINESS DIRECTIVE

##### Fairchild Aircraft

The Federal Aviation Administration is amending section 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to F-27 and FH-227 type airplanes.

There have been reports that studs on the main terminal board had loosened so as to cause a loss of DC electrical power. Since this deficiency can exist or develop in aircraft of similar type design, an airworthiness directive is being issued which will require an inspection of the studs.

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

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 F.R. 13697) section 39.13 of Part 39 of the Federal Aviation Regulations is amended by issuing an Airworthiness Directive as follows:

FAIRCHILD AIRCRAFT. Applies to Models F-27 series and FH-227 series aircraft.

Compliance required as indicated: To detect loose studs which may create a hazard, accomplish the following:

(a) Within the next 200 hours time in service after the effective date of this AD, unless already accomplished within the last 1000 hours in service, inspect, clean and torque studs on terminal board assembly P/N 27-746011-11 to 100 inch-lbs.

(b) Within the next 1800 hours replace the existing terminal block assembly with an MS 27212 terminal block assembly unless already accomplished. Fairchild Service Bulletin Nos. FH-227-24-11 and F-27-24-15, dated March 1, 1976, covers the replacement of the terminal block.

(c) Upon request of the operator, an FAA Maintenance Inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, may adjust the compliance times specified in this AD if the request contains substantiating data to justify the increase for that operator.

Fairchild Service Letter Nos. F-27-646 and FH-227-24-17, dated January 26, 1976, pertain to this subject.

This amendment is effective April 2, 1976.

(Secs. 313(a), 601 and 603 of the Fed. Aviat. Act 1958 (49 U.S.C. 1354(a), 1421 and 1423), section 6(c) Dept. of Trans. Act (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on March 19, 1976.

DUANE W. FREER,  
Director, Eastern Region.

[FR Doc.76-8758 Filed 3-26-76; 8:45 am]

**Title 17—Commodity and Securities Exchanges**

**CHAPTER II—SECURITIES AND EXCHANGE COMMISSION**

[Release No. IA-503, File No. S7-588]

**PART 275—RULES AND REGULATIONS, INVESTMENT ADVISERS ACT OF 1940**

**Exclusion From the Definition of the Term "Investment Adviser"**

Notice is hereby given, That the Securities and Exchange Commission has adopted, effective May 1, 1976, Rule 202-1 under the Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.) ("Advisers Act") which excludes from the definition of investment adviser in section 202(a) (11) (15 U.S.C. 80b-2(a) (11)) of the Advisers Act persons who in the course of their employment advise their employer-sponsored employee benefit plans with respect to investments in securities. Rule 202-1 is adopted pursuant to the authority contained in section 202(a) (11) and Section 211(a) (15 U.S.C. 80b-11(a)) of the Advisers Act.

On September 29, 1975, the Commission published notice (Advisers Act Release No. 478 (40 FR 46118, October 6, 1975) of the proposal to adopt Rule 202-1. In proposing the rule the Commission expressed concern that the provisions of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.) encouraged persons otherwise exempt from registration to register under the Advisers Act to insulate trustees from liability for a breach of fiduciary duty.<sup>1</sup>

It appears that the apparent motive for such registrations would be to provide insulation for trustees of employee benefit plans for breaches of fiduciary duty by in-house managers. The Commission believes that the Rule would not impair investor protection, but would rather serve to extend the substantial protections of ERISA to beneficiaries of such plans. After consideration, the Commission has revised the language of the original proposal to provide that the

<sup>1</sup> Section 3(38) of ERISA (29 U.S.C. 1002 (38)) provides:

The term "investment manager" means any fiduciary (other than a trustee or named fiduciary, as defined in section 402(a) (2))—

(A) who has the power to manage, acquire, or dispose of any asset of a plan;

(B) who is (i) registered as an investment adviser under the Investment Advisers Act of 1940; (ii) is a bank, as defined in the Act; or (iii) is an insurance company qualified to perform services described in subparagraph (A) under the laws of more than one State; and

(C) has acknowledged in writing that he is a fiduciary with respect to the plan.

Insulation from liability is provided for trustees by section 405(d) (1) of ERISA (29 U.S.C. 1105(d) (1)), which states:

If an investment manager or managers have been appointed under section 402(c) (3), then, notwithstanding subsection (a) (2) and (3) and subsection (b), no trustee shall be liable for the acts or omissions of such investment manager or managers, or be under an obligation to invest or otherwise manage any asset of the plan which is subject to the management of such investment manager.

term "investment adviser" in section 202 (a) (11) of the Act shall not include a person who offers investment advice to an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, sponsored by an employer of such person if such person is not engaged in the business of providing investment advice or management to others and does not hold himself out generally to the public as an investment adviser.

Accordingly, the Commission has determined that the adoption of the Rule is necessary and appropriate in the public interest and consistent with the protection of investors and the purpose intended by the Advisers Act.

The Commission wishes to state that this position should not be viewed as an unfavorable finding with respect to the ability of such persons to act as advisers to employee benefit plans. The rule would not affect the ability of such persons to advise plans in the capacity of trustees or named fiduciaries as provided in ERISA.

Following May 1, 1976 the Commission intends in appropriate cases to exercise its authority (a) under section 203 (15 U.S.C. 80b-3) of the Advisers Act to preclude registration of a person excluded from the definition of investment adviser by Rule 202-1 and (b) under section 203 (h) (15 U.S.C. 80b-3(h)) of the Act to cancel the registration of such a person.

The rule includes natural persons and companies within the definition of person, and defines "employer" to include any company controlling, controlled by or under common control with a person. Thus a wholly-owned, majority-owned or other controlled subsidiary created or used by an employer to manage assets of the employee benefit plans sponsored by the employer would come within the scope of the rule.

The text of Rule 202-1, which shall be effective May 1, 1976, is as follows:

**§ 275.202-1 Exclusion of certain persons who offer investment advice to their employer-sponsored employee benefit plans.**

The term "investment adviser," in section 202(a) (11) of the Act, shall not include any person who offers investment advice to an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, sponsored by an employer of such person, if such person is not engaged in the business of providing investment advice or management to others and does not hold himself out generally to the public as an investment adviser. For purposes of this rule "person" shall include a natural person,

<sup>1</sup> The relevant text of the proposed rule was as follows:

The term "investment adviser," in Section 202(a) (11) of the Act, shall not include any person who offers investment advice to an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, sponsored by an employer of such person, if such person is exempt from registration pursuant to Section 203(b) (3) [U.S.C. 80b-3(b) (3)] of the Act....

or a company which is controlled by or under common control with the employer, and "employer" shall include any company controlling, controlled by or under common control with a person.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

MARCH 12, 1976.

The revised rule would preserve the present applicability of the antifraud provisions of the Advisers Act to persons exempt from registration under the Advisers Act by virtue of section 203(b) (3).

[FR Doc. 76-8838 Filed 3-26-76; 8:45 am]

**Title 21—Food and Drugs**

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

**SUBCHAPTER B—FOOD AND FOOD PRODUCTS**

**PART 430—ANTIBIOTIC DRUGS: GENERAL**

**Foods and Drugs Editorial Amendments  
Correction**

In FR Doc. 76-7241 appearing on page 10885 of the March 15, 1976 issue, in paragraph 18 appearing in the right hand column, the second line which now reads as follows: "(ii), (d) (8) (ii), in form paragraphs" should read as follows: "(ii), (d) (8) (ii), and (d) (8) (iii), in Form paragraphs".

[Docket No. 76F-0024]

**PART 121—FOOD ADDITIVES**

**Foods and Drugs Editorial Amendments  
Correction**

In FR Doc. 76-7239 for the issue of March 15, 1976 appearing on page 10887, in the first column in the table, the third line which reads "thickness not to exceed 0.0016in." should read as follows: "thickness not to exceed .0016 in."

Also in the column entitled "Specific gravity" located in the table, the line follows: "1.01±0.015" should read as follows: "1.01±0.015".

Also, in the same document and on the same page in the right hand column, the effective date reads as follows: "This regulation shall become effective April 14, 1976" should read as follows: "This regulation shall become effective March 15, 1976".

**Title 33—Navigation and Navigable Waters**

**CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION**

[CGD 76-015]

**PART 66—PRIVATE AIDS TO NAVIGATION**

**State Aids to Navigation, Lake Wylie Within South Carolina**

• *Purpose.* The Coast Guard is amending 33CFR Subpart 66.05, State Aids to Navigation, by adding to § 66.05-100 the designation of the portion of Lake Wylie within South Carolina as State waters for private aids to navigation. •

The Division of Boating of the South Carolina Wildlife and Marine Resources Department requested under 33 CFR 66.05-10 that the Commandant of the Coast Guard designate the portion of Lake Wylie within South Carolina as State waters for private aids to navigation. The Commandant determined that the State of South Carolina can regulate aids to navigation on Lake Wylie more efficiently and economically than the Coast Guard, which will improve the safety of navigation on Lake Wylie. Therefore the Commandant under 33 CFR 66.05-20 has entered into an agreement with the State of South Carolina designating the portion of Lake Wylie within the State as waters for private aids to navigation. Section 66.05-100 is being amended to add the portion of Lake Wylie within South Carolina to the waters designated as State waters for private aids to navigation.

This amendment relates to Coast Guard management. Therefore, under 5 U.S.C. 553(a)(2), the notice of proposed rulemaking and public procedure requirements in 5 U.S.C. 553(b) do not apply and it may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, Part 66 of Title 33, Code of Federal Regulations is amended by adding a new paragraph (g-1) to § 66.05-100 as follows:

**§ 66.05-100 Designation of navigable waters as State waters for private aids to navigation.**

(g) . . . . .  
 (1) *South Carolina.* The portion of Lake Wylie within the State.

(14 U.S.C. 81, 86, 92, 633, 33 U.S.C. 403, 409, 49 U.S.C. 1655(b); 49 CFR 1.46(b))

*Effective date:* This amendment becomes effective on March 29, 1976.

Dated: March 22, 1976.

E. L. PERRY,  
*Vice Admiral, U.S. Coast Guard,*  
*Acting Commandant.*

[FR Doc.76-8800 Filed 3-26-76;8:45 am]

**Title 36—Parks, Forests and Public Property**

**CHAPTER I—NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR**

**PART 50—NATIONAL CAPITAL PARKS REGULATIONS**

**Demonstrations and Special Events; Permit Requirements**

On December 18, 1975, notice was given in the FEDERAL REGISTER, 40 FR 58651 (1975), proposing to revise what has heretofore been designated as the "public gathering" permit regulations applicable in areas under administration by National Capital Parks, National Park Service, Department of the Interior. The proposed revision is intended to comply with an order on mandate issued by the United States District Court for the District of Columbia in *A Quaker Action*

*Group v. Kleppe*, Civ. No. 688-69 (D.D.C. Nov. 21, 1975) while yet protecting the legitimate security and park value concerns discussed in the Secretary's "Prefatory Statement" of July 17, 1970, 35 FR 11485 (1970).

Interested persons were given an opportunity to participate in these rule-making proceedings by submission of written comments to the Director, National Capital Parks, National Park Service. Written comments were received from three parties. All comments with respect to the proposed revision were given due consideration.

A. As a result of comments received, the following changes in the proposed regulations are made in addition to language changes for clarification:

1. In accord with the suggestion of the District of Columbia, paragraph (e)(10) is added to indicate that many activities involving park lands also involve the use of land under the administration of other governmental entities, including the District of Columbia, and that it may be necessary for the applicant to secure the permission of the appropriate responsible officials with respect to the use of other than park areas.

2. In accord with the suggestion of the American Civil Liberties Union, paragraph (a)(9) is amended so as to change the definition of "Lincoln Memorial" as used in the regulations. The effect of this amendment is to permit use of a greater portion of the Lincoln Memorial area for demonstrations and special events. It is felt that this will allow the memorial to be used as a site and background for activities while preserving the interior of the memorial as a place of calm, tranquility and reverence.

3. In accord with the suggestion of the American Civil Liberties Union, paragraph (d)(1) is amended so as to eliminate the term "exclusive" use basis. The purpose of this amendment is to make clear that a permit is subject to denial when another permit has been or will be granted to a prior applicant for the same area and that area will not reasonably permit multiple occupancy. In such event, the regulation is amended to require the Director to offer the applicant an alternate site if one is available.

B. Certain other recommendations have been carefully considered but have not been adopted. The following suggestions are not adopted for the reasons outlined below:

1. It was recommended that a person or group applying for a permit pursuant to 36 CFR § 50.19 be required to post a fee or bond to cover the cleanup cost should the group fail to clean the site themselves. This recommendation was rejected since, with respect to demonstrations, it raised the question of whether such a requirement constitutes a prior restraint on freedom of speech and because of the necessary enormous administrative burdens relative to setting the amount and the basis therefor, with regard to each proposed activity.

2. Paragraph (c), relating to permits being deemed granted unless denied in writing within 24 hours, was criticized

as allowing insufficient time in which to provide for response by the District of Columbia. Although the Department agrees with the criticism that this limitation does not allow for sufficient time to properly coordinate essential support service activities, this section is required by the District Court's order on mandate and therefore was not changed.

3. Paragraph (a)(1), the definition of the term "demonstrations", was questioned in that it encompasses the actions of a single person whereas the prior term "public gathering" applied only to three or more persons. This change is intended to apply the permit system requirements to those instances where an individual intends to engage in any conduct in park areas, which has the effect, intent, or propensity to draw a crowd or onlookers. It is felt that this provision is desirable in order to insure that proper security precautions and augmentation of forces and services are undertaken when conduct which either is intended to or is likely to draw persons into an area in greater numbers than ordinarily occur when casual use is made by park visitors or tourists in the particular area.

4. The definition of the term "White House area", paragraph (a)(4), was criticized as seeming to include Pennsylvania Avenue and other areas under the jurisdiction of the District of Columbia Police Department. It should be noted that the regulation language specifically restricts its applicability to "park areas" within the enumerated bounds and therefore excludes all areas, such as Pennsylvania Avenue, which are not park areas.

5. The entire permit concept was criticized as being violative of the First and Fifth Amendments to the Constitution. The Department believes that the limited restrictions imposed by the regulations are constitutional.

6. Paragraph (a)(13) was criticized because of the inclusion of the term "or his authorized representative" in the definition of the term "Director". The specific objection was that this would negate any assurance that a person of responsible rank will make the decision to deny a permit. This criticism is unfounded. Since the Director, National Capital Parks cannot always be available to make the necessary decisions, the regulation allows for this authority to be exercised by the person holding the responsibility of the office of Director, in the absence or unavailability of the Director, and thereby assures that such considerations will be made by an official of responsible rank.

7. Paragraph (b) was criticized in that it imposes a permit system instead of a notice system. The Department stated at 40 FR 58653 (1975): "[i]t has been determined that a notice system would not serve effectively to protect the legitimate park value and security concerns involved and in particular would create unreasonable burdens in coordinating simultaneous multiple demonstrations and special events activities". The Department continues to believe

**Title 17—Commodity and Securities Exchanges**

**CHAPTER II—SECURITIES AND EXCHANGE COMMISSION**

[Release No. IA-503, File No. S7-588]

**PART 275—RULES AND REGULATIONS, INVESTMENT ADVISERS ACT OF 1940**

**Exclusion From the Definition of the Term "Investment Adviser"**

Notice is hereby given, That the Securities and Exchange Commission has adopted, effective May 1, 1976, Rule 202-1 under the Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.) ("Advisers Act") which excludes from the definition of investment adviser in section 202(a)(11) (15 U.S.C. 80b-2(a)(11)) of the Advisers Act persons who in the course of their employment advise their employer-sponsored employee benefit plans with respect to investments in securities. Rule 202-1 is adopted pursuant to the authority contained in section 202(a)(11) and Section 211(a) (15 U.S.C. 80b-11(a)) of the Advisers Act.

On September 29, 1975, the Commission published notice (Advisers Act Release No. 478 (40 FR 46118, October 6, 1975) of the proposal to adopt Rule 202-1. In proposing the rule the Commission expressed concern that the provisions of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.) encouraged persons otherwise exempt from registration to register under the Advisers Act to insulate trustees from liability for a breach of fiduciary duty.<sup>1</sup>

It appears that the apparent motive for such registrations would be to provide insulation for trustees of employee benefit plans for breaches of fiduciary duty by in-house managers. The Commission believes that the Rule would not impair investor protection, but would rather serve to extend the substantial protections of ERISA to beneficiaries of such plans. After consideration, the Commission has revised the language of the original proposal to provide that the

<sup>1</sup> Section 3(38) of ERISA (29 U.S.C. 1002 (38)) provides:

The term "investment manager" mean any fiduciary (other than a trustee or named fiduciary, as defined in section 402(a)(2))—

(A) who has the power to manage, acquire, or dispose of any asset of a plan;

(B) who is (i) registered as an investment adviser under the Investment Advisers Act of 1940; (ii) is a bank, as defined in the Act; or (iii) is an insurance company qualified to perform services described in subparagraph (A) under the laws of more than one State; and

(C) has acknowledged in writing that he is a fiduciary with respect to the plan.

Insulation from liability is provided for trustees by section 405(d)(1) of ERISA (29 U.S.C. 1105(d)(1)), which states:

If an investment manager or managers have been appointed under section 402(c)(3), then, notwithstanding subsection (a)(2) and (3) and subsection (b), no trustee shall be liable for the acts or omissions of such investment manager or managers, or be under an obligation to invest or otherwise manage any asset of the plan which is subject to the management of such investment manager.

term "investment adviser" in section 202(a)(11) of the Act shall not include a person who offers investment advice to an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, sponsored by an employer of such person if such person is not engaged in the business of providing investment advice or management to others and does not hold himself out generally to the public as an investment adviser.<sup>2</sup>

Accordingly, the Commission has determined that the adoption of the Rule is necessary and appropriate in the public interest and consistent with the protection of investors and the purpose intended by the Advisers Act.

The Commission wishes to state that this position should not be viewed as an unfavorable finding with respect to the ability of such persons to act as advisers to employee benefit plans. The rule would not affect the ability of such persons to advise plans in the capacity of trustees or named fiduciaries as provided in ERISA.

Following May 1, 1976 the Commission intends in appropriate cases to exercise its authority (a) under section 203 (15 U.S.C. 80b-3) of the Advisers Act to preclude registration of a person excluded from the definition of investment adviser by Rule 202-1 and (b) under section 203(h) (15 U.S.C. 80b-3(h)) of the Act to cancel the registration of such a person.

The rule includes natural persons and companies within the definition of person, and defines "employer" to include any company controlling, controlled by or under common control with a person. Thus a wholly-owned, majority-owned or other controlled subsidiary created or used by an employer to manage assets of the employee benefit plans sponsored by the employer would come within the scope of the rule.

The text of Rule 202-1, which shall be effective May 1, 1976, is as follows:

**§ 275.202-1 Exclusion of certain persons who offer investment advice to their employer-sponsored employee benefit plans.**

The term "investment adviser," in section 202(a)(11) of the Act, shall not include any person who offers investment advice to an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, sponsored by an employer of such person, if such person is not engaged in the business of providing investment advice or management to others and does not hold himself out generally to the public as an investment adviser. For purposes of this rule "person" shall include a natural person,

<sup>2</sup> The relevant text of the proposed rule was as follows:

The term "investment adviser," in Section 202(a)(11) of the Act, shall not include any person who offers investment advice to an employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, sponsored by an employer of such person, if such person is exempt from registration pursuant to Section 203(b)(3) [U.S.C. 80b-3(b)(3)] of the Act....

or a company which is controlled by or under common control with the employer, and "employer" shall include any company controlling, controlled by or under common control with a person.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

MARCH 12, 1976.

The revised rule would preserve the present applicability of the antifraud provisions of the Advisers Act to persons exempt from registration under the Advisers Act by virtue of section 203(b)(3).

[FR Doc. 76-8838 Filed 3-26-76; 8:45 am]

**Title 21—Food and Drugs**

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

**SUBCHAPTER B—FOOD AND FOOD PRODUCTS**

**PART 430—ANTIBIOTIC DRUGS: GENERAL**

**Foods and Drugs Editorial Amendments Correction**

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[Docket No. 76F-0024]

**PART 121—FOOD ADDITIVES**

**Foods and Drugs Editorial Amendments Correction**

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**Title 33—Navigation and Navigable Waters**

**CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION**

[CGD 76-015]

**PART 66—PRIVATE AIDS TO NAVIGATION**

**State Aids to Navigation, Lake Wylie Within South Carolina**

• **Purpose.** The Coast Guard is amending 33CFR Subpart 66.05, State Aides to Navigation, by adding to § 66.05-100 the designation of the portion of Lake Wylie within South Carolina as State waters for private aids to navigation. •



The Division of Boating of the South Carolina Wildlife and Marine Resources Department requested under 33 CFR 66.05-10 that the Commandant of the Coast Guard designate the portion of Lake Wylie within South Carolina as State waters for private aids to navigation. The Commandant determined that the State of South Carolina can regulate aids to navigation on Lake Wylie more efficiently and economically than the Coast Guard, which will improve the safety of navigation on Lake Wylie. Therefore the Commandant under 33 CFR 66.05-20 has entered into an agreement with the State of South Carolina designating the portion of Lake Wylie within the State as waters for private aids to navigation. Section 66.05-100 is being amended to add the portion of Lake Wylie within South Carolina to the waters designated as State waters for private aids to navigation.

This amendment relates to Coast Guard management. Therefore, under 5 U.S.C. 553(a)(2), the notice of proposed rulemaking and public procedure requirements in 5 U.S.C. 553(b) do not apply and it may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, Part 66 of Title 33, Code of Federal Regulations is amended by adding a new paragraph (g-1) to § 66.05-100 as follows:

**§ 66.05-100 Designation of navigable waters as State waters for private aids to navigation.**

(g) . . . . .  
 (1) *South Carolina.* The portion of Lake Wylie within the State.

(14 U.S.C. 81, 86, 92, 633, 33 U.S.C. 403, 409, 49 U.S.C. 1655(b); 49 CFR 1.46(b))

*Effective date:* This amendment becomes effective on March 29, 1976.

Dated: March 22, 1976.

E. L. PERRY,  
*Vice Admiral, U.S. Coast Guard,*  
*Acting Commandant.*

[FR Doc.76-8800 Filed 3-26-76;8:45 am]

**Title 36—Parks, Forests and Public Property**

**CHAPTER I—NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR**

**PART 50—NATIONAL CAPITAL PARKS REGULATIONS**

**Demonstrations and Special Events; Permit Requirements**

On December 18, 1975, notice was given in the FEDERAL REGISTER, 40 FR 58651 (1975), proposing to revise what has heretofore been designated as the "public gathering" permit regulations applicable in areas under administration by National Capital Parks, National Park Service, Department of the Interior. The proposed revision is intended to comply with an order on mandate issued by the United States District Court for the District of Columbia in *A Quaker Action*

*Group v. Kleppe*, Civ. No. 688-69 (D.D.C. Nov. 21, 1975) while yet protecting the legitimate security and park value concerns discussed in the Secretary's "Prefatory Statement" of July 17, 1970, 35 FR 11485 (1970).

Interested persons were given an opportunity to participate in these rule-making proceedings by submission of written comments to the Director, National Capital Parks, National Park Service. Written comments were received from three parties. All comments with respect to the proposed revision were given due consideration.

A. As a result of comments received, the following changes in the proposed regulations are made in addition to language changes for clarification:

1. In accord with the suggestion of the District of Columbia, paragraph (e)(10) is added to indicate that many activities involving park lands also involve the use of land under the administration of other governmental entities, including the District of Columbia, and that it may be necessary for the applicant to secure the permission of the appropriate responsible officials with respect to the use of other than park areas.

2. In accord with the suggestion of the American Civil Liberties Union, paragraph (a)(9) is amended so as to change the definition of "Lincoln Memorial" as used in the regulations. The effect of this amendment is to permit use of a greater portion of the Lincoln Memorial area for demonstrations and special events. It is felt that this will allow the memorial to be used as a site and background for activities while preserving the interior of the memorial as a place of calm, tranquility and reverence.

3. In accord with the suggestion of the American Civil Liberties Union, paragraph (d)(1) is amended so as to eliminate the term "exclusive" use basis. The purpose of this amendment is to make clear that a permit is subject to denial when another permit has been or will be granted to a prior applicant for the same area and that area will not reasonably permit multiple occupancy. In such event, the regulation is amended to require the Director to offer the applicant an alternate site if one is available.

B. Certain other recommendations have been carefully considered but have not been adopted. The following suggestions are not adopted for the reasons outlined below:

1. It was recommended that a person or group applying for a permit pursuant to 36 CFR § 50.19 be required to post a fee or bond to cover the cleanup cost should the group fail to clean the site themselves. This recommendation was rejected since, with respect to demonstrations, it raised the question of whether such a requirement constitutes a prior restraint on freedom of speech and because of the necessary enormous administrative burdens relative to setting the amount and the basis therefor, with regard to each proposed activity.

2. Paragraph (c), relating to permits being deemed granted unless denied in writing within 24 hours, was criticized

as allowing insufficient time in which to provide for response by the District of Columbia. Although the Department agrees with the criticism that this limitation does not allow for sufficient time to properly coordinate essential support service activities, this section is required by the District Court's order on mandate and therefore was not changed.

3. Paragraph (a)(1), the definition of the term "demonstrations", was questioned in that it encompasses the actions of a single person whereas the prior term "public gathering" applied only to three or more persons. This change is intended to apply the permit system requirements to those instances where an individual intends to engage in any conduct in park areas, which has the effect, intent, or propensity to draw a crowd or onlookers. It is felt that this provision is desirable in order to insure that proper security precautions and augmentation of forces and services are undertaken when conduct which either is intended to or is likely to draw persons into an area in greater numbers than ordinarily occur when casual use is made by park visitors or tourists in the particular area.

4. The definition of the term "White House area", paragraph (a)(4), was criticized as seeming to include Pennsylvania Avenue and other areas under the jurisdiction of the District of Columbia Police Department. It should be noted that the regulation language specifically restricts its applicability to "park areas" within the enumerated bounds and therefore excludes all areas, such as Pennsylvania Avenue, which are not park areas.

5. The entire permit concept was criticized as being violative of the First and Fifth Amendments to the Constitution. The Department believes that the limited restrictions imposed by the regulations are constitutional.

6. Paragraph (a)(13) was criticized because of the inclusion of the term "or his authorized representative" in the definition of the term "Director". The specific objection was that this would negate any assurance that a person of responsible rank will make the decision to deny a permit. This criticism is unfounded. Since the Director, National Capital Parks cannot always be available to make the necessary decisions, the regulation allows for this authority to be exercised by the person holding the responsibility of the office of Director, in the absence or unavailability of the Director, and thereby assures that such considerations will be made by an official of responsible rank.

7. Paragraph (b) was criticized in that it imposes a permit system instead of a notice system. The Department stated at 40 FR 58653 (1975): "[I]t has been determined that a notice system would not serve effectively to protect the legitimate park value and security concerns involved and in particular would create unreasonable burdens in coordinating simultaneous multiple demonstrations and special events activities". The Department continues to believe

that a permit system is necessary for these reasons.

8. Paragraph (b) (1) through (5) was criticized because numerical limitations are imposed upon demonstrations conducted without permit in certain areas. The Department considers the numerical limitations reasonable in view of the nature of each area. Also, these numerical restrictions apply only to activities conducted in those areas without permit and do not preclude activities involving larger numbers being conducted pursuant to permit.

9. Comments were received criticizing the requirement of paragraph (c) that all applications be submitted to the Director, National Capital Parks, 1100 Ohio Drive, SW. It is the opinion of the Department that receipt of the application in this single location is necessary in order to effectively administer the priority system for the use of park lands, to insure that the application will be considered by an official of responsible rank, and to allow for consideration of the permit within the applicable time limitation. Even though executed permit applications must be received at that location, application blanks may be obtained at other locations in the National Capital Parks area.

10. The requirement of paragraph (c) that all applications be received by the Director at least 48 hours prior to the proposed event was criticized as being an excessive time period. The Department believes that this is less than a minimum period of time in which the responsible government agencies can effectively plan for the countless burdens any sizeable activity imposes on park areas. These plans include security precautions, the provision of personnel and sanitary facilities, and the erection of facilities. Also, it is felt that the impact of this requirement on applicants is minimal because provision has been made (paragraph (b)) whereby demonstrations may be conducted without permit in certain areas and therefore eliminating the necessity of applying for a permit 48 hours in advance.

11. That portion of paragraph (c) which provides that applications will be received only between the hours of 8 a.m.-4 p.m., Monday through Friday, holidays excepted, was criticized as suspending the First Amendment on the weekend. This limitation is necessary in order that the required security precautions and augmentation of forces and services may be provided. The Department has weighed the administrative burdens that the absence of this limitation would impose upon the various government agencies involved against possible effects upon the exercise of First Amendment freedoms and believes on balance that these effects are inconsequential. This impact is further lessened since demonstrations may be conducted in certain areas without permit pursuant to paragraph (b).

12. Paragraph (c) (1) was criticized for excluding certain portions of the "White House area" as areas within which "demonstrations" and leaflet-

ting" may take place. The exclusions are necessary in order to protect the legitimate security and park value interests. Also, the areas in which such activity is allowed provide "demonstrations" with complete access to the "unique values" in demonstrating in the "White House area." Furthermore, it should be considered with respect to "leafletting", that only those forms of conduct with the effect, intent, or propensity to draw a crowd or onlookers are within the purview of the regulation.

13. Paragraph (c) (2) was criticized as unreasonably barring "demonstrations" and "special events" from certain areas of National Capital Parks. The Department believes that the enumerated areas are areas within which the government's interest in protecting legitimate security and park value interests, including the maintenance of an atmosphere of calm, tranquility, and reverence in the vicinity of major memorials, is substantial. Maintenance of such an atmosphere will substantially enhance the visitor's park experience and does not place an unreasonable limitation on First Amendment activity especially in light of the availability of other nearby park areas. Furthermore, with regard to Constitution Gardens it is felt that restriction on permissible activities is necessary in order to permit the new plantings to become established. One change suggested by the commentator was adopted (See A 2 above).

14. A comment was received criticizing the term "fully executed" in paragraph (d) as "vague". The Department respectfully disagrees and believes that this requirement is necessary to obtain the information requested in order to determine whether the activity may be permitted within the requirements of the regulation.

15. Paragraph (d) (1) was criticized because it establishes a system of "priority use" for certain enumerated "national celebration events". The Department believes that this complies fully with the District Court's order and moreover, adopts the system suggested in the Court of Appeals' opinion in *A Quaker Action Group, et al. v. Morton*, 516 F2d 717, 729 (1975). This priority use system is based strictly on the "first-come first-served" basis adopted for the allocation of park land in that the listed activities are annually recurrent events which are planned and budgeted for the same park areas and times year after year.

16. Paragraph (d) (2) was criticized for not setting forth specific implementing standards for the denial or withdrawal of a permit. The Department respectfully disagrees and believes that the criteria for denial or withdrawal of a permit are clearly articulated in paragraphs (d), (e), and (f) and are specific and unambiguous.

17. The term "cannot reasonably be accommodated" in paragraph (d) (3) was criticized as "unduly vague". The Department respectfully disagrees.

18. The 750 person limitation for White House sidewalk demonstrations contained in paragraph (e) (1) was criticized

as unjustifiable. This limitation is necessary in order to protect the legitimate security and park value interests in the area. In accord with the District Court's order, consideration of extending the waiver provision applicable in Lafayette Park to White House sidewalk demonstrations will be given in future rulemaking proceedings.

19. Paragraph (e) (2) was criticized for establishing a 3000 person limitation on demonstrations in Lafayette Park. For the reasons set forth above, the Department respectfully disagrees. Also, the impact of this restriction is minimized by that portion of the regulation which provides for a waiver of the 3000 person limitation under certain circumstances.

20. Paragraph (e) (2) (i) through (viii) was criticized as placing the burden of proof on an applicant for a waiver of the 3000 person limitation, for requiring a waiver application 15 days in advance of the proposed activity, and for requiring "elaborate" information for the waiver. In its order on mandate, the District Court clearly stated that the Secretary shall establish a waiver procedure, "... including a requirement that applicants make an adequate showing that their proposed demonstration had been planned and would be patrolled in such a fashion as to render unlikely any substantial risk..." The court has clearly placed the burden on the applicant. It is the Department's opinion that the 15 day requirement is reasonable and necessary in order to evaluate the proffered information and to initiate additional security measures, etc. Also, the information required by the regulation relates directly to the standard that the "... applicant make an adequate showing..." as contained in the District Court order.

21. Paragraph (e) (3) was criticized for its adoption of the numerical limitations mentioned by the District Court in its order on mandate. Such limitations are necessary to protect the legitimate security and park value interests in the area.

22. A comment was received suggesting that if the term "insure good order", paragraph (e) (3), meant that marshals would enforce the law that it was wrong and that marshals should not assume the role of the police by attempting physical restraint. The Department agrees and the regulation is not intended to have marshals serve as police officers. However, it is intended that marshals use their persuasion and influence with participants to preserve good order and compliance with the permit requirements.

23. Paragraph (e) (4) was criticized as constituting a durational limitation in violation of the District Court's order on mandate. The Department disagrees. Paragraph (e) (4) merely limits the period of time for which a permit will be issued. It expressly states that such periods will be extended for demonstrations. There is no requirement that the applicant obtain an extension but rather, as stated in the prefatory statement at 40 FR 58653 (1975), "... the activity will be permitted to continue..." In effect,



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Street and south of D Street, SW., for no more than 25 persons.

(c) Permit applications shall be submitted to the Director, National Capital Parks, 1100 Ohio Drive, SW., Washington, D.C. 20242. Permit applications shall be submitted in writing on a form provided by the National Park Service so as to be received by the Director at least 48 hours in advance of any proposed demonstration or special event. Forms shall be received only during the hours of 8 a.m.-4 p.m., Monday through Friday, holidays excepted. All demonstration applications, except those seeking waiver of the numerical limitations applicable to Lafayette Park (e)(2), shall be deemed granted, subject to all limitations and restrictions applicable to said park, unless denied within 24 hours of receipt. However, where a permit has been granted, or is deemed to have been granted pursuant to this subsection, the Director may revoke that permit pursuant to section (f).

(1) *White House area*: No permit shall be issued authorizing demonstrations, except for the White House sidewalk, Lafayette Park and the Ellipse. No permit shall be issued authorizing special events, except for the Ellipse, and except for annual commemorative wreath-laying ceremonies relating to the statues in Lafayette Park.

(2) *Other park areas*: No permit shall be issued authorizing demonstrations or special events in the following other park areas:

(i) The Washington Monument, except for the official annual commemorative Washington birthday ceremony.

(ii) The Kennedy Center.

(iii) The Lincoln Memorial, except for the official annual commemorative Lincoln birthday ceremony.

(iv) The Jefferson Memorial, except for the official annual commemorative Jefferson birthday ceremony.

(v) Constitution Gardens.

(d) Permit application for demonstrations and special events shall be processed in order of receipt, and the use of a particular area shall be allocated in order of receipt of fully executed applications, subject to the limitations set forth in this section, provided that a permit may be denied in writing upon the personal approval of the Director, or, in his absence or unavailability by an authorized delegate of responsible rank and function upon the following grounds:

(1) A fully executed prior application for the same time and place has been received, and a permit has been or will be granted authorizing activities which do not reasonably permit multiple occupancy of the particular area; in that event, an alternate site, if available for the activity, shall be proposed by the Director to the applicant; provided, however, that the following national celebration events shall have priority use of the particular park area during the indicated period, as follows:

(i) *Christmas Pageant of Peace*: In the oval portion of the Ellipse only, during approximately the last three weeks in December.

(ii) *President's Cup Regatta*: In East Potomac Park for approximately two days during the first week in June.

(iii) *Cherry Blossom Festival*: In the Japanese Lantern area adjacent to the Tidal Basin and on the Ellipse and the Washington Monument Grounds adjacent to Constitution Avenue, NW., between 15th and 17th Streets, NW., for one day during the first two weeks in April.

(iv) Fourth of July Celebration: On the Washington Monument Grounds.

(v) Festival of American Folklife: In the areas bounded on the south by Independence Avenue, NW.; on the north by a line running adjacent to the south side of the Reflecting Pool between 17th Street, NW., and Lincoln Memorial Circle; on the east by 17th Street, NW.; on the west by Lincoln Memorial Circle and 23rd Street, NW., for two week period in approximately late June and early July.

(vi) Columbus Day Commemorative Wreath-Laying: At the Columbus statue on the Union Plaza on Columbus Day.

(2) It reasonably appears that the proposed demonstration or special event will present a clear and present danger to the public safety, good order, or health.

(3) The proposed demonstration or special event is of such a nature or duration that it cannot reasonably be accommodated in the particular area applied for; in that event, an alternate site, if available for the activity, shall be proposed by the Director to the applicant; in this connection, the Director shall reasonably take into account possible damage to the park, including trees, shrubbery, other plantings, park installations and statues.

(4) The application proposes activities contrary to any of the provisions of this section or other applicable law or regulation.

(e) Issuance of permits shall be subject to the following limitations:

(1) No more than 750 persons shall be permitted to conduct a demonstration on the White House sidewalk at any one time.

(2) No more than 3,000 persons shall be permitted to conduct a demonstration in Lafayette Park at any one time. The Director may waive the 3,000 person limitation for Lafayette Park upon a showing by the applicant that the proposed demonstration has been planned and will be patrolled in such a fashion so as to render unlikely any substantial risk to legitimate public interests in the area. In making a waiver determination the Director shall consider and the applicant shall furnish the following information at least 15 days in advance of the proposed demonstration.

(i) Number of marshals to be furnished.

(ii) The training these marshals have received including a brief summary of that training.

(iii) The experience of these marshals in crowd situations including a brief summary of those experiences.

(iv) The equipment to be furnished marshals including number of portable radios, power and frequency.

(v) The means by which marshals shall be identified.

(vi) A summary of proposed marshal functions including emergency contingency plans.

(vii) List of emergency facilities to be provided including first aid and sanitary facilities.

(3) No permit shall be issued for a demonstration on the White House sidewalk and in Lafayette Park at the same time, except under the following conditions:

(i) Any demonstrator overages above those specified in (e)(1-2) shall proceed to the Ellipse via 15th Street and/or 17th Street (or shall proceed to some other agreed-upon designated park site) and shall there conduct their demonstration activities; and

(ii) The organization, group, or other sponsor of such demonstration shall undertake in good faith all reasonable action—including the provision of sufficient marshals—to insure good order and self-discipline in carrying on such demonstration, including any necessary movements of persons, so that the numerical limitations prescribed in (e)(1-2) shall be observed at all times on the White House sidewalk and in Lafayette Park.

(4) No permit shall be issued authorizing demonstrations or special events in excess of the time periods below provided that these periods shall be extended for demonstrations only, unless another application requests use of the particular area and said application precludes double occupancy:

(i) White House area, except the Ellipse: Seven days.

(ii) The Ellipse and all other park areas: Three weeks.

(5) No demonstration or special event shall be permitted to be held between the hours of 7:00-9:30 a.m. and 4:00-6:30 p.m., except on Saturdays, Sundays, and legal holidays. If it shall be made to appear to the satisfaction of the Director that the holding of a particular demonstration or special event will not unreasonably interfere with rush-hour traffic, this requirement will be waived by the Director.

(6) No special event shall be permitted unless approved by the Director. In determining whether to approve a proposed special event, the Director shall consider and base his determination upon the following criteria:

(i) Whether the objectives and purposes of the proposed special event relate to and are within the basic mission and responsibilities of National Capital Parks, National Park Service.

(ii) Whether the park area requested is reasonably suited in terms of accessibility, size, and nature of the proposed special event.

(iii) Whether the proposed special event can be permitted within a reasonable budgetary allocation of National Park Service funds considering the event's public appeal, and the anticipated

participation of the general public therein.

(iv) Whether the proposed event is duplicative of events previously offered in National Capital Parks areas or elsewhere in or about Washington, D.C.

(v) Whether the activities contemplated for the proposed special event are in conformity with all applicable laws and regulations.

(7) In connection with permitted demonstrations or special events, temporary structures (including speakers' stands, platforms, lecterns, chairs, portable sanitary facilities and press and news facilities) reasonably necessary for the conduct of the demonstration or special event shall be permitted, provided prior notice has been given to the Director, except that:

(i) No structures shall be permitted on the White House sidewalk.

(ii) All such temporary structures shall be erected in such a manner so as to cause the least possible damage to park property and basic park values and shall be removed as soon as practicable after the conclusion of the permitted demonstration or special event.

(iii) The Director may impose reasonable restrictions upon the temporary structures permitted, in the interest of protecting the park areas involved, traffic and public safety considerations, and other legitimate park value concerns.

(iv) Any structures utilized in a demonstration extending in duration beyond the time limitations specified in (e) (4) (i) and (ii) must upon 24 hours notice be capable of being removed and the site restored or the structure secured in such a fashion so as to not unreasonably interfere with use of the park area by other permittees authorized under this section.

(8) In connection with permitted demonstrations or special events, sound amplification equipment reasonably necessary for the conduct of the demonstration or special event shall be permitted, provided prior notice has been given to the Director, except that:

(i) No sound amplification equipment shall be used on the White House sidewalk, other than hand-portable sound amplification equipment which the Director determines, in the exercise of his judgment, is necessary for crowd-control purposes.

(ii) The Director reserves the right to limit the sound amplification equipment, so that it will not unreasonably disturb nonparticipating persons in, or in the vicinity of, the area.

(9) Authorized permits may contain additional reasonable conditions and additional time limitations, consistent with this regulation, in the interest of protecting the park site, the use of nearby areas by other persons, and other legitimate park value concerns.

(10) Permits issued under this section do not authorize activities outside of areas under administration by National Capital Parks. Applicants may also require a permit from the District of Co-

lumbia or other appropriate governmental entity for demonstrations or special events sought to be conducted either wholly or in part in other than park areas.

(f) A permit issued for a demonstration is revocable only upon a ground for which an application therefor would be subject to denial under (d) or (e) above. Any such revocation, prior to the conduct of the demonstration, shall be in writing and shall be personally approved by the Director, or, in his absence or unavailability, by an authorized delegate of responsible rank and function. During the conduct of a demonstration, a permit may be revoked by the ranking U.S. Park Police supervisory official in charge if continuation of the event presents a clear and present danger to the public safety, good order or health or for any violations of applicable law or regulation. A permit issued for a special event is revocable, at any time, in the reasonable discretion of the Director or his authorized delegate.

[FR Doc.76-8889 Filed 3-26-76;8:45 am]

**Title 45—Public Welfare**

**CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE**

**PART 249—SERVICES AND PAYMENT IN MEDICAL ASSISTANCE PROGRAMS**

**Intermediate Care Facility Services—Resident Rights**

Notice of proposed regulations was published in the FEDERAL REGISTER of March 4, 1975 (40 FR 8956), to add a requirement for the recognition and the maintenance of the rights of residents in intermediate care facilities (ICFs) participating in the Medicaid program (title XIX, Social Security Act). These regulations parallel the patients' rights requirement established for skilled nursing facilities (SNFs) participating in Medicaid. The basis for this provision is the Department's desire to promote the physical and emotional well-being of ICF residents by setting forth certain rules with respect to the rights to be accorded residents by facility personnel and individual practitioners rendering treatment there.

Comments were received from 27 respondents, including State agencies; providers and provider organizations; consumers and consumer groups. Major changes made as a result of comments are summarized below:

1. With respect to reasonable advance notice of transfer or discharge of a resident, the regulation has been revised to require consultation with the resident or person acting in his behalf at least 5 days in advance.

2. Revision has been made to clarify that only a physician and, as appropriate, a Qualified Mental Retardation Professional, may authorize chemical or physical restraints except in emergencies, and to require that the facility's

policies identify the professional personnel who may authorize the application of such restraints in emergencies.

3. The Department has accepted the recommendation that residents be afforded opportunity to participate in the planning of their total care and medical treatment, rather than limiting the participation to health and medical care plans. This provision now also includes the right of residents to refuse treatment, and to participate in research projects only upon their written consent.

4. It was suggested by several respondents that there be an internal grievance mechanism within the facility for assuring that residents' rights are protected. Accordingly, the final regulation requires facilities to establish policies describing procedures for such mechanisms and for assuring appropriate follow-up.

5. It was recommended that the Joint Commission on the Accreditation of Hospitals' position regarding behavior modification programs should be included. This provision, which is now in 45 CFR 249.13 as a standard applicable to all ICFs for the mentally retarded after March 1977, specifies that consent is required only for participation in an aversive behavior modification program, not for all such programs. The recommendation has been accepted. Also accepted was the recommendation to amend the regulation to require the "informed" consent of the parent or guardian.

6. The provision for confidential treatment of residents' personal and health and medical records has been modified, and a requirement for facility policies on this subject has been added, to conform to the provisions applicable to ICFs/MR contained in 45 CFR 249.13(d)(3). This is in line with the Department's commitment to uniformity between general and mental retardation ICFs.

7. The suggestion has been accepted that information on facility services and charges be provided to recipients in writing.

8. There were objections to the provision that a physician who may not have a speciality in mental retardation would decide whether a resident is incapable of understanding his rights. Accordingly, § 249.12(a)(1)(ii)(C) has been amended to require that this determination may be made by a physician or Qualified Mental Retardation Professional, as appropriate, and that the specific impairment be documented in the resident's record.

9. Concern was expressed regarding overuse of the term "unless medically contraindicated." In the final regulation, the term has been deleted where appropriate, to assure that this documentation be made only in instances which require medical, and not administrative, judgments.

10. To avoid any misinterpretations, the final regulation has been amended to provide clearly that the resident is not required to perform services for the facility. Where appropriate for therapeutic or

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diversional purposes and agreed to by the resident, such services may be included in his plan of care and treatment.

Suggestions which were not accepted include:

1. The facility should designate the specific staff member with responsibility for fully informing the resident of his rights, and have one inclusive document outlining rights. No change has been made because the Department believes that this much detail is inappropriate for Federal regulations, and that this would be unduly burdensome on the facility.

2. These regulations should reprint in full or cross-reference the Department's regulations on sterilization and on participation in research projects. This was not accepted because there is provision in these regulations for the resident's participation in the planning of his total care and medical treatment, and because it would be impractical to cross-reference all other applicable regulations.

3. Include a provision to the effect that a statement on patients' rights which meets requirements of 20 CFR 405.1121 (k) (Social Security Administration regulations applicable to skilled nursing facilities under both Medicare and Medicaid) will be deemed to satisfy requirements of this regulation. Where possible, the statements on rights have been coordinated; however, the variations in SNF and ICF populations necessitate, in some instances, a difference in the two regulations.

4. Adopt the skilled nursing facility regulation (20 CFR 405.1121(k)(6)) for management of personal financial affairs. This suggestion will be considered in common SNF and ICF requirements for management of financial affairs.

5. Enforceable obligations should be written into the regulations. With regard to those requirements binding on the facility, this has been accomplished. With regard to residents, they are assured the rights but cannot be forced to exercise this authority. For example, it is not appropriate to specify that the resident "shall" participate in social and other groups, rather than "may."

6. The facility should be required to have a human rights committee responsible for establishing criteria and reviewing incompetency decisions. No change is necessary, as this function should be picked up by the independent professional review team, and this will be clarified in guidelines.

7. Definition of both physical and chemical restraints. This was not done as the Department desires to maintain consistency with the SNF patient rights regulations and as the term is one that is commonly used and understood in the field. The subject of restraints will be treated in greater detail in the guidelines.

Accordingly, the proposed regulations as modified are adopted.

Part 249, Chapter II, Title 45, Code of Federal Regulations, is amended as set forth below:

1. Section 249.12 (a) (1) (ii) and (c) (6) are revised to read as follows:

§ 249.12 Standards for intermediate care facilities.

(a) (1) \* \* \*

(ii) There are written policies and procedures available to staff, residents, their families or legal representatives and the public which:

(A) Govern all areas of service provided by the facility:

(1) Admission, transfer, and discharge of residents policies shall assure that:

(i) Only those persons are accepted whose needs can be met by the facility directly or in cooperation with community resources or other providers of care with which it is affiliated or has contracts;

(ii) As changes occur in their physical or mental condition, necessitating service or care which cannot be adequately provided by the facility, residents are transferred promptly to hospitals, skilled nursing facilities, or other appropriate facilities; and

(iii) Except in the case of an emergency, the resident, his next of kin, attending physician, and the responsible agency, if any, are consulted at least 5 days in advance of the transfer or discharge of any resident, and casework services or other means are utilized to assure that adequate arrangements exist for meeting his needs through other resources;

(2) Policies define the uses of chemical and physical restraints, identify the professional personnel under subparagraph (a) (1) (ii) (B) (7) of this section who may authorize the application of restraints in emergencies and describe the mechanism for monitoring and controlling their use;

(3) Policies define procedures for submittal of complaints and recommendations by residents and for assuring response and disposition; and

(4) There shall be written policies governing access to, duplication of, and dissemination of information from the resident's record;

(B) Ensure that each resident admitted to the facility:

(1) Is fully informed of his rights and responsibilities as a resident and of all rules and regulations governing resident conduct and responsibilities. Such information must be provided prior to or at the time of admission or, in the case of residents already in the facility, upon the facility's adoption or amendment of resident right policies, and its receipt must be acknowledged by the resident in writing; and in the case of a mentally retarded individual, witnessed by a third person;

(2) Is fully informed in writing prior to or at the time of admission and during stay, of services available in the facility, and of related charges including any charges for services not covered under the title XIX program or not covered by the facility's basic per diem rate;

(3) Is fully informed by a physician, of his health and medical condition un-

less medically contraindicated (as documented by a physician in his resident record), and is afforded the opportunity to participate in the planning of his total care and medical treatment and to refuse treatment, and participates in experimental research only upon his informed written consent;

(4) Is transferred or discharged only for medical reasons or for his welfare or that of other patients, or for nonpayment for his stay (except as prohibited by the title XIX program);

(5) Is encouraged and assisted, throughout his period of stay, to exercise his rights as a resident and as a citizen, and to this end may voice grievances and recommend changes in policies and services to facility staff and/or to outside representatives of his choice, free from restraint, interference, coercion, discrimination, or reprisal;

(6) May manage his personal financial affairs, and to the extent, under written authorization by the resident, that the facility assists in such management, that it is carried out in accordance with paragraph (a) (1) (iii) of this section;

(7) Is free from mental and physical abuse, and free from chemical and physical restraints except as follows: when authorized in writing by a physician for a specified period of time; when necessary in an emergency to protect the resident from injury to himself or to others, in which case restraints may be authorized by designated professional personnel who promptly report the action taken to the physician; and in the case of a mentally retarded individual when authorized in writing by a physician or Qualified Mental Retardation Professional for use during behavior modification sessions;

(8) In the case of a mentally retarded individual, participates in a behavior modification program involving use of restraints or aversive stimuli only with the informed consent of his parent or guardian;

(9) Is ensured confidential treatment of all information contained in his records, including information contained in an automatic data bank, and his written consent shall be required for the release of information to persons not otherwise authorized under law to receive it;

(10) Is treated with consideration, respect, and full recognition of his dignity and individuality, including privacy in treatment and in care for his personal needs;

(11) Is not required to perform services for the facility;

(12) May communicate, associate and meet privately with persons of his choice, unless to do so would infringe upon the rights of other residents, and send and receive his personal mail unopened;

(13) May participate in activities of social, religious, and community groups at his discretion, unless contraindicated for reasons documented by a Qualified Mental Retardation Professional as appropriate in his resident record;

(14) May retain and use his personal clothing and possessions as space permits; and

(15) If married, is ensured privacy for visits by his/her spouse; if both are residents in the facility, they are permitted to share a room.

(C) Provide that all rights and responsibilities of the resident devolve to the resident's guardian, next of kin, or sponsoring agency(ies), where:

- (1) a resident is adjudicated incompetent in accordance with State law; or
- (2) his physician or, in the case of a mentally retarded individual, a Qualified Mental Retardation Professional has documented in the resident's record the specific impairment that has rendered the resident incapable of understanding these rights.

(c) . . . .

(6) No later than three years after the effective date of these regulations the institution meets the standards specified in § 249.13. For institutions determined to meet the standards specified in § 249.13, the following sections of paragraphs (a) and (c) of this section do not apply: (a)(1)(i), (ii), (iv), (v) and (vi); (a)(4); (a)(6)(i)(B), (ii), (v), (vi), (vii), and (viii); (a)(7); (a)(8); (c)(4); and (c)(5).

2. The introductory language to § 249.13 is revised to read as follows:

**§ 249.13 Standards for intermediate care facility services in institutions for the mentally retarded or persons with related conditions.**

Effective not later than 3 years after the effective date of these regulations, the standards for intermediate care facility services (as defined in § 249.10(b)(15)) in an institution for the mentally retarded or persons with related conditions which are specified by the Secretary pursuant to section 1905(c) and (d) of the Social Security Act and referred to in § 249.12(c)(6), are specified in this section. At such time as an institution is deemed to meet the standards contained in this section, such institution will no longer be required to meet the following provisions of § 249.12: (a)(1)(i), (ii),

(iv), (v) and (vi); (a)(4); (a)(6), (i)(B), (iii), (v), (vi), (vii) and (viii); (a)(7); (a)(8); (c)(4); and (c)(5).

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302)).

**Effective Date:** The regulations in this section shall be effective June 28, 1976.

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program)

Dated: December 8, 1975.

JOHN A. SVAHN,  
Acting Administrator, Social and  
Rehabilitation Service.

Approved: March 22, 1976.

MARJORIE LYNCH,  
Acting Secretary.

[FR Doc. 76-8773 Filed 3-26-76; 8:45 am]

**Title 24—Housing and Urban Development  
CHAPTER X—FEDERAL INSURANCE  
ADMINISTRATION**

[Docket No. FI-936]

**PART 1915—IDENTIFICATION AND  
MAPPING OF SPECIAL HAZARD AREAS**

**List of Communities With Special  
Hazard Areas**

The purpose of this notice is the identification of communities with areas of special flood or mudslide or erosion hazards in accordance with Part 1915 of Title 24 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 USC 4001-4128). The identification of such areas is to provide guidance so that communities may adopt appropriate flood plain management measures to minimize damage caused by flood losses and to guide future construction, where practicable, away from locations which are threatened by flood hazards.

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

cated within any community participating in the National Flood Insurance Program.

One year after the identification of the community as flood prone, the requirement applies to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition and construction in these areas unless the community has entered the program. The prohibition, however, does not apply to loans by a Federally regulated, insured, supervised or approved bank prior to March 1, 1976, to finance the acquisition of a previously occupied residential dwelling.

The effective date of identification shall be 30 days after the date of publication in the FEDERAL REGISTER, or the date which appears in this notice, whichever is later.

This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The six months period shall be considered to begin 30 days after the date of publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under Section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin 30 days after publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later.

Where several dates appear in the column set forth below marked Effective Date of Identification, the first date is the date of initial identification, and all other dates represent modification by additions or deletions to identified areas with special hazards.

Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

**§ 1915.3 List of communities with special hazard areas (FHBMs in effect).**

| State    | County     | Location              | Map No.                      | State map repository   | Local map repository                       | Effective date of identification of areas which have special flood hazards |
|----------|------------|-----------------------|------------------------------|--|--|--|
| Alabama  | Calhoun    | Hobson City, city of. | H 010021A 01                 | Alabama Development Office, Office of State Planning, State Office Bldg., 501 Dexter Ave., Montgomery, Ala. 36104.<br>Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery, Ala. 36104.      | Mayor, 21 Park Ave., Anniston, Ala. 36201. | May 17, 1974.  |
| Arkansas | Clay       | Corning, city of.     | H 050030A 01                 | Division of Soil and Water Resources, State Department of Commerce, 1200 Westpark Dr., Room 308, Little Rock, Ark. 72204.<br>Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72204. | Mayor, City Hall, Corning, Ark. 72422.     | Oct. 12, 1973.   |
| Do.      | Sebastian  | Huntington, city of.  | H 050834A 01                 | do.  | Mayor, City Hall, Huntington, Ark. 72940.  | Sept. 19, 1975.  |
| Do.      | Washington | Springdale, city of.  | H 050219A 01<br>H 050219A 06 | do.  | Mayor, City Hall, Springdale, Ark. 72764.  | Apr. 5, 1974.<br>Mar. 5, 1976.   |
| Do.      | Jackson    | Tupelo, town of.      | H 050106A 01                 | do.  | Mayor, Town Hall, Tupelo, Ark. 72109.      | Aug. 16, 1974.<br>Mar. 5, 1976.  |

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| State      | County      | Location                | Map No.  | State map repository  | Local map repository  | Effective date of identification of areas which have special flood hazards |
|------------|-------------|-------------------------|--|---|---|--|
| California | Solano      | Dixon, city of          | H 060369A 01<br>through<br>H 060369A 02  | Department of Water Resources, P.O. Box 888, Sacramento, Calif. 95802.  | City Manager, 155 North Second St., Dixon, Calif. 95620.                            | Mar. 15, 1974.<br>Mar. 5, 1976.  |
| Do.        | Los Angeles | San Dimas, city of      | H 060164A 01<br>through<br>H 060164A 16  | California Insurance Department, 600 South Commonwealth Ave., Los Angeles, Calif. 90005.                                  | Director of Public Works, 245 East Bonita Ave., City Hall, San Dimas, Calif. 91733. | June 28, 1974.<br>Mar. 5, 1976.  |
| Colorado   | Boulder     | Boulder, city of        | H 060024A 01<br>through<br>H 060024A 06  | Colorado Water Conservation Bldg., Room 102, 1845 Sherman St., Denver, Colo. 80203.                                       | Mayor, City Hall, 1777 Broadway, P.O. Box 791, Boulder, Colo. 80502.                | June 14, 1974.<br>Mar. 5, 1976.  |
| Do.        | Teller      | Cripple Creek, city of  | H 060174A 01   | do.   | Mayor, P.O. Box 278, City Hall, Cripple Creek, Colo. 80812.                         | Sept. 13, 1974.<br>Mar. 5, 1976.   |
| Do.        | La Plata    | Durango, city of        | H 060099A 01<br>through<br>H 060099A 02  | do.   | Mayor, P.O. Box 221, City Hall, Durango, Colo. 81301.                               | Nov. 30, 1973.<br>Mar. 5, 1976.  |
| Do.        | Costilla    | San Luis, town of       | H 060039A 01   | do.   | Mayor, Town Hall, 356 Main St., P.O. Box 58, San Luis, Colo. 81152.                 | May 24, 1974.<br>Mar. 5, 1976.   |
| Do.        | Huerfano    | Walsenburg, city of     | H 060063A 01<br>through<br>H 060063A 04<br>H 120180A 01<br>through<br>H 120180A 04 | do.   | Mayor, 122 East 6th, City Hall, Walsenburg, Colo. 81089.                            | Jan. 23, 1974.<br>Mar. 5, 1976.  |
| Florida    | Orange      | Apopka, city of         | H 120180A 01<br>through<br>H 120180A 04  | Department of Community Affairs, 2671 Executive Center Circle East, Howard Bldg., Tallahassee, Fla. 32301.                | Mayor, P.O. Box 229, Apopka, Fla. 32708.  | July 19, 1974.<br>Mar. 5, 1976.  |
| Do.        | Broward     | Pompano Beach, city of  | H 120055A 01<br>through<br>H 120055A 06  | State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.                          | Mayor, P.O. Drawer 1300, Pompano Beach, Fla. 33061.                                 | Mar. 16, 1973.<br>Mar. 5, 1976.  |
| Georgia    | Coweta      | Unincorporated areas.   | H 130298 01<br>through<br>H 130298 33  | Department of Natural Resources, Office of Planning and Research, 270 Washington St., S.W., Room 707, Atlanta, Ga. 30334. | Coweta County Commissioner's Office, Furin, Ga. 30289.                              | Apr. 30, 1974.   |
| Do.        | Floyd       | Do.                     | H 130079 01<br>through<br>H 130079 88  | Georgia Insurance Department, State Capitol, Atlanta, Ga. 30334.  | Chairman, P.O. Box 946, Rome, Ga. 30161.  | Do.  |
| Do.        | Clayton     | Jonesboro, city of      | H 130043A 01<br>through<br>H 130043A 02  | do.   | Mayor, 102 N. McDonough St. Jonesboro, Ga. 30236.                                   | May 24, 1974.<br>Mar. 5, 1976.   |
| Do.        | Gwinnett    | Norcross, city of       | H 130101A 01<br>through<br>H 130101A 08  | do.   | Mayor, 39 South Peachtree St., Norcross, Ga. 30071.                                 | May 24, 1974.<br>Mar. 5, 1976.   |
| Do.        | Bryan       | Pembroke, city of       | H 130017A 01<br>through<br>H 130017A 02  | do.   | Mayor, P.O. Box 128, Pembroke, Ga. 31821.   | May 10, 1974.  |
| Do.        | Wheeler     | Unincorporated areas.   | H 130198 01<br>through<br>H 130198 24  | do.   | County Commissioner, Wheeler County Court House, Alamo, Ga. 30411.                  | Apr. 30, 1976.   |
| Idaho      | Jefferson   | Menan, city of          | H 160179 01  | Department of Water Administration, State House—Annex 2, Boise, Idaho 83707.  | Mayor, P.O. Box 12, Menan, Idaho 83434.   | Apr. 30, 1976.   |
| Do.        | Shoshone    | Smelterville, city of   | H 160117 01  | Idaho Department of Insurance, Room 206—Statehouse, Boise, Idaho 83707.   | Mayor, 501 Main St., Smelterville, Idaho 83868.                                     | Apr. 30, 1976.   |
| Illinois   | Menard      | Arthur, village of      | H 170520A 01   | Governor's Task Force on Flood Control, 300 North State St., P.O. Box 478, Room 1010, Chicago, Ill. 60610.                | Village President, Village Hall, Arthur, Ill. 61911.                                | May 3, 1974.<br>Mar. 5, 1976.  |
| Do.        | Green       | Carrollton, city of     | H 170260A 01   | Illinois Insurance Department, 425 West Jefferson St., Springfield, Ill. 62702.   | Mayor, City Hall, 621 South Main, Carrollton, Ill. 62016.                           | June 7, 1974.<br>Mar. 5, 1976.   |
| Do.        | Henry       | Geneseo, city of        | H 170284A 01<br>through<br>H 170284A 07  | do.   | Mayor, 101 South State St., P.O. Box 64, Geneseo, Ill. 61234.                       | Dec. 17, 1973.<br>Mar. 5, 1976.  |
| Do.        | Cook        | Hodgkins, village of    | H 170106A 01   | do.   | Village President, 8900 Lyons St., Hodgkins, Ill. 60525.                            | Mar. 29, 1974.<br>Mar. 5, 1976.  |
| Do.        | Grundy      | Mason, village of       | H 170282A 01   | do.   | Village President, Village Hall, Mason, Ill. 60444.                                 | Oct. 18, 1974.<br>Mar. 5, 1976.  |
| Do.        | Kendall     | Millington, village of  | H 170843A 01   | do.   | Village President, Village Hall, Millington, Ill. 60537.                            | Dec. 28, 1973.<br>Mar. 5, 1976.  |
| Do.        | Fulaski     | Olmstead, village of    | H 170566A 01   | do.   | Village President, P.O. Box 188, Olmstead, Ill. 62370.                              | Aug. 30, 1974.<br>Mar. 5, 1976.  |
| Do.        | Cook        | Palos Hills, city of    | H 170143A 01<br>through<br>H 170143A 02  | do.   | Mayor, 8555 West 103rd St., Palos Hills, Ill. 60465.                                | Mar. 22, 1974.<br>Mar. 5, 1976.  |
| Do.        | Sangamon    | Riverton, village of    | H 170603A 01   | do.   | Village President, 313 East Jefferson, Riverton, Ill. 62561.                        | Nov. 16, 1973.<br>Mar. 5, 1976.  |
| Do.        | Champaign   | St. Joseph, village of  | H 170032A 01   | do.   | Village President, 407 South Third St., St. Joseph, Ill. 61573.                     | Nov. 23, 1973.<br>Mar. 5, 1976.  |
| Do.        | Marshall    | Sparland, village of    | H 170459A 01   | do.   | Mayor, Village Hall, Sparland, Ill. 61565.  | Nov. 23, 1973.<br>Mar. 5, 1976.  |
| Do.        | Lake        | Tower Lakes, village of | H 170338B 01   | do.   | Village President, 225 Circle Dr., Barrington, Ill. 60010.                          | Apr. 5, 1974.<br>Dec. 27, 1974.<br>Mar. 5, 1976.                           |



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| State    | County      | Location                | Map No.                                  | State map repository  | Local map repository                                       | Effective date of identification of areas which have special flood hazards |
|----------|-------------|-------------------------|--|---|--|--|
| Indiana  | Hamilton    | Carmel, town of         | H 180081A 01<br>through<br>H 180081A 04  | Division of Water, Department of Natural Resources, 608 State Office Bldg., Indianapolis, Ind. 46204.<br>Indiana Insurance Department, 509 State Office Bldg., Indianapolis, Ind. 46204.  | Town President, 130 First Ave., S.W. Carmel, Ind. 46032.   | Aug. 9, 197<br>Mar. 5, 1976.   |
| Do       | Whitley     | Churubusco, town of     | H 180299A 01<br>through<br>H 180299A 02  | .....do.....  | President, Town Hall, Churubusco, Ind. 46723.              | May 31, 1974.  |
| Do       | Owen        | Gosport, town of        | H 180325A 01                             | .....do.....  | President, City Hall, Gosport, Ind. 46528.                 | Nov. 23, 1973.   |
| Do       | Blackford   | Hartford City, city of  | H 180009A 01<br>through<br>H 180009A 03  | .....do.....  | Mayor, 315 West Washington, Hartford City, Ind. 47348.     | Do.<br>Mar. 5, 1976.   |
| Do       | Wells       | Ossian, town of         | H 180290A 01                             | .....do.....  | President, 411 West Mill St., Ossian, Ind. 46777.          | May 31, 1974.  |
| Do       | Gibson      | Princeton, city of      | H 180073A 01                             | .....do.....  | Mayor, City Bldg., Princeton, Ind. 47670.                  | Do.<br>Mar. 5, 1976.   |
| Do       | Jasper      | Remington, town of      | H 180101A 01                             | .....do.....  | Town President, Town Hall, Remington, Ind. 47977.          | May 31, 1974.<br>Mar. 5, 1976.   |
| Do       | DeKalb      | St. Joe, town of        | H 180049A 01<br>through<br>H 180049A 02  | .....do.....  | Town President, St. Joe, Ind. 46785.                       | Dec. 7, 1973.  |
| Do       | Scott       | Scottsburg, city of     | H 180234A 01<br>through<br>H 180234A 02  | .....do.....  | Mayor, City Hall, Two East McLane, Scottsburg, Ind. 47170. | Nov. 23, 1973.<br>Mar. 5, 1976.  |
| Do       | Monroe      | Stinesville, town of    | H 180348A 01                             | .....do.....  | Town President, Town Hall, Stinesville, Ind. 47464.        | Feb. 1, 1974.<br>Mar. 5, 1976.   |
| Do       | Cass        | Walton, town of         | H 180024A 01                             | .....do.....  | Town President, Town Hall, Walton, Ind. 46994.             | May 17, 1974.  |
| Iowa     | Poweshiek   | Guernsey, city of       | H 190497 01                              | Iowa Natural Resources Council, James W. Grimes Bldg., Des Moines, Iowa 50319.<br>Iowa Insurance Department, Lucas State Office Bldg., Des Moines, Iowa 50319.                            | Mayor, City Hall, Guernsey, Iowa 50172.                    | Apr. 30, 1976.   |
| Do       | Franklin    | Hampton, city of        | II 190131A 01<br>through<br>H 190131A 02 | .....do.....  | Mayor, City Hall, Hampton, Iowa 50441.                     | June 21, 1974<br>Mar. 5, 1976.   |
| Do       | Buena Vista | Linn Grove, city of     | II 190032A 01                            | .....do.....  | Mayor, City Hall, Linn Grove, Iowa 51033.                  | Aug. 16, 1974.<br>Mar. 5, 1976.  |
| Do       | Jasper      | Newton, city of         | II 190628 01<br>through<br>H 190628 04   | .....do.....  | Mayor, 115 N. 2d Ave., Newton, Iowa 50208.                 | Apr. 30, 1976.   |
| Do       | Fayette     | Oelwein, city of        | H 190126A 01<br>through<br>H 190126A 02  | .....do.....  | Mayor, City Hall, Oelwein, Iowa 50662.                     | July 26, 1974.<br>Mar. 5, 1976.  |
| Do       | Dubuque     | Sageville, city of      | H 190122A 01                             | .....do.....  | Mayor, City Hall, Sageville, Iowa 52001.                   | Nov. 1, 1974.<br>Mar. 5, 1976.   |
| Do       | Buena Vista | Sloux Rapids, city of   | II 190033A 01                            | .....do.....  | Mayor, City Hall, Sloux Rapids, Iowa 50585.                | May 10, 1974.<br>Mar. 5, 1976.   |
| Do       | Washington  | Wellman, city of        | H 190276 01                              | .....do.....  | Mayor, City Hall, Wellman, Iowa 52356.                     | Apr. 30, 1976.   |
| Do       | Ifancock    | Woden, city of          | II 190410 01                             | .....do.....  | Mayor, City Hall, Woden, Iowa 50484.                       | Do.  |
| Kansas   | Cloud       | Jameslown, city of      | II 200126 01                             | Division of Water Resources, Kansas Department of Agriculture, 1720 South Topeka Ave., Topeka, Kans. 66612.<br>Kansas Insurance Department, 1st Floor, Statehouse, Topeka, Kans. 66612.   | Mayor, P.O. Box 714, Jamestown, Kan. 66948.                | Do.  |
| Kentucky | Campbell    | Bellevue, city of       | H 210035A 01                             | Division of Water, Kentucky Department of Natural Resources, Capitol Plaza Office Tower, Frankfort, Ky. 40601.<br>Kentucky Insurance Department, Old Capitol Annex, Frankfort, Ky. 40601. | Mayor, 616 Poplar St., Bellevue, Ky. 41073.                | Feb. 1, 1974.<br>Mar. 5, 1976.   |
| Do       | Kenlon      | Covington, city of      | H 210129A 01<br>through<br>H 210129A 05  | .....do.....  | Mayor, City-County Bldg., Room 306, Covington, Ky. 41011.  | Mar. 15, 1974.<br>Mar. 5, 1976.  |
| Do       | Campbell    | Dayton, city of         | II 210037A 01                            | .....do.....  | Mayor, 514 Sixth Ave., Dayton, Ky. 41074.                  | Feb. 1, 1974.<br>Mar. 5, 1976.   |
| Do       | Allen       | Scottsville, City of    | H 210001A 01<br>through<br>H 210001A 02  | .....do.....  | Mayor, City-County Bldg., Scottsville Ky., 41264.          | Jan. 1, 1974.<br>Mar. 5, 1976.   |
| Do       | Webster     | Sebree, city of         | II 210224A 01                            | .....do.....  | Mayor, Municipal Bldg., Sebree, Ky. 42455.                 | May 17, 1974.<br>Mar. 5, 1976.   |
| Do       | Bullitt     | Shepherdsville, city of | H 210028A 01<br>through<br>H 210028A 02  | .....do.....  | Mayor, P.O. Box 399, Shepherdsville, Ky. 40165.            | May 24, 1974.<br>Mar. 5, 1976.   |
| Do       | Webster     | Slaughters, town of     | H 210225A 01                             | .....do.....  | Chairman, Slaughters, Ky. 42456.                           | Aug. 16, 1974.<br>Mar. 5, 1976.  |
| Do       | Livingston  | Smithland, city of      | H 210147A 01                             | .....do.....  | Mayor, City Hall, Smithland, Ky. 42081.                    | Feb. 1, 1974.  |
| Do       | Gallatin    | Sparta, city of         | H 210079A 01                             | .....do.....  | Mayor, P.O. Box 38, Sparta, Ky. 41086.                     | Do.<br>Mar. 5, 1976.   |
| Do       | Lincoln     | Stanford, city of       | H 210145A 01<br>through<br>H 210145A 04  | .....do.....  | Mayor, Main St., Stanford, Ky. 40154.                      | May 17, 1974.<br>Mar. 5, 1976.   |
| Do       | Powell      | Stanton, city of        | H 210196A 01<br>through<br>H 210196A 02  | .....do.....  | Mayor, Route 3, Stanton, Ky. 40380.                        | May 24, 1974.  |
| Do       | Spencer     | Taylorsville, city of   | H 210247A 01                             | .....do.....  | Mayor, City Hall, Taylorsville, Ky. 40071.                 | Feb. 1, 1974.  |
| Do       | Union       | Uniontown, town of      | H 210218A 01<br>through<br>H 210218A 02  | .....do.....  | Mayor, P.O. Box 548, Uniontown, Ky. 42401.                 | May 17, 1974.  |
| Do       | Lewis       | Vanceburg, city of      | H 210142A 01                             | .....do.....  | Mayor, P.O. Box 86, Vanceburg, Ky. 41179.                  | Feb. 1, 1974.<br>Mar. 5, 1976.   |
| Do       | Perry       | Vioco, city of          | H 210192A 01<br>through<br>H 210192A 02  | .....do.....  | Mayor, City Hall, Vioco, Ky. 42288.                        | May 10, 1974.<br>Mar. 5, 1976.   |

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| State       | County                 | Location                      | Map No.                              | State map repository   | Local map repository  | Effective date of identification of areas which have special flood hazards |
|-------------|------------------------|-------------------------------|--------------------------------------|--|---|--|
| Do.         | Hardin                 | Vine Grove, city of.          | H 210096A 01 through<br>H 210096A 02 | do.  | Mayor, Box 542, Vine Grove, Ky. 40175.  | May 17, 1974.<br>Mar. 5, 1976.   |
| Do.         | Floyd                  | Wayland, town of.             | H 210073A 01 through<br>H 210073A 03 | do.  | Chairman, Town Hall, Wayland, Ky. 41666.  | Aug. 23, 1974.<br>Mar. 5, 1976.  |
| Do.         | Hardin                 | West Point, city of.          | H 210097A 01 through<br>H 210097A 02 | do.  | Mayor, 508 Elm St., West Point, Ky. 40177.  | May 17, 1974.<br>Mar. 5, 1976.   |
| Do.         | Webster                | Wheatcroft, town of.          | H 210248A 01                         | do.  | Webster County Courthouse, Dixon, Ky. 42409.                                      | Feb. 15, 1974.<br>Mar. 5, 1976.  |
| Do.         | Floyd                  | Wheelwright, city of.         | H 210074A 01 through<br>H 210074A 02 | do.  | Mayor, Box 108, Wheelwright, Ky. 41669.   | May 17, 1974.  |
| Do.         | Letcher                | Whitesburg, city of.          | H 210140A 01                         | do.  | Mayor, P.O. Box 607, Whitesburg, Ky. 41858.                                       | Jan. 23, 1974.   |
| Do.         | Whitley                | Williamsburg, city of.        | H 210228A 01                         | do.  | Mayor, P.O. Box 119, Williamsburg, Ky. 40769.                                     | Feb. 1, 1974.<br>Mar. 5, 1976.   |
| Louisiana   | Livingston Parish      | Denham Springs, city of.      | H 220116A 01 through<br>H 220116A 04 | State Department of Public Works, P.O. Box 4455, Capitol Station, Baton Rouge, La. 70804.<br>Louisiana Insurance Commission, Box 44214, Capitol Station, Baton Rouge, La. 70804. | Mayor, City Hall, Denham Springs, La. 70726.                                      | Mar. 15, 1974.<br>Mar. 5, 1976.  |
| Do.         | Jefferson Davis Parish | Jennings, city of.            | H 220098A 01 through<br>H 220098A 04 | do.  | Mayor, City Hall, Jennings, La. 70546.  | Feb. 1, 1974.<br>Mar. 5, 1976.   |
| Do.         | Allen Parish           | Kinder, town of.              | H 220010A 01                         | do.  | Mayor, Town Hall, Kinder, La. 70648.  | Apr. 5, 1974.<br>Mar. 5, 1976.   |
| Do.         | Pointe Coupee Parish   | Livonia, village of.          | H 220142A 01                         | do.  | Mayor, Village Hall, Livonia, La. 70755.  | Jan. 23, 1974.<br>Mar. 5, 1976.  |
| Do.         | do.                    | New Roads, town of.           | H 220144A 01 through<br>H 220144A 03 | do.  | Mayor, Town Hall, New Roads, La. 70760.   | Feb. 1, 1974.<br>Mar. 5, 1976.   |
| Do.         | Acadia Parish          | Rayne, city of.               | H 220006A 01                         | do.  | Mayor, City Hall, Rayne, La. 70578.   | Mar. 29, 1974.<br>Mar. 5, 1976.  |
| Do.         | Avoyelles Parish       | Stimmesport, town of.         | H 220025 01 through<br>H 220025 04   | do.  | Mayor, Town Hall, Stimmesport, La. 71369.   | Apr. 30, 1976.   |
| Maine       | Penobscot              | Brewer, city of.              | H 230104A 01 through<br>H 230104A 06 | Bureau of Civil Emergency Preparedness, State House, Augusta, Maine 04330.<br>Maine Insurance Department, Capitol Shopping Center, Augusta, Maine 04330.                         | City Manager, Executive Offices, City Hall, Brewer, Maine 04412.                  | Mar. 29, 1974.<br>Mar. 5, 1976.  |
| Do.         | Cumberland             | Pownal, town of.              | H 230204A 01 through<br>H 230204A 12 | do.  | Town Selectman, P.O. Box 129A R.F.D. 1, Pownal, Maine 04069.                      | Jan. 31, 1975.<br>Mar. 5, 1976.  |
| Michigan    | Arenac                 | Augres, city of.              | H 260012A 01 through<br>H 260012A 02 | Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48926.<br>Michigan Insurance Bureau, 111 North Hooper St., Lansing, Mich. 48913.  | Mayor, 110 South Mackinac St., Augres, Mich. 48703.                               | June 7, 1974.<br>Mar. 5, 1976.   |
| Do.         | Berrien                | Benton, township of.          | H 260031A 01 through<br>H 260031A 10 | do.  | Township Supervisor, Town Hall, 1725 Territorial Rd., Benton Harbor, Mich. 49022. | June 28, 1974.<br>Mar. 5, 1976.  |
| Do.         | do.                    | Coloma, township of.          | H 260034A 01 through<br>H 260034A 07 | do.  | Supervisor, 4919 Paw Paw Lake Rd., Coloma, Mich. 49038.                           | June 28, 1974.<br>Mar. 5, 1976.  |
| Do.         | Iosco                  | East Tawas, city of.          | H 260100A 01                         | do.  | Mayor, 120 Westover St., Eastover St., East Tawas, Mich. 48730.                   | May 24, 1974.<br>Mar. 5, 1976.   |
| Do.         | Antrim                 | Elmwood, township of.         | H 260118A 01 through<br>H 260118A 06 | do.  | Township Supervisor, Fouch Rd., R.D. 2, Traverse City, Mich. 49684.               | Sept. 20, 1974.<br>Mar. 5, 1976.   |
| Do.         | Wayne                  | Grosse Pointe Farms, city of. | H 260229A 01                         | do.  | Mayor, 90 Kerby Rd., Grosse Pointe Farms, Mich. 48236.                            | May 17, 1974.<br>Mar. 5, 1976.   |
| Do.         | do.                    | Grosse Pointe Park, city of.  | H 260230A 01 through<br>H 260230A 05 | do.  | Mayor, 15115, East Jefferson Avenue, Grosse Pointe Park, Mich. 48230.             | Apr. 12, 1974.   |
| Do.         | Berrien                | Hagar, township of.           | H 260035A 01 through<br>H 260035A 06 | do.  | Township Supervisor, Township Hall, P.O. Box 78, Riverside, Mich. 49084.          | May 31, 1974.<br>Mar. 5, 1976.   |
| Do.         | Emmet                  | Harbor Springs, city of.      | H 260272A 01 through<br>H 260272A 02 | do.  | Mayor, 349 East Main St., Harbor Springs, Mich. 49740.                            | June 28, 1974.<br>Mar. 5, 1976.  |
| Do.         | St. Clair              | Marine City, city of.         | H 260200A 01                         | do.  | City Manager, 300 Broadway, Marine City, Mich. 48069.                             | May 31, 1974.  |
| Do.         | Macomb                 | Mount Clemens, city of.       | H 260124A 01 through<br>H 260124A 02 | do.  | Mayor, 1 Crocker Blvd., Mount Clemens, Mich. 48043.                               | Oct. 5, 1973.<br>Mar. 5, 1976.   |
| Do.         | Berrien                | St. Joseph, city of.          | H 260044A 01 through<br>H 260044A 02 | do.  | Mayor, 616-620 Broad St., St. Joseph, Mich. 49085.                                | May 24, 1974.<br>Mar. 5, 1976.   |
| Do.         | Muskegon               | Whitehall, city of.           | H 260106A 01                         | do.  | Mayor, 405 East Colby, Whitehall, Mich. 49461.                                    | Aug. 23, 1974.<br>Mar. 5, 1976.  |
| Mississippi | Jones                  | Laurel, city of.              | H 280062A 01 through<br>H 280092A 14 | Mississippi Research & Development Center, P.O. Drawer 2470, Jackson, Miss. 39205.<br>Mississippi Insurance Department, 910 Woolfolk Bldg., P.O. Box 79, Jackson, Miss. 39205.   | Mayor, P.O. Box 647, Laurel, Miss. 39440.   | Nov. 30, 1973.<br>Mar. 5, 1976.  |

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| State      | County     | Location                        | Map No.                             | State map repository  | Local map repository  | Effective date of identification of areas which have special flood hazards |
|------------|------------|---------------------------------|-------------------------------------|---|---|--|
| Missouri   | Andrew     | Bolekow, village of             | H 290006 01                         | Department of Natural Resources, Division of Program & Policy Development, State of Missouri, 308 East High St., Jefferson City, Mo. 65101.   | Chairman, Village Hall, Bolekow, Mo. 64427.                           | Apr. 30, 1976.   |
| Do         | Wayne      | Piedmont, city of               | H 290451 A 01 through H 290451 A 02 | Division of Insurance, P.O. Box 690, Jefferson City, Mo. 65101.   | Mayor, City Hall, Piedmont, Mo. 63957.                                | Mar. 29, 1974.<br>Mar. 5, 1976.  |
| Do         | Jasper     | Sarcoixie, city of              | H 290186 A 01 through H 290186 A 02 | do  | Mayor, 111 North 6th St., City Hall, Sarcoixie, Mo. 64862.            | May 17, 1974.<br>Mar. 5, 1976.   |
| Do         | Greene     | Strafford, city of              | H 290506 01                         | do  | Mayor, City Hall, Strafford, Mo. 65757.                               | Apr. 30, 1976.   |
| Do         | Wayne      | Williamsville, city of          | H 290452 A 01                       | do  | Mayor, City Hall, Williamsville, Mo. 63967.                           | Oct. 18, 1974.<br>Mar. 5, 1976.  |
| Montana    | Valley     | Nashua, town of                 | H 300082A 01                        | Montana Department of Natural Resources & Conservation, Water Resources Division, 32 South Ewing St., Helena, Mont. 59601.<br>Montana Insurance Department, Capitol Bldg., Helena, Mont. 59601.   | Mayor, Nashua, Mont. 59218.   | Apr. 5, 1974.<br>Mar. 5, 1976.   |
| Nebraska   | Richardson | Falls City, city of             | H 310182A 01 through H 310182A 06   | Nebraska Natural Resources Commission, Terminal Bldg., 7th Floor, Lincoln, Nebr. 68508.<br>Nebraska Insurance Department, 1335 L. St., Lincoln, Nebr. 68509.  | Mayor, City Hall, Terrell St., P.O. Box 204, Falls City, Nebr. 78113. | Jan. 23, 1974.<br>Mar. 5, 1976.  |
| Do         | Hitchcock  | Trenton, village of             | H 310113A 01                        | do  | Utilities Superintendent, Village Hall, Trenton, Nebr. 69044.         | Apr. 5, 1974.<br>Mar. 5, 1976.   |
| New Jersey | Burlington | Florence, township of           | H 340098A 01 through H 340098A 04   | Bureau of Water Control, Department of Environmental Protection, P.O. Box 1390, Trenton, N.J. 08625.<br>New Jersey Department of Insurance, State House Annex, Trenton, N.J. 08625.   | Administrator, Front Six Broad St., Florence, N.J. 08578.             | June 28, 1974.<br>Mar. 5, 1976.  |
| Do         | Warren     | Oxford, township of             | H 340492A 01 through H 340492A 02   | do  | Mayor, Washington Ave., Oxford, N.J. 07863.                           | June 21, 1974.<br>Mar. 5, 1976.  |
| Do         | Salem      | Penns Grove, borough of         | H 340419A 01 through H 340419A 02   | do  | Mayor, Main & State St., P.O. Box 527, Penns Grove, N.J. 08069.       | June 28, 1974.<br>Mar. 5, 1976.  |
| Do         | Bergen     | Rochelle Park township of       | H 340070A 01                        | do  | Chairman, Rochelle Ave., Rochelle Park, N.J. 07662.                   | June 22, 1973.<br>Mar. 5, 1976.  |
| Do         | Monmouth   | Roosevelt, borough of           | H 340322A 01 through H 340322A 03   | do  | Mayor, Borough Hall, Roosevelt, N.J. 08555.                           | Feb. 1, 1974.<br>Mar. 5, 1976.   |
| Do         | Middlesex  | South Plainfield, borough of    | H 340279A 01 through H 340279A 04   | do  | Mayor, 2490 Plainfield Ave., South Plainfield, N.J. 07080.            | Feb. 22, 1974.<br>Mar. 5, 1976.  |
| Do         | do         | South River, borough of         | H 340280A 01 through H 340280A 06   | do  | Mayor, 61 Main St., South River, N.J. 08882.                          | Apr. 5, 1974.<br>Mar. 5, 1976.   |
| Do         | do         | Spotswood, borough of           | H 340282A 01                        | do  | Mayor, 77 Summerhill Rd., Spotswood, N.J. 08884.                      | July 6, 1973.  |
| Do         | Monmouth   | Spring Lake Heights, borough of | H 340330A 01                        | do  | Mayor, 557 Brighton Ave., Spring Lake Heights, N.J. 07762.            | May 3, 1974.<br>Mar. 5, 1976.  |
| Do         | Sussex     | Sussex, borough of              | H 340457A 01                        | do  | Mayor, Two Main St., Sussex, N.J. 07461.                              | June 14, 1974.<br>Mar. 5, 1976.  |
| Do         | Hudson     | Weehawken, township of          | H 340228A 01 through H 340228A 02   | do  | Mayor, 400 Park Ave., Weehawken, N.J. 07067.                          | Aug. 2, 1974.  |
| New Mexico | Roosevelt  | Floyd, village of               | H 350103 01                         | State Engineer's Office, Bataan Memorial Bldg., Santa Fe, N. Mex. 87413.<br>New Mexico Department of Insurance, P.O. Box 1200, Santa Fe, N. Mex. 87501.   | Clerk, Village Hall, Floyd, N. Mex. 88118.                            | Apr. 30, 1976.   |
| New York   | Steuben    | Addison, village of             | H 360762A 01 through H 360762A 03   | New York State Department of Environmental Conservation, Division of Resources Management Services, Bureau of Water Management, Albany, N.Y. 12201.<br>New York State Insurance Department, Two World Trade Center, New York, N.Y. 10047. | Mayor, Village Hall, Addison, N.Y. 14801.                             | July 23, 1973.<br>Mar. 5, 1976.  |
| Do         | Delaware   | Andes, village of               | H 360189A 01                        | do  | Mayor, Village Hall, Andes, N.Y. 13731.                               | Aug. 16, 1974.<br>Mar. 5, 1976.  |
| Do         | Allegany   | Andover, village of             | H 360022A 01 through H 360022A 02   | do  | Mayor, Village Hall, Andover, N.Y. 14806.                             | June 14, 1974.<br>Mar. 5, 1976.  |
| Do         | Steuben    | Arkport, village of             | H 360763A 01                        | do  | Mayor, One East Ave., Arkport, N.Y. 14807.                            | May 17, 1974.<br>Mar. 5, 1976.   |
| Do         | do         | Avoca, village of               | H 360765A 01                        | do  | Mayor, Village Hall, Avoca, N.Y. 14809.                               | Apr. 12, 1974.<br>Mar. 5, 1976.  |
| Do         | Washington | Cambridge, village of           | H 360883A 01                        | do  | Mayor, One West Main St., Cambridge, N.Y. 12816.                      | May 3, 1974.<br>Mar. 5, 1976.  |
| Do         | Cayuga     | Cato, village of                | H 360106A 01                        | do  | Mayor, Village Hall, Cato, N.Y. 13033.                                | June 14, 1974.   |
| Do         | Rensselaer | Nassau, village of              | H 360675A 01                        | do  | Mayor, Four Malden St., Nassau, N.Y. 12123.                           | Mar. 22, 1974.<br>Mar. 5, 1976.  |
| Do         | Cayuga     | Victory, town of                | H 360131A 01 through H 360131A 06   | do  | Town Supervisor, Red Creek, N.Y. 13143.                               | July 26, 1974.<br>Mar. 5, 1976.  |
| Ohio       | Jefferson  | Wintersville, village of        | H 300305A 01                        | Ohio Department of Natural Resources, Flood Insurance Coord. Bldg., Fountain Square, Columbus, Ohio 43224.<br>Ohio Department of Insurance, 447 East Broad St., Columbus, Ohio 43215.   | Mayor, 221, Leonard Ave., Wintersville, Ohio 43952.                   | May 31, 1974.  |

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| Oklahoma       | Carter       | Healdton, city of          | H 40003A 01<br>through<br>H 40003A 02   | Oklahoma Water Resources Board, 5th Floor, Jim Thorpe Bldg., Oklahoma City, Okla. 73105.<br>Oklahoma Insurance Department, Room 408, Will Rogers Memorial Bldg., Oklahoma City, Okla. 73105. | City Manager, P.O. Box 926, Healdton, Okla. 73438.                     | Dec. 28, 1973.<br>Mar. 5, 1976.  |
| Do             | Leflore      | Heavener, city of          | H 40009A 01<br>through<br>H 40009A 02   | do   | Mayor, 401 East First St., City Hall, Heavener, Okla. 74937.           | May 24, 1974.<br>Mar. 5, 1976.   |
| Do             | Cleveland    | Lexington, town of         | H 40004A 01                             | do   | President, Town Hall, 123 E. Broadway, Lexington, Okla. 73051.         | June 28, 1974.<br>Mar. 5, 1976.  |
| Do             | Kay          | Newkirk, city of           | H 40022 01                              | do   | Mayor, P.O. Box 490, Newkirk, Okla. 74847.                             | Apr. 30, 1976.   |
| Do             | Grady        | Verden, town of            | H 400248 01                             | do   | President, Town Hall, Verden, Okla. 73092.                             | Do.  |
| Oregon         | Curry        | Port Orford, city of       | H 410272 01                             | Executive Department, State of Oregon, Salem, Ore. 97310.<br>Oregon Insurance Division, Department of Commerce, 158 12th St. N.E., Salem, Ore. 97310.  | Public Works Commission, P.O. Box 318, Port Orford, Ore. 97455.        | Apr. 30, 1976.   |
| Do             | Columbia     | Vernonia, city of          | H 410041A 01                            | do   | Mayor, City Hall, Vernonia, Ore. 97084.                                | Nov. 30, 1973.<br>Mar. 5, 1976.  |
| Pennsylvania   | Bradford     | Athens, borough of         | H 420167A 01<br>through<br>H 420167A 02 | Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 17120.<br>Pennsylvania Insurance Department, 108 Finance Bldg., Harrisburg, Pa. 17120.                        | President, Two South River St., Athens, Pa. 18310.                     | Feb. 8, 1973.<br>Mar. 5, 1976.   |
| Do             | York         | Lewisberry, borough of     | H 420929A 01                            | do   | Mayor, Borough Hall, Lewisberry, Pa. 17339.                            | Aug. 2, 1974.<br>Mar. 5, 1976.   |
| Do             | do           | Mount Wolf, borough of     | H 421021A 01                            | do   | Mayor, 200 South Fourth St., Mount Wolf, Pa. 17347.                    | Sept. 13, 1974.<br>Mar. 5, 1976.   |
| Do             | do           | North York, borough of     | H 420933A 01                            | do   | Council President, 1211 North George St., York, Pa. 17404.             | Mar. 1, 1974.<br>Mar. 5, 1976.   |
| Do             | Bucks        | Northampton, township of   | H 420988A 01<br>through<br>H 420988A 08 | do   | Chairman, P.O. Box 475, 990 Second St., Richboro, Pa. 18954.           | May 17, 1974.<br>Mar. 5, 1976.   |
| Do             | York         | Spring Garden, township of | H 420937A 01<br>through<br>H 420937A 12 | do   | Manager, 558 South Ogontz St., York, Pa. 17403.                        | May 10, 1974.<br>Mar. 5, 1976.   |
| Do             | Crawford     | Steuben, township of       | H 421571A 01<br>through<br>H 421571A 04 | do   | Chairman, R.D. 4, Centerville, Pa. 16044.                              | Dec. 13, 1974.<br>Mar. 5, 1976.  |
| Do             | Juniata      | Thompsonstown, borough of  | H 420521A 01                            | do   | Secretary, Borough Bldg., Thompsonstown, Pa. 17094.                    | Apr. 12, 1974.<br>Mar. 5, 1976.  |
| South Carolina | Edgefield    | Edgefield, town of         | H 450074A 01<br>through<br>H 450074A 02 | South Carolina Water Resources Commission, P.O. Box 4515, Columbia, S.C. 29240.<br>South Carolina Insurance Department, 2711 Middleburg St., Columbia, S.C. 29204.                           | Mayor, P.O. Box 390, Edgefield, S.C. 29824.                            | May 24, 1974.<br>Mar. 5, 1976.   |
| Do             | Williamsburg | Kingstree, town of         | H 450190A 01<br>through<br>H 450190A 02 | do   | Mayor, P.O. Box 207, Kingstree, S.C. 29556.                            | May 17, 1974.<br>Mar. 5, 1976.   |
| Do             | Dillon       | Latta, town of             | H 450067A 01<br>through<br>H 450067A 02 | do   | Mayor, 111 North Railroad Ave., Latta, S.C. 29565.                     | June 14, 1974.<br>Mar. 5, 1976.  |
| South Dakota   | Hand         | Miller, city of            | H 460201A 01<br>through<br>H 460201A 02 | State Planning Bureau, Office of Executive Management, State Capitol, Pierre, S. Dak. 57501.<br>South Dakota Department of Insurance, Insurance Bldg., Pierre, S. Dak. 57501.                | City Administrator, City Hall, Miller, S. Dak. 57362.                  | Apr. 25, 1976.<br>Mar. 5, 1976.  |
| Do             | Brookings    | White, town of             | H 460148 01                             | do   | President of Commission, Town Hall, White, S. Dak. 57276.              | Apr. 30, 1976.   |
| Texas          | Shackelford  | Albany, city of            | H 480565A 01                            | Texas Water Development Bldg., P.O. Box 13067, Capitol Station, Austin, Tex. 78711.<br>Texas Insurance Dept., 1110 Jacinto St., Austin, Tex. 78701.  | Mayor, City Hall, Albany, Tex. 76430.                                  | May 3, 1974.<br>Mar. 5, 1976.  |
| Do             | Wise         | Boyd, city of              | H 480676A 01<br>through<br>H 480676A 02 | do   | Mayor, City Hall, Boyd, Tex. 76023.                                    | Dec. 28, 1973.<br>Mar. 5, 1976.  |
| Do             | Washington   | Brenham, city of           | H 480445A 01<br>through<br>H 480445A 04 | do   | Mayor, City Hall, Brenham, Tex. 77833.                                 | May 24, 1974.<br>Mar. 5, 1976.   |
| Do             | Angelina     | Diboll, city of            | H 480008A 01<br>through<br>H 480008A 03 | do   | Mayor, City Hall, 400 Kenley Ave., P.O. Drawer E., Diboll, Tex. 75941. | May 3, 1974.<br>Mar. 5, 1976.  |
| Do             | Karnes       | Falls City, city of        | H 480404A 01                            | do   | Mayor, City Hall, Falls City, Tex. 68355.                              | June 28, 1974.<br>Mar. 5, 1976.  |
| Do             | Harrison     | Hallsville, city of        | H 480848 01                             | do   | Mayor, 104 North Central, Hallsville, Tex. 75650.                      | Apr. 30, 1976.   |
| Do             | Kerr         | Kerrville, city of         | H 480420A 01<br>through<br>H 480420 03  | do   | City Manager, City Hall, Kerrville, Tex. 78028.                        | June 28, 1974.<br>Mar. 5, 1976.  |
| Do             | Menard       | Menard, city of            | H 480476A 01<br>through<br>H 480476A 02 | do   | Mayor, City Hall, Menard, Tex. 76859.                                  | June 28, 1974.<br>Mar. 5, 1976.  |
| Do             | Lavaca       | Moulton, town of           | H 480432A 01                            | do   | Mayor, Town Hall, Moulton, Tex. 77975.                                 | Apr. 5, 1974.<br>Mar. 5, 1976.   |
| Do             | Leon         | Normangee, city of         | H 480436A 01                            | do   | Mayor, City Hall, P.O. Box E, Normangee, Tex. 77871.                   | Aug. 16, 1974.<br>Mar. 5, 1976.  |
| Do             | San Saba     | Richland Springs, city of  | H 480562A 01                            | do   | Mayor, City Hall, Richland Springs, Tex. 76871.                        | Nov. 8, 1974.<br>Mar. 5, 1976.   |
| Do             | Hardin       | Ross Hill Acres, town of   | H 480646A 01                            | do   | Mayor, P.O. Box 285, Town Hall, Ross Hill Acres, Tex. 77662.           | Sept. 13, 1974.<br>Mar. 5, 1976.   |
| Do             | Montgomery   | Splendora, city of         | H 480488A 01                            | do   | Mayor, City Hall, P.O. Drawer C, Splendora, Tex. 77872.                | Aug. 30, 1974.<br>Mar. 5, 1976.  |
| Do             | Culberson    | Van Horn, city of          | H 480163A 01<br>through<br>H 480163A 03 | do   | Mayor, P.O. Box 1028, City Hall, Van Horn, Tex. 79855.                 | May 10, 1974.<br>Mar. 5, 1976.   |

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| State      | County    | Location              | Map No.                           | State map repository   | Local map repository                               | Effective date of identification of areas which have special flood hazards |
|------------|-----------|-----------------------|-----------------------------------|--|--|--|
| Utah       | Iron      | Cedar City, city of   | H 490074A 01 through H 490074A 08 | Department of Natural Resources, Division of Water Resources, State Capitol Bldg., Room 435, Salt Lake City, Utah 84114.   | Mayor, City Hall, Cedar City, Utah 84720.          | Jan. 23, 1974; Mar. 5, 1976.   |
| Do.        | Salt Lake | West Jordan, city of  | H 490108A 01 through H 490108A 05 | do.  | Mayor, City Hall, West Jordan, Utah 84064.         | July 19, 1974; Mar. 5, 1976.   |
| Virginia   | Offes     | Unincorporated areas. | H 510067A 01 through H 510067A 25 | Bureau of Water Control Management, State Water Control, P.O. Box 11143, Richmond, Va. 23230.  | Chairman, Courthouse, Harrisburg, Va. 24134.       | Aug. 2, 1974; Mar. 5, 1976.  |
| Washington | King      | Carnation, town of    | H 530076A 01                      | Virginia Insurance Department, 700 Blanton Bldg., P.O. Box 1157, Richmond, Va. 23209.  | Mayor, Town Hall, Box 267, Carnation, Wash. 98014. | May 31, 1974.  |
| Wyoming    | Washakie  | Worland, city of      | H 560056A 01 through H 560056A 08 | Department of Ecology, Olympia, Wash. 98501.<br>Washington Insurance Department, Insurance Bldg., Olympia, Wash. 98501.<br>Wyoming Disaster & Civil Defense Agency, P.O. Box 1709, Cheyenne, Wyo. 82001. | Mayor, City Hall, Worland, Wyo. 82401.             | May 3, 1974; Mar. 5, 1976.   |

| State         | County       | Location                          | Map No.                           | State map repository  | Local map repository   | Effective date of identification of areas which have special flood hazards |
|---------------|--------------|-----------------------------------|-----------------------------------|---|--|--|
| Colorado      | Weld         | Milliken, town of                 | H 080187A 01                      | Colorado Water Conservation Board, Room 102, 1845 Sherman St., Denver, Colo. 80203.<br>Colorado Insurance Commission, 106 State Office Bldg., Denver, Colo. 80203.  | Mayor, City Hall, 1109 Broad St., P.O. Box 97, Milliken, Colo. 80543.                          | May 17, 1974; Mar. 12, 1976.   |
| Iowa          | Harrison     | Logan, city of                    | H 190046A 01                      | Iowa Natural Resources Council, James W. Grimes Bldg., Des Moines, Iowa 50319.<br>Iowa Insurance Department, Lucas State Office Bldg., Des Moines, Iowa 50319.  | Mayor, City Hall, Logan, Iowa 51546.   | Apr. 12, 1974; Mar. 12, 1976.  |
| Kansas        | Cloud        | Miltonvale, city of               | H 200537 01                       | Division of Water Resources, Kansas Department of Agriculture, 1720 South Topeka Ave., Topeka, Kans. 66612.<br>Kansas Insurance Department, 1st Floor, Statehouse, Topeka, Kans. 66612.                       | Clerk, Miltonvale, Kans. 67466.  | May 7, 1976.   |
| Louisiana     | Livingston   | The French Settlement, village of | H 220117A 01 through H 220117A 04 | State Department of Public Works, P.O. Box 44155, Capitol Station, Baton Rouge, La. 70804.<br>Louisiana Insurance Commission, Box 44214, Capitol Station, Baton Rouge, La. 70804.                             | Mayor, City Hall, French Settlement, La. 70733.  | Oct. 25, 1974; Mar. 12, 1976.  |
| Do.           | Acadie       | Morse, town of                    | H 220007A 01 through H 220007A 02 | do.   | Mayor, Town Hall, Morse, La. 71262.  | Nov. 23, 1974; Mar. 12, 1976.  |
| Do.           | Sabine       | Pleasant Hill, village of         | H 220844 01                       | do.   | Mayor, Pleasant Hill, La. 71065.   | May 7, 1976.   |
| Massachusetts | Worcester    | Gardner, city of                  | H 250305A 01 through H 250305A 09 | Division of Water Resources, Water Resources Commission, State Office Bldg., 100 Cambridge St., Boston, Mass. 02202.<br>Massachusetts Division of Insurance, 100 Cambridge St., Boston, Mass. 02202.          | Chairman, Planning Board, City of Gardner, Office of the Planning Board, Gardner, Mass. 01440. | Sept. 6, 1974; Mar. 12, 1976.  |
| Missouri      | St. Louis    | Country Club Hills, city of       | H 290746 01                       | Department of Natural Resources, Division of Program & Policy Development, State of Missouri, 308 East High St., Jefferson, Mo. 65101.<br>Missouri Division of Insurance, P.O. Box 690, Jefferson, Mo. 65101. | Mayor, City Hall, Country Club Hills, Mo. 64112.   | May 7, 1976.   |
| Do.           | Ray          | Henrietta, city of                | H 290808A 01                      | do.   | President, City Council, City Hall, Henrietta, Mo. 64094.                                      | Oct. 18, 1974.   |
| New Hampshire | Hillsborough | Nashua, city of                   | H 330097A 01 through H 330097A 14 | Office of Comprehensive Planning, Division of Community Planning, State House Annex, Concord, N.H. 03301.<br>New Hampshire Insurance Department, 78 North Main St., Concord, N.H. 03301.                      | Planning Director, P.O. Box 305, Nashua, N.H. 03060.   | Aug. 23, 1974; Mar. 12, 1976.  |
| Do.           | Rockingham   | Newfields, town of                | H 330228A 01 through H 330228A 04 | do.   | Chairman Selectman, Town Hall, Newfields, N.H.   | Jan. 17, 1976; Mar. 12, 1976.  |
| Oklahoma      | Pontotoc     | Ada, city of                      | H 400173A 01 through H 400173A 06 | Oklahoma Water Resources Board, 8th Floor, Jim Thorpe Bldg., Oklahoma City, Okla. 73105.<br>Oklahoma Insurance Department, Room 408, Will Rogers Memorial Bldg., Oklahoma City, Okla. 73105.                  | Mayor, City Hall, Ada, Okla. 74520.  | Feb. 3, 1974; Mar. 12, 1976.   |

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|-----------------|----------------|-------------------------|---|--|---|--|
| Do.....         | Oklfuskee..... | Castle, town of....     | H 499278 0f.....                        | .....do.....   | Mayor, Town Hall, Castle, Okla. 74833.                                  | May 7, 1976.   |
| Do.....         | do.....        | Henryetta, city of.     | H 400144A 01<br>through<br>H 400144A 03 | .....do.....   | Mayor, 5th & Broadway, P.O. Box 608, City Hall, Henryetta, Okla. 74437. | Jan. 23, 1974.<br>Mar. 12, 1976.   |
| Oregon.....     | Jackson.....   | Medford, city of....    | H 410096A 01<br>through<br>H 410096A 08 | Executive Department, State of Oregon, Salem, Ore. 97310.  | Mayor, City Hall, Medford, Ore. 97501.                                  | June 21, 1974.<br>Mar. 12, 1976.   |
| Texas.....      | Jones.....     | Anson, city of.....     | H 480401A 01.....                       | Oregon Insurance Division, Department of Commerce, 158 12th St. N.E., Salem, Ore. 97310.<br>Texas Water Development Board, P.O. Box 13087, Capitol Station, Austin, Tex. 78711.<br>Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701. | Mayor, City Hall, 1202 Commercial Ave., Anson, Tex. 79501.              | June 28, 1974.<br>Mar. 12, 1976.   |
| Do.....         | McLennan.....  | Bellmead, city of....   | H 480457A 01<br>through<br>H 480457A 04 | .....do.....   | Mayor, City Hall, Parrish Waco, Bellmead, Tex. 76705.                   | Mar. 15, 1974.<br>Mar. 12, 1976.   |
| Do.....         | Hunt.....      | Caddo Mills, city of.   | H 480364A 01.....                       | .....do.....   | Mayor, City Hall, Caddo Mills, Tex. 75005.                              | June 28, 1974.<br>Mar. 12, 1976.   |
| Do.....         | McLennan.....  | Hewitt, city of....     | H 480458A 01<br>through<br>H 480458A 04 | .....do.....   | Mayor, City Hall, Hewitt, Tex. 76643.                                   | Jan. 23, 1974.<br>Mar. 12, 1976.   |
| Do.....         | Wichita.....   | Iowa Park, city of.     | H 480660A 01<br>through<br>H 480660A 03 | .....do.....   | Mayor, City Hall, 103 North Wall St., Iowa Park, Tex. 76367.            | Apr. 5, 1974.<br>Mar. 12, 1976.  |
| Do.....         | Jackson.....   | La Ward, city of....    | H 480174 01.....                        | .....do.....   | Mayor, P.O. Box 247, La Ward, Tex. 77970.                               | May 7, 1976.   |
| Do.....         | Bexar.....     | Live Oak, city of....   | H 480043A 01<br>through<br>H 480043A 03 | .....do.....   | Mayor, City Hall, 8001 Shin Oak Drive, Live Oak, Tex. 78233.            | May 24, 1974.<br>Mar. 12, 1976.  |
| Do.....         | Upton.....     | Rankin, city of....     | H 480628A 01<br>through<br>H 480628A 02 | .....do.....   | Mayor, City Hall, 9th and Grand, Rankin, Tex. 79778.                    | May 10, 1974.<br>Mar. 12, 1976.  |
| Do.....         | Tom Green..... | San Angelo, city of.    | H 480623A 01<br>through<br>H 480623A 14 | .....do.....   | Mayor, P.O. Box 1751, City Hall, San Angelo, Tex. 76901.                | June 28, 1974.<br>Mar. 12, 1976.   |
| Do.....         | Burleson.....  | Somerville, city of.    | H 480091A 01.....                       | .....do.....   | Mayor, City Hall, Somerville, Tex. 77879.                               | May 3, 1974.<br>Mar. 12, 1976.   |
| Do.....         | Sterling.....  | Sterling City, town of. | H 480579A 01.....                       | .....do.....   | Mayor, Town Hall, Sterling City, Tex. 76951.                            | May 24, 1974.<br>Mar. 12, 1976.  |
| Do.....         | Gonzales.....  | Waelder, city of....    | H 480255A 01.....                       | .....do.....   | Mayor, City Hall, Waelder, Tex. 78959.                                  | July 19, 1974.<br>Mar. 12, 1976.   |
| Washington..... | King.....      | Algona, city of....     | H 530072A 01.....                       | Department of Ecology, Olympia, Wash. 98501.<br>Washington Insurance Department, Insurance Bldg., Olympia, Wash. 98501.  | Mayor, City Hall, 307 1st Ave., Algona, Wash. 98002.                    | June 28, 1974.<br>Mar. 12, 1976.   |
| Do.....         | Whitman.....   | Tekoa, city of....      | H 530215A 01<br>through<br>H 530215A 02 | .....do.....   | Mayor, Cresby St., Box 220, City Hall, Tekoa, Wash. 99033.              | Aug. 30, 1974.<br>Mar. 12, 1976.   |
| Wyoming.....    | Sheridan.....  | Ranchester, town of     | H 560046A 01.....                       | Wyoming Disaster & Civil Defense Agency, P.O. Box 1709, Cheyenne, Wyo. 82001.<br>Department of Insurance, State of Wyo., State Office Bldg., Cheyenne, Wyo. 82001.   | Mayor, City Hall, P.O. Box 157, Ranchester, Wyo. 82839.                 | Sept. 6, 1974.<br>Mar. 12, 1976.   |

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408-410, Pub. L. 91-152,

Dec. 24, 1969), 42 USC 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969)

Issued: March 3, 1976.

J. ROBERT HUNTER,  
Acting Federal Insurance Administrator.

[FR Doc.76-8375 Filed 3-26-76;8:45 am]

**SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM**  
[Docket No. FI 992]  
**PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE**

**Status of Participating Communities**

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

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 40

FR 57210-212 and 41 FR 1062). A list of servicing companies is also available from the Federal Insurance Administration (FIA), HUD, 451 Seventh Street, S.W., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in a flood plain area having special hazards within any community identified by the Secretary of Housing and Urban Development.

The requirement applies to all identified special flood hazard areas within the United States, and no such financial assistance can legally be provided for ac-

quisition or construction in these areas unless the community has entered the program. Accordingly, for communities listed under this Part no such restriction exists, although insurance, if required, must be purchased.

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

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence new entries to the table. In each entry, a com-

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plete chronology of effective dates appears for each listed community. The date that appears in the fourth column of the table is provided in order to designate the effective date of the authorization of the sale of flood insurance in the area under the emergency or the regular flood insurance program. These dates

serve notice only for the purposes of granting relief, and not for the application of sanctions, within the meaning of 5 U.S.C. §551. The entry reads as follows:

§ 1914.4 List of Eligible Communities.

| State          | County       | Location                       | Effective date of authorization of sale of flood insurance for area         | Hazard area identified | Community No. |
|----------------|--------------|--------------------------------|---|------------------------|---------------|
| Georgia        | Crawford     | Roberta, city of               | Mar. 22, 1976, emergency  | Apr. 13, 1975          | 130903        |
| Do             | Walton       | Unincorporated areas           | do  | do                     | 130185        |
| Indiana        | Morgan       | Morgantown, town of            | do  | Sept. 20, 1974         | 180178        |
| Kentucky       | Powell       | Clay City, city of             | do  | Feb. 1, 1974           | 21065A        |
| Missouri       | Cooper       | Blackwater, city of            | do  | Apr. 25, 1975          | 210195A       |
| Do             | Holt         | Craig, city of                 | do  | Oct. 3, 1975           | 290160        |
| Do             | Cooper       | Woodridge, village of          | do  | Apr. 25, 1975          | 290112        |
| Michigan       | Oakland      | Lake Orion, village of         | do  | Oct. 10, 1975          | 260588        |
| New Hampshire  | Grafton      | Hebrow, town of                | do  | Jan. 3, 1975           | 330058        |
| Do             | do           | Piermont, town of              | do  | Feb. 21, 1975          | 330071        |
| New Jersey     | Hunterdon    | Franklin, township of          | do  | July 26, 1974          | 340507        |
| New York       | Dutchess     | Dover, town of                 | do  | Dec. 6, 1974           | 361335        |
| Do             | Franklin     | Duane, town of                 | do  | Jan. 1, 1975           | 361396        |
| Ohio           | Guernsey     | Unincorporated areas           | do  | Mar. 21, 1975          | 390198        |
| Do             | Brown        | Hammersville, village of       | do  | Feb. 14, 1975          | 390676        |
| Do             | Hamilton     | Centerville, borough of        | do  | Mar. 15, 1974          | 390231        |
| Pennsylvania   | Washington   | Centerville, borough of        | do  | Feb. 28, 1975          | 422552        |
| Do             | Susquehanna  | Dimock, township of            | do  | Jan. 17, 1975          | 422078        |
| Do             | Mercer       | East Lackawannock, township of | do  | Sept. 6, 1974          | 421864        |
| Do             | Beaver       | Koppel, borough of             | do  | Jan. 31, 1975          | 422320        |
| Do             | Washington   | Midway, borough of             | do  | Jan. 24, 1975          | 422558        |
| Do             | Bradford     | Tuscarora, township of         | do  | Oct. 18, 1974          | 421116        |
| Do             | Erie         | Waterford, township of         | do  | Jan. 24, 1975          | 422410        |
| Do             | Westmoreland | West Leechburg, borough of     | do  | June 21, 1974          | 420905        |
| Do             | Bradford     | Windham, township of           | do  | Apr. 18, 1975          | 421409        |
| Virginia       | Amelia       | Unincorporated                 | do  | July 25, 1975          | 510314        |
| Arkansas       | Sharp        | Evening Shade, town of         | Mar. 23, 1976, emergency  | Apr. 18, 1975          | 050412        |
| Do             | Logan        | Subiaco, town of               | do  | Apr. 25, 1975          | 050288        |
| Florida        | Palm Beach   | Haverhill, town of             | do  | June 28, 1974          | 120206        |
| Do             | Polk         | Lake Hamilton, town of         | do  | do                     | 120414        |
| Mississippi    | Greene       | Leakesville, town of           | do  | Feb. 14, 1976          | 280057        |
| New Jersey     | Camden       | Laurel Springs, borough of     | do  | Feb. 21, 1975          | 340547        |
| New York       | Suffolk      | Belle Terre, village of        | do  | Dec. 27, 1974          | 361532        |
| North Dakota   | McHenry      | Unincorporated areas           | do  | do                     | 138007        |
| Pennsylvania   | Susquehanna  | Bridgewater, township of       | do  | Feb. 28, 1975          | 422585        |
| Do             | Fayette      | Bullskin, township of          | do  | Dec. 27, 1974          | 421622        |
| Do             | Chester      | West Sadsbury, township of     | do  | Apr. 11, 1975          | 422281        |
| Do             | Bradford     | Wilmot, township of            | do  | Sept. 6, 1974          | 421124        |
| Utah           | Sevier       | Joseph, town of                | do  | Jan. 10, 1975          | 490127        |
| Do             | Tooele       | Stockton, town of              | do  | Jan. 24, 1975          | 490144        |
| Arkansas       | Little River | Foreman, city of               | Mar. 24, 1976, emergency  | Mar. 1, 1974           | 050190A       |
| Do             | Bradley      | Hermitage, city of             | do  | Nov. 7, 1975           | do            |
| Illinois       | St. Clair    | Freeburg, village of           | do  | Apr. 18, 1975          | 050255        |
| Do             | Madison      | Worden, village of             | do  | Mar. 22, 1974          | 170790        |
| Michigan       | Huron        | Sebewaing, village of          | do  | Mar. 21, 1975          | 170825        |
| Minnesota      | Ottertail    | Ottertail, city of             | do  | Oct. 3, 1975           | 200572        |
| North Carolina | Iredell      | Mooresville, town of           | do  | Mar. 3, 1976           | 270675        |
| North Dakota   | Sargent      | Forman, city of                | do  | Apr. 25, 1975          | 370314        |
| Do             | McHenry      | Newport, township of           | do  | Jan. 10, 1975          | 380228        |
| Ohio           | Cuyahoga     | Bentleyville, village of       | do  | Feb. 7, 1975           | 1380308       |
| South Dakota   | Douglas      | Deilmont, city of              | do  | Aug. 8, 1975           | 390682        |
| Do             | Brown        | Frederick, town of             | do  | Jan. 23, 1976          | 460025A       |
| Do             | do           | do                             | do  | Nov. 22, 1974          | 460009        |
| Indiana        | Crawford     | English, town of               | Mar. 25, 1976, emergency  | Apr. 12, 1974          | 190032A       |
| Do             | do           | do                             | do  | Oct. 24, 1975          | do            |
| Kentucky       | Letcher      | Neon, city of                  | do  | May 24, 1974           | 210139A       |
| Do             | do           | do                             | do  | Feb. 13, 1976          | do            |
| New Mexico     | Santa Fe     | Unincorporated areas           | do  | Nov. 15, 1974          | 350060        |
| New York       | Schuyler     | Cayuta, town of                | do  | May 10, 1974           | 361203        |
| Do             | Jefferson    | Theresa, village of            | do  | do                     | 360353A       |
| Ohio           | Guernsey     | Lore City, village of          | do  | Dec. 5, 1975           | 390202        |
| Pennsylvania   | Cambria      | Blacklick, township of         | do  | Aug. 30, 1974          | 421435        |
| Do             | Clarion      | Sligo, borough of              | do  | Jan. 10, 1975          | 421506        |
| Arizona        | Maricopa     | Surprise, town of              | Mar. 26, 1976, Emergency  | Nov. 8, 1974           | 040053A       |
| Do             | do           | do                             | do  | June 28, 1974          | do            |
| Michigan       | Calhoun      | Lee, township of               | do  | Dec. 5, 1975           | 260668        |
| New York       | Chenango     | McDonough, town of             | do  | Apr. 25, 1975          | 361377        |
| North Carolina | Gaston       | Belmont, city of               | do  | June 27, 1975          | 370320        |
| North Dakota   | Divide       | Nonan, city of                 | do  | Feb. 21, 1975          | 380191        |
| Pennsylvania   | Somerset     | Jefferson, township of         | do  | Dec. 13, 1974          | 422050        |
| Do             | Clarion      | Paint, township of             | do  | Jan. 24, 1975          | 422373        |
| Wisconsin      | Trempealeau  | Pigeon Falls, village of       | do  | Sept. 8, 1974          | 550446        |
| Do             | Jackson      | Taylor, village of             | do  | Dec. 7, 1973           | 550190        |
| Colorado       | Pueblo       | Pueblo, city of                | June 18, 1971, emergency; Aug. 24, 1973, regular; Apr. 30, 1976, suspended. | Aug. 24, 1973          | 085077        |

<sup>1</sup> New community number.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secre-

tary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969) as amended 39 F.R. 2787, Jan. 24, 1974.)

Issued: March 18, 1976.

J. ROBERT HUNTER,  
Acting Federal Insurance Administrator.

[FR Doc.76-8646 Filed 3-26-76; 8:45 am]

[Docket No. FT-964]

**PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE**

**Status of Participating Communities**

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

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 40 FR 57210-212 and 41 FR 1062). A list of servicing companies is also available from the Federal Insurance Administration (FIA), HUD, 451 Seventh Street, S.W., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in a flood plain area having special hazards within any community identified by the Secretary of Housing and Urban Development.

The requirement applies to all identified special flood hazard areas within the United States, and no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program. Accordingly, for communities listed under this Part no such restriction exists, although insurance, if required, must be purchased.

The Federal Insurance Administrator finds that delayed effective dates would

be contrary to the public interest. The Administrator also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

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

**§ 1914.4 List of Eligible Communities.**

| State         | County       | Location                   | Effective date of authorization of sale of flood insurance for area                                  | Hazard area identified | Community No. |
|---------------|--------------|----------------------------|--|------------------------|---------------|
| Arkansas      | Clay         | Rector, city of            | Mar. 15, 1976, emergency   | July 18, 1975          | 050366        |
| Connecticut   | New London   | Griswold, town of          | do   | Feb. 28, 1975          | 090173        |
| Do            | do           | Jewett City, borough of    | do   | do                     | 090098        |
| Illinois      | McLean       | McLean, village of         | do   | Dec. 6, 1974           | 170501        |
| Maine         | Aroostook    | Castle Hill, town of       | do   | Feb. 7, 1975           | 230422        |
| Do            | Somerset     | Detroit, town of           | do   | Feb. 21, 1975          | 230357        |
| Do            | Penobscot    | Kenduskeag, town of        | do   | Nov. 1, 1974           | 230108        |
| Do            | Waldo        | Troy, town of              | do   | Feb. 14, 1975          | 230209        |
| Missouri      | Howard       | Armstrong, city of         | do   | Apr. 25, 1975          | 290764        |
| Nebraska      | Dodge        | Hopper, city of            | do   | do                     | 310879        |
| New York      | Rockland     | New Square, village of     | do   | do                     | 1360354       |
| Pennsylvania  | Northampton  | Nazareth, borough of       | do   | Jan. 9, 1974           | 420725        |
| Washington    | Spokane      | Rockford, town of          | do   | Dec. 6, 1974           | 530181        |
| Alabama       | Lamar        | Unincorporated areas       | Mar. 16, 1976, emergency   | Dec. 6, 1974           | 010271        |
| Colorado      | Arapahoe     | Greenwood Village, city of | do   | Dec. 27, 1974          | 080195        |
| Missouri      | Osage        | Westphalia, city of        | do   | Oct. 18, 1974          | 290272A       |
|               |              |                            |  | Nov. 21, 1975          |               |
| New York      | Hamilton     | Inlet, town of             | do   | Jan. 24, 1975          | 361404        |
| Do            | do           | Lake Pleasant, town of     | do   | do                     | 361405        |
| Do            | St. Lawrence | Madrid, town of            | do   | Nov. 1, 1974           | 361181        |
| Do            | Madison      | Munnsville, village of     | do   | Aug. 20, 1974          | 360407        |
| Do            | Schenectady  | Princeton, town of         | do   | Dec. 29, 1974          | 361192        |
| Do            | Cattaraugus  | Randolph, town of          | do   | Apr. 25, 1975          | 360095        |
| Pennsylvania  | Bradford     | Leroy, township of         | do   | Sept. 20, 1974         | 421076        |
| Do            | Bucks        | Newtown, township of       | do   | do                     | 421084        |
| Do            | Greene       | Perry, township of         | do   | Jan. 10, 1975          | 422434        |
| Vermont       | Essex        | East Haven, town of        | do   | Dec. 13, 1974          | 500209        |
| Wisconsin     | Lafayette    | Gratiot, village of        | do   | Jan. 16, 1974          | 550229        |
|               |              |                            |  |                        |               |
| Kansas        | Butler       | El Dorado, city of         | Apr. 21, 1972, emergency; Mar. 5, 1976, regular  | Apr. 10, 1974          | 200039A       |
|               |              |                            |  | Oct. 24, 1975          |               |
| Kentucky      | Jefferson    | Jeffersontown, city of     | Dec. 31, 1971, emergency; Mar. 5, 1976, regular  | Mar. 5, 1976           | 210121A       |
| Do            | do           | St. Matthews, city of      | Dec. 3, 1971, emergency; Mar. 5, 1976, regular   | Dec. 6, 1974           | 210123A       |
|               |              |                            |  |                        |               |
| Missouri      | Gasconade    | Hermann, city of           | Aug. 13, 1971, emergency; Dec. 31, 1971, suspended; Apr. 24, 1974, reinstated; Mar. 5, 1976, regular | May 3, 1974            | 200141A       |
|               |              |                            |  | Nov. 7, 1975           |               |
| Do            | Clay         | North Kansas City, city of | Oct. 29, 1971, emergency; Mar. 5, 1976, regular  | Mar. 15, 1974          | 200039A       |
|               |              |                            |  | Nov. 28, 1975          |               |
| Do            | Monroe       | Paris, city of             | Apr. 21, 1972, emergency; Mar. 5, 1976, regular  | Apr. 5, 1974           | 200241A       |
| New Jersey    | Atlantic     | Absecon, city of           | Dec. 23, 1971, emergency; Mar. 5, 1976, regular  | June 28, 1974          | 340001A       |
| Do            | Monmouth     | Deal, borough of           | Jan. 14, 1972, emergency; Mar. 5, 1976, regular  | Feb. 21, 1975          | 320292A       |
| Do            | do           | Sea Girt, borough of       | Nov. 28, 1971, emergency; Mar. 5, 1976, regular  | Feb. 8, 1973           | 340325A       |
| Do            | do           | Spring Lake, borough of    | Sept. 15, 1976, emergency; Mar. 5, 1976, regular   | May 25, 1973           | 340329A       |
| Pennsylvania  | Lycoming     | Jersey Shore, borough of   | Oct. 27, 1972, emergency; Mar. 5, 1976, regular  | Apr. 6, 1973           | 420642A       |
|               |              |                            |  |                        |               |
| Kansas        | Rush         | Alexander, city of         | Mar. 17, 1976, emergency   | Feb. 14, 1975          | 200307        |
| Maine         | Somerset     | Smithfield, town of        | do   | Jan. 24, 1975          | 230370        |
| Maryland      | Dorchester   | Brookview, town of         | do   | Dec. 6, 1974           | 240097A       |
| Missouri      | Clay         | Randolph, village of       | do   | do                     | 290102        |
| New Jersey    | Hudson       | Harrison, town of          | do   | June 28, 1974          | 340221        |
| New Mexico    | Sierra       | Unincorporated areas       | do   | do                     | 350071        |
| New York      | Cayuga       | Ira, town of               | do   | July 26, 1974          | 360112A       |
|               |              |                            |  | Feb. 20, 1976          |               |
| Pennsylvania  | Venango      | Oilereek, township of      | do   | Jan. 24, 1975          | 422537        |
| Do            | Allegheny    | Robinson, township of      | do   | Sept. 20, 1974         | 421097        |
| Do            | Adams        | Union, township of         | do   | Dec. 6, 1974           | 421261        |
|               |              |                            |  |                        |               |
| California    | Imperial     | Callpatria, city of        | Mar. 18, 1976, emergency   | Apr. 12, 1974          | 060068A       |
| Georgia       | Oconee       | Watkinsville, town of      | do   | Apr. 11, 1975          | 130049        |
| Indiana       | Porter       | Hebron, town of            | do   | Mar. 21, 1975          | 180387        |
| Do            | do           | Yorktown, town of          | do   | do                     | 160361        |
| Massachusetts | Franklin     | New Salem, town of         | do   | Apr. 4, 1975           | 250123        |
| New York      | Chenango     | Bainbridge, town of        | do   | Jan. 10, 1975          | 361085A       |
|               |              |                            |  | Jan. 23, 1976          |               |
| Do            | Dutchess     | Tivoli, village of         | do   | Dec. 20, 1974          | 361507        |
| Ohio          | Darke        | Gettysburg, village of     | do   | Feb. 14, 1975          | 390686        |
| Pennsylvania  | Susquehanna  | Auburn, township of        | do   | Dec. 27, 1974          | 422074        |
| Do            | do           | Silver Lake, township of   | do   | Jan. 10, 1975          | 422001        |
| Do            | Monroe       | Tobyhanna, township of     | do   | do                     | 421897        |
| Do            | Mercer       | West Salem, township of    | do   | Jan. 24, 1975          | 422490        |



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| State          | County                | Location                   | Effective date of authorization of sale of flood insurance for area | Hazard area identified | Community No. |
|----------------|-----------------------|----------------------------|---|------------------------|---------------|
| Iowa           | Worth                 | Fertile, city of           | Mar. 19, 1976, emergency  | Dec. 27, 1974          | 190301        |
| Do             | Tama                  | Garwin, city of            | do  | Feb. 7, 1975           | 190515        |
| Maine          | Penobscot             | Garland, town of           | do  | do                     | 230387        |
| New Hampshire  | Grafton               | Waterville Valley, town of | do  | Jan. 10, 1975          | 330077        |
| New York       | Madison               | Fenner, town of            | do  | Sept. 13, 1974         | 360399        |
| Do             | Dutchess              | Stanford, town of          | do  | Oct. 18, 1974          | 361145        |
| Ohio           | Jefferson             | Amsterdam, village of      | do  | Apr. 12, 1974          | 390286        |
| Do             | Warren and Montgomery | Carlisle, village of       | do  | July 25, 1975          | 390606        |
| Do             | Jackson               | Unincorporated areas       | do  | Jan. 10, 1975          | 390290        |
| Do             | Lake                  | North Perry, village of    | do  | Apr. 18, 1975          | 390742        |
| Pennsylvania   | York                  | Fawn, township of          | do  | Dec. 27, 1974          | 422219        |
| Do             | Warren                | Glade, township of         | do  | Apr. 4, 1975           | 422122        |
| South Carolina | Aiken                 | Burnetown, town of         | do  | Oct. 25, 1974          | 450004        |
| Vermont        | Orange                | Bradford, village of       | do  | do                     | 500234        |

<sup>1</sup> New community number.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secre-

tary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969) as amended 39 F.R. 2787, Jan. 24, 1974.)

Issued: March 11, 1976.

J. ROBERT HUNTER,  
Acting Federal Insurance Administrator.

[FR Doc.76-8647 Filed 3-26-76;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 STATE

Agency for International Development

[ 22 CFR Part 216 ]

[Regulation No. 16]

### ENVIRONMENTAL PROCEDURES

#### Proposed Addition

Notice is hereby given that the Agency for International Development (A.I.D.) proposes to amend 22 CFR by adding a new Part 216 entitled "Environmental Procedures" in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA). These procedures are intended to supercede A.I.D. procedures issued on October 20, 1972 (FEDERAL REGISTER, Vol. 37, No. 204, pp. 22687-22688).

Final procedures will be adopted and published 30 days after the close of a comment period of 60 days subsequent to the date of publication of this Notice. The final version will take into account all written comments received during the comment period. It will be supplemented by such internal instructions as experience may indicate to be necessary.

All parties who desire to offer comments on the proposed environmental procedures should communicate their views in writing on or before May 23, 1976 to Mr. Henry A. Arnold, Director, Office of Science and Technology, Room 2841, New State, Agency for International Development, Department of State, Washington, D.C. 20523.

It is, therefore, proposed to amend 22 CFR by adding a new Part 216 in the manner set forth below.

Dated: March 24, 1976.

DANIEL PARKER,  
Administrator.

### ENVIRONMENTAL PROCEDURES

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A. Purpose. In accordance with the National Environmental Policy Act of 1969 (NEPA) and relevant AID policies, the following general procedures are established. These procedures have been developed to insure that environmental factors and values are integrated into the decision-making process and to assign responsibility within the Agency for assessing the environmental effects of AID's actions.

B. Environmental Policy. In the conduct of its mandate to help upgrade the quality of life of the poor in developing countries, AID conducts a broad range of activities addressing such basic problems as hunger and malnutrition, overpopulation, disease, disaster, illiteracy and lack of adequate housing and transportation. As authorized by the Foreign Assistance Act (FAA) of 1961 as amended, AID finances or directly furnishes both bilateral and multilateral development assistance through loan and grant programs of technical advisory services, research, training, construction and commodity support. These programs are carried out under the foreign policy guidance of the Secretary of State and in the context of the realities of the sovereignty of developing countries, their differing priorities and the limited data (including environmental) available.

Within this framework, it is AID policy:

To ensure that the environmental consequences of proposed AID-financed activities are identified and considered by AID and the host country<sup>1</sup> prior to a final decision to proceed, and that appropriate environmental safeguards are adopted:

To assist in strengthening the indigenous capabilities of developing countries to appreciate and evaluate the

<sup>1</sup> In every instance in these procedures the terms "host country" or "host government" or "recipient country" are meant to refer to the recipient of AID assistance wherever located.

potential environmental effects of proposed development strategies and projects, and to select, implement and manage effective environmental protection measures, and;

To identify impacts resulting from its actions upon the environment including those elements of the world biosphere which are the common natural and cultural heritage of mankind.

C. Definitions. 1. *CEQ Guideline or Guidelines*. Guidelines promulgated by the President's Council on Environmental Quality (CEQ) under NEPA and Executive Order 11514, entitled "Preparation of Environmental Impact Statements" (FR, Volume 38, Number 147, August 1, 1973), and amendments thereto.

2. *Environmental Analysis*. As used, herein, an environmental analysis is an initial study of the reasonably foreseeable effects of a proposed action on the human environment. Its function is to provide the basis for a Threshold Decision as to whether an Environmental Assessment or an Environmental Impact Statement will be required. If an Environmental Assessment or an Environmental Impact Statement is required, the analysis will also provide the basis for its preparation. The environmental analysis should identify and describe where appropriate: (a) the nature, scope and magnitude of any reasonably foreseeable effects of an action or any part of an action on the human environment; (b) the reasonably foreseeable effects of any such environmental impact on organisms in the biosphere including human life; and, where an Environmental Assessment or an Environmental Impact Statement is required, (c) reasonable alternatives to the proposed action which will be studied in detail in the Environmental Assessment or draft Environmental Impact Statement. The environmental analysis will be an integral part of the Project Review Paper or equivalent document which will be circulated to selected Federal agencies for comment, when an Environmental Assessment is to be prepared.

3. *Threshold Decision*. A formal agency decision which determines, based on an environmental analysis and in accordance with Section V of these procedures, whether a proposed agency action is or is not a major Federal action which will have a significant effect on the human environment, and, if so, whether an Environmental Assessment or an Environmental Impact Statement is required.

4. *Environmental Assessment (EA)*. The Environmental Assessment is a detailed study of the reasonably foreseeable environmental effects, both positive and negative, of a proposed action and its reasonable alternatives carried out

within or affecting specific developing countries as further described in Section VI of these procedures. It is AID policy that an Environmental Assessment have generally the same scope and substantive coverage as an Environmental Impact Statement, that it be prepared with the direct participation of recipient country institutions wherever practicable and that it be subject to recipient country review.

5. *Environmental Impact Statement (EIS)*. The EIS is a detailed study of the reasonably foreseeable environmental impacts, both positive and negative, of a proposed AID action and its reasonable alternatives on areas described in Section VII of these procedures.

It is a specific document having a definite format and content, as required by NEPA and as recommended by CEQ Guidelines, which is circulated in draft form in order to obtain the comment or review by other Federal, State, and local domestic agencies and the U.S. general public. The final Environmental Impact Statement takes into consideration the comments received on the draft. The required form and content of an Environmental Impact Statement is further defined in Sections VI and VII of these procedures.

6. *Negative Determination*. A Negative Determination is a formal written document based on a Threshold Decision that a proposed action is not a major Federal action which will have a significant effect on the human environment and is, therefore, an action for which an Environmental Impact Statement or an Environmental Assessment will not be required.

7. *Negative Declaration*. A Negative Declaration is an official written Agency decision made by an Assistant Administrator which states that the Agency will not develop an Environmental Impact Statement or an Environmental Assessment for an action which the Agency has identified as being normally covered by these procedures. The decision may be based on (a) overriding considerations such as the provision of disaster relief (b) the fact that a substantial number of Environmental Assessments or Environmental Impact Statements relating to similar activities have been prepared in the past, or (c) the fact that the Agency has previously decided to prepare a programmatic Statement or Assessment covering the activity in question.

8. *Project Identification Document (PID)*. An internal AID document which initially identifies and describes a proposed project. It is a short paper presenting enough information on the project to demonstrate its relevance to Agency priorities and its practical potential.

9. *Program Assistance Initial Proposal (PAIP)*. An internal AID document used to initiate and identify proposed non-project commodity import programs. It is analogous to the Project Identification Document.

10. *Project Review Paper (PRP)*. An internal AID document presented during the analytical stage of a project in conjunction with formulation of the Agen-

cy's Congressional Presentation. The PRP identifies major project issues and assures that necessary steps can be agreed upon to examine if the project is feasible and to determine the possible implementation plan for the project.

11. *Program Assistance Review Document (PARD)*. An internal AID document used for a more detailed review of an approved Program Assistance Initial Proposal under a non-project commodity import program. It is analogous to the Project Review Paper and contains a section which identifies categories of commodities and provides the justification for the proposed AID financing.

12. *Project Paper (PP)*. An internal AID document which provides a definitive description and appraisal of the project and particularly, the plan of implementation. Project Papers form the basis for a final decision on whether or not to offer AID funding for a project.

13. *Program Assistance Approval Document (PAAD)*. An internal AID document approving non-project commodity import program assistance. It is analogous to the Project Paper.

## II. APPLICABILITY OF PROCEDURES

These procedures apply to all new programs or activities, including those that may arise in connection with on-going projects, for project assistance, selected research and selected commodity procurement. Not every AID activity, however, will be a major Federal action significantly affecting the human environment (see Section V of these procedures) for purposes of these procedures. For example, the following general classes of activities will not normally require the filing of an Environmental Impact Statement or the preparation of an Environmental Assessment:

- a) education or training programs not designed to result in activities directly affecting the environment;
- b) controlled experimentation exclusively for the purpose of research which is confined to small areas and carefully monitored;
- c) analyses, studies, academic or investigative research, workshops and meetings;
- d) projects where AID is a minor donor to a multidonor project and there are no potential effects upon the environment of the U.S. or areas outside any nation's jurisdiction;
- e) document and information transfers;
- f) contributions to international, regional or national organizations by the U.S. which are not for the purpose of carrying out a specifically identifiable project or projects;
- g) disaster and emergency relief activities;
- h) U.S. institution building grants, as provided for under Section 211(d) of the Foreign Assistance Act.

## III. GENERAL PROCEDURES

A. An environmental analysis will be prepared by the originator of a project concurrently with the Project Review Paper or Program Assistance Review Docu-

ment or earlier. When Project Review Papers or Program Assistance Review Documents are not utilized, the environmental analysis will be prepared concurrently with the preparation of the Project Identification Document or Project Assistance Initial Proposal or at the earliest appropriate time.

B. Based on the environmental analysis, a Threshold Decision will be specifically recommended in the Project Review Paper, Program Assistance Review Document or Project Identification Document and acted upon at the Bureau or Office level concurrently with approval of the Project Review Paper, Program Assistance Review Document or Project Identification Document. If the Threshold Decision is negative (i.e. and Environmental Assessment or an Environmental Impact Statement is not required), the cognizant Bureau or Office will record this decision and such record will constitute a Negative Determination.

When a Threshold Decision based on an environmental analysis indicates that an Environmental Assessment is required, the approved Project Review Paper or equivalent document containing the environmental analysis will be circulated to selected U.S. Federal agencies with relevant expertise, utilizing the list provided in the CEQ Guidelines. Such agencies will be invited to make written comments within thirty days on the analysis and on matters that should be considered in preparation of the Environmental Assessment. Comments received on environmental aspects from reviewing Federal agencies will be forwarded to the originating project office for consideration in the formulation of the design and implementation of the project and the required Environmental Assessment, and will form part of the project file when the project comes forward in the Project Paper stage for final approval.

C. If the Project Review Paper, Program Assistance Review Document or Project Identification Document is approved and the Threshold Decision positive, the originator of the project will prepare, prior to or concurrently with the Project Paper or Program Assistance Approval Document, an Environmental Assessment or draft Environmental Impact Statement as required. Environmental Assessments and Environmental Impact Statements will be based on a more specific and detailed analysis. Draft Environmental Impact Statements will be circulated for review and comment as part of the review of Project Papers and as outlined further in Section VII of these procedures. Final approval of the Project Paper or Program Assistance Approval Document and the method of implementation will include consideration of the Environmental Assessment or final Environmental Impact Statement as well as other required (non-environmental) analyses.

If loans or grants for broad sector activities (e.g. river basin development, etc.) are proposed, a general or program

Environmental Assessment or Environmental Impact Statement consistent with the scope of the proposed loan or grant will be prepared in conjunction with the Project Paper and agreement will be reached with the recipient government that a detailed EA (or EIS in rare cases) will be prepared and considered on each individual project as it is developed and prior to its approval.

D. Processing and Review Within AID. Environmental analyses, Environmental Assessments and final Environmental Impact Statements will be processed within AID in accordance with the normal AID procedures for other documents. These procedures call for participation in the project review process of technical, legal and country specialists. Environmental Assessments and final Environmental Impact Statements will be reviewed as an integral part of the Project Paper or equivalent. In addition to these normal procedures, Environmental Assessments will be reviewed by the appointed Bureau environmental officer and, periodically, by the Environmental Coordinator who will monitor the Environmental Assessment process. Draft and final Environmental Impact Statements will be reviewed by the Environmental Coordinator and the Office of the General Counsel.

E. Monitoring. To the extent feasible and relevant, projects and programs should be designed to include measurement of the change in environmental quality, positive or negative, during their implementation. This will require recording of baseline data at the start. To the extent that available data permits, originating offices of AID will formulate systems in collaboration with the recipient nation(s), to monitor such impacts during the life of AID's involvement in the activity.

F. Revisions. If, after a Threshold Decision is made resulting in a Negative Determination, a project is revised or new information becomes available which indicates that a proposed action might be "major" and its effects "significant", the Negative Determination will be reviewed and revised by the cognizant Bureau and an Environmental Assessment or Environmental Impact Statement will be prepared, if appropriate.

Environmental Assessments and Environmental Impact Statements will be amended and processed appropriately if there are major changes in the project or program, or when significant new information becomes available.

When ongoing programs are revised to incorporate a change in scope or nature, a determination will be made as to whether such change may have an environmental impact not previously assessed. If so, the procedures outlined above will be followed.

#### IV. RESPONSIBILITIES

A. As a general principle, responsibilities for environmental decisions and actions will be similar to normal AID organizational responsibilities so that an environmental awareness will permeate the entire organization and environ-

mental considerations will be weighed with others in an integrated manner at each level of responsibility. Thus each AID official empowered to authorize funds will be responsible to the Administrator for implementing these procedures and obtaining and managing the required resources.

B. In view of the need for an internal and external focal point for environmental matters, the position of AID Environmental Coordinator has been established in the Office of Science and Technology, Technical Assistance Bureau (TA/OST). This person will serve as the principal environmental affairs coordinator for the entire Agency and will provide policy guidance and professional leadership within AID and will serve as chairman of the AID Committee on Environment and Development. The Environmental Coordinator will also be the principal point of contact on environmental affairs with the Council on Environmental Quality, the Department of State, all other Federal agencies and the public.

C. The head of each Bureau, Mission and major Office will designate a competent officer to act as coordinator, advisor and principal point of contact for environmental matters within his organizational unit. Those officers located in AID/Washington will also be members of the AID Committee for Environment and Development.

D. The Committee on Environment and Development will provide advice on major issues, policies or procedures having agency-wide implications.

E. Central technical offices will provide support and advice to AID Bureaus, Offices, and Missions as requested in their respective areas of expertise. The following Offices are expected to be involved most frequently:

1. Office of Engineering (SER/ENG)
2. Office of Agriculture (TA/AGR)
3. Office of Science and Technology (TA/OST)
4. Office of Commodity Management (SER/COM)
5. Office of Health (TA/H)
6. Office of Urban Development (TA/UD)
7. Office of Nutrition (TA/N)

F. When required by responsible offices, qualified outside contractors may be employed to assist in preparing environmental analyses, Environmental Assessments or Environmental Impact Statements.

#### V. IDENTIFICATION OF MAJOR FEDERAL ACTIONS SIGNIFICANTLY AFFECTING THE HUMAN ENVIRONMENT

Section 1500.6 of the CEQ Guidelines requires agencies to identify "major Federal actions significantly affecting the quality of the human environment". While it is impossible to list categorically all such actions, in making a judgment in a particular case, types of actions to be carefully considered include those:

- (a) where the impact is localized, but the human environment will be significantly affected;
- (b) where the impact is likely to be irreversible or highly controversial;

(c) which involve a complex of projects, with individually limited but cumulatively considerable effects;

(d) which involve a limited amount of money, but which set a precedent for future actions; or represent a decision in principle about future courses of action;

(e) which are taken in concert with other donors.

"Significant effects" to be considered include those which adversely affect such aspects of the human environment as air, water, land, flora and fauna, and socio-economic conditions. Special attention should be given to problems involving solid waste, noise, radiation, hazardous substances, energy sources and natural resources development, and in addition, actions which:

(a) degrade the quality of the human environment;

(b) curtail the range of beneficial uses of the human environment and its resources and serve short-term, to the disadvantage of long-term, environmental goals;

(c) may have both detrimental and beneficial effects even if on balance the Agency believes that the effect will be beneficial;

(d) have secondary effects which may be more substantial than the primary effects of the original action.

#### VI. ENVIRONMENTAL ASSESSMENTS (EA)

A. General Purpose. The purpose of the Environmental Assessment is to provide Agency and host country decision makers with a comprehensive understanding of the reasonably foreseeable environmental effects of proposed actions and their reasonable alternatives so that the expected benefits of development objectives can be weighed against any adverse short or long-term impacts upon the human environment or an irreversible or irretrievable commitment of resources. The Environmental Assessment will be considered by AID prior to final approval of any activity as outlined in Section III of these procedures.

B. Collaboration with Recipient Nation on Preparation. Collaboration in obtaining data, conducting analyses and considering alternatives will help build an awareness of development-associated environmental problems in less developed countries as well as assist in building an indigenous institutional capability to deal nationally with such problems.

Missions, Bureaus and Offices will collaborate with recipient countries to the maximum extent possible, in the development of any Environmental Assessments required and obtain agreement of the recipient country to participate in the preparation of any required assessment and to consider environmental consequences as set forth therein. In some cases, centrally funded Project Papers are prepared and approved prior to country selection. In such cases, prior agreements, collaboration and specific details of any required Assessments must be deferred until a later date.

In many recipient countries, neither baseline data for complete Environmen-

tal Assessments or monitoring may be available, nor local personnel with the knowledge required to participate substantively in the Assessments. In these cases, Missions should encourage and be responsive to host-country requests for training or technical assistance.

When AID unilaterally considers that there is a reasonable risk of significant adverse effects on the environment from an activity proposed to it for support, and where efforts to encourage the incorporation of appropriate safeguards are unsuccessful, AID reserves the prerogative of declining to participate in the activity.

C. Content and Form<sup>2</sup> The scope and depth of information and data gathered for Environmental Assessments should be similar to that for economic, technical and other analyses required by AID and must be relevant to the specific environmental issues involved.

1. Environmental Assessments should include or make reference within the same document to a description of the proposed action, a statement of its purposes, and a description of the environment affected, including information, summary technical data and maps and diagrams where relevant, adequate to permit an assessment of potential environmental impact. Highly technical and specialized analyses and data should be avoided in the body of the draft, but, if required, should be attached as appendices or footnoted with adequate bibliographic references and, if difficult to obtain, a notation of where they are available. In addition to a description of the proposed action and the environment affected, the Environmental Assessment should identify and describe further related activities which are intended to be undertaken in the same general area and of substantially the same nature which are promoted and financed by AID or another U.S. Government Agency, or where AID assistance is conditioned upon the recipient country's undertaking further related activities in the same general area and of substantially the same nature. The interrelationships and cumulative environmental impacts of the proposed action and other related activities, as described above, must be presented in the Environmental Assessment.

The amount of detail provided in such descriptions should be commensurate with the extent and expected impact of the action, and with the amount of information required at the particular level of decision-making (planning, feasibility, design, etc.). In order to ensure accurate descriptions of a proposed action and its alternatives, site visits should be made as appropriate. Population and growth characteristics of the affected area and any population and growth assumptions used to justify the project or program to determine secondary population and growth impacts resulting from the proposed action and its alternatives

<sup>2</sup> This section is substantially taken from CEQ Guidelines Section 1500.8.

should be identified. It is essential that the sources of data used to identify, quantify or evaluate any and all environmental consequences be expressly noted.

2. The relationship of the proposed action to plans for land and resources use, policies and controls for the affected area and sectorial or national development plans should be examined. Since AID programs and projects are undertaken only at the request of and in collaboration with the recipient country, there should be no conflict with the objective and specific terms of LDC approved or proposed land use plans, policies and controls, if any, for the area affected.

3. The reasonably foreseeable impact of the proposed action and its reasonable alternatives on the human environment must be assessed.

(a) Identification and quantification of such impacts requires an assessment of the positive and negative effects of the proposed action as it affects the environment of the recipient country or neighboring countries as appropriate. The attention given to different environmental factors will vary according to the nature, scale, and location of the proposed action. Among factors to consider should be the reasonably foreseeable effect of the action on such aspects of the environment as those listed in Section V of these procedures. Primary attention should be given in the Environmental Assessment to discussing those factors most evidently impacted by the proposed action.

(b) Secondary or indirect, as well as primary or direct, consequences for the environment should be included in the Assessment. Many major Agency actions, in particular those that involve the construction or funding of infrastructure investments (e.g., irrigation projects, rural water supply systems, rural access roads, water resource development projects, etc.) could stimulate or induce secondary effects in the form of associated investments, introduction of disease vectors, and changed patterns of social and economic activities. Such secondary effects, through their impacts on human health and existing community facilities and activities, through inducing new facilities and activities, or through changes in natural conditions, may often be even more substantial than the primary effects of the original action itself. For example, the effects of the proposed action on population movement and growth may be among the more significant secondary effects. Such population and growth impacts should be estimated if expected to be significant and an assessment made of the effect of any possible change in population patterns or growth upon the resource base, including land use, water, and public services of the area in question.

4. Reasonable alternatives to the proposed action including, where relevant, those not within the existing authority of AID should be investigated.

The sponsoring Office or Bureau should study, develop and describe appropriate alternatives to the recommended course

of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources. A rigorous exploration and objective evaluation of reasonably foreseeable environmental impacts of all reasonable alternative actions, particularly those that might enhance environmental quality or avoid some or all of the adverse environmental effects, is essential. Sufficient analysis of such alternatives and their environmental benefits, costs and risks should accompany the proposed action through the review process in order not to foreclose prematurely options which might enhance environmental quality or have less detrimental effects. Examples of such alternatives include: the alternative of taking no action or of postponing action pending further study; alternatives requiring actions of a significantly different nature which would provide similar benefits with different environmental impacts (e.g., nonstructural alternatives to flood control programs); alternatives related to different designs or details of the proposed action which would present different environmental impacts (e.g., cooling ponds versus cooling towers for a power plant); alternatives that will significantly conserve energy; alternative measures to provide for compensation of fish and wildlife losses including the acquisition of land, waters, and interests therein. In each case, the analysis should be sufficiently detailed to reveal the comparative evaluation of the environmental benefits, costs and risks of the proposed action and each reasonable alternative.

5. Any reasonably foreseeable adverse environmental effects which cannot be avoided (such as water or air pollution, undesirable land use patterns, damage to life systems, urban congestion, threats to health or other adverse consequences) should be identified and quantified. This should be a brief section summarizing in one place those effects discussed in this section that are adverse and unavoidable under the proposed action. Included for purposes of contrast should be a clear statement of how other avoidable adverse effects discussed in this section will be mitigated.

6. Except for provision of some direct disaster relief and short-term balance of payments or budgetary assistance, AID's activities are normally to provide long-term benefits. However, the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity should be explored. This section should contain a brief discussion of the extent to which the proposed action involves tradeoffs between short-term environmental gains at the expense of long-term losses, or vice versa, and a discussion of the extent to which the proposed action forecloses future options. In this context, short-term and long-term do not refer to any fixed time periods, but should be viewed in terms of the environmentally significant consequences of the proposed action.

7. Any irreversible and irretrievable commitments of natural or cultural re-

sources that would be involved in the proposed action should it be implemented should be identified and quantified. This requires the sponsoring Office or Bureau to identify, from surveys of unavoidable impacts such as those listed in paragraph five of this section, the extent to which the action irreversibly curtails the range of potential uses of the environment.

8. An indication of what other interests and considerations of U.S., AID, or LDC policy are thought to offset the adverse environmental effects of the proposed action. The Environmental Assessment should also indicate the extent to which these stated countervailing benefits could be realized by following reasonable alternatives to the proposed action that would avoid some or all of the adverse environmental effects. Where cost-benefit analyses of a proposed action are prepared they should be attached and should clearly indicate the extent to which environmental costs have not been reflected in such analyses.

9. In developing the above points, every effort should be made to convey the required information succinctly, in a form easily understood, giving attention to the substance of the information conveyed rather than to the particular form, length or detail of the Assessment. Each of the above points, for example, need not always occupy a distinct section if it is otherwise adequately covered in discussing the impact of the proposed action and its alternatives—items which should normally be the focus of the statement.

10. Environmental Assessments should indicate at appropriate points in the text any underlying studies, reports, and other information obtained and considered in their preparation, including any cost-benefit analyses prepared. In the case of documents not likely to be easily accessible (such as internal studies or reports), the Environmental Assessment should indicate how such information may be obtained.

11. To the extent required to obtain a reasoned analysis, each Environmental Assessment should be prepared utilizing a systematic interdisciplinary approach which will ensure the integrated use of the natural and social sciences and the environmental design arts in planning and decision-making which may have an impact on man's environment. If required disciplines are not available within AID, appropriate use of relevant U.S. Government and local LDC agencies or the professional services of universities and outside consultants should be made. The interdisciplinary approach should not be limited to the preparation of the Environmental Assessment, but should also be used in the early planning and design stages of the proposed action and in its evaluation. Early application of such an approach should help assure a systematic evaluation of reasonable alternative courses of action and their potential social, economic, and environmental consequences as well as mitigating detrimental effects of the chosen project or activity.

12. Broad program Assessments may be required in order to assess the environmental effects of a number of individual actions and their cumulative environmental impact in a given country or geographic area, or the environmental impacts that are generic or common to a class of agency actions, or other activities which are not country-specific. In these cases, a single, programmatic Assessment will be prepared in AID/Washington and circulated to appropriate overseas Missions, host governments, and to interested parties within the United States.

Based upon consultation with the Committee on Environment and Development, the Environmental Coordinator shall recommend to the Administrator the subjects and appropriate preparing Offices for such Agency-wide programmatic Assessments. Decisions on the need for programmatic Environmental Assessments on actions relating to a specific country or region will be made by the cognizant Bureau or Office head in consultation with the Environmental Coordinator.

To the extent practicable, the form and content of the programmatic Environmental Assessment will be the same as for project Assessments. Subsequent Environmental Assessment on major individual actions will be necessary where such follow-on or subsequent activities may have significant environmental impacts on specific countries where such impacts have not been adequately evaluated in the programmatic Environmental Assessment.

13. In a situation where an analysis indicates that potential effects may extend beyond the national boundaries of a recipient country and adjacent foreign nations may be affected, AID will urge the recipient country to consult with its neighbor(s) in advance of project approval and to negotiate mutually acceptable accommodations.

14. Environmental Assessments will not normally include material classified or administratively controlled. However, there may be situations where environmental aspects cannot be adequately discussed without the inclusion of such material. The handling and disclosure of classified or administratively controlled material shall be governed by 22 CFR, Part 9. Those portions of an Environmental Assessment which are not classified or administratively controlled will be made available to persons outside the Agency as provided for in 22 CFR, Part 212.

D. Consultation and Review. When Environmental Assessments are prepared on activities carried out within or focused on specific LDCs, copies of the Assessment will be furnished to the host government and consultations will be held between the AID staff and the host government on the results and significance of the completed Assessment before the project is authorized. Missions will encourage the host government to make the Environmental Assessment available to the general public of the recipient country.

If Environmental Assessments are prepared on activities which are not country-specific, the Assessment will be circulated by the Environmental Coordinator to AID's overseas Missions and interested LDC governments for information, guidance and comment, and will be made available in the U.S. to interested parties.

#### VII. ENVIRONMENTAL IMPACT STATEMENTS (EIS)

Environmental Impact Statements (EISs) will be prepared and circulated in accordance with section 102(2)(c) of NEP, as amplified by the CEQ Guidelines, when major agency actions significantly affect:

- (1) the global environment or areas outside the jurisdiction of any nation (e.g., the oceans);
- (2) the environment of the United States; or
- (3) areas of unique natural or cultural heritage value, or other aspects of the human environment, at the discretion of the AID Administrator.

The content and form of the draft and final Environmental Impact Statement will generally follow Section 1500.8 of the Guidelines, but will take into account the special considerations and concerns of AID, such as those set forth in Section VI-C of these procedures.

Circulation of an Environmental Impact Statement in draft form will not precede approval of a Project Review Paper or equivalent but comments from such circulation will be considered before final project authorization as outlined in Section III of these procedures. The draft Environmental Impact Statement will also be circulated via the Missions to affected LDC governments for information and comment.

Draft Environmental Impact Statements will be made available for comment to U.S. agencies having jurisdiction by law and relevant substantive expertise including, but not limited to, the Department of State, Council on Environmental Quality (CEQ) and the Environmental Protection Agency (EPA), and to public and private organizations and individuals for not less than forty-five (45) days (see Section 1500.9(b), (c), (d), and (f) of CEQ Guidelines for details); and notice of the draft Environmental Impact Statement's availability will be published in the FEDERAL REGISTER. Cognizant Bureaus and Offices will submit these drafts for circulation via the AID Environmental Coordinator who will have the responsibility for coordinating all such communications with persons outside AID.

Any comments received by the Environmental Coordinator will be forwarded to the originating Bureau or Office for consideration in final policy decisions and the preparation of a final Environmental Impact Statement. All such comments will be attached to the final Statement, and those responsible comments not adequately discussed in the draft Statement will be appropriately

dealt with in the final Statement. Copies of the final Environmental Impact Statement, with comments attached, will be sent by the Environmental Coordinator to CEQ and to all other Federal, state and local agencies and private organizations that made substantive comments on the draft, including affected LDC governments. Where emergency circumstances or considerations of foreign policy make it necessary to take an action without observing the provisions of Section 1500.11 of the CEQ Guidelines,<sup>3</sup> or when there are overriding considerations of expense to the U.S. or foreign governments, the originating Office will advise the Environmental Coordinator who will consult with the Department of State and CEQ concerning appropriate modification of review procedures.

VIII. PUBLIC HEARINGS

In most instances AID will be able to gain the benefit of public participation in the impact statement process through circulation of draft statements and notice of public availability in CEQ publications. However, in some cases the Administrator may wish to hold public hearings on draft Environmental Impact Statements. In deciding whether or not a public hearing is appropriate, Bureaus in conjunction with the Environmental Coordinator should consider:

- (1) the magnitude of the proposal in terms of economic costs, the geographic area involved, and the uniqueness or size of commitment of the resources involved;
- (2) the degree of interest in the proposal as evidenced by requests from the public and from Federal, state and local authorities, and private organizations and individuals, that a hearing be held;
- (3) the complexity of the issue and likelihood that information will be presented at the hearing which will be of assistance to the Agency; and
- (4) the extent to which public involvement already has been achieved through other means, such as earlier public hearings, meetings with citizen representatives, and/or written comments on the proposed action.

If public hearings are held, draft Environmental Impact Statements to be discussed should be made available to the public at least fifteen (15) days prior to the time of the public hearings, and a notice will be placed in the Federal Register giving the subject, time and place of the proposed hearings.

IX. RECORDS AND REPORTS

Each Agency Bureau will maintain a list of activities for which Environmental Assessments and Environmental Impact Statements are being prepared and for which Negative Determinations and Declarations have been made and will revise the list quarterly and provide copies to the Environmental Coordinator for transmittal to CEQ.

<sup>3</sup>Section 1500.11 of CEQ Guidelines outlines requirements for transmittal of statements to CEQ, minimum periods for review, etc.

Final Project Papers containing the Environmental Assessment will be forwarded to CEQ as soon as they are available. Copies will also be available to interested Federal agencies upon request.

The cognizant Bureau will maintain a permanent file (which may be part of its normal project files) of Statements, Assessments, Determinations and Declarations which will be available to the public under the Freedom of Information Act except for actions covered by Section VI-D (14) of these procedures.

[FR Doc.76-8843 Filed 3-26-76;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[ 33 CFR Part 110 ]

[CGD 76-40]

ANCHORAGE REGULATIONS  
Boston Harbor, Massachusetts

The Coast Guard, at the request of the New England Regional Director, Federal Aviation Administration, is considering amending the Anchorage Regulations for Boston Harbor, Massachusetts.

This amendment to the Boston Harbor anchorage regulation is proposed to ensure that vessels anchored in the anchorages are not exposed to hazards from aircraft approaching and departing Logan International Airport. Federal Aviation Administration obstruction evaluations for Logan International Airport have disclosed that some vessels at anchor in specified areas of the Bird Island and President Roads anchorage grounds may, depending on the heights of their masts, be considered to present potential hazardous obstructions to the safe operation of aircraft using runways 15R, 22R, 27 and 33L. This amendment would preclude the use of portions of the two anchorage grounds by vessels with unusually high masts to avoid the possibility of a vessel/aircraft collision.

Interested persons are invited to participate in this proposed rulemaking by submitting written data, views, or arguments to the Commander, First Coast Guard District, 150 Causeway Street, Boston, Mass. 02114. Each person submitting comments should include his name and address, identify the notice (CGD76-40), and give reasons for any recommendations. Comments received will be available for examination by interested persons at the Office of the Commander, First Coast Guard District.

A public hearing on this proposal will be held by the Commander, First Coast Guard District on April 29, 1976, at 1:00 pm EDST in Room 2003-A, 20th floor, John F. Kennedy Federal Building, Government Center, Boston, Mass. 02203. All interested persons are invited to be present or to be represented at this public hearing. All persons will be given an opportunity to express their views on the proposal and to suggest any changes that may be considered desirable. Persons interested in submitting comments

at the public hearing are requested, but not required, to submit their comments in writing to the Commander, First Coast Guard District one week before the date of the hearing.

The Commander, First Coast Guard District, will forward all comments received before May 14, 1976, with his recommendations to the Chief, Office of Marine Environment and Systems, U.S. Coast Guard Headquarters, who will evaluate all comments received and take final action on this proposal. The proposed regulations may be changed in light of comments received.

In consideration of the foregoing it is proposed to amend § 110.134(b) of Title 33 of the Code of Federal Regulations, by adding new subparagraphs (b) (4) and (5) to read as follows:

§ 110.134 - Boston Harbor, Mass.

(b) *The regulations*

(4) No vessel, any part of which is ninety (90) feet (27.4 meters) or greater in height above the water's surface, may anchor in the easternmost corner of Bird Island Anchorage described: A triangular area with apex bearing 100°, 2785 yards from the aerial beacon on top of the Boston Customs House Tower; 102°, 3100 yards from the aerial beacon on top of the Boston Customs House Tower; and 109°, 3050 yards from the aerial beacon on top of the Boston Customs House Tower, and marked by an orange and white special warning buoy at each of these points.

(5) No vessel, any part of which is one hundred forty five (145) feet (44.2 meters) or greater in height above the water's surface, may anchor in the northwestern corner of the President Roads Anchorage described: A triangular area with apex bearing 261°, 2290 yards from Deer Island Light; 278°, 2438 yards from Deer Island Light; and 292°, 1475 yards from Deer Island Light, and marked by a orange and white special warning buoy at each of these points.

(Sec. 7, Stat. 1053, as amended, sec. 6(g) (1), 80 Stat. 940; 33 U.S.C. 471, 49 U.S.C. 1655(g) (1); 49 CFR 1.46(c) (1)).

Dated: March 22, 1976.

D. J. RILEY,  
Captain, U.S. Coast Guard,  
Acting Chief, Office of Marine Environment and Systems.

[FR Doc.76-8801 Filed 3-26-76;8:45 am]

Federal Aviation Administration

[ 14 CFR Part 71 ]

[Airspace Docket No. 76-SW-13]

ALTERATION OF TRANSITION AREA

Del Rio, Texas

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to alter the Del Rio, Tex., transition area.

Interested persons may submit such written data, views or arguments as they

may desire. Communications should be submitted in triplicate to Chief, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101. All communications received on or before April 28, 1976 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Texas. An informal docket will also be available for examination at the Office of the Chief, Airspace and Procedures Branch, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as herein-after set forth.

In Section 71.181 (41 FR 440), the Del Rio, Tex., transition area is amended as follows:

**DEL RIO, TEX.**

That airspace extending upward from 700 feet above the surface within a 12-mile radius of latitude 29°23'00" N., longitude 100°50'15" W., and within 4.5 miles west and 9.5 miles east of the Laughlin VORTAC 148° radial extending from the 12-mile-radius area to 22 miles southeast of the VORTAC and within 8.5 miles west and 6.5 miles east of the Laughlin VORTAC 315° radial extending from the 12-mile-radius area to 18 miles northwest of the VORTAC, excluding the portion outside of the United States.

The proposed alteration of the Del Rio, Tex., transition area will provide controlled airspace for aircraft executing the proposed NDB RWY 13 instrument approach procedure to the Del Rio Municipal Airport.

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

Issued in Fort Worth, TX., on March 17, 1976.

ALBERT H. THURBURN,  
Acting Director, Southwest Region.

[FR Doc.76-8557 Filed 3-26-76;8:45 am]

**[ 14 CFR Part 71 ]**

[Airspace Docket No. 76-EA-17]

**ALLENTOWN, PA.**

**Proposed Alteration of Control Zone and Transition Area**

The Federal Aviation Administration is considering amending §§ 71.171

and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Allentown, Pa., Control Zone (41 FR 357) and Transition Area (41 F.R. 443).

A new ILS Rwy 13 instrument approach procedure developed for Allentown-Bethlehem-Easton Airport, Allentown, Pa., requires alteration of the control zone and transition area to provide controlled airspace for aircraft executing the procedure.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before April 28, 1976 will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Allentown, Pa., proposes the airspace action hereinafter set forth:

1. Amend Section 71.171 of Part 71 of the Federal Aviation Regulations by adding the following to the description of the Allentown, Pa. control zone: "within 3 miles each side of the Allentown-Bethlehem-Easton Airport localizer northwest course, extending from the localizer to 8.5 miles northwest of the OM."

2. Amend Section 71.181 of Part 71 of the Federal Aviation Regulations by adding the following to the description of the Allentown, Pa. transition area: "within 4.5 miles northeast and 6.5 miles southwest of the Allentown-Bethlehem-Easton Airport localizer northwest course, extending from the OM to 11.5 miles northwest of the OM."

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on March 16, 1976.

LOUIS J. CARDINALI,  
Acting Director, Eastern Region.

[FR Doc.76-8760 Filed 3-26-76;8:45 am]

**[ 14 CFR Part 71 ]**

[Airspace Docket No. 76-EA-20]

**GALETON, PA.**

**Proposed Alteration of Transition Area**

The Federal Aviation Administration is considering amending section 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Galeton, Pa., Transition Area (41 FR 499).

A revision of the VOR-A instrument approach procedure for Cherry Springs Airport, Galeton, Pa., requires alteration of the transition area to provide additional controlled airspace for aircraft executing the procedure.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before April 28, 1976 will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Galeton, Pa., proposes the airspace action hereinafter set forth:

1. Amend Section 71.181 of Part 71 of the Federal Aviation Regulations by adding the following to the description of the Galeton, Pa. transition area: "; within 3.5 miles each side of the Slate Run, Pa. VORTAC 037° radial, extending from the 7-mile radius area to the Slate Run, Pa. VORTAC."

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 [72 Stat. 749; 49 U.S.C. 1348] and section 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)].

Issued in Jamaica, N.Y., on March 16, 1976.

LOUIS J. CARDINALI,  
Acting Director, Eastern Region.

[FR Doc.76-8762 Filed 3-26-76;8:45 am]



## [ 14 CFR Part 71 ]

[Airspace Docket No. 76-EA-18]

**Proposed Alteration of Transition Area**

The Federal Aviation Administration is considering amending section 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Great Bend, N.Y., Transition Area, (41 FR 503).

Alteration of the transition area is required to provide some additional controlled airspace to protect aircraft executing the new VOR and NDB instrument approach procedures for Wheeler-Sack AAF. The proposed alteration would also change the transition area designation from part time to full time.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before April 26, 1976 will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Great Bend, N.Y., proposes the airspace action hereinafter set forth:

1. Amend Section 71.181 of Part 71 of the Federal Aviation Regulations by amending the description of the Great Bend, N.Y. transition area as follows:

Delete, "and within 3 miles each side of the Watertown, N.Y., VORTAC 069° radial, extending from the 6.5-mile radius area to the VORTAC," and insert in lieu thereof; "within 4.5 miles each side of the Watertown, N.Y. VORTAC 066° radial, extending from the 6.5-mile radius area and the 10.5-mile radius area to the VORTAC, and within 5 miles each side of the Watertown, N.Y. VORTAC 069° radial, extending from the 6.5-mile radius area and the 10.5-mile radius area to the VORTAC."

Delete, "This transition area is effective from April 1 through September 30."

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 [72 Stat. 749; 49 U.S.C. 1348]

and section 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)].

Issued in Jamaica, N.Y., on March 16, 1976.

LOUIS J. CARDINALI,  
Acting Director, Eastern Region.

[FR Doc.76-8761 Filed 3-26-76;8:45 am]

## [ 14 CFR Part 71 ]

[Airspace Docket No. 76-EA-8]

**GROVE CITY, PA., AIRPORT****Proposed Designation of Transition Area**

The Federal Aviation Administration is considering amending section 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Grove City, Pa., Transition Area over Grove City Airport, Pa.

A new VOR instrument approach procedure is in development for the Grove City, Pa., Airport and will require designation of a 700-foot floor transition area to provide controlled airspace for arrival and departure procedures at Grove City Airport.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before April 28, 1976 will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed review of the airspace requirements for the terminal area of Grove City, Pa. proposes the airspace action hereinafter set forth:

1. Amend Section 71.181 of Part 71, Federal Aviation Regulations so as to add the Grove City, Pennsylvania 700 foot floor transition area as follows:

**"GROVE CITY, PENNSYLVANIA**

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 41°08'42" N., 80°09'54" W. of Grove City Airport, Grove City, Pennsylvania, and within 2 miles each side of the Ellwood City,

Pennsylvania VORTAC 004° radial, extending from the 5-mile radius area to 16.5 miles north of the VORTAC."

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 [72 Stat. 749; 49 U.S.C. 1348] and section 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)].

Issued in Jamaica, N.Y., on March 16, 1976.

LOUIS J. CARDINALI,  
Acting Director, Eastern Region.

[FR Doc.76-8759 Filed 3-26-76;8:45 am]

## [ 14 CFR Part 71 ]

[Airspace Docket No. 76-EA-21]

**READING, PA.****Proposed Alteration of Control Zone**

The Federal Aviation Administration is considering amending section 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Reading, Pa., Control Zone (41 FR 420).

RNAV Rwy 13 and RNAV Rwy 18 instrument approach procedures have been developed for Reading Municipal-General Carl A. Spaatz Field, Reading, Pa., and will require alteration of the control zone to provide some additional controlled airspace for aircraft executing these procedures.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before April 28, 1976 will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Reading, Pa., proposes the airspace action hereinafter set forth:

1. Amend Section 71.171 of Part 71 of the Federal Aviation Regulations by adding the following to the description of the Reading, Pa. control zone: "within 2.5 miles each side of a 301° bearing from

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a point of 40°23'00" N., 75°58'42" W., extending from said point to 5 miles northwest of said point; within 2 miles each side of a 352° bearing from a point 40°23'06" N., 75°57'48" W., extending from said point to 4.5 miles north of said point."

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 [72 Stat. 749; 49 U.S.C. 1348] and section 6(c) of the Department of Transportation Act [49 U.S.C. 1655(c)].

Issued in Jamaica, N.Y., on March 16, 1976.

LOUIS J. CARDINALI,  
Acting Director, Eastern Region.

[FR Doc.76-8763 Filed 3-26-76; 8:45 am]

## [ 14 CFR Parts 71 and 73 ]

[Airspace Docket No. 76-NW-8]

## BRAVE SHIELD XIV

## Designation of Temporary Restricted Area

The Federal Aviation Administration (FAA) is considering amendments to Parts 71 and 73 of the Federal Aviation Regulations that would designate a temporary restricted area to contain a joint military exercise "BRAVE SHIELD XIV" which is scheduled from August 18 through August 26, 1976. This restricted area would also be included in the continental control area for the duration of its time of designation.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Northwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Wash. 98108. All communications received on or before April 28, 1976 will be considered before action is taken on the proposed amendments. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief. Request for copies of this Notice of Proposed Rule Making should be addressed to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-230, 800 Independence Avenue, S.W., Washington, D.C. 20591.

The proposed amendments would designate the following temporary restricted area: R-6716 Brave Shield XIV, Wash.

Boundaries. Beginning at Lat. 46°53'40" N., Long. 120°12'15" W.; to Lat. 46°58'00" N., Long. 119°51'00" W.; to Lat. 46°58'00" N., Long. 119°30'00" W.; to Lat.

46°48'30" N., Long. 119°10'00" W.; to Lat. 46°39'00" N., Long. 118°58'40" W.; to Lat. 46°30'00" N., Long. 119°15'00" W.; to Lat. 46°23'00" N., Long. 119°15'00" W.; to Lat. 46°21'30" N., Long. 119°18'00" W.; to Lat. 46°24'00" N., Long. 119°37'00" W.; to Lat. 46°27'00" N., Long. 119°50'00" W.; to Lat. 46°33'00" N., Long. 120°09'00" W.; thence along the western border of R-6714A to point of beginning.

Designated altitudes. 2000 feet AGL to and including 17,000 feet MSL.

Time of designation. Continuous, 0001 CDT August 18 through 2400 CDT August 26, 1976.

Controlling agency. Federal Aviation Administration, Seattle ARTC Center.

Using agency. U.S. Air Force, Tactical Air Command/USAF Readiness Command (TAC/USAFRED), Langley Air Force Base, Va. 23665.

The proposed restricted area would be used to contain a joint military training exercise, "GRAVE SHIELD XIV" involving armored and tactical air units in joint operations including air defense and counter air operations. Total air traffic associated with this exercise is expected to exceed 150 sorties per day which will be maneuvering primarily in R-6714A/B area. In order to conduct air operations required by this exercise in the safest manner possible, additional restricted airspace is required.

A Tactical Air Control System (TACS) would be established for control of exercise aircraft within designated airspace. Nonparticipating aircraft would be allowed penetration of and operations within the designated exercise airspace after coordination with the appropriate TACS facility. Leased lines of communications would be installed with appropriate FAA facilities in order to accomplish the orderly and safe ingress/egress of exercise air traffic and the coordinate movement of nonexercise air traffic within or proceeding into and out of the exercise area. A wide area telecommunications system (WATS) (reverse charge telephone) number would be provided for the accommodation of nonexercise air traffic. The Air Force has advised that this exercise would be in compliance with the National Environmental Policy Act of 1969 and that all close air support training would be conducted in uninhabited maneuver areas within restricted area R-6714A/B. The minimum safe altitudes specified in FAR Part 91 would be observed.

These amendments are proposed under the authority of Sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on March 23, 1976.

WILLIAM T. BROADWATER,  
Chief, Airspace and Air  
Traffic Rules Division.

[FR Doc.76-8764 Filed 3-26-76; 8:45 am]

## CIVIL AERONAUTICS BOARD

[ 14 CFR Part 372 ]

[SPDR-43; Docket 27876; Dated March 24, 1976]

## OVERSEAS MILITARY PERSONNEL CHARTERS

## Proposed Changes in Overseas Military Personnel Charters

Notice is hereby given that the Civil Aeronautics Board has under consideration an amendment to Part 372 of its Special Regulations (14 CFR Part 372), which would broaden the definition of the "immediate family," for the purpose of determining eligibility thereunder for participation in Overseas Military Personnel Charters (OMPC). The principal features of the proposed rules are set forth in the attached explanatory statement and the proposed amendments are set forth in the proposed rules. The amendments are proposed under the authority of sections 101(3), 204(a), 401, 407 and 416(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 737, as amended, 743, 754, as amended, and 766, as amended, 771, 49 U.S.C. 1301, 1324, 1371, 1377, and 1386.

Interested persons may participate in the proposed rulemaking through submission of 12 copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material received on or before April 28, 1976, will be considered by the Board before taking final action upon the proposed rule. Copies of such communications will be available for examination of interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue, NW, Washington, D.C. upon receipt thereof.

Individual members of the general public who wish to express their interest as consumers by participating informally in this proceeding, may do so through submission of comments in letter form to the Docket Section at the above indicated address, without the necessity of filing additional copies thereof.

By the Civil Aeronautics Board:

[SEAL] PHYLLIS T. KAYLOR,  
Acting Secretary.

In 1972, the Civil Aeronautics Board adopted a new Part 372 (14 CFR Part 372) which created a new class of charters to meet the special needs, particularly those relating to morale, of military and civilian Department of Defense personnel stationed overseas.<sup>1</sup> At that time, the nature and composition of the various groups which would be eligible to participate in Overseas Military Personnel Charters (OMPC's) were the subject of considerable attention and comment.<sup>2</sup>

<sup>1</sup>SPR-54, effective June 3, 1972, 37 F.R. 11169.

<sup>2</sup>SPR-54, supra, and materials cited therein.

The limitations on eligibility promulgated in 1972 included a broader definition of family members permitted to participate in OMPC's than that found in our other charter rules.<sup>5</sup> The current regulations define "immediate family" as:

• • • only the following persons: The spouse, children, and parents of military personnel on active duty with the U.S. Armed Forces (including the Coast Guard) stationed outside the 48 contiguous States of the United States and the District of Columbia, and the spouse, children, and parents of civilian employees of the Department of Defense who are citizens of the United States and are stationed in a foreign country, or in a U.S. territory or possession, where U.S. military personnel are stationed.<sup>6</sup>

In 1973, Overseas Military Travel Corporation d/b/a Militair filed a petition for rulemaking requesting that the OMPC definition of "immediate family" be expanded to include the parents of the spouse of eligible personnel, as well as the dependent minor children of their parents and their parents-in-law. No answers were filed to the petition, and by Order 74-3-41, dated March 8, 1974, it was denied.

On May 21, 1975 Pathfinder Corporation filed a petition for rulemaking requesting that "immediate family" be defined to encompass the eligible member's in-laws and minor siblings of both the member and spouse.<sup>6</sup> Pathfinder bases its petition on the importance to morale of facilitating visits by family members and thereby encouraging an all-volunteer armed services. Pathfinder states in support of its petition that: (1) the exclusion of in-laws has a detrimental effect on morale and, since most military and DOD civilian spouses are female, "smacks of unstylish male chauvinism," (2) the present restriction forbidding minor siblings of eligible members as a practical matter inhibits participation of otherwise eligible parents who are confronted by the choice of purchasing expensive noncharter transportation or leaving their minor children at home; (3) broadened eligibility will not result in diversion from scheduled service, since the OMPC market is relatively small and is, in any event, largely composed of persons who will not use air transportation at all, if they cannot use low-cost charters; and (4) insofar as the Board's denial of Militair's petition was grounded on its apprehension of enforcement problems which might result from extending eligibility to persons with surnames different from the military personnel, there would actually be no significant increase of enforcement problems since there are already two such eligible classes of persons with different surnames (married daughters of eligible persons and families of married female military or DOD personnel), and no significant enforcement

problems have resulted. Pathfinder has submitted supporting letters and petitions signed by more than 250 individuals, and answers in support of Pathfinder's petition have been filed by Shoftour, Davis Agency, and the Department of Defense.

In view of the unanimous support of, and absence of answers objecting to, the amendment requested by the instant petitions, we are now persuaded that we should institute proceedings by inviting comments thereon.

We are therefore granting the petition by proposing to amend the definition of "immediate family" in the manner, and for the reasons, set forth in the petition.

It is proposed to amend Part 372 of the Special Regulations (14 CFR Part 372) as follows:

Amend § 372.2 by revising the definition of "immediate family" and adding a definition of "minor children," as follows:

**§ 372.2 Definitions.**

As used in this part, unless the context otherwise requires—

"Immediate family" means only the following persons: The spouse, children, parents, parents of the spouse, minor children of the parents, and minor children of the parents of the spouse of military personnel on active duty with the United States Armed Forces (including Coast Guard) stationed outside the contiguous States of the United States and the District of Columbia, and the spouse, children, parents, parents of the spouse, minor children of the parents, and minor children of the parents of the spouse of civilian employees of the Department of Defense who are citizens of the United States and are stationed in a foreign country, or in a U.S. territory or possession, where U.S. military personnel are stationed.

"Minor children" means children who have not attained the age of 18 years as of the date of an overseas military personnel charter in which they seek to participate.

[FR Doc.76-8812 Filed 3-26-76;8:45 am]

**ENVIRONMENTAL PROTECTION AGENCY**

[ 40 CFR Part 52 ]

[FRL 511-2]

**NEBRASKA**

**Approval and Promulgation of Implementation Plans and Compliance Schedules**

On May 31, 1972 (37 F.R. 10842), pursuant to Section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved portions of state plans for implementation of the national ambient air quality standards.

Revisions to the State Implementation Plan submitted by the State after adoption on February 22, 1974, were approved by the Environmental Protection Agency on September 9, 1975 (40 F.R. 41778). These revisions included the establishment of a July 31, 1976, date for the attainment of National Ambient Air Quality Standards (NAAQS).

After submittal of the emission limitations having state wide applicability, but prior to their September 9, 1975, approval, the State of Nebraska revised the numbering sequence of the emission limitations effective June 17, 1975. The emission limitations themselves were not changed.

In this proposal, the numbering sequence which became effective June 17, 1975, is used. Pertinent Rule Numbers and descriptive titles are listed below:

| Rule No. | Rule title  |
|----------|---|
| 5-----   | Process Operations; Particulate Emission Limitations for Existing Sources.                            |
| 6-----   | Fuel Burning Equipment; Particulate Emission Limitations for Existing Sources.                        |
| 7-----   | Incinerators; Emission Standards.   |
| 10-----  | Nitrogen Oxides (calculated as nitrogen dioxide); Emission Standards for Existing Stationary Sources. |
| 13-----  | Visible Emissions; Prohibited (exceptions: See rule 18).  |
| 14-----  | Dust; Duty to Prevent Escape of.  |

The State of Nebraska submitted to the Environmental Protection Agency compliance schedules to be considered as proposed revisions to the approved plans pursuant to 40 CFR 51.6. 40 CFR 51.8 requires the Administrator to approve or disapprove compliance schedules submitted by the states. Therefore, the Administrator proposes the approval of the compliance schedules listed below.

The approvable schedules were adopted by the State and submitted to the Environmental Protection Agency after notice and public hearings in accordance with the procedural requirements of 40 CFR 51.4 and 51.6, and the substantive requirements of 40 CFR 51.15 pertaining to compliance schedules. The compliance schedules have been reviewed and determined to be consistent with the approved control strategies of Nebraska.

Each approved revision establishes a new date by which the individual source must comply with the applicable emission limitation in the federally approved State Implementation Plan. This date is indicated in the table below, under the heading "Final Compliance Date."

In the indication of proposed approval of individual compliance schedules, the individual schedules are included by reference only. In addition, since the large number of compliance schedules preclude setting forth detailed reasons for approval of individual schedules in the FEDERAL REGISTER, an evaluation report has been prepared for each individual compliance schedule. Copies of these evaluation reports are available for public inspection at the Environmental Protection Agency, 1735 Baltimore Avenue, Kansas City, Missouri. The compliance schedules proposed to be approved and

<sup>5</sup> E.g. § 208.212(b) where "immediate family" is defined as the spouse, dependent children, and parents living in the household of the bona fide member of the charter organization.

<sup>6</sup> § 372.2.

<sup>7</sup> Docket 27876.

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the State Implementation Plans are available for public inspection at the Environmental Protection Agency Regional Office; the Environmental Protection Agency, Division of Stationary Source Enforcement, 401 M Street, S.W., Washington, D.C.; and the Nebraska Department of Environmental Control, 1424 P Street, Lincoln, Nebraska.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the Region VII Office at the above address. All comments submitted on or before April 28, 1976 will be considered. All comments received, as well as copies of the applicable implementation plans, will be available for inspection during normal business hours at the Regional Office.

This proposed rulemaking is issued under the authority of section 110(a)

of the Clean Air Act, as amended, 42 U.S.C. 1857c-5.

Dated: March 10, 1976.

JEROME H. SVORE,  
Regional Administrator.

It is proposed to amend Part 52 of Chapter I, Title 40, of the Code of Federal Regulations as follows:

## Subpart CC—Nebraska

1. A new § 52.1425 is added as follows:

## § 52.1425 Compliance Schedules.

(a) The compliance schedules for the sources identified below are approved as revisions to the plan pursuant to § 51.6 and § 51.15 of this chapter. All regulations cited are air pollution control regulations of the State, unless otherwise noted.

## Nebraska—Compliance schedules

| Source   | Location         | Regulation involved | Date adopted  | Variance expiration date | Final compliance date |
|--|------------------|---------------------|---------------|--------------------------|-----------------------|
| Allied Mills, Inc.: 3 drums and 2 hammermills.                     | Elm Creek plant. | Rules 5, 13.        | Aug. 22, 1974 | May 1, 1976              | May 1, 1976           |
| Cominco American, Inc.: Nitric acid absorption tower.              | Beatrice         | Rule 10             | do            | July 31, 1976            | July 31, 1976         |
| Dobson Bros. Construction Co.: Portable asphalt plant.             | Outstate         | Rule 5              | do            | May 1, 1976              | May 1, 1976           |
| Beerman Bros.: Dehydrating: Dryers and hammermill.                 | Dakota City      | do                  | do            | do                       | Do.                   |
| Behrens Blacktop: B/G 845 asphalt plant.                           | Beatrice         | do                  | do            | July 31, 1976            | July 31, 1976         |
| W. A. Bita Engineering:  |                  |                     |               |                          |                       |
| (a) Asphalt plant—Model G-80                                       | Geneva           | Rule 13             | do            | June 25, 1976            | June 25, 1976         |
| (b) Asphalt plant—Model G-40                                       | do               | Rule 5              | do            | do                       | Do.                   |
| Board of Public Utilities Power Plant No. 1: Boilers Nos. 4 and 5. | Fremont          | Rule 6              | do            | June 1, 1976             | June 1, 1967          |
| Bram, Inc.: Drum and hammermill.                                   | Arlington        | Rule 5              | do            | July 31, 1976            | July 31, 1976         |
| CF Industries, Inc.: Nitric acid plant.                            | Fremont          | Rule 10             | do            | do                       | Do.                   |
| Consolidated Blenders, Inc.: Drum and hammermill.                  | Arlington        | Rule 5              | do            | June 1, 1976             | June 1, 1976          |
| Consolidated Blenders, Inc.: Old plant drums and hammermills.      | Gothenburg       | do                  | do            | do                       | Do.                   |
| Consolidated Blenders, Inc.: Drum and hammermill.                  | Lexington        | do                  | do            | do                       | Do.                   |
| Consolidated Blenders, Inc.: Drums and hammermills.                | Loomis           | do                  | do            | do                       | Do.                   |
| Consolidated Blenders, Inc.: Drum and hammermill.                  | Mead East        | do                  | do            | do                       | Do.                   |
| Consolidated Blenders, Inc.: Drums and hammermills.                | Schuyler         | do                  | do            | do                       | Do.                   |
| Consolidated Blenders, Inc.: Drum and hammermill.                  | Wausa            | do                  | do            | do                       | Do.                   |
| Consolidated Blenders, Inc.: Drums and hammermill.                 | Wood River       | do                  | do            | do                       | Do.                   |
| Do   | York             | do                  | do            | do                       | Do.                   |
| Dawson County Feed Products, Inc.: Drum and hammermill.            | Brule            | do                  | do            | June 30, 1976            | June 30, 1976         |
| Dudden Alfalfa Farms, Inc.: Drum and hammermills.                  | Venango          | do                  | do            | May 15, 1976             | May 15, 1976          |
| Edison Dehy. Co., Inc.: Drums and hammermills.                     | Edison           | do                  | do            | July 31, 1976            | July 31, 1976         |
| J. L. Healy Construction Co.: Portable asphalt plant No. 606.      | Outstate         | do                  | do            | do                       | Do.                   |
| J. L. Healy Construction Co.: Portable asphalt plant No. 692.      | do               | do                  | do            | do                       | Do.                   |
| Hillside Dehy. Inc.: Drums and hammermill.                         | Vehling          | do                  | do            | May 5, 1976              | May 5, 1976           |
| Land O'Lakes, Inc.: Drums and hammermill.                          | David City       | do                  | do            | July 24, 1976            | July 24, 1976         |
| Do   | West Point       | do                  | do            | July 3, 1976             | July 3, 1976          |
| Loup Valley Alfalfa, Inc.: Drum and hammermill.                    | Burwell          | Rule 13             | do            | June 30, 1976            | June 30, 1976         |
| Magnus Metal Division: Reverberatory furnaces.                     | Fremont          | do                  | do            | July 1, 1976             | July 1, 1976          |
| Missouri Valley Construction Co.: Asphalt concrete plant.          | do               | Rule 5              | do            | June 30, 1976            | June 30, 1976         |
| Missouri Valley Construction Co.: Asphalt plant (B/G Model 845).   | Columbus         | do                  | do            | do                       | Do.                   |
| Missouri Valley Construction Co.: Asphalt plant (B/G Model 848).   | Norfolk          | do                  | do            | do                       | Do.                   |
| Missouri Valley Construction Co.: Portable asphalt plant.          | Grand Island     | do                  | do            | do                       | Do.                   |
| Do   | McCook           | do                  | do            | do                       | Do.                   |
| Morrison & Quirk, Inc.: Drum and hammermill.                       | Lyons            | do                  | do            | July 31, 1976            | July 31, 1976         |
| Do   | Oakland          | do                  | do            | do                       | Do.                   |
| Do   | Pender           | do                  | do            | do                       | Do.                   |
| North Bend Alfalfa, Inc.: Drums and hammermills.                   | North Bend       | do                  | do            | Jan. 15, 1976            | Jan. 15, 1976         |
| Shofstall, Inc.: Drums and hammermills.                            | Odessa           | do                  | do            | July 1, 1976             | July 1, 1976          |
| Table Rock Lumber Co.: Inelnerator                                 | Table Rock       | Rule 7              | do            | July 31, 1976            | July 31, 1976         |

PROPOSED RULES

12907

| Source   | Location            | Regulation involved | Date adopted  | Variance expiration date | Final compliance date |
|--|---------------------|---------------------|---------------|--------------------------|-----------------------|
| Western Alfalfa Corp.: Drums and hammermill.             | Cozad.....          | Rules 5 and 13..... | do.....       | do.....                  | Do.                   |
| Western Alfalfa Corp.: Drums and hammermills.            | Elm Creek.....      | do.....             | do.....       | do.....                  | Do.                   |
| Do.....  | Kearney.....        | do.....             | do.....       | do.....                  | Do.                   |
| Gothenburg Feed Products Co.: Drum and hammermill.       | Willow Island.....  | Rule 5.....         | Jan. 14, 1975 | July 1, 1976             | July 1, 1976          |
| Sargent Alfalfa Products, Inc.: Drums and hammermill.    | Sargent.....        | Rule 13.....        | do.....       | July 15, 1976            | July 15, 1976         |
| Transco Feed Products, Inc.: Drums and hammermills.      | Nickerson.....      | Rule 5.....         | May 6, 1975   | May 1, 1976              | May 1, 1976           |
| Kaw Dehydrating Co., Inc.: Drums 1 and 2, hammermills.   | Brady.....          | do.....             | do.....       | June 1, 1976             | June 1, 1976          |
| 8 by 24 Hell dryer.....                                  | do.....             | do.....             | do.....       | do.....                  | Do.                   |
| Hanna & Lamb Milling Co.: Drums and hammermills.         | Gothenburg.....     | do.....             | do.....       | July 1, 1976             | July 1, 1976          |
| Central Alfalfa, Inc.: 8 by 24 Hell dryer.....           | Josselyn plant..... | do.....             | do.....       | July 31, 1976            | July 31, 1976         |
| 12 by 42 MEC dryer.....                                  | do.....             | do.....             | do.....       | do.....                  | Do.                   |
| Cedar Bluffs Dehydrating: 2 drums and 3 hammermills.     | Cedar Bluffs.....   | do.....             | do.....       | May 28, 1976             | May 28, 1976          |
| Albers Dehydrating Co.: Drums 1 and a, and hammermill.   | Wisner.....         | do.....             | do.....       | July 1, 1976             | July 1, 1976          |
| Central Alfalfa, Inc.: Drums and hammermills.            | Lexington.....      | do.....             | do.....       | July 31, 1976            | July 31, 1976         |
| Coleridge Dehydrating, Inc.: Drums and hammermills.      | Coleridge.....      | do.....             | do.....       | July 1, 1976             | July 1, 1976          |
| Ebel Alfalfa Co., Inc.: Drum and hammermill.             | Scribner.....       | do.....             | do.....       | do.....                  | Do.                   |
| Fox Grain Co. (Division of Scoular-Bishop).              | Gibbon.....         | Rule 14.....        | do.....       | June 15, 1976            | June 15, 1976         |
| Endicott Clay Products Co.: Lingitunnel kiln.            | Fairbury.....       | Rule 13.....        | Sept. 2, 1975 | July 31, 1976            | July 31, 1976         |
| Iowa Beef Processors, Inc.: Raymond dryers.              | Dakota City.....    | do.....             | do.....       | do.....                  | Do.                   |
| Island Dehydrating, Inc.: Drums and hammermills.         | Cozad.....          | Rule 5.....         | do.....       | June 1, 1976             | June 1, 1976          |
| Progressive Livestock & Feed, Inc.: Drum and hammermill. | Bertrand.....       | do.....             | do.....       | July 1, 1976             | July 1, 1976          |
| Progressive Products Co., Inc.....                       | Overton.....        | do.....             | do.....       | do.....                  | Do.                   |
| Mid-America Dairymen: Spray dryer.....                   | Norfolk.....        | do.....             | Jan. 6, 1976  | July 31, 1976            | July 31, 1976         |
| Do.....  | Superior.....       | do.....             | do.....       | do.....                  | Do.                   |
| Consolidated Blenders, Inc.: Drum and hammermill.        | Mead West.....      | do.....             | do.....       | do.....                  | Do.                   |
| Consolidated Blenders: Drum and hammermill.              | Darr East.....      | do.....             | do.....       | do.....                  | Do.                   |
| Consolidated Blenders: New plant—drum and hammermill.    | Gothenburg.....     | do.....             | do.....       | do.....                  | Do.                   |
| Consolidated Blenders: Drum and hammermill.              | Grand Island.....   | do.....             | do.....       | do.....                  | Do.                   |
| Do.....  | Ord.....            | do.....             | do.....       | do.....                  | Do.                   |
| Do.....  | Stanton.....        | do.....             | do.....       | do.....                  | Do.                   |
| Cozad Alfalfa, Inc.: Drum and hammermill.                | Cozad.....          | do.....             | do.....       | July 1, 1976             | July 1, 1976          |
| Kearney Alfalfa Mills, Inc.: Drums and hammermills.      | Kearney.....        | do.....             | do.....       | May 30, 1976             | May 30, 1976          |
| Orleans Milling Co., Inc.: Drum and hammermill.          | Orleans.....        | do.....             | do.....       | do.....                  | Do.                   |

[FR Doc.76-8733 Filed 3-26-76;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 THE TREASURY

### Fiscal Service

[Dept. Circ. 570, 1975 Rev., Supp. No. 15]

#### AETNA CASUALTY AND SURETY CO. OF ILLINOIS

##### Surety Companies Acceptable on Federal Bonds

A Certificate of Authority as an acceptable surety on Federal bonds has been issued by the Secretary of the Treasury to the following company under Sections 6 to 13 of Title 6 of the United States Code. An underwriting limitation of \$4,032,000 has been established for the company.

*Name of company, location of principal executive office, and State in which incorporated*

Aetna Casualty & Surety Company of Illinois  
Chicago, Illinois  
Illinois

Certificates of Authority expire on June 30 each year, unless sooner revoked, and new certificates are issued on July 1 so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact surety business and other information. Copies of the circular, when issued, may be obtained from the Treasury Department, Bureau of Government Financial Operations, Audit Staff, Washington, D.C. 20226.

Dated: March 19, 1976.

DAVID MOSSO,  
*Fiscal Assistant Secretary.*

[FR Doc.76-8771 Filed 3-26-76;8:45 am]

[Dept. Circ. 570, 1975 Rev., Supp. No. 14]

#### THE AUTOMOBILE INSURANCE CO. OF HARTFORD CONNECTICUT

##### Surety Companies Acceptable on Federal Bonds

A Certificate of Authority as an acceptable surety on Federal bonds has been issued by the Secretary of the Treasury to the following company under Sections 6 to 13 of Title 6 of the United States Code. An underwriting limitation of \$349,000 has been established for the company.

*Name of company, location of principal executive office, and State in which incorporated*

The Automobile Insurance Company of Hartford, Connecticut  
Hartford, Connecticut  
Connecticut

Certificates of Authority expire on June 30 each year, unless sooner revoked, and new certificates are issued on July 1 so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact surety business and other information. Copies of the circular, when issued, may be obtained from the Treasury Department, Bureau of Government Financial Operations, Audit Staff, Washington, D.C. 20226.

Dated: March 19, 1976.

DAVID MOSSO,  
*Fiscal Assistant Secretary.*

[FR Doc.76-8770 Filed 3-26-76;8:45 am]

## DEPARTMENT OF DEFENSE

### Office of the Secretary of Defense

#### DEPARTMENT OF DEFENSE ADVISORY GROUP ON UTILIZATION OF GRAVIMETRIC DATA

##### Advisory Group Meeting

The DoD Advisory Group on Utilization of Gravimetric Data will meet in closed session on 12-13 April 1976 at the Charles Stark Draper Laboratory, Cambridge, Massachusetts.

The overall mission of this Advisory Group is to advise the Director of Defense Research and Engineering on the effective utilization of gravimetric data to meet the operational needs of the military forces.

The Advisory Group will assess the importance of satellite radar altimetry data for improving our knowledge of the earth's gravitational field and for improving the error budget of the Fleet Ballistic Missile System.

In accordance with Section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Advisory Group meeting concerns matters listed in Section 552(b) of Title 5 of the United States Code, specifically subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

March 25, 1976.

MAURICE W. ROCHE,  
*Director, Correspondence and Directives OASD (Comptroller).*

[FR Doc.76-9014 Filed 3-26-76;10:10 am]

## DEPARTMENT OF JUSTICE

### Office of the Attorney General

#### FEDERAL ADVISORY COMMITTEE ON FALSE IDENTIFICATION

##### Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. Appendix I) that the thirteenth meeting of the Federal Advisory Committee on False Identification will be held at 9:30 a.m., Thursday, April 8, 1976, at the Briefing and Conference Center of the Department of Justice (opposite Room 1315), 10th and Constitution Avenue NW., Washington, D.C.

The Committee was established by the Attorney General to study the criminal use of false identification at Federal, state, and local levels and to recommend measures to prevent such use.

At the plenary session of the April 8th meeting, the Committee will continue its review of recommended solutions to the criminal use of false identification to be included in the Committee's final report.

The meeting, which will adjourn at approximately 2:00 p.m. is open to the public. The Committee welcomes a broad spectrum of ideas from the public to assist the Committee in its efforts to protect each citizen's right to privacy and to aid in preventing the criminal use of false identification.

Further information concerning this meeting may be obtained from David J. Muchow or Douglas H. Westbrook, General Crimes Section, Criminal Division, Department of Justice, Room 516, Federal Triangle Building, 315 9th Street NW., Washington, D.C. 20530, telephone (202) 739-3750 or 739-2745. Minutes of the meeting will be available for public inspection approximately two weeks after the meeting in Room 516, Federal Triangle Building.

RICHARD L. THORNBURGH,  
*Assistant Attorney General.*

[FR Doc.76-8970 Filed 3-26-76;8:45 am]

## DEPARTMENT OF THE INTERIOR

### ENDANGERED SPECIES PERMIT

#### Notice of Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (P.L. 93-205).

| DEPARTMENT OF THE INTERIOR<br>U.S. FISH AND WILDLIFE SERVICE<br><br>FEDERAL FISH AND WILDLIFE<br>LICENSE/PERMIT APPLICATION  |                        | OMB NO. 42-R1679  |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
|--|------------------------|---|--------|--------|---------------|------------|------------|----------------------------|------------------------|--|------------|--|--|---|--|
| 1. APPLICANT, (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)  |                        | 3. APPLICATION FOR (Indicate only one)  |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| NORMAN C. GRAN<br>R.R.#1; M.H. ROAD<br>LAKEFIELD, MN. 56150  |                        | <input type="checkbox"/> IMPORT OR EXPORT LICENSE <input checked="" type="checkbox"/> PERMIT  |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| 4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:  |                        | 2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.   |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| <table border="1"> <tr> <td><input checked="" type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.</td> <td>HEIGHT</td> <td>WEIGHT</td> </tr> <tr> <td>DATE OF BIRTH</td> <td>COLOR HAIR</td> <td>COLOR EYES</td> </tr> <tr> <td>PHONE NUMBER WHEN EMPLOYED</td> <td>SOCIAL SECURITY NUMBER</td> <td></td> </tr> <tr> <td>OCCUPATION</td> <td></td> <td></td> </tr> </table>   |                        | <input checked="" type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.  | HEIGHT | WEIGHT | DATE OF BIRTH | COLOR HAIR | COLOR EYES | PHONE NUMBER WHEN EMPLOYED | SOCIAL SECURITY NUMBER |  | OCCUPATION |  |  | I wish to buy + ship into the State the ENDANGERED species of DUCK, LAYSAN TEAL (ANAS LAYSANENSIS) for propagation purposes, from NEBRASKA. |  |
| <input checked="" type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MS.   | HEIGHT                 | WEIGHT  |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| DATE OF BIRTH  | COLOR HAIR             | COLOR EYES  |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| PHONE NUMBER WHEN EMPLOYED   | SOCIAL SECURITY NUMBER |   |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| OCCUPATION   |                        |   |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| 5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:   |                        | 6. IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED  |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION   |                        | NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.   |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| 8. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED   |                        | 7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO<br>(If yes, list license or permit numbers)                                   |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| NW 1/4 of NE 1/4 of Sec. 4,<br>Hunter Township 102, North<br>Range 36 West on East Edge<br>of Lakefield, Minn.   |                        | Waterfowl Sale + Disposal 3-PR-2030   |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| 9. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF  |                        | 8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? <input type="checkbox"/> YES <input type="checkbox"/> NO<br>(If yes, list jurisdictions and type of documents) |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| 10. DESIRED EFFECTIVE DATE   |                        | 11. DURATION NEEDED   |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| 3/15/76  |                        |   |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| 12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 12.12(a)) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.   |                        |   |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| Section 1722 of 50 CFR<br>Note Attached Copies.  |                        |   |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| <b>CERTIFICATION</b>   |                        |   |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001. |                        |   |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| SIGNATURE (In ink)   |                        | DATE  |        |        |               |            |            |                            |                        |  |            |  |  |   |  |
| Norman Gran  |                        | 2/6/76  |        |        |               |            |            |                            |                        |  |            |  |  |   |  |

Applicant: Mr. Norman C. Gran, R.R. #1, Mile Road, Lakefield, Mn. 56150.

(1) Ducks: Laysan Teal (*Anas Laysanensis*) 13 male, 5 female. Would like to purchase the above for propagation purposes and to obtain new blood to keep the stock strong. I wish to breed them with 6 Laysans I have obtained here in Minnesota.

(2) All Wildlife was born in captivity.

(3) By purchasing the above birds that were raised in captivity from breeders in the states. By having them shipped in interstate and padded crates to avoid any chance of injury.

(4) The Laysan Teal I wish to purchase were raised in captivity by Mrs. R. W. Hanson of Kearney, Nebraska. The other birds were raised by Stanley Fredin of Gaylord, Minnesota.

(5) The birds will be kept at my place. The pens are located behind my home. They are 15' x 30' x 5' high and have natural vege-

tation for nesting, shrubbery for shade and a 14' x 8' x 2' feet deep pond with a constant fresh supply of water. I am in the process of building a large 50' x 80' x 6' covered pen of 1 inch mesh wire to give the birds more space and privacy. I also have wintering quarters with ample fresh water and heat which are needed for this bird is not adapted to surviving our winters without such precautions.

(6) Diagram of holding facilities. This new pen will be completed about mid-April and will be 80' x 50' x 6' high. It will be covered with 2" plastic netting from the Cissel Netting Company.

I have been raising waterfowl for about 5 years now and have reared young from 14 varieties of ducks, most of which have been native waterfowl.

(11) I would welcome an opportunity to cooperate in a breeding program and keep accurate records. I believe this is the only way many of our species will ever survive the onslaught of civilization.

(iv) The container used for shipping are 2 ft wide, 18" high, and 30" long. They are constructed with a light wood and lined with Burlap. Feed and water are placed in each box. The Laysan teal will be shipped and picked up within 24 hrs.

(v) I have not raised Laysan teal before so can report nothing on them. I have lost very few birds in the 4 years I have been raising birds on a hobby basis. Three birds were taken by owls the first year before I began covering the breeding area. I also lost a few to common duck disease until I learned how to control most of the factors which cause them. Losses the last two years have been two birds in a breeding flock of about 80, one of those due to a Paradise Shelduck drake which got out and killed a mandarin drake.

(7) There are no contracts or agreements. If I get the permit I plan to purchase the birds from Mrs. R. W. Hanson of Kearney, Neb.

(8) (i) I plan on keeping, breeding, buying, and selling for propagation only. The Laysan teal.

(ii) I will supply adequate pens, housing, feed and care to insure the birds contentment in captivity, in order that they will breed to keep the species going.

(iii) I have had a great love for waterfowl since being a child. My objective is to be able to help sustain a captive population as those who come after us will be able to see the natural beauty and delight in the activities of live birds rather than seeing a extinct mounted specimen in a museum. Such an end to these beautiful creatures would be a black mark on mankind.

(iv) If I should desire to quit raising birds I would sell them to other reputable breeders whom I felt were capable of raising and properly caring for them this is the remotest of possibilities because of the great joy I find in keeping and raising these birds. They are a great source of relaxation and help achieve a feeling of fulfillment in helping to presume a heritage for all to enjoy.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, N.W., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before April 28, 1976 will be considered.

Dated: March 29, 1976.


C. R. BAVIN,  
Chief, Division of Law Enforcement,  
U.S. Fish and Wildlife  
Service.

[FR Doc.76-8543 Filed 3-28-76; 8:45 am]

#### ENDANGERED SPECIES PERMIT Notice of Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (P.L. 93-205).

FORM NO. 42-1172

|  |                        |  |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
|--|------------------------|--|--------|--------|--|---------------|------------|---------------|------------|------------|---------------------|--------------|--------------|-----------------------------|------------------------|--|---------------------|--------------------|--|------------|--|--|---|--|--|---|--|--|--|--|--|---|--|
|  <p><b>DEPARTMENT OF THE INTERIOR<br/>U.S. FISH AND WILDLIFE SERVICE</b></p> <p><b>FEDERAL FISH AND WILDLIFE<br/>LICENSE/PERMIT APPLICATION</b></p>   |                        | <p>1. APPLICATION FORM (Use only one)</p> <p><input type="checkbox"/> IMPORT OR EXPORT LICENSE    <input checked="" type="checkbox"/> PERMIT</p>   |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| <p>3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)</p> <p><i>Elmer A. Heft<br/>398 Lake St.<br/>Green Lake, Wis. 54941</i></p>   |                        | <p>2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.</p> <p><i>To sell Palawan Hume, Edwards, and Bantling Copper Pheasants to a breeder in Canada for breeding purposes.</i></p>  |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| <p>4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td><input checked="" type="checkbox"/> MR.   <input type="checkbox"/> MRS.   <input type="checkbox"/> MISS   <input type="checkbox"/> MEX.</td> <td>HEIGHT</td> <td>WEIGHT</td> </tr> <tr> <td></td> <td><i>5' 10"</i></td> <td><i>145</i></td> </tr> <tr> <td>DATE OF BIRTH</td> <td>COLOR HAIR</td> <td>COLOR EYES</td> </tr> <tr> <td><i>Apr. 8, 1899</i></td> <td><i>Brown</i></td> <td><i>Brown</i></td> </tr> <tr> <td>PHONE NUMBER WHERE EMPLOYED</td> <td colspan="2">SOCIAL SECURITY NUMBER</td> </tr> <tr> <td><i>414-294-6652</i></td> <td colspan="2"><i>392-20-1342</i></td> </tr> <tr> <td colspan="3">OCCUPATION</td> </tr> <tr> <td colspan="3"><i>Retired. Had aircraft business. Built on a hobby for 36 years.</i></td> </tr> <tr> <td colspan="3">ANY BUSINESS, AGENCY, OR INSTITUTION TO WHICH AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT</td> </tr> <tr> <td colspan="3"><i>is business association. Trying to raise all kinds of birds that are endangered and rare.</i></td> </tr> </table> |                        | <input checked="" type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MEX.  | HEIGHT | WEIGHT |  | <i>5' 10"</i> | <i>145</i> | DATE OF BIRTH | COLOR HAIR | COLOR EYES | <i>Apr. 8, 1899</i> | <i>Brown</i> | <i>Brown</i> | PHONE NUMBER WHERE EMPLOYED | SOCIAL SECURITY NUMBER |  | <i>414-294-6652</i> | <i>392-20-1342</i> |  | OCCUPATION |  |  | <i>Retired. Had aircraft business. Built on a hobby for 36 years.</i> |  |  | ANY BUSINESS, AGENCY, OR INSTITUTION TO WHICH AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT |  |  | <i>is business association. Trying to raise all kinds of birds that are endangered and rare.</i> |  |  | <p>5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:</p> <p>EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION</p> |  |
| <input checked="" type="checkbox"/> MR. <input type="checkbox"/> MRS. <input type="checkbox"/> MISS <input type="checkbox"/> MEX.  | HEIGHT                 | WEIGHT   |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
|  | <i>5' 10"</i>          | <i>145</i>   |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| DATE OF BIRTH  | COLOR HAIR             | COLOR EYES   |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| <i>Apr. 8, 1899</i>  | <i>Brown</i>           | <i>Brown</i>   |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| PHONE NUMBER WHERE EMPLOYED  | SOCIAL SECURITY NUMBER |  |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| <i>414-294-6652</i>  | <i>392-20-1342</i>     |  |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| OCCUPATION   |                        |  |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| <i>Retired. Had aircraft business. Built on a hobby for 36 years.</i>  |                        |  |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| ANY BUSINESS, AGENCY, OR INSTITUTION TO WHICH AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT  |                        |  |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| <i>is business association. Trying to raise all kinds of birds that are endangered and rare.</i>   |                        |  |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| <p>6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED</p> <p><i>Export Palawan, Hume, Edwards, Scin Copper to Canada for breeding purposes.</i></p>  |                        | <p>7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? <input checked="" type="checkbox"/> YES   <input type="checkbox"/> NO</p> <p><i>(If yes, list license or permit number)</i></p> <p><i>3PR-420<br/>35P-72</i></p>  |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| <p>8. CERTIFIED CHECK OR MONEY ORDER (if applicant) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF \$</p>   |                        | <p>9. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? <input checked="" type="checkbox"/> YES   <input type="checkbox"/> NO</p> <p><i>(If yes, list name and type of document)</i></p> <p><i>Breeder in Canada was applied for an import permit.</i></p> |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| <p>10. DESIRED EFFECTIVE DATE</p> <p><i>As soon as permit is issued</i></p>  |                        | <p>11. DURATION NEEDED</p> <p><i>1 year</i></p>  |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| <p>12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED IS IN CFR 13.12(b) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 30 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.</p> <p><i>See attached schedule.</i></p>  |                        |  |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| <p><b>CERTIFICATION</b></p>  |                        |  |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| <p>I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.</p>  |                        |  |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| SIGNATURE (In ink)   |                        | DATE   |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |
| <i>Elmer A. Heft</i>   |                        | <i>Nov. 13, 1975</i>   |        |        |  |               |            |               |            |            |                     |              |              |                             |                        |  |                     |                    |  |            |  |  |   |  |  |   |  |  |  |  |  |   |  |

raising birds, must be good as he has raised the more rare birds for a number of years.

Yours very truly,

Elmer A. Heft.  
Green Lake Wis.  
Jan. 28, 1976.

DIRECTOR,  
U.S. Fish & Wildlife Service  
Washington, D.C.

DEAR SIR: Find enclosed my application for a permit to sell and buy the endangered species. I would like to make a few remarks in regard to this Act as it pertains to pheasants; ducks, geese, etc. All these birds were originally imported into the states by importers, breeders and hobbyists. We were having success in raising and increasing them. To these captive-raised birds should never have been placed on the endangered species list as we increasing their numbers. I have heard a number of breeders state that they will not raise them anymore with all the red tape attached to buy and sell them. These birds are mostly kept by hobbyists that are retired and love nature and so were increasing their numbers for future generations. I have a number of surplus birds but if it takes several months to get a permit to sell them, a breeding season is missed. I applied for a permit to ship some birds to Canada about three months ago and so far have not received the permit. Several months delay in getting permits just misses a breeding season. I am for the Endangered Species Act for protection of these birds in their native habitat. But a lot more birds would be raised if this Act did not cover the captive birds in the States.

Yours very truly,

ELMER A. HEFT.

P.S. I have over one hundred kinds of birds being one of the larger collections in the mid-west.

APPLICANT:

Elmer A. Heft,  
398 Lake St.,  
Green Lake Wis Zip 54941.

- List of Endangered Species on hand.  
Brown Eared—*Corsosiptilon mantchuricum*  
1 Male 1 Female, Edward's—*Lophura edwardsi* 3 Males 1 Female, Mikado—*Syrncaetis mikado* 2 Females 1 Male, Palawan Peacock—*Polyplectron emphanum* 4 Females 3 Males, Swinhoe's—*Lophura swinhohi* 3 Males 4 Females, Bartailed—*Syrncaetis humiae* 3 Males 1 Female, Parakeet—Turquoise—*Neophema pulchella* 1 Male 1 Female.

These birds are from 1975 hatched birds and some are seven or eight years old. Would like to be able to export, sell & buy the above species for propagation purposes and to get new blood to avoid interbreeding. Would also like to buy and sell other species that I do not have at present that may be put on the endangered species list.

2. All the above species were raised in captivity.

3. Would like to be able to purchase pheasants and other birds that are on the endangered species list from other breeders that were raised in captivity.

4. None of the birds herein described have been removed from the wild. The other birds listed have been raised at our place or bought prior to the endangered species Act.

12. Attachments: Jack Schuriteman Jr., Delvin, Ontario Rte 2 wants to buy 2 Palawan, 2 Humes, 3 Edward's, 2 Copper pheasants for breeding purposes to get new blood and to avoid inbreeding. He has applied for an import permit from the U.S. Fish & Wildlife Service.

Green Lake Wts,  
Oct. 13, 1975.

FISH & WILDLIFE SERVICE  
Washington, D.C.

DEAR SIR: I would like to apply for an export permit to sell several of the pheasants that are at present on the endangered species list to Jack Schuriteman, Jr., of Delvin, Ontario Rte. He has applied for an import permit. These pheasants are to be used for breeding purposes. They are the following birds that I want a permit. 2 Palawan females, 2 Edward's cocks, 2 Humes cocks.

Would like to get this permit as soon as possible before winter sets in.

Sincerely,

ELMER A. HEFT,  
398 Lake St.,  
Green Lake Wis.  
Zip 54941.

Green Lake, Wis.  
Dec. 30, 1975.

U.S. FISH & WILDLIFE SERVICE  
Washington, D.C.

DEAR SIR: In reply to the questions you asked in regard to my getting a permit to export some of the endangered species to Canada.

The endangered species that I intend to export to Canada were raised in captivity by me in the past two years.

In regard to the pens and facilities that Mr. Schuriteman of Delvin, Ontario, has for



5. The birds listed are kept in my place in City of Green Lake, Wisconsin. I have different sized pens. Some are 12'x18'x7'. Others are 12'x50'x7'. My entire aviary is entirely enclosed in a seven foot fence. Pens are located on a three acre lot. Pens are planted with Japanese Yews.

6. (1) Photos Enclosed.

(2) I have been raising different kinds of birds, including pheasants, ducks, geese, quail, partridge swans and parrot-like birds for thirty seven years. In 1974, was awarded Master Breeder Award by the American Game Bird Breeders Cooperative Federation. During this time I have raised numbers of the endangered species and sold them to other breeders and hobbyists.

(iii) I would be willing to cooperate in a breeding program and keep accurate records. If it were not for the breeders and hobbyists that imported these birds originally none would exist in the U.S. today.

(iv) I have shipped birds for thirty-seven years and find that different sized containers have to be used for different kinds of birds. The containers that I ship my birds in are for the size of the bird. They are padded. Water and food containers are placed in each coop. Notice is placed on coop to water the birds. Plenty of feed is put in container. With our freight today only takes a few hours to ship birds to their destination.

(v) I have never had any contagious disease in my birds. Of course some die of old age and some are accidentally killed. My pens are cultivated and planted to winter wheat and grasses once or twice a year.

7. I have no contracts or agreements. If I get a permit would like to be able to purchase other birds that are on the endangered species list.

8.(1) I plan on keeping, buying and selling for propagation the species listed herein and others that I may acquire.

(ii) I have in the past thirty-seven years tried to increase the birds that are on the endangered species list and other birds and have succeeded in doing. Also have the birds for the public to see the birds that are native to other countries. If it were not for hobbyists and breeders like myself they would not exist in the U.S. today.

(iii) If I decide to quit raising birds I would sell the entire collection over one hundred kinds today to another breeder or hobbyist, or sell the birds to other breeders or hobbyists who are capable of taking care of them.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, N.W., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before April 28, 1976 will be considered.

Dated: March 29, 1976.

C. R. BAVIN,  
Chief, Division of Law Enforcement,  
U.S. Fish and Wildlife Service.

[FR Doc.76-8544 Filed 3-26-76;8:45 am]

### Office of Hearings and Appeals

[Docket No. M76-114]

#### BARTLEY AND BARTLEY COAL COMPANY Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Bartley and Bartley Coal Company has filed a petition to modify the application of 30 CFR 75.1710 to its No. 3 Mine located in Pike County, Kentucky. 30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710-1 which in pertinent part provides:

• • • Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;

(4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;

(5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches, and

(6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. • • •

The substance of Petitioner's statement is as follows:

1. Canopies for mining equipment that is not manufactured and designed for canopies are impractical due to:

(a) The height of the coal seam varies between 42 and 54 inches. Canopies would have to be set below 42 inches which is the lowest point in the mine.

(b) The location of the machine operator would be at a rough riding part of the machine. The operator would be in a cramped position. The equipment is not designed for power steering and the mechanical steering and other controls could not be operated properly.

(c) Visibility would be impaired by 100 percent in rear view and by 30 percent in front.

(d) The machine operator would be hindered and confined in case of an emergency.

2. Proposed alternative method:

(a) Keeping safe roof over mine and machine.

(b) Working safely.

(c) Safety first.

*Request for Hearing or Comments.* Persons interested in this petition may request a hearing on the petition or furnish comments on or before April 28, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,

Director,

Office of Hearings and Appeals.

MARCH 22, 1976.

[FR Doc.76-8750 Filed 3-26-76;8:45 am]

#### ELKAY MINING COMPANY

##### Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Elkay Mining Company has filed a petition to modify the application of 30 CFR 75.1710 to its following mines:

1. *Elkay No. 1 Mine.* This mine is located near Lyburn, West Virginia, and operates three (3) sections in seam heights from 40 to 46 inches, using coal drills, cutters, and loaders and associated roof bolters and shuttle cars with heights of 24 to 36 inches.

2. *Elkay No. 2 Mine.* This mine is located near Lyburn, West Virginia, and operates one (1) section in seam heights from 40 to 44 inches, using coal drills, cutters and loaders and associated roof bolters, and shuttle cars with heights of 26 to 32 inches.

3. Principal problems in attempting to use canopies at these mines has been shearing of roof bolts and refusals of individual miners to operate the equipment. 30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710-1 which in pertinent part provides:

• • • Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is

employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

- (1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;
- (2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;
- (3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;
- (4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;
- (5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches, and
- (6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. . . .

The substance of Petitioner's statement is as follows:

1. Petitioner is constantly encountering undulations in the height of its coal seam.

2. As a result of the undulations in seam height the likelihood of jamming the canopy against the roof is increased. Moreover, safe clearance from the roof is not assured in that roof bolts have been and will continue to be sheared or dislodged thereby creating a greater risk of roof fall and injury to employees than would exist otherwise.

3. Technology in the industry is not available to design, and install canopies on existing equipment which will protect the operators in the conditions described above, insure visibility and safe operability, and prevent the hazards described herein. Instead, results of attempts to do so have included the following:

(a) Cramped and awkward operator positions cause operators to leave cabs more frequently, and in situations which exposes them to hazards of mining equipment.

(b) Poor visibility causes operators to put their heads outside of the equipment, which exposes them to hazards of moving equipment.

(c) Changes in conditions after installation of canopies, caused by variations in seam height and undulations, cause equipment clearance to be inadequate and cause collisions with the top, sheared roof bolts, damaged cross beams, and destroyed equipment and roof support.

4. Existence of the cab itself becomes a hazard in seams, or in portions of seams, in which the Petitioner operates as described above, because present equipment known to the Petitioner limits the paths of escape of an operator faced with a roof or rib fall in a confined space.

5. Much of the equipment used in these mines was not manufactured or designed for the installation of canopies and Petitioner has been unable to construct or purchase suitable canopies without en-

countering all of the foregoing problems.

6. In petitioning for modification of the mandatory standard herein, Petitioner is forced to request relief from all time limits set forth in 30 CFR 75.1710-1 as applied to date because of the variations described above within each mine. The standard prescribes time limits for use of canopies based upon maximum height within a mine. If the standard becomes immediately applicable throughout the mine, Petitioner is being forced to install canopies in the lower reaches of coal before other coal mine operators in like situations. If the different time limits are to apply to the separate mining sections or other areas in the mines, then Petitioner is faced with a vague situation as mining uncovers new conditions and he is faced with little time to comply or a situation where compliance is impossible as described herein, and his mine may be rendered worthless.

7. In view of all of the foregoing, Petitioner requests that, since the standard involved herein will result in a diminution of safety at its mines, and since technology is not available at present to satisfactorily accomplish the desired result of increased safety, the standard be modified to not require Petitioner to install canopies at its mines.

*Request for Hearing or Comments.* Persons interested in this petition may request a hearing on the petition or furnish comments on or before April 28, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,  
Director,

Office of Hearings and Appeals.

MARCH 22, 1976.

[FR Doc.76-8751 Filed 3-26-76;8:45 am]

[Docket No. M76-76]

**INCOAL COAL COMPANY, INCORPORATED**  
**Petition for Modification of Application of**  
**Mandatory Safety Standard**

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Incoal Coal Company, Inc. has filed a petition to modify the application of 30 CFR 75.1710 to its Incoal No. 1 Mine, Adkins No. 11 Mine and Sly Branch No. 2 Mine, all located in Knott County, Kentucky.

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710-1 which in pertinent part provides:

. . . Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

- (1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;
- (2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;
- (3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;
- (4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;
- (5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches, and
- (6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. . . .

The substance of Petitioner's statement is as follows:

(1) The Petitioner respectfully requests the modification of the application of the mandatory safety standard 30 CFR 75.1710-1(a) with respect to the subject mines for reason that the application of such standard will result in a reduction of safety to the miners.

(2) The Petitioner avers that technology does not presently exist to enable it to equip its self-propelled electric face equipment with suitable canopies to protect and provide for the safety of the operators of said equipment. The Petitioner further avers that based upon its recent experience with presently available canopies, the use of these canopies results in a reduction of safety to the miners in the above-named mines. The Petitioner's experience indicated the following:

(a) The Petitioner operates three mines in the No. 2 Elkhorn Coal Seams averaging 27 to 31 inches in height and at present is operating mining equipment averaging 30 to 31 inches in height. The above-named equipment is the lowest available at the present for seams of this height.

(b) While canopies of the type specified had the necessary height clearance in some instances under normal mining conditions, the necessary clearance diminished to zero when rolls or frequently adverse conditions were encountered. Petitioner was unable to get one particular piece of haulage equipment to the section before it became wedged against the roof, ripping the canopy off. The future use of these canopies will inadvertently cause injuries to the operators.

(c) When operating with the available canopies, the operator's vision is severely impaired to the point that operation of the equipment becomes hazardous to the operator and all other persons in the working area.

[Docket No. M76-77]

**NEWSOME COAL COMPANY**  
**Petition for Modification of Application of**  
**Mandatory Safety Standard**

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Newsome Coal Company has filed a petition to modify the application of 30 CFR 75.1710 to its Gum Branch No. 25 Mine and its Greasy Creek No. 1 Mine, both located in Knott County, Kentucky:

30 CFR 75.1710 provides:

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710-1 which in pertinent part provides:

• • • Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

- (1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;
- (2) On and after July 1, 1974, in coal mines having mining heights of 60 inches or more, but less than 72 inches;
- (3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;
- (4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;
- (5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches, and
- (6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. • • •

The substance of Petitioner's statement is as follows:

1. The Petitioner respectfully requests the modification of the application of the mandatory safety standard 30 CFR 75.1710-1(a) with respect to the subject mines for reason that the application of such standard will result in a reduction of safety to the miners.

2. The Petitioner avers that technology does not presently exist to enable it to equip its self-propelled electric face equipment with suitable canopies to protect and provide for the safety of the operators of said equipment. The Petitioner further avers that based upon its recent experience with presently available canopies, the use of these canopies results in a reduction of safety to the miners in the above-named mines. The Petitioner's experience indicated the following:

a. The Petitioner operates two mines in the Nos. 2 and 3 Elkhorn Coal Seams averaging 27 to 31 inches in height and at present is operating mining equipment averaging 30 to 31 inches in height. The above-named equipment is the lowest available at the present for seams of this height.

b. While canopies of the type specified had the necessary height clearance in some instances under normal mining conditions, the necessary clearance diminished to zero when rolls or frequently adverse conditions were encountered.

c. When operating with the available canopies, the operator's vision is severely impaired to the point that operation of the equipment becomes hazardous to the operator and all other persons in the working area.

d. Due to the combination of the severely limited vision and close confinement in the cab, appendages of the operator's body, such as his head and limbs, hang out in such manner that they are in jeopardy of being crushed between the equipment and coal rib.

e. Ingress to and egress from the cab is so limited that the operator is held captive and cannot escape when the action of the roof clearly would warrant such retreat.

f. Because of close confinement in the cab and severely limited ingress to and egress from the canopies, it is felt that the operator will attempt to control the equipment from outside the protection of the canopies and in doing so create the hazard of being crushed between the equipment and the rib.

g. In case of machine malfunction, cable damage, or power failure of any kind, or in the event of a machine fire, the operators of the equipment may be held captive by the canopy for an indefinite period depending on the circumstances.

h. The operators of this type of equipment are at all times under fully supported roof provided by an approved roof control plan. Such roof support is deemed satisfactory for all other personnel in the mine including the helpers on self-propelled electric face equipment. The helpers and other supporting personnel freely move around adjacent to the equipment under the protection of the proper roof support. Hence, the addition of canopies of the type presently available, rather than providing additional safety for the operators, introduces an instrument capable of inflicting serious bodily harm or death.

1. Due to rolls and adverse conditions, the canopies were constantly striking the roof bolts and were shearing the bolts or destroying the torque of the roof bolts on the section, thus reducing their efficiency and exposing all employees to the hazard of a roof fall from damaged support.

3. The Petitioner only recovers 60 to 65 percent of the recoverable coal leaving the balance for support. No second mining or pillar retraction is practiced at any of the above-named mines.

4. The Petitioner avers that with respect to low-ceiling mines, the use of currently available canopies with mobile electric face equipment severely dimin-

(d) Due to the combination of the severely limited vision and close confinement in the cab, appendages of the operator's body, such as his head and limbs, hang out in such manner that they are in jeopardy of being crushed between the equipment and the coal rib.

(e) Ingress to and egress from the cabs is so limited that the operator is held captive and cannot escape when the action of the roof clearly would warrant such retreat.

(f) Because of close confinement in the cab and severely limited ingress to and egress from the canopies, it is felt that the operator will attempt to control the equipment from outside the protection of the canopies and in doing so create the hazard of being crushed between the equipment and the rib.

(g) In case of machine malfunction, cable damage, or power failure of any kind, or in the event of a machine fire, the operators of the equipment may be held captive by the canopy for an indefinite period depending on the circumstances.

(h) The operators of this type of equipment are at all times under fully supported roof provided by an approved roof control plan. Such roof support is deemed satisfactory for all other personnel in the mine including the helpers on self-propelled electric face equipment. The helpers and other supporting personnel freely move around adjacent to the equipment under the protection of the proper roof support. Hence, the addition of canopies of the type presently available, rather than providing additional safety for the operators, introduces an instrument capable of inflicting serious bodily harm or death.

(i) Due to rolls and adverse conditions, the canopies were constantly striking the roof bolts and were shearing the bolts or destroying the torque of the roof bolts on the section, thus reducing their efficiency and exposing all employees to the hazard of a roof fall from damaged support.

(3) The Petitioner only recovers 60 to 65 percent of the recoverable coal leaving the balance for support. No second mining or pillar retraction is practiced at any of the above-named mines.

(4) The Petitioner avers that with respect to low-ceiling mines, the use of currently available canopies with mobile electric face equipment severely diminishes rather than increases the overall safety of the miners.

*Request for Hearing or Comments.* Persons interested in this petition may request a hearing on the petition or furnish comments on or before April 28, 1976. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,  
 Director,

*Office of Hearings and Appeals.*

MARCH 22, 1976.

[FR Doc.76-8752 Filed 3-26-76;8:45 am]

ishes rather than increases the overall safety of the miners.

**Request for Hearing or Comments.**—Persons interested in this petition may request a hearing on the petition or furnish comments within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,  
Director,  
Office of Hearings and Appeals.

MARCH 22, 1976.

[FR Doc.76-8753 Filed 3-26-76; 8:45 am]

[Docket No. M76-134]

**SOUTHERN APPALACHIAN COAL  
COMPANY**

**Petition for Modification of Application of  
Mandatory Safety Standard**

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Southern Appalachian Coal Company has filed a petition to modify the application of 30 CFR 75.1710 to its following mines:

| Mine                      | Location                  |
|---------------------------|---------------------------|
| Bull Creek No. 1 Mine...  | Boone County,<br>W. Va.   |
| Bull Creek No. 2 Mine...  | Do.                       |
| Bull Creek No. 3 Mine...  | Do.                       |
| Bull Creek No. 4 Mine...  | Do.                       |
| Lens Creek No. 1 Mine...  | Kanawha<br>County, W. Va. |
| Cedar Grove No. 1 Mine... | Boone County,<br>W. Va.   |
| Freeport No. 1 Mine.....  | Do.                       |
| Freeport No. 2 Mine.....  | Do.                       |

**30 CFR 75.1710 provides:**

An authorized representative of the Secretary may require in any coal mine where the height of the coalbed permits that electric face equipment, including shuttle cars, be provided with substantially constructed canopies, or cabs, to protect the miners operating such equipment from roof falls and from rib and face rolls.

To be read in conjunction with Section 75.1710 is 30 CFR 75.1710-1 which in pertinent part provides:

• • • Except as provided in paragraph (f) of this section, all self-propelled electric face equipment, including shuttle cars, which is employed in the active workings of each underground coal mine on and after January 1, 1973, shall, in accordance with the schedule of time specified in subparagraphs (1), (2), (3), (4), (5), and (6) of this paragraph (a), be equipped with substantially constructed canopies or cabs, located and installed in such a manner that when the operator is at the operating controls of such equipment he shall be protected from falls of roof, face, or rib, or from rib and face rolls. The requirements of this paragraph (a) shall be met as follows:

(1) On and after January 1, 1974, in coal mines having mining heights of 72 inches or more;

(2) On and after July 1, 1974, in coal

mines having mining heights of 60 inches or more, but less than 72 inches;

(3) On and after January 1, 1975, in coal mines having mining heights of 48 inches or more, but less than 60 inches;

(4) On and after July 1, 1975, in coal mines having mining heights of 36 inches or more, but less than 48 inches;

(5) On and after January 1, 1976, in coal mines having mining heights of 24 inches or more, but less than 36 inches, and

(6) On and after July 1, 1976, in coal mines having mining heights of less than 24 inches. • • •

The substance of Petitioner's statement is as follows:

1. Petitioner respectfully requests the modification of the application of the mandatory safety standard 30 CFR 75-1710-1(a) with respect to the subject mines for the reason that the application of such standard will result in a diminution of safety to the miners.

2. Petitioner asserts that technology does not presently exist to enable it to equip its self-propelled electric face equipment with suitable canopies to protect and provide for the safety of the operators.

3. The average mining heights for the subject mines and the average four (4) inch decrease in that height as a result of installation of supplemental supports and wedges in accordance with approved roof support plans is as follows:

| Mine                 | Average mining height without supplemental supports (inches) | Average mining height with supplemental supports (inches) |
|----------------------|--|---|
| Bull Creek No. 1...  | 42   | 38  |
| Bull Creek No. 2...  | 36   | 32  |
| Bull Creek No. 3...  | 40   | 36  |
| Bull Creek No. 4...  | 40   | 36  |
| Lens Creek No. 1...  | 30   | 26  |
| Cedar Grove No. 1... | 28-32  | 24-28   |
| Freeport No. 1.....  | 42-60  | 38-56   |
| Freeport No. 2.....  | 42-60  | 38-56   |

These coal seams also undulate and roll resulting in ascending and descending grades that further limit and prevent the effective use of cabs or canopies.

4. Operators of face equipment, including shuttle care operators, are under permanently and/or temporarily supported roof at all times. Such roof support is deemed satisfactory for all other personnel in the mines including the helpers on self-propelled electric face equipment and these helpers and other personnel freely move about the mines under the protection of MESA approved roof support.

5. Petitioner's experience indicates the application of the mandatory standard will result in a diminution of safety to miners for the following reasons:

(a) Several instances have occurred where canopies became wedged against the roof. In one instance a roof bolt plate caught on a canopy and the result was a back injury to the operator of a machine.

(b) Employees strongly object to operating machinery so equipped and they allege a diminution of safety results from impaired vision and being required to operate in cramped positions. The impaired vision and cramped positions cause the following hazards and unsafe practices:

(1) Miners attempt to operate a machine while standing between it and the rib, thus incurring a risk of being crushed should the machine slue.

(2) The combination of impaired vision and cramped positions cause an operator to expose his body and appendages, such as head and feet, to the risk of being crushed between the machine and rib.

(3) Ingress and egress from the cab is limited, which effectively prevents quick escape when mining conditions warrant such escape.

(4) Impaired vision is given by machine operators as a major cause for the damaging or severing of power cables by running over them.

(5) Impaired vision subjects the operator and fellow employees to increased risks of injury because the operator cannot adequately see other employees and/or equipment.

6. At present, Petitioner is unaware of any proposed commercially manufactured canopy which could be installed which would provide the same degree of safety to miners as the complete removal of the canopy would provide.

7. Hence, the alternative method Petitioner proposes to establish, in lieu of the mandatory standard, is the elimination of canopies on its face machinery, including shuttle cars, until such time as technology establishes beyond doubt that canopies can be safely used in Petitioner's mines.

**Request for Hearing or Comments.** Persons interested in this petition may request a hearing on the petition or furnish comments within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,  
Director,  
Office of Hearings and Appeals.

MARCH 22, 1976.

[FR Doc.76-8754 Filed 3-26-76; 8:45 am]

**COMMITTEE ON ENHANCED RECOVERY  
TECHNIQUES FOR OIL AND GAS IN THE  
UNITED STATES**

**Meeting**

Notice is hereby given for the following meeting: The Economic Conditions Task Group of the National Petroleum Council's Committee on Enhanced Recovery Techniques for Oil and Gas in the United States will meet on Tuesday, April 13, 1976, at 9:00 a.m., in Room 6 on the third floor, at the offices of Standard Oil Company (Indiana), 200 East Randolph Drive, Chicago, Illinois.

The agenda includes the following items for discussion:

1. Discuss extended schedule for completion of study.

2. Review individual submissions on economic and policy parameters.

3. Review development of cost data for the Technology Task Group.

4. Discuss any other matters pertinent to the overall assignment of the Task Group.

The purpose of the National Petroleum Council is to provide to the Secretary of the Interior, upon request, advice, information, and recommendations upon any matter relating to petroleum or the petroleum industry.

The meeting will be open to the public to the extent that space and facilities permit. Any member of the public may file a written statement with the Council either before or after the meeting. Interested persons who wish to speak at the meeting must apply to the Council and obtain approval in accordance with its established procedures.

Further information about the meeting may be obtained from Ben Tafoya, Office of the Assistant Secretary—Energy and Minerals, Department of the Interior, Washington, D.C. (telephone: 343-6226).

Dated: March 24, 1976.

WILLIAM L. FISHER,  
Assistant Secretary of  
the Interior.

[FR Doc. 76-8825 Filed 3-26-76; 8:45 am]

#### COMMITTEE ON ENHANCED RECOVERY TECHNIQUES FOR OIL AND GAS IN THE UNITED STATES

##### Meeting

Notice is hereby given for the following meeting: The Coordinating Subcommittee of the National Petroleum Council's Committee on Enhanced Recovery Techniques for Oil and Gas in the United States will meet on Tuesday, April 20, 1976, at 9:00 a.m., in the Skylab Room of the Airport-Marina Hotel, Dallas-Fort Worth Airport, Dallas, Texas.

The agenda includes the following items for discussion:

1. Review and discuss progress reports of Technology Task Group and Economic Conditions Task Group.
2. Review areas of public policy affecting enhanced recovery projects and determine manner of analyzing these policies in the study.
3. Review and discuss overall timetable for study effort.
4. Discuss any other matters pertinent to overall assignment of the Coordinating Subcommittee.

The purpose of the National Petroleum Council is to provide to the Secretary of the Interior, upon request, advice, information, and recommendations upon any matter relating to petroleum or the petroleum industry.

The meeting will be open to the public to the extent that space and facilities permit. Any member of the public may file a written statement with the Council either before or after the meeting. Interested persons who wish to speak at the meeting must apply to the Council and obtain approval in accordance with its established procedures.

Further information about the meet-

ing may be obtained from Ben Tafoya, Office of the Assistant Secretary—Energy and Minerals, Department of the Interior, Washington, D.C. (telephone: 343-6226).

Dated: March 24, 1976.

WILLIAM L. FISHER,  
Assistant Secretary of  
the Interior.

[FR Doc. 76-8826 Filed 3-26-76; 8:45 am]

#### COMMITTEE ON ENHANCED RECOVERY TECHNIQUES FOR OIL AND GAS IN THE UNITED STATES

##### Meeting

Notice is hereby given for the following meeting: The Technology Task Group of the National Petroleum Council's Committee on Enhanced Recovery Techniques for Oil and Gas in the United States will meet on Wednesday and Thursday, April 21-22, 1976, starting at 9:00 a.m., in Room 619 of the Atlantic Richfield Company offices, 408 Bullington Street, Dallas, Texas.

The agenda includes the following items for discussion:

1. Discuss decisions reached by the Coordinating Subcommittee at its April 20, 1976, meeting.
2. Review submissions on reservoirs passing screening criteria and initial projections.
3. Discuss methodology for analyzing non-economic and cost uncertainties.
4. Discuss future assignments.
5. Discuss any other matters pertinent to the overall assignment of the Task Group.

The purpose of the National Petroleum Council is to provide to the Secretary of the Interior, upon request, advice, information, and recommendations upon any matter relating to petroleum or the petroleum industry.

The meeting will be open to the public to the extent that space and facilities permit. Any member of the public may file a written statement with the Council either before or after the meeting. Interested persons who wish to speak at the meeting must apply to the Council and obtain approval in accordance with its established procedures.

Further information about the meeting may be obtained from Ben Tafoya, Office of the Assistant Secretary—Energy and Minerals, Department of the Interior, Washington, D.C. (telephone: 343-6226).

Dated: March 24, 1976.

WILLIAM L. FISHER,  
Assistant Secretary of  
the Interior.

[FR Doc. 76-8827 Filed 3-26-76; 8:45 am]

#### DEPARTMENT OF AGRICULTURE

##### Office of the Secretary PRIVACY ACT OF 1974 Systems of Records

In FR Doc. 75-28664, appearing at page 8519 in the Federal Register of Feb-

ruary 27, 1976, the identification symbol for the system of records entitled "Uniform Allowance System, USDA/OMF" is corrected by changing "USDA/OMF-4" to "USDA/OMF-6".

Dated: March 23, 1976.

EARL L. BUTZ,  
Secretary.

[FR Doc. 76-8822 Filed 3-26-76; 8:45 am]

#### DEPARTMENT OF COMMERCE

##### Bureau of the Census

#### CENSUS ADVISORY COMMITTEE OF THE AMERICAN MARKETING ASSOCIATION

##### Public Meeting

The Census Advisory Committee of the American Marketing Association will convene on May 4, 1976 at 9:15 a.m. The Committee will meet in Room 2424, Federal Building 3, at the Bureau of the Census in Suitland, Maryland.

The Census Advisory Committee of the American Marketing Association was established in 1946 to advise the Director, Bureau of the Census, regarding the statistics that will help in marketing the Nation's products and services and on ways to make the statistics the most useful to users.

The Committee is composed of 15 members appointed by the President of the American Marketing Association.

The agenda for the meeting is: (1) Topics of current interest at the Bureau of the Census; (2) year 2000 planning program; (3) status of 1980 Census planning; (4) Census Bureau's use of data sponsored by other organizations; (5) 1977 economic census planning—general plans, feasibility studies and record-keeping practices survey, and user preferences for subcity data; and (6) improved business surveys program—status and schedule of sample revision, and evaluation of early retail sales.

The meeting will be open to the public and a brief period will be set aside for public comment and questions. Extensive questions or statements must be submitted in writing to the Committee Control Officer at least 3 days prior to the meeting.

Persons wishing to submit questions or statements, planning to attend the meeting, or wishing additional information should contact Mr. John R. Wikoff, Chief, Business Division, Bureau of the Census, Room 2633, Federal Building 3, Suitland, Maryland. (Mail address: Washington, D.C. 20233). Telephone (301) 763-7561.

Dated: March 24, 1976.

VINCENT P. BARABBA,  
Director, Bureau of the Census.

[FR Doc. 76-8817 Filed 3-26-76; 8:45 am]

##### Office of the Secretary

#### ADVISORY COMMITTEE FOR INTERNATIONAL LEGAL METROLOGY Notice of Renewal

In accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I and Office of Management

and Budget Circular A-63 of March 1974, and after consultation with OMB, the Secretary of Commerce has determined that the renewal of the Advisory Committee for International Legal Metrology is in the public interest in connection with the performance of duties imposed on the Department by law.

The Committee was first established in March 1974, and it was to terminate on March 20, 1976. Its purpose was to advise the Department through the Director, National Bureau of Standards (NBS), on technical and policy matters relating to NBS's assigned general responsibility for the development of U.S. positions on technical issues arising in the International Organization of Legal Metrology (OIML). This objective was achieved. Its advice and recommendations—all of which were accepted and implemented by NBS—have meaningfully contributed to the Administration's program for increased export trade by ensuring that International Recommendations proposed by OIML do not contain restrictive technical requirements which act as non-tariff trade barriers. Such efforts by the Committee to date have prevented damage to the U.S. export market in liquid measurement instrumentation whose current export volume is \$25 million annually. Further, technical concessions achieved from OIML to revise existing International Recommendations posing problems to U.S. manufacturers and exporters will open future expansion possibilities in a current \$38 million export market in commercial and industrial weighing machines, pressure measurement instrumentation and in certain medical instrumentation.

In renewing the Committee, the Secretary has not changed its objective. The trade implications of OIML and the ambitious work program envisioned by the Organization mandate continued active participation by the U.S. and the continued need for timely action by government and industry to assess the trade impact of proposed OIML actions. The Committee is uniquely suited to assist NBS in this task and its function cannot be accomplished by any organizational element or other committee of the Department.

As initially established (39 FR 6136 2-19-74) the Committee will continue with a balanced representation of approximately 20 members, chaired by the United States representative to the International Organization of Legal Metrology (OIML). Membership on the Committee is balanced through representation from three major interest groups: (1) Federal agencies which use and/or regulate measurement instruments in commerce, or in the field of public health and safety; (2) State and local weights and measures jurisdictions which establish metrological requirements for instruments and which regulate the accuracy of these instruments in intrastate commerce; and, (3) Industry trade associations, professional metrologists and private standards bodies which manufacture, use and/or write private voluntary standards incorporat-

ing, or referencing, measurement devices or methods. Additionally, Committee membership is open at any time to any interest group who demonstrates a desire to participate.

The Committee will function solely as an advisory body, and in compliance with the provisions of the Federal Advisory Committee Act.

Copies of the Committee's revised charter will be filed with appropriate committees of the Congress and with the Library of Congress.

Inquiries or comments may be addressed to the Committee Control Officer, Mr. David Edgerly, Office of International Standards, Building 101, Room A413, National Bureau of Standards, U.S. Department of Commerce, Washington, D.C. 20234, telephone: 301-921-3662.

Dated: March 24, 1976.

JOSEPH E. KASPUTYS,  
Assistant Secretary for  
Administration.

[FR Doc.76-8824 Filed 3-26-76;8:45 am]

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[Docket No. NFD-318; FDA-494-DR]

### NEW YORK

#### Major Disaster and Related Determinations

Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11795 of July 11, 1974, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285; and by virtue of the Act of May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on March 19, 1976, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of New York resulting from an ice storm and subsequent severe storms and flooding beginning about March 2, 1976, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288. I therefore declare that such a major disaster exists in the State of New York.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11795, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285, I hereby appoint Mr. Thomas R. Casey, HUD Region II, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following areas of the State of New York to have been adversely affected by this declared major disaster:

The Counties of:

|            |            |
|------------|------------|
| Chautauqua | Livingston |
| Erie       | Monroe     |
| Genesee    | Wyoming    |

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

Dated: March 19, 1976.

THOMAS P. DUNNE,  
Administrator, Federal Disaster  
Assistance Administration.

[FR Doc.76-8815 Filed 3-26-76;8:45 am]

[Docket No. NFD-319; FDA-495-DR]

### MICHIGAN

#### Major Disaster and Related Determinations

Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11795 of July 11, 1974, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285; and by virtue of the Act of May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on March 19, 1976, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of Michigan resulting from severe storms, icing, high winds, and flooding beginning about March 2, 1976, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288. I therefore declare that such a major disaster exists in the State of Michigan.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11795, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285, I hereby appoint Mr. Robert E. Conners, HUD Region V, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following areas of the State of Michigan to have been adversely affected by this declared major disaster:

The Counties of:

|          |            |
|----------|------------|
| Allegan  | Montcalm   |
| Bay      | Muskegon   |
| Clare    | Newaygo    |
| Clinton  | Oakland    |
| Genesee  | Oceana     |
| Gladwin  | Osceola    |
| Gratiot  | Ottawa     |
| Ionia    | Roscommon  |
| Isabella | Saginaw    |
| Jackson  | St. Clair  |
| Kent     | Sanilac    |
| Lapeer   | Shiawassee |
| Macomb   | Tuscola    |
| Mecosta  | Wayne      |
| Midland  |            |

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance.)

Dated: March 19, 1976.

THOMAS P. DUNNE,  
Administrator, Federal Disaster  
Assistance Administration.

[FR Doc.76-8816 Filed 3-26-76;8:45 am]

**Office of the Secretary**  
**ASSISTANT SECRETARY FOR CONSUMER**  
**AFFAIRS AND REGULATORY FUNCTIONS**

[Docket No. D-76-412]

**Delegation of Authority**

The Assistant Secretary for Consumer Affairs and Regulatory Functions is authorized to exercise the power and authority of the Secretary of Housing and Urban Development with respect to the administration of the Real Estate Settlement Procedures Act of 1974 (P.L. 93-533 as amended.)

(Sec. 7(d) of the Department of HUD Act, 42 U.S.C. 3535(d))

**Effective date:** This delegation is effective March 22, 1976.

JOHN B. RHINELANDER,  
*Acting Secretary, Department*  
*of Housing and Urban Development.*

[FR Doc.76-8624 Filed 3-26-76;8:45 am]

**DEPARTMENT OF**  
**TRANSPORTATION**

**Federal Aviation Administration**

**RADIO TECHNICAL COMMISSION FOR**  
**AERONAUTICS; SPECIAL COMMITTEE**  
**129—FUTURE CIVIL AVIATION FRE-**  
**QUENCY SPECTRUM REQUIREMENTS**

**Meeting**

Notice is hereby given of a meeting of the Radio Technical Commission for Aeronautics (RTCA) Special Committee 129, which is being utilized as an Advisory Committee within the meaning of the Federal Advisory Committee Act, 5 U.S.C. Appendix I. It will be held April 29-30, 1976, in Conference Room 8210, Federal Communications Commission, 2025 M Street, NW., Washington, D.C. 20554, commencing at 9:30 a.m. Agenda items include—

1. Discuss FCC Notice of Inquiry;
2. Report on CCIR activities;
3. Review Draft Final Report; and
4. Future activities of SC-129.

Meetings of the RTCA Special Committee 129 are open to the public, subject to space limitations. The public may submit written statements to and obtain additional information from the RTCA Secretariat, 1717 H Street, NW., Washington, D.C. 20006; (202) 296-0484. Oral statements may be presented at the meeting, subject to time being available.

Issued in Washington on March 22, 1976.

EDGAR A. POST,  
*Designated Officer.*

[FR Doc.76-8765 Filed 3-26-76;8:45 am]

**Office of the Secretary**  
**ENERGY POLICY AND CONSERVATION**  
**ACT**

**Interim Delegation of Functions**

The purpose of this notice is to delegate to the Assistant Secretary for Systems Development and Technology those functions vested in the Secretary of

Transportation by section 502(d)(1) of the Motor Vehicle Information and Cost Savings Act (14 U.S.C. 2002(d)(1)), as added by the Energy Policy and Conservation Act (December 22, 1975, Pub. L. 94-163), which relates to specifying the information to be contained in applications for modifications of fuel economy standards for model year 1978, 1979, or 1980.

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

**Effective date:** This delegation is effective March 29, 1976.

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

Issued in Washington, D.C., on March 23, 1976.

WILLIAM T. COLEMAN, Jr.,  
*Secretary of Transportation.*

[FR Doc.76-8784 Filed 3-26-76;8:45 am]

**CIVIL AERONAUTICS BOARD**

[Docket No. 27124; Order 76-3-71]

**CONTINENTAL AIR LINES, INC.**

**Order Dismissing Application and Order To**  
**Show Cause Regarding Certificate of**  
**Public Convenience and Necessity**

**Correction**

In FR Doc. 76-7505 appearing in the issue of Tuesday, March 16, 1976 on page 11069 make the following change:

On page 11073, the second line of footnote 26 should have read; "Tulsa-Denver and Houston - Wichita - Tulsa - Denver would also be technically per-".

[Order 76-3-147, Dockets 29034, 29035]

**ALASKA AIRLINES, INC. ET AL.**

**Order Instituting Investigations**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 23rd day of March, 1976.

By this order, the Board is instituting investigations to determine whether revised subsidy mail rates should be established for Alaska Airlines, Inc., and Wien Air Alaska, Inc. This order also reopens as of March 23, 1976, the final subsidy rates presently in effect for these carriers. To assist the Board in this investigation, Alaska and Wien are directed to supply the information specified in the Attachment<sup>1</sup> to this order within 45 days from the date of service.

On April 29, 1968, the Board established the currently effective final subsidy mail rate for Alaska which was designed to provide the carrier, effective January 1, 1971, a total of \$2.2 million of subsidy annually for operations over its entire system.<sup>2</sup> Wien's currently effective final subsidy rate was established by the Board on May 14, 1968, and was

<sup>1</sup> Attachment filed as part of the original document.

<sup>2</sup> *Alaska Airlines, Subsidy Mail Rates*, 48 C.A.B. 811 (1968).

intended to provide the carrier \$2.1 million of subsidy for annual periods commencing April 1, 1969, for operations over its entire system.<sup>3</sup>

The Board has made a study of the earnings and related data of Alaska and Wien in view of the length of time that has elapsed since the current rates were set, and in the light of our continuing responsibility to review outstanding subsidy rates in order to guard against their becoming unfair and unreasonable, and our obligation to institute an investigation looking towards decrease of such rates if they should become excessive.

We have determined that, unless agreements are reached as to new subsidy rates at the informal conference stage, or unless the Board's analysis of data submitted by the carriers shows that there remain to be resolved no issues of material fact, evidentiary hearings should be undertaken, pursuant to Rule 309, to examine any unresolved issues affecting the subsidy needs and entitlements of the two Alaskan carriers. In such hearings all interested persons—State and civic interests, as well as carrier parties—will be afforded an opportunity, pursuant to our Rules of Practice, to place before the Board relevant facts and arguments bearing on the Board's ultimate determinations in these investigations. In this connection, we recognize as factors requiring careful consideration, the unique importance of air transportation to Alaska, the uncertainties as to future levels of economic activity in Alaska, and the unpredictable economic impact of the completion of the pipeline.<sup>4</sup>

We are confronted with our responsibilities in dispensing the taxpayers' money in the form of air transportation subsidy payments as well as our statutory duty to encourage and foster the development of an air transportation system adapted to the present and future needs of the Alaskan "bush" communities. Thus, until we are able to analyze the results of the forthcoming investigation, we are not prepared to risk disruption nor to impose undue financial constraints on the present level of service. Accordingly, we will not terminate subsidy payments at this time but we will require repayment of any subsidy paid on or after the reopening date specified in this order, or such later date as may be determined in the course of the proceeding, which is found after investigation to be excessive.

<sup>3</sup> The final subsidy rate was established for Northern Consolidated Airlines, Inc., which through a series of mergers and name changes has become Wien Air Alaska, Inc. *Northern Consolidated Airlines, Subsidy Mail Rates*, 48 C.A.B. 817 (1968).

<sup>4</sup> We note too in this regard that the Board recently adopted a Resolution recognizing that "because of its physical separation from the 48 contiguous States, its vast area, sparse population, and limited means of surface transportation, the State of Alaska has a much greater dependence upon air transportation than is ordinarily the case." The Board further acknowledged that "air transportation to and within Alaska presents special and unusual problems which affect the air transportation system." Minutes, Civil Aeronautics Board, November 11, 1975.

The Board finds that Alaska's currently effective subsidy mail rate may have become excessive, the carrier having reported overall corporate rates of return on investment of 29.7 percent and 26.9 percent for the years ended June 30, 1974, and June 30, 1975, respectively. Wien's currently effective subsidy mail rate may also have become excessive, the carrier having reported overall corporate rates of return on investment of 10.7 percent and 16.1 percent for the years ended June 30, 1974, and June 30, 1975, respectively.\*

Although these rates of return do not by themselves constitute conclusive evidence as to the continued subsidy requirements of the two carriers, they are sufficient cause to institute investigations and to assemble information which will enable the Board to determine the reasonableness of the rates.

In view of the marked financial improvement in the system operations of Alaska and Wien, it is in the public interest and necessary and proper to carry out the provisions of the Federal Aviation Act and to exercise and perform the Board's powers and duties under the Act, particularly sections 102, 204, 406, and 1002(b) thereof, to institute investigations for the purpose of determining whether new final subsidy mail rates should be established for these carriers. Accordingly, it is ordered that:

1. Investigations be, and they hereby are, instituted reopening as of March 23, 1976, the currently effective final subsidy mail rates for the operations of Alaska Airlines, Inc., and Wien Air Alaska, Inc., over their entire systems for the purpose of determining the fair and reasonable final rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, to be paid to said carrier or carriers for the period from and after March 23, 1976.<sup>1</sup>

2. Alaska Airlines, Inc., and Wien Air Alaska, Inc., are directed to file with the Board, in affidavit form, within 45 days after service of this order, the information specified in the Attachment hereto.

\* Alaska achieved adjusted rates of return, before subsidy, of approximately 18.1 percent for the year ended June 30, 1974, 28.5 percent for the year ended June 30, 1975, 32.2 percent for the year ended September 30, 1975, and 26.3 percent for calendar year 1975. Wien recorded adjusted returns on investment for the same periods, before subsidy but after taxes, of 6.2 percent, 11.5 percent, 14.2 percent, and 13.5 percent respectively. These rates are based on five-quarter average investment. However, use of investment as of December 31, 1975—reflecting sizable investment increases during the last half of 1975 for both carriers—and preliminary reported profits for calendar 1975 produces a rate of return of 17.8 percent for Alaska (before subsidy or tax) and one of 9.1 percent for Wien (before subsidy, after tax). It is noted that, while Wien has a current tax liability, Alaska has none.

<sup>1</sup> This order is not intended to disturb the service mail rates established under other orders of the Board.

3. This order shall be served upon Alaska Airlines, Inc., Wien Air Alaska, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] PHYLLIS T. KAYLOR,  
Acting Secretary.

[Order 76-3-155, Dockets 28194; 28569]

#### EASTERN AIR LINES, INC. ET AL.

##### Application

Adoption by the Civil Aeronautics Board at its office in Washington, D.C. on the 24th day of March, 1976.

On August 19, 1975, Eastern Air Lines and Piedmont Aviation filed a joint application requesting that the Board approve, on an expedited basis, an agreement entered into by the two carriers to exchange route authority. Under the terms of the agreement, Eastern's nonstop authority in the Chicago-Louisville market<sup>1</sup> would be transferred to Piedmont in exchange for Piedmont's nonstop authority (Route 87) in the Atlanta-Columbia market. Eastern agrees to accept the transferred authority subject to Piedmont's existing restriction which provides that the holder must serve a point beyond Atlanta or Columbia on all flights operated over the segment. The carriers state that the agreement consists solely of an exchange of route authority and that either party may terminate the agreement if approval has not been granted by October 31, 1976.

Answers in support of the joint application have been filed by the Louisville<sup>2</sup> and Columbia<sup>3</sup> Parties. Petitions to intervene have been filed by the City and Chamber of Commerce of Atlanta, Delta Air Lines, the Master Executive Counsel of Eastern Pilots, and the Air Line Pilots Association, International.

On December 3, 1975, the Augusta Parties<sup>4</sup> filed an application for an amendment to one of the certificates issued to Eastern so as to authorize the carrier to provide nonstop service between Augusta and Atlanta.<sup>5</sup> Concurrently, the Augusta Parties moved to have their application consolidated with Docket 28194. In support of their motion, the Augusta Parties allege, *inter alia*, that if the Eastern-Piedmont route ex-

change agreement is approved, Eastern would acquire Piedmont's nonstop authority in the Atlanta-Columbia market while Piedmont would retain its one-stop authority between Atlanta and Columbia which is currently operated via Augusta; that because Piedmont will lose its nonstop authority between Atlanta and Columbia, it is possible that Piedmont will find that its ability to provide service in the Augusta-Atlanta market will be impaired; and that the Board can protect the Augusta Parties from such a situation by consolidating its application with Docket 28194.<sup>6</sup>

Answers in opposition to the Augusta Parties' motion to consolidate have been filed by Eastern and Piedmont. In support of their answers, it is generally alleged, *inter alia*, that the Atlanta-Augusta market is not in issue in this case; that the grant of the Augusta Parties' consolidation would unduly complicate and unnecessarily lengthen the proceeding; that the Board has consistently refused to expand route transfer cases by consolidating applications of this type into such proceedings; and that the consolidation request should be denied because it is based on the pure speculation that Piedmont may reduce its service between Augusta and Atlanta should the route transfer be approved.

Subsequently, the Augusta Parties filed a motion for leave to file an otherwise unauthorized document<sup>7</sup> and a reply to the answers of Eastern and Piedmont.

Upon consideration of the pleadings and all the relevant facts, the Board has decided to set the joint application for immediate hearing for the purpose of considering whether the proposed route exchange is in the public interest. The proposed exchange appears to be generally consistent with the guidelines for route transfers set forth in the *American-Frontier Route Exchange Agreement* proceeding, Order 75-8-94, August 18, 1975.

We have also decided to deny the Augusta Parties' motion to consolidate their application (Docket 28569) with the proceeding instituted herein. Clearly, the grant of their request would inject issues outside the scope of the present agreement, and delay disposition of the joint request. Such action would not be conducive to the proper dispatch of the Board's business and is not otherwise warranted by the public interest. The instant proceeding involves the transfer of Piedmont's Atlanta-Columbia nonstop authority. It does not involve one-stop services via Augusta. In this regard, the Augusta-Atlanta market exchange only 25,000 O&D passengers for the year ended March 31, 1975. At the present time, this market is served by Delta

<sup>6</sup> The Augusta Parties state that this approach is the most efficacious because it would allow the Board the procedural flexibility to protect the Augusta Parties at the same time it holds the hearing for the route exchange.

<sup>7</sup> We will grant the Augusta Parties' motion.

<sup>1</sup> Eastern's segments 1, 2, 4, and 5 for Route 10.

<sup>2</sup> The Louisville and Jefferson County Air Board.

<sup>3</sup> The Richland-Lexington Airport Commission.

<sup>4</sup> The City and Chamber of Commerce of Augusta, Georgia and the Aviation Department of Augusta, Georgia.

<sup>5</sup> In the alternative, the Augusta Parties request the issuance of an amended certificate to Eastern, subject to a finding pursuant to Part 205 of the Board's Economic Regulations, that exercise of the authority granted to Eastern should be suspended until such time as Piedmont decreases its service in the Augusta-Atlanta market below the level of service presently provided by that carrier.



(nine daily round trips) and Piedmont (two daily round trips). Thus, considering Delta's present service and the historic traffic in the Augusta-Atlanta market, we do not believe that the approval of the route exchange would seriously affect this market even assuming, *arguendo*, that the Augusta Parties' fears came to fruition.<sup>5</sup> In any event, the Augusta Parties remain free to present any relevant evidence which it deems appropriate during the hearing which has a bearing on whether the proposed route exchange is consistent with the public interest.<sup>6</sup>

Finally, Eastern and Piedmont have not submitted sufficient information for us to determine the environmental consequences of their joint application at this time. Therefore, we will require these carriers to file the information set forth in Part 312 of the Board's Procedural Regulations. We will allow Eastern and Piedmont 30 days from the date of adoption of this order to file their environmental evaluations.

Accordingly, it is ordered that:

1. The application of Eastern Air Lines, Inc., and Piedmont Aviation, Inc., Docket 28194, be and it hereby is set down for hearing before an Administrative Law Judge of the Board at a time and place hereafter designated, as the orderly administration of the Board's docket permits;

2. The petitions of the City and Chamber of Commerce of Atlanta, Delta Air Lines, Inc., the Master Executive Council of Eastern Pilots, and the Air Line Pilots Association, International, for leave to intervene, be and they hereby are granted;

3. The motion of the Augusta Parties to consolidate their application (Docket 28569) with the proceeding instituted in paragraph 1 above, be and it hereby is denied;

4. The Augusta Parties be and they hereby are made parties to the proceeding set down in paragraph 1 above;

5. Eastern Air Lines, Inc., and Piedmont Aviation, Inc., shall file environmental evaluations pursuant to section 312.12 of the Board's Procedural Regulations within 30 days of the date of adoption of this order; and

6. The Augusta Parties' motion for leave to file an otherwise unauthorized document be and it hereby is granted.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] PHYLLIS T. KAYLOR,  
Acting Secretary.

[FR Doc.76-8811 Filed 3-26-76;8:45 am]

<sup>5</sup> This conclusion is further reinforced by the fact that when the 25,090 yearly passengers are divided into Delta's current level of service (nine daily round trips), the result equals only 7.6 passengers per round trip or 3.8 passengers per flight.

<sup>6</sup> We will make the Augusta Parties to this proceeding so that they may participate with respect to all matters in issue.

[Docket 29000]

**LAKE TAHOE SERVICE INVESTIGATION  
Prehearing Conference**

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on May 18, 1976, at 10:00 a.m. (local time), in Room 1003, Hearing Room A, Universal North Building, 1875 Connecticut Avenue, N.W., Washington, D.C. before Administrative Law Judge Greer M. Murphy.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and six copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before April 30, 1976, and the other parties on or before May 10, 1976. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C. March 23, 1976.

[SEAL] ROBERT L. PARK,  
Chief Administrative Law Judge,  
[FR Doc.76-8808 Filed 3-26-76;8:45 am]

[Docket 29014]

**SERVICE TO TRI-CITY CASE  
Prehearing Conference**

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on May 25, 1976, at 9:30 a.m. (local time), in Room 1003, Hearing Room B, Universal North Building, 1875 Connecticut Avenue, N.W., Washington D.C., before Administrative Law Judge Frank M. Whiting.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and six copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before May 7, 1976, and the other parties on or before May 17, 1976. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C. March 23, 1976.

[SEAL] ROBERT L. PARK,  
Chief, Administrative Law Judge.  
[FR Doc.76-8809 Filed 3-26-76;8:45 am]

**COMMISSION ON FEDERAL  
PAPERWORK  
PUBLIC HEARINGS**

Notice is hereby given of public hearings of the Commission on Federal Paperwork to be held in Atlanta, Georgia. The hearings will be held on April 13 and 14, 1976, in the Federal Executive Board Conference Room on the fifth floor of the Federal Building at 275 Peachtree.

The hearings will commence each day at 9:00 a.m. and end at 1:00 p.m. The Commission will receive comments about the impact of Federal paperwork upon small business, agribusiness, service and manufacturing industries, health services, transportation, fishing and communications.

Testimony presented at these hearings will be used by the Commission on Federal Paperwork in making recommendations to the Congress and the President on changes which would ease the burden of Federal paperwork.

Persons wishing further information about the hearings should contact the Commission on Federal Paperwork, located at 1111 20th Street, N.W., Suite 200, Washington, D.C. 20582, telephone (202) 254-6786.

FRANK HORTON,  
Chairman.

[FR Doc.76-8823 Filed 3-26-76;8:45 am]

**CONSUMER PRODUCT SAFETY  
COMMISSION**

[CPSD Docket No. 76-1]

**ATLAS BEDDING MANUFACTURING  
CORP., ET AL.**

**Prehearing Conference**

A telephone prehearing conference for the purpose, *inter alia*, of defining the issues to be heard, providing for discovery of evidence and establishing the dates for the service of written testimony and exhibits and the time and place of hearing, will be held Friday, April 2, 1976 at 2:00 P.M. (EST), in Room 825-L of the Consumer Product Safety Commission headquarters building, 1750 K St., N.W., Washington, D.C. 20207.

Memoranda addressed to the above items should be served on opposing Counsel and this office by the close of business Wednesday, March 31, 1976. This notice is given pursuant to the Consumer Product Safety Commission's proposed and interim Rules of Practice for Adjudicative Proceedings published on July 23, 1974 (39 FR 26848), which govern adjudicative proceedings in this matter. The conference will be by telephone. The parties to the Conference are:

Judge Paul N. Pfeiffer, Consumer Product Safety Commission, Room 825-L, 1750 K St., N.W., Washington, D.C. 20207 (202) 634-7171.

Attorney for Respondents:

Harry H. Toltz, Esquire, 18 Tremont Street, Boston, Massachusetts 02108 (617) 227-7050.

**Attorneys for the Commission:**

James Wood, Esquire, Claire Marcus, Esquire,  
 Mana Jennings, Esquire, 5401 Westbard  
 Ave., Bethesda, Maryland 20207 (301) 492-  
 6629.

A Notice of Enforcement has been prepared by the Commission Staff, issued by the Commission and served upon Atlas Bedding Manufacturing Corporation and Edward Bates, individually and as an officer of the corporation as required by the above-referenced rules. In the Notice of Enforcement the Staff alleges that Respondents manufactured, sold, and delivered into interstate commerce products which failed to conform to the standard for the Flammability of Mattresses, FF 4-72. In particular, it is alleged that from December 23, 1973 to February 22, 1974, Respondents failed to carry out required flammability tests on the mattresses, and from December 23, 1973 to February 22, 1974, failed to maintain required records pertaining to the manufacture, flammability testing and sale of the mattresses. It is alleged that this is in violation of the Federal Trade Commission Act, Flammable Fabrics Act, and the rules and regulations promulgated under the Flammable Fabrics Act and constitutes an unfair method of competition and an unfair and deceptive act within the intent and meaning of Section 5 of the Federal Trade Commission Act. The Staff has asked for an order requiring the Respondent to cease and desist from violating the Act. The Respondents have entered a general denial of the Staff's accusation and specifically deny that the mattresses in question are covered by the standard.

The docket in this matter is available in the Office of the Secretary of the Commission. Any person, other than the Respondents, who desires to become a party to the proceedings, to participate in the prehearing conference, or to testify at the hearing, may request to do so by writing to Paul N. Pfeiffer, Administrative Law Judge, Consumer Product Safety Commission, Room 825-L, Washington, D.C. 20207 or by telephoning (202) 634-7171 by close of business March 31, 1976.

Dated: March 23, 1976.

PAUL N. PFEIFFER,  
 Administrative Law Judge.  
 [FR Doc.76-8813 Filed 3-26-76; 8:45 am]

### ENVIRONMENTAL PROTECTION AGENCY

[FRL 511-7; PF5G1636/T39]

#### NOTICE OF ESTABLISHMENT OF A TEMPORARY TOLERANCE

##### 4-Butyl-2H-1,2,4-triazole

Rohm and Haas Co., Independence Mall West, Philadelphia PA 19105, has submitted a pesticide petition (PP 5G1636) to the Environmental Protection Agency (EPA). This petition requests that temporary tolerances be established for combined residues of the fungicide (4-butyl-2H-1,2,4-triazole) in

or on the raw agricultural commodities wheat and wheat straw at 2 parts per million (ppm), and in milk, eggs, meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep at 0.5 ppm. Establishment of these temporary tolerances will permit the marketing of the above raw agricultural commodities treated in accordance with an experimental use permit which is being issued concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act.

An evaluation of the scientific data reported has shown that the requested tolerances are adequate to cover residues resulting from the proposed experimental use, and it has been determined that the tolerances will protect the public health. The temporary tolerances are established for the fungicide, therefore, with the following provisions:

1. The total amount of the fungicide to be used must not exceed the quantity authorized by the experimental use permit.

2. Rohm and Haas Co. must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The company must also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

These temporary tolerances expire March 23, 1977. Residues not in excess of 2 ppm in or on wheat and wheat straw and 0.5 ppm in milk, eggs, meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep remaining after this expiration date will not be considered to be actionable if the fungicide has been legally applied during the term of and in accordance with the provisions of the experimental use permit and temporary tolerances. These temporary tolerances may be revoked if the experimental use permit is revoked or if any scientific data or experience with this fungicide indicate such revocation is necessary to protect the public health.

(Sec. 408(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(j)))

Dated: March 23, 1976.

JOHN B. RITCH, Jr.,  
 Director, Registration Division.  
 [FR Doc.76-8840 Filed 3-26-76; 8:45 am]

[FRL 511-8; OPP-33000/381 and 382]

#### NOTICE OF RECEIPT OF APPLICATION 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 (39 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 ["Interim Policy Statement"]. On January 22, 1976, EPA published in the FEDERAL REGISTER a document entitled "Registration of a Pesticide Product—Consideration of Data by the

Administrator in Support of an Application" [41 FR 3339]. This document described the changes in the Agency's procedures for implementing Section 3(c)(1)(D) of FIFRA, as set out in the Interim Policy Statement, which were effectuated by the enactment of the recent amendments to FIFRA on November 28, 1975 [P.L. 94-140], and the new regulations governing the registration and reregistration of pesticides which became effective on August 4, 1975 [40 CFR Part 162].

Pursuant to the procedures set forth in these FEDERAL REGISTER documents, EPA hereby gives notice of the applications for pesticide registration listed below. In some cases these applications have recently been received; in other cases, applications have been amended by the submission of additional supporting data, the election of a new method of support, or the submission of new "offer to pay" statements.

In the case of all applications, the labeling furnished by the applicant for the product will be available for inspection at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, S.W., Washington DC 20460. In the case of applications subject to the new Section 3 regulations, and applications not subject to the new Section 3 regulations which utilize either the 2(a) or 2(b) method of support specified in the Interim Policy Statement, all data citations submitted or referenced by the applicant in support of the application will be made available for inspection at the above address. This information (proposed labeling and, where applicable, data citations) will also be supplied by mail, upon request. However, such a request should be made only when circumstances make it inconvenient for the inspection to be made at the Agency offices.

Any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after January 1, 1970, is being used to support an application described in this notice, (c) desires to assert a claim 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 or the status of such data under Section 10 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, S.W., Washington DC 20460. Every such claimant must include, at a minimum, the information listed in the Interim Policy Statement of November 19, 1973.

The Interim Policy Statement requires that claims for compensation be filed within 60 days of publication of this notice. With the exception of 2(c) applications not subject to the new Section 3 regulations, and for which a sixty-day

hold period for claims is provided, EPA will not delay any registration pending the assertion of claims for compensation or the determination of reasonable compensation. Inquiries and assertions that data relied upon are subject to protection under Section 10 of FIFRA, as amended, should be made on or before April 28, 1976.

Dated: March 23, 1976.

JOHN B. RITCH, JR.,  
Director, Registration Division.

APPLICATIONS RECEIVED (OPP-33000/381)

- EPA File Symbol 1029-RGG. Aidx Corp., 1024 N. 17th St., Omaha NE 68102. DU-BEX-2-3G. Active Ingredients: Chlorpyrifos [O, O-diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate] 2.32%. Method of Support: Application proceeds under 2(b) of interim policy statement. PM12
- EPA File Symbol 35908-R. Boyko Supply Co., 5805 S. Santa Fe Dr., Littleton CO 80120. TRIPLE-D. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 2.25%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 2.25%; Sodium Carbonate 3.00%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Revised offer to pay statement submitted. PM31
- EPA Reg. No. 851-5. Commercial & Industrial Products Co., 910 Hayes Ave., Childs PA 18407. CIPCO SANITOX. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 10%. Method of Support: Application proceeds under 2(b) of interim policy. PM31
- EPA File Symbol 1677-IN. Economics Laboratory, Inc., Osborn Bldg., St. Paul MN 55102. SOLAX LAUNDRY BACTERIO-STATE-SANITIZER. Active Ingredients: Octyl decyl dimethyl ammonium chlorides 5.0%; Dioctyl dimethyl ammonium chloride 2.5%; Didecyl dimethyl ammonium chloride 2.5%; Isopropyl alcohol 4.0%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Revised offer to pay statement submitted. PM31
- EPA Reg. No. 432-502. Penick & Co., Comm. Development Pesticides, 215 Watchung Ave., Orange NJ 07050. SBP-1382-40 MF. Active Ingredients: (5-Benzyl-3-furyl) methyl 2,2-dimethyl-3-(2-methyl-propenyl) cyclopropanecarboxylate 40.00%; Related compounds 5.45%; Aromatic petroleum hydrocarbons 52.95%. Method of Support: Application proceeds under 2(c) of interim policy. PM17
- EPA File Symbol 904-EGG. B. G. Pratt Division, Gabriel Chemicals, Ltd., Paterson NJ 07509. REPEL FOR CATS & DOGS. Active Ingredients: Methyl nonyl ketone 1.9%; Related compounds 0.1%. Method of Support: Application proceeds under 2(c) of interim policy statement. Republished: Revised offer to pay statement submitted. PM11
- EPA File Symbol 793-RG. Safeway Stores, Inc., Brookside Div., PO Box 2125, Oakland CA 94621. NEWPORT LOW FOAMING CLEANER. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 0.8%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 0.8%; Sodium Metasilicate 2.4%; Tetrasodium ethylenediamine tetraacetate 1.0%. Method of Support: Application proceeds under 2(b) of interim policy statement. PM33
- EPA Reg. No. 9172-2. Scott Chemical Co., Inc., Consumer Prod. Div., 203 W. Turbo, San Antonio TX 78216. MR. PINE DISINFECTANT CLEANER. Active Ingredients: Pine Oil 30.00%; Isopropanol 11.0%; Soap 10.00%. Method of Support: Application proceeds under 2(b) of interim policy statement. PM32
- EPA File Symbol 9042-L. United Textile Chemicals Inc., 4800 Chicago Beach Dr., Suite 1507 N., Chicago IL 60615. BAC-SOFTM 14. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 8.0%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 8.0%. Method of Support: Application proceeds under 2(a) of interim policy. PM31
- EPA File Symbol 9042-U. United Textile Chemicals Inc., TEX-SOFT. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 3.25%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 3.25%. Method of Support: Application proceeds under 2(a) of interim policy. PM31
- EPA File Symbol 9042-A. United Textile Chemicals, Inc., BAC-SOFTM 28. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 13.0%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 13.0%. Method of Support: Application proceeds under 2(a) of interim policy. PM31
- APPLICATIONS RECEIVED (OPP-33000/382)
- EPA File Symbol 10807-LN. Aero Mist, Inc., 990 Industrial Park Dr., Marietta GA 30062. MISTY HOSPITAL DISINFECTANT DEODORANT. Active Ingredients: ortho-phenylphenol 0.177%; para-tertiary-amyphenol 0.045%; ethyl alcohol 61.348%; n-Alkyl (C18 92% C16 8%) N-ethyl morpholinium ethyl sulfate 0.075%. Method of Support: Application proceeds under 2(a) of interim policy. Republished: Revised offer to pay statement submitted. PM32
- EPA File Symbol 36999-RL. B & M International, Inc., PO Box 1116, Thibodaux LA 70301. MICRO-KILL LEMON FRAGRANCE SPRAY DISINFECTANT. Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 0.25%; Essential oils 0.50%; Isopropanol 43.22%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Revised offer to pay statement submitted. PM31
- EPA File Symbol 36999-RI. B & M International, Inc., MICRO-KILL MINT FRAGRANCE SPRAY DISINFECTANT. Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 0.25%; Essential oils 0.50%; Isopropanol 43.22%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Revised offer to pay statement submitted. PM31
- EPA File Symbol 36999-RT. B & M International, Inc., MICRO-KILL ORANGE FRAGRANCE SPRAY DISINFECTANT. Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 0.25%; Essential oils 0.50%; Isopropanol 43.22%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Revised offer to pay statement submitted. PM31
- EPA File Symbol 36999-RA. B & M International, Inc., MICRO-KILL BOUQUET AEROSOL REFRESHER & SURFACE SPRAY DISINFECTANT. Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 0.25%; Essential oils 0.50%; Isopropanol 43.22%. Method of Support: Application
- Proceeds under 2(c) of interim policy. Republished: Revised offer to pay statement submitted. PM31
- EPA File Symbol 8436-L. Berman Chemical Co., 1316 Locust St., PO Box 567, Toledo OH 43693. #815 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. PM33
- EPA File Symbol 36186-E. Carl Kaster Co., Chemical Div., 516 W. Main St., Louisville KY 40202. SODIUM HYPOCHLORITE SOLUTION. Active Ingredients: Sodium Hypochlorite 12.5%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Revised offer to pay statement submitted. PM34
- EPA File Symbol 9143-LL. Chemscope Corp., 1909 Hi-Line Dr., PO Box 10752, Dallas TX 75207. LEMON-KLEAN CLEAR DISINFECTANT. Active Ingredients: Methyldecylbenzyl trimethyl ammonium chloride 4.0%; Methyldecylxylenebis (trimethyl ammonium chloride) 1.0%. Method of Support: Application proceeds under 2(a) of interim policy. Republished: Revised offer to pay statement submitted. PM31
- EPA File Symbol 11601-E. Filters International, Inc., 124 N. Buesching Rd., Lake Zurich IL 60047. TAKECHARGE BLUE. Active Ingredients: 1,3-Dibromo-5,5-dimethylhydantoin 3.33%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Revised offer to pay statement submitted. PM34
- EPA File Symbol 11601-G. Filters International, Inc., 124 N. Buesching Rd., Lake Zurich IL 60047. TAKECHARGE ORANGE. Active Ingredients: 1,3-Dibromo-5,5-dimethylhydantoin 3.33%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Revised offer to pay statement submitted. PM34
- EPA Reg. No. 279-2876. FMC Corp., Agricultural Chemical Div., 100 Niagara St., Middleport NY 14105. FURADAN 4 FLOWABLE. Active Ingredients: Carbofuran 2,3-dihydro-2,2-dimethyl-7-benzofuranyl methylcarbamate. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Changed use pattern. PM12
- EPA Reg. No. 777-53. Lehn & Fink Products Div., Sterling Drug Co., 225 Summit Ave., Montvale NJ 07645. LYSOL BRAND DISINFECTANT SPRAY. Active Ingredients: o-Phenylphenol 0.1%; n-Alkyl (C18 92%, C16 8%) n-ethyl morpholinium ethylsulfates 0.035%; Alcohol 79.0%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Formula change. PM32
- EPA File Symbol 34777-R. Life Soap and Chemical Co., Inc., 712 W. 7th St., Sioux City IA 51103. LIFE SWIMMING POOL ALGAEICIDE. Active Ingredients: Poly[oxyethylene(dimethyliminio)ethylene - (dimethyliminio)ethylene dichloride] 60.0%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Revised offer to pay statement submitted. PM34
- EPA Reg. No. 2342-936. Kerr-McGee Chemical Corp., Kerr-McGee Center, Oklahoma City OK 93125. TOXAPHENE-PARATHION 4-1 EC. Active Ingredients: Toxaphene 41.67%; Parathion (O,O-diethyl O-p-nitrophenyl phosphorothioate) 10.42%; Xylene 42.75%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Revised offer to pay statement submitted. PM12
- EPA Reg. No. 3125-210. Mobay Chemical Corp., Chemagro Agricultural Div., PO Box

4913, Kansas City MO 64120. DYLOX 4 INSECTICIDE. Active Ingredients: Dimethyl (2,2,2-trichloro-1-hydroxyethyl)-phosphonate 39%. Method of Support: Application proceeds under 2(a) of interim policy. Republished: Added claims. PM16 EPA Reg. No. 524-311. Monsanto Co., 800 N. Lindbergh Ave., St. Louis MO 63166. POLARIS. Active Ingredients: Glyphosine N,N-bis(phosphonomethyl)glycine 85.0%. Method of Support: Application proceeds under 2(a) of interim policy. Republished: New use & revised offer to pay statement submitted. PM25

EPA File Symbol 18035-RA. Private Label Chemicals, Inc., 2280 Terminal Rd., St. Paul MN 55113. MARK C-10. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 5%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 5%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Revised offer to pay statement submitted. PM31

EPA File Symbol 572-EIT. Rockland Chemical Co., Inc., Box 809, Passaic Ave, West Caldwell NJ 07006. PYRENONE GENERAL PURPOSE AQUEOUS INSECTICIDE. Active Ingredients: Pyrethrins 0.1%; Piperonyl Butoxide, technical 1.0%; Petroleum distillate 0.4%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Revised offer to pay statement submitted. PM17

EPA File Symbol 37664-G. Teledyne Water-Pik, 1730 E. Prospect St., Fort Collins CO 80521. INSTAPURE REPLACEMENT FILTER MODEL R-1. Active Ingredients: Elemental silver 0.2%. Method of Support: Application proceeds under 2(b) of interim policy. PM33

EPA File Symbol 37410-O. Tri Ton Manufacturing Corp., 2998 Stemmons Frwy., Dallas TX 75274. JACK LEMON DISINFECTANT & SANITIZER. Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 2.00%; Essential oils 0.25%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 37401-T. Tri Ton Manufacturing Corp. LORNE GREEN CLEAN DISINFECTANT & SANITIZER. Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 2.0%; Isopropanol 2.0%; Methyl salicylate 0.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 1325-IO. Well Chemical Co., 219 Scott St., Memphis TN 38112. DIS-DEO. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 1.25%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 1.25%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

[FR Doc.76-8841 Filed 3-26-76; 8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

### FM AND TV TRANSLATOR

#### Applications Ready and Available for Processing

Notice is hereby given pursuant to sections 1.472(c) and 1.573(d) of the Commission's rules, that on May 10, 1976, the TV and FM translator applications listed in the attached Appendix will be considered as ready and available for processing. Pursuant to section 1.227(d) and

section 1.591(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on May 7, 1976, which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and submitted for filing at the offices of the Commission in Washington, D.C., by the close of business on May 7, 1976.

The attention of any party in interest desiring to file pleadings concerning any pending TV and FM translator application, pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to section 1.580(i) of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

Adopted: March 22, 1976.

Released: March 25, 1976.

FEDERAL COMMUNICATIONS COMMISSION,  
[SEAL] VINCENT J. MULLINS,  
Secretary.

#### VHF TV TRANSLATOR APPLICATIONS

- BPTTV-5420 New, Glen Haven, Colorado. Platte Valley Farm Supply Company d/b/as Translator TV, Inc. Req: Channel 3, 1 watt. Primary: KWGN-TV, Denver, Colorado.
- BPTTV-5421 New, Glen Haven, Colorado. Platte Valley Farm Supply Company d/b/as Translator TV, Inc. Req: Channel 8, 1 watt. Primary: KOA-TV, Denver Colorado.
- BPTTV-5458 New, Unincorporated Village of Glen Haven, Colorado. Platte Valley Farm Supply Company d/b/as Translator TV, Inc. Req: Channel 10, 1 watt. Primary: KMGH-TV, Denver, Colorado.
- BPTTV-5459 New, Unincorporated Village of Glen Haven, Colorado. Platte Valley Farm Supply Company d/b/as Translator TV, Inc. Req: Channel 12, 1 watt. Primary: KBTW(TV), Denver, Colorado.
- BPTTV-5490 New, California Polytechnic State University, California. California Polytechnic State University. Req: Channel 9, 1 watt. Primary: KCOY(TV), Santa Maria, California.
- BPTTV-5491 New, Fifteen Mile Valley, California. County of San Bernardino, County Service Area 29. Req: Channel 3, 1 watt. Primary: KNKT(TV), Los Angeles, California.
- BPTTV-5492 New, Fifteen Mile Valley, California. County of San Bernardino, County Service Area 29. Req: Channel 6, 1 watt. Primary: KNBC(TV), Los Angeles, California.
- BPTTV-5493 New, Fifteen Mile Valley, California. County of San Bernardino, County Service Area 29. Req: Channel 8, 1 watt. Primary: KITT(TV), Los Angeles, California.
- BPTTV-5494 New, Fifteen Mile Valley, California. County of San Bernardino, County Service Area 29. Req: Channel 10, 1 watt. Primary: KABC(TV), Los Angeles, California.
- BPTTV-5495 New, Fifteen Mile Valley, California. County of San Bernardino, County Service Area 29. Req: Channel 12, 1 watt. Primary: KABC(TV), Los Angeles, California.
- VHF TV TRANSLATOR APPLICATIONS
- BPTTV-5498 New, Diamond, Oregon. Diamond T.V. Corporation. Req: Channel 9, 1 watt. Primary: KIVI, Nampa, Idaho.
- BPTTV-5504 New, Pima, Arizona. Pima TV Association. Req: Channel 11, 1 watt. Primary: KPHO-TV, Phoenix, Arizona.
- BPTTV-5505 New, Verdigr, Nebraska. Nebraska Educational Television Commission. Req: Channel 10, 1 watt. Primary: KMNE(TV), Bassett, Nebraska.
- BPTTV-5507 K07JM, Grand Valley, Colorado. Garfield County. Req: To add Morrisania Mesa, Colorado to present principal community.
- BPTTV-5509 New, Winifred and rural area, Montana. Winifred T.V. Tax District. Req: Channel 7, 1 watt. Primary: KRTV-TV, Great Falls, Montana.
- BPTTV-5510 New, Winifred and rural area, Montana. Winifred T.V. Tax District. Req: Channel 11, 1 watt. Primary: KFBB-TV, Great Falls, Montana.
- BPTTV-5511 New, Colstrip, Montana. Colstrip TV Club. Req: Channel 6 1 watt. Primary: KURL(TV), Billings, Montana.
- BPTTV-5513 New, Tropic and Cannonville, Utah. Bryce Lions Club. Req: Channel 2, 10 watts. Primary: KUTV(TV), Salt Lake City, Utah.
- BPTTV-5514 New, Tropic and Cannonville, Utah. Bryce Lions Club. Req: Channel 4, 10 watts. Primary: KTVX(TV), Salt Lake City, Utah.
- BPTTV-5515 New, Tropic and Cannonville, Utah. Bryce Lions Club. Req: Channel 5, 10 watts. Primary: KSL-TV, Salt Lake City, Utah.
- VHF TV TRANSLATOR APPLICATIONS
- BPTTV-5516 New, Cannonville, Utah. Bryce Lions Club. Req: Channel 7, 10 watts. Primary: KUED(TV), Salt Lake City, Utah.

- BPTTV-5517** New, Henrieville, Utah. Bryce Lions Club. Req: Channel 8, 1 watt. Primary: KUTV(TV), Salt Lake City, Utah.
- BPTTV-5518** New, Bryce Canyon Airport area, Utah. Bryce Lions Club. Req: Channel 9, 1 watt. Primary: KTVX(TV), Salt Lake City, Utah.
- BPTTV-5519** New, Henrieville, Utah. Bryce Lions Club. Req: Channel 10, 1 watt. Primary: KTVX(TV), Salt Lake City, Utah.
- BPTTV-5520** New, Bryce Canyon Airport area, Utah. Bryce Lions Club. Req: Channel 11, 1 watt. Primary: KTVX(TV), Salt Lake City, Utah.
- BPTTV-5521** New, Henrieville, Utah. Bryce Lions Club. Req: Channel 12, 1 watt. Primary: KSL(TV), Salt Lake City, Utah.
- BPTTV-5522** New, Bryce Canyon Airport area, Utah. Bryce Lions Club. Req: Channel 13, 1 watt. Primary: KSL-TV, Salt Lake City, Utah.
- BPTTV-5523** New, Kivalina, Alaska. City of Kivalina. Req: Channel 4, 10 watts. Primary: KYUK(TV), Bethel, Alaska and KUAC(TV), Fairbanks, Alaska.
- BPTTV-5524** New, Colstrip, Montana. Colstrip TV Club. Req: Channel 12, 1 watt. Primary: KTVQ(TV), Billings, Montana.
- FM TRANSLATOR APPLICATIONS**
- BPFT-295** New, Glasgow, Montana. Prairie Communications Inc. Req: Channel 280, 103.9 MHz, 10 watts. Primary: KCGM(FM), Scobey, Montana.
- BPFT-296** New, Kanab, Utah. Kanab Lions TV. Req: Channel 265, 100.9 MHz, 10 watts. Primary: KBRE-FM, Cedar City, Utah.
- BPFT-297** New, Enterprise, Utah. Washington County TV Department. Req: Channel 265, 100.9 MHz, 10 watts. Primary: KBRE-FM, Cedar City, Utah.
- BPFT-298** W269AA, Grand Rapids, Minnesota. Roger D. Olsen. Req: Change primary station to WGGR(FM), Duluth, Minnesota.
- BPFT-299** New, Winnemucca, Nevada. Humboldt County Television Maintenance Board. Req: Channel 228, 93.5 MHz, 1 watt. Primary: KKBC, Carson City, Nevada.
- BPFT-300** New, Spearfish, South Dakota. Sturgis Radio Co., Inc. Req: Channel 249, 97.7 MHz, 1 watt. Primary: KBHB-FM, Sturgis, South Dakota.
- BPFT-301** New, Bowman, North Dakota. Sturgis Radio Co., Inc. Req: Channel 249, 97.7 MHz, 1 watt. Primary: KBHB-FM, Sturgis, South Dakota.
- BPFT-302** New, Hettinger, North Dakota. Sturgis Radio Co., Inc. Req: Channel 249, 97.7 MHz, 1 watt.
- BPFT-303** New, Custer, South Dakota. Sturgis Radio Co., Inc. Req: Channel 280, 103.9 MHz, 1 watt.
- BPFT-304** New, Lemmon, South Dakota. Sturgis Radio Co., Inc. Req: Channel 249, 97.7 MHz, 1 watt.
- BPFT-305** New, Eagle Butte, South Dakota. Sturgis Radio Co., Inc. Req: Channel 249, 97.7 MHz, 1 watt. Primary: KBHB-FM, Sturgis, South Dakota.
- FM TRANSLATOR APPLICATION**
- BPFT-306** New, Hill City, South Dakota. Sturgis Radio Co., Inc. Req: Channel 280, 103.9 MHz, 1 watt. Primary: KBHB-FM, Sturgis, South Dakota.
- BPFT-307** New, Hot Springs, South Dakota. Sturgis Radio Co., Inc. Req: Channel 280, 103.9 MHz, 1 watt. Primary: KBHB-FM, Sturgis, South Dakota.
- BPFT-308** New, Philip, South Dakota. Sturgis Radio Co., Inc. Req: Channel 249, 97.7 MHz, 1 watt. Primary: KBHB-FM, Sturgis, South Dakota.
- BPFT-309** New, San Bernardino, California. Marvin G. & Barbara A. Meyer. Req: Channel 252, 98.3 MHz, 1 watt. Primary: KECR(FM), Cajon, California.
- Application deleted from Public Notice released January 12, 1976 (Mimeo #59702, 41 F.R. 3119).*
- BPFT-282** New, San Bernardino, California. Marvin G. and Barbara A. Meyer. Req: Channel 232, 94.3 MHz, 1 watt. Primary: KECR(FM), Cajon, California.
- (Assigned new file number BPFT-309)
- UHF TV TRANSLATOR APPLICATIONS**
- BPTT-2819** New, Deming, New Mexico. New Mexico Broadcasting Company. Req: Channel 57, 100 watts. Primary: KGGM(TV), Albuquerque, New Mexico.
- BPTT-2969** New, Lucerne Valley, California. County of San Bernardino, County Service Area 29. Req: Channel 54, 100 watts. Primary: KCET(TV), Los Angeles, California.
- BPTT-2970** New, Lucerne Valley, California. County of San Bernardino, County Service Area 29. Req: Channel 57, 100 watts. Primary: KTTV(TV), Los Angeles, California.
- BPTT-2971** New, Lucerne Valley, California. County of San Bernardino, County Service Area 29. Req: Channel 59, 100 watts. Primary: KTLA(TV), Los Angeles, California.
- BPTT-2972** New, Price and rural Carbon County, Utah. Carbon County. Req: Channel 68, 100 watts. Primary: KSL-TV, Salt Lake City, Utah.
- BPTT-2974** New, Dryden, New York. Board of Cooperative Educational Services to Tompkins-Seneca-Tioga County. Req: Channel 65, 100 watts. Primary: WCYN-TV, Syracuse, New York.
- BPTT-2975** W73AO, Whitesburg, Kentucky. Kentucky State Board of Education. Req: Channel 66, and add Mayking, Kentucky, to principal community.
- BPTT-2976** New, Nedrow and Onondaga Indian Reservation, New York. The Public Broadcasting Council of Central New York, Inc. Req: Channel 62, 100 watts. Primary: WCYN(TV), Syracuse, New York.

[FR Doc.76-8802 Filed 3-26-76; 8:45 am]

### NONCOMMERCIAL EDUCATIONAL FM BROADCAST

#### Applications Ready and Available for Processing

Notice is hereby given, pursuant to section 1.573(d) of the Commission's rules, that on May 10, 1976, the noncommercial educational FM broadcast applications listed in the attached Appendix, which are being processed expeditiously since they are potentially eligible for funding in this fiscal year from the Department of Health, Education and Welfare, will be considered as ready and available for processing. Pursuant to section 1.227(b)(1) and section 1.591(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on May 7, 1976, which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by the close of business on May 7, 1976. The attention of prospective applicants is directed to the fact that some contemplated proposals may not be eligible for consideration with an application appearing in the attached Appendix by reason of conflicts between the listed applications and applications appearing in previous no-

tices published pursuant to section 1.573 (d) of the Commission's rules.

The attention of any party in interest desiring to file pleadings concerning any pending noncommercial educational FM broadcast application, pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to section 1,580(i) of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

Adopted: March 22, 1976.

Released: March 23, 1976.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] VINCENT J. MULLINS,  
Secretary.

APPENDIX

- BPED-2167 New, Huntington, W. Va.  
West Virginia Educ. B/cting  
Auth.  
Req: 89.9 mHz; Channel No.  
210B, ERP: 7.86 kW;  
HAAT: 1200 Ft.
- BPED-2203 WHIL-FM, Mobile, Ala.  
Spring Hill College.  
Has: 91.3 mHz; Channel No.  
217D, TPO: .01 kW; HAAT:  
Ft. (LIC).  
Req: 91.3 mHz; Channel No.  
217C, ERP: 100 kW; HAAT:  
208.7 Ft.
- BPED-2218 New, Fresno, Calif.  
White Ash Broadcasting, Inc.  
Req: 89.3 mHz; Channel No.  
207B, ERP: 50 kW; HAAT:  
500 Ft.
- BPED-2219 New, Presque Isle, Maine.  
University of Maine.  
Req: 106.1 mHz; Channel No.  
291C, ERP: 100 kW; HAAT:  
1080 Ft.
- BPED-2221 New, Sioux City, Iowa.  
Western Iowa Tech. Com-  
munity College.  
Req: 90.3 mHz; Channel No.  
212C, ERP: 100 kW; HAAT:  
922.4 Ft.

[FR Doc.76-8803 Filed 3-26-76;8:45 am]

FEDERAL ENERGY  
ADMINISTRATION

CONSUMER AFFAIRS/SPECIAL IMPACT  
ADVISORY COMMITTEE

Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770), notice is hereby given that the Consumer Affairs/Special Impact Advisory Committee will meet Thursday, April 15, 1976, at 9 a.m., Room 5041B, 12th & Pennsylvania Avenue, N.W., Washington, D.C.

The Committee was established to provide FEA with diversified information and experience possessed by a wide range of highly qualified individuals who have been extensively involved in planning, development, and implementation of programs to remedy the problems of the consumer, the poor, the elderly, and the handicapped persons in rural and urban America.

The agenda for the meeting is as follows:

1. Implementation of Energy Policy and Conservation Act.

A. Oil Pricing.

1. Regulations Implementing the 10 Percent Escalator.

2. Justification for Price Increases Above the 10 Percent Escalator to Stimulate Production.

3. Downstream Decontrol. a. Residual.

b. Gasoline. c. Heating Oil.

B. Energy Conservation.

1. State Conservation Program.

2. Appliance Efficiency Program.

C. Strategic Petroleum Reserves.

2. Utilities Programs Demonstration Projects.

A. Review Provisions for Consumer Participation in Current Electric Utility Demonstration Projects.

B. Proposal that CA/SI Advisory Committee Act as an Oversight Committee to Evaluate Implementation of Lifeline Demonstration Projects.

Subcommittees may meet informally in Washington, the preceding evening, at the discretion of the Subcommittee Chairman; the meetings will be open to the public. For further information on Subcommittee activities, call Lois Weeks, Director, Advisory Committee Management at (202) 961-7022.

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform the Director, Advisory Committee Management at least 5 days prior to the meeting and reasonable provision will be made for their appearance on the agenda.

Further information concerning this meeting may be obtained from the Advisory Committee Management Office.

Minutes of the meeting will be made available for public inspection at the Federal Energy Administration.

Issued at Washington, D.C. on March 24, 1976.

MICHAEL F. BUTLER,  
General Counsel.

[FR Doc.76-8768 Filed 3-24-76;8:45 am]

STATE REGULATORY ADVISORY  
COMMITTEE

Charter Amendment

Following consultation with the Office of Management and Budget, notice is hereby given of a revision in the Charter for the State Regulatory Advisory Committee.

The Charter published in the August 21, 1974, issue of the FEDERAL REGISTER (39 FR 30198), as amended (40 FR 48717, October 17, 1975), is further amended to add two additional subcommittees. Specifically, the Charter is hereby amended by revising Section B-9 to read as follows:

"9. Subcommittees—The State Regulatory Advisory Committee shall have three subcommittees as follows: a. Executive Subcommittee, b. Subcommittee on Legislation, c. Subcommittee on FEA State Energy Grants.

The objective of each Subcommittee is to make recommendations to the parent Committee with respect to FEA policies and programs related to the responsibilities of State regulatory commissions as they fall within the interests of the particular Subcommittee.

Each Subcommittee shall be comprised of such members of the parent Committee as may be determined by the Chairman of the parent Committee.

All actions of the Subcommittees shall be consistent with the provisions of B-1 through B-8."

The above amendment is effective immediately.

Issued at Washington, D.C. on March 24, 1976.

FRANK G. ZARB,  
Administrator.

[FR Doc.76-8842 Filed 3-25-76;9:07 am]

FEDERAL MARITIME COMMISSION

BARBER LINES, ET AL

Notice of Agreement Filed

Notice is hereby given that the following agreement, accompanied by a statement of justification, 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 and the statement of justification at the Washington office of the Federal Maritime Commission, 1100 L Street N.W., Room 10126; or may inspect the agreement and the statement of justification 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, on or before April 8, 1976. 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.

Barber Lines, A/S; Black Star Line; Compagnie Maritime Des Chargeurs Reunis, S.A.; Compagnie Maritime Belge, S.A.; Compagnie Maritime Zairoise, S.A.R.L. (CMZ); Dafra Lines; Delta Steamship Lines, Inc.; Elder Dempster Lines, Ltd.; Farrell Lines Incorporated; Nopal West Africa Line; Westwind Arrica Line.

**Notice of Agreement Filed by:**

John K. Cunningham, Chairman, American West African Freight Conference, 67 Broad Street, New York, New York 10004.

Agreement No. 10230, among Barber Lines, A/S; Black Star Line; Compagnie Maritime Des Chargeurs Reunis, S.A.; Compagnie Maritime Belge, S.A.; Compagnie Maritime Zairoise, S.A.R.L. (CMZ); Dafra Lines; Delta Steamship Lines, Inc.; Elder Dempster Lines, Ltd.; Farrell Lines Incorporated; Nopal West Africa Line; and Westwind Africa Line, all of whom are member lines of the American West African Freight Conference, provides for the establishment of a cooperative working arrangement whereby the member lines serving the ports of Lagos/Apapa, Nigeria would collectively charter and operate on roll-off vessel or vessels or specially equipped vessel or vessels for the carriage of motor vehicles from United States ports to Apapa. Once approved, the agreement is to continue in effect, for a period of one hundred and eighty days (180) unless an extension thereof is sought from and approved by the Federal Maritime Commission.

By Order of the Federal Maritime Commission.

Dated: March 24, 1976.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.76-8819 Filed 3-26-76; 8:45 am]

**BARBER LINES, ET AL.**

**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, 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, on or before April 8, 1976. 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.

Barber Lines, A/S; Black Star Line, Ltd.; Compagnie Maritime Belge, S.A.; Compagnie Maritime Des Chargeurs Reunis, S.A.; Compagnie Maritime Zairoise, S.A.R.L.; Dafra Lines; Delta Steamship Line, Inc.; Elder Dempster Lines, Ltd.; Farrell Lines Incorporated; Nopal West Africa Line; Westwind Africa Line Ltd.

**Notice of Agreement Filed by:**

John K. Cunningham, Chairman, American West African Freight Conference, 67 Broad Street, New York, New York 10004.

Agreement No. 10159-3, among Barber Lines, A/S; Black Star Line, Ltd.; Compagnie Maritime Belge, S.A.; Compagnie Maritime Des Chargeurs Reunis, S.A.; Compagnie Maritime Zairoise, S.A.R.L.; Dafra Lines; Delta Steamship Line, Inc.; Elder Dempster Lines, Ltd.; Farrell Lines Incorporated; Nopal West Africa Line; and Westward Africa Line Ltd., all of whom are members of the American West African Freight Conference, will amend Agreement No. 10159, as amended, a rationalization agreement, to include as a party thereto the Companhia Nacional De Navegacao/Companhia De Navegacao Angolana S.A.R.L. Joint Service.

By Order of the Federal Maritime Commission.

Dated: March 24, 1976.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.76-8820 Filed 3-26-76; 8:45 am]

**TRANSCONEX, INC. AND ECONOCARIBE CONSOLIDATORS, INC.**

**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, on or before April 19, 1976. Any person desiring a hearing on the pro-

posed 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.

Transconex, Inc. and Econocaribe Consolidators, Inc.

**Notice of Agreement Filed by:**

Roy R. Sumner, Vice President, International Tariff Service, Inc., 815 15th Street NW., Washington, D.C. 20005.

Agreement No. DC-85, is between two nonvessel operating common carriers, Transconex, Inc. (Transconex) and Econocaribe Consolidators, Inc., (Econocaribe). The agreement provides for the joint loading of cargo to be transported from ports in the state of Florida to ports in the Commonwealth of Puerto Rico and the U.S. Virgin Islands. The total vessel-operating carrier's freight bill for the consolidated shipments made under the agreement will be apportioned between the parties on the basis of each party's proportionate cubic feet for such shipments and the applicable tariff charges assessed thereto by the vessel operator, plus any other accessorial expenses incurred by the parties in the handling of these shipments.

By Order of the Federal Maritime Commission.

Dated: March 24, 1976.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.76-8821 Filed 3-26-76; 8:45 am]

**FEDERAL MEDIATION AND CONCILIATION SERVICE**

**ARBITRATION SERVICES ADVISORY COMMITTEE**

**Meeting**

Notice is hereby given that the Federal Mediation and Conciliation Service Arbitration Services Advisory Committee, in accordance with section 10 of the Federal Advisory Committee Act of October 6, 1972 (Public Law 92-463, 86 Stat. 770-776), will meet on Saturday, April 24, 1976 at 9:00 a.m. in the Garden Room of the Fairmont Hotel and Tower, 950 Mason Street, Nob Hill, San Francisco, California.

The agenda for the meeting is as follows:

1. Review of Committee suggestions and actions since prior meeting.
2. Discussion of current staffing and procedures.
3. Review of experience with Boards of Inquiry.
4. Caseload review.

5. Review of additions to and removals from the roster of arbitrators.

The meeting shall be open to the public.

Communications regarding this meeting should be addressed to:

Mr. John Canestraight, Assistant Director of Arbitration Services, Federal Mediation and Conciliation Service, Washington, D.C. 20427.

Mr. John Canestraight, Assistant Director of Arbitration Services, Federal Mediation and Conciliation Service, Washington, D.C. 20427.

Signed at Washington, D.C. this seventeenth day of March 1976.

JAMES F. SCARCE,  
Acting National Director.

[FR Doc.76-8839 Filed 3-26-76; 8:45 am]

## FEDERAL POWER COMMISSION

[Docket No. RP75-73]

### TEXAS EASTERN TRANSMISSION CORP. Settlement Conference

MARCH 25, 1976.

Take notice that on April 5, 1976, a settlement conference concerning the issues in the above referenced proceeding will be convened at the office of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426. The conference will convene at 2:00 P.M. in Room 5200.

The conference will be held pursuant to Section 1.18 (Conferences, Offers of Settlement) of the Commission's Rules of Practice and Procedure (18 CFR 1.18). Customers and other interested persons will be permitted to attend, but if such persons have not previously been permitted to intervene by order of the Commission, such attendance at the conference will not be deemed to authorize such intervention as a party in the proceedings.

In accordance with the provisions of Section 1.18 of the Rules, all parties will be expected to come fully prepared to discuss the merits of all issues concerning the lawfulness of Texas Eastern's proposed changes to its rates and any procedural matters preparatory to a full evidentiary hearing, or to make commitments with respect to such issues and any offers of settlement or stipulations discussed at the conference. Failure to attend the conference shall constitute a waiver of all objections to stipulations and agreements reached by the parties in attendance at the conference.

Copies of this notice are being mailed this date to all jurisdictional customers and interested State commissions.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.76-8911 Filed 3-26-76; 8:45 am]

## FEDERAL RESERVE SYSTEM FEDERAL OPEN MARKET COMMITTEE Authorization for Domestic Open Market Operations

On March 10, 1975, paragraph (2) of the Committee's authorization for do-

mestic open market operations was amended to raise from \$1 billion to \$2 billion the limit on System holdings of special short-term certificates of indebtedness purchased directly from the Treasury. At its meeting on March 18, 1975, the Committee voted to maintain the limit at \$2 billion for a period of one year. (See 40 FR 20863.)

In accordance with the Committee's rules regarding availability of information, notice is given that at its meeting on March 16, 1976, the Committee voted to remove the time limit of one year that it had attached to its action of March 18, 1975.

NOTE: For paragraph (2) of the authorization see 40 FR 10660. By order of the Federal Open Market Committee, March 18, 1976.

ARTHUR L. BROIDA,  
Secretary.

[FR Doc.76-8755 Filed 3-26-76; 8:45 am]

## LANDMARK BANKING CORPORATION Order Approving Acquisition of Bank

Landmark Banking Corporation, Fort Lauderdale, Florida, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under § 3(a)(3) of the Act (12 U.S.C. § 1842(a)(3)) to acquire 80 percent or more of the voting shares of Landmark Bank of Pompano Beach, N.A., Pompano Beach, Florida ("Bank"), a proposed *de novo* bank which will acquire the majority of the assets, and assume of the deposits and certain of the other liabilities of Security State Bank of Pompano Beach, Pompano Beach, Florida ("Security Bank"), which holds total deposits of \$4.5 million.<sup>1</sup>

Notice has been given to the Comptroller of the Currency in accordance with § 3(b) of the Act. The Comptroller has recommended approval of the application. The Florida Comptroller, who is the primary supervisory authority for Security Bank, has also recommended approval of the application. In addition, the Board has solicited and considered herein the views of the United States Department of Justice. Public notice of the application is not required by the Act, and in view of the emergency situation set forth below, the Board has not followed its normal practice of affording interested parties the opportunity to submit comments and views. The Board has considered the application and the above comments in light of the factors set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

Applicant is the eighth largest holding company in the State of Florida with 16 subsidiary banks and total deposits of \$707.5 million, representing 3 per cent of the total deposits in commercial banks in the State. Bank has been formed to acquire certain assets and assume certain liabilities of Security Bank. Security Bank has experienced substantial loan losses since its organization in 1973 and its capital base has been seriously eroded by a continuing trend of net operating losses. Despite its relatively short operat-

<sup>1</sup> Banking data are as of June 30, 1975.

ing history there has been a rapid turnover of management personnel and the bank has suffered a 42 per cent loss in total deposits between December, 1974 and June, 1975. A recent examination of Security Bank by the Federal Deposit Insurance Corporation indicates that the bank's situation has become critical; it is the Board's judgment that, absent the proposed acquisition, the failure of Security Bank would be probable.

Although Applicant is the largest of 23 banking organizations in the relevant market,<sup>2</sup> and holds 22 per cent of the total deposits therein, it is also the only institution that has expressed an interest in acquiring Security Bank. As new financial and managerial resources must be added to Security Bank immediately to avoid its failure, and in view of the fact that the proposed acquisition would increase Applicant's market share by only 0.3 percent, the Board finds that any adverse effects on competition in any relevant banking market that would result from consummation of the acquisition are outweighed by the public interest considerations relating to the acquisition. Considerations relating to convenience and needs of the communities to be served lend very strong weight toward approval as the proposal will protect all depositors of Security Bank and will ensure the continued provision of banking services.

The financial and managerial resources and future prospects of Applicant, its subsidiaries, and Bank, as a subsidiary of Applicant, are regarded as generally satisfactory. In light of the condition of Security Bank and the fact that Applicant will provide \$700,000 for the initial capitalization of Bank, financial and managerial factors lend support to approval of the application. It is the Board's judgment that the proposed transaction would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after that date, and (c) Landmark Bank of Pompano Beach, N.A., Pompano Beach, Florida shall be opened for business not later than six months after the effective date of this order. Each of the periods described in clauses (b) and (c) may be extended for good cause by the Board, or by the Federal Reserve Bank of Atlanta pursuant to delegated authority, effective March 19, 1976.

By order of the Board of Governors,<sup>3</sup>

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

[FR Doc.76-8756 Filed 3-26-76; 8:45 am]

<sup>2</sup> The relevant banking market is approximated by the northern two-thirds of Broward County lying north of the Dania Canal.

<sup>3</sup> Voting for this action: Chairman Burns and Governors Gardner, Oldwell, Jackson, and Partee. Absent and not voting: Governors Holland and Wallich.



## GENERAL SERVICES ADMINISTRATION

[Temporary Regulation 37]

### FEDERAL PROCUREMENT REGULATIONS

#### Small Business Emergency Relief Act, Public Law 94-190, December 31, 1975

1. *Purpose.* This FPR Temporary Regulation implements the provisions of the subject act.

2. *Effective date.* This regulation is effective December 31, 1975.

3. *Expiration date.* This regulation will continue in effect until canceled.

4. *Background.* Small Business concerns (see Section 3(2) of the Act) holding fixed price Government contracts awarded during the period August 15, 1971, through October 31, 1974, which have not been completely performed or otherwise terminated as of December 31, 1975, have been adversely affected for several years by the unanticipated increases in the price of materials and by energy shortages. The Subject Act was passed to provide relief to small business concerns where such concerns have suffered or can be expected to suffer serious financial loss because of significant and unavoidable difficulties during performance because of the energy crisis or rapid and unexpected escalations of contract costs. Relief may be granted at the discretion of the executive agency (a) through terminations for convenience of the Government, or (b) through modifications of contract prices where the cost to the Government of terminating the contract for convenience plus the cost of procurement including estimated administrative costs of procurement would exceed the amount of the contract as modified. Where there have been shortages of energy, petroleum products, or components manufactured or derived from them and such shortages result in a delay in performance, relief may be granted through amendment of the contract to extend the delivery date. As required by section 4(b) (2) of the Act, cost comparison and compensation guidelines have been issued by the Administrator of the Office of Federal Procurement Policy (41 FR 2872, January 20, 1976). Copies of the Act and the guidelines are attached.

5. *Explanation of changes.*

a. The head of each civilian executive agency shall take the following actions:

(1) Delegate authority conferred by Section 5 of the Act to the extent practicable to an appropriate level that will permit the expeditious processing of applications under the Act and insure the uniformity of its application.

(2) Require contractors to submit the specific documentation specified by Section 4(d) of the Act to support applications for relief involving terminations or modification of prices. However, consideration of the merits of the application should be undertaken and the contractor promptly advised of any tentative conclusions even though the initial application may not be complete in all respects. Such action will preclude the contractor from incurring extra costs to support an application which is not meritorious. An application may not be meritorious if:

(a) The award was not within the time frames permitted by law (i.e. the period August 15, 1971, through October 31, 1974), or the contract has been completely performed or otherwise terminated.

(b) A firm has not suffered or will not suffer serious financial loss due to significant unanticipated cost increases directly affecting the cost of contract compliance.

(c) The conditions which have caused or are causing such cost increases were not experienced generally by other similar small business concerns.

(d) The conditions which caused the losses were caused by negligence, underbidding or other management factors peculiar to that small business concern.

(e) The application for a termination or contract modification was received too late to evaluate and grant relief by September 30, 1976. However, no application received earlier than September 24, 1976, shall be deemed to have been received too late.

(3) Consider reasonable costs incurred in providing the documentation required by the Act as allowable settlement expenses in computing a termination settlement and in determining a modified contract price.

(4) With respect to Section 6(a) of the Act, consider a contract to be completely performed if final delivery has been made under a supply contract or the period of performance has expired under a service contract. The contract shall be considered otherwise terminated if the contracting officer has issued a notice of complete termination thereunder.

(5) Process (1) application, and (2) the negotiation of termination settlements or contract price modifications and related reviews in accordance with applicable procedures.

(6) Maintain complete records regarding the disposition of all cases processed under the Act.

b. The decision of the agency head or his designee as to whether a contractor is entitled to relief under the Act shall not be subject to the disputes clause of the contract.

c. To ensure that small business concerns are made aware of the application procedures and documentation requirements of the Act as required by the OFPP Guidelines, the Federal Procurement Regulations Division, Federal Supply Service, GSA, will arrange for the publication of appropriate notices in the Commerce Business Daily, and other appropriate publications.

JACK ECKERD,

Administrator of General Services.

MARCH 17, 1976.

#### ATTACHMENT A

OFFICE OF MANAGEMENT AND BUDGET

BUSINESS EMERGENCY RELIEF ACT

Implementation Guidelines

JANUARY 9, 1976.

The Small Business Emergency Relief Act (hereinafter referred to as "the Act"), Pub. L. 94-190, provides for relief to small business

concerns holding fixed-price Government contracts awarded during the period August 15, 1971, through October 31, 1974, which have not been completely performed or otherwise terminated as of December 31, 1975. Relief may be available in cases where such concerns have suffered or can be expected to suffer serious financial loss as a result of significant and unavoidable difficulties during performance because of the energy crisis or rapid and unexpected escalations of contract costs. The fact that a contract could have been completed prior to December 31, 1975, but was not, is itself no bar to relief under the Act.

The following guidelines, issued as required by the Act, and pursuant to the additional authority of Public Law 93-400, 41 U.S.C. 401, are to be followed by executive agencies in implementation of the Act.

1. *Period during which authority may be exercised.* Authority to issue a termination notice under section 4(a) of the Act, or to execute a modification under section 4(b) of the Act, extends from the date of the Act, December 31, 1975, through September 30, 1976. A termination settlement agreement entered into under this authority need not be executed by September 30, 1976, but should be executed as soon as possible after issuance of the termination notice.

2. *Basis of decision.* Relief under the Act is at the discretion of the executive agencies. The decision as to whether a contractor is entitled to relief under the Act must be based upon an evaluation of the contractor's overall financial position and the factors leading to that position. A showing of financial loss under a particular contract, even if resulting from the energy crisis or rapid and unexpected cost escalations, is itself not sufficient to justify relief under that contract. Relief should be limited to those small business firms whose overall financial position is so poor that their ability to survive, without relief under the Act, is in question. The decision of the agency head or his designee as to whether a contractor is entitled to relief under the Act, and whether such relief is to be effected by contract termination or contract modification, shall not be subject to the disputes clause of the contract.

3. *Termination procedures.* Termination and settlement procedures shall be in accordance with the "Termination for Convenience of the Government" clause of the contract.

4. *Modification of the contract in lieu of termination.* When proceeding under section 4(b) of the Act, the agency head or his designee shall estimate the amount which would be paid to the contractor in settlement of a termination claim, including an estimate of the contractor's settlement costs as provided in the "Termination for Convenience of the Government" clause. He shall also estimate the price the Government would have to pay to procure—from a different contractor—the supplies or services not yet delivered or performed, or substantially similar supplies or services, if the contract in question were terminated. Administrative costs to the Government of procurement shall be estimated to the extent feasible, and added to the estimated procurement price. Procedures for estimating costs shall be in accordance with applicable agency regulations, to the extent practicable, taking into account all data reasonably available within the time period set by the Act. If the agency head or his designee determines that the contractor could satisfactorily provide the undelivered supplies or services under modified contract terms at a negotiated price which is less than the sum of the estimated termination settlement amount, the estimated procurement price of the supplies or services still required, and the estimated administrative costs of procurement, the contract may be modified.

5. *Notice to small business concerns.* Agencies shall make reasonable efforts to ensure that small business concerns which might be affected are promptly made aware of the application procedures and documentation requirements of the Act, in order that adequately documented applications may be evaluated and acted on by September 30,

1976. Contractors should be made aware that the Act does not permit recovery of more than the contract price for materials delivered or services performed prior to contract termination or modification.

6. *Definition of small business concern.* For purposes of these guidelines, a small business concern is a concern which was a small business, as defined in the Act, at the time of

award of a contract under which relief is sought.

HUGH E. WITT,  
Administrator for  
Federal Procurement Policy.

[FR Doc.76-1659 Filed 1-19-76;8:45 am]

(Published in the Fed. Reg. January 20, 1976,  
41 F.R. 2872)

## Attachment B



Public Law 94-190  
94th Congress, H. R. 5541  
December 31, 1975

### An Act

To provide for emergency relief for small business concerns in connection with fixed-price Government contracts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SHORT TITLE

SECTION 1. This Act may be cited as the "Small Business Emergency Relief Act".

#### POLICY

SEC. 2. It is the policy of Congress to provide relief to small business concerns which have fixed-price Government contracts in cases where such concerns have suffered or can be expected to suffer serious financial loss because of significant and unavoidable difficulties during performance because of the energy crisis or rapid and unexpected escalations of contract costs.

#### DEFINITIONS

SEC. 3. As used in this Act—

(1) the term "executive agency" means an executive department, a military department, and an independent establishment within the meaning of sections 101, 102, and 104(1) respectively, of title 5, United States Code, and also a wholly owned Government corporation within the meaning of section 101 of the Government Corporation Control Act; and

(2) the term "small business concern" means any concern which falls under the size limitations of the "Small Business Administrator's Definitions of Small Business for Government Procurement."

#### AUTHORITY

SEC. 4. (a) Pursuant to an application by a small business concern, the head of any executive agency may terminate for the convenience of the Government any fixed-price contract between that agency and such small business concern, upon a finding that—

(1) during the performance of the contract, the concern has suffered or can be expected to suffer serious financial loss due to significant unanticipated cost increases directly affecting the cost of contract compliance; and

(2) the conditions which have caused or are causing such cost increases were, or are being, experienced generally by other small business concerns in the market at the same time and are not caused by negligence, underbidding, or other special management factors peculiar to that small business concern.

(b) Upon application under subsection (a) by a small business concern to terminate a fixed-price contract between an executive agency and such small business concern, the head of the executive agency may modify the terms of the contract in lieu of termination for the convenience of the Government only if he finds after review of the application that—

Small  
Business  
Emergency  
Relief  
Act.  
41 USC 252  
note.

41 USC 252  
note.

41 USC 252  
note.

31 USC 846.

Fixed price  
contracts,  
termination,  
Application.  
41 USC 252  
note.

## Attachment B

Pub. Law 94-190 - 2 - December 31, 1975

(1) (a) the agency would reprocure the supplies or services in the event that the contract was terminated for the convenience of the Government; and

(b) the cost of terminating the contract for the convenience of the Government plus the cost of reprocurement would exceed the amount of the contract as modified; and

(2) Any such modification shall be made in compliance with cost comparison and compensation guidelines to be issued by the Administrator of the Office of Federal Procurement Policy. Such cost comparison and compensation guidelines shall be promulgated by the Administrator not later than 10 days after enactment of this Act.

(c) If a small business concern in performance of a fixed-price Government contract experiences or has experienced shortages of energy, petroleum products, or products or components manufactured or derived therefrom or impacted thereby, and such shortages result in a delay in the performance of a contract, the head of the agency, or his designee, shall provide by modification to the contract for an appropriate extension of the contract delivery date or period of performance.

Request  
for relief.

(d) A small business concern requesting relief under subsection (a) shall support that request with the following documentation and certification:

(1) a brief description of the contract, indicating the date of execution and of any amendment thereto, the items being procured, the price and delivery schedule, and any revision thereof, and any other special contractual provision as may be relevant to the request;

(2) a history of performance indicating when work under the contract or commitment was begun, the progress made as of the date of the application, an exact statement of the contractor's remaining obligations, and the contractor's expectations regarding completion thereof;

(3) a statement of the factors which have caused the loss under the contract;

(4) a statement as to the course of events anticipated if the request is denied;

(5) a statement of payments received, payments due and payments yet to be received or to become due, including advance and progress payments, and amounts withheld by the Government, and information as to other obligations of the Government, if any, which are yet to be performed under the contract;

(6) a statement and evidence of the contractor's original breakdown of estimated costs, including contingency allowances and profit;

(7) a statement and evidence of the contractor's present estimate of total costs under the contract if enabled to complete, broken down between costs accrued to date of request, and runout costs, and as between costs for which the contractor has made payment and those for which he is indebted at the time of the request;

(8) a statement and evidence of the contractor's estimate of the final price of the contract, giving effect to all escalation, changes, extras, and other comparable factors known or contemplated by the contractor;

## Attachment B

December 31, 1975 - 3 - Pub. Law 94-190

(9) a statement of any claims known or contemplated by the contractor against the Government involving the contract in question, other than those referred to under (8) above;

(10) an estimate of the contractor's total profit or loss under the contract if required to complete at the original contract price;

(11) an estimate of the total profits from other Government business, and all other sources, during the period from the date of the first contract involved to the latest estimated date of completion of any other contracts involved;

(12) balance sheets, certified by a certified public accountant, as of the end of the contractor's fiscal year first preceding the date of the first contract, as of the end of each subsequent fiscal year, and as of the date of the request together with income statements for annual periods subsequent to the date of the first balance sheet; and

(13) a list of all salaries, bonuses, and all other forms of compensation of the principal officers or partners and of all dividends and other withdrawals, and all payments to stockholders in any form since the date of the first contract involved.

## DELEGATION

SEC. 5. The head of each executive agency shall delegate authority conferred by this Act, to the extent practicable, to an appropriate level that will permit the expeditious processing of applications under this Act and to insure the uniformity of its application.

41 USC 252  
note.

## LIMITATIONS

SEC. 6. (a) The authority prescribed in section 4(a) shall apply only to contracts which have not been completely performed or otherwise terminated and which were entered into during the period from August 15, 1971, through October 31, 1974.

(b) The authority conferred by section 4(a) of this Act shall terminate September 30, 1976.

41 USC 252  
note.

Approved December 31, 1975.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 94-154 (Comm. on Small Business) and No. 94-724 (Comm. of Conference).

SENATE REPORT No. 94-378 accompanying S. 1259 (Comm. on Government Operations).

CONGRESSIONAL RECORD, Vol. 121 (1975):

Apr. 22, considered and passed House.

Oct. 29, S. 1259, considered in Senate.

Oct. 30, considered and passed Senate, amended, in lieu of S. 1259.

Dec. 15, House agreed to conference report.

Dec. 17, Senate agreed to conference report.

[FR Doc.76-8858 Filed 3-26-76;8:45 am]

## INTERNATIONAL TRADE COMMISSION

[337-TA-15]

### OVERLAPPING DIGITAL MOVEMENTS

#### Order Terminating the Investigation

Based upon the motion filed with the United States International Trade Commission by complainant General Time Corporation on March 3, 1976, with accompanying license agreement and the stipulation of dismissal in Civil Action No. 74.5093 in the United States District Court for the Southern District of New York, entered into with respondent Sankyo-Seiki (America), Inc., and the foreign manufacturer Sankyo-Seiki Mfg., Co., Ltd. and based upon the submission of the Commission investigative attorney, the United States International Trade Commission hereby gives notice of and orders the termination of the above-captioned investigation.

This termination is based upon the Commission's determination that there is no violation of section 337, Tariff Act of 1930, as amended (19 U.S.C. 1337). The license agreement and stipulation of dismissal covers United States Patent 3,200,396 and has the effect of obviating any unfair methods of competition and unfair acts in the importation or sale of overlapping digital movements. No determination has been made by the Commission as to whether there have been unfair methods of competition and unfair acts with respect to the subject articles.

Notice of receipt of the complaint was published in the FEDERAL REGISTER on December 16, 1974 (39 F.R. 43597). By notice published in the FEDERAL REGISTER on June 4, 1975 (40 F.R. 24056), the preliminary inquiry was designed to be conducted as an investigation and accordingly assigned docket number 337-TA-15.

By order of the Commission.

Issued: March 24, 1976.

[SEAL] KENNETH R. MASON,  
Secretary.

[FR Doc.76-8814 Filed 3-26-76;8:45 am]

## NUCLEAR REGULATORY COMMISSION

### REGULATORY GUIDE

#### Issuance and Availability

The Nuclear Regulatory Commission has issued a new guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 10.2 "Guidance to Academic Institutions Applying for Specific Byproduct Material Licenses," describes the type of information that is needed by the NRC staff in their review of applications for specific licenses for the possession and use by academic institutions of byproduct material (reactor-produced radionuclides). It also includes the general principles that will be considered in evaluating an applicant's proposed radiation safety measures.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guide 10.2 will, however, be particularly useful in evaluating the need for an early revision if received by May 27, 1976.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland this 22nd day of March 1976.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,  
Director,

Office of Standards Development.

[FR Doc.76-8799 Filed 3-26-76;8:45 am]

[Docket No. 50-324]

## CAROLINA POWER AND LIGHT CO.

### Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 12 to Facility Operating License No. DPR-62 issued to the Carolina Power and Light Company (the licensee), which revised Technical Specifications for operation of the Brunswick Steam Electric Plant, Unit 2 (the facility), located in Brunswick County, North Carolina. The amendment is effective as of the date of issuance.

The amendment (1) revises the provisions in the Appendix B (Environmental) Technical Specifications relating to the off-site review and audit function and (2) makes various changes to reflect

the present organizational structure within the Commission.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated February 11, 1976, (2) Amendment No. 12 to License No. DPR-62, (3) the Commission's related letter to Carolina Power & Light Company dated March 18, 1976, and (4) Amendment No. 9 to License No. DPR-62 and related Safety Evaluation which are referenced in the letter. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Southport-Brunswick County Library, 109 W. Moore Street, Southport, North Carolina 28461.

A single copy of items (2), (3), and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 18th day of March 1976.

For the Nuclear Regulatory Commission.

CHARLES M. TRAMMELL,  
Acting Chief, Operating Reactors Branch No. 1, Division of Operating Reactors.

[FR Doc.76-8785 Filed 3-26-76;8:45 am]

[Docket No. 50-324]

## CAROLINA POWER AND LIGHT CO.

### Proposed Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-62 issued to Carolina Power & Light Company (the licensee) for operation of the Brunswick Steam Electric Plant, Unit No. 2 (the facility), located in Brunswick County, North Carolina.

The amendment would lower the main steam line low pressure isolation setpoint from 850 psig to 825 psig, in accordance

## NOTICES

with the licensee's application for Amendment dated December 19, 1975.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By April 28, 1976, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of this amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of Section 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER Notice and Section 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to Richard E. Jones, Esquire, Carolina Power & Light Company, 336 Fayetteville Street, Raleigh, North Carolina 27602, attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for amendment dated December 19, 1975, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C.

and at the Southport-Brunswick County Library, 109 W. Moore Street, Southport, North Carolina 28461. The license amendment and Safety Evaluation, when issued, may be inspected at the above locations and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 19th day of March 1976.

For the Nuclear Regulatory Commission.

CHARLES M. TRAMMELL,  
Acting Chief, Operating Reactors  
Branch No. 1, Division of  
Operating Reactors.

[FR Doc.76-8786 Filed 3-26-76; 8:45 am]

[Docket No. 50-324]

**CAROLINA POWER AND LIGHT CO.**  
**Proposed Issuance of Amendment to  
Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-62 issued to Carolina Power & Light Company (the licensee) for operation of the Brunswick Steam Electric Plant, Unit No. 2 (the facility) located in Brunswick County, North Carolina.

The amendment would change the setpoint for (1) isolation of the reactor water cleanup system, (2) initiation of the standby gas treatment system, and (3) isolation of secondary containment from plus 12.5 inches decreasing reactor water level to minus 38 inches decreasing water level. The amendment would also eliminate the automatic closure of certain valves in the residual heat removal system in the event of high drywell pressure. The amendment is proposed by the licensee's application for amendment dated February 2, 1976.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By April 28, 1976 the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of this amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of Section 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER Notice and Section

2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to Richard E. Jones, Esquire, Carolina Power & Light Company, 336 Fayetteville Street, Raleigh, North Carolina 27602, attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for amendment dated February 2, 1976, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Southport-Brunswick County Library, 109 W. Moore Street, Southport, North Carolina 28461. The license amendment and Safety Evaluation, when issued, may be inspected at the above locations and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 19th day of March 1976.

For the Nuclear Regulatory Commission.

CHARLES A. TRAMMELL,  
Acting Chief, Operating Reactors  
Branch No. 1, Division of  
Operating Reactors.

[FR Doc.76-8787 Filed 3-26-76; 8:45 am]

[Docket Nos. 50-254, 50-265]

**COMMONWEALTH EDISON CO. AND  
IOWA-ILLINOIS GAS AND ELECTRIC CO.**  
**Issuance of Amendments to Facility  
Operating Licenses**

The U.S. Nuclear Regulatory Commission (the Commission) has issued

Amendment Nos. 24 and 23 to Facility Operating License Nos. DPR-29 and DPR-30 (respectively), issued to Commonwealth Edison Company (acting for itself and on behalf of the Iowa-Illinois Gas and Electric Company), which revised Technical Specifications for operation of the Quad Cities Station Units 1 and 2 (the facilities) located in Rock Island County, Illinois. The amendments are effective as of their date of issuance.

The amendments incorporated increased surveillance requirements in the Technical Specifications to provide additional assurance that high energy line failures outside of containment will not occur during the short period of time the facilities will be operated prior to completing certain modifications to assure that the facilities can withstand the consequences of postulated ruptures in high energy piping outside of containment.

The application for these amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Notice of the Proposed Issuance of Amendments to Facility Operating Licenses in connection with this action was published in the FEDERAL REGISTER on October 30, 1974 (39 FR 38275). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of the amendments.

For further details with respect to this action, see (1) the application for these amendments dated December 20, 1974 and related filings dated April 22, 1974, July 1, 1974, February 18, 1975, September 16, 1975 and October 21, 1975, (2) Amendment Nos. 24 and 23 to License Nos. DPR-29 and DPR-30, and (3) the Commission's concurrently issued related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Moline Public Library, 504-17th Street, Moline, Illinois 60625.

A single copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 8th day of March, 1976.

For the Nuclear Regulatory Commission.

RICHARD D. SILVER,  
Acting Chief, Operating Reactors  
Branch No. 2, Division of  
Operating Reactors.

[FR Doc. 76-8788 Filed 3-26-76; 8:45 am]

[Docket No. 50-286]

**CONSOLIDATED EDISON CO. OF NEW YORK, INC. AND POWER AUTHORITY OF THE STATE OF NEW YORK**

**Availability of Licensees' Report**

Notice is hereby given that Consolidated Edison Company of New York, Inc., and the Power Authority of the State of New York (the licensees) have submitted a report entitled, "Economic and Environmental Impacts of Alternative Closed Cycle Cooling Systems for Indian Point Unit No. 3," dated January 30, 1976, in compliance with Paragraph 2.E.(1) of Facility Operating License DPR-64, as amended, for Unit No. 3, located in Westchester County, New York.

The licensees' report discusses the description, design, economic and environmental impacts of various alternative closed-cycle cooling systems, and based on the information in this report, the licensees have determined that a natural-draft, closed-cycle wet cooling tower system would be the preferred system for installation at Indian Point Unit No. 3.

After the report has been analyzed by the Nuclear Regulatory Commission's (the Commission) Director of Nuclear Reactor Regulation or his designee, a draft environmental statement on closed-cycle cooling systems will be prepared. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft environmental statement, with a request for comments from interested persons on the draft environmental statement to the effect that comments from Federal agencies and State and local officials will be made when received. Upon consideration of comments submitted with respect to the draft environmental statement, the staff will prepare a final environmental statement, the availability of which will be published in the FEDERAL REGISTER.

The Commission is considering the issuance of an amendment to Facility Operating License No. DPR-64 issued to the licensees for Indian Point Unit No. 3. The amendment as proposed by the licensees was requested at the time of submission of the previously mentioned report. Subject to the staff's acceptance of the licensees' conclusions of the report, the licensees proposed that the license be amended as follows:

"(3) Subject to all of the foregoing provisions of this Paragraph 2.E., the Nu-

clear Regulatory Commission has determined, following review of the document entitled 'Economic and Environmental Impacts of Alternative Closed-Cycle Cooling Systems for Indian Point Unit No. 3' dated January, 1976 that a closed-cycle natural draft, wet cooling tower system is the preferred alternative closed-cycle cooling system for installation at Indian Point Unit No. 3."

The Commission will consider the issuance of an amendment to the facility operating license to the licensees for operation of Indian Point Unit No. 3 in accordance with the provisions of the license, as amended, and the technical specifications appended thereto, upon a finding by the Commission that the request for license amendment complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), The National Environmental Policy Act of 1969, and the Commission's regulations in 10 CFR Chapter I and that the license amendment will not be inimical to the common defense and security or to the health and safety of the public.

By April 29, 1976, the licensees may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's Rules of Practice in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed within the time prescribed in this notice, the Atomic Safety and Licensing Board, designated to preside in this proceeding will rule on the request for a hearing or the Licensing Board will issue a notice of hearing or other appropriate order regarding the disposition of the petitions.

A petition for leave to intervene must be filed under oath or affirmation in accordance with the provisions of 10 CFR § 2.714. It shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. The petition shall be accompanied by supporting affidavit identifying the specific aspect or aspects of the proceeding as to which the petitioner wishes to intervene, and specify with particularity the facts pertaining to his interest, and the basis for his contentions with regard to each aspect on which he desires to intervene. A petition which sets forth contentions relating only to matters outside the jurisdiction of the Commission will be denied.

A request for a hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section by April 29,

1976. A copy of the petition and/or request for hearing should be sent to the Office of the Executive Legal Director, Chief Hearing Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Arvin E. Upton, Esquire, LeBoeuf, Lamb, Leiby & MacRae, 1757 N Street, N.W., Washington, D.C. 20036, the attorney for the licensees.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding, and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and cross-examine witnesses.

For further details, see: 1) the licensees' request for amendment to the facility operating license dated January 27, 1976 and 2) the licensees' report, "Economic and Environmental Impacts of Alternative Closed-Cycle Cooling Systems for Indian Point Unit No. 3, January 30, 1976." The request for amendment and the licensee's report are available for public inspection in the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. 20555 and in the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York. Both items are also available at the New York State Office of Planning Services, 488 Broadway, Albany, New York 12207, and the Tri-State Regional Planning Commission, 1 World Trade Center, New York, New York 10048.

As they become available, the following documents may be inspected at the above locations: (1) the draft environmental statement and (2) the final environmental statement.

Copies of the draft environmental statement, when available, may be obtained by request to the Director, Division of Site Safety and Environmental Analysis, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Copies of the Office of Nuclear Reactor Regulation's final environmental statement, when available, may be obtained from the National Technical Information Service, Springfield, Virginia 22161.

Dated at Rockville, Maryland this 23rd day of March 1976.

For the Nuclear Regulatory Commission.

GEORGE W. KNIGHTON,  
Chief, Environmental Projects  
Branch 1, Division of Site  
Safety and Environmental  
Analysis.

[FR Doc.76-8789 Filed 3-26-76;8:45 am]

[Docket No. 50-409]

#### DAIRYLAND POWER COOP.

#### Approval for Facility Modifications and Issuance of Amendment to Provisional Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has granted approval for modifications to the La Crosse Boiling Water Reactor (LACBWR) and has is-

sued Amendment No. 4 to Provisional Operating License No. DPR-45 issued to Dairyland Power Cooperative which revised Technical Specifications for operations of the LACBWR, located in Vernon County, Wisconsin. The amendment is effective as of its date of issuance.

The facility modifications will (1) increase the capacity of the LACBWR irradiated fuel storage pool by the installation of additional storage racks for irradiated fuel and shrouds in accordance with the licensee's proposal dated December 12, 1974, as supplemented; and (2) provide protection from a postulated cask drop accident in accordance with the licensee's submittal dated September 14, 1974, as supplemented. The amendment modifies the provisions in the Technical Specifications to isolate the containment building if a spent fuel shipping cask is to be used while irradiate fuel with less than 30 days decay time is present in the storage pool, reducing the potential radiological consequences of a cask drop accident, in accordance with the licensee's application for amendment dated September 5, 1975, as supplemented.

The Commission has made appropriate findings concerning the facility modifications as required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has concluded that approval of the modifications will not be inimical to the common defense or to the health and safety of the public.

The application for the amendment complies with the standards and requirements of the Act, and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Proposed Modifications to Facility Irradiated Fuel Storage Pool was published in the FEDERAL REGISTER on March 12, 1975 (40 F.R. 11650). Two parties, the Society Against Nuclear Energy and David S. Simpson, petitioned to intervene in accordance with 10 CFR 2.714 of the Commission's Rules of Practice, and each petition was granted. Subsequently, each party stipulated to withdraw their petitions. On January 30, 1976, the Atomic Safety and Licensing Board issued an Order dismissing the intervention petitions and dismissing the proceeding. Prior public notice in connection with item (2) and the amendment is not required since they do not involve a significant hazards consideration. However, both actions were considered in the proceeding.

In connection with these actions, the Commission has issued a Negative Declaration and Environmental Impact Appraisal. The Negative Declaration was published in the FEDERAL REGISTER on November 19, 1975 (40 F.R. 53631).

For further details with respect to these actions, see (1) the licensee's filings dated December 12, 1974 as supplemented; September 14, 1975, as supplemented; and September 5, 1975, as sup-

plemented; (2) Amendment No. 4 to License No. DPR-45, (3) the Commission's Safety Evaluation dated October 22, 1975, (4) the Commission's Environmental Impact Appraisal dated November 7, 1975, and (5) the Board's Order dated January 30, 1976. All of these items are available for public inspection at the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. and the La Crosse Public Library, 800 Main Street, La Crosse, Wisconsin.

A copy of items (2), (3), and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 18th day of March, 1976.

For the Nuclear Regulatory Commission.

ROBERT W. REID,  
Chief, Operating Reactors  
Branch No. 4, Division of Operating Reactors.

[FR Doc.76-8790 Filed 3-26-76;8:45 am]

[Docket No. 50-331]

#### IOWA ELECTRIC LIGHT AND POWER CO., ET AL

#### Issuance of Amendment to Facility Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 19 to Facility Operating License No. DPR-49 issued to Iowa Electric Light and Power Company, Central Iowa Power Cooperative, and Corn Belt Power Cooperative, which revised Technical Specifications for operation of the Duane Arnold Energy Center, located in Linn County, Iowa. The amendment is effective as of its date of issuance.

The amendment will modify the Technical Specifications to permit operation of the facility (1) using a partial fuel loading of 8 x 8 fuel assemblies and (2) with modification to the rod sequence control system.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Facility Operating License in connection with this action was published in the FEDERAL REGISTER on August 15, 1975 (40 FR 34485). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be pre-



pared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated May 30, 1975 (supplemented by letters dated January 8, 1976, February 13, 1976, March 9, 1976, and March 12, 1976), (2) Amendment No. 19 to License No. DPR-49, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Cedar Rapids Public Library, 426 Third Avenue, S.E., Cedar Rapids, Iowa 52401.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 19th day of March 1976.

For the Nuclear Regulatory Commission.

**GEORGE LEAR,**  
*Chief, Operating Reactors  
Branch No. 3, Division of  
Operating Reactors.*

[FR Doc.76-8791 Filed 3-26-76;8:45 am]

[Docket No. 50-219]

**JERSEY CENTRAL POWER & LIGHT CO.**  
**Issuance of Amendment to Provisional  
Operating License**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 14 to Provisional Operating License No. DPR-16 issued to Jersey Central Power & Light Company which revised Technical Specifications for operation of the Oyster Creek Nuclear Generating Station, located in Ocean County, New Jersey. The amendment is effective as of its date of issuance.

The amendment will modify limiting conditions for operation and surveillance requirements for installed filters in the standby gas treatment system.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the applications for

amendment dated June 30, 1975, and December 17, 1975, (2) Amendment No. 14 to License No. DPR-16, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Ocean County Library, 15 Hooper Avenue, Toms River, New Jersey 08753.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 22d day of March 1976.

For the Nuclear Regulatory Commission.

**GEORGE LEAR,**  
*Chief, Operating Reactors  
Branch No. 3, Division of  
Operating Reactors.*

[FR Doc.76-8792 Filed 3-26-76;8:45 am]

[Docket No. 50-245]

**NORTHEAST NUCLEAR ENERGY CO.,  
ET AL**

**Issuance of Amendment to Provisional  
Operating License**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 23 to Provisional Operating License No. DPR-21 issued to Northeast Nuclear Energy Company, the Hartford Electric Light Company, Western Massachusetts Electric Company, and Connecticut Light and Power Company, which revised Technical Specifications for operation of the Millstone Nuclear Power Station, Unit 1, located in Waterford, Connecticut. The amendment is effective as of its date of issuance.

The amendment revises the Technical Specifications to allow a single control rod drive mechanism to be removed from the reactor vessel when the torus is drained.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated August 6, 1975, (2) Amendment No. 23 to License No. DPR-

21, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford Connecticut.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 18th day of March, 1976.

For the Nuclear Regulatory Commission.

**GEORGE LEAR,**  
*Chief, Operating Reactors  
Branch No. 3, Division of  
Operating Reactors.*

[FR Doc.76-8793 Filed 3-26-76;8:45 am]

[Docket No. 50-263]

**NORTHERN STATES POWER CO.**

**Issuance of Amendment to Provisional  
Operating License**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 17 to Provisional Operating License No. DPR-22, issued to the Northern States Power Company (the licensee), which revised Technical Specifications for operation of the Monticello Nuclear Generating Plant (the facility) located in Wright County, Minnesota.

This amendment revised the Administrative Controls Section of the Technical Specifications for the facility to reflect changes in the organizational structure of the corporate headquarters and of the facility. The amendment also clarified the intent of the specification concerning the review process of the Safety Audit Committee.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated April 1, 1975, (2) Amendment No. 17 to License No. DPR-22, and (3) the Commission's concurrently issued Safety Evaluation. All of these items are available for public in-

spection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at The Environmental Conservation Library, Minneapolis Public Library, 300 Nicollet Mall, Minneapolis, Minnesota 55401. A copy of items (2) and (3) may be obtained upon request addressed to the United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 16th day of March, 1976.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,  
Chief, Operating Reactors  
Branch No. 2, Division of Operating Reactors.

[FR Doc.76-8794 Filed 3-26-76;8:45 am]

[Dockets Nos. 50-277, 50-278]

**PHILADELPHIA ELECTRIC CO., ET AL.**  
**Issuance of Amendments to Facility Operating Licenses**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 18 and 17 to Facility Operating Licenses Nos. DPR-44 and DPR-56, respectively, issued to Philadelphia Electric Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, and Atlantic City Electric Company, which revised Technical Specifications for operation of the Peach Bottom Atomic Power Station, Units 2 and 3, located in Peach Bottom, York County, Pennsylvania. These amendments are effective as of their date of issuance.

These amendments involve the modification of those parts of the Facility Operating License which relate to receipt, possession, and use of byproduct, source and special nuclear material.

The application for these amendments comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments is not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR §51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated August 29, 1975, (2) Amendments Nos. 18 and 17 to Licenses Nos. DPR-44 and DPR-56, and (3) the Commission's related Safety Evaluation. All of these items are available for pub-

lic inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Martin Memorial Library, 159 E. Market Street, York, Pennsylvania.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 23rd day of March, 1976.

For the Nuclear Regulatory Commission.

GEORGE LEAR,  
Chief, Operating Reactors  
Branch No. 3, Division of Operating Reactors.

[FR Doc.76-8795 Filed 3-26-76;8:45 am]

[Docket No. 50-333]

**POWER AUTHORITY OF THE STATE OF NEW YORK AND NIAGARA MOHAWK POWER CORP.**

**Issuance of Amendment to Facility Operating License**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 14 to Facility Operating License No. DPR-59 issued to Power Authority of the State of New York and Niagara Mohawk Corporation which revised Technical Specifications for operation of the James A. FitzPatrick Nuclear Power Plant, located in Oswego County, New York. The amendment is effective as of its date of issuance.

The amendment modifies the provisions in the Technical Specifications relating to Limiting Conditions for Operation associated with the Emergency Core Cooling System (ECCS), with plugged bypass flow holes, and Reactor Core Critical Power Limits and provides for modification of the ECCS to improve its performance in accordance with the licensees' application for amendment dated July 9, 1975.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as required by the Act and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notices of Proposed Issuance of Amendment to Facility Operating License in connection with this action were published in the FEDERAL REGISTER on August 8, 1975 (40 F.R. 3289), January 9, 1976 (41 F.R. 1657), and January 19, 1976 (41 F.R. 2695). No request for a hearing or petition for leave to intervene was filed following the notices of the proposed actions.

The Commission has prepared an environmental impact appraisal for the revised Technical Specifications and has concluded that an environmental impact statement for this particular action is not warranted because there will be no environmental impact attributable to

the proposed action other than that which has already been predicted and described in the Commission's Final Environmental Statement for the James A. FitzPatrick Nuclear Power Plant issued March 1973, and that a negative declaration to this effect is appropriate.

For further details with respect to this action, see (1) the application for amendment dated July 9, 1975, as supplemented July 24, 1975, August 1, 1975, September 12 and 22, 1975, October 28, 1975, December 23, 1975, January 6, 8, 14, 16, 23, 26, 27, and 29, 1976, and February 5 and 11, 1976, (2) Amendment No. 14 to License No. DRP-59, (3) Amendment Nos. 8 and 9, issued January 15 and 30, 1976, respectively, (4) the Commission's related Safety Evaluation, and (5) the Commission's Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Oswego City Library, 120 E. Second Street, Oswego, New York.

A copy of items (2), (3), (4), and (5) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 12th day of March 1976.

For the Nuclear Regulatory Commission.

ROBERT W. REID,  
Chief, Operating Reactors  
Branch No. 4, Division of Operating Reactors.

[FR Doc.76-8796 Filed 3-26-76;8:45 am]

[Docket No. 50-29]

**YANKEE ATOMIC ELECTRIC CO.**  
**Issuance of Amendment to Facility Operating License**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 23 to Facility Operating License No. DPR-3 issued to Yankee Atomic Electric Company which revised Technical Specifications for operation of the Yankee Nuclear Power Station located in Rowe, Massachusetts. The amendment is effective as of its date of issuance.

This amendment changes the requirements in the Technical Specifications to account for the effects of xenon redistribution on the allowable fraction of full power.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not

result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration, or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated February 19, 1976, and supplement dated March 3, 1976, (2) Amendment No. 23 to Facility Operating License No. DPR-3, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Greenfield Public Library, 402 Main Street, Greenfield, Massachusetts 01581.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 17th day of March 1976.

For the Nuclear Regulatory Commission.

CHARLES M. TRAMMELL,  
*Acting Chief, Operating Reactors  
Branch No. 1, Division of  
Operating Reactors.*

[FR Doc.76-8797 Filed 3-26-76;8:45 am]

[Docket No. 50-301]

**WISCONSIN ELECTRIC POWER CO. AND  
WISCONSIN MICHIGAN POWER CO.  
Issuance of Amendment to Facility  
Operating License**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 21 to Facility Operating License No. DPR-27 issued to Wisconsin Electric Power Company and Wisconsin Michigan Power Company which revised Technical Specifications for operation of the Point Beach Nuclear Plant Unit No. 2, located in the Town of Two Creeks, Manitowac County, Wisconsin. The amendment is effective as of its date of issuance.

The amendment will revise the Technical Specifications to modify the fuel residence time limit and allow an increase in normal operating reactor coolant system pressure. The core power distribution limits would be modified and new operating limits established for parameters related to Departure from Nucleate Boiling (DNB) to allow operation of Unit 2 in core Cycle 3.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Notice of Proposed

Issuance of Amendment to Facility Operating License in connection with this action was published in the FEDERAL REGISTER on February 5, 1976 (41 F.R. 5354). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the applications for amendment dated December 22, 1975, January 29, 1976 and March 5, 1976, (2) Amendment No. 21 to License No. DPR-27, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Document Department, University of Wisconsin—Stevens Point Library, Stevens Point, Wisconsin.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 22nd day of March, 1976.

For the Nuclear Regulatory Commission.

GEORGE LEAR,  
*Chief, Operating Reactors  
Branch No. 3, Division of  
Operating Reactors.*

[FR Doc.76-8798, Filed 3-26-76;8:45 am]

[Docket No. P-512-A]

**OHIO EDISON COMPANY, ET AL**

**Notice of Receipt of Partial Application for  
Construction Permits and Facility Li-  
censes: Time for Submission of Views  
on Antitrust Matters**

The Ohio Edison Company, on its behalf and as agent for The Cleveland Electric Illuminating Company, the Duquesne Light Company, The Toledo Edison Company, and the Pennsylvania Power Company (the applicants), pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, has filed with the Nuclear Regulatory Commission (the Commission) one part of an application, dated January 16, 1976, in connection with their plans to construct and operate two pressurized water reactors to be known as Erie Nuclear Plant, Units 1 and 2 (the facilities) in Erie County, Ohio. Each facility will be designed to operate at core thermal power levels not to exceed 3600 megawatts. The portion of the application filed, which was docketed on February 23, 1976, contains the information requested by the Attor-

ney General for the purpose of an antitrust review of the application as set forth in 10 CFR, Part 50, Appendix L.

It is anticipated that the Preliminary Safety Analysis Report will be tendered for an acceptance review by December, 1976. Tendering of the Environmental Report is anticipated in September, 1976. Upon receipt of the remaining portions of the application dealing with radiological health and safety (Preliminary Safety Analysis Report) and environmental matters (Environmental Report), 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, N.W., Washington, D.C. 20555. Docket No. P-512-A has been assigned to this portion of 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. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Chief, Office of Antitrust and Indemnity, Office of Nuclear Reactor Regulation, on or before May 7, 1976.

Dated at Bethesda, Maryland, this 26th day of February, 1976.

For the Nuclear Regulatory Commission.

JOHN F. STOLZ,  
*Chief, Light Water Reactors  
Branch No. 1, Division of  
Project Management.*

[FR Doc.76-6647 Filed 3-5-76;8:45 am]

**DRAFT ENVIRONMENTAL STATEMENT ON  
TRANSPORTATION OF RADIOACTIVE  
MATERIAL BY AIR AND OTHER MODES  
Availability**

In its advance notice of rule making action published in the FEDERAL REGISTER on June 3, 1975 (40 FR 23768), the Nuclear Regulatory Commission noted that a generic environmental impact statement would be prepared on the air transportation of radioactive materials, including packaging and related ground transportation. Although the statement was to be directed at air transportation, other transportation modes—land and water—were to be considered in light of the requirement of the National Environmental Policy Act of 1969 (NEPA) that the relative cost and benefit of alternatives to certain proposed Federal actions be fully considered.

Pursuant to the National Environmental Policy Act of 1969 and the Commission's regulations in 10 CFR Part 51, "Licensing and Regulatory Policy and Procedures for Environmental Protection," the Commission's Office of Standards Development has prepared a draft environmental impact statement in connection with the advance notice of rule making action. The statement is avail-

able for inspection by the public in the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. Single copies of the statement (NUREG-0034) may be obtained by written request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Office of Standards Development.

Pursuant to 10 CFR Part 51, interested persons may submit comments on the Draft Environmental Statement for the Commission's consideration. Comments are due by May 17, 1976. All written comments will be made available for public inspection at the Commission's Public Document Room in Washington, D.C. Upon consideration of comments submitted with respect to the Draft Environmental Statement, the Commission's staff will prepare a Final Environmental Statement, the availability of which will be published in the FEDERAL REGISTER.

Comments on the Draft Environmental Statement from interested persons should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Office of Standards Development.

(5 U.S.C. 522(a))

Dated at Rockville, Maryland this 24th day of March 1976.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,  
*Director,*  
*Office of Standards Development.*

[FR Doc.76-8871 Filed 3-26-76;8:45 am]

[Docket Nos. 50-440, 50-441]

#### CLEVELAND ELECTRIC ILLUMINATING CO. ET AL

##### Notice of Hearing

In the matter of Cleveland Electric Illuminating Company et al, (Perry Nuclear Power Plant, Units 1 and 2).

Hearing in the above proceeding will be held commencing, by stipulation of parties, at 10:00 a.m., on Thursday, April 1, 1976, in Room 124, U.S. Court House, 201 Superior Avenue, Cleveland, Ohio, to consider an amendment to a previously-issued Limited Work Authorization for the placement of reinforcing steel for the reactor building in the reactor building excavation.

Dated at Bethesda, Maryland, this 25th day of March, 1976.

For the Atomic Safety and Licensing Board.

JOHN M. FRYSIK,  
*Chairman.*

[FR Doc.76-8994 Filed 3-26-76;9:10 am]

#### OFFICE OF MANAGEMENT AND BUDGET

##### CLEARANCE OF REPORTS

##### List of Requests

The following is a list of requests for clearance of reports intended for use in

collecting information from the public received by the Office of Management and Budget on March 24, 1976 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the clearance office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

##### NEW FORMS

###### DEPARTMENT OF AGRICULTURE

Agriculture Research Service, Evaluation of Nutrition Labeling Publications, CFE 35, single-time, home economics teachers, Lowry, R. L., 395-3772.

###### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration, Hospital Accounting Questionnaire, SSA-3287, single-time, 1,200 hospitals chosen by a stratified random sample, Caywood, D. P., 395-3443.

PHILLIP D. LARSEN,  
*Budget and Management Officer.*

[FR Doc.76-8891 Filed 3-26-76;8:45 am]

#### ADVISORY COMMITTEE ON GNP DATA IMPROVEMENT

##### Public Meeting Rescheduled

The meeting of the Advisory Committee on GNP Data Improvement originally schedule for Thursday, March 25, 1976 has been postponed due to the late delivery of mailed materials. All persons known to us to be interested in this meeting have been contacted concerning this change. Notice of this change was also posted at the time and place of the originally scheduled meeting. The meeting has been rescheduled for Tuesday, March 30, 1976 in Room 4203 New Executive Office Building, 726 Jackson Place, N.W., Washington, D.C. beginning at 9:45 a.m.

The purpose of the meeting is the same as that of the previously scheduled meeting announced in the FEDERAL REGISTER, Vol. 41, No. 30—Thursday, Friday 12, 1976, to review drafts of recommendations for the final report.

Waiver of the 15 day public notice in the FEDERAL REGISTER was approved by the Director of the Office of Management and Budget.

VELMA N. BALDWIN,  
*Assistant to the Director*  
*for Administration.*

[FR Doc.76-9023 Filed 3-26-76;10:52 am]

#### SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-12198; File No.  
SR-BSECC-76-1]

##### SELF-REGULATORY ORGANIZATIONS

##### Boston Stock Exchange Clearing Corp.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on January 27, 1976 the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change setting forth procedures for the implementation of its mark-to-market requirement. Letters dated February 2, and March 9, 1976 from the Boston Stock Exchange Clearing Corporation ("BSECC") to the Commission amending the submission were incorporated in the BSECC submission and included in File No. SR-BSECC-76-1. The BSECC requested that the proposed rule change be put into effect summarily pursuant to Section 19(b)(3)(B) of the Securities Exchange Act of 1934 (the "Act").

##### STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

The proposed rule change is a notification to members of the BSECC clearing securities trades of \$250,000 or less made upon the Boston Stock Exchange ("BSE") to mark those trades to market under existing Rule 11 of the BSECC. Procedures for the determination and payment of members' mark-to-market obligations and for payments by the BSECC in case of default are set forth. A charge of \$.01 per \$500 purchase or sale is imposed with respect to all trades by members in order to fund the BSECC's obligations in connection with the procedure.

##### STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

##### PURPOSE OF PROPOSED RULE CHANGE

The purpose of the proposed rule change is to protect members of BSECC from losses in connection with trades made upon the BSE having a contract price of \$250,000 or less.

##### BASIS UNDER THE ACT FOR PROPOSED RULE CHANGE

The Proposed Rule Change: (i) relates to (a) the capacity of BSECC to facilitate the prompt and accurate clearance and settlement of securities transactions for which it is responsible (b) the ability of any registered broker or dealer, other clearing agency, registered investment company, bank or insurance company to become a participant in the clearing agency and (c) the equitable allocation of charges among participants, and

(ii) protects investors and the public interest, by

(1) providing protection to its members against loss by reason of the failure of another member to honor its contract for the purpose or sale of securities,

thereby encouraging eligible entities to participate in clearing through the BSECC;

(2) allocating losses occasioned by the failure of any member among all members by requiring their payments to a fund instead of randomly to individual members through the default of the other party in a security transaction; and

(3) protecting the investor and the public interest by protecting members with whom the investors may deal against loss occurring as a result of the failure of third parties.

The proposed rule change accomplishes these goals through obligating the BSECC to pay to a non-defaulting member the difference between the market price at the time of close out and the contract price for a trade in the case of a failure by any member to settle a trade. The obligation of the corporation is limited to, and supported by, the market-to-market security accounts maintained with it pursuant to the proposed rule, a \$50,000 fund to be funded out of the interim assessment of \$.01 per \$500 in contract value described in the proposed rule, and a \$50,000 reserve.

**COMMENTS RECEIVED FROM MEMBERS, PARTICIPANTS OR OTHERS ON PROPOSED RULE CHANGE**

**BURDEN ON COMPETITION**

No comments were or are to be solicited.

It is believed that the proposed rule change does not constitute a burden on competition.

It appears to the Commission that summary effectiveness of the above-mentioned proposed rule change is necessary for the protection of investors, the maintenance of fair and orderly markets, and the safeguarding of securities and funds. Specifically, the rule change decreases the risk of loss arising from failure to settle securities transactions occurring on the BSE.

It is therefore ordered, pursuant to Section 19(b) (3) (B) of the Act that the above-mentioned rule change be, and it hereby is, effective.

At any time within sixty days of the filing of such proposed rule change as amended, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection

and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted within 21 days of the date of this publication.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

MARCH 12, 1976.

[FR Doc.76-8836 Filed 3-26-76;8:45 am]

[Release No. 34-12239; File No. SR-NYSE-76-20]

**SELF-REGULATORY ORGANIZATION**

**New York Stock Exchange, Inc.**

Pursuant to Section 19(b) (1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s (b) (1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on March 16, 1976, the above mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows: Statement of the Terms of Substance of the Proposed Rule Change.

**REGISTRATION OF SPECIALISTS**

Rule 103. No member shall act as a specialist on the Floor in any security unless such member is registered as a specialist in such security with the Exchange and unless the Exchange has approved of his so acting as a specialist and has not withdrawn such approval; provided, however, that the Exchange may exempt relief specialists from the provisions of this Rule, upon such conditions as it may prescribe.

If the Exchange shall have found any substantial or continued failure by a specialist to engage in a course of dealings for his own account to assist in the maintenance, so far as practicable, of a fair and orderly market, the registration of such specialist shall be subject to suspension or cancellation by the Exchange in one or more of the stocks in which he is registered.

In addition, if the Exchange shall have found any specialist to have been guilty of (1) conduct inconsistent with just and equitable principles of trade, (2) acts detrimental to the interest or welfare of the Exchange or (3) conduct contrary to an established practice of the Exchange, the registration of such specialist shall be subject to suspension or cancellation by the Exchange in one or more of the stocks in which he is registered.

As a condition of a member's registration as a specialist in one or more securities, the Board of Directors may at any time require such member to register with the Exchange and act as an odd-lot dealer in such securities under Rule 101.

**STATEMENT OF BASIS AND PURPOSE**

The basis and purpose of the foregoing proposed rule change is as follows:

**PURPOSE OF PROPOSED RULE CHANGE**

At present only one member organization, Carlisle DeCoppet & Co., has Exchange members affiliated with it that are registered with the Exchange under Rule 101 to act as odd-lot dealers on the Floor of the Exchange. This member organization handles all odd-lot orders, that are transmitted by the member firm community to the Exchange for execution, in all Exchange listed stocks.

Recently, Carlisle DeCoppet & Co. notified the Exchange that it no longer wished to remain in business. As a result, the Exchange's Board of Directors approved at its March 4th meeting, the purchase by the Exchange of Carlisle's odd-lot system in order to insure uninterrupted odd-lot service to the member firm community and the investing public. It is anticipated that the Exchange's takeover of the odd-lot system will be effective on May 17, 1976.

Since it is an essential part of the Exchange's operating plan that odd-lot orders in each Exchange listed stock will be executed for the account of the odd-lot dealer in that stock; and, that the specialist will act also as odd-lot dealer, it will be necessary to have a rule providing for the registration of specialists as odd-lot dealers.

**BASIS UNDER THE ACT FOR PROPOSED RULE CHANGE**

The proposed change in Rule 103 of the Exchange relates to Section 11(b) of the Act insofar as that Section allows a national securities exchange to have rules relating to the registration of its members as odd-lot dealers.

The proposed change in Rule 103 of the Exchange also relates to item (v) (B) of item 4 of Form 19b-4A in that the proposed rule change if approved will serve to protect investors and will be in the public interest since it will insure that the Exchange will be in a position to provide uninterrupted odd-lot service to the member firm community and the investing public.

**COMMENTS RECEIVED FROM MEMBERS, PARTICIPANTS OR OTHERS ON PROPOSED RULE CHANGE**

The Exchange has not solicited comments regarding the proposed change to Rule 103 and has received none.

**BURDEN ON COMPETITION**

The Exchange is of the opinion that the proposed rule change will not impose any burden on competition.

Within 35 days of the date of publication of this notice in the FEDERAL REGISTER, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above mentioned self-regulatory organization consents, the Commission will:

(A) by order approve such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filings will also be available for inspection and copying at the principal office of the above mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted within 30 days of the date of this publication.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

MARCH 22, 1976.

[FR Doc.76-8837 Filed 3-26-76; 8:45 am]

### VETERANS ADMINISTRATION PRIVACY ACT OF 1974

#### Notice of Proposed Additional Routine Use

Notice is hereby given that the Veterans Administration is considering adding a new statement to describe an additional routine use for one of the systems of VA records which were set forth on pages 38095-38127 of the FEDERAL REGISTER of August 26, 1975 and adopted by notice published on page 47980 of the Federal Register of October 10, 1975. The VA has identified an additional routine use which was not described in the original notice. This proposed use is not a new use for the system involved; rather, it was overlooked in the preparation of the initial notice. The proposed statement which follows involves the routine uses of records in this system, including categories of users and the purposes of such uses. Its adoption will obviate the need for written consent of an insured in certain specified cases which would involve the disclosure of information pertaining to that individual.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (217 A), Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420. All relevant material received before April 26, 1976 will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 am and 4:30 pm Monday through Friday (except holidays), during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit

in room 132. Such visitors to any VA field station will be informed that the comments are available for inspection only in Central Office and furnished the address and the above room number.

Notice is given that it is proposed to make this description effective September 27, 1975, the effective date of section 3, Pub. L. 93-579.

Approved: March 23, 1976.

By direction of the Administrator:

ODELL W. VAUGHN,  
Deputy Administrator.

#### NOTICE OF SYSTEM OF RECORDS

In the system, "Veterans and Armed Forces Personnel U.S. Government In-Force Life Insurance Records—VA", appearing at 40 FR 38111, the following routine use is added to read as follows:  
System Name: Veterans and Armed Forces Personnel U.S. Government In-Force Life Insurance Records—VA

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Insurance contract information and other miscellaneous information may be disclosed from this system of records to an attorney, trust officer, or insurance agent acting on behalf of an insured. Beneficiary and option information is excluded unless the consent of the insured has been obtained.

[FR Doc.76-8767 Filed 3-26-76; 8:45 am]

### INTERSTATE COMMERCE COMMISSION

[Notice No. 11]

#### ASSIGNMENT OF HEARINGS

MARCH 24, 1976.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 13179 Sub 4, R. C. Williams, Inc., now being assigned June 2, 1976 (3 days), at Kansas City, Mo., in a hearing room to be later designated.

MC 113908 Sub 241, Erickson Transport Corp., now being assigned June 7, 1976 (1 week), at Kansas City, Mo. in a hearing room to be later designated.

MC 139495 (Sub 95), National Carriers, Inc. now being assigned June 11, 1976 (1 day) at Chicago, Illinois in a hearing room to be later designated.

AB 31 (Sub 2), Grand Trunk Western Railroad Company Abandonment Between Marne and Grand Haven, Ottawa County,

Michigan now being assigned June 8, 1976 (2 days) at Coopersville, Michigan in a hearing room to be later designated.

MC-F-12657, Briggs Transportation Co.—Purchase (Portion)—Arrow Motor Transit, Inc. now being assigned June 14, 1976 (1 week) at Chicago, Illinois in a hearing room to be later designated.

MC 105457 (Sub 84), Thurston Motor Lines, Inc. now being assigned April 20, 1976 (2 weeks) in Birmingham, Alabama and will be held in GSA Conference Room, Second Floor, U.S. Courthouse and Federal Building, 1800 5th Avenue North.

MC 116514 (Sub 34), Edwards Trucking, Inc. now being assigned May 20, 1976 at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 93980 (Sub 61), Vance Trucking Company, Inc. now being assigned June 9, 1976 at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC-F-12675, O.N.C. Freight Systems—Control-Rocor Truck Lines and Rocor International—Control—Altruk Freight Systems, Tractor Inc. and Ameri-Con Cartage now being assigned May 8, 1976 at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 124887 (Sub 15), Shelton Trucking Service, Inc. now being assigned June 3, 1976 at the Offices of the Interstate Commerce Commission in Washington, D.C.

FCC-59, Associated Air Freight, Inc.—Revocation of Freight Forwarder Permit, now being assigned June 2, 1976 at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 139495 (Sub 111) National Carriers, Inc. now being assigned June 6, 1976 at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 141218, Nuclear Diagnostic Laboratories, Inc. now assigned April 26, 1976 (1 week) at White Plains, New York and will be held in the White Plains Hotel, Emerald Room, 4th Floor, South Broadway.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.76-8828 Filed 3-26-76; 8:45 am]

[Notice No. 210]

### MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

MARCH 29, 1976.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 C.F.R. Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before April 19, 1976. Pursuant to Section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-76164. By order of March 18, 1976 the Motor Carrier Board approved the transfer to Western National, Inc., Green Bay, Wisconsin, of the entire Certificate No. MC 51146 (Sub-No. 290) issued June 4, 1973, and portions of Certificates Nos. MC 51146 (Sub-Nos. 173, 243, and 314) issued November 4, 1971, May 21, 1973, and December 6, 1974, to Schneider Transport, Inc., Green Bay Wisconsin, authorizing the transportation of various commodities, from, to, and between specified points in Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming. Charles W. Singer, 2440 E. Commercial Blvd., Ft. Lauderdale, Fla. 33308, Attorney for Applicants.

No. MC-FC-76430. By order of Motor Carrier Board approved the transfer to Eugene E. Langner, Wichita, Kans. of the operating rights in Certificate No. MC 126108 issued November 24, 1964, to Sunflower Company, Inc., Wichita, Kans., authorizing the transportation of wheat, standard middlings, bran, mill feed, and wheat grey shorts, from Wichita, Kans., to Beebe, Clarksville, Conway, Damascus, Danville, Fort Smith, Heber Springs, Hot Springs, Mena, Morrilton, and Russellville, Ark. Earl C. Moore, 243 N. Hillside, Wichita, Kans. 67214, Attorney for Applicants.

No. MC-FC-76431. By order of March 23, 1976 the Motor Carrier Board approved the transfer to Dana Transport, Inc., Freehold, N.J., of that portion of Certificate No. MC 43888 issued by the Commission July 18, 1968, to Jesse H. Neufeld, Inc., New York, N.Y., authorizing the transportation of general commodities, except household goods as defined by the Commission, between New York, N.Y., on the one hand, and, on the other, points in New Jersey within 25 miles of Newark, N.J. John L. Alfano, Esquire, Attorney for Transferor, 550 Mamaroneck Avenue, Harrison, NY 10528. Mr. Robert B. Pepper, Registered Practitioner for Transferee, 168 Woodbridge Avenue, Highland, Park, NJ 08904.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.76-8829 Filed 3-26-76;8:45 am]

[Notice No. 211]

#### MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 29, 1976.

Application filed for temporary authority under Section 210a(b) in connection with transfer application under Section 212(b) and Transfer Rules, 49 C.F.R. Part 1132:

No. MC-FC-76477. By application filed March 18, 1976, JAYMAR TRUCKING CORP., 348 Ocean Avenue, Jersey City, N.J., seeks temporary authority to lease the operating rights of SHARON TRUCKING CORP., 591 Summit Avenue, Jersey City, N.J., under section 210a(b). The Transfer to JAYMAR TRUCKING CORP., of the operating rights of

SHARON TRUCKING, is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.76-8830 Filed 3-26-76;8:45 am]

[Notice No. 37]

#### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 24, 1976.

Important Notice: The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 C.F.R. § 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub-No. 331TA), filed March 15, 1976. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silicon tetrachloride*, in bulk, in tank vehicles, from Phoenix, Ariz., to Tuscola, Ill., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Cabot Corporation, 125 High St., Boston, Mass. 02110. Send protests to: District Supervisor, Mensing, Interstate Commerce Commission, 8610 Federal Bldg., 515 Rusk, Houston, Tex. 77002.

No. MC 30844 (Sub-No. 565TA), filed March 16, 1976. Applicant: KROBLIN

REFRIGERATED XPRESS, INC., 2125 Commercial St., 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 irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Connecticut, Delaware, Maryland, Maine, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at and destined to named points, for 180 days. Supporting shipper: Iowa Beef Processors, Inc., Dakota City, Nebr. 68731. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Bldg., Des Moines, Iowa 50309.

No. MC 109294 (Sub-No. 22TA), filed March 15, 1976. Applicant: COMMERCIAL TRUCK CO. LTD., 90 Leeder Ave., P.O. Box 1219, Coquitlam, B.C., Canada. Applicant's representative: Michael D. Duppenhauer, 607 Third Ave., Seattle, Wash. 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fiber board*, from Bellevue, Wash., to the United States-Canada International Boundary Line, located at or near Blaine, Lynden, and Sumas, Wash., shipments destined for Vancouver, B.C., and surrounding areas, for 180 days. Supporting shipper: Delta Structural Cores, Ltd., 12003 Old Yale Road, Surrey, B.C., Canada. Send protests to: L. D. Boone, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 858 Federal Bldg., Seattle, Wash. 98174.

No. MC 111170 (Sub-No. 227TA), filed March 12, 1976. Applicant: WHEELING PIPE LINE, INC., P.O. Box 1718, E. Dorado, Ark. 71730. Applicant's representative: Tom E. Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid pipe coating*, a coal tar derivative, in bulk, in tank vehicles, from Lone Star, Tex., to Eunice, La., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Irish Pipe Coating, Inc., 2504 Flournoy-Lucas Road, Shreveport, La., 71108. Send protests to: William H. Land, Jr., District Supervisor, 3108 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 111274 (Sub-No. 10TA), filed March 19, 1976. Applicant: ELMER C. SCHMIDGALL AND BENJAMIN G. SCHMIDGALL, doing business as SCHMIDGALL TRANSFER, Box 249, Tremont, Ill. 61568. Applicant's repre-

sentative: Frederick C. Schmidgall, Box 356, Morton, Ill. 61550. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Grain elevators, grain elevator materials, and components*, from Mackinaw, Ill., to points in the United States (except Alaska and Hawaii); and Canada, under a continuing contract with Hunter Manufacturing, Inc., for 180 days. Supporting shipper: Hunter Manufacturing, Inc., 205 N. Main, Mackinaw, Ill. 61755. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 113362 (Sub-No. 294TA), filed March 16, 1976. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Iowa 50533. Applicant's representative: Milton D. Adams, P.O. Box 562, Austin, Minn. 55912. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Colorado, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted to traffic originating at and destined to named points, for 180 days. Supporting shipper: Iowa Beef Processors, Inc., Dakota City, Nebr. 68731. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Bldg., Des Moines, Iowa 50309.

No. MC 113624 (Sub-No. 73TA), filed March 12, 1976. Applicant: WARD TRANSPORT, INC., P.O. Box 100, Commerce City, Colo. 80022. Applicant's representative: Leslie R. Kehl, Suite 1600 Lincoln Center Bldg., 1660 Lincoln St., Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar products*; (1) from Minnequa, Colo., to points in Nebraska; and (2) from Sugar City, Colo., to points in Kansas, Nebraska, New Mexico, Oklahoma, and Texas, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: B.S.F., Inc., P.O. Box 26581, Denver, Colo. 80226. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 721 19th St., 492 U.S. Customs House, Denver, Colo. 80202.

No. MC 115092 (Sub-No. 41TA), filed March 15, 1976. Applicant: TOMAHAWK

TRUCKING, INC., P.O. Box O, Vernal, Utah 84078. Applicant's representative: Raymond Kler (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic foam panel with backing*, from Belvidere, Ill., to points in Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Apache Foam Products Co., 1005 McKinley Ave., Belvidere, Ill. 61008. Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Bldg., 125 South State St., Salt Lake City, Utah 84138.

No. MC 118034 (Sub-No. 24TA), filed March 15, 1976. Applicant: MILLER TRUCK LINE, INC., 901 NE. 28th St., Fort Worth, Tex. 76106. Applicant's representative: Mert Starnes, P.O. Box 2207, Austin Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite of Swift & Company, at Clovis, N. Mex., and Guymon, Okla., to Memphis, Tenn., restricted to the transportation of traffic originating at the plantsites of Swift & Company and destined to Memphis, Tenn., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days operating authority. Supporting shipper: Swift Fresh Meats Company, A Division of Swift & Company, 115 W. Jackson Blvd., Chicago, Ill. 60604.

No. MC 118883 (Sub-No. 4TA), filed March 16, 1976. Applicant: VAN E. HAMLETT, P.O. Box 8009, Nashville, Tenn. 37207. Applicant's representative: Roland M. Lowell, 618 United American Bank Bldg., Nashville, Tenn. 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, from Nashville, Tenn., and Humboldt, Tenn., and their commercial zones to points in Alabama, on, north, and west of a line beginning at the intersection of U.S. Highway 78, and the Mississippi-Alabama state line, thence over U.S. Highway 78 to the intersection of U.S. Highway 78 and U.S. Highway 278, thence over U.S. Highway 278 to the intersection of U.S. Highway 411, thence over U.S. Highway 411 to the Alabama-Georgia state line, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Federal Chemical Company, 4800 Centennial Blvd., Nashville, Tenn. 37209. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite A-422 U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 119657 (Sub-No. 20TA), filed March 10, 1976. Applicant: GEORGE

TRANSIT LINE, INC., 760-764 NE. 47th Place, Des Moines, Iowa 51313. Applicant's representative: Kenneth F. Dudley, 611 Church St., P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, supplies, and equipment*, used in the manufacture, sales, and distribution of paper and paper products, from Des Moines, Iowa, to points in Indiana, Kentucky, Texas, and Wyoming, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Hoerner Waldorf Corporation, 2250 Wabash Ave., St. Paul, Minn. 55114. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Bldg., Des Moines, Iowa 50309.

No. MC 129994 (Sub-No. 12TA), filed March 12, 1976. Applicant: RAY BETHERS TRUCKING, INC., 176 West Central Ave., Salt Lake City, Utah 84107. Applicant's representative: Lon Rodney Kump, 200 Law Bldg., 333 East Fourth South, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum board paper*, from Denver, Colo., to Sigurd, Utah, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Georgia-Pacific Corporation, 900 SW. Fifth Ave., Portland, Oreg. 97204. Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Bldg., 125 South State St., Salt Lake City, Utah 84138.

No. MC 133566 (Sub-No. 54TA), filed March 15, 1976. Applicant: GANGLOFF & DOWNHAM TRUCKING CO., INC., P.O. Box 479, Logansport, Ind. 46947. Applicant's representative: Charles W. Beinbauer, 1224 17th St. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Connecticut, Illinois, Indiana, Maine, Massachusetts, Missouri, New Hampshire, New York, Rhode Island, Vermont, restricted to traffic originating at and destined to named points, for 180 days. Supporting shipper: Iowa Beef Processors, Inc., Dakota City, Nebr. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 134060 (Sub-No. 14TA), filed March 12, 1976. Applicant: DAVINDER FREIGHTWAYS LTD., Duncan Financial Centre, Duncan, British Columbia,



Canada 2P8. Applicant's representative: James T. Johnson, 1610 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay brick*, from Tacoma, Wash., to point of entry on the United States-Canada Boundary line at or near Blaine, Wash., restricted to traffic moving to Vancouver Island, British Columbia, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Ocean Construction Supplies (Victoria) (Ltd.), P.O. Box 1270, Victoria, B.C., Canada. Send protests to: L. D. Boone, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 858 Federal Bldg., Seattle, Wash. 98174.

No. MC 134730 (Sub-No. 6TA), filed March 19, 1976. Applicant: METALS TRANSPORT, INC., 2469 North 100th St., Wauwatosa, Wis. 53226. Applicant's representative: Maury Dawes (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal*, from Findlay, Ohio, to Gary, Ind., under a continuing contract with Vulcan Materials Company, for 180 days. Supporting shipper: Vulcan Materials Company, P.O. Box 7297, Birmingham, Ala. 35223. Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Milwaukee, Wis. 53203.

No. MC 135007 (Sub-No. 52TA), filed March 15, 1976. Applicant: AMERICAN TRANSPORT, INC., 7850 F St., Omaha, Nebr. 68127. Applicant's representative: Frederick J. Coffman, 521 South 14th St., Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Connecticut, Maine, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, under a continuing contract with Iowa Beef Processors, Inc., for 180 days. Supporting Shipper: Richard J. Loose, Manager Rates & Regulatory Affairs, Iowa Beef Processors, Inc., Dakota City, Nebr. 68731. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 North 14th St., Omaha, Nebr. 68102.

No. MC 138018 (Sub-No. 27TA), filed March 11, 1976. Applicant: REFRIGERATED FOODS, 1420 33rd St., P.O. Box 1018, Denver, Colo. 80201. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products,*

*meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Arizona, California, Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, Montana, Nebraska, New Mexico, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming, for 180 days. Supporting shipper: Iowa Beef Processors, Inc., Dakota City, Nebr. 68731. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 721 19th St., 492 U.S. Customs House, Denver, Colo. 80202.

No. MC 140808 (Sub-No. 2TA), filed March 9, 1976. Applicant: GARY MATHENY, R.R. 1, Lebanon, Nebr. 69086. Applicant's representative: A. J. Swanson, Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients, and agricultural herbicides and insecticides* (except commodities in bulk); (1) Between the facilities of Harris Serum & Supply Co., Inc., at or near McCook, Hastings, and Crawford, Nebr.; and Courtland, Lawrence, and Dodge City, Kans.; (2) From Sioux City and Council Bluffs, Iowa; Omaha, Nebr.; St. Joseph and Kansas City, Mo.; and Denver and Greeley, Colo., to the facilities of Harris Serum & Supply Co., Inc., at or near McCook, Hastings, and Crawford, Nebr.; and Courtland, Lawrence, and Dodge City, Kans.; and (3) From the facilities of Harris Serum & Supply Co., Inc., at or near McCook, Nebr.; Hastings and Crawford, Nebr.; and Courtland, Lawrence, and Dodge City, Kans., to points in Goshen, Laramie, and Platte Counties, Wyo., and points in Colorado east of the Continental Divide, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Sharon K. Snyder, Manager, Harris Serum & Supply Co., Inc., P.O. Box 410, McCook, Nebr. 69001. Send protests to: Max H. Johnston, District Supervisor, 285 Federal Bldg., & Court House, 100 Centennial Mall North, Lincoln, Nebr. 68508.

No. MC 141760 (Sub-No. 1TA), filed March 2, 1976. Applicant: J. D. STRICKLAND, 141 South Indio St., Portales, N. Mex. 88130. Applicant's representative: Daniel F. Rogers, 1820 Paseo de La Conquistadora, Santa Fe, N. Mex. 87501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid and solid milk products, packaged; salads; empty new milk containers; wire cases* used in the storage, handling, or transportation of dairy products; plastic and paper products, and plastic or paper trays used in the packaging, preparation, or production of dairy products for retail sale; and gelatin products, between Garland,

Tex.; Bastrop, La.; Huron, Ohio; El Paso, Tex.; Oklahoma City, Okla.; Kansas City, Kans.; and New Mexico and Portales, N. Mex., under a continuing contract with Safeway Milk Department, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Safeway Milk Department, 1921, Vivian, Clovis, N. Mex. 88101. Send protests to: John H. Kirkemo, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1106 Federal Office Bldg., 517 Gold Ave. SW., Albuquerque, N. Mex. 87101.

No. MC 141854 (Sub-No. 1TA), filed March 16, 1976. Applicant: UWHARRIE WOODS, INC., Highway 27 West, Albemarle, N.C. 28001. Applicant's representative: Max N. Kinlaw (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, shavings, sawdust, bark*, from the plantsite of H. W. Clup Lumber Co., Inc., near New London, N.C., to Florence and Catawba, S.C., under a continuing contract with H. W. Clup Lumber Co., Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: H. W. Clup Lumber Co., Inc., Highway 52 N. New London, N.C. Send protests to: Terrell Price, District Supervisor, 800 Briar Creek Road, Suite CC516, Charlotte, N.C. 28205.

No. MC 141934TA, filed March 11, 1976. Applicant: KOEHLER TRANSPORT, INCORPORATED, Box 96, Old Route 66, Dwight, Ill. 60420. Applicant's representative: James R. Madler, Room 1608, 1255 N. Sandburg Terrace, Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Semi-baked products and materials, equipment, and supplies thereof*, from Gardner, Ill., to Benton Harbor, Mich., and Jackson, Tenn., under a continuing contract with Brownie Special Products Co., for 180 days. Supporting shipper: Brownie Special Products Co., Eugene R. Toepfer, Vice-President, Operations, P.O. Box 494, Industrial Ave., Gardner, Ill. 60424. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.76-8831 Filed 3-26-76; 8:45 am]

[Notice No. 10]

#### ASSIGNMENT OF HEARINGS

MARCH 23, 1976.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates.

The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 106644 (Sub 218), Superior Trucking Company, Inc., application dismissed.

MC 29904 Sub 2, Suddath Van Lines, Inc., now assigned April 20, 1976, at Jacksonville, Fl., is canceled and application dismissed. AB 1 Sub 16, Chicago and North Western Transportation Company, now assigned April 1, 1976, at Sycamore, Ill., is canceled.

MC 110585 (Sub 17), Republic Van and Storage Co., Inc., application dismissed.

MC 22254 (Sub 76), Trans-American Van Service, Inc., application dismissed.

MC-F 11257, Watkins Motor Lines, Inc.—Purchase (Portion)—Alterman Transport Lines, Inc. application dismissed.

MC 119988 (Sub 83), Great Western Trucking Co., Inc. now being assigned May 20, 1976, hearing canceled and application dismissed.

MC 128007 (Sub 78), Hofer, Inc. now being assigned May 17, 1976, hearing canceled, application dismissed.

MC 106674, (Sub 169), Schilli Motor Lines, Inc. now being assigned April 7, 1976, hearing cancelled and application dismissed. No. 36098, Sterling Colorado Beef Company, Inc. V. The Atchison Topeka and Santa Fe Railway Company, et al., now being assigned for continued hearing on May 11, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-F-12593, Estes Express Lines—Purchase (Portion)—Pollard Delivery Service, Inc., now being assigned for continued hearing on March 25, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 141081, Trailer Car Corp. now being assigned May 19, 1976 is now postponed indefinitely.

MC 113627 (Sub 12), Columbia Motor Freight, Inc. now assigned May 26, 1976, hearing canceled and application dismissed.

MC 141112, Burwell Ray Gallop, dba Gallop Bus Lines, MC 141112 (Sub 4), Burwell Ray Gallop as Gallop Bus Lines and MC-C 8880, Andrew T. Jones dba Jones Bus Co., et al -v- Burwell Ray Gallop dba Gallop Bus Lines now being assigned April 26, 1976 (1 week) at Norfolk, Virginia and will be held in Court Room No. 1, U.S. Courthouse and Post Office Building, 600 Granby Street.

MC 44735 Sub 24, Kissick Truck Lines, Inc. and MC 107295 Sub 765, Pre-Fab Transit Co., now assigned April 1, 1976, at Washington, D.C. is postponed to May 12, 1976, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 51146 (Sub 439), Schneider Transport, Inc. now assigned April 5, 1976 at New York, New York and will be held in Room 238, Court Room-A, Court of Claims, 26 Federal Plaza.

MC 141113, Monsey Transportation Corp. now assigned April 20, 1976 at New York, New York and will be held in Room No. F-2220, Federal Building, 26 Federal Plaza.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.76-8832 Filed 3-26-76;8:45 am]

[AB 2 (Sub-No. 10)]

**LOUISVILLE AND NASHVILLE RAILROAD COMPANY ABANDONMENT BETWEEN TALLADEGA AND COLDWATER IN TALLADEGA AND CALHOUN COUNTIES, ALABAMA**

Present: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public 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 Talladega and Calhoun Counties, Ala., on or before April 8, 1976 and certify to the Commission that this has been accomplished.

*And it is further ordered*, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested persons.

Dated at Washington, D.C., this 18th day of March 1976.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,  
Secretary.

The Interstate Commerce Commission hereby gives notice that by order dated March 18, 1976, it has been determined that the proposed abandonment by the Louisville and Nashville Railroad Company of its line of railroad between Talladega and Coldwater, Ala., a distance of 17.3 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, as no traffic has moved over the line since July, 1973, there will be no diversion of traffic to motor carrier. There are no indications of developmental activities which would be affected by the abandonment, and the action is not expected to be inconsistent with rural economic or community development or with land-use planning in the area.

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 202-275-7692.

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 April 23, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[Finance Docket No. 27929]

**ABILENE AND SOUTHERN RAILWAY COMPANY ABANDONMENT BETWEEN ABILENE AND WINTERS, IN TAYLOR AND RUNNELS COUNTIES, TEXAS; TEXAS AND PACIFIC RAILWAY COMPANY—ACQUISITION AND OPERATION—A LINE OF RAILROAD AT ABILENE, TAYLOR COUNTY, TEXAS**

Present: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

Upon consideration of the record in the above-entitled proceedings, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

*It appearing*, That no environmental impact statement need be issued in these proceedings because these proceedings do 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 Taylor and Runnels Counties, Tex., on or before April 8, 1976, and certify to the Commission that this has been accomplished.

*And it is further ordered*, That notice of this finding shall be given to the

general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested persons.

Dated at Washington, D.C., this 18th day of March 1976.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,  
Secretary.

The Interstate Commerce Commission hereby gives notice that by order dated March 18, 1976, it has been determined that the proposed abandonment by the Abilene and Southern Railway Company of its line of railroad between Abilene and Winters, Tex., a distance of 39 miles, and the proposed acquisition and operation by the Texas and Pacific Railway Company of 7.31 of those 39 miles, if approved by the Commission, do 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 approval of the subject application would result in continuation of direct rail service to the portion of the line which generates the major part of rail traffic. Diversion of traffic on the remaining portion of the line is not expected to have a significant impact upon energy consumption, highway usage, air quality, or noise levels. There are no indications of developmental activities which would be affected by loss of direct rail service on the remaining portion of the line.

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 202-275-7692.

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 April 23, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[FR Doc.76-8834 Filed 3-26-76; 8:45 am]

[AB 55 (Sub-No. 4)]

**SEABOARD COAST LINE RAILROAD COMPANY ABANDONMENT BETWEEN RAVENEL AND DRAINAGE, IN CHARLESTON COUNTY, SOUTH CAROLINA**

Present: Virginia Mae Brown, Commissioner, to whom the matter which is the subject of this order has been assigned for action thereon.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public 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 Charleston County, South Carolina, on or before April 8, 1976, and certify to the Commission that this has been accomplished.

*And it is further ordered*, That notice of this finding shall be given to the general public by depositing a copy of this order and the attached notice in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection, and by delivering a copy of the notice to the Director, Office of the Federal Register, for publication in

the FEDERAL REGISTER as notice to interested persons.

Dated at Washington, D.C., this 18th day of March 1976.

By the Commission, Commissioner Brown.

[SEAL] ROBERT L. OSWALD,  
Secretary.

The Interstate Commerce Commission hereby gives notice that by order dated March 18, 1976, it has been determined that the proposed abandonment by the Seaboard Coast Line Railroad Company of its line between Ravenel and Drainage, in Charleston County, South Carolina, a distance of 2.97 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 no environmental degradation is anticipated since the line has hauled no traffic since 1969, and there are no definitive development plans that would result in a renewed demand for the line. The right-of-way is anticipated to return to the native woodland land cover of the adjoining properties with no significant adverse effect anticipated on wildlife.

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 202-275-7692.

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 April 23, 1976.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[FR Doc.76-8835 Filed 3-26-76; 8:45 am]