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PART I

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Title 3—The President

PROCLAMATION 4274

Proclamation Amending Part 3 of the Appendix to the Tariff Schedules of the United States With Respect to the Importation of Agricultural Commodities

By the President of the United States of America

A Proclamation

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), limitations have been imposed by Presidential proclamations on the quantities of certain dairy products which may be imported into the United States in any quota year; and

WHEREAS the import restrictions proclaimed pursuant to section 22 are set forth in Part 3 of the Appendix to the Tariff Schedules of the United States; and

WHEREAS the Secretary of Agriculture has reported to me that he believed the import quota provided for in item 950.02 of Part 3 of the Appendix to the Tariff Schedules of the United States (TSUS) on the articles described in TSUS item 115.50 (hereinafter referred to as "nonfat dry milk") may be increased or suspended without rendering or tending to render ineffective, or materially interfering with, the price support program now conducted by the Department of Agriculture for milk or reducing substantially the amount of products processed in the United States from domestic milk; and

WHEREAS, at my request, the United States Tariff Commission has made an investigation under the authority of section 22 of the Agricultural Adjustment Act to determine whether the import quota provided for in TSUS item 950.02 on nonfat dry milk may be increased or suspended without rendering or tending to render ineffective, or materially interfering with, the price support program now conducted by the

Department of Agriculture for milk or reducing substantially the amount of products processed in the United States from domestic milk; and

WHEREAS the United States Tariff Commission has submitted to me a report with respect to this matter and I need to study further this matter before making a determination as to final action to be taken; and

WHEREAS, pending a determination as to final action to be taken, I find and declare, on the basis of such investigation and report, that changed circumstances require modification of the import quota provided for in TSUS item 950.02 on nonfat dry milk during the period ending June 30, 1974, and that the entry of an additional quantity of 150,000,000 pounds of nonfat dry milk during such period will not render or tend to render ineffective, or materially interfere with, the price support program which is being undertaken by the Department of Agriculture for milk and will not reduce substantially the amount of products processed in the United States from domestic milk;

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that subdivision (vi) of headnote 3(a) of Part 3 of the Appendix to the Tariff Schedules of the United States is amended to read as follows:

"(vi) Notwithstanding any other provisions of this part, 150,000,000 pounds of the articles described in item 115.50 may be entered during the period beginning March 5, 1974, and ending June 30, 1974, in addition to the annual quota quantity specified for such article under item 950.02, and import licenses shall not be required for entering such additional quantities. The 150,000,000 pound additional quota quantity shall be allocated among supplying countries as follows:

Supplying Country	*Quantity in Pounds*
Australia	15, 000, 000
New Zealand	55, 000, 000
Other Countries	80, 000, 000

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of March in the year of our Lord nineteen hundred seventy-four, and of the Independence of the United States of America the one hundred ninety-eighth.

[FR Doc.74-5233 Filed 3-4-74;11:22 am]

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 7—Agriculture

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

PART 929—HANDLING OF CRANBERRIES GROWN IN THE STATES OF MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, NEW JERSEY, WISCONSIN, MICHIGAN, MINNESOTA, OREGON, WASHINGTON, AND LONG ISLAND IN THE STATE OF NEW YORK

Findings With Respect to a Grower Allotment Program

This document contains findings that a grower allotment program for cranberries in accordance with the provisions set forth in the marketing agreement, as amended, and Order No. 929, as amended (7 CFR Part 929), will tend to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, and that the six crop years 1968–69 through 1973–74 constitute a representative period for computing growers' base quantities in accordance with such provisions.

The said marketing agreement and order (hereinafter referred to as the "order") regulate the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended

(7 U.S.C. 601–674).

The provisions applicable to a grower allotment program were included in the order by an amendment effective August 16, 1968 (33 FR 11639). Such amendment provided for a 6-year period of preliminary regulation during which information concerning growers' sales would be collected. In accordance with such amendment, growers and handlers have furnished the Cranberry Marketing Committee, the administrative agency established pursuant to the order, information concerning individual grower sales during each of the crop years 1968 through 1973, and such other information as the committee needs to establish a base quantity for each grower. Except as otherwise provided in the order, such base quantity would be a quantity of cranberries equal to that obtained by multiplying the grower's established cranberry acreage as of February 1, 1974, established prior to August 16, 1968, by his average per acre sales made from that acreage during the two years, within the 6-year period during which his greatest sales were made.

During the 6-year period from 1968 through 1973 production trended upward, moving from 1.5 million barrels to 2.1 million with a peak of 2.3 million in 1971. This increase, as anticipated at the time the amendment was being considered, was due mainly to increased yields resulting from the adoption by growers of improved cultural and harvesting practices and to an increase in harvested acreage as nonbearing acreage matured and came into bearing. During the period harvested acreage increased from 21,235 to 22,800, and average per acre yields from 69.1 to 96.6 barrels. Sales also increased during the period but not in keeping with the increase in production. Consequently, carryover stocks increased and on September 1, 1973, amounted to 709,000 barrels compared with 385,000 barrels on the same date in 1968. Seasonal setaside regulations requiring handlers to withhold from normal marketing channels 10 and 12 percent were prescribed in the 1970 and 1971 seasons, respectively. In addition, the Department purchased cranberries as a surplus removal activity in three of the six years. Seasonal shrinkage and economic abandonment after harvest occurred each year, and was particularly heavy in the peak production year of 1971, when 456,000 barrels were abandoned in addition to an elimination of 267,000 barrels under the setaside regulation.

Production of cranberries during the 6-year period reflects a reasonably normal pattern with expected fluctuations in production due to weather factors, and manifested a trend in production consistent with increased bearing surface and improved cultural and harvesting practices. Marketing problems manifested in such period may recur.

It is impracticable and unnecessary to give preliminary notice, engage in public rulemaking procedure, and delay the date of these findings beyond March 1, 1974 (5 U.S.C. 553) because the data with respect to the 1973–74 crop year, which was essential to the findings, was not available until the latter part of February and the order in § 929.48(a) requires such findings by March 1, 1974. Interested persons have been aware of the likelihood of the issuance of the grower allotment program for the past six crop years, and growers and handlers, including processors, are familiar with the details of such program having submitted reports throughout such period in anticipation of such findings.

Therefore, it is hereby found that the six crop years 1968–69 through 1973–74 constitute a representative period, and the grower allotment program set forth in the order will tend to effectuate the declared policy of the act.

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

Dated: February 28, 1974.

CLAYTON YEUTTER,
Assistant Secretary.

[FR Doc.74–5058 Filed 3–4–74;8:45 am]

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), NEWCASTLE DISEASE (AVIAN PNEUMOENCEPHALITIS), AFRICAN SWINE FEVER, AND HOG CHOLERA: PROHIBITED AND RESTRICTED IMPORTATIONS

Change in Foot-and-Mouth Disease Status of the Channel Islands

Statement of considerations. The purpose of this amendment is to delete the Channel Islands from the list of countries in § 94.1(a)(2) which are declared to be free of rinderpest and foot-and-mouth disease. This action which prohibits the importation of cattle, sheep, or other ruminants, or swine or fresh, chilled, or frozen meats of such animals into the United States from the Channel Islands is necessary to protect the livestock of the United States from the threat of introduction or dissemination of foot-and-mouth disease.

Accordingly, Part 94, Title 9, Code of Federal Regulations is hereby amended as follows:

§ 94.1 [Amended]

In § 94.1(a)(2), the name of the Channel Islands is deleted.

(Sec. 306, 46 Stat. 689, as amended (19 U.S.C. 1306) 37 FR 28464, 28477; 38 FR 19141)

Effective date. The foregoing amendment shall become effective February 27, 1974.

The prohibition imposed by this amendment must be made effective immediately to protect the livestock industry of the United States against the introduction of foot-and-mouth disease from foreign countries. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment is impracticable and unnecessary, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 27th day of February 1974.

J. M. HEJL,
Acting Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.74-4988 Filed 3-4-74;8:45 am]

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Y]

PART 225—BANK HOLDING COMPANIES

Management Consulting Service

By notice of proposed rulemaking published in the FEDERAL REGISTER on July 13, 1973 (38 FR 18691), the Board of Governors proposed to add management consulting services to non-affiliated banks to the list of activities that it has determined under section 4(c)(8) of the Bank Holding Company Act to be closely related to banking or managing or controlling banks, by amending § 225.4(a) of the Board's Regulation Y.

Following consideration of the comments received, the Board has amended § 225.4(a), effective February 26, 1974, to add the new activity to its list of permitted activities, with certain modifications in language from that originally proposed in order to clarify the nature of permissible consulting activities.

An accompanying interpretation expresses the Board's views on certain questions which arose during the course of its consideration of this activity concerning the definition of certain terms in the proposal and the intended scope of the activity.

The text of the amendment to § 255.4(a) reads as follows:

§ 225.4 Nonbanking activities.

(a) *Activities closely related to banking or managing or controlling banks.* * * * The following activities have been determined by the Board to be so closely related to banking or managing or controlling banks as to be a proper incident thereto.

* * * * *

(12) Providing management consulting advice[1] to nonaffiliated banks: *Provided*, That, (i) neither the bank holding company nor any of its subsidiaries own or control, directly or indirectly, any equity securities in the client bank; (ii) no officer, director, or employee of the bank holding company or any of its subsidiaries serves as an officer, director or employee of the client bank; (iii) the advice is rendered on an explicit fee basis without regard to correspondent balances maintained by the client bank at any subsidiary bank of the bank holding company; and (iv) disclosure is made to each potential client bank of (*a*) the names of all banks which are affiliates of the consulting company, and (*b*) the names of all existing client banks located in the same market area(s) as the client bank.[2]

* * * * *

The Board has also adopted an interpretation relating to bank management consulting advice as set forth below:

§ 225.130 Activities closely related to banking.

(a) *Bank management consulting advice.* The Board's amendment of § 225.4 (a), which adds bank management consulting advice to the list of closely related activities, describes in general terms the nature of such activity. This interpretation is intended to explain in greater detail certain of the terms in the amendment.

(b) It is expected that bank management consulting advice would include, but not be limited to, advice concerning: bank operations, systems and procedures; computer operations and mechanization; implementation of electronic funds transfer systems; site planning and evaluation; bank mergers and the establishment of new branches; operation and management of a trust department; international banking; foreign exchange transactions; purchasing policies and practices; cost analysis, capital adequacy and planning; auditing; accounting procedures; tax planning; investment advice (as authorized in § 225.4(a)(5)); credit policies and administration, including credit documentation, evaluation, and debt collection; product development, including specialized lending provisions; marketing operations, including research, market development and advertising programs; personnel operations, including recruiting, training, evaluation and compensation; and security measures and procedures.

(c) In permitting bank holding companies to provide management consulting advice to nonaffiliated "banks", the Board intends such advice to be given only to an institution that both accepts deposits that the depositor has a legal right to withdraw on demand and engages in the business of making commercial loans. It is also intended that such management consulting advice may be provided to the "operations subsidiaries" of a bank, since such subsidiaries perform functions that a bank is empowered to perform directly at locations at which the bank is authorized to engage in business (§ 250.141 of this chapter).

(d) Although a bank holding company providing management consulting advice is prohibited by the regulation from owning or controlling, directly or indirectly, any equity securities in a client bank, this limitation does not apply to shares of a client bank acquired, directly or indirectly, as a result of a default on a debt previously contracted. This limitation is also inapplicable to shares of a client bank acquired by a bank holding company, directly or indirectly, in a fiduciary capacity; *Provided*, That the bank holding company or its subsidiary does not have sole discretionary authority to vote such shares or shares held with sole voting rights constitute not more than five percent of the outstanding voting shares of a client bank.

By order of the Board of Governors, effective February 26, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc.74-5023 Filed 3-4-74;8:45 am]

[1] In performing this activity bank holding companies are not authorized to perform tasks or operations or provide services to client banks either on a daily or continuing basis, except as shall be necessary to instruct the client bank on how to perform such services for itself. See also the Board's interpretation of bank management consulting advice (12 CFR 225.130).

[2] Applications to engage de novo in providing management consulting advice to nonaffiliated banks should be filed in accordance with the procedures of § 225.4(b)(2) rather than § 225.4(b)(1) of Regulation Y.

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 73-NE-28]

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

Alteration of Transition Area

On Page 821 of the FEDERAL REGISTER dated January 3, 1974, the Federal Aviation Administration published a notice of proposed rule making which would alter the Boston, Massachusetts, 700-foot Transition Area.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted effective 0901 G.m.t., April 25, 1974.

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

Issued in Burlington, Mass., on February 14, 1974.

FERRIS J. HOWLAND,
Director, New England Region.

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Boston, Massachusetts, 700-foot transition area and insert the following in lieu thereof:

That airspace extending upward from 700 feet above the surface bounded by a line beginning at: Latitude 42°53'00" N., Longitude 71°05'00" W., to Latitude 42°52'00" N., Longitude 71°02'45" W., to Latitude 42°54'00" N., Longitude 71°00'15" W., to Latito Latitude 42°48'15" N., Longitude 70°tude 42°49'45" N., Longitude 70°54'00" W., 55'30" W., to Latitude 42°43'00" N., Longitude 70°46'00" W., to Latitude 42°30'00" N., Longitude 70°48'00" W., to Latitude 42°-

14'00" N., Longitude 70°38'00" W., to Latitude 41°59'00" N., Longitude 70°48'00" W., to Latitude 41°59'00" N., Longitude 70°-53'00" W., to Latitude 42°03'00" N., Longitude 71°10'00" W., to Latitude 42°13'00" N., Longitude 71°21'00" W., to Latitude 42°-21'00" N., Longitude 71°25'00" W., to Latitude 42°22'00" N., Longitude 71°47'00" W., to Latitude 42°27'00" N., Longitude 71°-55'00" W., to Latitude 42°53'00" N., Longitude 71°55'00" W., to Latitude 42°45'00" N., Longitude 71°38'25" W., to Latitude 42°-43'00" N., Longitude 71°36'00" W., to Latitude 42°40'00" N., Longitude 71°35'00" W., to Latitude 42°38'00" N., Longitude 71°-20'00" W., to Latitude 42°43'00" N., Longitude 71°15'00" W. to the point of beginning; and within 3.5 miles each side of the 154° bearing from the Stoughton, Mass., NDB, 42°07'10" N., 71°07'41" W., extending from the NDB to 10.5 miles southeast of the NDB.

[FR Doc.74-5097 Filed 3-4-74;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-837, Amdt. 24]

PART 221—CONSTRUCTION, PUBLICATION, FILING AND POSTING OF TARIFFS OF AIR CARRIERS AND FOREIGN AIR CARRIERS

Liability Limitations

Part 221 of the Board's Economic Regulations (14 CFR Part 221) contains provisions which require certificated air carriers and foreign air carriers availing themselves of limitations on liability to passengers for death or personal injury, and for loss, damage to, or delay in the delivery of passenger baggage, under the Warsaw Convention, to give notice of such limitations in the form of ticket and sign notices.[1] The dollar limitations specified in these notices are intended to reflect the minimum liability requirements of the Convention, which are based on a gold standard. After the dollar was devalued in 1972,[2] the Board amended the subject provisions to restate the dollar limitations allowable under the Convention in view of the devaluation.[3] The amendments became effective December 18, 1972, but in order to permit carriers to use up ticket stocks already on hand, the Board provided that carriers need not reflect the new dollar limitations in their ticket notices until March 15, 1973.

Prior to that delayed effective date, the President took action directed toward a further devaluation of the dollar. The Board thereupon determined that, since enactment by Congress of this further devaluation would render the dollar limitations specified in ER-779 obsolete, no regulatory purpose would be served by requiring carriers to revise their ticket notices in compliance therewith, if they had not already done so. Accordingly, the effectiveness of ER-779, insofar as it required carriers to revise their passenger tickets, was stayed until further notice.[4]

Subsequently, but before the anticipated second devaluation of the dollar had occurred, the Board issued ER-801[5] in order to permit carriers to use ticket notices reflecting the anticipated devaluation, rather than dollar amounts specified in ER-779. On October 18, 1973, the second devaluation of the U.S. dollar was effected.[6]

By its most recent action directed toward accurately reflecting U.S. dollar devaluations in statements of liability limitations, the Board has ordered air carriers and foreign air carriers to revise their tariffs insofar as they set forth, in dollars, The Warsaw Convention liability limitations.[7] The dollar amounts which the Board has so ordered to be recited in the revised tariffs are the same as those which the Board, by ER-801, had permitted to be used for the notice purposes of §§ 221.175 and 221.176. Accordingly, we have now determined to amend our rules governing notice of liability limitations, in the manner contemplated by ER-779, but with the amounts specified therein revised so as to reflect the current value of the dollar, as now required to be recited in applicable tariffs.

In view of the above-recited history of the subject proceedings, the Board finds that notice and public procedure hereon is impracticable and unnecessary and would not be in the public interest.

Effective date of rule. Some carriers may now be using ticket stock reflecting the first dollar devaluation, which they had ordered in compliance with ER-779, before its effectiveness was stayed by ER-790. Others, relying on ER-790, may still be using ticket stock reflecting the predevaluation dollar. Still others may already be using ticket stock reflecting the dollar amounts prescribed herein, as permitted by ER-801. Accordingly, although we are making the within rule effective 30 days after its publication in the FEDERAL REGISTER, only sign notices affected by this amendment need be revised by that date. In order to alleviate the expense attendant upon ordering new ticket stock to replace ticket stock ordered in good faith reliance on Board action which was rendered obsolete by intervening legislative action, we shall allow carriers until May 15, 1974, to revise their ticket notices to reflect the dollar limitations prescribed herein.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 221 of the Economic Regulations (14 CFR Part 221) effective April 4, 1974, as follows:

1. Amend paragraph (a) of § 221.175, the paragraph as amended to read as follows:

§ 221.175 Special notice of limited liability for death or injury under the Warsaw Convention.

(a) In addition to the aforesaid requirements of this subpart, each air carrier and foreign air carrier which, to any extent, avails itself of the limitation on liability to passengers provided by the Warsaw Convention, shall, at the time of delivery of the ticket, furnish to each passenger whose transportation is governed by the Convention and whose place of departure or place of destination is in the United States, the following statement in writing:

ADVICE TO INTERNATIONAL PASSENGERS ON LIMITATIONS OF LIABILITY

Passengers embarking upon a journey involving an ultimate destination or a stop in a country other than the country of departure are advised that the provisions of a treaty known as the Warsaw Convention may be applicable to their entire journey including the portion entirely within the countries of departure and destination. The Convention governs and in most cases limits the liability of carriers to passengers for death or personal injury to approximately $10,000.

Additional protection can usually be obtained by purchasing insurance from a private company. Such insurance is not affected by any limitation of the carrier's liability under the Warsaw Convention. For further information please consult your airline or insurance company representative.

Provided, however, That when the carrier elects to agree to a higher limit of liability to passengers than that provided in Article 22(1) of the Warsaw Convention, such statement shall be modified to reflect the higher limit. The statement prescribed herein shall be printed in type at least as large as 10-point modern type and in ink contrasting with the stock on: (1) Each ticket; (2) a piece of paper either placed in the ticket envelope with the ticket or attached to the ticket; or (3) the ticket envelope: *And provided further,* That a carrier which has heretofore been furnishing a statement including either the sum of "$8,290" or the sum of "$9,000," in place of the sum of "$10,000" in the text of the statement prescribed by this paragraph, may continue to use such statement until May 15, 1974.

* * * * *

2. Amend paragraphs (a) and (b) of § 221.176, the paragraphs as amended to read as follows:

§ 221.176 Notice of limited liability for baggage; alternative consolidated notice of liability limitations.

(a) Each air carrier and foreign air carrier which, to any extent, avails itself of limitations on liability for loss of, damage to, or delay in delivery of baggage shall cause to be displayed continuously in a conspicuous public place at each desk, station, and position in the United

[1] Sections 221.175 (Special notice of limited liability for death or injury under the Warsaw Convention) and 221.176 (Notice of limited liability for baggage; alternative consolidated notice of liability limitations).

[2] The enacted devaluation became effective May 8, 1972. Pub. L. 92-268, March 31, 1972.

[3] ER-779, adopted November 14, 1972, 37 FR 24657.

[4] ER-790, February 27, 1973, 38 FR 5838. It was also provided that those carriers which had already revised their ticket stocks in compliance with ER-779 would not be considered to be in violation of the applicable regulations, if they used such revised stock.

[5] Adopted May 10, 1973, 39 FR 12802.

[6] Pub. L. 93-110, enacted September 21, 1973.

[7] Order 74-1-16, adopted January 3, 1974, 39 FR 1526.

States which is in the charge of a person employed exclusively by it or by it jointly with another person, or by any agent employed by such air carrier or foreign air carrier to sell tickets to passengers or accept baggage for checking, a sign which shall have printed thereon the following statement:

NOTICE OF LIMITED LIABILITY FOR BAGGAGE

Liability for loss, delay, or damage to baggage is limited as follows unless a higher value is declared and an extra charge is paid: (1) For most international travel (including domestic portions of international journeys) to approximately $9.07 per pound for checked baggage and $400 per passenger for unchecked baggage; (2) for travel wholly between U.S. points, to $500 per passenger on most carriers. Special rules may apply to valuables. Consult your carrier for details.

Provided, however, That an air carrier or foreign air carrier which provides a higher limitation of liability for death or personal injury than that set forth in the Warsaw Convention and has signed a counterpart of the agreement approved by the Board by Order E-23680, dated May 13, 1966 (31 FR 7302, May 19, 1966), may use the following notice in full compliance with the posting requirements of this paragraph and of § 221.175(b):

ADVICE TO PASSENGERS ON LIMITATIONS OF LIABILITY

Airline liability for death or personal injury may be limited by the Warsaw Convention and tariff provisions in the case of travel to or from a foreign country.

Liability for loss, delay or damage to baggage is limited as follows unless a higher value is declared and an extra charge is paid: (1) For most international travel (including domestic portions of international journeys) to approximately $9.07 per pound for checked baggage and $400 per passenger for unchecked baggage; (2) for travel wholly between U.S. points, to $500 per passenger for most carriers. Special rules may apply to valuable articles.

See the notice with your ticket or consult your airline or travel agent for further information.

Provided, further, That carriers may include in the notice the parenthetical phrase "($20.00 per kilo)" after the phrase "$9.07 per pound" in referring to the baggage liability limitation for most international travel. Such statements shall be printed in bold-face type at least one-fourth of an inch high and shall be so located as to be clearly visible and clearly readable to the traveling public.

(b) Each air carrier and foreign air carrier which, to any extent, avails itself of limitations of liability for loss of, damage to, or delay in delivery of, baggage shall include on each ticket issued in the United States or in a foreign country by it or its authorized agent, the following notice printed in at least 10-point type:

NOTICE OF BAGGAGE LIABILITY LIMITATIONS

Liability for loss, delay, or damage to baggage is limited as follows unless a higher value is declared in advance and additional charges are paid: (1) For most international travel (including domestic portions of international journeys) to approximately $9.07 per pound for checked baggage and $400 per passenger for unchecked baggage; (2) for travel wholly between U.S. points, to $500 per passenger on most carriers (a few have lower limits). Excess valuation may not be declared on certain types of valuable articles. Carriers assume no liability for fragile or perishable articles. Further information may be obtained from the carrier.

Provided, however, That carriers may include in their ticket notice the parenthetical phrase "($20.00 per kilo)" after the phrase "$9.07 per pound" in referring to the baggage liability limitation for most international travel; *And provided further,* That a carrier which has heretofore been issuing ticket notices including either the sums of "$7.50" and "$330," respectively (and the optional language of "$16.58" and "$7.50," respectively), or the sums of "$8.16" and "$360," respectively, (and the optional language of "$18.00" and "$8.16," respectively), in place of "$9.07" and "$400," respectively, in the statement prescribed by this paragraph (and in place of the optional language "$20.00" and "$9.07," respectively, permitted by the first proviso to this paragraph), may continue to use such statement until May 15, 1974.

* * * * *

(Secs. 204(a), 403, 416, Federal Aviation Act of 1958, as amended, 72 Stat. 743, 758, and 771 as amended; (49 U.S.C. 1324, 1373, 1386))

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.74-5039 Filed 3-4-74;8:45 am]

Title 17—Commodity and Securities Exchange

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release No. IC-8235, S7-461]

PART 270—RULES AND REGULATIONS UNDER THE INVESTMENT COMPANY ACT OF 1940

Sales of Redeemable Securities Without a Sales Load Following Redemption

On December 8, 1972, the Securities and Exchange Commission published notice (Investment Company Act Release No. 7555 [37 FR 26741]) that it had under consideration, pursuant to the authority granted the Commission by sections 6(c), 38(a), and 22(d) [15 U.S.C. 80a-6(c), 80a-37(a), 80a-22(d)] of the Investment Company Act of 1940 ("Act"), the adoption of Rule 22d-2 [17 CFR 270.22d-2] under section 22(d) of the Act to allow sales of redeemable shares of a registered investment company at prices which reflect the elimination of sales load under certain enumerated circumstances.

The period for public comment on the rule proposal having expired and the Commission having considered all the comments and suggestions received, the Commission has determined to adopt proposed Rule 22d-2, with certain modifications, in the form set forth below. Issuers electing to offer the reinvestment privilege permitted by the Rule are cautioned that no such offer should be made without appropriate disclosure in their prospectuses or supplements thereto filed pursuant to Rule 424(c) [17 CFR 230.424(c)] under the Securities Act of 1933.

Section 6(c) of the Act provides that the Commission by rule, regulation, or order may exempt any person or transaction or any class of persons or transactions from any provision of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Section 38(a) of the Act authorizes the Commission to issue such rules as are necessary or appropriate to the exercise of the powers conferred upon the Commission in the Act.

Section 22(d) of the Act prohibits a registered investment company, its principal underwriter, or a dealer from selling any redeemable security issued by such registered investment company to any person except at a current public offering price described in the prospectus. Rule 22d-1 [17 CFR 270.22d-1] thereunder was adopted to codify certain administrative interpretations of section 22(d) and orders of exemption from its provisions pursuant to Section 6(c) of the Act which related to permissible variations in the sales load of redeemable securities.[1] Rule 22d-2 is adopted for the same purpose.

The Commission has previously granted applications for exemption from Section 22(d) of the Act and Rule 22d-1 thereunder which allowed shareholders who had redeemed shares of an investment company which normally charged a sales load a one-time privilege to reinvest at no load within 15 days of redemption in that investment company's shares in order to permit the rectification of mistaken redemptions.[2] Rule 22d-2 differs from applications granted previously, however, in that it will allow investment companies to make this privilege available for as long as 30 days after redemption. The Commission believes that 30 days may be a more appropriate maximum period of time than 15 in that it allows for processing and mailing delays and will also give shareholders additional time to determine whether redemption is the best means of satisfying their financial needs. A longer period, however, might lead investors to redeem their investments for purposes of speculation or to obtain a tax loss with the intention of reinvesting the proceeds after 30 days.[3]

[1] Investment Company Act Release No. 2798, December 2, 1958 [23 F.R. 9603]. Paragraph (h) of Rule 22d-1 was subsequently amended. (Act Release No. 6347, February 8, 1971 [36 FR 2966].)

[2] *In the Matter of the Application of United Funds, Inc. et al.* (Act Release No. 7189, May 25, 1972): *In the Matter of Dreyfus Corp., et al.* (Act Release No. 7279, July 18, 1972).

[3] The Rule as adopted makes it clear in subsection (iii) that an investment company may elect to have a cutoff point for no-load reinvestment of less than 30 days.

The Rule as proposed and as now adopted provides that sales personnel shall receive no compensation of any kind based on the reinvestment. This provision is designed to ensure that redeeming shareholders are not subjected to intensive sales efforts under the guise of providing them with information necessary to correct a mistaken redemption. The 30 day limitation also is designed to curtail the possibility of such a sales effort. A further explanation of this restriction and some modification appear appropriate in light of comments received on the proposal of the rule.

The rule contemplates that the reinvestment privilege will be applicable to purchases of shares in the same investment company or another investment company which offers a no-load exchange privilege to shareholders of the fund whose shares were redeemed. In numerous investment company complexes, a small charge is assessed upon transfers from an investment company in the complex to another to cover the administrative expenses inherent in such exchanges. It appears appropriate to permit this charge where, in exercising his reinvestment privilege pursuant to Rule 22d-2, a shareholder elects to exercise his exchange privilege simultaneously. For this reason, the Rule, as adopted, defines the term "no-load exchange privilege" so that such a privilege may be subject to a nominal, specified administrative charge and other conditions uniformly applied to exchanges involving the investment companies in question.

The Commission has considered the issue of whether redemption and exercise of the Rule 22d-2 reinvestment privilege with respect to periodic payment or contractual plans for the purchase of investment company shares should apply to proceeds of the 45-day and 18-month refund rights under section 27 [15 U.S.C. 80a-27] of the Act.[4] An inequity might be created if contractual plans were permitted to utilize Rule 22d-2 to permit no-load reinvestment for persons who had exercised their section 27 rights. Since such persons would have received back all or a portion of their sales loads, to permit them to reinvest at no load would discriminate in their favor as compared with persons who had never redeemed at all; the former would have paid less sales load (perhaps none) for their investment than the latter. Conversely, if Rule 22d-2 were modified to provide for a reinstatement of such persons in a contractual plan with a repayment to the underwriters of sales charges previously refunded, an incentive would exist for a strong sales effort to persuade such persons to reinvest, which effort might, in effect, interfere with the free exercise of the redemption and section 27 privileges. For these reasons, the rule has been modified from the form in which it was originally proposed so that it will not be applicable to persons reinvesting monies they received from a contractual plan after an exercise of their Section 27 privilege. In all other cases where an investor is permitted to reinvest pursuant to Rule 22d-2 in a contractual plan, however, he should certainly be afforded the same credit for purposes of determining future sales loads as would have been accorded him had he never redeemed. Any other result would tend to frustrate the purpose of the rule to permit the correction of mistaken redemption.

[4] Section 27 of the Act was amended as part of the Investment Company Act Amendments Act of 1970 [Pub. L. 91-547, 91st Cong., 84 Stat. 1424] so that a planholder who starts a periodic payment plan on or after June 14, 1971 has certain rights including (a) a 45 day right of withdrawal and refund *and* (b) either (i) a direct limit on the amounts which may be deducted for sales charges from payment during the early years of the plan *or* (ii) an indirect limit on such charges in the form of a right to receive a refund of a portion of the sales charges during the first 18 months of the plan.

Rule 22d-2 will permit a shareholder who has redeemed investment company shares to reinvest an amount not in excess of the proceeds of redemption in that company or in any other investment company which offers an exchange privilege at net asset value. The reinvestment privilege (a) must be offered pursuant to a uniform offer described in the prospectus; (b) may be exercised only once by an investor with respect to any particular investment company; and (c) must be exercised within 30 days of the redemption.

With regard to the one-time limitation on exercise of the Rule's reinvestment privilege:

(1) The Commission has deleted the provision in the Rule as proposed that a shareholder may not exercise his reinvestment privilege as to one investment company if he has exercised the same privilege previously with respect to another investment company security purchased from the same principal underwriter. This requirement has been deleted because of the inherent mechanical and administrative problems it may pose for the investment companies involved. However, investment companies may elect to apply this condition to their reinvestment privileges under the rule, subject, of course, to complete prospectus disclosure.

(2) The provision that shareholders may exercise the reinvestment privilege only once refers to reinvestments made at no-load pursuant to either Rule 22d-2 or an order of the Commission exempting investment company in question from section 22(d). It does not rule out exercise of the privilege by persons who have otherwise redeemed and reinvested paying the applicable sales load. Similarly, this rule does not abrogate provisions of periodic payment or contractual plans for the purchase of investment company shares whereby an investor may withdraw up to 90 percent of his investment and then return it after 90 days if he has not exercised that privilege previously during the year. Rule 22d-2 is intended to allow investors who have redeemed by mistake to rectify their mistakes without additional cost, while the contractual plan provisions just discussed are intended to permit investors to make withdrawals for emergency purposes from plan accounts which they have accumulated on a regular basis over some period of time and to reinvest up to the amount withdrawn without incurring further sales charges. That being the case, it is not necessary to conform Rule 22d-2 to such contractual plan provisions by requiring an investor who had redeemed by mistake to wait 90 days before he could correct his mistake, or requiring an investor in a contractual plan who had an immediate need for funds to reinvest such funds within 90 days of their withdrawal.

COMMISSION ACTION

The Securities and Exchange Commission pursuant to the authority granted to it by sections 6(c), 22(d) and 38(a) of the Investment Company Act of 1940 hereby amends Part 270 of Chapter II of Title 17 of the Code of Federal Regulations by adding a new § 270.22d-2 reading as follows:

§ 270.22d-2 Sales of redeemable securities without a sales load following redemption.

(a) A registered investment company which is the issuer of redeemable securities, a principal underwriter of such securities, or a dealer therein shall be exempted from the provisions of section 22(d) of the Act to the extent necessary to permit the sale of such securities by such persons at prices which reflect the elimination of the sales load pursuant to a uniform offer described in the prospectus to any person who has redeemed shares in such company and, with the proceeds of that redemption, purchases shares of such company, or of another investment company which offers shareholders in such company a no-load exchange privilege: Provided, however, (1) that such sales does not exceed the amount of the redemption proceeds (or the nearest full share if fractional shares are not purchased); (2) that no such sale may be made to any shareholder who has exercised the reinvestment privilege previously with respect to any redeemable security issued by such company; (3) that such redemption did not involve a refund of sales charges pursuant to sections 27(d) or 27(f) of the Act; (4) that such sale is effected within 30 days after such redemption, or within such lesser time as is described in the prospectus; and (5) that sales personnel and dealers receive no compensation of any kind based on the reinvestment.

(b) "No-load exchange privilege" as used in this § 270.22d-2 shall mean a privilege whereby a shareholder of a registered investment company is permitted to redeem shares of such company and to use the proceeds of such redemption to purchase shares of another registered investment company without payment of a sales load; such an exchange privilege may be subject to a nominal, specified administrative charge

and other conditions uniformly applied to exchanges involving such investment companies."

(Secs. 6(c), 22(d), 38(a), 54 Stat. 800, 823, 841; (15 U.S.C. 80a-6(c), 80a-22(d), 80a-37(a)))

This rule shall become effective on March 29, 1974.

Dated: February 20, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary*.

[FR Doc.74-5013 Filed 3-4-74;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 27—CANNED FRUITS AND FRUIT JUICES

Canned Applesauce; Amendment of Standards of Identity and Fill of Container

In the matter of amending the definition and standards of identity (21 CFR 27.80) and fill of container (21 CFR 27.81) for canned applesauce: A notice of proposed rule making in the above identified matter was published in the FEDERAL REGISTER of May 10, 1973 (38 FR 12234) based upon a proposal by the Commissioner of Food and Drugs to amend the Food and Drug Administration standards for canned applesauce in consideration of the "Recommended International Standard for Canned Applesauce."

One comment was received in response to the proposal. The comment, which favored the proposal, was from the National Canners Association. It indicated that all comments received from its membership were favorable to the changes proposed in the standards.

It was brought to the attention of the Commissioner that, since he announced in the preamble of the proposal that the purpose of amending the Food and Drug Administration standard was to facilitate international trade by adopting as far as practicable provisions of the Codex standard, he may wish to consider deleting the limitation on the quantity of edible organic acids used in applesauce so as to agree with Codex. An investigation into the matter indicates that these organic acids are added to applesauce in minimal quantities during the season to adjust the Brix/acid ratio, and that the quantities added are self-limiting.

Therefore, the Commissioner concludes that under these circumstances, and since added edible organic acids will be declared on the label by their common name, it will facilitate international trade to delete the limitation on the quantity of organic acids used in canned applesauce.

In consideration of the comment received and other relevant information, the Commissioner concludes that it will promote honesty and fair dealing in the interest of consumers to amend the definition and standards of identity and fill of container for canned applesauce as set forth below.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055-1056, as amended by 70 Stat. 919 and 72 Stat. 948 (21 U.S.C. 341, 371)) and under authority delegated to the Commissioner (21 CFR 2.120): *It is ordered*, That Part 27 of Title 21 of the Code of Federal Regulations be amended by revising §§ 27.80 and 27.81 to read as follows:

§ 27.80 Canned applesauce; identity; label statement of optional ingredients.

(a) *Definition*. Canned applesauce is the food prepared from comminuted or chopped apples (*Malus domestica* Borkhausen), which may or may not be peeled and cored, and which may have added thereto one or more of the optional ingredients specified in paragraph (b) of this section. The apple ingredient is heated and, in accordance with good manufacturing practices, bruised apple particles, peel, seed, core material, carpel tissue, and other coarse, hard, or extraneous materials are removed. The food is sealed in containers. It is so processed by heat, either before or after sealing, as to prevent spoilage. The soluble solids content, measured by refractometer and expressed as percent sucrose (degrees Brix) with correction for temperature to the equivalent at 20° C. (68° F.), is not less than 9 percent (exclusive of the solids of any added optional nutritive carbohydrate sweeteners) as determined by the method prescribed in "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th Edition, 1970, page 371, § 22.019, "Soluble Solids (By Refractometer) in Fresh and Canned Fruits, Jams, Marmalades, and Preserves—Official First Action"[1] without correction for water-insoluble solids, invert sugar, or other substances.

(b) *Optional ingredients*. The following safe and suitable optional ingredients may be used:

(1) Water.

(2) Apple juice.

(3) Salt.

(4) Any organic acid added for the purpose of acidification. (Organic acids generally recognized as having a preservative effect are not permitted in applesauce except as provided for in paragraph (b)(8) of this section.)

(5) Dry nutritive carbohydrate sweeteners.

(6) Spices.

(7) Natural and artificial flavoring.

(8) Either of the following:

(i) Erythorbic acid or ascorbic acid as an antioxidant preservative in an amount not to exceed 150 parts per million; or

(ii) Ascorbic acid (vitamin C) in a quantity such that the total vitamin C in each 113 g (4 ounces) by weight of the finished food amounts to 60 mg. This requirement will be deemed to have been met if a reasonable overage of the vitamin, within limits of good manufacturing practice, is present to insure that the required level is maintained throughout the expected shelf life of the food under customary conditions of distribution.

(9) Color additives in such quantity as to distinctly characterize the food unless such addition conceals damage or inferiority or makes the finished food appear better or of greater value than it is.

(c) *Nomenclature*. The name of the food is "applesauce." The name of the food shall include a declaration indicating the presence of any flavoring that characterizes the product as specified in § 1.12 of this chapter and a declaration of any spice that characterizes the product. If a nutritive sweetener as provided for in paragraph (b)(5) of this section is added and the soluble solids content of the finished food is not less than 16.5 percent as determined by the method referred to in paragraph (a) of this section, the name may include the word "sweetened." If no such sweetener is added, the name may include the word "unsweetened."

(d) *Label declaration*. Each of the optional ingredients shall be declared on the label as required by the applicable sections of Part 1 of this chapter. However, when ascorbic acid (vitamin C) is added as provided for in paragraph (b)(8)(ii) of this section, after the application of heat to the apples, preservative labeling requirements do not apply.

§ 27.81 Canned applesauce; fill of container; label statement of substandard fill.

(a) The standard of fill of container for canned applesauce is a fill of not less than 90 percent of the total capacity of the container, as determined by the general method for fill of containers prescribed in § 10.6(b) of this chapter; except that in the case of glass containers having a total capacity of 192 ml (6½ fluid ounces) or less, the fill is not less than 85 percent.

(b) Sampling and acceptance procedure: A lot will be deemed to fall below the standard of fill when the number of "defectives" exceeds the acceptance number "c" in the sampling plans prescribed in paragraph (b)(2) of this section.

(1) Definitions of terms to be used in the sampling plans in paragraph (b)(2) of this section are as follows:

(i) *Lot*. A collection of primary containers or units of the same size, type, and style manufactured or packed under similar conditions and handled as a single unit of trade.

(ii) *Lot size*. The number of primary containers or units in the lot.

(iii) *Sample size "n."* The total number of sample units drawn for examination from a lot as indicated in paragraph (b)(2) of this section.

(iv) *Sample unit*. A container, the entire contents of a container, a portion of the contents of a container, or a com-

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[1] Copies may be obtained from: Association of Official Analytical Chemists, P.O. Box 540, Benjamin Franklin Station, Washington, D.C. 20044.

posite mixture of product from small containers that is sufficient for examination or testing as a single unit.

(v) *Defective.* A container that falls below the requirement for minimum fill prescribed in paragraph (a) of this section is considered a "defective."

(vi) *Acceptance number "c."* The maximum number of defective sample units permitted in the sample in order to consider the lot as meeting the specified requirements.

(vii) *Acceptable quality level (AQL).* The maximum percent of defective sample units permitted in a lot that will be accepted approximately 95 percent of the time.

(2) Sampling and acceptance:

Acceptable quality level (AQL) 6.5

Lot size (primary containers)	Size of container	
	Net weight equal to or less than 1 kg (2.2 lbs)	
	n	c
4,800 or less	13	2
4,801 to 24,000	21	3
24,001 to 48,000	29	4
48,001 to 84,000	48	6
84,001 to 144,000	84	9
144,001 to 240,000	126	13
Over 240,000	200	19
	Net weight greater than 1 kg (2.2 lbs) but not more than 4.5 kg (10 lbs)	
	n	c
2,400 or less	13	2
2,401 to 15,000	21	3
15,001 to 24,000	29	4
24,001 to 42,000	48	6
42,001 to 72,000	84	9
72,001 to 120,000	126	13
Over 120,000	200	19
	Net weight greater than 4.5 kg (10 lbs)	
	n	c
600 or less	13	2
601 to 2,000	21	3
2,001 to 7,200	29	4
7,201 to 15,000	48	6
15,001 to 24,000	84	9
24,001 to 42,000	126	13
Over 42,000	200	19

n = number of primary containers in sample.
c = acceptance number.

(c) If canned applesauce falls below the standard of fill of container prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard fill specified in § 10.7(b) of this chapter, in the manner and form therein specified.

Any person who will be adversely affected by the foregoing order may at any time on or before April 4, 1974 file with the Hearing Clerk, Food and Drug Administration, Room 6-86, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective May 6, 1974, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be given by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055-1056, as amended by 70 Stat. 919 and 72 Stat. 948; (21 U.S.C. 341, 371))

Dated: February 22, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-4991 Filed 3-4-74;8:45 am]

Title 31—Money and Finance: Treasury

CHAPTER I—MONETARY OFFICES, DEPARTMENT OF THE TREASURY

PART 51—FISCAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Miscellaneous Amendments

Pursuant to the authority vested in the Secretary of the Treasury by the State and Local Fiscal Assistance Act of 1972 (31 U.S.C. Supp. II, 1221-1263), approved October 20, 1972, the Department of the Treasury hereby amends the regulations in Part 51 of Subtitle B of Title 31, Code of Federal Regulations, which became effective on April 5, 1973 (38 FR 9232) and amended on July 13, 1973 (38 FR 18668), for the entitlement period beginning January 1, 1973, and for entitlement periods subsequent thereto.

These amendments are intended primarily to clarify the language of certain provisions of the regulations and to give notice to State and local governments of certain internal procedures in use by the Office of Revenue Sharing. Because the purpose of these amendments is to provide immediate guidance to the States and local units of government as to procedures applicable after December 31, 1972, in order that the requirements of the Act be complied with, it is hereby found impracticable to issue these amendments with notice and public procedure thereon under 5 U.S.C. 553(b), or subject to the effective date limitation of 5 U.S.C. 553(d).

Section 51.22(a) provides for the determination of the date on which revenue sharing entitlements will be made final and no longer subject to adjustment. This section restricts the selection to a date which is subsequent to the entitlement period for which the entitlements are allocated. However, the data improvement program upon which adjustments depend has been accelerated to such an extent that final entitlements are now available prior to the close of the affected entitlement. Accordingly, § 51.22(a) is being amended to provide that entitlements may be declared final as soon as practicable without regard to the end date of the affected entitlement period.

Section 51.24(a) sets forth the procedure by which a recipient government may waive payment of its revenue sharing entitlement. The present section contemplates only the waiver of funds for a specifically identified entitlement period. In certain cases, however, adjustments from earlier entitlements have been scheduled to be added to or subtracted from the waived entitlement. Section 51.24(a) is being amended to provide not only for the waiver of the referenced entitlement but also for the waiver of any adjustments which were scheduled to be added to it. Section 51.24 is also being amended to add a new paragraph (b) which states the procedure that will be followed by the Office of Revenue Sharing in constructively waiving a recipient government's entitlement. This procedure has been made necessary by the fact that some governments have failed to comply with the communication or reporting requirements upon which the release of entitlement funds are conditioned and have refused to execute a waiver pursuant to paragraph (a) of this section. In order to prevent the distribution of entitlement funds from being indefinitely delayed, paragraph (b) is being added to this section to provide the affected recipient government with two opportunities to achieve compliance and if compliance is not forthcoming, a constructive waiver will be determined to have occurred.

Section 51.25(b) states the procedure by which the Office of Revenue Sharing will adjust entitlement payments because of previous underpayments or overpayments. It was previously contemplated that entitlements for a given entitlement period would be adjusted only through an alteration of entitlement payments attributable to a subsequent entitlement period. Recently, final data has been available to the Office of Revenue Sharing during the affected entitlement period, thus making possible intra-period adjustments. Accordingly, § 51.25(b) is being amended to make explicit the alternative procedure which may be followed by the Office of Revenue Sharing to revise entitlements by adjusting entitlement payments during the applicable entitlement period rather than adjusting only the entitlement payments of subsequent entitlement periods.

Section 51.27(a) notifies State governments of the procedure to be followed in the event that they decide to adopt an optional allocation formula for use by the Office of Revenue Sharing to determine the entitlements of units of local government. The present section requires the State to provide the Secretary with a minimum of 30 day's notice in advance of the entitlement period to which the optional allocation formula is to apply. This section is being amended to require a notice of at least 90 days in order

that the Office of Revenue Sharing may prepare reliable entitlement estimates for the affected local governments and make the adjustments necessary for transition to a new formula.

Section 51.33(a) provides that recipient governments must insure that contractors and subcontractors will comply with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5), and applicable regulations of the U.S. Department of Labor in the event that 25 percent or more of the cost of any construction project is paid using entitlement funds. Because the Davis-Bacon Act is only applicable to construction projects which have a total cost in excess of $2,000, § 51.33(a) is being amended to provide recipient governments with notice of this minimum cost. Section 51.33(b) provides guidance on the subject of obtaining wage rate determinations for construction projects covered by the Davis-Bacon Act. This section is being amended to notify recipient governments that if they are within a geographic area covered by general wage rate determinations, they may obtain applicable wage rates from an issue of the FEDERAL REGISTER rather than submitting a Standard Form 308. Also, this section is being amended to inform recipient governments that the Employment Standards Administration is the appropriate unit with which to file the Standard Form 308 in the applicable regional office of the U.S. Department of Labor.

Section 51.40(b) provides that recipient governments must use, obligate, or appropriate their entitlement funds within 24 months from the end of the entitlement period to which the check is applicable. Questions have been raised concerning the time limitation within which recipient governments must use, obligate, or appropriate interest earned on entitlement funds invested while in the local trust fund. The answer is interest earned on entitlement funds must be used, obligated, or appropriated within 24 months from the end of the entitlement period during which the interest was received or credited and the section is being amended to reflect that answer.

The foregoing amendments are issued under authority of Title I of the State and Local Fiscal Assistance Act of 1972 (31 U.S.C. Supp. II, 1221–1263) and Treasury Department Order No. 224, dated January 26, 1973 (38 FR 3342). These amendments shall become effective February 28, 1974 and are applicable to entitlement periods beginning on or after January 1, 1973.

Dated: February 27, 1974.

[SEAL] GRAHAM W. WATT,
Director,
Office of Revenue Sharing.

Approved:
EDWARD C. SCHMULTS,
General Counsel.

The first sentence of § 51.22(a) is amended by deleting the words "as of" and inserting in lieu thereof the words "not later than." The second sentence of § 51.22(a) is amended by deleting the phrase "after the close of that entitlement period." As amended § 51.22(a) reads:

§ 51.22 Date for determination of allocation.

(a) *In general.* Pursuant to the provisions of § 51.20 (a) and (b)(3), the determination of the data definitions upon which the allocations and entitlements for an entitlement period is to be calculated shall be made not later than the day immediately preceding the beginning of the entitlement period. The final date upon which determinations of allocations and entitlements, including adjustments thereto, may be made for an entitlement period shall be determined by the Secretary as soon as practicable and shall be publicized by notice in the FEDERAL REGISTER.

The fourth sentence of § 51.24(a) is amended by inserting the phrase "and adjustments thereto, if any, resulting from recalculation of earlier entitlements" after the word "waived." Section 51.24 is further amended by redesignating paragraphs (b) and (c) as (c) and (d) and by inserting a new paragraph (b). As amended these provisions read as set forth below:

§ 51.24 Waiver of entitlement, nondelivery of checks; insufficient data.

(a) * * * The entitlement waived, and adjustments thereto, if any, resulting from recalculation of earlier entitlements, shall be added to and shall become a part of the entitlement of the next highest unit of government eligible to receive entitlement funds in that State in which the unit of government waiving entitlement is located. * * *

(b) *Constructive waiver.* Any recipient government which has not waived and is otherwise eligible to receive entitlement payments and which has failed to provide required reports, assurances or certifications pursuant to Subpart B is subject to a determination of having constructively waived its entitlement funds for the affected entitlement period through inaction. The Secretary, prior to such a determination, shall notify nonresponsive recipient governments of their noncompliance and that their entitlement funds are being temporarily withheld pursuant to § 51.3(b). If compliance is not achieved within a reasonable period of time, which shall not be less than 30 days, the Secretary shall notify the affected recipient governments that if compliance is not achieved within a period of 30 days after mailing such notice, a constructive waiver of entitlement funds will be determined to have occurred. Entitlement funds thus constructively waived will be redistributed pursuant to the provisions of paragraph (a) of this section.

The subject heading of paragraph (b) of § 51.25 is amended by deleting the word "future." The first sentence of § 51.25(b) is amended by deleting the phrase "for future entitlement periods" and the word "future." As amended, the subject heading and first sentence of § 51.25(b) read:

§ 51.25 Reservation of funds and adjustment of entitlement.

* * * * *

(b) *Adjustment to entitlement payments.* Adjustment to an entitlement of a recipient government will ordinarily be effected through alteration to entitlement payments unless there is a downward adjustment which is so substantial as to make payment alterations impracticable or impossible. * * *

The second sentence of § 51.27(a) is amended by deleting the number "30" and by inserting in lieu thereof the number "90". As amended, the second sentence of § 51.27(a) reads:

§ 51.27 Optional formula.

(a) * * * Any State which provides by law for such a variation in the allocation formula provided by subsections 108(a) or 108(b) (2) and (3) of the Act, shall notify the Secretary of such law not later than 90 days before the beginning of the first entitlement period to which such law is to apply. * * *

Section 51.33 (a) and (b) is revised to read as follows:

§ 51.33 Wage rates and labor standards.

(a) *Construction laborers and mechanics.* A recipient government which receives entitlement funds under the Act shall require that all laborers and mechanics employed by contractors or subcontractors in the performance of work on any construction project costing in excess of $2,000.00 and of which 25 percent or more of the cost is paid out of its entitlement funds: (1) Will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act as amended (40 U.S.C. 276a–276a–5); and (2) will be covered by labor standards specified by the Secretary of Labor pursuant to 29 CFR Parts 1, 3, 5, and 7.

(b) *Request for wage determination.* In situations where the Davis-Bacon standards are applicable, the recipient government must ascertain the U.S. Department of Labor wage rate determination for each intended project and insure that the wage rates and the contract clauses required by 29 CFR 5.5 and 29 CFR 5a.3 are incorporated in the contract specifications. The recipient government must also satisfy itself that the bidder is made aware of his labor standards responsibilities under the Davis-Bacon Act. Wage rate determinations may be obtained by filing a Standard Form 308 with the Employment Standards Administration of the applicable regional office of the U.S. Department of Labor at least 30 days before the invitation for bids or, in case of construction covered by general wage rate determinations, the appropriate rate may be obtained from the FEDERAL REGISTER.

The first two sentences of § 51.40(b) are revised and a new sentence added, all of which to read as set forth below:

§ 51.40 Procedures applicable to the use of funds.

* * * * *

(b) Use, obligate, or appropriate such funds within 24 months from the end of the entitlement period to which the check is applicable. Any interest earned on such funds while in the trust fund shall be used, obligated, or appropriated within 24 months from the end of the entitlement period during which the interest was received or credited. An extension of time in which to act on the funds, or interest earned thereon, must be obtained by application to the Secretary. * * *

* * * * *

[FR Doc.74-4939 Filed 2-28-74;9:47 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER D—WATER PROGRAMS

PART 104—PUBLIC HEARINGS ON EFFLUENT STANDARDS FOR TOXIC POLLUTANTS

Pursuant to the authority of section 307(a) of the Federal Water Pollution Control Act, as amended (the Act) (Pub. L. 92-500, 86 Stat. 816), notice is hereby given that the Environmental Protection Agency has adopted amendments to Part 104, Title 40, Code of Federal Regulations, as set forth below.

Part 104 sets forth rules of practice applicable to public hearings in connection with the establishment of effluent standards for toxic pollutants. The rules were published in the FEDERAL REGISTER (39 FR 1027, Friday, January 4, 1974), effective upon publication.

Pursuant to notice published in the FEDERAL REGISTER (38 FR 35388, Thursday, December 27, 1973), a public hearing under this Part was convened on January 25, 1973, to consider proposed effluent standards for toxic pollutants under section 307(a) of the Act. At that first day of hearing, it became clear that the rules of practice could be construed in such a way as to allow the application of traditional rules of evidence applicable to adjudicatory hearings, and to exclude from the hearing record public comments received pursuant to the notice setting forth the proposed standards, and other unsworn documents which might be submitted by any party.

These amendments clarify the regulations with respect to the admissibility of evidence and the contents of the hearing record. The Agency believes that views, arguments, and data submitted by the public should be considered in the formulation of effluent standards for toxic pollutants. The standards affect not only the industries which discharge the pollutants, but also fishermen, sportsmen, and anyone who drinks water which might contain one of the pollutants which are subject to the standards—in short, all members of the public as a whole. Yet the formal parties to the first hearing include 34 industries and trade associations, two environmental groups, and no members of the general public. While this can be ascribed to the difficulty and expense inherent in formal participation in hearings of this nature, it underscores the need to provide for wider public participation in accordance with section 101(e) of the Act.

To provide such public participation, the Notice of Proposed Rulemaking for the proposed standards provided that public comments could be sent to Dr. C. H. Thompson, Chairman, Hazardous and Toxic Substance Regulation Task Force, Office of Water Program Operations, Environmental Protection Agency, Washington, D.C. 20460. However, since the statute requires any modifications in the proposed standards to be based upon a preponderance of evidence adduced at the hearing, such comments may not be considered unless they appear as part of the record of the hearing. These amendments clarify that all public comments shall be admitted to the record of the hearing.

With respect to evidence presented at the hearing itself, it is clear that nothing is gained by admitting only those affidavits or exhibits which are subject to cross-examination. While such evidence is clearly admissible, and should be given considerable weight in any final decision, it is necessary to investigate a wide range of data in finding the "legislative facts" involved in this rulemaking proceeding. Thus, for example, it may be necessary to consider scientific reports, articles in scholarly journals, and reports prepared by the Environmental Protection Agency or other Federal or State agencies, in arriving at the required decision. It would be arbitrary for the Agency to refuse to consider such matter solely on the formalistic grounds that the author is not available for cross-examination.

The time limitations set forth in the Act are also relevant to these evidentiary questions, as is the complexity of the questions to be investigated. The Act requires promulgation of the proposed standards within six months after proposal unless the Administrator determines on the record that a modification is justified. If he finds that a modification is justified, he must immediately promulgate a revised standard. In addition to these constraints, the Act requires the Administrator to consider "the toxicity of the pollutant, its persistence, degradability, the usual or potential presence of the affected organisms in any waters, the importance of the affected organisms and the nature and extent of the effect of the toxic pollutant on such organisms * * *." This broad range of issues must be considered for all nine pollutants considered at the hearing, and each of the 36 objectors must be afforded a full opportunity to present evidence and, to the extent practicable, to respond to evidence appearing in the record. It seems clear that this cannot be done within the constraints of traditional full cross-examination, even if direct testimony is submitted in writing. For this reason, the existing rules give the presiding officer authority to limit oral testimony and cross-examination (§ 104.11 (b)). Such limitations should not, however have the effect of excluding from the record (and therefore from the Administrator's consideration) important and relevant information.

The Administrative Procedure Act (5 U.S.C. 551 et seq.) provides generally that in on-the-record hearings, "A party is entitled * * * to conduct such cross-examination as may be required for a full and true disclosure of the facts." 5 U.S.C. 556(d). That section further provides, however, that "In rulemaking * * * an agency may, when a party will not be prejudiced thereby, adopt procedures for the submission of all or part of the evidence in written form." Thus, the APA recognizes the lesser utility of cross-examination in assessing evidence in rulemaking proceedings.

It does not appear, moreover, that any party would be prejudiced by the adoption of procedures allowing the submission of written evidence without cross-examination. All parties will equally have the right to submit such evidence. The rules provide an ample opportunity for parties to respond to evidence submitted by other parties. As before, the rules require the Administrator to consider the extent to which cross-examination was afforded in assigning weight to evidence in the record. Finally, it should be noted that the delays and the deficiencies in the record which would result from following strict adjudicatory procedures would result, in a hearing of this nature, in detriment to the environmental goals which the Act was intended to achieve.

For these reasons, it is appropriate to amend the regulations to provide for the admission into the hearing record of all relevant and material documentary evidence, whether or not a witness is available for cross-examination with respect to such evidence. Only in this manner can a record sufficiently comprehensive to sustain findings required under the Act be produced within the time limitations set forth in the Act.

Because these amendments constitute "rules of agency procedure or practice", notice and public procedure hereon are not required by 5 U.S.C. 553. The regulations set forth below are hereby adopted, effective March 5, 1974.

Dated: February 22, 1974.

JOHN R. QUARLES, Jr.,
Deputy Administrator.

Part 104 of Title 40, Code of Federal Regulations, is amended as follows:

1. The first sentence of § 104.5 is amended to read as follows:

§ 104.5 Notice of conference.

Whenever the Administrator publishes a notice of hearing under this Part, the hearing clerk shall promptly establish a docket for the hearing, which shall constitute the record of the hearing.

2. Paragraph (g) of § 104.10 is revoked and paragraph (f) is amended to read as follows:

§ 104.10 **Conference procedure.**

* * * * *

(f) Any relevant and material documentary evidence shall be received in evidence, including affidavits, published scientific articles, and official documents, regardless of whether or not the affiant, author, or maker is available for cross-examination. Where any such evidence is admitted without cross-examination, or where cross-examination is limited for any purpose by the presiding officer, the Administrator shall consider the extent to which an opportunity for cross-examination was provided in determining the weight to be accorded evidence appearing in the record."

[FR Doc.74-5016 Filed 3-4-74;8:45 am]

Title 43—Public Lands: Interior

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5416]

[Idaho 3212, Nevada 054520]

IDAHO AND NEVADA

Powersite Restorations Nos. 691 and 692; Final Revocation of Powersite Reserve No. 113

By virtue of the authority contained in section 24 of the Act of June 10, 1920, as amended (16 U.S.C. 818 (1970)), and pursuant to the determination of the Federal Power Commission in DA-602-Idaho and DA-24-Nevada, it is ordered as follows:

1. The Executive Order of July 2, 1910, creating Powersite Reserve No. 113, as modified by Powersite Modification No. 53 of May 19, 1913, and as construed in Powersite Interpretation No. 60 of April 10, 1925, is hereby revoked as to the remaining lands reserved thereby described as follows:

IDAHO

BOISE MERIDIAN

T. 16 S., R. 15 E.,
Sec. 17, SW¼SW¼;
Sec. 18, SE¼SE¼;
Sec. 19, NE¼NE¼;
Sec. 20, W½NE¼, NW¼, NE¼SW¼, W½SE¼, SE¼SE¼;
Sec. 28, NW¼NW¼;
Sec. 29, lots 3 and 4, NE¼, N½SE¼.

The lands described aggregate 878.12 acres in Twin Falls County.

NEVADA

MOUNT DIABLO MERIDIAN

T. 47 N., R. 64 E.,
Sec. 3, lot 4, S½NW¼, SW¼, W½SE¼;
Sec. 4, lots 1, 2, and 3, S½NE¼, NE¼SE¼;
Sec. 10, NW¼NE¼, S½NE¼, NW¼, N½SW¼, SE¼SW¼, SE¼;
Sec. 14, W½NW¼, SW¼;
Sec. 15, NE¼, N½SE¼, SE¼SE¼;
Sec. 22, E½NE¼, NE¼SE¼;
Sec. 23, NW¼, NW¼SW¼.

The lands described aggregate 1,991.45 acres in Elko County.

2. At 10 a.m. on April 3, 1974, the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on April 3, 1974, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The lands have been and continue to be open to the filing of applications and offers under the mineral leasing laws, and to location and entry under the United States mining laws.

Inquiries concerning the lands in Idaho should be addressed to the Chief, Division of Technical Services, Bureau of Land Management, Boise, Idaho 83702, and inquiries concerning the lands in Nevada should be addressed to the Chief, Division of Technical Services, Bureau of Land Management, Reno, Nevada 89502.

JACK O. HORTON,
Assistant Secretary of the Interior.

FEBRUARY 26, 1974.

[FR Doc.74-4999 Filed 3-4-74;8:45 am]

Title 45—Public Welfare

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

PART 201—GRANTS TO STATES FOR PUBLIC ASSISTANCE PROGRAMS

Scope and Applicability of Titles I, X, XIV, and XVI of the Social Security Act

Part 201, Chapter II, Title 45 of the Code of Federal Regulations is amended to clarify the effect of sections 301 and 303 of Public Law 92-603, Social Security Amendments of 1972.

As of January 1, 1974, Puerto Rico, the Virgin Islands and Guam continue to administer public assistance programs for the aged, blind, or disabled under titles I, X, and XIV, or XVI, as in effect prior to that date. In the fifty States, those programs are superseded by the Federally administered Supplemental Security Income (SSI) program under the new title XVI that went into effect on January 1, 1974.

Since this regulation merely explains the statutory effect, notice and public comment thereon are unnecessary.

Part 201, Chapter II, Title 45 of the Code of Federal Regulations is amended by adding a new § 201.0 to read as follows:

§ 201.0 **Scope and applicability.**

Titles I, X, XIV and XVI (as in effect without regard to section 301 of the Social Security Amendments of 1972) shall continue to apply to Puerto Rico, the Virgin Islands, and Guam. The term "State" as used in such titles means Puerto Rico, the Virgin Islands, and Guam.

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302).)
(Catalog of Public Assistance—13.754 Public Assistance-Social Services; 13.761 Public Assistance-Maintenance Assistance (State-Aid).)

Dated: February 20, 1974.

JAMES S. DWIGHT, Jr.,
Administrator, Social and Rehabilitation Service.

Approved: February 27, 1974.

FRANK CARLUCCI,
Acting Secretary.

[FR Doc.74-4985 Filed 3-4-74;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

PART 1000—THE COMMISSION

Canons of Conduct

1. Section 1000.735-12 to Subpart B of Part 1000 of Chapter X of Title 49 of the Code of Federal Regulations is revised to read as follows:

§ **1000.735-12 Prohibited financial interests.**

Members and employees shall not be employed by or hold any official relation to, or own any securities of, or be in any manner pecuniarily interested in carriers to the extent prohibited by the Interstate Commerce Act. This Canon prohibits (a) any direct interest in any for hire transportation company whether or not subject to the Interstate Commerce Act and (b) any interest in any company, mutual fund, conglomerate, or other enterprise which in turn has an interest of more than ten percent of its income from any for-hire transportation company whether or not subject to the Interstate Commerce Act. (The Commission, notation vote, October 2, 1973.)

2. Appendix I to Subchapter B of Part 1000 of Chapter X of Title 49 of the Code of Federal Regulations is amended by adding additional positions to the list of employees required to submit ICC Form No. 1164, as follows:

APPENDIX I—LIST OF EMPLOYEES REQUIRED TO SUBMIT ICC FORM NO. 1164

* * * * *

7. Contract Administrator.
8. Chief, Procurement and Property Management Branch, Section of Administrative Services.

* * * * *

Amendment No. 1 approved by the U.S. Civil Service Commission on October 11, 1973. Amendment No. 2 approved by the Civil Service Commission on February 15, 1974. These amendments become effective on March 5, 1974.

(E.O. 11222 of May 9, 1965, 30 FR 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104.)

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-5045 Filed 3-4-74;8:45 am]

[S.O. 1123, Amdt. 2]

PART 1033—CAR SERVICE

Frank W. Pollock, Jr., and Northwestern Oklahoma Railroad Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 26th day of February 1974.

Upon further consideration of Service Order No. 1123 (38 FR 5174 and 24902), and good cause appearing therefore:

It is ordered, That: § *1033.1123 Service Order No. 1123* (Frank W. Pollock, Jr., d/b/a Northwestern Oklahoma Railroad Co., authorized to operate over certain trackage abandoned by Missouri-Kansas-Texas Railroad Company) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., August 31, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., February 28, 1974.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; (49 U.S.C. 1, 12, 15, and 17 (2)). Interprets or applies Secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10–17), 15(4), and 17(2)))

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-5049 Filed 3-4-74;8:45 am]

[S.O. 1126, Amdt. 2]

PART 1033—CAR SERVICE

Baltimore and Ohio Railroad Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 26th day of February, 1974.

Upon further consideration of Service Order No. 1126 (38 FR 6999 and 22790), and good cause appearing therefor:

It is ordered, That: § *1033.1126 Service Order No. 1126,* (The Baltimore and Ohio Railroad Company authorized to operate over tracks of Penn Central Transportation Company, George P. Baker, Richard C. Bond, and Jervis Langdon, Jr., Trustees) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., August 31, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., February 28, 1974.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; (49 U.S.C. 1, 12, 15, 17(2)). Interprets or applies secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10–17), 15(4), 17(2))

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-5050 Filed 3-4-74;8:45 am]

[S.O. 1131, Amdt. 3]

PART 1033—CAR SERVICE

Chicago, Rock Island and Pacific Railroad Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 26th day of February 1974.

Upon further consideration of Service Order No. 1131 (38 FR 9232, 17845 and 33399), and good cause appearing therefor:

It is ordered, That: § *1033.1113 Service Order No. 1131* (Chicago, Rock Island and Pacific Railroad Company authorized to operate over tracks of Chicago, Milwaukee, St. Paul and Pacific Railroad Company) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., May 31, 1974, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., February 28, 1974.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; (49 U.S.C. 1, 12, 15, 17(2)). Interprets or applies Secs. 1(10–17), 15(4), and 17(2), 40 Stat. 101, as amended, 54 Stat. 911; (49 U.S.C. 1(10–17), 15(4), and 17(2))

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that notice of this amendment be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-5051 Filed 3-4-74;8:45 am]

[Ex Parte No. MC-84]

PART 1060—SPECIAL TEMPORARY RELIEF FOR MOTOR CARRIERS AFFECTED BY A HIGHWAY CLOSING

Special Relief for Motor Carriers Affected by Temporary Closing of West Virginia Highways

FEBRUARY 28, 1974.

In the report of the Commission in the above-entitled proceeding decided October 30, 1970 (112 M.C.C. 323), special regulations (49 CFR 1060.1) were promulgated to ensure continuous movement of traffic between certain points in West Virginia via a described Ohio highway due to the temporary closing of the only feasible West Virginia routing. The regulations and the special limited certificate issued in accordance with them were expressly conditioned to expire automatically upon the reopening of West Virginia Highway 2 between New Martinsville and Wheeling, W. Va. This portion of West Virginia Highway 2 has now been reopened and the involved regulations are of no further force and effect.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.74-5048 Filed 3-4-74;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—BUREAU OF SPORT FISHERIES AND WILDLIFE, FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 33—SPORT FISHING

Bitter Lake National Wildlife Refuge, N. Mex.

The following special regulation is issued and is effective on March 5, 1974.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

NEW MEXICO

BITTER LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Bitter Lake National Wildlife Refuge, N. Mex., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising approximately 550 acres, are delineated on maps available at refuge headquarters, 13 miles northeast of Roswell, N. Mex., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) Fishing is permitted from April 1 through October 15, 1974, inclusive.

(2) The use of boats or floating devices is prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through October 15, 1974.

BARNET W. SCHRANCK,
Refuge Manager, Bitter Lake National Wildlife Refuge, Roswell, N. Mex.

FEBRUARY 26, 1974.

[FR Doc.74-5026 Filed 3-4-74;8:45 am]

CHAPTER I—COST OF LIVING COUNCIL

Title 6—Economic Stabilization

PART 150—COST OF LIVING COUNCIL PHASE IV PRICE REGULATIONS

PART 152—COST OF LIVING COUNCIL PHASE IV PAY REGULATIONS

Toy and Game Manufacturing Industry; Price and Pay Exemptions

The purpose of these amendments is to exempt the sale of toys, games and similar products by firms which manufacture those products and to add a corresponding exemption to the Phase IV pay regulations.

In accordance with the Council's objective to remove controls selectively where conditions permit, the Council has decided to exempt the sale by the manufacturers of dolls, toys, games, children's vehicles (except bicycles), and similar products listed in the Standard Industrial Classification Manual, 1972 edition, in Industry Nos. 3942 and 3944. The price stability which has prevailed in this industry over the past few years is expected to continue in the absence of price controls. The industry is highly competitive, having over 1,000 firms which together offer a virtually limitless variety of choices and which depend heavily upon the availability of income to purchase these "discretionary" items.

Under §§ 150.11(e) and 150.161(b), a firm with revenues from the sale of exempt items remains subject to the profit margin constraints and reporting provisions of the Phase IV program unless in its most recent fiscal year it derived both (1) less than $50 million in annual sales and revenues from the sale or lease of nonexempt items and (2) 90 percent or more of its annual sales and revenues from the sale of exempt items or exempt sales.

As with all exemptions from Phase IV controls, firms subject to this amendment remain subject to review for compliance with appropriate regulations in effect prior to this exemption. A firm affected by this amendment will be held responsible for its pre-exemption compliance under all phases of the Economic Stabilization Program. A firm affected by this exemption alleged to be in violation of stabilization rules in effect prior to this exemption is subject to the same compliance actions as a non-exempt firm. These compliance actions include investigations, issuance of notices of probable violation, issuance of remedial orders requiring rollbacks or refunds and possible penalty of $2,500 for each stabilization violation.

As a complementary action to the exemption from price controls, the Council has also exempted pay adjustments affecting employees engaged on a regular and continuing basis in the operation of an establishment in the toys and games manufacturing industry. The exemption is set forth in new § 152.40s. The exemption is inapplicable to any such employee who receives an item of incentive compensation, or who is a member of an executive control group. The exemption is also inapplicable to any such employee whose duties and responsibilities are not of a type exclusively performed in or related to the toys and games manufacturing industry and whose pay adjustments are historically related to the pay adjustments of employees performing such duties outside the industry and are not related to the pay adjustments of other employees that are within the exemption. The exemption is further inapplicable to employees who are part of an appropriate employee unit where 25 percent or more of the members of such unit are not engaged on a regular and continuing basis in the operation of an establishment in the toys and games manufacturing industry or in support thereof. In cases of uncertainty of application, inquiries concerning the scope or coverage of the wage exemption should be addressed to the Administrator, Office of Wage Stabilization, P.O. Box 672, Washington, D.C. 20044.

The Council remains the authority to reestablish price and wage controls in this industry if price or wage behavior is inconsistent with the goals of the Economic Stabilization Program. The Council also has the power, under §§ 150.162 and 152.6, to require firms to file special or separate reports setting forth information relating to the Economic Stabilization Program in addition to any other reports which may be required under Phase IV controls program.

Because the purpose of these amendments is to grant an immediate exemption from the Phase IV price and pay regulations, the Council finds that publication in accordance with normal rule making procedure is impracticable and that good cause exists for making this amendment effective in less than 30 days. Interested persons may submit written comments regarding this amendment. Communication should be addressed to the Office of the General Counsel, Cost of Living Council, 2000 M Street, NW., Washington, D.C. 20508.

(Economic Stablization Act of 1970, as amended, Pub. L. 92-210, 85 Stat. 743; Pub. L. 93-28, 87 Stat. 27; E.O. 11695, 38 FR 1473; E.O. 11730, 38 FR 19345, Cost of Living Council Order No. 14, 38 FR 1489.)

In consideration of the foreging, Parts 150 and 152 of Title 6 of the Code of Federal Regulations are amended as set forth herein, effective March 1, 1974.

Issued in Washington, D.C. on March 1, 1974.

JAMES W. MCLANE,
Deputy Director,
Cost of Living Council.

1. In 6 CFR Part 150, § 150.54 is amended by adding a new paragraph (ss) to read as follows:

§ 150.54 Certain price adjustments.

* * * * *

(ss) *Toys and Games.* The prices which manufacturers of the following products charge for those products are exempt: Products listed in the Standard Industrial Classification Manual, 1972 edition, under Industry Nos. 3942 and 3944.

2. In 6 CFR Part 152, Subpart D is amended by adding thereto a new § 152.40s to read as follows:

§ 152.40s Toys and games manufacturing industry.

(a) *Exemption.* Pay adjustments affecting employees engaged on a regular and continuing basis in the operation of an establishment in the toys and games manufacturing industry or in support of such operation are exempt from and not limited by the provisions of this title.

(b) *Establishment in the toys and games manufacturing industry.* For purposes of this section, "Establishment in the toys and games manufacturing industry" means an establishment classified in the Standard Industrial Classification Manual, 1972 edition, under Industrial Code 3942 (Dolls) and primarily engaged in the manufacture of dolls, stuffed animals, or stuffed toys; or under Industrial Code 3944 (Games, Toys, and Children's Vehicles; Except Dolls and Bicycles) and primarily engaged in the manufacture of games for adults and children or toys and certain children's vehicles.

(c) *Covered employees.* For purposes of this section, an employee is considered to be engaged on a regular and continuing basis in the operation of an establishment in the toys and games manufacturing industry or in support of such operation only if such employee is employed at an establishment in the toys and games manufacturing industry and only if such employee is employed by the firm which operates such establishment.

(d) *Limitation.* The exemption provided in paragraph (a) of this section shall not be applicable to—

(1) An employee who receives an item of incentive compensation subject to the provisions of §§ 152.124, 152.125, or § 152.126.

(2) An employee who is a member of an executive control group (determined pursuant to § 152.130).

(3) Employees whose occupational duties and responsibilities are of a type not exclusively performed in or related to the toys and games manufacturing industry and whose pay adjustments are—

(i) Historically related to the pay adjustments of employees performing such duties outside the toys and games manufacturing industry; and

(ii) Not related to pay adjustments of another unit of employees engaged on a regular and continuing basis in the operation of an establishment in the toys and games manufacturing industry or in sup-

port of such operation within the meaning of paragrah (c) of this section.

(4) Employees who are members of an appropriate employee unit if 25 percent or more of the employees who are members of such unit are not engaged on a regular and continuing basis in the operation of an establishment in the toys and games manufacturing industry or in support of such operation.

(e) *Effective date.* The exemption provided in this section shall be applicable to pay adjustments with respect to work performed on and after March 1, 1974.

[FR Doc.74-5157 Filed 3-1-74;4:00 pm]

PART 152—COST OF LIVING COUNCIL PHASE IV PAY REGULATIONS

Elimination of Executive Control Group Requirements for Tax Exempt Firms in the Health Care Industry and Certain Medical Practitioners

Section 152.130 is amended by the addition of a new paragraph (l). Paragraph (l)(1) eliminates the requirement that a tax exempt firm in the health care industry designate an executive control group (ECG) and apply separate mandatory controls to salaries and incentive compensation received by members of the ECG. Paragraph (l)(2) eliminates the ECG requirements for certain firms that are medical practitioners. This amendment does not exempt such firms from the mandatory controls imposed on pay adjustments in the health care industry under Subpart I.

On January 25, 1974, the Cost of Living Council exempted from wage controls the pay adjustments of most firms that are determined by the Internal Revenue Service to be exempt from Federal income taxation under § 501(a) of the Internal Revenue Code. However, pay adjustments of firms that are health care providers (other than those exempted by § 152.40b) were expressly retained under mandatory wage controls. A result of that action was to continue in effect the requirement that non-profit tax-exempt providers of health care (including many hospitals) designate ECGs and apply not only the mandatory controls on the health care industry set forth in Subpart I, but the mandatory controls on ECG pay adjustments set forth in § 152.130. These firms were the only firms exempt from taxation under § 501(a) of the Code that remained subject to § 152.130.

The Council has now determined that it is appropriate to remove the set of ECG restraints from tax-exempt firms in the health care industry. Such firms are by definition non-profit. Incentive compensation, when paid to officers and directors of such firms, is generally based on formulas tied to percentages of salary or percentages of gross revenues or billings, rather than percentages of profit margin. Most such employees receive no incentive compensation at all. The ECG rules were established by the Council in order to apply stricter controls where the prior rules presented the opportunity for top executives to receive salary and incentive compensation increases above the general standards because of the presence of lower-paid employees in the same appropriate employee unit. Compensation practices of non-profit tax-exempt health care providers do not generally lead to such disproportionate expenditure of salary and bonus amounts. Section 152.130(l)(1) in no way affects the status of health care providers that are not tax exempt.

Section 152.130(l)(2) eliminates the ECG requirements for a firm that is a medical practitioner (as defined in § 150.732 of the Council's Phase IV Health Regulations) if on February 27, 1974 the firm had fewer than 25 employees that are physicians, surgeons, osteopathic physicians, dentists, dental surgeons, or podiatrists. As in the case of a tax-exempt firm in the health care industry, such a firm remains subject to the mandatory controls on pay adjustments in the health care industry set forth in Subpart I.

Medical practitioners are not customarily tax-exempt. However, in professional service corporations with relatively few practitioner employees, there is rarely a management group comparable to the ECG required to be designated by firms in other industries. Physicians employed by such firms, for example, are customarily compensated primarily on the basis of their individual billings or net revenues or some other measure related to the service of patients rather than the performance of management functions. Even senior physicians (or "partners") in such a firm may exercise relatively little control over the compensation of other practitioner employees compared to the control over compensation exercised by members of an ECG in other industries. The Council has determined that the single set of mandatory controls set forth in Subpart I adequately restrains wage and salary increases of employees of the medical practitioner firms described in the regulation.

Certain firms in the health care industry were previously exempted from all wage controls by § 152.40b. That exemption remains in effect.

Because the purpose of these amendments is to grant an immediate exemption from portions of the Phase IV pay regulations, the Council finds that publication in accordance with normal rule making procedure is impracticable and that good cause exists for making this amendment effective in less than 30 days. Interested persons may submit written comments regarding this amendment. Communications should be addressed to the Office of the General Counsel, Cost of Living Council, 2000 M Street NW., Washington, D.C. 20508.

(Economic Stabilization Act of 1970, as amended, Pub. L. 92-210, 85 Stat. 743; Pub. L. 93-28, 87 Stat. 27; E.O. 11695, 38 FR 1473; E.O. 11730, 38 FR 19345; Cost of Living Council Order No. 14, 38 FR 1489.)

In consideration of the foregoing, Part 152 of Title 6 of the Code of Federal Regulations is amended as set forth herein, effective February 28, 1974.

Issued in Washington, D.C. on February 28, 1974.

JAMES W. MCLANE,
Deputy Director,
Cost of Living Council.

In 6 CFR Part 152, § 152.130 is amended by the addition of a new paragraph (l) to read as follows:

§ 152.130 Executive control groups.

* * * * *

(l) *Exclusions from coverage.* Notwithstanding the provisions of paragraph (a) of this section, the provisions of this section shall not be applicable to—

(1) A firm that is determined by the Internal Revenue Service to be exempt from Federal income taxation under section 501(a) of the Code, with respect to pay adjustments for work performed on and after February 28, 1974.

(2) A firm that is a medical practitioner within the meaning of § 150.732 of this chapter and that on February 27, 1974 had fewer than 25 employees who are physicians, surgeons, osteopathic physicians, dentists, dental surgeons, or podiatrists, with respect to pay adjustments for work performed on or after February 28, 1974.

[FR Doc.74-5124 Filed 3-1-74;2:04 pm]

PART 152—COST OF LIVING COUNCIL PHASE IV PAY REGULATIONS

Executive Control Group Alternative Salary Computation Method

The purpose of the amendment set forth below is to make changes in the alternative salary computation method and the reporting rules for executive control groups which elect that method under § 152.130(d)(3).

Under the mandatory rules published October 26, 1973 (38 FR 29684), most firms were required to designate an executive control group (ECG). Each ECG is subject to limitations on salary increases (§ 152.130(d)) and limitations on incentive compensation (§ 152.130(e)). The general rule for limiting salary increases provides that during a fiscal year the average group salary rate for an ECG may not exceed 105.5 percent of the average group salary rate in effect for the group on the fiscal base date.

Another computation method was prescribed as an alternative to using the average group salary rate method. If this method is elected, wage and salary increases during a fiscal year may not exceed the general wage and salary standard applied to a base compensation rate for the group on the fiscal base date. Computations of increases under the alternative method are required to be recorded on the Council's Form PB-3 and to be made in accordance with the provisions of subpart E of part 201. Thus, the Council incorporated by reference in its regulations the computation rules adopted by the Pay Board that are still used on Form PB-3. However, the Council limited those rules by requiring that in-

creases in the average straight-time hourly rate be computed by using only the method in § 201.57.

The Council has received a number of reports from firms required to report ECG information under paragraph (f) of § 152.130. The reports from firms which elected to use the alternative computation method indicate that in the form presently prescribed the alternative computation method will not adequately serve the Council's objectives in monitoring executive salaries and incentive compensation. Further, the questions being asked of the Council with respect to this method indicate that the regulations in their present form are subject to misinterpretation, thus producing wide variances in the assembly and comparison of data from filed reports.

Accordingly, paragraph (d)(3) of § 152.130 has been substantially revised, but the general principles underlying the alternative computation method have been retained. The key changes include the manner in which the base compensation rate and increases therein are to be computed and presented on the Form PB-3 for a fiscal year, and the requirement that an additional Form PB-3 be submitted for the next succeeding fiscal year.

Paragraph (d)(3)(i) of § 152.130, as amended below, retains the general rule on election of the alternative method and makes clear that increases in salary and included benefits (and qualified benefits in excess of the applicable qualified benefits standard) are chargeable against the general wage and salary standard. Thus, the computation of salary increases within the ECG during a fiscal year must also take into account the secondary effect of such salary increases on both included and qualified benefits, as well as the cost of new benefits.

Paragraph (d)(3)(ii) of § 152.130 provides a new method for determining a base compensation rate for the ECG on the fiscal base date. Since ECG members are salaried, the Council believes it appropriate to compute the average straight-time hourly rate component by dividing total annual salaries in effect on the fiscal base date by 2080 hours per employee member of the group on that date. This method is prescribed in lieu of the method reflected on Form PB-3 and in subpart E of part 201 that authorizes use of a base payroll period for computation of the average straight-time hourly rate component of the base compensation rate. The Council recognizes that many executives work a variable schedule of hours. However, since the prescribed computation method has the effect of "freezing" hours from one fiscal year to the next, disruptive effects should be minimal. If the use of this new computation method results in serious inequities to members of an ECG, appropriate relief in the form of an exception is available under § 152.130(h) upon proper application to the Council. Similar computations are also provided with respect to determining both the included and qualified benefit components of the base compensation rate.

Paragraph (d)(3)(iii) of § 152.130 retains the general rule on computing increases in the base compensation rate, but limits the use of provisions in subpart E of part 201 to those not inconsistent with the revised computations prescribed under the alternative method. For example, longevity increases referred to in § 201.60(b) may still be excluded from computations and are not charged against the general wage and salary standard.

Paragraph (d)(3)(iv) of § 152.130 provides a new method for computing and reporting increases in wages and salaries to be reflected on reports with respect to completed fiscal years. Salary increases are computed for the group by dividing the sum of individual salary increases (expressed in annual amounts) by the product of the number of employees in the ECG on the fiscal base date and 2080 hours. Year-end reports are required to include increases granted during the completed fiscal year both to employees who were terminated and to employee additions to the group during that year. These increases are apportioned among the number of members in the group on the fiscal base date. Increases attributable to bona fide promotions remain excludible under the revised rule.

The amendment set forth below requires that any firm which elects to use the alternative computation method and which is required to report under § 152.130(f)(1) for a completed fiscal year will be required to submit an additional report projecting proposed increases in the ECG for the next succeeding fiscal year. The new reporting requirement is set forth in new paragraph (f)(4) of § 152.130. Prospective reports are required to be filed within 60 days after the close of any fiscal year ending after August 28, 1973. A "grandfather clause" is provided with respect to fiscal years completed prior to publication of this amendment, and firms will have at least 60 days in which to submit such prospective reports. Any firm which was required to report for a completed fiscal year and which elected the alternative computation method, but which has not submitted a year-end report prior to publication of this amendment, will be required to submit both its year-end report and its prospective report using the new rules published in this document.

Paragraph (d)(3)(v) of § 152.130 provides a new method for computing and reporting prospective increases in wages and salaries planned for the ECG in the fiscal year next succeeding the fiscal year for which a year-end report is submitted under paragraph (f)(1) of § 152.130. In line with the Council policy expressed on October 26, 1973, salary increases are required to be projected with respect to the actual employee complement in the ECG on the fiscal base date. Such increases are computed for the group by dividing the sum of proposed individual salary increases (expressed in annual amounts) by the product of the number of employees in the group on the fiscal base date and 2080 hours. Similarly, increases in included benefits and increases in qualified benefits would be projected by dividing the sum of the reasonable and supportable estimates of increases in the respective annualized individual benefit costs by the product of the number of employees in the group on the fiscal base date and 2000 hours.

Because the purpose of this amendment is to provide immediate guidance as to Cost of Living Council decisions, the Council finds that publication in accordance with normal rule making procedure is impracticable and that good cause exists for making this amendment effective in less than 30 days. Interested persons may submit comments regarding this amendment. Communications should be addressed to the Office of General Counsel, Cost of Living Council, Washington, D.C. 20508.

(Economic Stabilization Act of 1970, as amended, Pub. L. 92-210, 85 Stat. 743; Pub. L. 93-28, 87 Stat. 27; E.O. 11695, 38 FR 1473; E.O. 11730, 38 FR 19345; Cost of Living Council Order No. 14, 38 FR 1489).

In consideration of the foregoing, Part 152 of Title 6 of the Code of Federal Regulations is amended as set forth herein effective March 5, 1974.

Issued in Washington, D.C. on February 28, 1974.

JAMES W. MCLANE,
Deputy Director,
Cost of Living Council.

In 6 CFR Part 152, § 152.130 is amended by revising paragraph (d)(3) and by adding a new paragraph (f)(4) to read as follows:

§ 152.130 Executive control groups.

* * * * *

(d) *Limitation on salary increases.* * * *

(3) *Alternative computation method.* (i) *General.* For purposes for this paragraph, and in lieu of the computation provided in paragraph (d)(2) of this section, a firm may elect to treat an executive control group as though such group were a separate appropriate employee unit. If such election is made, the total of salary increases, included benefit increases, and chargeable qualified benefit increases (within the meaning of § 201.59 of this title) in such group with respect to a fiscal year shall at no time exceed an amount expressed in dollars and cents per hour equal to the product of the base compensation rate (computed for such group with respect to the fiscal base date) and the general wage and salary standard.

(ii) *Base compensation rate defined.* If an election is made under paragraph (d)(3)(i) of this section, the base compensation rate shall incorporate with respect to the employees who are members of the executive control group—

(A) An average straight-time hourly rate, computed as of the fiscal base date by dividing the total annual salaries in effect with respect to such employees by 2080 hours per employee (disregarding

use of base payroll period data reflected on the Council's Form PB-3);

(B) An average hourly included benefit rate computed as of the fiscal base date by dividing the reasonable and supportable estimates of the total annual costs of included benefits for such employees by 2,000 hours per employee; and

(C) An average hourly qualified benefit rate computed as of the fiscal base date by dividing the reasonable and supportable estimates of the total annual costs of qualified benefits for such employees by 2,000 hours per employee.

(iii) *Increases in the base compensation rate.* The computation of increases in the base compensation rate determined under paragraph (d)(3)(ii) of this section (including increases in the average hourly included benefit rate and the average hourly qualified benefit rate) shall be recorded on the Council's Form PB-3 in the manner prescribed in paragraphs (d)(3) (iv) and (v) of this section, as applicable. However, the provisions of subpart E of part 201 of this title shall also apply to the extent the rules contained therein are not inconsistent with the computation method prescribed in paragraph (d)(3) of this section. For example, increases in the average hourly included benefit rate shall be computed by dividing the sum of increased expenditures (or proposed increased expenditures, as appropriate) for included benefits during the fiscal year by the product of the number of employees in such group on the fiscal base date and 2,000 hours.

(iv) *Retrospective reports.* If an election is made under paragraph (d)(3)(i) of this section, a report required to be filed for a completed fiscal year pursuant to paragraph (f)(1) of this section shall include a completed Form PB-3. Such report shall reflect increases attributable to the completed fiscal year in dollars and cents per hour. Such reported increases in wages and salaries may not be time weighted for the period during the fiscal year such increases were in effect. The total of such reported increases in salary for the fiscal year shall be computed by dividing the sum of individual salary increases (expressed in annual amounts) within the executive control group by the product of the number of employees in such group on the fiscal base date and 2080 hours. Such total shall include any increases (expressed in annual amounts) granted during the fiscal year to employees who were terminated from such group (by retirement or otherwise) as well as any such increases granted to employee additions to such group. However, increases attributable to bona fide promotions within the group may be excluded.

(v) *Prospective reports.* If an election is made under paragraph (d)(3)(i) of this section, a report required to be filed prospectively for a succeeding fiscal year pursuant to paragraph (f)(4) of this section shall be filed on the Council's Form PB-3. Such report shall reflect increases in wages and salaries proposed to be made in dollars and cents per hour with respect to the actual employee complement and positions in the executive control group at the close of the immediately preceding fiscal year. Such reported increases in wages and salaries may not be time weighted for the period during the fiscal year such increases are proposed to be in effect. The total of such proposed increases in salary for the fiscal year shall be computed by dividing the sum of proposed individual salary increases (expressed in annual amounts) within the executive control group by the product of the number of employees in such group on the fiscal base date and 2080 hours. For purposes of computing wage and salary increases proposed for such fiscal year, increases attributable to bona fide promotions may be excluded.

(vi) *Effect on appropriate employee units.* The provisions of paragraph (d)(3) of this section shall not operate to permit any actual change of appropriate employee units and do not affect any other provisions of this part. (See paragraph (j) of this section.)

* * * * *

(f) *Reporting.* * * *

(4) *Special reporting requirement under alternative computation rule.* If a firm is required to report under paragraph (f)(1) of this section with respect to any completed fiscal year ending on or after August 29, 1973, and if such firm elected the alternative computation method prescribed in paragraph (d)(3) of this section in making such report, in addition to the Council's Form PB-3 with respect to such completed fiscal year, such firm shall complete and file another Form PB-3 with respect to the next succeeding fiscal year using the computation method prescribed in paragraph (d)(3)(v) of this section. Such additional Form PB-3 shall be filed not later than the sixtieth day of a succeeding fiscal year that begins on or after March 5, 1974 and not later than May 6, 1974 in the case of a succeeding fiscal year beginning prior to March 5, 1974.

* * * * *

[FR Doc.74-5123 Filed 3-1-74;2:03 pm]

PART 152—COST OF LIVING COUNCIL PHASE IV PAY REGULATIONS

Pay Adjustments Affecting Employees in Food Industry

Part 152 is amended in Subpart H to add certain interpretive provisions to the special rules applicable to the food industry.

Sections 152.72 is amended by adding a new paragraph (e) to make clear that pay adjustments to employees engaged on a regular and continuing basis in the growing, harvesting, or raising of food after January 10, 1973, or in the performing of administrative or support functions with respect to such activities, are not covered by the special rules applicable to the food industry unless such activity is controlled by a manufacturer, service organization, wholesales, or retailer and the annual sales or revenues derived from the sales of food (excluding sales or revenues attributable to such activity which are exempt from price controls pursuant to 6 CFR 152.52) amount to at least 50 percent of total sales or revenues (including those sales and revenues attributable to such activity which are exempt from price control pursuant to § 152.52). The effect of this amendment is to set forth previous policy with respect to employees engaged in the growing, harvesting, or raising of food.

In addition, a conforming change is made in § 152.72(b).

Because the immediate implementation of Executive Order No. 11730 is required, and because the purpose of these regulations is to provide immediate guidance as to Cost of Living Council decisions, the Council finds that publication in accordance with normal rule making procedures is impracticable and that good cause exists for making these amendments effective in less than 30 days. Interested persons may submit comments regarding these amendments. Communications should be addressed to the Office of General Counsel, Cost of Living Council, Washington, D.C. 20508.

(Economic Stabilization Act of 1970, as amended, Pub. L. 92-210, 85 Stat. 743; Pub. L. 93-28, 87 Stat. 27; E.O. 11695, 38 FR 1473; E.O. 11730, 38 FR 19345; Cost of Living Council Order No. 14, 38 FR 1489)

In consideration of the foregoing, Part 152 of Title 6 of the Code of Federal Regulations is amended as set forth herein, effective January 11, 1973.

Issued in Washington, D.C., February 28, 1974.

JAMES W. MCLANE,
Deputy Director,
Cost of Living Council.

In 6 CFR Part 152, § 152.72 is amended by revising paragraph (b) and by adding a new paragraph (e) to read as follows:

§ 152.72 Pay adjustments affecting employees in the food industry.

* * * * *

(b) For purposes of paragraph (a) of this section, and except as provided in paragraphs (c), (d), and (e) of this section, "Pay adjustments affecting employees in the food industry" means pay adjustments by any manufacturer, service organization, wholesaler, or retailer which derives at least 20 percent or at least $50 million of its annual sales or revenues from the sales of food, with respect to:

(1) Employees who are members of an appropriate employee unit (regardless of size) in which 50 percent or more of the employees are engaged on a regular and continuing basis in food operation; and

(2) Employees engaged on a regular and continuing basis in food operations and who are members of an appropriate employee unit (other than a unit referred to in paragraph (b)(1) of this section) in which 60 or more of such employees are engaged in food operations.

* * * * *

(e) For purposes of paragraph (b) of this section, "Pay adjustments affecting employees in the food industry" does not include pay adjustments with re-

spect to employees engaged on a regular and continuing basis in the growing, harvesting, or raising of food after January 10, 1973, or in the performing of administrative or support functions with respect to such growing, harvesting, or raising, unless—

(1) Such activity is controlled, directly, or indirectly, by a manufacturer, service organization, wholesaler, or retailer, and

(2) The annual sales or revenues derived by the manufacturer, service organization, wholesaler, or retailer from the sales of food (excluding sales or revenues attributable to such activity which are exempt from price controls pursuant to § 150.52 of this chapter) amount to at least 50 percent of total sales or revenues of the manufacturer, service organization, wholesaler, or retailer (including sales or revenues attributable to such activity which are exempt from price controls pursuant to § 150.52).

[FR Doc.74-5178 Filed 3-1-74;4:20 pm]

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

[Docket No. RM74-3, Order 491-D]

PART 2—GENERAL POLICY AND INTERPRETATIONS

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

Termination of Emergency Sales Procedures

MARCH 1, 1974.

Policy with respect to establishment of measures to be taken for the protection of reliable and adequate service for the 1973-1974 winter heating season.

Order terminating 180 day emergency sale procedures in Order No. 491 and amending policy statements and regulations under the Natural Gas Act.

On September 14, 1973, acting pursuant to our exemption authority under section 7(c) of the Natural Gas Act, 15 U.S.C. 717f(c), we issued Order No. 491 which amended §§ 2.68 and 2.70 of the Commission's General Policy and Interpretations and §§ 157.22 and 157.29 of the Commission's Regulations under the Natural Gas Act.[1] The effect of those amendments was to extend from 60 to 180 days the term under which an emergency sale in interstate commerce of natural gas would be permitted without Commission certification to a pipeline experiencing a shortage of natural gas on its system.

As emphasized in Order No. 491 and the subsequent related orders, our action was taken solely for the alleviation of a proven shortage of interstate natural gas supplies during the 1973-1974 winter heating season. Accordingly, we said the emergency procedures established by Order No. 491 were to be effective until March 15, 1974.

The Commission hereby serves notice that the 180 day exempted sales procedures will be terminated on March 15, 1974. As such, March 15, 1974, is the last day on which natural gas may be dedicated to the interstate market for a period of 180 days without obtaining a certificate of public convenience and necessity: *Provided, however,* That no emergency sale will qualify for the 180 day exemption from certificate authorization unless deliveries have commenced on or before March 15, 1974.

In rescinding the 180 day emergency procedure for sales commencing after March 15, 1974, we will reinstate the prior Rules and Regulations allowing such emergency sales without certificate authorization for a period of up to 60 days. Our present procedures allowing the issuance of limited term certificates are unaffected by this order.

As indicated in Order No. 491, we will continue to review the 180 day exemption measures to weigh their impact during the 1973-1974 winter heating season and to determine what, if any, emergency measures may be required during the 1974 summer storage injection period and the 1974-1975 winter heating season. It may be determined that some or all of the 60 day emergency procedures should be eliminated in the future.

The Commission finds.

Inasmuch as this order serves only to implement previous orders of the Commission in Order No. 491, ordering paragraph (D), and Order No. 491-B, ordering paragraph (F), requiring that the revisions and amendments of the Commission's general rules and regulations ordered therein were to be effective only until March 15, 1974, no further notice or hearing pursuant to 5 U.S.C. 553 is now required.

The Commission orders that effective after March 15, 1974.

(A) Part 2, Subchapter A, General Rules, Chapter I of Title 18 of the Code of Federal Regulations, is amended by revising the following:

In § 2.68 (a) and (b) the 180-day periods found therein are changed to 60 days.

In § 2.70(b)(3) the 180-day periods found therein are changed to 60 days.

(B) Section 157.22, Subchapter E, Chapter I, Title 18 of the Code of Federal Regulations, is amended by revising the following:

In § 157.22(a) the 180-day period is changed to 60 days, and in paragraph (d) the 180-day period is changed to 60 days.

(C) Section 159.29, Subchapter E, Chapter I, Title 18 of the Code of Federal Regulations, is amended by revising the following:

In § 157.29(a) the 180-day period is changed to 60 days, and in paragraph (b), the 180-day period is changed to 60 days.

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

By the Commission.

[SEAL] MARY B. KIDD, *Acting Secretary.*

[FR Doc.74-5196 Filed 3-4-74;10:33 am]

[1] Appeal docketed, Consumer Federation of America v. F.P.C., D.C. Cir. No. 73-2009 (filed September 21, 1973). A stay by the United States Court of Appeals for the District of Columbia on December 10, 1973, of the 180 day procedure ordered in subsequent related orders, was vacated by order of the Supreme Court of the United States on December 20, 1973, sub nom., F.P.C. v. Consumer Federation of America, et al., No. A-608.

[Docket No. R-424 Order No. 505-A]

PART 101—UNIFORM SYSTEM OF ACCOUNTS FOR PUBLIC UTILITIES AND LICENSEES (CLASS A AND CLASS B)

PART 104—UNIFORM SYSTEM OF ACCOUNTS FOR PUBLIC UTILITIES AND LICENSEES (CLASS C AND CLASS D)

PART 141—STATEMENT AND REPORTS (SCHEDULES)

PART 201—UNIFORM SYSTEM OF ACCOUNTS FOR NATURAL GAS COMPANIES (CLASS A AND CLASS B)

PART 204—UNIFORM SYSTEM OF ACCOUNTS FOR NATURAL GAS COMPANIES (CLASS C AND CLASS D)

PART 260—STATEMENT AND REPORTS (SCHEDULES)

Accounting for Premium, Discount and Expense of Issue, Gains and Losses on Refunding and Reacquisition of Long-Term Debt, and Interperiod Allocation of Income Taxes

FEBRUARY 25, 1974.

On February 11, 1974, the Commission issued Order No. 505 in this proceeding. By that order the Commission found that good cause existed for making the amendments to the Uniform Systems of Accounts for Public Utilities and Licensees and Natural Gas Companies ordered therein to be effective January 1, 1973, and the amendments to FPC Annual Report Forms No. 1, No. 1-F, No. 1-M, No. 2 and No. 2-A effective for the reporting year 1973. The effective date of amendments to FPC Forms No. 5 and No. 11 was effective upon issuance of the order.

Due to the fact that some companies have rendered Annual Stockholder Reports to the public for the accounting year 1973, prior to receipt of Order No. 505, it is deemed practical to allow the implementation date of the accounting prescribed in Order No. 505 to be effective January 1, 1974. And further, due to the fact that the FPC Annual Report Forms No. 1, No. 1-F, No. 2 and No. 2-A are already in the hands of respondents for the reporting year 1973 it is deemed practical to allow those companies who elect to implement the provisions of Order No. 505, January 1, 1974, to report their 1973 accounting data in a modified fashion on the new prescribed report changes for 1973 as described below:

FPC Annual Report Form No. 1

Schedule page 110:

Line 34—Report the Debt Expense portion of old account 181 here with the Unamortized Debt Discount portion of old account 181 being reported at line 18 on scheduled page 111.

Line 42—Make no entry.

Schedule page 111:

Line 17—Report balance of old account 251 here.

Line 36—Make no entry.

Schedule page 116A:

Lines 50 and 52—Make no entry.

Schedule page 211:

Report appropriate detail from old accounts 181 and 251.

Schedule page 214B:

Make no entry.

FPC Annual Report Form No. 2

Schedule page 110:

Line 31—Report the Debt Expense portion of old account 181 here with the Unamortized Debt Discount portion of old account 181 being reported at line 18 on schedule page 111.

Line 39—Make no entry.

Schedule pages 116A, 211 and 214B:

Same as for Form No. 1 above.

FPC Annual Report Form No. 1-F

Schedule page 3:

Line 19, column (a)—Report the Debt Expense portion of old account 181 here with the Unamortized Debt Discount portion of old account 181 being reported at column (e), line 16.

Line 24, column (a)—Make no entry.

Line 15, column (e)—Enter balance of old account 251.

Line 31, column (e)—Make no entry.

Schedule page 6:

Lines 48 and 50—Make no entry.

FPC Annual Report Form No. 2-A

Schedule page 3:

Line 21, column (a)—Report the Debt Expense portion of old account 181 here with the Unamortized Debt Discount portion of old account 181 being reported at line 16.

Line 26, column (a)—Make no entry.

Line 15, column (e)—Enter balance of old account 251.

Line 32, column (e)—Make no entry.

Schedule page 6:

Lines 48 and 50—Make no entry.

The Commission Finds:

(1) The notice and opportunity to participate in this proceeding with respect to the matters presently before this Commission through the submission, in writing, of data, views, comments and suggestions in the manner as described above are consistent and in accordance with all procedural requirements therefor as prescribed in section 553 of Title 5 of the United States Code.

(2) The effective date of amendments to the Commission's Uniform System of Accounts and Annual Report Form schedules herein prescribed are necessary and appropriate for the administration of the Federal Power Act and Natural Gas Act.

(3) The amendments prescribed herein which were not included in the notice in this proceeding are of a minor nature, and further notice thereof is therefore unnecessary.

The Commission, acting pursuant to the provisions of the Federal Power Act, as amended, particularly sections 301, 302, 303, 304 and 309 thereof (49 Stat. 854-856, 859; 16 U.S.C. 825, 825a, 825b, 825c, 825h) and Natural Gas Act, as amended, particularly sections 8, 9, 10 and 16 thereof (52 Stat. 825, 826, 830; 15 U.S.C. 717g, 717h, 717i, 717o), *orders:*

That the provisions of Order No. 505 issued by the Commission February 11, 1974, may be implemented as of January 1, 1974, and that where implemented January 1, 1974, a modified method of reporting will be used as prescribed heretofore in this order.

By the Commission.

[SEAL] Kenneth F. Plumb,
Secretary.

[FR Doc.74-4966 Filed 3-4-74;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 rulemaking prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 728]

1975 NATIONAL ALLOTMENT FOR WHEAT

Proposed Determinations

Notice is hereby given that the Secretary of Agriculture proposes to make determinations and issue regulations relative to the 1975 national allotment for wheat. Section 379c(a) (1) of the Agricultural Adjustment Act of 1938, as amended by the Agriculture and Consumer Protection Act of 1973, requires that the Secretary proclaim a national wheat acreage allotment not later than April 15, 1974. The national allotment shall be the number of acres which the Secretary determines on the basis of the estimated national average yield will produce the quantity (less imports) that he estimates will be utilized domestically and for export during the marketing year for the crop. If the Secretary determines that carryover stocks are excessive or an increase in stocks is needed to assure a desirable carryover, he may adjust the allotment by the amount he determines will accomplish the desired decrease or increase in carryover stocks.

Prior to determining the 1975 national allotment, consideration will be given to any data, views, and recommendations relative to the estimated national yield, estimated domestic utilization of wheat, estimated exports, estimated carryover and other data pertinent to this determination which are submitted in writing to the Director, Grain Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be received by the Director not later than April 4, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Director during regular business hours (8:15 a.m. to 4:45 p.m.).

Signed at Washington, D.C. on February 26, 1974.

GLENN A. WEIR,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.74-4989 Filed 3-4-74;8:45 am]

Commodity Credit Corporation

[7 CFR Part 1425]

COOPERATIVE MARKETING ASSOCIATIONS

Proposed Eligibility Requirements for Price Support

The Commodity Credit Corporation is considering amending Part 1425, Cooperative Marketing Associations, Eligibility Requirements for Price Support, published in 33 FR 13024. This amendment is considered to be necessary to clarify what is meant by member control and the term active member. Prior to adoption of the amendment, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing to the Director, Program Operations Division, ASCS, U.S. Department of Agriculture, Washington, D.C. 20250. In order to be considered, all submissions must be received by the Director not later than April 4, 1974.

The following changes to Part 1425 are proposed:

1. Correct the word "or" in line 4 of § 1425.4(a) to read "and".
2. Amend paragraph (b) of § 1425.4 to read as follows:

§ 1425.4 Ownership and control.

* * * * *

(b) *Control.* The organization and operation of the cooperative shall be under the control of its active producer members and member cooperatives which are owned and controlled by their active producer members. A cooperative shall be considered so controlled if more than 50 percent of its membership consists of active producer members, or member cooperatives which are owned and controlled by their active producer members. A director shall be an active member, a representative of an active member serving in the capacity of a farm manager or its equivalent (including an officer of a corporation and a partner in partnership), or an officer or employee of a member cooperative which is owned and controlled by its active members and shall be elected by active members except when selected to fill the unexpired term of a director so elected.

3. Correct the word "application" in line 3 of § 1425.5(c) to read "applicant".
4. Amend paragraph (d)(1) of § 1425.5 to read as follows:

§ 1425.5 Charter and bylaw provisions.

* * * * *

(d) * * *

(1) Nominations for election of delegates and directors shall be made by secret balloting, nominating committee, petition of members, or from the floor; and,

* * * * *

5. Amend paragraph (b) of § 1425.21 to read as follows:

§ 1425.21 Definitions.

* * * * *

(b) *Active member.* The term "active member" shall mean a member of a cooperative who has utilized the services offered by a cooperative for marketing his commodity or purchasing production supplies for his farming operation in one of the three preceding crop years or such shorter period as may be provided in the cooperative's articles of incorporation or bylaws.

Signed at Washington, D.C., on February 26, 1974.

GLENN A. WEIR,
Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc.74-4990 Filed 3-4-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 132]

GRANTS FOR TRAINING IN LIBRARIANSHIP

Notice of Proposed Rule Making

In accordance with section 503 of the Education Amendments of 1972 (Pub. L. 92-318) and pursuant to the authority contained in the Higher Education Act of 1965, as amended (20 U.S.C. 221, 222), the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 45, Part 132 of the Code of Federal Regulations to read as set forth below.

The revised regulations contain all mandatory requirements for the program. At present, there will be no guidelines under this program. Should guidelines be issued in the future, they will be limited to material in the nature of suggestions and recommendations for program management and operation.

1. *Program purpose.*

The Higher Education Act of 1965, as amended, authorizes the Commissioner to award grants to eiligible institutions of higher education and library organizations or agencies to assist them in training persons in librarianship through institutes, fellowships, or traineeships. Under section 222(b) of the amended Act, such program grants can only be made based on the Commissioner's finding that such programs will substantially further the objective of increasing the opportunities throughout the Nation for training in librarianship.

2. *Section 503 procedures and effect.*

Section 503 of the Education Amendments of 1972 requires the Commissioner to study all rules, regulations, guidelines, or other published interpretations or orders issued by him or by the Secretary after June 30, 1965, in connection with, or affecting, the administration of Office of Education programs; to report to the Committee on Labor and Public Welfare

of the Senate and the Committee on Education and Labor of the House of Representatives concerning such study; and to publish in the FEDERAL REGISTER such rules, regulations, guidelines, interpretations, and orders, with an opportunity for public hearing on the matters so published. The regulations proposed below reflect the results of this study as it pertains to the library training program under section 222 of Title II, Part B, of the Higher Education Act of 1965, as amended. Part 132 will be published in final form after comments and hearings. Thirty days after such publication, all preceding rules, regulations, guidelines, or other published interpretations and orders issued in connection with or affecting Part 132 will be superseded.

3. *Effect of Office of Education general provisions regulation.*

The proposed regulations differ from the current regulations in that provisions have been deleted relating to general fiscal and administrative matters which are presently covered in 45 CFR Part 132 and which are now covered under the overall Office of Education general provisions regulation, published as a final regulation in the FEDERAL REGISTER on November 6, 1973 (38 FR 30654) in connection with the same study under section 503 of the Education Amendments of 1972 of which this publication is a part. Reference is made in particular to the provisions of proposed Part 100a of Title 45, Code of Federal Regulations, containing general provisions for discretionary programs, which are now applicable to the library training program under Title II, Part B, of the Higher Education Act of 1965, as amended.

4. *Changes in the proposed regulations.*

The major substantive change since the publication of the previous regulations in the FEDERAL REGISTER (August 14, 1971, 36 FR 15440), brought about through the Education Amendments of 1972, is the widening of eligibility to include library organizations or agencies in additon to institutions of higher education. Minor technical changes have also been made to delete matters covered by the general provisions and to update references to organizational units.

5. *Citations of legal authority.*

As required by section 431(a) of the General Education Provisions Act (20 U.S.C. 1232(a)) and section 503 of the Education Amendments of 1972, a citation of statutory or other legal authority for each section of the regulations has been placed in parentheses on the line following the text of the section.

On occasion a citation appears at the end of a subdivision of the section. In that case the citation is to all that appears in that section between the citation and the next preceding citation. When the citation appears only at the end of the section, it applies to the entire section.

6. *Opportunity for public hearing.*

Pursuant to section 503(c) of the Education Amendments of 1972, the Commissioner will provide interested parties opportunity for a public hearing on these regulations, as follows:

A hearing will take place at the U.S. Office of Education in the auditorium of Regional Office Building Three (ROB-3) located at 7th and D Streets SW., Washington, D.C., beginning at 11 a.m. on April 1, 1974.

Parties interested in attending the hearing should notify the Office of Education, 400 Maryland Avenue, SW., Room 2079-G, Washington, D.C. 20202, Chairman, Office of Education Task Force on section 503, and are urged to submit a written copy of their comments with such notification. Each party planning to make oral comments at the hearing is urged to limit his presentation to a maximum of fifteen minutes.

Written comments and recommendations may also be sent to the above address. All relevant material received prior to the date of the hearing will be considered. Comments and suggestions submitted in writing will be available for review in the above office between the hours of 9 a.m. and 4:30 p.m., Monday through Friday of each week.

(Catalog of Federal Domestic Assistance No. 13.468, Library Training Grants (Library Institute and Fellowship Program))

Dated: January 21, 1974.

JOHN OTTINA,
U.S. Commissioner of Education.

Approved: February 21, 1974.

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

PART 132—GRANTS FOR TRAINING IN LIBRARIANSHIP

Subpart A—General

Sec.
132.1 Applicability.
132.2 Definitions.
132.3 Eligible purposes.
132.4 Apportionment.
132.5 Program objectives.
132.6 Eligible applicants.
132.7 Eligible participants.
132.8 Review of applications or proposals for grants; outside experts.
132.9 Review of proposals for institute grants; factors.
132.10 Review of proposals for institute grants; priorities.
132.11 Review of applications for fellowship grants.
132.12 Review of applications or proposals for traineeship grants.
132.13 Duration of the training program.
132.14 Program accountability and evaluation procedures.

Subpart B—Allowable Costs

132.21 Allowable costs.
132.22 Direct costs for training program participants.
132.23 Institutional support payment.
132.24 Stipends and dependency allowances for participants in library training institutes and institute/traineeship programs.

Sec.
132.25 Stipends and dependency allowances for participants in library training institutes and institute/traineeship programs; inexperienced personnel.
132.26 Stipends and dependency allowances for participants in library training institutes and institute/traineeship programs; experienced personnel.
132.27 Stipends for participants in library training fellowship programs and fellowship/traineeship programs.
132.28 Dependency allowances for participants in library training programs and fellowship/traineeship programs.
132.29 Stipend payments to dependents.
132.30 Assistance under other Federal programs.
132.31 Tuition and housing charges.
132.32 Non-self-contained institute programs.
132.33 Submission of biographical sketch.
132.34 Travel allowances; program participants.
132.35 Payments to participants by grantees.
132.36 Payment adjustments.
132.37 Cross reference to General Provisions Regulations.

APPENDIX A—Criteria and point scores.

AUTHORITY: Secs. 221-222, Pub. L. 89-329, 79 Stat. 1277, as amended by sec. 111(b)(3), Pub. L. 92-318, 86 Stat. 238 (20 U.S.C. 1031-1033), unless otherwise noted.

Subpart A—General

§ 132.1 Applicability.

The regulations in this part apply to grants by the Commissioner to institutions of higher education and library organizations or agencies to assist them in training persons in librarianship under secton 222 of Title II-B of the Higher Education Act of 1965, as amended.

(20 U.S.C. 1031, 1033)

§ 132.2 Definitions.

As used in this part:

"Dependent" means any of the following individuals more than half of whose support, for the calendar year in which the school year begins, was received from a student:

(a) a spouse;

(b) a son or daughter of the student, or a descendent of either;

(c) a stepson or stepdaughter of the student;

(d) a brother, sister, stepbrother, or stepsister of the student;

(e) a father or mother of the student, or an ancestor of either,

(f) a stepfather or stepmother of the student;

(g) a son or daughter of a brother or sister of the student;

(h) a brother or sister of the father or mother of the student;

(i) a son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law of the student;

(j) an individual (other than the student's spouse) who, during the student's entire calendar year, lives in the student's home and is a member of the student's household (but not if the relationship

between the individual and the student is in violation of local law);

(k) an individual who—

(1) is a descendent of a brother or sister of the father or mother of the student; and

(2) for the school year of the student receives institutional care required by reason of a physical or mental disability; and

(3) before receiving such institutional care, was a member of the same household as the student; or

(l) an individual who is a legally adopted child or a child placed in the student's home for adoption by a licensed child-placing agency.

A citizen of a foreign country may not be claimed as a dependent, unless he is a resident of the United States, Canada, or Mexico, or Panama, or the Canal Zone, at some time during the calendar year in which the school year of the student begins, or is a resident of the Philippines born to, or adopted by, a student while he was a member of the Armed Forces, before January 1, 1956, or is an alien child legally adopted by and living with a student as a member of his household for the entire calendar year.

(m) "Fellowship" means an award to a participant engaged in a regular academic program of formal education in an institution of higher education for which are awarded credits that may be used to earn an academic degree.

(n) "Institute" means an intensive short-term or regular-session program of specialized training designed to train individuals in particular principles and practices of librarianship. A "non-self-contained institute" is one in which not all participants are receiving Federal support under this program. A "self-contained institute" is one in which all participants are receiving Federal support.

(o) "Institution of higher education" means an educational institution in any State which meets all of the following criteria:

(1) It admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate.

(2) It is legally authorized within such State to provide a program of education beyond secondary education.

(3) It provides at least one of the following types of programs:

(i) An educational program for which it awards a bachelor's degree.

(ii) A program of not less than 2 years which is acceptable for full credit toward a bachelor's degree.

(iii) A program of not less than 1 year of training to prepare students for gainful employment in a recognized occupation.

(p) It is a public or other nonprofit institution.

(q) It is either accredited by a nationally recognized accrediting agency or association, or meets at least one of the following requirements:

(1) It is an institution with respect to which the Commissioner has determined that there is satisfactory assurance—considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made—that the institution will meet the accreditation standards of such an agency or organization within a reasonable period of time.

(2) It is an institution whose credits are accepted on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited.

(r) "Librarianship" means the principles and practices of the library and information science, including the acquisition, organization, storage, retrieval, and dissemination of information, and reference and research use of the library and other information resources.

(s) "Library organization or agency" means a State library agency, a State education department, a public library, a local educational agency, a national, State, regional or local library association, or any other public or private agency providing library service programs.

(t) "Paraprofessional" means a person with special skills or capacities for professional work which can support or complement a professional. Such term includes positions identified as library assistant, technical assistant, library technician, media technician, library aide, etc., but excludes such positions characterized as clerical, service, and custodial. The minimum educational objective for such positions is participation in a course (or courses) leading to graduation from a junior or community college (or its equivalent) in a paraprofessional library curriculum.

(u) "Traineeship" means an award to participants enrolled in a directed training program which is not a regular academic program for which are awarded credits that may be used to earn an academic degree.

(20 U.S.C. 1021–1034)

§ 132.3 Eligible purposes.

Funds available under the Act may be used by the Commissioner to award grants to institutions of higher education and library organizations or agencies to assist them in training persons in librarianship, for any one or more of the following purposes:

(a) To assist in covering the cost of courses of training or study (including institutes) for such persons;

(b) For establishing and maintaining fellowships or traineeships with stipends (including allowances for traveling, subsistence, and other expenses) for fellows and others undergoing training and their dependents not in excess of such maximum amounts prescribed in this part; and

(c) For establishing, developing, and expanding programs of library and information science, including law librarianship.

(20 U.S.C. 1033)

§ 132.4 Apportionment.

Not less than 50 percent of the grants awarded shall be for the purpose of establishing and maintaining fellowships or traineeships.

(20 U.S.C. 1033(a))

§ 132.5 Program objectives.

(a) The purpose of the institute/traineeship program is to provide persons an opportunity to enter the library field by obtaining necessary skills and training and to provide persons serving any type of library, information center or instructional materials center (including persons serving as library, media, and information science educators) an opportunity to upgrade and update their competencies.

(b) The purpose of the fellowship/traineeship program is to provide for full-time study as determined by the grantee in any graduate or undergraduate level program in library and information science sponsored by the participating grantee, regardless of whether the particular program terminates in the award of a specific graduate or undergraduate degree, or is merely designed to provide specialized training in some branch or aspect of librarianship. Fellowship/traineeship awards may not be made, however, to participants in any program which is designed to run for less than one academic year, regardless of the experience or educational level of the student body for whom such programs are created.

(c) Since the objectives of this program are to increase the opportunities throughout the Nation for training individuals in the principles and practices of the library and information sciences, including the acquisition, storage, retrieval, and dissemination of information, and reference and research use of library and other information sources, the grants awarded under this program must supplement rather than supplant the library, media, and information science education programs and graduate fellowships presently conducted by the grantee, and the total number of students enrolled in such programs must therefore be increased.

(d) Grants will be made to the institution, organization, or agency to establish fellowships for persons enrolled in programs in the library and information sciences (student assistance) and to assist in defraying the cost of such courses of training in librarianship (institutional support).

(20 U.S.C. 1031, 1033)

§ 132.6 Eligible applicants.

Any institution of higher education or other library organization or agency

which has an established graduate or undergraduate library education program, which is planning to begin such a program, or which can mount a training program consistent with the purposes of the Act, is eligible to submit proposals or applications for fellowships, traineeships, and institutes for training in librarianship.

(20 U.S.C. 1033)

§ 132.7 Eligible participants.

(a) An individual may be enrolled as a participant in training programs assisted with Federal funds under this part; *Provided*, That such individual is a national of the United States or is in the United States for other than a temporary purpose and intends to become a permanent resident thereof and is either (1) engaged in, or preparing to engage in, a profession or other occupation involving librarianship, or (2) concerned with the study or teaching of library, media, or information science, or (3) has majored in library science at the undergraduate level, or (4) has a graduate degree in library science. This eligibility includes library paraprofessionals.

(b) In addition to the requirements of paragraph (a) of this section:

(1) Participants in full-time training programs are generally required to devote full-time to the work of the program.

(2) A fellowship may be awarded to a student who has at least a high school diploma or its equivalent and who has been accepted for enrollment on a full-time basis in a program of library and information science. For such purpose, a student will be deemed to be enrolled on a "full-time basis" where he is carrying a program load sufficient to allow him to complete the course of study in which he is enrolled in the normal time period.

(3) A traineeship may be awarded to an individual who has at least a high school diploma or its equivalent and who has been accepted for enrollment in a directed program of study being conducted by an institution of higher education, library organization, or agency which is not a regular part of the academic program of the institution, organization, or agency.

(c) The grantee shall have sole responsibility for the selection of student recipients in the fellowship, institute, and traineeship programs and for the administration thereof.

(d) In the event that a participant drops out of the training program, another candidate may be substituted provided that the new candidate can successfully complete the training program and the Federal project officer is notified in writing of the substitution.

(20 U.S.C. 1031, 1033)

§ 132.8 Review of applications or proposals for grants; outside experts.

The Commissioner will approve applications or proposals for an institute grant under this part only after such proposals have been (a) reviewed by a panel of outside experts and specialists and (b) rated in accordance with such other procedures as the Commissioner may establish.

(20 U.S.C. 1033)

§ 132.9 Review of proposals for institute grants; factors.

In addition to the factors set forth in § 100a.26(b) of this chapter, review of proposals for an institute grant will take into account the following factors:

(a) Criteria for selection of participants; and

(b) Potential for achieving innovative and exemplary training programs.

(20 U.S.C. 1033)

§ 132.10 Review of proposals for institute grants; priorities.

Review of proposals will take into account the following priorities:

(a) The attraction of minority and/or economically deprived persons into the library, media, and information science fields as professionals and paraprofessionals;

(b) The training and retraining of professionals in service to the disadvantaged, including the aged and the handicapped;

(c) The presentation of alternatives for recruitment, training, and utilization of library personnel and manpower;

(d) The fostering and development of innovative practice to reform and revitalize the traditional system of library and information service;

(e) The retraining of professional librarians in the mastery of new skills and competencies in support of key priority need areas, such as: Learning to read campaigns, drug abuse education, environmental and ecological education, early childhood education, career education, management (planning, evaluation, and needs assessment), human relations and social interaction, service to the institutionalized, community learning center programs, service to foster the quality of life, intellectual freedom, and institute planning;

(f) The training of trainers of trainers;

(g) The training of library trustees, school administrators, and other persons with administrative, supervisory, and/or advisory responsibility for library, media, and information services, such as boards of education, State advisory councils, etc.;

(h) The training and retraining of persons in law librarianship.

(20 U.S.C. 1033)

§ 132.11 Review of applications for fellowship grants.

(a) In addition to the factors set forth in § 100a.26(b) of this chapter, review of applications for fellowship grants will take into account the following factors:

(1) Type and levels of fellowship requested (see priorities in § 132.11(b));

(2) Whether and how the program(s) to be offered substantially furthers the objective of increasing the opportunities of minority group persons and/or economically disadvantaged persons throughout the Nation for training in librarianship;

(3) Whether and how the program(s) to be offered substantially furthers the objective of training librarians to work more responsively with the disadvantaged and of developing viable alternatives to traditional library service patterns.

(b) The review under paragraph (a) of this section will take into account the following levels which are listed in order of priority:

(1) Fellowships in master's degree level programs;

(2) Fellowships in two-year associate degree level programs;

(3) Fellowships in post-master's degree or certificate programs;

(4) Fellowships in doctoral degree level programs;

(5) Fellowships in bachelor's degree level programs.

(c) The master's degree fellowships under this program will be awarded for a period not to exceed one year.

§ 132.12 Review of applications or proposals for traineeship grants.

The review of applications or proposals for traineeship grants will take into account the following priorities:

(a) Traineeships in post-master's level programs;

(b) Traineeships in post-baccalaureate level programs;

(c) Traineeships in post-associate degree level programs.

(20 U.S.C. 1033)

§ 132.13 Duration of the training program.

Training programs shall not exceed 12 months.

(20 U.S.C. 1033)

§ 132.14 Program accountability and evaluation procedures.

Under the institute program, each project proposal shall include an evaluation plan to be carried out by a third party for the purpose of evaluating the effectiveness of the program or project. Such plan shall describe the steps by which the grantee will:

(a) Determine the extent to which the objectives of the program or project have been accomplished;

(b) Determine what factors either enabled or precluded the accomplishment of these objectives; and

(c) Promote the inclusion of the successful aspects of the program or project into other education programs supported with funds other than those provided under the grant.

(20 U.S.C. 1033)

Subpart B—Allowable Costs

§ 132.21 Allowable costs.

Except as otherwise indicated in §§ 132.22 and 132.23, allowable costs for any approved grant shall be determined in accordance with Subpart G of Part 100a of this chapter.

(20 U.S.C. 1033)

§ 132.22 Direct costs for training program participants.

There may be included in direct costs for payments to training program participants only those allowances provided for in §§ 132.24–132.29 and 132.34.

(20 U.S.C. 1033)

§ 132.23 Institutional support payment.

(a) An institutional support payment is allowable under the fellowship program in lieu of tuition and all other fees required of all students of similar standing up to $2,500 for each fellow enrolled for an academic year and an amount up to $500 for each fellow enrolled in a summer session provided it is an approved program. This institutional support is provided to a grantee in conjunction with a fellowship awarded to an individual to study at institution to assist in covering the cost of courses of training or study for persons in librarianship. Such expenditures will be subject to audit on the basis of institutional rather than per student fellowship costs.

(b) The institution is entitled to one-half the total amount of the institutional support as soon as the fellow begins his training. Entitlement for the second half of the support payment begins six months after entitlement for the first half, *Provided*, That the fellow (or substitute fellow where permitted) continues to be enrolled (or substitute is enrolled) six months after the date of entitlement for the first half of the support payment. In those cases where the entitlement date falls between enrollment periods, such as during an inter-semester break, the institution becomes entitled upon the subsequent enrollment of the fellow for the following academic term. However, in the event the fellow does not attend the summer session, the institution will not be entitled to the support payment for the summer.

(c) Where substitution is permitted, the fellowship need not be used by the same fellow during the entire fellowship period.

(d) Justification is necessary to demonstrate what the actual cost per student is to the grantee. If the actual cost is below $2,500 per student, then the amount of institutional support per fellow will be correspondingly lower; if the actual cost is above $2,500 per student, however, the amount claimed for institutional support cannot exceed $2,500 for the academic year and $500 for the summer.

(20 U.S.C. 1033)

§ 132.24 Stipends and dependency allowances for participants in library training institutes and institute/traineeship programs.

Stipends and dependency allowances for library training institutes and institute/traineeship programs shall be authorized as follows: Depending upon the nature and objectives of a given training program, stipends may or may not be paid to institute participants. The stipend is based on the length and nature of the project; long-term, full-time; short-term, full-time; and part-time. Long-term training is usually equivalent to an academic year or more. Short-term training is anything less than an academic year, but normally is identified with institutes of one to twelve weeks in duration. Project participants are classified in two categories, inexperienced personnel and experienced personnel.

(20 U.S.C. 1033)

§ 132.25 Stipends and dependency allowances for participants in library training institutes and institute/traineeship programs; inexperienced personnel.

Personnel who have not reached the entrance level in the library profession (public librarian, college librarian, school librarian, special librarian, paraprofessional) for which the project is training them are classified as inexperienced personnel. Projects in which participants are classified as inexperienced personnel may include training at the post-baccalaureate or prebaccalaureate level.

(a) *Long-term, full-time: (post-baccalaureate)*. Participants may receive $2,000 for the academic year, plus $500 per dependent. Participants in a summer component may receive a $400 stipend and $100 for each dependent. Stipend levels will not exceed $2,400 per support year. A support year is defined as a twelve-month period. Dependency allowances will not exceed $600 for each dependent per support year ($500 per academic year and $100 per summer component).

(b) *Long-term, full-time: (pre-baccalaureate)*. Participants may be paid a stipend of $1,500 for the academic year and a maximum of $250 for a summer session if required by the grantee to meet program requirements. Dependency allowance shall be $250 for the academic year and $50 for the summer for each eligible dependent. Stipend levels will not exceed $1,750 per support year. Dependency allowances will not exceed $300 per dependent per support year.

(c) *Short-term, full-time*. Participants may be paid a stipend of up to $75 per week plus up to $15 per week per dependent.

(20 U.S.C. 1033)

§ 132.26 Stipends and dependency allowances for participants in library training institutes and institute/traineeship programs; experienced personnel.

This category includes experienced personnel who are enrolled in training designed to raise their level of competency or to give them new competencies. Projects in which the participants are experienced personnel usually encompass training equivalent to post-master's or pre-doctoral training.

(a) *Long-term, full-time*. Stipends for a support year will be awarded in accordance with the following schedule:

Months of related work experience	Academic year stipend only	Yearly stipend
Less than 12 months	$2,500	$3,000
12 to 23 months	2,750	3,300
24 to 35 months	3,000	3,600
36 to 47 months	3,250	3,900
48 or more months	3,500	4,200

Each full-time academic year of graduate experience, as defined by the grantee, beyond the baccalaureate level, shall equal 12 months of related professional work experience for stipend level purposes. If a participant has been awarded a master's degree, in a field relevant to the training to be undertaken, an additional $500 may be added to the stipend amount which is appropriate for his work experience. (If credit for a master's degree is claimed for an academic year program only, then the allowance will be prorated accordingly.) Stipend levels shall not exceed $4,700 per support year. Dependency allowances of up to $600 per support year for each dependent is authorized, $500 for the academic year and $100 for the summer.

(b) *Short-term, full-time*. Participants may be paid a stipend of up to $75 per week plus up to $15 per week per dependent.

(c) *Part-time*. Participants undergoing part-time training are eligible to receive up to $75 per week stipend and $15 per week dependency allowance per dependent prorated on the basis of a five-day week.

(20 U.S.C. 1033)

§ 132.27 Stipends for participants in library training fellowship programs and fellowship/traineeship programs.

Stipends for library training fellowships shall be authorized as follows. For each fellowship awarded under this program, the institution will receive and pay over to the fellowship recipient the following amounts:

(a) In the case of fellows enrolled at the undergraduate level: $1,500 for the academic year; and a maximum of $250 for summer study, if required by the grantee in addition to the academic year to meet degree or program requirements;

(b) In the case of fellows enrolled at the master's, postmaster's or doctoral level, stipends will be in accordance with the following schedule:

Months of related professional work experience	Academic year stipend only	Yearly stipend amount
Less than 12 months	$2,500	$3,000
12 to 23 months	2,750	3,300
24 to 35 months	3,000	3,600
36 to 47 months	3,250	3,900
48 or more months	3,500	4,200

Each single full-time academic year of graduate experience as defined by the grantee, beyond the baccalaureate level, shall equal 12 months of related professional work experience for stipend level purposes. If a fellow in a pre-doctoral experience program has been awarded

a master's degree in a field relevant to the professional training to be undertaken, an additional $500 may be added to the stipend amount which is appropriate for his work experience. (If credit for a master's degree is claimed for an academic year program only, then the allowance will be prorated accordingly.) Maximum pre-doctoral stipend shall not exceed $4,700. The yearly stipend amount includes the regular academic year plus the summer session.

(20 U.S.C. 1033)

§ 132.28 Dependency allowances for participants in library training programs and fellowship/traineeship programs.

A dependency allowance for the fellow may also be provided as follows:

(a) For undergraduate fellows, the dependency allowance shall be $250 for the academic year for each eligible dependent. The dependency allowance for a summer session shall be a maximum of $50 for each eligible dependent.

(b) For graduate fellows, the dependency allowance for the academic year shall be $500 for each eligible dependent. The dependency allowance for a summer session shall be a maximum of $100 for each eligible dependent.

(20 U.S.C. 1033)

§ 132.29 Stipend payments to dependents.

Individuals receiving stipend payment may claim as dependents those individuals meeting the definition of a dependent as stated in § 132.2.

(20 U.S.C. 1033)

§ 132.30 Assistance under other Federal programs.

Any amounts paid under any other Federal grant program for educational purposes (except veterans' and war orphans' and widows' educational assistance under Title 38, United States Code) shall be set off against the amount which a participant otherwise would be entitled to receive under this part. A participant shall not be precluded from receiving a loan that is made, insured, or reinsured under any Federal educational loan program, and neither the amount of such loan nor any Federal interest payment made during the period of his participation in a training program shall be deducted from the amount received by the participant under this part.

(20 U.S.C. 1033; 38 U.S.C. 1781)

§ 132.31 Tuition and housing charges.

The grantee is required as a condition for receiving the grant to exempt a participant from all tuition and other normally required fees, but it may charge for room and board.

(20 U.S.C. 1033)

§ 132.32 Non-self-contained institute programs.

In the case of a non-self-contained institute, regular students of the institution admitted to the institute program shall not receive stipends or dependency allowances under this program. The grantee must pay a pro-rata share of the cost of the institute based on the number of regular students enrolled in the institute.

(20 U.S.C. 1033)

§ 132.33 Submission of biographical sketch.

In order to document adherence to the related work experience requirement, the grantee will require each institute and fellowship grant award recipient enrolled at the graduate level to submit a brief biographical sketch.

(20 U.S.C. 1033)

§ 132.34 Travel allowances; program participants.

(a) Under the fellowship program, travel allowances for fellows from their places of residence to the training site will not be provided. However, in cases of extreme need or hardship, the Commissioner of Education may authorize one-way travel allowances for individual fellows/trainees at a rate not to exceed 8¢ per mile.

(b) Under the institute program, the grantee may pay for a participant's daily commuting travel for a reasonable distance upon determination by the Commissioner that such allowances are necessary for successful participation in the program and that extreme need and hardship exist. Such travel may be performed either by public or private conveyance; but if performed by private conveyance, the allowance for such travel shall not exceed 8¢ per mile or the common carrier cost of such travel, whichever is less.

(20 U.S.C. 1033)

§ 132.35 Payments to participants by grantees.

Payments to participants will be made by the grantee. The amount of stipends, dependency allowances, and travel costs to be paid to eligible participants will be estimated in the application and included in the grant award, subject to adjustment based on the actual education, work experience, or number of dependents. The grantee is responsible for any overpayment of stipends to participants. No deductions may be made by the grantee from these payments for any purpose, except as provided in § 132.36.

(20 U.S.C. 1033)

§ 132.36 Payment adjustments.

Payment adjustments are necessary in the event of the withdrawal of a participant from the training program and/or a change in the number of dependents. In either event, a system of proration by week, based on the number of weeks in the training period, shall be used for the purpose of determining the amount of stipend and/or dependency allowance to which a participant is eligible. In determining the number of weeks in the training period, the first week of the training period shall be the week during which classes begin and the last week of the training period shall be the week during which the classes end. Accordingly, any segment of a week for the first and last week of classes shall be counted as a full week for the purpose of computing payment adjustments. Adjustments of payment due to the withdrawal of a participant and/or a change in the number of dependents shall be effective the Monday following the week in which the change occurred and prorated accordingly on the basis of the number of weeks for which the participant is eligible for payment. The last day of actual class attendance or the date which the institution certifies that a participant has ceased to maintain proficiency in his course of study shall be used in determining the date of withdrawal.

(20 U.S.C. 1033)

§ 132.37 Cross reference to General Provisions Regulations.

Assistance provided under this part is subject to applicable provisions contained in Subchapter A of this chapter (relating to fiscal, administrative, property management, and other matters).

(20 U.S.C. 1033)

APPENDIX A

GRANTS FOR TRAINING IN LIBRARIANSHIP

CRITERIA AND POINT SCORES INSTITUTES

(a) *Criteria and point scores for review of proposals for institute grants.*

Review of proposals for an institute grant will take into account the following criteria (206 points):

(1) *The extent to which the proposed program is justified.* (10 points)

Consideration will be given to such questions as:

(i) Will the program contribute to reduction of staff shortage?

(ii) Does the program address itself to an appropriate training need?

(iii) Is the subject important and timely?

(iv) Is the applicant well prepared to offer such training?

(2) *The extent to which participant selection is appropriate.* (10 points)

Consideration will be given to such questions as:

(i) Are the selection criteria appropriate and realistic to meet program objectives?

(ii) Is the need as expressed in the program justification, above, related accurately to the duties of the participant?

(iii) Can the proposed number of participants be accommodated by proposed program method?

(3) *The extent to which the program objectives are related to needs and proposal.* (20 points)

Consideration will be given to such questions as:

(i) Are the objectives specific and clearly defined?

(ii) Are the objectives directly related to identified needs?

(iii) Are the objectives involved in the improvement or updating of personnel competencies? (if applicable)

(4) *The extent to which the proposed program will achieve high quality and effectiveness.* (30 points)

Consideration will be given to such questions as:

(i) Is the subject appropriate for intensive or long-range training?
(ii) Is there adequate program potential for the solution of the training problem or need?
(iii) Is the proposed professional education sound?
(iv) Is there a satisfactory blend of the theoretical and the practical?
(v) Are the training approaches new and imaginative?
(vi) Does the proposed program supplement existing training? Advanced study level?
(vii) Will participants be involved in innovative and creative experiences?
(viii) Will the program maintain focus on the subject?
(5) *The adequacy of program content as related to program objectives.* (15 points)

(45 CFR 100a.26(b) (8) (i))

Consideration will be given to such questions as:
Will the proposed program content adequately achieve the stated program objectives?
(6) *The adequacy of the proposed program director.* (15 points)

(45 CFR 100a.26(b) (3))

Consideration will be given to such questions as:
(i) Is the level of professional competence and leadership of the program director adequate?
(ii) What is the degree of capability of the program director to conduct a successful program?
(7) *The adequacy of the proposed program staff.* (15 points)

(45 CFR 100a.26(b) (3))

Consideration will be given to such questions as:
(i) Is the level of professional competence and leadership of the program staff adequate?
(ii) Is the number of program staff adequate for program needs?
(iii) Is staff utilization planned properly?
(8) *The adequacy of the applicant's facilities and services.* (10 points)

(45 CFR 100a.26(b) (4))

Consideration will be given to such questions as:
(i) Is there evidence of adequacy of supporting facilities, services, and equipment?
(ii) Is there evidence that the applicant will provide adequate library services and instructional materials for the program?
(9) *The adequacy of the program budget.* (15 points)
(45 CFR 100a.26(b) (5))
Consideration will be given to such questions as:
(i) Is the proposed budget adequate for the program?
(ii) Are the proposed costs reasonable?
(10) *The extent to which the institute format is appropriate.* (5 points).
Consideration will be given to such questions as:
(i) Is the type of institute (self-contained or non-self-contained) properly chosen?
(ii) Is the proposed timing well chosen?
(iii) Is the length of the institute right? Too long? Too short?
(11) *The extent to which program purposes will be achieved.* (30 points).
Consideration will be given to such questions as:
(i) To what degree will the proposed program substantially contribute to librarianship training?
(ii) To what degree will prospects for employment and/or advancement be provided?
(iii) To what degree will training opportunities be provided for minority group and/or disadvantaged persons?
(12) *Adequacy of the evaluation component.* (25 points)
Consideration will be given to such questions as:
(i) Does the proposal provide for both external and internal evaluation?
(ii) Is the evaluation component adequate to ensure effective program assessment?
(13) *General criteria.* (6 points)
Consideration will be given to the criteria specified in 45 CFR 100a.26(b) (1), (2), (6), (7), and (8) (ii) and (iii).
(b) *Criteria and point scores for review of applications for fellowship grants.* Review of applications for fellowship grants will take into account the following criteria (107 points):
(1) *Adequacy of educational objectives.* (15 points)
Consideration will be given to such questions as:
(i) Are objectives consonant with standards for library education?
(ii) Are proposed changes in goals sound?
(iii) Are special factors to attract outstanding personnel valid and appropriate?
(iv) Are special needs listed valid?
(v) Are educational objectives well-defined?
(vi) Will the program further the objective of improving service to the disadvantaged and developing viable alternatives to traditional library services
(2) *Adequacy of program content.* (10 points)
(i) Are the character and scope of the program appropriate, sound, modern, and cohesive?
(ii) Are contemplated changes well conceived?
(iii) Is the catalog information adequate?
(iv) Do common course requirements meet acceptable standards?
(v) Are program evaluation procedures effective?
(vi) Is the student practicum component sufficient?
(3) *Adequacy of program content as related to objectives.* (5 points)

(45 CFR 100a.26(b) (8) (i))

Consideration will be given to such questions as:
What is the extent to which objectives would be achieved by program content?
(4) *Adequacy of qualifications for admission.* (10 points)
Consideration will be given to such questions as:
(i) Are selection criteria for fellows suitable and sufficient?
(ii) Are applied tests well recommended?
(iii) Are scholarship requirements adequate?
(5) *Characteristics of program faculty.* (10 points)
(45 CFR 100a.26(b) (3))
Consideration will be given to such questions as:
(i) Is the list of faculty complete for display of all qualifications?
(ii) Is estimate of faculty quality high, medium, or low?
(iii) Is numerical strength of faculty adequate?
(iv) Is faculty specialization relevant to program offered?
(v) Is the research and writing productivity of the faculty adequate?
(vi) Is estimate of credit-hour teaching load of faculty high, medium, or low?
(vii) Is estimate of the number of student advisees per faculty high, medium, or low?
(6) *Adequacy of facilities and resources.* (5 points)
(45 CFR 100a.26(b) (4))
Consideration will be given to such questions as:
(i) Are facilities, equipment, and other resources suitable and sufficient?
(ii) Is the size of the librarianship special collection sufficient for the curriculum offered?
(iii) Is the applicant's total library collection adequate?
(iv) Are planned additions or improvements significant?
(7) *Level of institutional expenditures.* (10 points)
Consideration will be given to such questions as:
(i) Are expenditures increasing for education in librarianship?
(ii) What is the relationship of expenditures to student enrollment changes?
(iii) Are expenditures high, medium, or low compared to other library education programs with similar curricula and student enrollment?
(8) *Quantity of enrollment and degrees awarded.* (5 points)
Consideration will be given to such questions as:
(i) Are enrollment and degrees increasing?
(ii) Is the ratio of degrees awarded to enrollment satisfactory?
(9) *Quantity of institutional fellowships and scholarships.* (5 points)
Consideration will be given to such questions as:
(i) Are institutional fellowships and scholarships increasing or decreasing?
(ii) What is the ratio of the requested number of II-B fellowships to the institutionally supported number?
(10) *Adequacy of prospects for increasing training opportunities.* (15 points)
Consideration will be given to such questions as:
(i) Is there any evidence that the program will be adequately promoted and that there will be effective recruitment?
(ii) Was the priority selected appropriate to the applicant's capabilities or record of experience in this field?
(11) *Prospect for increasing training opportunities for minority group and/or disadvantaged persons.* (10 points)
(12) *General criteria.* (7 points)
Consideration will be given to the criteria specified in 45 CFR 100a.26(b)(1), (2), (5), (6), (7), and (8) (ii) and (iii))
(c) *Criteria and point scores for review of applications or proposals for traineeship grants.* Review of applications or proposals for traineeship grants will take into account the following criteria (110 points):
(1) Whether and how the program to be offered substantially furthers the objective of increasing the opportunities of minority group persons and/or disadvantaged persons throughout the Nation for advanced train-in librarianship and information science which would result in professional advancement and upward mobility; (20 points)
(2) Whether and how the program to be offered substantially furthers the objective of training librarians to work more responsively with the disadvantaged and of developing viable alternatives to traditional library service patterns; (20 points)
Degree of internship opportunities available through cooperating library agencies and appropriateness of those opportunities to the program objectives; (20 points)
(4) Appropriateness of behavioral objectives as related to the program objectives and the recruitment criteria; (20 points)
(5) Degree of individualization of program activities and objectives; (20 points)

(6) Criteria specified in 45 CFR 100a.26(b). (10 points)

(20 U.S.C. 1033)

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[45 CFR Part 158]

FOLLOW THROUGH PROGRAM

Notice of Proposed Rulemaking

In accordance with section 503 of the Education Amendments of 1972 (Pub. L. 92-318) and pursuant to the authority contained in Titles II and VI of the Economic Opportunity Act of 1964 (78 Stat. 516, as amended; 42 U.S.C. 2781), notice is hereby given that the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Part 158 of Title 45 of the Code of Federal Regulations as set forth below.

1. *Program purpose.*

The proposed amendment of Part 158 would provide the requirements for assistance and for Federal financial participation in the Follow Through Program authorized under Title II of the Economic Opportunity Act of 1964. The Follow Through Program is a community action program under which assistance is provided to assist the overall development of children from low-income families in the early elementary grades and to amplify the educational gains made by such children in Head Start and other similar quality preschool programs.

2. *Section 503 procedures and effect.*

Section 503 of the Education Amendments of 1972 requires the Commissioner to study all rules, regulations, guidelines, or other published interpretations or orders issued by him or by the Secretary after June 30, 1965, in connection with, or affecting, the administration of Office of Education programs; to report to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives concerning such study; and to publish in the FEDERAL REGISTER such rules, regulations, guidelines, interpretations, and orders, with an opportunity for public hearing on the matters so published. The regulations proposed below reflect the results of this study as it pertains to the Follow Through Program under Title II of the Economic Opportunity Act as amended. Upon publication of revised Part 158 in final form, after comments and hearing, all preceding rules, regulations, guidelines, and other published interpretations and orders issued in connection with or affecting Part 158 will be superseded effective thirty days after such publication.

3. *Effect of Office of Education general provisions regulation.*

The rules and standards proposed by this notice are those which are unique to the Follow Through Program. Other administrative requirements of a general nature which the Follow Through Program shares in common with other programs administered by the Commissioner of Education are covered in the overall Office of Education General Provisions Regulation, published in the FEDERAL REGISTER at 38 F.R. 30653 (November 6, 1973). Those regulations were developed in connection with the same study under section 503 of the Education Amendments of 1972 of which this publication is a part. (Reference is made in particular to the provisions of parts 100a and 100c of title 45 CFR, containing general provisions which would be applicable to the Follow Through Program). Department-wide regulations will also be issued in the near future covering some aspects of the administration of the Follow Through Program. Included therein will be rules governing the valuation of in-kind contributions toward the required non-Federal share.

4. *Citations of legal authority.*

As required by section 431(a) of the General Education Provisions Act (20 U.S.C. 1232(a)) and section 503 of the Education Amendments of 1972, a citation of statutory or other legal authority for each section of the regulations and guidelines has been placed in parentheses on the line following the text of the section.

On occasion, a citation appears at the end of a subdivision of the section. In that case the citation is to all that appears in that subdivision above the citation. When the citation appears only at the end of the section it applies to the entire section.

5. *Opportunity for public hearing.*

Pursuant to section 503(c) of the Education Amendments of 1972, the Commissioner will provide interested parties an opportunity for a public hearing on these regulations and guidelines as follows:

A hearing will be held in the auditorium of Regional Office Building Three (ROB-3), 7th and D Streets, SW., Washington, D.C. on March 28, 1974, beginning at 10:00 a.m.

The purpose of the hearing is to receive comments and suggestions on the published materials.

Parties interested in attending the hearing should notify the Office of Education, 400 Maryland Avenue, SW., Room 2079-G, Washington, D.C. 20202, Attention: Chairman, Office of Education Task Force on section 503, and are urged to submit a written copy of their comments with such notification. Each party planning to make oral comments at the hearing is urged to limit his presentation to a maximum of fifteen minutes.

Written comments and recommendations may also be sent to the above address. All relevant material received prior to the date of the hearing will be considered. Comments and suggestions submitted in writing will be available for review in the above office between the hours of 9 a.m. and 4:30 p.m., Monday through Friday of each week.

(Catalog of Federal Domestic Assistance No. 13.433, Follow Through Program.)

Dated: January 14, 1974.

JOHN OTTINA,
U.S. Commissioner of Education.

Approved: February 15, 1974.

FRANK CARLUCCI,
Acting Secretary of Health, Education, and Welfare.

Part 158 of Title 45 of the Code of Federal Regulations is amended to read as follows:

PART 158—FOLLOW THROUGH PROGRAM

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AUTHORITY: Title II and VI, Pub. L. 90–222, as amended, 78 Stat. 516 (42 U.S.C. 2781), unless otherwise noted.

Subpart A—Purpose and Definitions

§ 158.1 Program purpose.

The Follow Through program implemented by these regulations is an experimental community action program designed to assist, in a research setting, the overall development of children enrolled in kindergarten through third grade from low-income families, and to amplify the educational gains made by such children in Head Start and other similar quality preschool programs by (a) implementing innovative educational approaches, (b) providing comprehensive services and special activities in the areas of physical and mental health, social services, nutrition, and such other areas which supplement basic services already available within the school system, and (c) conducting the program in a context of effective community action and parental involvement, and (d) to provide documentation on these models which are found to be effective.

(42 U.S.C. 2809(a)(2))

§ 158.2 Definitions.

As used in this part:

"Act" means the Economic Opportunity Act of 1964, Pub. L. 88–452 (42 U.S.C. 2701), as amended.

"Early elementary grades" means kindergarten through grade three inclusive.

"Follow Through children" means all children in public or private school who have been enrolled in a Follow Through project in accordance with § 158.12.

"Follow Through parents" means all parents of children enrolled (or to be enrolled) in a Follow Through project, including the parents of private school children participating in the project.

"Head Start agency" means an organization funded in whole or in part by the Office of Child Development, DHEW, pursuant to section 222(a)(1) of the Act.

"Inservice training" means such specialized training as may be required or recommended for project staff during the course of employment in the Follow Through project.

"Local educational agency" means a public school board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as is recognized in a State as an administrative agency for its public elementary or secondary schools. The term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

"Low-income children" or "low-income persons" means children or persons from families whose annual income falls within the official poverty line as defined by the Office of Management and Budget and as revised periodically by the Department of Health, Education, and Welfare pursuant to section 625 of the Act.

"Paraprofessional" means a person who does not have a baccalaureate or equivalent degree of certification, but who directly assists persons in the performance of educational, social service, medical, or other duties of a professional nature in a Follow Through project, (e.g., teacher's aide, nurse's aide, or social worker aide).

"Perservice training" means workshops, courses, seminars, and other forms of specialized training which precede, and are required or recommended for, employment as a member of a Follow Through project staff.

"Project sponsor" means a college, university, regional education laboratory, or other agency, organization or institution which receives a grant or contract to undertake some or all of the activities listed in § 8158.51 and which maintains a contractual relationship with one or more local Follow Through projects for the purpose of conducting such activities in conjunction with such projects.

"Project area" means the local community or the smaller geographic area within such community (defined by school attendance zones or other similar neighborhood boundaries) in which a Follow Through project operates.

"Project staff" means all persons who work (full time or part time) directly in the Follow Through project, either on public or private school premises, whether or not such persons are paid with funds made available under the Act.

"Rural" as applied to a geographic area, means an area which is not included within a Standard Metropolitan Statistical Area (as defined by the U.S. Bureau of Census) and which is not within or coterminous with a city, town, borough, or village or other subcounty political unit, the population of which exceeds 2,500.

"State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or State law.

(42 U.S.C. 2809 (a)(2)).

§ 158.3 Planned variation.

(a) Follow Through grants are made to local educational agencies and other public or non-profit private agencies, organizations, or institutions in order to explore the effects of a number of promising approaches to the education of children from low-income families in the early elementary grades. Most grantees must agree to carry out the project in cooperation with project sponsors who have developed such approaches in affiliation with the U.S. Office of Education.

(b) In order to evaluate the effectiveness of each approach, a carefully planned evaluation is being implemented by the U.S. Office of Education. Because such evaluation will continue over a period of years, project grantees are required to implement and develop the sponsor's approach for the period of their participation in the Follow Through program.

(42 U.S.C. 2809(a)(2), 2825)

Subpart B—Grants and Contracts for Local Follow Through Projects

ELIGIBILITY REQUIREMENTS AND PROCEDURES

§ 158.11 Eligible applicants.

(a) Except as provided in paragraph (b) of this section, the Commissioner will provide financial assistance under this subpart, in the form of grants, only to local educational agencies.

(b) Whenever the Commissioner determines that (1) a local educational agency receiving assistance under paragraph (a) of this section is unable or unwilling to serve private school children as required by § 158.28 or (2) it is otherwise necessary in order to best fulfill the purposes of Follow Through as set forth in § 158.1, he may provide financial assistance to be used for this purpose to a Head Start agency or other public or appropriate non-profit private agency, organization, or institution.

(42 U.S.C. 2809(a)(2), 2949(2))

§ 158.12 Eligible children.

(a) *Low-income children.* Subject to the provisions of paragraph (b) of this section, only low-income children enrolled in the early elementary grades may participate in projects funded under this subpart. At least 50 percent of the children in each entering class shall be children who have previously participated in a full-year Head Start or similar quality preschool program and who were low-income children at the time of enrollment in such preschool program; except that the Commissioner may reduce this percentage requirement in special cases where he determines that its enforcement would prevent the most effective use of Follow Through funds (e.g., where the grantee is implementing a racial desegregation plan).

(b) *Non-low-income children.* If the Commissioner determines (1) that participation in the project of children from diverse socio-economic backgrounds would enhance the development of the low-income children to be served and would benefit the community in which the project is located, or (2) that such socio-economic diversity in a particular project will produce evidence concerning how best to fulfill the purposes of Follow Through as set forth in § 158.1, he may require or permit the inclusion of a specified percentage of children other than low-income children in the project. The inclusion of such other children in a project shall not in any case dilute or

interfere with the services designed for low-income children. In order to prevent such dilution, families of such other children may be required to pay, or have payment made in their behalf from some other source, e.g. by the grantee, for all or part of the identifiable costs of the services such children receive, to the extent that the family's financial situation makes payment appropriate.

(c) *Procedures for selection.* Agencies proposing to operate or continue projects under this subpart shall establish procedures for identification and selection of eligible children which comply with the requirements of this section and shall set forth such procedures in the project proposal. Such procedures shall assure that every reasonable effort will be made (1) to serve the poorest children first under paragraph (a) of this section, and (2) to determine on an equitable basis the extent to which payment shall be made with respect to children other than low-income children enrolled under paragraph (b) of this section.

(d) *Records.* Each project shall maintain records indicating that its identification and selection of eligible children complies with the requirements in this section.

(42 U.S.C. 2809 (a)(2))

§ 158.13 Selection of grantees and application procedures.

(a) *Continuation grants.* In order to provide the necessary continuity for evaluation of the planned variation approaches provided for in § 158.3, grants will be given only to applicants who are successfully conducting Follow Through projects during the current fiscal year and who demonstrate the capability to continue to so operate projects in accordance with the planned variation approach. Beginning in school year 1974–1975 when a continuation grant is awarded, support will be provided only for the continuation of classes already in the project. After school year 1973–1974 no new entering grade levels will be supported. (Thus where the entry level of a project in the previous school year was kindergarten, services under the continuation grant will be provided only at the first through third grades. In the following year, such services will be limited to second and third grades, and in the final year only to the third grade.)

(b) *Preparation of proposals.* Agencies submitting applications shall prepare project proposals in such form and containing such information as the Commissioner shall, from time to time, require. Proposals shall be submitted for review to the appropriate office of the U.S. Office of Education.

(c) *Review of proposals.* Project proposals will be reviewed by the Commissioner, and negotiated as needed in a process of consultation with the applicant and low-income parents of Follow Through children. The Commissioner will notify each applicant of the approval, modification or disapproval of its proposal upon the completion of such negotiations.

(42 U.S.C. 2809(a)(2), 2834)

§ 158.14 Geographic allocation of funds.

(a) Of the funds to be distributed under this subpart, a maximum of 2 percent shall be allotted among Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to the relative numbers of low-income children between grades K–3 residing in each of these territories; the remainder shall be allotted among the States according to the relative numbers of low-income children in each State as compared to all States. In no event, however, may more than 12½ percent of the funds distributed under this subpart be used in any one State.

(b) Funds allocated under paragraph (a) of this section shall be distributed equitably between urban and rural areas in the United States and, to the extent practical, within each of the States. Such distribution shall be based upon a comparison of the number of low-income children living in urban areas to the number of such children living in rural areas.

(c) For the purposes of paragraph (a) of this section, the term "State" means a State, Puerto Rico, or the District of Columbia.

(42 U.S.C. 2812 (a), (b), 2833, (a)(b), 2949 (1), 2967)

§ 158.15 Criteria for selection, approval, and refunding of projects.

The Commissioner will select and fund projects under this subpart subject to the allotments made under § 158.14, and subject to the priority established by § 158.13(a), and in addition to the criteria set forth in § 100a.26(b) of this chapter in accordance with the following criteria:

(a) Whether the applicant satisfactorily operated a federally funded Follow Through project in the immediate prior year.

(b) *The applicant and the community.* (Unsatisfactory; satisfactory; above average; outstanding)

(1) The relative number and concentration of low-income children in the community served by the applicant.

(2) The demonstrated quality of other educational programs for low-income children (including Head Start and previous Follow Through programs) operated by the applicant or by another agency in the community which will assist the applicant.

(3) The ability of the applicant to implement and support processes leading to:

(i) The direct participation of Follow Through parents in the development and operation of the project,

(ii) The involvement of other agencies and organizations and the use of other community resources in the project as indicated in § 158.27, and

(iii) The creation of a climate conducive to communication between low-income and non-low-income persons and to the construction of working relationships between school and community.

(c) *Programmatic criteria.* (Unsatisfactory; satisfactory; above average; outstanding)

(1) The extent to which the instructional component required by § 158.26(a) is implemented.

(2) The extent of implementation of sponsor's model (does not apply to sell sponsored projects).

(3) The extent of provision for parental and community involvement as required by § 158.26(b).

(4) The extent of development of comprehensive services as required by § 158.26.

(i) Nutrition,

(ii) Medical and Dental,

(iii) Social services,

(iv) Psychological and guidance,

(v) Career Development,

(vi) Coordination of comprehensive services.

(5) If appropriate, whether the supplementary training program is oriented toward a college degree.

(d) *Organizational criteria.*

(1) Whether over half of Policy Advisory Committee membership is composed of low-income parents elected by such parents.

(2) The extent to which the staffing pattern is designed to accomplish program objectives. (Unsatisfactory; satisfactory; above average; outstanding)

(3) The extent to which other programs or agencies are involved in, or coordinated with, the project. (Unsatisfactory; satisfactory; above average; outstanding)

(e) *Participating children.* (1) Whether the majority of the children in the project are low-income (by the official OEO poverty line);

(2) Whether the majority of the children are graduates of Head Start or similar preschool programs; [1]

(f) *Management criteria.* (1) Whether the Policy Advisory Committee is primarily responsible for recommending the filling of non-professional and para-professional positions;

(2) Whether there is a Career Development Committee;

(3) In the employment of non-professional and paraprofessionals, the extent to which priority is given to low-income parents. (Unsatisfactory; satisfactory; above average; outstanding)

(4) The extent to which the Policy Advisory Committee participates in the decision-making process in respect to important aspects of the program (e.g., program design; recommendations in the selection of personnel; parent activities). (Unsatisfactory; satisfactory; above average; outstanding)

(5) The extent of provision for staff training. (Unsatisfactory; satisfactory; above average; outstanding)

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[1] The Commissioner may reduce this majority requirement as provided in § 158.12 paragraph (a).

(6) If appropriate, whether the supplementary training program is serving para-professional and non-professional staff of the project.

(g) *Finance.* (1) The extent to which other resources or related assistance (local, State or Federal—e.g., Title I ESEA) are contributing to the project. (Unsatisfactory; satisfactory; above average; outstanding)

(2) Non-Federal Share

(i) Whether the required non-Federal share percentage is contributed;

(ii) If the required non-Federal share is not contributed, whether the proposal includes a request for a waiver (in part or in whole) of this requirement;

(iii) If the proposal includes a request for waiver, whether there is information adequate upon which to base a decision.

(42 U.S.C. 2809(a), 2812)

(h) *Renewals.* The Commissioner shall, in accordance with the provisions of § 158.13, renew funding for projects under this subpart on the basis of evidence that processes enumerated in paragraph (a)(4) of this section are being implemented; on the basis that the purposes of Follow Through as set forth in § 158.1 are being effectively met; and on the basis of periodic evaluations made pursuant to § 158.24.

(42 U.S.C. 2809 (a)(2))

§ 158.16 Financial support of projects.

Project activities conducted under this subpart shall be supported through the following combination of resources: (a) The normal effort (in funds and services) which the grantee or contractor is required to maintain under § 158.67 and upon which the project builds, (b) the Federal funds appropriated under the Act and distributed under this subpart, and (c) the non-Federal contribution specified in § 158.64.

(42 U.S.C. 2809(a)(2), 2812 (c)(d))

PROJECT MANAGEMENT

§ 158.18 Project coordinator.

(a) *Position.* Each grantee or contractor receiving funds under this subpart shall, with the approval of the Policy Advisory Committee described in § 158.19, appoint a project coordinator to be responsible for overall project management. The position of project coordinator shall be a full-time position, unless the Commissioner, in individual cases, specifies otherwise.

(b) *Duties.* The project coordinator's duties shall include: (1) Supervising all project staff; (2) serving as liaison between the project and Federal, regional, State, and local agencies involved in the Follow Through program; (3) working with the program sponsor to implement the program approach selected; (4) attending all relevant Follow Through meetings, workshops, and training sessions sponsored by the Commissioner or by the project's program sponsor; (5) ensuring that project components and activities are interrelated so that children are not served in a fragmented manner; and (6) maintaining communication and cooperation among the program sponsor, Follow Through parents, Policy Advisory Committee members, project staff, administrative and other school staff, and the various community agencies and organizations which serve low-income persons.

(42 U.S.C. 2809(a)(2))

§ 158.19 Policy Advisory Committee.

(a) *Purpose.* Each grantee or contractor shall, upon the identification of Follow Through project children, establish a Policy Advisory Committee, selected in accordance with paragraphs (b) and (c) of this section, to assist with the planning and operation of project activities and to actively participate in the decisionmaking process concerning such activities.

(b) *Membership.* (1) More than one-half of the Policy Advisory Committee members shall be low-income Follow Through parents who are elected (or re-elected) by such parents in elections held at least annually.

(2) The remaining members shall be chosen by the parent members, elected under paragraph (b)(1) of this section, from among the various persons and representatives of agencies and organizations in the community who have manifested concern for the development of low-income persons.

(3) In no case shall an officer of the Policy Advisory Committee serve for more than two years in such capacity.

(c) *Advisors.* At the request of the Policy Advisory Committee, elected or appointed officials and employees of the local educational agency (including project staff) in whose jurisdiction the project is located and any group contracted to work for such agency may serve in an advisory capacity to the Committee, but shall in no case have the right to vote.

(d) *Duties.* The Policy Advisory Committee's duties shall include: (1) Developing by-laws which define the purposes and procedures of the Committee; (2) helping to develop all components of the project proposal and approving them in their final form; (3) assisting in the development of criteria for selection of, and in recommending the selection of professional and paraprofessional project staff; (4) exercising the primary role in developing criteria for selection and recruiting of eligible children which are required by § 158.12; (5) contributing to the continued effectiveness of the project coordinator; (6) establishing and operating a procedure of petition and discussion under which complaints of parents and other interested persons can be promptly and fairly considered; (7) helping to organize activities for Follow Through parents; and (8) mobilizing community resources and securing the active participation of Follow Through parents in the project.

(e) *Funding.* (1) In order to facilitate the functioning of the Policy Advisory Committee, (i) the committee shall at the beginning of each grant period submit a proposed budget of its projected operational costs to the grantee or contractor, and (ii) the grantee or contractor, on the basis of such budget and the negotiation sessions held pursuant to § 158.13(c), and in accordance with local laws and regulations, shall at the beginning of each grant period allocate to the Committee a sum sufficient to allow it effectively to fulfill its responsibilities under paragraph (d) of this section.

(2) Funds allocated to the Policy Advisory Committee under § 158.19 (e) (1) shall not be used for: (i) The purchase of classroom equipment, (ii) classroom instructional purposes, (iii) personal loans or expenditures.

(3) Policy Advisory Committee members may be compensated for attending a negotiation workshop, special conference or board of education meeting directly related to the Follow Through project at a rate not less than the Federal minimum wage nor more than the wages he would otherwise earn during such time, but in no event shall payments be made to members if no wages are actually lost.

(20 U.S.C. 1231d; 42 U.S.C. 2781 (a) (4), 2809 (a) (2))

§ 158.20 Employment of low-income persons.

Whenever an opening exists in project staff positions for nonprofessionals or paraprofessionals, the grantee shall actively solicit applications from low-income persons and give preference to such persons in hiring. The highest priority shall be accorded to low-income persons who are parents of Follow Through children. The grantee shall establish hiring procedures which assure that the Policy Advisory Committee will be primarily responsible for recommending the filling of nonprofessional and paraprofessionals positions in accordance with § 158.19(d)(3).

(42 U.S.C. 2810)

§ 158.21 Career Development Committee.

(a) *Establishment.* Each grantee utilizing a significant number of low-income paraprofessional or nonprofessional employees or volunteers in the project shall establish a Career Development Committee to provide direction and initiative for the project training and career development program required under § 158.26(g). This committee shall operate under the general supervision of the Policy Committee.

(b) *Membership.* The members of the Career Development Committee shall be appointed by the Policy Advisory Committee from among the following groups in numbers adequate to assure their effective representation: (1) The low-income Follow Through parents, including low-income parent members of the Policy Advisory Committee, (2) paraprofessionals and nonprofessionals working in the project, and (3) the professional members of the project staff.

(c) *Duties.* The Career Development Committee's duties shall include: (1) Devising a career development plan which includes academic training that is responsive to the expressed needs of project paraprofessionals and nonprofessionals;

(2) assisting the Policy Advisory Committee to fulfill its responsibilities under § 158.19(d)(3) for selecting paraprofessional and nonprofessional project staff; and (3) selecting paraprofessionals and nonprofessionals to participate in supplementary training programs which the Commissioner may from time to time sponsor.

(42 U.S.C. 2781(a)(4), 2810)

§ 158.22 Parent-implemented projects.

(a) *Eligible projects.* The Commissioner may designate certain of the projects funded under this subpart as parent-implemented projects. Both projects operated directly by nonprofit, private agencies or organizations constituted by parent groups to whom grants are awarded under § 158.11(b)(2) and projects operated by other grantees or contractors who delegate significant operating authority to a parent group are eligible for such a designation.

(b) *Functions of parents.* In a parent-implemented project the parents (as defined in paragraph (c) of this section) shall assume at least the following functions in regard to project management: (1) All functions of the Policy Advisory Committee set forth in § 158.19(d); (2) all functions of the Career Development Committee set forth in § 158.21(c); (3) primary responsibility and authority for selecting the project coordinator and other project staff.

(c) *Definition.* For purposes of this section, "parents" means all parents of children enrolled or to be enrolled in the project or their duly elected representatives, except that, where the grantee is itself a parent group, it may choose to define "parents" to include the entire body of parents which it represents. In the latter case, the Follow Through parents shall be equitably represented on all boards or committees performing the functions specified in paragraph (b) of this section.

(42 U.S.C. 2781(a)(4), 2809(a)(2))

§ 158.23 Nepotism and conflict of interest.

(a) No person shall hold a Follow Through staff position supported in whole or in part with funds made available under the Act during any period of time in which:

(1) A member of his immediate family exercises supervisory authority over the Follow Through project or any portion thereof;

(2) He or a member of his immediate family serves on a board or committee of the grantee or contractor which has authority to order personnel actions affecting his job;

(3) He or a member of his immediate family serves on a board or committee which, either by rule or practice, regularly nominates, recommends, or screens candidates for staff positions in the Follow Through projects.

(b) For purposes of this section, the term "immediate family" means husband, wife, father, father-in-law, mother, mother-in-law, brother, brother-in-law, sister, sister-in-law, son, son-in-law, daughter, and daughter-in-law.

(42 U.S.C. 2809(a)(2))

§ 158.24 Evaluation of program effectiveness.

(a) *General.* Grantees shall participate to the extent requested by the Commissioner in periodic evaluations of the Follow Through program. Grantees shall comply with all evaluation procedures that the Commissioner from time to time may require unless, after consultation with a particular grantee, he determines that compliance with one or more such procedures would not be in the best interest of the project. Such procedures shall include making available upon request any records or other information which may be reasonably necessary to the conduct of evaluation activities. General program evaluation data will be collected through testing of children, interviews, and questionnaires.

(b) *Evaluation criteria.* In order to ascertain whether local projects are fulfilling the purposes of Follow Through set forth in § 158.1, program effectiveness will be evaluated on the basis of criteria established by the Commissioner, including the following:

(1) Degree of cognitive and of personal social development of the children served, including comparisons with non-Follow Through children;

(2) Comparison of the cognitive and personal social development of Follow Through children who participated in Head Start and other quality preschool programs with the cognitive and personal social development of Follow Through children who did not;

(3) Extent and effectiveness of parent involvement in the project, including participation in the decision-making process and participation in the classroom as paid employees or volunteers, and the effect of the project upon parental attitudes concerning the school and education in general;

(4) Thoroughness of implementation of the program sponsor model;

(5) Quality and quantity of medical and dental care, of psychological services, and of social services available to low-income Follow Through children;

(6) Evidence of changes in school programs and in institutional rules and practices which increase the responsiveness of the educational system to low-income children and their parents;

(7) Evidence of changes in attitudes of low-income and non-low-income persons in the community towards themselves and each other; and

(8) Evidence of the degree of growth of community services (e.g., medical services) and their responsiveness to the needs of low-income persons.

(42 U.S.C. 2809(a)(2), 2826 (a), (b))

PROJECT IMPLEMENTATION

§ 158.25 Project design and development.

(a) *Services and activities.* Each Follow Through project assisted under this subpart shall be designed to fulfill the special purposes of Follow Through set forth in § 158.1 by providing services and activities which focus upon all aspects of child learning and development. The services and activities incorporated into the project proposal shall include all of the program components set forth in § 158.26.

(42 U.S.C. 2809(a)(2))

(b) *Coordination.* In designing and developing the project, the grantee (or contractor) shall provide for coordination among the various program components set forth in § 158.26 to prevent fragmentation of services, and for coordination of each such program component with related community agencies and resources to prevent duplication of existing services. Each program component shall be developed with the participation of (1) the Policy Advisory Committee established under § 158.19; (2) interested community agencies and organizations, including the Head Start agency; and (3) to the extent appropriate, the project's program sponsor.

(c) *Policy advisory committee approval.* No program proposal shall be approved or funded by the Commissioner without the prior approval of all program components by the Policy Advisory Committee, unless the Commissioner determines that the basis of the Committee's refusal to approve the proposal is inconsistent with these regulations.

(20 U.S.C. 1231d; 42 U.S.C. 2809 (a) (2))

§ 158.26 Program components.

Unless the Commissioner in particular cases specifies otherwise, each Follow Through project shall include at least the following program components:

(a) An instructional component which, through association with a program sponsor, implements a particular innovative approach to the education and development of low-income children;

(b) A parent and community involvement component which actively involves parents and other interested persons in the community in all aspects of the project through such activities as (1) participation in the work of the Policy Advisory Committee and other parent groups; (2) participation in the classroom as observers or volunteers, or as paid employees under § 158.20; (3) regular home visits and other contacts initiated by project staff; and (4) participation in educational and community activities developed through other program components;

(c) A health component, developed with the direct assistance of the health professionals, which responds to both short- and long-range needs by providing (1) screening, referral, and corrective treatment services for all low-income Follow Through children; (2) preventive activities such as health education for Follow Through children and their families; and (3) activities designed to encourage and improve related community health services and maximum opportunities for their continuation even after

conclusion of the Follow Through project;

(d) A social services component designed to aid Families of low-income Follow Through children in identifying and solving family problems and to assist in the development of more effective community social service for low-income families.

(e) A guidance and psychological services component which (to the extent consistent with the program approach of the project's program sponsor) utilizes trained psychological personnel to assist the psychological development of low-income Follow Through children through (1) classroom observation followed by consultation with teachers, teacher aides, and other staff members; (2) staff development of pertinent Follow Through personnel; (3) work with Follow Through parents; and (4) testing and appropriate follow-up for Follow Through children where necessary.

(f) A nutrition component which provides for (1) a daily type-A lunch (as defined by the U.S. Department of Agriculture); (2) breakfast and snack where necessary; (3) nutrition education and counseling for Follow Through children and their parents; and (4) training in nutrition for Follow Through staff members;

(g) A training and career development component, developed with the assistance of the program sponsor, which includes (1) pre-service and in-service training for Follow Through staff members (including parent coordinators, social service aides, and other ancillary personnel); (2) appropriate orientation activities for non-Follow Through personnel with responsibilities relating to the Follow Through project; (3) establishment of a career development plan which provides for increases in both salary and job responsibility on the basis of job experience, academic background, and other relevant factors, and which is coordinated with education and supplementary training opportunities leading to career advancement; and (4) adult education and supplementary training (leading in general to college level degrees particularly in the field of early childhood education) for nonprofessional and paraprofessional project employees and, where possible, for classroom volunteers and observers. Participation in such programs shall not be made a condition of employment in a Follow Through project.

(20 U.S.C. 1231d; 42 U.S.C. 2809(a)(2), 2810)

§ 158.27 Relation to other programs and projects.

Each grantee or contractor shall make a maximum effort to utilize the resources of, and coordinate the project with, other public and private programs and projects providing benefits which are or may be made available to the children to be served.

(42 U.S.C. 2976)

PARTICIPATION OF PRIVATE SCHOOL CHILDREN

§ 158.28 Numbers of private school children to be served.

(a) Local eductional agencies receiving assistance under this subpart, and other agencies, organizations, and institutions receiving such assistance for projects in which one or more local educational agencies participate, shall serve public and private school children in equitable proportions. Such proportions shall approximate the relative proportions of low-income children enrolled at the entering grade level served by the project in the public and private schools in the local education agency's school district who are graduates of a full-year Head Start or similar quality pre-school program.

(b) If a grantee or contractor is unwilling or unable to serve public and private school children in equitable proportions as required by paragraph (a) of this section, the Commissioner may pro rata reduce the funds to which such grantee or contractor would otherwise be entitled and award another contract or grant under § 158.11(b) for the purpose of serving that proportion of private school children which such grantee or contractor would otherwise have served.

(42 U.S.C. 2809(a), 2809(a)(2) 113 Cong. Rec. § 14138-39, (daily ed., Oct. 4, 1967))

§ 158.29 Manner of service.

(a) Private school children may be served pursuant to § 158.28: (1) On public school premises through dual enrollment or shared-time programs; (2) on private school premises, in accordance with § 158.30, or (3) on a neutral site donated or rented for use in the project. If private school children are served under paragraph (a) (2) or (3) of this section, they shall be concentrated in as few sites as possible, and such sites shall be located, to the extent practical, in a public school project area or in reasonable proximity thereto.

(b) The grantee or contractor shall involve private school officials and the parents of private school children in planning all phases of the project, including the selection of the method for serving private school children under paragraph (a) and the selection of the program sponsor.

(c) Private school children shall participate to the maximum feasible extent in all phases of the project, and services provided for such children shall be comparable to those provided for public school children in terms of quality, scope, and opportunity.

(d) Any project to be carried out in public facilities and involving a joint participation of children enrolled in private schools and children enrolled in public schools shall include such provisions as are necessary to avoid classes which are separated by school enrollment or religious affiliation of the children.

(e) The project proposal shall indicate the number of private school children to be served and the manner in which and places at which they will be served. If the services differ in type or extent from those to be provided for public school children, the project application shall indicate how and why such services will differ. Letters from private school officials describing their participation in the planning of the project shall be attached to the project proposal.

(42 U.S.C. 2809(a), 2809(a)(2) 113 Cong. Rec. § 14138-39 (daily ed., Oct. 4, 1967))

§ 158.30 Provision of services.

(a) Services shall be provided to private school children by the grantee or contractor, directly or through a third party contractor (other than the private school whose children are served). In providing such services, the grantee or contractor shall: (1) Maintain custody of funds and exercise control over their expenditure, (2) retain title to equipment, textbooks, and other materials acquired with project funds or donated (by other than the private school) as a non-Federal contribution to the project, (3) insure that project funds are not used to provide services for private school children which would, in the absence of the project, have been provided by the private school in which such children are enrolled and (4) insure that none of the Follow Through services received by private school children in any way involve religious worship or instruction or religious proselytization.

(b) In complying with paragraph (a) (4) of this section, the grantee or contractor shall establish procedures for insuring compliance with the following requirements:

(1) Facilities renovated or rented for use in the project shall be devoid of sectarian or religious symbols, decoration, or other identification. Other facilities used primarily for the project shall, to the maximum feasible extent, also be devoid of sectarian or religious symbols, decoration, or other identification;

(2) Textbooks and other instructional materials used in the project shall be only those which are used in, or approved by an appropriate State or local educational agency or authority for use in, the public schools, or which have been specifically recommended by the program sponsor; and

(3) Project funds shall not be used to pay the salaries of teachers or other employees of a private sectarian school.

(c) The grantee or contractor shall describe in the project proposal the method by which it will provide services to private school children in compliance with the requirements of this section.

(42 U.S.C. 2809(a), 2809(a)(2), 113 Cong. Rec. § 14138-39 (daily ed., Oct. 4, 1967))

Subpart C—Grants and Contracts for Technical Assistance and Supplementary Training

§ 158.41 Grants and contracts with State educational agencies.

Technical assistance and leadership. The Commissioner may provide financial assistance, in the form of grants, to State educational agencies to enable them to provide technical assistance to local Follow Through projects and otherwise exercise leadership in regard to Follow Through activities in the State. Activities undertaken with such assistance may include, but need not be limited to, familiarizing State educational agency personnel with the Follow Through program and with the projects in their States through onsite visits and other means; promoting the coordination of Follow Through with other State and local programs having similar objectives; assisting local projects to identify and make maximum use of available public and private resources which can contribute to the development of comprehensive projects; assisting local projects to improve school-community relationships; assisting local projects to evaluate project activities and to disseminate information regarding project activities and their evaluation; and assisting local projects with staff training and development programs.

(42 U.S.C. 2823, 2824)

§ 158.42 Criteria for approval and funding of grants.

(a) *Funding priorities.* Applications for grants under § 158.41 will be approved and funded according to: (1) The needs of the local projects to be served by the applicants for technical assistance of the type proposed to be provided, (2) the abilities of the applicants to effect the objectives of technical assistance as set forth in § 158.41; and (3) the numbers and sizes of the local projects to be served by the applicants.

(b) *Level of funding.* The applications from State educational agencies under this section to enable them to provide technical assistance to local Follow Through projects and otherwise exercise leadership in regard to Follow Through activities in their States shall be for an amount not to exceed an amount of funds representing a total of (1) $4,000; which is the base rate; (2) $2,000 for each Follow Through project expected to be in operation during the period for which the application is being made; and (3) an amount arrived at by the application of the OEO-poverty index to each State.

(c) *Application approval criteria.* The Commissioner will select and fund projects eligible for assistance under this section (subject to the provisions of paragraphs (a) and (b) of this section) in accordance with the following criteria:

(1) *Programmatic* (Unsatisfactory, satisfactory, above average, outstanding)

(i) The extent to which the State educational agency has shown or will show familiarity with the Follow Through program and the projects in its State through site visits and other means;

(ii) the extent to which the State educational agency will promote coordination of Follow Through with other State and local programs having similar objectives;

(iii) the extent to which the State educational agency will assist local projects in identifying and making the maximum use of available public and private resources which can contribute to the development of comprehensive projects;

(iv) the extent to which the State educational agency will assist local projects in improving parent-school-community relationships;

(v) the extent to which the State educational agency will assist local projects in evaluating project activities and disseminating information regarding project activities and their evaluation;

(vi) the extent to which the State educational agency will assist local projects with staff training and development programs.

(2) *Organizational.* (Unsatisfactory; satisfactory; above average; outstanding) The extent to which the staffing for administering the grant is adequate to carry out the objectives.

(3) *Management.* (Unsatisfactory; satisfactory; above average; outstanding) The extent to which the State educational agency will seek information from the local project sites to meet their project needs for technical assistance.

(42 U.S.C. 2823, 2824)

§ 158.43 Joint applications for technical assistance grants and contracts.

In order to more effectively carry out the purpose of this subpart, applicants which are eligible to receive a technical assistance grant under § 158.41 may submit applications which either in whole or in part envision a joint technical assistance program undertaken in cooperation with other eligible agencies pursuant to § 100a.19 of this chapter. Such joint applications shall clearly delineate the responsibilities of each separate agency in administering the program, and a separate grant will be awarded to each agency to administer its portion of the joint program. No agency receiving funds under this section may be the fiscal or administrative agent for a technical assistance grant or contract for another such agency.

(42 U.S.C. 2823, 2824)

Subpart D—Grants and Contracts for Research and Demonstration

§ 158.51 Eligible projects.

(a) *Parties and activities.* The Commissioner may provide financial assistance, in the form of grants or contracts, to public and private agencies, organizations, and institutions for the purpose of developing and implementing approaches to the education and development of disadvantaged children, which approaches can serve as models for use in Follow Through and similar programs. Activities undertaken with such assistance may include:

(1) The implementation of classroom instructional techniques and approaches;

(2) The implementation of methods for enlisting and utilizing the assistance of members of the community, particularly the parents of disadvantaged children, in the educational process;

(3) The development and application of methods for the evaluation of educational programs designed for disadvantaged children, and for the use and dissemination of information derived from such evaluation; and

(4) The development of techniques for, and the provision of, specialized training for teachers and other personnel (both professional and nonprofessional) involved in the education of low-income children.

(42 U.S.C. 2825(a), 2942(2))

(b) *Special problems.* In addition to the assistance provided under paragraph (a) of this section, the Commissioner may also, where he has determined that projects of the type funded under paragraph (a) of this section can benefit therefrom, make grants or contracts for research pertaining to special problems encountered in the education of disadvantaged children.

(42 U.S.C. 2825(a))

(c) *Priorities.* Not more than 15 per centum of the amount appropriated for any fiscal year under authorization of Title II of the Economic Opportunity Act of 1964, as amended, will be used for the purposes of this subpart. Priority for funding under paragraph (a) of this section will be given to applicants that are or will be serving, pursuant to § 158.26, as program sponsors for one or more local projects funded under Subpart B of this part. Pilot or demonstration projects will be considered by the Commissioner only if submitted for approval of the appropriate local agency or governing body serving the area in which the project is to be conducted, in accordance with section 232(d) of the Act.

(42 U.S.C. 2825(c), 2825(d))

§ 158.52 Funding criteria.

The Commissioner will select and fund projects from among those eligible for assistance under paragraphs (a) or (b) of § 158.51 in accordance with the following criteria (subject to the priorities established by paragraph (c) of § 158.51):

(a) *General criteria for selection and approval.*

(1) the extent to which the proposal utilizes knowledge gained from relevant educational research, including that funded under § 158.51(b);

(2) the educational significance of the project in terms of its potential impact upon the education of low-income children and the potential of the project's educational approach and methodologies for a general adaptability to Follow Through and other similar programs; and

(3) the degree to which provision has been made for coordinating the project with other similar projects and activities;

(4) requirements of the evaluation criteria described in § 158.24(b).

(b) *Programmatic criteria.* Each of these criteria will be rated on the following scale: (Unsatisfactory, satisfactory, above average, outstanding.)

(1) The extent to which the objectives of the educational approach are clearly stated;

(2) The extent to which the strategies for achieving the objectives are clearly delineated in the following areas:

(i) Physical facilities and equipment
(ii) Staffing requirements
(iii) Classroom management
(iv) Instruction techniques
(v) Instructional materials

(3) The extent to which parents are involved in activities directed toward the achievement of program goals;

(4) The extent to which the program provides for the training of:

(i) Administrators
(ii) Teachers
(iii) Teacher aides and other paraprofessionals
(iv) Parents
(v) Others

(5) The extent to which the applicant provides for the evaluation of the effectiveness of the educational approach.

(c) *Organizational criteria.* The extent to which the following factors implement the objectives of the educational approach:

(1) Organizational structure (organizations chart)

(2) Staffing pattern and percent of time allocated

(3) Qualifications of key personnel

(d) *Management criteria.* The extent to which indicators of effective management are present, including:

(1) Planning/operating system
(2) Estimate of costs of operation
(3) Internal reporting system
(4) Methods for dissemination of information

(5) The extent to which the applicant provides for the monitoring of project administration.

(42 U.S.C. 2825(a), 2942(2))

Subpart E—Federal Financial Participation

§ 158.63 Federal share of expenditures.

The Federal share of expenditures incurred under Follow Through grants and contracts made pursuant to this part, up to the total specified in the award document, shall be:

(a) for local projects under Subpart B of this part, the difference between the non-Federal share required by § 158.64 and total expenditures;

(b) for technical assistance and training under Subparts B, C and D of this part, 100 percent of expenditures; and

(c) for research and demonstration programs under Subpart D of this part, 100 percent of expenditures.

(42 U.S.C. 2809 (a)(2), 2812 (c), 2823, 2824, 2825)

§ 158.64 Non-Federal share.

Subject to the provisions of § 158.63 the grantee or contractor shall share part of the costs of a Follow Through project funded under Subpart B of this part. Such share (hereinafter, "non-Federal share") shall be an amount equal to not more than: (a) 25 percent of the amount of the approved project grant if the project comprises one grade level; (b) 20 percentum of such amount if the project comprises two grade levels, (c) 16 percentum of such amount if the project comprises three grade levels, and (d) 14 percentum of such amount if the project comprises four or more grade levels. Once the project has reached its highest grade level (at least four grades, unless no kindergarten is in operation in the school district) and has operated at that level for a period of two project years, the non-Federal share shall increase again up to the maximum 25 percentum, rising in the same increments (one per year) in which it decreased to its lowest point.

(42 U.S.C. 2812 (c))

§ 158.65 Waiver of non-Federal share.

(a) *Eligibility.* (1) The Commissioner may reduce the non-Federal share required of a grantee or contractor by § 158.64 under any of the following circumstances:

(i) If the annual per capita income of the county in which the Follow Through project is located is less than $1,000, by an amount up to 100 percentum of the required non-Federal share;

(ii) If the annual per capita income of the county in which the project is located is $1,000 or more but less than $1,250, by an amount not in excess of 50 percentum of the required non-Federal share;

(iii) If the grantee or contractor can demonstrate, using the most reliable available data, that the annual per capita income of the political subdivision of the county in which the project is located, or of the project area, is less than the annual per capita income of the county and that the annual per capita of the political subdivision or project area is within the dollar limitations in either paragraph (a)(1) (i) or (ii) of this section, by the amount specified therein;

(iv) If, in the case of a project serving migratory children or Indian children residing on reservations, the annual per capita income of the group or groups served is within the dollar limitations in either paragraph (a)(1) (i) or (ii) of this section, by the amount specified therein.

(2) The Commissioner may also make an appropriate reduction in the non-Federal share required of a grantee or contractor if it is demonstrated to his satisfaction that:

(i) There has occurred a simultaneous increase in both the percentage of non-Federal share and the overall costs of the Follow Through project, such as occasioned by a rise in per capita income beyond the limits prescribed in paragraphs (a)(1)(i) and (a)(1)(ii) of this section during a period in which there has been a significant increase in the number of children served; or

(ii) the financial or human resources which would otherwise be available for use in the Follow Through project have been significantly reduced by natural disaster or other unusual circumstances affecting the project area or the larger community in which it is located.

(b) *Application for waiver.* A grantee or contractor that is unable to contribute the full amount of its required non-Federal share, after having made every reasonable effort to do so, may request a reduction of its non-Federal share pursuant to paragraph (a) of this section. Such request shall be submitted in writing with the project proposal or such time thereafter as the grantee or contractor determines that it is unable to provide the entire non-Federal share, and shall describe:

(1) The circumstances which justify a reduction of the non-Federal share under paragraph (a) of this section;

(2) The source or sources of the information on per capita income (if such information is relied upon in the request);

(3) The effort which the grantee or contractor has made to provide its non-Federal share; and

(4) The amount of the non-Federal share which the grantee or contractor is able to provide and the extent to which this contribution is in kind.

(c) *Period of waiver.* The Commissioner shall not approve the reduction of non-Federal share for any period in excess of one year, but may renew such approval upon resubmission of a written request that complies with paragraph (b) of this section.

(42 U.S.C. 2812(c))

§ 158.66 Use of funds for sectarian purposes.

Funds appropriated under the Act and distributed under this part shall not be used for any purpose which involves religious worship or instruction or religious proselytization.

(42 U.S.C. 2809(a))

§ 158.67 Maintenance of effort.

Services and activities provided with funds made available under Subpart B of these regulations shall be in addition to, and not in substitution for, services and activities previously provided without Federal assistance. Funds or other resources devoted to programs designed to meet the needs of the poor within the community may not be diminished in order to provide any contribution required by § 158.64.

(42 U.S.C. 2812(d), 2836(5))

§ 158.68 Salary and wage limitations and reporting requirements.

(a) *Limitations.* To the extent paid from Federal funds or matching non-Federal funds, salaries and wages of persons engaged in activities funded under these regulations shall be subject to the following limitations:

(1) The rate of compensation shall not be less than the prevailing Federal minimum wage rate specified in section 6(a)

(1) of the Fair Labor Standards Act of 1938, nor more than the average rate paid to a substantial number of the persons providing substantially comparable services in the community where the project is located or, if higher, the average rate paid for such services in the area of the employee's immediately preceding employment.

(2) The rate of compensation shall not exceed $15,000 per year (and no non-Federal funds paid to a person at a rate in excess of $15,000 per year shall be considered as non-Federal share under § 158.64) unless the grantee or contractor obtains a specific exception from this requirement upon application to the Commissioner. Such an exception may be granted only where application of the limitation would greatly impair the recruitment of qualified project personnel either because (i) the prevailing local salary level for persons whose skills are required exceeds $15,000, or (ii) the local scarcity of persons with professional and other highly specialized skills required for the project makes it necessary to recruit such persons from other communities where the relevant salary levels are above $15,000.

(3) Unless otherwise specifically approved by the Commissioner, the rate of compensation of any person being paid more than $6,000 per year shall not exceed by more than 20 percentum that person's rate of compensation in his immediately preceding employment.

(42 U.S.C. 2836 (2), 2951 (a), (c))

(b) *Records*. The grantee or contractors shall (1) maintain records adequate to demonstrate compliance with the limitations in paragraph (a) of this section, and (2) submit to the Commissioner on or before July 15 of each year the names of all persons covered by paragraph (a) of this section who, as of June 30 of that year, were receiving a salary of $10,000 or more per year, together with the total annual salary paid to each such person and the amount of that salary provided from funds made available under the Act.

(42 U.S.C. 2951)

Subpart F—General Provisions

§ 158.81 Certification of accounting system adequacy.

(a) *Requirements*. Each grantee or contractor receiving funds under this part, and each subcontractor performing services for such grantee or contractor, shall utilize an accounting system with internal controls adequate to (1) safeguard its assets, (2) check the accuracy and reliability of the accounting data, (3) promote operating efficiency, and (4) encourage compliance with prescribed management policies and any additional fiscal responsibility or accounting requirements which the Commissioner may establish.

(b) *Certification*. Prior to receiving funds under this part for any fiscal year, each grantee or contractor shall submit to the Commisioner a statement certifying that it, and any intended subcontractor, has established an accounting system which fulfills the requirements of paragraph (a) of this section. Such statement shall be submitted by a certified public financial officer responsible for providing required financial services to the agency.

(42 U.S.C. 2835 (a))

§ 158.82 Preliminary audit survey.

(a) *When required*. Each grantee or contractor that (1) is receiving financial assistance under this part for the first time, (2) has made significant changes in its accounting system since it last received financial assistance under the Act or this part, or (3) is otherwise directed to do so by the Commissioner, shall arrange for a preliminary audit survey and submit a report of such survey to the Commissioner within three months following the effective date of the grant or contract. The survey shall be conducted by, and the report signed by a certified public accountant or other duly licensed public accountant, or if the grantee or contractor is a local educational agency or other public agency, by the appropriate public financial officer who accepts responsibility for providing audit services to such grantee or contractor.

(b) *Scope of survey*. The preliminary audit survey shall be a review and evaluation of the adequacy, under the standards set forth in § 158.81(a), of the grantee's or contractor's accounting system and the accounting system of any subcontractor performing services for such grantee or contractor. In addition to the investigations normally required under generally accepted audit standards, the survey shall include examination of (1) the training and experience of the grantee's or contractor's accounting personnel, (2) the procedures adopted to identify and control the use of equipment purchased with funds provided under this part, and (3) the procedures for evaluation and recording of the non-Federal share contributions required by § 158.64.

(c) *Appraisal of accounting system*. The report of the preliminary audit survey shall contain the auditor's appraisal of the grantee's or contractor's accounting system based upon a review conducted in accordance with paragraph (b) of this section, a specification of the reasons for all weaknesses uncovered, and recommendations for corrective action. The Commissioner will review each report in accordance with the provisions of section 243(b) of the Act.

(42 U.S.C. 2835(b))

§ 158.83 Annual audit.

(a) Each grantee and contractor shall arrange for an annual financial audit of its grant or contract to be performed by one of the same types of persons authorized under § 158.82 to conduct the preliminary audit survey. Where the grantee or contractor regularly schedules an annual audit of other activities which it conducts, the audit required by this section may be conducted simultaneously with such regular audit. A copy of the audit report (or section of the report relevant to Follow Through) shall be submitted to the Commissioner by September 30 of each year for which funds are received under this part or within 60 days of the audit's completion, whichever is earlier.

(b) The annual audit shall be a complete examination of all accounts and supporting documents (of the grantee or contractor as well as any subcontractor) pertaining to the receipt and disbursement of funds under these regulations. Such audit shall be conducted in accordance with generally accepted audit standards and with specific reference to the regulations contained in this part, the project proposal and budget, and other laws and documents governing the use of Follow Through funds. In addition to verifying that Follow Through funds were properly expended and accounted for, the audit shall also verify that the non-Federal share required by § 158.64 was contributed to the project and that all in-kind contributions were fairly evaluated.

(c) The audit report shall be certified by the auditor and shall include the auditor's statement concerning receipts and disbursements of both Follow Through funds and non-Federal share contributions, as well as a summary of audit findings and explanation of all items questioned by the auditor. The Commissioner will review each report in accordance with the provisions of section 243(c) of the Act.

(42 U.S.C. 2835(c))

§ 158.84 Final accounting.

(a) In addition to such other accounting as the Commissioner may require the recipient shall render, with respect to the project, a full account of funds expanded, obligated, and remaining.

(b) A report of such accounting shall be submitted to the Commissioner within 90 days of the expiration or termination of the grant or contract, and the recipient shall remit within 30 days of the receipt of a written request therefor any amounts found by the Commissioner to be due. Such period may be extended at the discretion of the Commissioner upon the written request of the recipient.

(20 U.S.C. 1232c (b) (3))

§ 158.85 Suspension, termination and refusal to refund.

(a) (1) Assistance under the program may be terminated in whole or in part if the Commissioner determines after affording the recipient reasonable notice and an opportunity for a full and fair hearing, that the recipient has failed to carry out its approved project proposal in accordance with the applicable law and the terms of such assistance or has otherwise failed to comply with any law, regulation, assurance, term or condition applicable to the program. Assistance under this program may be suspended during the pendency of a termination proceeding initiated pursuant to this paragraph but only in emergency situations, e.g., where there is evidence of flagrant mis-

use of funds by the recipient, or evidence of unauthorized activity by the recipient which poses a threat of harm to children participating in the program.

(2) Proceedings with respect to the termination of a grant shall be initiated by the mailing to the recipient of a notice by certified mail, return receipt requested, informing the recipient of the Government's request for termination and the specific grounds therefor, together with information regarding the time, place, and nature of the hearing to be held and such other information with respect to the conduct of such proceedings as the Commissioner may determine. If the Commissioner determines for the reason specified in paragraph (a)(1) of this section that suspension of assistance during the pendency of such proceedings is necessary, he shall afford the recipient reasonable notice of such determination. Such notice shall: (i) Inform the recipient of such determination, (ii) advise the recipient of the effective date of such suspension (which will be no earlier than the date of such notice), and (iii) offer the recipient an opportunity to show cause why such action should not be taken.

A notice of suspension of assistance shall advise the recipient, in addition to the matters described in paragraph (a)(2) of this section, that any new expenditures or obligations made or incurred in connection with the program during the period of the suspension will not be recognized by the Government in the event the assistance is ultimately terminated. Expenditures to fulfill legally enforceable commitment made prior to the notice of suspension, in good faith and in accordance with the recipient's approved program or project, and not in anticipation of suspension or termination, shall not be considered new expenditures.

(4) Termination of assistance shall be effected by the delivery to the recipient of a final order of termination, signed by the Commissioner or his designee, or where the recipient invokes the procedures available under paragraph (b)(2) of this section, upon an initial decision of a hearing examiner becoming final without appeal to or review by the Commissioner. If an initial decision of the hearing examiner is appealed to or reviewed by the Commissioner pursuant to paragraph (b)(2) of this section, then termination of assistance shall be effective upon a decision by the Commissioner holding that such termination is appropriate.

(5) In the event assistance is terminated under this section, financial obligations incurred by the recipient prior to the effective date of such termination will be allowable to the extent they would have been allowable had such assistance not been terminated, except that no obligations incurred during the period in which such assistance was suspended pursuant to paragraph (a)(1) of this section and no obligations incurred in anticipation of suspension or termination will be allowed. Within 60 days of the effective date of termination of assistance under this section, the recipient shall furnish an itemized accounting of funds expended, obligated, and remaining. Within 30 days of a request therefor, the recipient shall remit to the Government any amounts found due.

(b)(1) If the recipient requests an opportunity to show cause why a suspension of assistance pursuant to paragraph (a)(1) of this section should not be continued or imposed, the Commissioner will, within 7 days after receiving such request, hold an informal meeting for such purpose.

(2) Hearings respecting the termination of assistance pursuant to this section shall be conducted pursuant to the provisions of the Administrative Procedure Act (5 U.S.C. 554-557). Proposed findings of fact, conclusions of law, and briefs will be submitted to the presiding officer within 20 days of the conclusion of the hearing.

(3) The initial decision of a hearing examiner regarding the termination of a grant under the program shall become the decision of the Commissioner without further proceedings unless there is an appeal to, or review on motion of, the Commissioner made in writing no later than 15 days after receipt by the party requesting such appeal or review of the decision of the hearing examiner. A request for appeal or review under this section shall be accompanied by exception to the hearing examiner's decision, proposed findings, supporting reasons and briefs. The adverse party shall submit its reply no later than 15 days after the submission of such request for appeal or review. The Commissioner shall issue a final decision in the case of such appeal or review no later than 30 days after the final submission of the above materials by the parties. The Commissioner may delegate his functions under this subparagraph to an appellate review council established and appointed by him.

(c) The procedures established by this section shall not preclude the Commissioner from pursuing any other remedies authorized by law. Proceedings pursuant to Part 80 of this title with respect to the eligibility of an applicant for assistance under Title VI of the Civil Rights Act (42 U.S.C. 2000d) shall be governed by the regulations in that part and Part 81 of this title.

(d) The Commissioner will not refuse to renew funding of projects pursuant to § 158.15(i), unless the grantee or contractor has been given reasonable notice and opportunity to show cause why such action should not be taken.

(42 U.S.C. 2944 (2), (3))

[FR Doc.74-4983 Filed 3-4-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 74-SO-16]

ALTERNATE AIRWAY

Proposed Rescission

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would revoke the west alternate to VOR Federal Airway No. 37 between Columbia, S.C., and Fort Mill, S.C.

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, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Ga. 30320. All communications received on or before April 4, 1974, will be considered before action is taken on the proposed amendment. 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 General Counsel, Attention: Rules Docket, 800 Independence Avenue, SW, Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The proposed amendment would revoke V-37W from Columbia, S.C., to Fort Mill, S.C., so that the remaining route structure and traffic flow would conform to recently revised terminal procedures at Columbia.

This amendment is 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 February 27, 1974.

CHARLES H. NEWPOL,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.74-4937 Filed 3-4-74;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 74-SW-6]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to designate a 700-foot transition area at Thibodaux, La.

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 4, 1974, 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 hereinafter set forth.

In § 71.181 (39 FR 440), the following transition area is added:

THIBODAUX, LA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Thibodaux Municipal Airport (latitude 29°44'50" N., longitude 90°49'55" W.) and within 2 miles each side of the Tibby, La., VORTAC 359°T radial extending from the 5-mile radius to the Tibby VORTAC excluding the portion that overlaps the Houma, La., transition area.

The proposed transition area will provide controlled airspace for aircraft executing the proposed VOR-A (original) approach procedure at the Thibodaux Municipal Airport.

This amendment is proposed under the authority of 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, Texas, on February 21, 1974.

ALBERT H. THURBURN,
Acting Director, Southwest Region.

[FR Doc.74-4938 Filed 3-4-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

ARIZONA AND CALIFORNIA COMPLIANCE SCHEDULES

Public Hearing

Section 110(c) of the Clean Air Act, as amended (42 U.S.C. 1857c-5), directs the Administrator of the Environmental Protection Agency to publish proposed regulations setting forth an implementation plan, or portion thereof, for a State if the State fails to submit a portion within the time prescribed, or if a portion is determined by the Administrator not to be in accordance with the requirements of section 110 of the Act. In order to satisfy the requirements of section 110(a)(2)(B) of the Act and 40 CFR 51.15(c), the Environmental Protection Agency promulgated regulations applicable to air pollutant sources in certain States and provided that owners or operators of sources which cannot achieve compliance with approved air pollution emission control regulations before January 31, 1974, could submit compliance schedules to the Administrator for approval. These compliance schedules were required to set forth timetables for achieving compliance including, where practicable, specific increments of progress. Pursuant to these regulations, owners and operators in the States of Arizona and California have submitted compliance schedules for approval. A listing of sources for which schedules have been submitted is included in this issue of the FEDERAL REGISTER starting at page 8351.

A compliance schedule consists of intermediate and final dates by which actions are to be taken by an air pollution source toward meeting applicable State or Federal emission limiting regulations.

The public is encouraged to participate in this rule making by submitting comments in accordance with the conditions specified in the notice of proposed rule making in this issue of the FEDERAL REGISTER at page ____. In addition, public hearings will be held on the proposed schedules in order to provide the general public a greater opportunity to comment. Accordingly, notice of public hearings concerning the proposed schedules is given as indicated below.

The presiding officer will have the responsibility for maintaining order; excluding irrelevant or repetitious material; scheduling presentations; and, to the extent possible, notifying participants of the time at which they may appear. The hearing will be conducted informally. Technical rules of evidence will not apply.

Persons wishing to make a statement at the hearing will be afforded the opportunity to do so. The time for making a statement will be limited to fifteen minutes. Such persons are requested to file a notice of their intention to make a statement no later than 15 days prior to the hearing; and, not later than 10 days prior to the hearing, if practicable, to submit five copies of the proposed statement to the Regional Administrator of the Environmental Protection Agency, 100 California Street, San Francisco, California 94111, Attn: ENCPH. All other inquiries and comments prior to and after the hearing should be addressed similarly.

Notice of the following hearings on proposed compliance schedules is hereby given:

ARIZONA

A hearing on proposed compliance schedules for the State of Arizona will be held on Wednesday, April 3, 1974, at 1:30 p.m. and 7 p.m., in Maricopa County Board of Supervisors Auditorium, 205 W. Jefferson Street, Phoenix, Arizona 85003.

All correspondence concerning the hearing should be addressed to the Regional Administrator of the Environmental Protection Agency, Attention: ENCPH, Hearings on Compliance Schedules for the State of Arizona, 100 California Street, San Francisco, California 94111.

CALIFORNIA

A hearing on proposed compliance schedules for the State of California will be held on Thursday, April 4, 1974, at 1:30 p.m. and 7 p.m., in Room 1529, U.S. Court House, 312 North Spring Street, Los Angeles, California.

All correspondence concerning the hearing should be addressed to the Regional Administrator of the Environmental Protection Agency, Attention: ENCPH, Hearing on Compliance Schedules for the State of California, 100 California Street, San Francisco, California 94111.

Dated: February 27, 1974.

ALVIN L. ALM,
Acting Administrator.

[FR Doc.74-4928 Filed 3-4-74;8:45 am]

[40 CFR Part 52]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Notice of Proposed Rule Making: Compliance Schedules

Environmental Protection Agency regulations in 40 CFR 52.134(a) require certain sources in the State of Arizona to comply with a Federally promulgated air pollution control regulation by January 31, 1974, or to submit to the Administrator for approval proposed compliance schedules that demonstrate compliance with the applicable Federal air pollution control regulation. Additionally, for the State of California, the Administrator has disapproved the compliance schedule portion of the regulations in the following Air Quality Control Regions because they failed to provide for necessary increments of progress:

1. Metropolitan Los Angles Intrastate:

(a) Rules 50-A, 52-A, 53-A(a), 53-A(b), 53-A(c), 53.2, 53.3, 54.A, 58.A, 62.1, 68, 69, 70 and 71 of the San Bernardino County APCD

(b) Rules 53, 72.1 and 72.2 of the Riverside County APCD

(c) Rules 53 and 66.c of the Orange County APCD

(d) Rule 39.1 of the Santa Barbara County APCD

(e) Rule 59 of the Ventura County APCD

(f) Rule 66(c) of the Los Angeles County APCD

2. Northeast Plateau Intrastate:

(a) Rule 4.5 of the Siskiyou County APCD

3. San Francisco Bay Area Intrastate:

(a) Rule 64(c) of the Sonoma County APCD

4. Southeast Desert Intrastate:

(a) Rules 50-A, 52-A, 53-A(a), 53-A (b), 53-A(c), 53.2, 53.3, 54.A, 58.A, 62.1, 68, 69, 70, and 71 of the San Bernardino County APCD

(b) Rules 53, 72.1, and 72.2 of the Riverside County APCD

5. San Joaquin Valley Intrastate:

(a) Rule 409 of the Tulare County APCD

6. North Coast Intrastate:

(a) Rule 4.5 of the Siskiyou County APCD

On December 10, 1973, Los Angeles County APCD Rule 68 was added to this list of regulations requiring submittal of increments of progress.

The Administrator promulgated the necessary increments of progress requirements on May 14, 1973, 40 CFR 52.240(d). Subsequently, certain source owners or operators submitted compliance schedules with increments of progress for approval by the Administrator.

Pursuant to these provisions, all compliance schedules referenced by this notice were submitted and are being considered by the Administrator for approval.

The proposed schedules submitted to the Administrator will generally not be adopted in their original form. Rather, specific commitments for achieving increments of progress toward compliance have been extracted from each submittal and transcribed to a separate document. Some clarifications and minor changes were made to the original submittals. This abbreviated document is preferable to the format of the submittals since it facilitates a clearer understanding of the legal requirements to be imposed on each owner or operator of an affected source. The abbreviated compliance schedules are the schedules referenced by this notice and, if approved, will be the official compliance schedule for each source so referenced. Both the submitted compliance schedules and the abbreviated compliance schedules are available for inspection at the Environmental Protection Agency, Region IX, 100 California Street, San Francisco, California.

Compliance schedules pertaining to sources located in Arizona are available for inspection at the following locations:

(1) Division of Air Pollution Control
Arizona State Department of Health
1740 West Adams Street
Phoenix, Arizona 85007

(2) Bureau of Air Pollution Control
Environmental Services Division
Maricopa County Health Department
1845 East Roosevelt Street
Phoenix, Arizona 85006

(3) Air Pollution Control District
Pima County Health Department
151 West Congress Street
Tucson, Arizona 85701

(4) Gila-Pinal Joint Air Pollution Control District
711 Main Street
Florence, Arizona 85232

Compliance schedules pertaining to sources in California are available for inspection at the following locations:

(1) State of California Air Resources Board
1025 "P" Street
Sacramento, California 95814

(2) Los Angeles County Air Pollution Control District
434 South San Pedro Street
Los Angeles, California 90013

(3) San Bernardino County Air Pollution Control District
172 W. Third Street
San Bernardino, California 92401

(4) Ventura County Air Pollution Control District
3319 Telegraph Road
Ventura, California 93003

(5) Riverside County Air Pollution Control District
5888 Mission Boulevard
Riverside, California 92509

Public hearings will be held on all proposed compliance schedules in order to provide the general public the fullest opportunity to comment. Public hearings will be held in accordance with the notice of public hearings published in this issue of the FEDERAL REGISTER and at the dates, times, and places specified therein.

Interested persons may participate in this rule making by presenting statements at the public hearing or by submitting written comments in triplicate to the Regional Administrator, Environmental Protection Agency, Region IX, 100 California Street, San Francisco, California 94111, Attn: ENCPH. All comments received no later than five days after the dates of the public hearings will be considered. All comments will be available for public inspection during normal business hours at the address of the Environmental Protection Agency above.

This notice of proposed rule making is issued under the authority of Section 110 of the Clean Air Act (42 U.S.C. 1857 c-5).

Dated: February 27, 1974.

ALVIN L. ALM,
Acting Administrator.

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

Subpart D—Arizona

1. In § 52.134, a new paragraph (b) is added as follows:

§ 52.134 Compliance schedules.

* * * * *

(b) *Federal compliance schedules.*

The compliance schedules for the sources identified below are approved as meeting the requirements of paragraph (a) of this section.

Source	Location	Regulation involved	Effective date	Final compliance date
Spreekels Sugar Division	Maricopa County	40 CFR 52.126(b)	Jan. 31, 1974	June 30, 1975
Producers Cotton Oil Co.:				
a. Greenfield Gin	Maricopa	do	do	July 31, 1974
b. Marana Gin	Pima County	do	do	Do.
c. Avra Gin	do	do	do	Do.
d. Coolidge Gin	Pinal County	do	do	Do.
e. Magna Gin	do	do	do	Do.
Arizona Portland Cement Co.:				
a. No. 3 kiln	Pima County	do	do	Apr. 12, 1974
b. No. 3 clinker cooler	do	do	do	Do.
Arizona Feeds	do	do	do	July 22, 1974
Inspiration Consolidated Copper Co.	Gila County			
a. Copper smelter		do	do	Oct. 1, 1974
b. Smelter feed dryer		do	do	Do.
American Smelting	Pinal County			
a. Reverberatory furnaces and roasters.		do	do	Nov. 1, 1974
Magma Copper Co.:				
a. Reverberatory furnaces	Pinal County	do	do	May 15, 1975
b. Converters	do	do	do	Dec. 30, 1974
Maricopa Growers, Inc.:				
a. Gin No. 1	do	do	do	Oct. 1, 1974
b. Gin No. 2	do	do	do	Do.
Independent Gin Co	do	do	do	Mar. 15, 1975
Arizona Gin Co.:				
a. Liberty Gin	Maricopa County	do	do	June 30, 1975
b. South Mountain Gin	do	do	do	Do.
c. Cashion Gin	do	do	do	Do.
d. Santa Rosa Gin	Pinal County	do	do	June 1, 1975
e. Chico Gin No. 1	Pima County	do	do	July 10, 1975
f. Chico Gin No. 2	do	do	do	July 31, 1975
Chandler Gining Co.:				
a. Chandler Gin	Maricopa County	do	do	Dec. 31, 1974
b. Serape Gin	do	do	do	Do.
c. Gilbert Gin	do	do	do	Oct. 20, 1974
d. Higley Gin	do	do	do	Nov. 20, 1974
e. Queen Creek Gin	Maricopa	do	do	Dec. 31, 1974
Casa Grande Oil Mill:	Pinal County			
a. Meal Loading System	do	do	do	Do.
b. Pneumatic Transfer System	do	do	do	Nov. 1, 1974
Western Cotton Products Co.:				
a. Delinting process	Maricopa County	do	do	Aug. 2, 1974
b. Baling and Recycle Beater		do	do	Do.

Subpart F—California

2. In § 52.240, a new paragraph (e) is added as follows:

§ 52.240 Compliance schedules.

* * * * *

(e) *Federal compliance schedules.*

The compliance schedules for the sources identified below are approved as meeting the requirements of paragraph (d) of this section. All regulations cited are air pollution control regulations of the specific county in which the source is located except where noted.

Source	Location	Regulation involved	Effective date	Final compliance date
Avery Label Co	Los Angeles County	Rule 66(c)	Sept. 1, 1974	Aug. 30, 1974
General Motors Corp	do	do	do	Aug. 31, 1974
Gravure West	do	do	do	Do.
International Mill Service	San Bernardino County.	Rule 50A	Jan. 1, 1975	Dec. 31, 1974
Stauffer Chemical Co.:				
a. Grade 80 Plant	do	Rules 50A and 52A	do	Dec. 20, 1974
b. Dense Ash Plant	do	do	do	Nov. 15, 1974
c. Anhydrous Borax Plant	do	do	do	Nov. 8, 1974

Source	Location	Regulation involved	Effective date	Final compliance date
Kerr-McGee Chemical Co.:				
a. Soda Ash Loading (Shipping Section)	do	Rules 50A, 52a, and 54A	do	Aug. 15, 1974
b. Salt Lake Loading (Shipping Section)	do	do	do	Do.
c. Bleacher (Carbonation Section)	do	do	do	Dec. 15, 1974
d. Licons Roaster (Soda Products Section)	do	do	do	Dec. 1, 1974
e. No. 1 Dryer (Soda Products Section)	do	do	do	June 15, 1974
f. No. 2 Dryer (Soda Products Section)	do	do	do	Dec. 20, 1974
g. No. 1 PYRO Furnace (Boron Section)	do	do	do	Nov. 15, 1974
h. No. 6 & 3 PYRO Furnaces (Boron Section)	do	do	do	Oct. 15, 1974
i. Boric Acid Dryer (Boron Section)	do	do	do	Nov. 1, 1974
j. Lithium Carbonate Dryer (Potash Section)	do	do	do	June 1, 1974
k. Supo Compaction Plant (Potash Section)	do	do	do	July 1, 1974
l. No. 1 Aghi Dryer (Potash Section)	do	do	do	Dec. 15, 1974
m. No. 2 Aghi Dryer (Potash Section)	do	do	do	Nov. 15, 1974
n. Supo Dryer (Potash Section)	do	do	do	Nov. 10, 1974
o. Chemhi Dryer (Potash Section)	do	do	do	Oct. 15, 1974
Witteman Steel Mills	do	Rule 50A	do	Nov. 1, 1974
Riverside Cement Co	do	Rules 52A and 54A	do	Dec. 31, 1974
Southern California Edison Co.:				
a. Ormand Beach Station Unit 1	Ventura County	Rule 59	do	Do.
b. Ormand Beach Station Unit 2	do	do	do	Do.
Amax Aluminum/Mill Products, Inc.	Riverside County	Rule 72.2	do	Do.
Southern California Edison Co.:				
a. Alamitos Unit 5	Los Angeles County	Rule 68	Dec. 31, 1974	Do.
b. Alamitos Unit 6	do	do	do	Do.
c. Redondo Unit 7	do	do	do	Do.
d. Redondo Unit 8	do	do	do	Do.
City of Los Angeles, Department of Water and Power:				
a. Haynes Unit 1	do	do	do	June 24, 1974
b. Haynes Unit 2	do	do	do	Oct. 21, 1974
c. Haynes Unit 3	do	do	do	Aug. 13, 1974
d. Haynes Unit 4	do	do	do	July 23, 1974
e. Haynes Unit 5	do	do	do	Apr. 29, 1974
Douglas Aircraft Co	do	Rule 66(c)	Sept. 1, 1974	Aug. 31, 1974

[FR Doc.74-4929 Filed 3-4-74;8:45 am]

[40 CFR Part 120]

STATE OF OREGON

Navigable Water Quality Standards; Correction

In FR Doc. 74-2743 appearing at page 4486 in the issue of February 4, 1974, Paragraph 2 of the proposed standards should be read as follows:

"Section II OAR 340-41-025 (12) is amended to read as follows:

"The concentration of total dissolved gas relative to atmospheric pressure at the point of sample collection to exceed one hundred ten percent (110%) of saturation, except when stream flow exceeds the 10-year, 7-day average flood."

Dated: February 15, 1974.

ROGER STRELOW,
Acting Assistant Administrator for Air and Water Programs (AW-445).

[FR Doc.74-5017 Filed 3-4-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 231, 241]

[Release Nos. 33-5454, 34-10632]

DISCLOSURE OF EXTRACTIVE RESERVES AND NATURAL GAS SUPPLIES

Proposed Preparation and Filing of Registration Statements

Notice is hereby given that the Securities and Exchange Commission is proposing to amend Guide 28, "Extractive Reserve," of the Guides for Preparation and Filing of Registration Statements (Securities Act Release No. 4936 (Dec. 9, 1968) (33 FR 18617)) under the Securities Act of 1933 ("Securities Act"). If adopted, Guide 28 would be amended by adding a new paragraph (b) relating to disclosure by companies engaged in the gathering, transmission, or distribution of natural gas and would be captioned "Disclosure of Extractive Reserves and Natural Gas Supplies." In addition, the Commission is considering the adopton of the substance of Guide 28, as amended, as Guide 2, "Disclosure of Extractive Reserves and Natural Gas Supplies," of proposed Guides for Preparation and Filing of Reports and Registration Statements under the Securities Exchange Act of 1934 ("Exchange Act"). Paragraph (a) of proposed Guide 2, relating to extractive reserves, would apply only to registration statements on Form 10 (17 CFR 249.210) and not to annual reports on Form 10-K (17 CFR 249.310) or other periodic reports under the Exchange Act.

Guide 28 presently states that Instruction 2 to Item 10 of Form S-1 (17 CFR 239.11) and Item 5(a) of Form S-7 (17 CFR 239.26) require registrants engaged in extractive operations to include in their prospectus appropriate information regarding the quantitative amount of their estimated reserves and indicates the manner in which such information may be set forth. Pursuant to Items 9(a) ("Description of Business") and 10 ("Description of Property") of Form S-1 and Item 5(a) ("Business") of Form S-7, the proposed amendment to Guide 28 would require registrants engaged in the gathering, transmission, or distribution of natural gas to disclose adequate and appropriate information, based upon the facts and circumstances of their particular situation, with respect to the current availability (deliverability) of gas supplies. The Guide would set forth certain factors that firms in the gas industry should consider in making disclosure of their capacity to respond to users' needs for natural gas. Proposed Guide 2 would relate to similar descriptions of business and property required by Items 1(b) ("Business") and 3 ("Properties") of Forms 10 and 10-K under the Exchange Act, but would not require disclosure of extractive reserves in Form 10-K.

These proposals are designed to provide more meaningful and understandable information in registration statements filed pursuant to the Securities Act and in reports and registration statements filed pursuant to the Exchange Act. However, in light of present energy shortages and the actual or possible impact which a demand for natural gas in excess of current supply may have on the operations of firms in the gas industry, the Commission reiterates the need for prompt and accurate disclosure to the investing public with respect to information, both favorable and unfavorable, concerning such firms' current and anticipated supplies of natural gas.[1]

Guide 28 would be amended to read as follows:

[1] The Commission recently filed a complaint against Coastal States Gas Corporation ("Coastal") and an officer thereof alleging violations of the anti-fraud provisions of the Exchange Act and certain rules thereunder, including the reporting requirements of such Act. "SEC v. Coastal States Gas Corp.," Civil Action No. 73-H-1262 (S.D. Tex., September 11, 1973); Litigation Release No. 6054 (September 12, 1973). "[T]he complaint alleged that Coastal * * * had disseminated press releases and that [an officer of Coastal] had made speeches regarding Coastal's earnings goals, availability of reserves to meet long-term contractual commitments, the ability of Coastal to increase its reserves during national shortages, and Coastal's effectuation of short-term transactions while awaiting improved price conditions in long-term markets, but omitted to disclose in public statements and in filings with the Commission that defendants entered into transactions, described in the complaint, affecting deliverability, availability of gas, earnings and profitability after they recognized shrinking profit margins and an impending shortage of available natural gas, which transactions had the effect of increasing short-term profitability and depleting available gas reserves necessary to fulfill long-term commitments." Securities Exchange Act Release No. 34-10408 (September 26, 1973). See also Securities Act of 1933 Release Nos. 33-5092 (October 5, 1970) (35 FR 16733) Timely Disclosure of Material Corporate Developments; and 33-5447 (December 20, 1973) (39 FR 1511) Disclosure of the Impact of Possible Fuel Shortages on the Operation of Issuers Subject to the Registration and Reporting Provisions of the Federal Securities Laws.

GUIDE 28. *Disclosure of Extractive Reserves and Natural Gas Supplies.* (a) Instruction 2 to Item 10 of Form S-1 and Item 5(a) of Form S-7 require that registrants engaged in

extractive operations include in their prospectus, where appropriate, the quantitative amount of their estimated reserves. If appropriate, the current market price per barrel of oil, m.c.f. of gas, or the assay value per ton of ore may also be shown, but it is deemed inappropriate to show a dollar amount equal to the market price multiplied by the number of barrels of oil, m.c.f. of gas or tons of ore.

(b) Pursuant to Items 9(a) and 10 of Form S-1 and Item 5(a) of Form S-7, registrants engaged in the gathering, transmission, or distribution of natural gas are required to disclose adequate and appropriate information with respect to the current availability (deliverability) of gas supplies. Each such registrant should develop disclosure based upon the facts and circumstances of its particular situation. Where applicable, such disclosure should include, but not be limited to, statements pointing out that:

1. Estimates of gas supplies (proved reserves, whether developed or undeveloped, or other sources) owned, dedicated, or contracted to a system, whether or not based on reports of outside consultants, are not necessarily indications of the registrant's ability to meet current or anticipated market demands or immediate delivery requirements due to certain specified limiting factors, such as the physical limitations of gathering and transmission systems and of the productive capacity of wells;

2. The total gas supply available to the registrant's system may include significant amounts of gas subject to priorities which may affect deliverability to certain classes of customers, such as customers receiving services under low priority and interruptible contracts;

3. Priority allocations and price limitations imposed by federal and state regulatory agencies, as well as other factors beyond the control of the registrant, may affect the ability of the registrant to meet the delivery demands of its customers;

4. Numerous factors beyond the control of the registrant, such as other parties having control over the drilling of new wells, competition for the acquisition of gas and the availability of foreign reserves, may affect the ability of the registrant to acquire additional gas supplies, or to maintain or increase the capacity to deliver; and

5. The registrant's earnings and financing needs may be affected by either the short or long-term inability to meet the deliverability requirements of the registrant's customers.

Each registrant should describe the factors disclosed in the aforementioned statements and indicate steps available to it to respond to future supply or delivery problems. Information concerning gas supplies, delivery commitments, and customers' requirements should be presented in a form understandable to investors. The Commission believes that investors would be better informed if registrants would publish tabular presentations setting forth historical information with respect to gas obtained from all sources of supply, the sources of supply relied upon, and the amounts received from each source, together with comparable information based on estimates of gas available from present and anticipated sources for each of the next 3 years, or such other period of years as may be appropriate.

The text of proposed Guide 2:

GUIDE 2. *Disclosure of Extractive Reserves and Natural Gas Supplies.* (a) Items 1(b) and 3 of Form 10 require that companies engaged in extractive operations include, where appropriate, the quantitative amount of their estimated reserves. If appropriate, the current market price per barrel of oil, m.c.f. of gas, or the assay value per ton of ore may also be shown, but it is deemed inappropriate to show a dollar amount equal to the market price multiplied by the number of barrels of oil, m.c.f. of gas or tons of ore.

(b) Pursuant to Items 1(b) and 3 of Forms 10 and 10-K, companies engaged in the gathering, transmission, or distribution of natural gas are required to disclose adequate and appropriate information with respect to the current availability of gas supplies. Each such company should develop disclosure based upon the facts and circumstances of its particular situation. Where applicable, such disclosure should include, but not be limited to, statements pointing out that:

1. Estimates of gas supplies (proved reserves, whether developed or undeveloped, or other sources) owned, dedicated, or contracted to a system, whether or not based on reports of outside consultants, are not necessarily indications of the company's ability to meet current or anticipated market demands or immediate delivery requirements due to certain specified limiting factors, such as the physical limitations of gathering and transmission systems and of the productive capacity of wells;

2. The total gas supply available to the company's system may include significant amounts of gas subject to priorities which may affect deliverability to certain classes of customers, such as customers receiving services under low priority and interruptible contracts;

3. Priority allocations and price limitations imposed by federal and state regulatory agencies, as well as other factors beyond the control of the company, may affect the ability of the company to meet the delivery demands of its customers;

4. Numerous factors beyond the control of the company, such as other parties having control over the drilling of new wells, competition for the acquisition of gas and the availability of foreign reserves, may affect the ability of the company to acquire additional gas supplies, or to maintain or increase the capacity to deliver; and

5. The company's earnings and financing needs may be affected by either the short or long-term inability to meet the deliverability requirements of the company's customers.

Each company should describe the factors disclosed in the aforementioned statements and indicate steps available to it to respond to future supply or delivery problems. Information concerning gas supplies, delivery commitments, and customers' requirements should be presented in a form understandable to investors. The Commission believes that investors would be better informed if companies would publish tabular presentations setting forth historical information with respect to gas obtained from all sources of supply, the sources of supply relied upon, and the amounts received from each source, together with comparable information based on estimates of gas available from present and anticipated sources for each of the next 3 years, or such other period of years as may be appropriate.

The Commission proposes to amend Guide 28 and to adopt Guide 2 pursuant to authority in sections 7, 10, and 19(a) of the Securities Act, as amended, and sections 12, 13, and 23(a) of the Exchange Act, as amended.

All interested persons are invited to submit their views and comments on the foregoing proposals to amend Guide 28 and to adopt Guide 2 in writing to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549, prior to March 29, 1974. All such communications will be placed in the public files of the Commission and should refer to File No. S7-511.

(Secs. 7, 10, 19, 48 State. 78, 81, 85; secs. 12, 13, 23, 205, 209, 48 Stat. 892, 894, 901, 906, 908; sec. 203(a), 49 Stat. 704; secs. 1, 8, 49 Stat. 1375, 1379; secs. 8, 202, 68 Stat. 685, 686; secs, 3, 4, 78 Stat. 565-68, 569; secs. 1, 2, 82 Stat. 454; sec. 28(c), 84 Stat. 1435; secs. 1, 2, 84 Stat. 1497; (15 U.S.C. 77 g, 77 j, 77 s, 78 l, 78 m, 78 w(a)))

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

FEBRUARY 7, 1974.

[FR Doc.74-5027 Filed 3-4-74;8:45 am]

FEDERAL ENERGY OFFICE

[10 CFR Parts 210, 211 and 212]

JET FUEL ALLOCATION AND PRICING RULES

Notice of Proposed Rulemaking

The Federal Energy Office hereby gives notice of a proposal to amend Title 10 of the Code of Federal Regulations, Parts 210, 211 and 212, concerning the allocation and pricing of jet fuel.

The current regulations of the FEO governing jet fuel allocate domestic fuel (i.e., non-bonded fuel) to international air carriers on the basis of their historical use of that fuel in 1972. Since most international carriers utilized little or no non-bonded fuel in 1972, they are, in effect, limited to the use of bonded fuel which is exempt from the allocation and price control regulations. The regulations provide that if an international carrier certifies that bonded fuel is not available, FEO may allocate domestically produced naphtha-based jet fuel to that carrier on a case-by-case basis.

This approach appears to have succeeded in maintaining adequate levels of supply to the international carriers. However, substantial price differences have developed between bonded fuel, its substitutes, and kerosene-based jet fuel, and this has greatly increased the relative fuel costs of international carriers. This increase has resulted in claims of discrimination by international carriers and may actually be diverting to the bonded market fuel which otherwise would be imported into the domestic market. International transportation is an important part of the United States economy, and the FEO believes it is important to consider meeting the fuel needs of international carriers at United States stations on the same basis as those of domestic carriers.

The proposed regulations would provide for substantially equal treatment of all carriers flying from U.S. stations. The exemption from the allocation and price rules currently provide for bonded jet fuel in § 211.33 would be removed. All carriers would be provided through allocation as necessary, 95 percent of their base-period use and no distinction would be drawn between domestic and international carriers except as necessary to assure that available supplies of naphtha-based fuel are fully utilized. Refiners supplying jet fuel will be allowed to pass

forward their increased costs on bonded jet fuel in the same manner that increased costs of other imported jet fuel are allowed to be passed on under the FEO price regulations. New contract prices charged by each supplier for bonded and domestically produced fuel would, therefore, be equalized.

Persons commenting on the proposed regulations are asked to address themselves particularly to the following questions.

(1) What effect will adoption of the regulations have on the availability of supply especially imported kerosene-based fuel, bonded fuel, and naphtha-based fuel being supplied in lieu of bonded fuel?

(2) What is the expected landed cost of imported kerosene jet fuel and bonded fuel?

(3) What effect on prices will the inclusion of bonded fuel within the price control and allocation program have?

(4) To what extent are individual carriers protected from price increase by fixed price contracts and when do such contracts expire?

(5) Whether FEO has the authority under the Emergency Petroleum Allocation Act to allocate and control supplies of bonded fuel.

Interested persons are invited to participate in the rulemaking by submitting written data, views or arguments with respect to the proposed regulation set forth in this notice to the Executive Secretariat, Federal Energy Office, Box AA, Washington, D.C. 20461. Comments should be identified on the outside envelope and on the document submitted to the Federal Energy Office Executive Secretariat with the designation "Proposed Jet Fuel Allocation and Pricing Rules." Ten copies should be submitted. All comments received by March 20, 1974, will be considered by the Federal Energy Office before final action is taken on the proposed regulations.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159, E.O. 11748, 38 FR 33575; Economic Stabilization Act of 1970, as amended, Pub. L. 92-210, 85 Stat. 743; Pub. L. 93-28, 87 Stat. 27; E.O. 11730, 38 FR 19345; Cost of Living Council Order No. 47, 39 FR 24)

In consideration of the foregoing, it is proposed to amend Parts 210, 211 and 212 of Chapter II, Title 10 of the Code of Federal Regulations as set forth below.

Issued in Washington, D.C., March 4, 1974.

WILLIAM E. SIMON,
Administrator.

1. Section 210.2 is amended to read as follows:

§ 210.2 Applicability.

Effective 11:59 p.m., d.s.t., January 14, 1974, the provisions of this part apply to all covered products produced, refined or imported into the United States. For the purpose of this part, bonded fuels shall be considered to be imported into the United States. This part does not apply to sales of natural gas.

§ 210.33 [Deleted]

2. Section 210.33 is deleted in its entirety.

3. Section 211.1(a) is amended to read as follows:

§ 211.1 Scope.

(a) *General.* This part applies to the mandatory allocation of crude oil, residual fuel oil and refined petroleum products produced in or imported into the United States. For the purposes of this part, bonded fuel shall be considered to be imported into the United States.

§ 211.141 [Amended]

4. Section 211.141(b) is deleted in its entirety.

5. Section 211.141(c) is renumbered § 211.141(b).

6. Section 211.145(c) is amended to read as follows:

§ 211.145 Method of allocation.

* * * * *

(c) Suppliers of aviation fuel to International Air Carriers shall meet the requirements of such carriers in the following order: (i) By supplying bonded aviation fuel to those carriers which have traditionally used bonded fuel to the maximum extent practicable, (ii) by making up shortfalls of bonded fuel with nonbonded, naphtha-base jet fuel to the extent practicable, and (iii) by supplying domestically produced aviation fuel or imported kerosene based fuel only as a last resort and only to the extent needed to reach the allocation level provided for in § 211.143(b)(ii).

7. Section 212.2 is amended to read as follows:

§ 212.2 Applicability.

This part applies to each sale, lease or purchase of a covered product in the United States, and leases of real property used in the retailing of gasoline. For the purposes of this part, a sale of a bonded fuel shall be considered a sale in the United States.

8. Section 212.53 is amended by adding a new paragraph (c) to read as follows:

§ 212.53 Exports and imports.

* * * * *

(c) Fuel uplifted in the United States for international flights departing from the United States (whether bonded or non-bonded) shall not be considered an export for the purposes of this part.

[FR Doc.74-5274 Filed 3-4-74;12:16 pm]

Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF STATE

NORTHWEST ATLANTIC FISHERIES ADVISORY COMMITTEE

Notice of Meeting

The United States Commissioners to the International Commission for the Northwest Atlantic Fisheries (ICNAF) and the Northwest Atlantic Fisheries Advisory Committee will hold a meeting on Thursday, March 14, 1974 in Room 1507 of the JFK Federal Building in Boston, Massachusetts. The meeting, which will commence at 10:00 a.m. and run as long as necessary, will be open to the general public to the capacity of the meeting room. The primary purpose of the meeting is a review and discussion of the results of the Fourth Special Meeting of ICNAF which was held in Rome, Italy from January 22 through 30, 1974, including scientific, regulatory, and enforcement aspects. If time permits a general discussion will also be held on future ICNAF activities, including preliminary consideration of the Twenty-fourth Annual Meeting of ICNAF which will be held in June. This notice is given in accordance with section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463).

Dated: February 26, 1974.

WILLIAM L. SULLIVAN, Jr.,
Assistant Coordinator of Ocean Affairs.

[FR Doc.74-5015 Filed 3-4-74;8:45 am]

DEPARTMENT OF THE TREASURY

Bureau of the Mint

CONSTRUCTION OF NEW UNITED STATES MINT, DENVER, COLORADO

Notice of Availability of Draft Revised Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Bureau of the Mint in the Department of the Treasury has prepared a Draft Revised Environmental Impact Statement for the location and, in general terms, the construction of a new United States Mint at Denver, Colorado.

The Treasury Department is considering two possible sites, without favoring either location until comments on the proposed action have been received and evaluated. The two sites are (1) the northwest corner of the Park Hill Golf Course, in Denver, and (2) the northwest corner of the Denver Federal Center in Lakewood.

The Mint is being planned for a production capacity of 10.5 billion domestic coins per year and 25 million proof coins and medals per year. It would be designed to provide space for expansion of critical operations and to make possible reasonable expandability of the facility to accommodate increased production requirements as they develop in future years. Although detailed design of the facilities has not yet been started, it has been determined that building space of approximately 700,000 square feet would be needed. The structures would reflect the importance of the governmental function to be performed.

Copies of the Statement are available for inspection during regular working hours at the office of the:

Facilities Project Manager
Bureau of the Mint
Denver Mint
320 West Colfax Avenue
Denver, Colorado 80204

and at the

Office of the Director
Bureau of the Mint
Room 2064
U.S. Treasury Department
15th St. & Pennsylvania Avenue NW.
Washington, D.C. 20220

Copies will also be available from the National Technical Information Service, United States Department of Commerce, Springfield, Virginia 22151.

Copies of the Environmental Impact Statement have been sent to various Federal, state and local agencies and citizens' groups as outlined in the Guidelines of the Council on Environmental Quality. Comments are invited from any state and local agencies which are authorized to develop and enforce environmental standards and from any Federal agencies having jurisdiction by law and by special expertise with respect to any environmental impact of the proposed facility from which comments have not been requested specifically. Comments from the public are also invited.

Comments concerning the proposed action and any requests for additional information should be addressed to:

Facilities Project Manager
Bureau of the Mint
Denver Mint
320 West Colfax Avenue
Denver, Colorado 80204

Comments must be received by April 22, 1974 in order to be considered in the preparation of the Final Environmental Impact Statement.

[SEAL] WARREN F. BRECHT,
Assistant Secretary of the Treasury.

[FR Doc.74-4997 Filed 3-4-74;8:45 am]

Bureau of Engraving and Printing

ENVIRONMENTAL IMPACT STATEMENT

Notice of Preparation

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Bureau of Engraving and Printing in the Department of the Treasury is preparing an environmental impact statement concerning a proposal for the location and, in general terms, the construction of an addition to its facilities in Southwest Washington, D.C. Draft legislation to authorize the facility is being prepared.

The proposed additional facility would be located on those parcels of land commonly referred to as the Portal and North Portal Site bounded by D Street on the north, 12th Street on the east, Main Avenue on the south and 14th Street on the west. The facility would be planned to provide space for early expansion of operations and would make possible a reasonable increase of production capacity as requirements develop in future years. Although detailed design of the facility has not yet been started, it has been determined that approximately 1.75 million square feet of additional floor space will be required to provide for predicted increase in demand for Bureau produced items. The structures would reflect the importance of the governmental function to be performed and their architecture would be consistent with that of the location to be occupied.

Observations or information which might be pertinent to the preparation of the statement would be welcomed from any interested governmental agencies and members of the public. Communications should be sent in duplicate, not later than March 29, 1974, to:

R. C. Sennett, Chief
Office of Engineering
Bureau of Engraving and Printing
Room 107 Main Building
14th & C Streets, SW.
Washington, D.C. 20228

Any additional information which may be desired about the proposed project in order to facilitate observations may be obtained from Mr. Sennett.

[SEAL] WARREN F. BRECHT,
Assistant Secretary for Administration.

FEBRUARY 28, 1974.

[FR Doc.74-5041 Filed 3-4-74;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

ARMY AND AIR FORCE EXCHANGE AND MOTION PICTURE SERVICES CIVILIAN ADVISORY COMMITTEE

Notice of Meeting

MARCH 6, 1974.

The Civilian Advisory Committee to the Board of Directors, Army and Air Force Exchange and Motion Picture Services, will hold a closed meeting on March 6, 1974 at Headquarters, Army and Air Force Exchange Service, Dallas, Texas 75222.

The purpose of the meeting is to furnish commercial and financial information and advice of a privileged or confidential nature to the Board of Directors on one or more matters under consideration by the Board.

Any persons desiring information about the committee may telephone (202-697-3336) or write the Executive Secretary, Board of Directors, Army and Air Force Exchange and Motion Picture Services, Room 5E479, The Pentagon, Washington, D.C. 20310.

HARLAN W. TUCKER,
Colonel, USA,
Executive Secretary, AAFEMPS.

[FR Doc.74-5068 Filed 3-4-74;8:45 am]

AIR UNIVERSITY BOARD OF VISITORS

Notice of Meeting

FEBRUARY 27, 1974.

The Air University Board of Visitors will hold a closed meeting on March 13, 1974, at 10:30 a.m., in the Air University Headquarters Conference Room, Building 800, Maxwell Air Force Base, Alabama 36112.

The purpose of the meeting is to give the board an opportunity to present to the Commander, Air University, a report of findings and recommendations concerning Air University educational programs. The meeting will be closed to protect matters which fall within Title 5 U.S.C. 552(b)(2).

For further information on this meeting contact Henry E. Patrick, Secretary, Air University Board of Visitors, Office of the Deputy Chief of Staff, Education, Headquarters, Air University (EDCI), telephone 205-293-5163 or 205-293-7423.

STANLEY L. ROBERTS,
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc.74-5024 Filed 3-4-74;8:45 am]

Department of the Army

U.S. ARMY COASTAL ENGINEERING RESEARCH BOARD

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the U.S. Army Coastal Engineering Research Board on 26-27 March 1974.

The meeting will be held at the Coastal Engineering Research Center, Kingman Building, Fort Belvoir, Virginia, from 0830 hours to 1600 hours on 26 March 1974 and from 0830 hours to 1300 hours on 27 March.

The 26 March session will be devoted to technical discussions of tidal inlet research studies, dredged materials research studies, jet pump sand bypassing studies, the split hull dump barge and research planning.

The 27 March session will be closed to the public is precluded because of the are specifically exempted from public disclosure will be discussed.

The 26 March session will be open to the public subject to the following limitations:

1. Seating capacity of the meeting room limits public attendance to not more than 80 people. Advance notice of intent to attend is requested in order to assure adequate and appropriate arrangements.

2. Written statements may be submitted prior to, or up to 30 days following the meeting, but oral participation by the public is precluded because of the time schedule.

Inquiries may be addressed to Colonel James L. Trayers, Commander and Director, U.S. Army Coastal Engineering Research Center, Kingman Building, Fort Belvoir, Virginia 22060; telephone 202-325-7000.

By Authority of the Secretary of the Army.

R. B. BELNAP,
Special Advisor to TAG, Liaison Officer with the Federal Register.

[FR Doc.74-5008 Filed 3-4-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

RED ROCK CANYON RECREATION LANDS AREA, NEVADA

Draft Environmental Statement; Extension of Comment Period and Notice of Public Hearing

Notice is hereby given of extended comment period for the Bureau of Land Management's Draft Environmental Impact Statement for the Red Rock Canyon Recreation Lands which was filed with the Council on Environmental Quality January 31, 1974. Notice of Availability was issued by the Department of the Interior in the FEDERAL REGISTER Thursday, February 7, 1974 (39 FR 4791).

The period of comment will now be closed April 25, 1974, not on March 25, 1974, as indicated in the earlier publication.

A public hearing to consider the impact of various alternatives for the management and development of the Red Rock Recreation Lands will be held on Tuesday, April 16, 1974, at 7:00 p.m. in the Commissioners Chambers, Clark County Courthouse, Las Vegas, Nevada. Testimony submitted at this hearing will be a part of the official comments on the Red Rock Canyon Recreation Lands Environmental Impact Statement.

CURT BERKLUND,
Director.

FEBRUARY 26, 1974.

[FR Doc.74-5025 Filed 3-4-74;8:45 am]

Fish and Wildlife Service

IMPORTERS AND EXPORTERS OF FISH AND WILDLIFE

Temporary Permission To Do Business

This is to notify all persons engaged in business as an importer or exporter of fish or wildlife that they shall be considered as having the permission of the Secretary to continue in such business, pursuant to section 9(d) of the Endangered Species Act of 1973 (hereinafter called the Act) until such time as regulations are promulgated establishing a system for obtaining such permission on a more permanent basis.

Regulations to provide a system for any importer or exporter of fish or wildlife, within the meaning of section 9(d) of the Act, to obtain such permission are now being prepared within the Bureau of Sport Fisheries and Wildlife.

As soon as the regulations are ready, they shall be promulgated in accordance with the requirements of the Act.

Dated: February 27, 1974.

LYNN A. GREENWALT,
Director, Bureau of Sport Fisheries and Wildlife.

[FR Doc.74-4993 Filed 3-4-74;8:45 am]

National Park Service

NATIONAL REGISTER OF HISTORIC PLACES

Additions, Deletions, and Corrections

By notice in the FEDERAL REGISTER of February 19, 1974, Part II, there was published a list of the properties included in the National Register of Historic Places. Further notice is hereby given that certain amendments or revisions in the nature of additions, deletions or corrections to the previously published list are adopted as set out below.

It is the responsibility of all Federal agencies to take cognizance of the properties included in the National Register as herein amended and revised in accordance with section 106 of the National Historic Preservation Act of 1966, 80 Stat. 915 (16 U.S.C. 470).

Correction

The cumulative list of properties in the February 19 FEDERAL REGISTER, Part II, included all properties on the National Register as of January 1, 1974. The February 1, 1973, date was in error.

The following properties have been added to the National Register since February 19, 1974:

Alabama

Barbour County

Clayton, *Petty-Roberts-Beatty House (Octagon House)*, 103 North Midway (1-21-74).

Chambers County

LaFayette, *Oliver, Ernest McCarty, House,* North LaFayette Street (U.S. 431) (1-21-74).

Marengo County

Demopolis, *Glover Mausoleum*, Riverside Cemetery (1-21-74).
Demopolis, *Lyon-LaMar House*, 102 South Main Avenue (1-21-74).
Demopolis vicinity, *Foscue-Whitfield House*, west of Demopolis on U.S. 80 (1-21-74).
Linden, *Old Courthouse (Veterans' Hall)*, 300 West Cahaba Avenue (1-18-74).

Arkansas

Ouachita County

Camden, *Powell, Benjamin T., House*, 305 California Avenue (1-21-74).
Camden, *Smith, Rowland B., House*, 234 Agee Street (1-21-74).

Randolph County

Black Rock vicinity, *Old Davidsonville State Historic Monument*, north-northeast of Black Rock on Black River (1-18-74).

California

Los Angeles County

Chatsworth vicinity, *Santa Susana Stage Road*, west-northwest of Chatsworth off California 18 (1-10-74).
Long Beach, *Puvunga Indian Village Sites*, East Bixby Hill Road and East Seventh Street (1-21-74).

Napa County

Napa, *Goodman Library*, 1219 First Street (1-21-74).

Orange County

Newport Beach, *Lovell Beach House*, 1242 West Ocean Front (2-5-74).

Colorado

Boulder County

Boulder, *Chautauqua Auditorium*, in Chautauqua Park (1-21-74).

Delaware

Kent County

Kenton vicinity, *Clow's Cheyney, Rebellion (Scene of)*, west of Kenton on Delaware 300 (1-14-74).

District of Columbia

St. Matthews Cathedral and Rectory, 1725-1739 Rhode Island Avenue NW. (1-24-74).
U.S. Court of Military Appeals, 450 E Street NW. (1-21-74).
U.S. Department of Agriculture Administration Building, 12th and Jefferson Drive SW. (1-24-74).

Florida

Alachua County

Gainesville, *Buckman Hall*, Northwest 17th Street, University of Florida campus (1-11-74).

Franklin County

Apalachicola vicinity, *Pierce Site*, northwest of Apalachicola (1-11-74).

St. Lucie County

Fort Pierce, *Fort Pierce Site*, South Indian River Drive (1-11-74).

Georgia

Bibb County

Macon, *Slate House*, 931-945 Walnut Street (1-21-74).

Chatham County

Savannah, *Green-Meldrim House*, Macon and Bull Streets (1-21-74).

Hawaii

Honolulu County

Waianae vicinity, *Waianae Complex*, north of Waianae off Farrington Highway (1-21-74).

Idaho

Ada County

Boise, *GAR Hall*, 714 West State Street (1-21-74).

Illinois

Fayette County

Vandalia, *Vandalia State House*, 315 West Gallatin (1-21-74).

Stephenson County

Freeport, *Stephenson County Courthouse*, Courthouse Square (1-17-74).

Indiana

Marion County

Indianapolis, *U.S. Courthouse and Post Office*, 46 East Ohio Street (1-11-74).

Tippecanoe County

Lafayette vicinity, *Indiana State Soldiers Home*, north of Lafayette off Indiana 43 (1-2-74).

Iowa

Johnson County

Coralville, *Coralville Public School*, 402-404 Fifth Street (1-11-74).

Lee County

Keokuk, *U.S. Post Office and Courthouse*, 25 North Seventh Street (1-24-74).

Scott County

McCausland vicinity, *Cody Homestead*, south of McCausland (1-24-74).

Winneshiek County

Decorah, *Painter-Bernatz Mill*, 200 North Mill Street (1-11-74).

Kentucky

Boyd County

Ashland, *Indian Mounds in Central Park*, Central Park, Carter Avenue (1-21-74).
Catlettsburg vicinity, *Stone Serpent Mound* (1-21-74).

Nelson County

Bardstown, *St. Joseph Proto Cathedral*, West Stephen Foster Avenue (1-9-74).

Scott County

Georgetown vicinity, *Stone-Grant House*, east of Georgetown on East Main Street extended (1-11-74).

Todd County

Elkton, *Edwards Hall*, Goebel Avenue (1-11-74).

Louisiana

Terrebonne Parish

Houma vicinity, *Southdown Plantation*, southwest of Houma off Louisiana 311 (1-18-74).

Maine

Lincoln County

Waldoboro, *U.S. Custom House and Post Office (Waldoboro Public Library)*, Main Street (1-18-74).

Oxford County

Hiram vicinity, *Wadsworth Hall*, south of Hiram (1-21-74).

Penobscot County

Bangor, *Smith, Zebulon, House*, 55 Summer Street (1-21-74).

Somerset County

Fairfield, *Connor-Bovie House*, 22 Summit Street (1-18-74).

York County

Kennebunkport, *U.S. Custom House (Louis T. Graves Memorial Public Library)*, Main Street (1-18-74).

Massachusetts

Norfolk County

Stoughton, *Stoughton Railroad Station*, 53 Wyman Street (1-21-74).

Worcester County

Uxbridge vicinity, *Friends Meetinghouse*, south of Uxbridge on Massachusetts 146. (1-24-74).

Minnesota

Crow Wing County

Pine River vicinity, *Hay Lake Mound District*, southeast of Pine River off U.S. 371 (1-21-74).

Kanabec County

Mora vicinity, *Knife Lake Historic District*, north of Mora off Minnesota 65 (1-21-74).

Mississippi

Wilkinson County

Fort Adams vicinity, *Fort Adams Site*, south of Fort Adams (1-11-74).

Missouri

Dunklin County

Hornersville vicinity, *Langdon Site*, north of Hornersville (1-11-74).

Monroe County

Holliday vicinity, *Holliday Petroglyphs*, northeast of Holliday (1-11-74).

Nebraska

Gage County

Barneston Site (1-21-74).

Hooker County

Humphrey Archeological Site (1-21-74).
Kelso Site (1-21-74).

Lancaster County

Schrader Archeological Site (1-21-74).

Platte County

Feye Archeological Site (1-21-74).

Sarpy County

Bellevue, Fontenelle Forest Historic District (1-21-74).

New Jersey

Hunterdon County

Clinton, *McKinneys, David, Mill*, 56 Main Street (1-8-74).

Mercer County

Trenton, *Watson, Isaac, House*, 151 Westcott Street (1-21-74).

Monmouth County

Farmingdale vicinity, *Allaire Village (Howell Works, Monmouth Furnace)*, 3 miles southeast of Farmingdale on New Jersey 524 (1-11-74).

Passaic County

West Milford vicinity, *Long Pond Ironworks*, northeast of West Milford on New Jersey 511 (1-11-74).

Union County

Cranford, *Droeschers Mill (Rahway River Mill)*, 347 East Lincoln Avenue (1-8-74).

New Mexico

Santa Fe County

Santa Fe vicinity, *Nambe Pueblo*, about 16 miles north of Santa Fe off New Mexico 4 (1-21-74).

New York

Albany County

Albany, *First Reformed Church*, 56 Orange Street (1-21-74).
Albany vicinity, *Onesquethaw Valley Historic District*, about 10 miles southwest of Albany off New York 43 (1-17-74).
Watervliet, *Schuyler Flatts*, west side of Hudson River on New York 2 (1-21-74).

Dutchess County

Fishkill vicinity, *Fishkill Supply Depot Site* (1-21-74).

Erie County

Buffalo, *Delaware Avenue Historic District*, west side of Delaware Avenue between North and Bryant Streets (1-17-74).

Green County

Catskill, *Susquehannah Turnpike*, beginning at Catskill follows the Mohican Trail (New York 145) and county routes 20, 22 northwest to the Schoharie County line (1-2-74).

Monroe County

Rochester, *Mt. Hope-Highland Historic District*, bounded roughly by the Clarissa Street Bridge, Genesee River, Grove and Mount Hope Avenues, plus the entire Highland Park properties (1-21-74).

Nassau County

Oyster Bay, *Seawanhaka Corinthian Yacht Club*, Centre Island Road (1-8-74).
Roslyn, *Main Street Historic District*, Main Street from North Hempstead Turnpike to East Broadway, including Tower Street and portions of Glen Avenue and Paper Mill Road (1-21-74).

Niagara County

Lewiston, *Lewiston Mound*, Lewiston State Park (1-21-74).
Niagara Falls, *Whitney Mansion*, 335 Buffalo Avenue (1-17-74).

Orange County

Goshen vicinity, *Dutchess Quarry Cave Site* (1-18-74).
Highland Mills vicinity, *Smith Clove Meetinghouse*, north of Highland Mills off New York 32 (1-11-74).

Suffolk County

Cutchogue vicinity, *Fort Corchaug Site* (1-18-74).

Westchester County

Yonkers, *Untermyer Park*, Warburton Avenue and North Broadway (1-17-74).

North Carolina

Cabarrus County

Concord vicinity, *McCurdy Home Place*, south of Concord off U.S. 601 (1-21-74).

Caswell County

Leasburg vicinity, *Garland-Buford House*, north of Leasburg on State Road 1561 (1-24-74).

Hoke County

Fayetteville vicinity, *Long Street Church*, west of Fayetteville on State Road 1300 (1-21-74).

Iredell County

Statesville, *U.S. Post Office and County Courthouse (Statesville City Hall)*, 227 South Center Street (1-24-74).

Ohio

Butler County

Hamilton, *Anderson-Shaffer House*, 404 Ross Avenue (1-18-74).

Cuyahoga County

Cleveland, *Cozad, Justus L., House*, 11508 Mayfield Road (1-18-74).
Cleveland, *Detroit-Superior High Level Bridge*, between Detroit and Superior Avenues (1-18-74).
Cleveland, *Division Avenue Pumping Station*, Division Avenue and West 45th Street (1-18-74).
Cleveland, *Hoyt Block*, 608 West St. Clair (1-18-74).
Cleveland, *May Company*, 158 Euclid Avenue (1-18-74).
Cleveland, *St. Ignatius High School*, 1911 West 30th Street (1-21-74).
Cleveland, *St. Michael the Archangel Catholic Church*, 3114 Scranton Road (1-18-74).
Cleveland, *St. Theodosius Russian Orthodox Cathedral*, 733 Starkweather Avenue (1-18-74).
Cleveland, *Winslow Block (Upson-Walton and Company; Samsel Rope and Marine Supply Company)*, 1310 Old River Road (West 11th Street) (1-21-74).

Fayette County

Washington Court House, *Sharp, Morris, House*, Columbus Street (1-21-74).

Franklin County

Columbus, *Franklin Park Conservatory*, 1547 East Broad Street, Franklin Park (1-18-74).
Columbus, *Union Station Entrance*, 348 North High Street (1-17-74).

Hamilton County

Cincinnati, *St. Paul Church Historic District*, bounded roughly by Spring and 12th. Streets, and Dodt Alley (1-18-74).
New Haven vicinity, *Whitewater Shaker Settlement*, 11813, 11347, and 11081 Oxford Road (1-21-74).

Lucas County

Maumee, *Maumee Historic District*, bounded roughly by Allen, W. Harrison, Rosamond, West Broadway, Cass, and West Dudley (1-18-74).

Ross County

South Salem vicinity, *Kinzer Mound*, west of South Salem (1-17-74).

Oklahoma

McCurtain County

Bethel vicinity, *Pine Creek Mound Group*, southwest of Bethel (1-21-74).

Oregon

Clacamas County

Oregon City, *McCarver, Morton Matthew House*, 554 Warner-Parrot Road (1-21-74).

Lane County

Eugene, *Smeede Hotel*, 767 Willamette Street (1-17-74).

Linn County

Brownsville, *Moyer, John M., House*, 204 Main Street (1-21-74).
Stayton vicinity, *Mt. Pleasant Presbyterian Church*, south of Stayton on Stayton-Jordan Road (1-24-74).

Marion County

Jefferson, *Conser, Jacob, House*, 114 Main Street (1-21-74).
Salem, *Bush, Asahel, House*, 600 Mission Street SE. (1-21-74).

Pennsylvania

Allegheny County

Pittsburgh, *Pittsburgh & Lake Erie Railroad Station*, Smithfield and Carson Streets (1-11-74).
Pittsburgh, *Union Trust Building*, 435 Grant Street (1-21-74).

Berks County

Douglassville, *Old Swede's House*, Old Philadelphia Pike (1-21-74).

Bradford County

Troy, *Van Dyne Civic Building*, Main and Elmira Streets (1-21-74).

Bucks County

New Hope vicinity, *Chapman, John, House*, south of New Hope off Pennsylvania 232 on Eagle Road (1-24-74).
Newtown vicinity, *Makefield Meeting (Makefield Monthly Meeting)*, northeast of Newtown at Mount Eyre and Dolington Roads (1-18-74).

Chester County

Kimberton vicinity, *Kennedy Bridge*, north of Kimberton off Pennsylvania 23 on Seven Stars Road (1-21-74).

Cumberland County

Shippensburg, *Widow Piper's Tavern (Old Courthouse)*, southwest corner of King and Queen Streets (1-17-74).

Franklin County

Chambersburg, *Franklin County Courthouse*, 1 North Main Street (1-18-74).

Montgomery County

Pottstown vicinity, *Pottsgrove Mansion*, west of Pottstown on Benjamin Franklin Highway (High Street) (1-18-74).

Washington County

Blainsburg vicinity, *Malden Inn*, west of Blainsburg on U.S. 40 (1-24-74).

Rhode Island

Kent County

Coventry vicinity, *Hopkins Mill*, south of Coventry on Rhode Island 3 at Nooseneck River (1-11-74).
Warwick, *Forge Farm*, 40 Forge Road (1-11-74).
West Warwick, *Lippitt Mill*, 825 Main Street (1-11-74).

Providence County

North Scituate, *Old Congregational Church*, off U.S. 6 on Greenville Road (Rhode Island 116) (1-11-74).

South Carolina

Charleston County

Adams Run vicinity, *Willtown Bluff*, southwest of Adams Run off County Road 55 on bank of South Edisto River (1-8-74).

South Dakota

Jackson County

Interior vicinity. *Prairie Homestead*, north of Interior on U.S. 16A/South Dakota 40 (1-11-74).

Tennessee

Hawkins County

Surgoinsville vicinity, *Long Meadow*, north of Surgoinsville off U.S. 11W (1-11-74).

Robertson County

Cross Plains vicinity, *Cornsilk (Thomas Stringer House)*, north of Cross Plains on Highland Road (1-11-74).

Youngville vicinity, *Sudley Place*, north of Youngfield on State Line Road (1-11-74).

Texas

Bell County

Belton, *Old St. Luke's Episcopal Church*, 401 north Wall (1-17-74).

Galveston County

Galveston, *Grand Opera House*, 2012-2020 Avenue E (1-2-74).

Kenedy County (also in Willacy County)

Port Isabel vicinity, *Mansfield Cut Underwater Archeological District*, north of Port Isabel off South Padre Island (1-21-74).

Red River County

Kiomatia vicinity, *Kiomatia Mounds Archeological District*, north of Kiomatia (1-11-74

Willacy County

Mansfield Cut Underwater Archeological District (See Kenedy County).

Utah

Millard County

Delta vicinity, *Topaz War Relocation Center Site*, 16 miles northwest of Delta (1-2-74).

Fairfield vicinity, *Camp Floyd Site*, 0.5 mile south of Fairfield (1-11-74).

Vermont

Franklin County

St. Albans, *Central Vermont Railroad Headquarters*, bounded roughly by Federal, Catherine, Allen, Lower Welden, Houghton, and Pine Streets (1-21-74).

Rutland County

North Clarendon vicinity, *Brown Covered Bridge*, 2.9 miles east of North Clarendon across Cold River (1-21-74).

Pittsford vicinity, *Cooley Covered Bridge*, 1.2 miles south of Pittsford across Furnace Brook (1-24-74).

Pittsford vicinity, *Depot Covered Bridge*, 0.8 mile west of Pittsford across Otter Creek (1-21-74).

Pittsford vicinity, *Hammond Covered Bridge*, northwest of Pittsford across Otter Creek (1-21-74).

Virginia

Alleghany County

Earlhurst vicinity, *Sweet Charybeate Springs*, south of Earlhurst on Virginia 311 (1-21-74).

Botetourt County

Glen Wilton vicinity, *Callie Furnace*, 1.5 miles north of Glen Wilton in George Washington National Forest (1-21-74).

Brunswick County

Lawrenceville vicinity, *Bentfield*, southwest of Lawrenceville off U.S. 58 and Virginia 656 (1-24-74).

Caroline County

Port Royal vicinity, *Hazelwood*, northwest of Port Royal off U.S. 17 (1-11-74).

Chesterfield County

Colonial Heights vicinity, *Swift Creek Mill*, north of Colonial Heights on U.S. 1 (1-11-74).

Gloucester County

Gloucester, *Gloucester Woman's Club* (Long Bridge Ordinary), on U.S. 17 (1-24-74).

Henry County

Martinsville vicinity, *Martinsville Fish Dam*, off U.S. 220 south of Martinsville in Smith River (1-21-74).

Highland County

Monterey, *Monterey Hotel*, Main Street (U.S. 250) (1-18-74).

Page County

Newport vicinity, *Catherine Furnace*, 2 miles west of Newport in George Washington National Forest (1-21-74).

Stafford County

Falmouth vicinity, *Hunter's Iron Works*, west of Falmouth off U.S. 17 (1-18-74).

York County

Yorktown vicinity, *Gooch, William, Tomb and York Village Archeological Site*, east of Yorktown on U.S. Coast Guard Reserve Training Center (1-18-74).

Washington

Clallam County

LaPush vicinity, *Ozette Indian Village Archeological Site*, north of LaPush on Cape Alava (1-11-74).

Garfield County

Pomeroy vicinity, *Lewis and Clark Trail-Travois Road*, 5 miles east of Pomeroy off U.S. 12 (1-11-74).

Grant County

Warden vicinity, *Lind Coulee Archeological Site*, northeast of Warden (1-21-74).

Lewis County

Chehalis vicinity, *Jackson, John R., House*, south of Chehalis on U.S. 12 (1-11-74).

Spokane County

Spokane, *Spokane County Courthouse*, West 1116 Broadway (1-21-74).

Wisconsin

Ashland County

Ashland, *Old Ashland Post Office*, northwest corner of Second Street and Sixth Avenue West (1-21-74).

Dane County

Madison, *Old Spring Tavern (Gorham's Hotel)*, 3706 Nakoma Road (1-21-74).

Dunn County

Menomonie, *Tainter, Mabel, Memorial*, 205 Main Street (1-18-74).

Lincoln County

Merrill, *Scott, T. B., Free Library*, East First Street (1-21-74).

Milwaukee County

Milwaukee, *Milwaukee-Downer Quad*, northwest corner of Hartford and Downer Avenues (1-17-74).

Outagamie County

Appleton, *Main Hall, Lawrence University*, 400-500 East College Avenue (1-18-74).

Walworth County

Burlington vicinity, *Strang, James Jesse, House*, west of Burlington on Wisconsin 11 (1-24-74).

Waukesha County

Eagle vicinity, *Hinkley, Ahira R., House*, northeast of Eagle off Wisconsin 59 (1-21-74).

Winnebago County

Oshkosh, *Oshkosh Grand Opera House*, 100 High Avenue (1-21-74).

Wyoming

Uinta County

Evanston vicinity, *Bridger Antelope Trap*, east of Evanston off U.S. 189 (1-21-74).

The following are corrections to previous listings in the "Federal Register":

Illinois

Cook County

Oak Park, *Frank Lloyd Wright-Prairie School of Architecture Historic District*, bounded roughly by Harlem Avenue, Division, Cuyler, and Lake Streets (12-4-73).

St. Clair County

Collingsville vicinity, **Cahokia Mounds*, 7850 Collinsville Road, Cahokia Mounds State Park.

The following property has been demolished and removed from the National Register:

Illinois

Cook County

Chicago, *Francisco Terrace Apartments*, 253-261 North Francisco Avenue.

Historic properties which are either (1) eligible for nomination to the National Register of Historic Places or (2) nominated but not yet listed are entitled to protection under Executive Order 115932 before an agency of the Federal government may undertake any project which may have an effect on such a property, the Advisory Council on Historic Preservation shall be given an opportunity to comment on the proposal. Authorizations for such comment are in section 1(3) and section 2(b) of Executive Order 11593.

The Secretary of the Interior has determined that the following properties may be eligible for inclusion in the National Register of Historic Places and are therefore entitled to protection under section 1(3) and section 2(b) of Executive Order 11593 and other applicable Federal legislation. This list is not complete. As required by Executive Order 11593, an agency head shall refer any questionable actions to the Secretary of the Interior for an opinion respecting the property's eligibility for inclusion in the National Register.

Alabama

Dallas County

Selma, *Gill House*, 1109 Selma Avenue.

Madison County

Huntsville, *Lee House*, Redstone Arsenal.

Alaska

Northwestern District

Little Diomede Island, *Iyapana, John, House*.

Arizona

Cochise County

Sierra Vista, *Garden Canyon Petroglyphs*, along Garden Canyon Road.

Yuma County

Yuma, *Southern Pacific Depot*.

California

Modoc County

Canby vicinity, *Core Site*, southeast of Canby.

Canby vicinity, *Cuppy Cave*, in Modoc National Forest.

Connecticut

Hartford County

Hartford, *Church of the Good Shepherd and Parish House*, corner of Wyllys Street and Van Block Avenue.

Hartford, *Colt, Colonel Samuel, Armory and related factory buildings*, Van Dyke Avenue.

Hartford, *Colt Factory Housing*, Huyshope Avenue between Sequassen and Weehasset Streets.

Hartford, *Colt Factory Housing (Potsdam Village)*, Curcombe Street between Hendriexsen Avenue and Locust Street.

Hartford, *Colt Park*, bounded by Wethersfield Avenue, Stonington Street, Wawarme, Curcombe, and Marseek Streets, and Huyshope and Van Block Avenues.

Hartford, *Flat-iron Building (Motto Building)*, corner of Congress Street and Maple Avenue.

Hartford, *Houses on Charter Oak Place*.

Hartford, *Houses on Congress Street*.

Hartford, *Houses on Wethersfield Avenue*, between Morris and Wyllys Streets.

Middlesex County

Middletown, *Mather - Douglas - Santangelo House*, 11 South Main Street.

New London County

New London, *Thames Shipyard*, west bank of Thames River north of the U.S. Coast Guard Academy.

Florida

Hillsborough County

Tampa, *Federal Building, U.S. Courthouse, Downtown Postal Station*, 601 Florida Avenue.

Tampa, *Firehouse No. 10*, Ybor City.

Georgia

Chatham County

Skidaway Island, *Archeological Site*, Skidaway Island.

Heard County

Philpott Homesite and Cemetery, above Chattahoochee River near Grayson Trail.

Sumter County

Americus, *Aboriginal Chert Quarry*, Souther Field.

Idaho

Ada County

Boise, *Ada Theater*, 700 Main Street.

Boise, *Alexanders*, 826 Main Street.

Boise, *Falks Department Store*, 100 North Eighth Street.

Boise, *Idaho Building*, 216 North Eighth Street.

Boise, *Idanha Hotel*, 928 Main Street.

Boise, *Simplot Building (Boise City National Bank)*, 805 Idaho Street.

Boise, *Union Building*, 712½ Idaho Street.

Illinois

Cook County

Chicago, *Delaware Building*, 155 North Dearborn.

Chicago, *McCarthy Building (Landfield Building)*, northeast corner of Dearborn and Washington.

Chicago, *Methodist Book Concern*, 12 West Washington.

Chicago, *Ogden Building*, 130 West Lake Street.

Chicago, *Oliver Building*, 159 North Dearborn Street.

Chicago, *Springer Block (Bay, State, and Kranz Building)*, 126–146 North State Street.

Chicago, *Unity Building*, 127 North Dearborn Street.

De Kalb County

De Kalb, *Haish Barbed Wire Factory*, corner of Sixth and Lincoln Streets.

Lake County

Fort Sheridan, *Water Tower, Building 49*, Leonard Wood Avenue.

Indiana

Monroe County

Bloomington, *Carnegie Library*.

Kansas

Geary County

Junction City, *Main Post Area, Fort Riley*, northeast of Junction City on Kansas 18.

Kentucky

Carter County

Grayson vicinity, *Van Kitchen Home*, south of Grayson off Kentucky 7.

Estill County

Lexington vicinity, *Fitchburg Iron Furnace*, on Kentucky 975 in Daniel Boone National Forest.

Jefferson County

Louisville, *Old Louisville Historic District*, bounded on the north by Broadway, on the west by Seventh Street and the Louisville/Nashville Railroad tracks, on the east by I–65 and Brook Street, on the south by Eastern Parkway and Gaulbert Avenue.

Maine

Waldo County

Frankfort, *Mosquito Mountain. Waldo Granite Works*.

Maryland

Frederick County

Fort Detrick, *Nallin Farm House* (Fort Detrick Building 1652).

Harford County

Aberdeen vicinity, *Gunpowder Meeting House* (Building E–5715), Magnolia Road, Aberdeen Proving Ground.

Aberdeen vicinity, *Presbury House (Quiet Lodge*, Building E–4730), Austin and Parrish Roads, Aberdeen Proving Ground.

St. Marys County

St. Inigoes, *Priest House (St. Inigoes Manor House)*, Naval Electronic Systems Test and Evaluation Facility.

Michigan

Livingston County

Fenton, *Fenton Downtown Historic District*, both sides of Leroy Street between Ellen on the south and Silver Lake on the north; north side of Caroline and east side of River Street.

Missouri

Jackson County

Kansas City, *Folly's (Standard) Theater*, 12th and Central Streets.

Montana

Lewis and Clark County

Marysville, *Marysville Historic District*.

Park County

Mammouth, *Chapel at Fort Yellowstone*, Yellowstone National Park.

Nebraska

Madison County

Norfolk, *Federal Building (U.S. Post Office and Courthouse)*, corner of Fourth Street and Madison Avenue.

Nevada

Storey County (also in Washoe County)

Sparks vicinity, *Derby Diversion Dam (Truckee River Diversion Dam)*, 19 miles east of Sparks on I–80.

New Hampshire

Grafton County

Bedell Covered Bridge.

New York

Westchester County

White Plains, *Westchester County Courthouse Complex*, corner of Main and Court Streets.

North Carolina

Brunswick County

Southport, *Fort Johnston*, Moore Street.

Jones County

Trenton, *Trenton Historic District*.

New Hanover County

Wilmington, *Market Street Mansions District*, both sides of Market Street between 17th and 18th Streets.

Wilmington, *Wilmington Historic District*.

Oregon

Klamath County

Crater Lake National Park, *Crater Lake Lodge*.

Pennsylvania

Allegheny County

Bruceton, *Experimental Mine*, off Cochran Mill Road.

Pittsburgh, *Pittsburgh Experiment Station, Main Building*, 4800 Forbes Avenue.

Clinton County

Lockhaven, *Apsley House*, 302 East Church Street.

Lockhaven, *Hawey, Judge, House*, 29 North Jay Street.

Lockhaven, *McCormick, Robert, House*, 234 East Church Street.

Lockhaven, *Mussina, Lyons, House*, 23 North Jay Street.

Cumberland County

Carlisle, *Hessian Guardhouse*, corner of Guardhouse Lane and Garrison Lane.

Tennessee

Gibson County

Milan, *Browning House*, Milan Army Ammunition Plant.

Texas

Bexar County

Fort Sam Houston, *Pershing House*, Staff Post Road.

Fort Sam Houston, *Post Chapel*, Wilson Street.

Hill County

Lake Whitney Estates vicinity, *Pictograph Cave*, north of Lake Whitney Estates.

Vermont

Windsor County

Windsor, *Post Office Building*.

Virginia

Augusta County

Waynesboro vicinity, *Mt. Torry Furnace*, southwest of Waynesboro on Virginia 664 in George Washington National Forest.

Washington

Clark County

Vancouver, *Officers Row, Fort Vancouver Barracks.*

Kittitas County

CleElum vicinity, *Salmon La Sac Guard Station*, north of CleElum on County Road 9235.

Pierce County

Fort Lewis Military Reservation, *Captain Wilkes July 4, 1841, Celebration Site.*

West Virginia

Marion County

Prickett's Fort, *Prickett Bay Boat Launching Site*, State Road 72 off West Virginia 73.

Wood County

Parkersburg, *Wood County Courthouse.*

Wisconsin

Door County

Chambers Island, *Chambers Island Lighthouse Dwelling*, northern tip of Chambers Island in Green Bay, Lake Michigan.

Wyoming

Goshen County

Torrington, *Union Pacific Depot.*

ERNEST A. CONNALLY,
Associate Director,
Professional Services.

[FR Doc.74-4677 Filed 3-4-74;8:45 am]

Office of the Secretary

[INT FES 74-10]

MOORES CREEK NATIONAL MILITARY PARK, NORTH CAROLINA, PROPOSED BOUNDARY ADJUSTMENT

Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act, the Department of the Interior has prepared a final environmental statement for proposed boundary adjustment for Moores Creek National Military Park, North Carolina.

The environmental statement considers boundary adjustments on the east, west and north sides of the park in Pender County, North Carolina and the relocation of State Highway 210.

Copies are available from or for inspection at the following locations:

Office of the Regional Director
Southeast Region
National Park Service
3401 Whipple Avenue
Atlanta, Georgia 30344

Office of the Superintendent
Blue Ridge Parkway
P.O. Box 7606
Asheville, North Carolina 28807

Office of the Superintendent
Moores Creek National Military Park
Currie, Pender County
North Carolina 28435

Dated: February 26, 1974.

WILLIAM A. VOGELY,
Acting Deputy Assistant
Secretary of the Interior.

[FR Doc.74-4941 Filed 3-4-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[PPQ 639]

SOIL SAMPLES

List of Approved Laboratories Authorized To Receive Interstate and Foreign Shipments for Processing, Testing, or Analysis

This document revises the regulation listing laboratories authorized to receive interstate and foreign shipments of soil samples for processing, testing, or analysis by deleting reference to laboratories which no longer receive interstate shipments of soil samples for analysis, and by deleting reference to laboratories whose permits to receive foreign soil samples have expired. It further revises the regulation by adding laboratories approved since the last amendment of the list to receive soil samples shipped interstate and shipped from foreign sources. It also reflects the new import permit expiration dates for laboratories whose permits to receive foreign soil samples have been extended since the last revision of the list. Various other changes were also made.

Under the Japanese Beetle, Whitefringer Beetle, Witchweed, Imported Fire Ant, and Golden Nematode Quarantines (Notices of Quarantine Nos. 48, 72, 80, 81, and 85; 7 CFR 301.48, 301.72, 301.80, 301.81, and 301.85), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), the list of laboratories (37 FR 7813) operating under a compliance agreement and approved under said quarantines to receive interstate and foreign shipments of soil samples for processing, testing, or analysis is hereby revised as follows:

LABORATORY AND ADDRESS

A

A & H Corp., Consulting Engineers, Carbondale, IL
A & H Corp., Consulting Engineers, Champaign, IL
A & H Corp., Consulting Engineers, Chicago, IL
A & H Corp., Consulting Engineers, Peoria, IL
A & H Engineering Corp., Springfield, IL
A & L Laboratory, Memphis, TN
ATS, DiGiorgio, CA[3] (6-30-76)
Abbott Laboratories, North Chicago, IL[3] (6-30-76)
Ackenheil, A. C., & Associates, Inc., Pittsburgh, PA
Agrico Chemical Co., Washington Courthouse, OH
Agricultural Service Laboratories, Pharr, TX[3] (6-30-77)
Alfred Agricultural and Technical Institute, State University of New York, Department of Agronomy, Alfred, NY
Allied Chemical Corp., Morristown, NJ
Ambric Testing & Engineering Associates, Inc., Testing Laboratories, Arlington, VA
American Cyanamide Co., Princeton, NJ
American Oil Co., Soil Laboratories, Rochelle, GA
American Oil Co., Soil Laboratories, Holland, TX
American Oil Co., Soil Testing Laboratory, Yoder, IN
American Testing Institute, San Diego, CA[2] (6-30-74)
Ameron, South Gate, CA
Analysis Laboratories, Inc., Metairie, LA
Analytical Development Corp., Monument, CO[3] (6-30-74)
Anco Testing Laboratory, Inc., St. Louis, MO
Arco Chemical Co., Fort Madison, IA
Arizona State University, Tempe, AZ
Arizona State University, Department of Anthropology, Tempe, AZ[3] (6-30-74)
Arizona Testing Laboratory, Phoenix, AZ
Arizona, University of, Department of Agricultural Chemistry and Soils, Tucson, AZ[3] (6-30-75)
Arizona, University of, Department of Geosciences, Tucson, AZ[3] (6-30-74)
Arizona, University of, Department of Plant Pathology, Tucson, AZ[2] (6-30-77)
Arkansas, University of, Experiment Station, Fayetteville, AR
Arkansas, University of, Experiment Station, Marianna, AR
Arkansas Highway Department, Materials and Testing Laboratory, Little Rock, AR
Asphalt Institute, College Park, MD
Asphalt Technology, Bellmawr, NJ
Astrotech, Inc., Harrisburg, PA
Atkins Farmlab, Chico, CA
Atlanta Testing & Engineering Co., Atlanta, GA
Auburn University, Soil Testing Laboratory, Auburn, AL

B

Babcock, Edward S., & Sons, Riverside, CA
Baker, Michael, Inc., Rochester, PA
Barbot, D. C., & Associates, Inc., Florence, SC
Barrow-Agee Laboratories, Inc., Memphis, TN[1]
Beckman, Inc., Microbics Operations, La Habra, CA
Bethany Laboratory of Uni-Royal Chemical, Division of Uni-Royal, Inc., Bethany, CT
Biological Testing and Research Laboratory, Lindsay, CA
Boring Soils & Testing Co., Inc., Harrisburg, PA
Boswell, J. G., Co., Corcoran, CA[3] (6-30-76)
Bowes & Associates, Strawberry Park Road, Steamboat Springs, CO[2] (6-30-76)
Bowser-Morner Testing Laboratories, Inc., Dayton, OH
Brandley, Reinard W., Sacramento, CA[2] (6-30-74)
Braun, Skaggs, and Kevorkian Engineering, Inc., Fresno, CA
Brigham Young University, Department of Anthropology & Archaeology, Provo, Utah[3] (6-30-74)
Bristol Laboratories, Syracuse, NY[3] (6-30-74)
Broeman, F.C., & Co., Cincinnati, OH
Brookside Laboratory, Division of Chemical Service Laboratory, Inc., New Knoxville, OH
Brown and Root-Northrop IRL, Houston, TX
Brucker & Associates, St. Louis, MO

C

CIBA-Geigy Corp., Greensboro, NC[3] (6-30-77)
CPC International, Inc., Argo, IL
California Department of Food & Agriculture, Chemistry Laboratories, Sacramento, CA
California Department of Public Works, Division of Highways Materials and Research, Sacramento, CA

See footnotes at end of document.

California Institute of Technology, Jet Propulsion Laboratory, Pasadena, CA [2] (6-30-74)
California State Polytechnic College, Department of Biological Sciences Pomona, CA [2] (6-30-75)
California Testing Laboratories, Los Angeles, CA
California, University of, Agricultural Extension Laboratory, Agricultural Extension Service, Riverside, CA
California, University of, Department of Agronomy & Range Science, Davis, CA [2] (6-30-75)
California, University of, Department of Civil Engineering, Davis, CA [2] (6-30-77)
California, University of, Department of Food Science & Technology, Davis, CA [2] (6-30-77)
California, University of, Department of Plant Pathology, Davis, CA [3] (6-30-74)
California, University of, Department of Soil Science & Agricultural Engineering, Riverside, CA [2] (6-30-75)
California, University of, Department of Soils & Plant Nutrition, Berkeley, CA [2] (6-30-75)
California, University of, Soils and Plant Nutrition, Riverside, CA [2] (6-30-74)
California, University of (Los Angeles), Laboratory of Nuclear Medicine and Radiation Biology, Los Angeles, CA
California, University of, Lawrence Livermore Laboratory, Livermore, CA [2] (6-30-74)
California State College San Bernardino, Department of Biology, San Bernardino, CA [2] (6-30-75)
Calspan Corp., Buffalo, NY
Campbell Institute for Agricultural Research, Riverton, NJ [3] (6-30-74)
Capozzoli, Jouis J., & Associates, Inc., Baton Rouge, LA
Carnegie-Mellon University, Civil Engineering Department, Pittsburgh, PA [2] (6-30-75)
Carpenter Construction Co., Inc., Virginia Beach, VA
Cascade Agricultural Service Co., Mt. Vernon, WA.
Central Michigan University, Department of Biology, Mount Pleasant, MI [2] (6-30-75)
Central Valley Laboratory, Fresno, CA
Chemagro Corp., Kansas City, MO [3] (6-30-77)
Chembac Laboratories, Charlotte, NC
Chemical Service Laboratory, Inc., Jeffersonville, IN
Chemical Service Laboratory, Inc., New Knoxville, OH [2] (6-30-76)
Chemonics Industries, Phoenix, AZ [3] (6-30-78)
Chevron Chemical Co., Fresno, CA
Chevron Chemical Co., Richmond, CA
Chevron Oil Field Research Co., La Habra, CA
Citizens National Bank of Paris Soil Testing Laboratory, Paris, IL
Clarkson Laboratory & Supply, Inc., San Diego, CA [2] (6-30-75)
Clemson University, Clemson, SC
Clinton Corn Processing Co., Clinton, IA [2] (6-30-74)
Coenen and Associates—Engineers, Newport News, VA
Coles County Farm Bureau, Charleston, IL
Colorado State University, College of Veterinary Medicine & Biomedical Sciences, Fort Collins, CO [3] (6-30-74)
Colorado School of Mines, Research Institute, Golden, CO [3] (6-30-74)
Colorado State University, Department of Agronomy, Fort Collins, CO [3] (6-30-75)
Colorado State University, Department of Economics, Fort Collins, CO
Colorado, University of, Department of Geological Sciences, Boulder, CO [3] (6-30-74)
Columbia University, R. W. Carlton Materials Laboratory, New York, NY [3] (6-30-74)
Commercial Laboratory, Inc., Richmond, VA
Commercial Testing & Engineering Co., Chicago, IL [1]

See footnotes at end of document.

Connecticut, University of, Soil Testing Laboratory, Plant Science Department, College of Agriculture and Natural Resources, Storrs, CT
Consolidated Cigar Corp., Glastonbury, CT [2] (6-30-74)
Construction Aggregates Corp., Ferrysburg, MI
Contractors & Engineers Service, Inc., Fayetteville, NC
Contractors & Engineers Service, Inc., Goldsboro, NC
Cook Research Laboratories, Inc., Menlo Park, CA
Cookwell Strainer, Cincinnati, OH
Cooper-Clark & Associates, Palo Alto, CA
Coors Spectro-Chemical Laboratory, Denver, CO
Core Laboratories, Inc., Aurora, CO
Core Laboratories, Inc., Ilouma, LA
Core Laboratories, Inc., Lafayette, LA
Core Laboratories, Inc., New Orleans, LA
Core Laboratories, Inc., Shreveport, LA
Core Laboratories, Inc., Farmington, NM
Core Laboratories, Inc., Hobbs, NM
Core Laboratories, Inc., Dallas, TX
Core Laboratories, Inc., Casper, WY
Cornell University, Department of Agronomy, Ithaca, NY [3] (6-30-74)
Cornell University, Department of Floriculture and Ornamental Horticulture, Ithaca, NY [3] (6-30-76)
Craig Testing Laboratories, Mays Landing, NJ
Crobaugh Laboratories, Cleveland, OH
Crop Chemical Testing Services, Inc., Arcola, IL
Custom Farm Services, Inc., East Point, GA [1, 3] (6-30-75)

D

Dade County Soils Laboratory, Homestead, FL
Dames & Moore, Los Angeles, CA [2] (6-30-76)
Dames & Moore, Redwood City, CA
Dames & Moore, San Francisco, CA [3] (6-30-77)
Dames & Moore, Atlanta, GA [2] (6-30-76)
Dames & Moore, Park Ridge, IL [3] (6-30-78)
Dames & Moore, Cranford, NJ [2] (6-30-75)
Dames & Moore, Houston, TX [2] (6-30-75)
Dames & Moore, Seattle, WA [2] (6-30-74)
D'Appolonia, E., Consulting Engineers, Inc., Pittsburgh, PA [2] (6-30-77)
Darwin, Charles, Research Institute, Dana Point, CA [3] (6-30-75)
Davey Tree Expert Co., Kent, OH
Daylin Laboratories, Inc., Los Angeles, CA
Del Monte Corp., San Leandro, CA
Del Monte Corp., Walnut Creek, CA
Delta Testing and Inspection, Inc., Baton Rouge, LA
Delta Testing and Inspection, Inc., Lafayette, LA
Delta Testing and Inspection, Inc., New Orleans, LA
Denver, University of, Department of Geography, Denver, CO [3] (6-30-77)
Diamond Shamrock Corp., Painesville, OH
Dickinson Laboratories, Inc., El Paso, TX [2] (6-30-74)
Dickinson Laboratories, Inc., Mobile, AL
Dixie Laboratories, Inc., Mobile, AL
Dow Chemical Co., Walnut Creek, CA [2] (6-30-77)
Dow Chemical Co., Midland, MI [3] (6-30-76)
du Pont de Nemours, E. I. & Co., Industrial and Biochemicals Department, Foreign Sales, Wilmington, DE [3] (6-30-76)
Duke University, Durham, NC
Duke University, Department of Botany, Durham, NC [2] (6-30-75)
Duke University, Department of Zoology, Durham, NC [3] (6-30-76)

E

EFCO Laboratories, Tucson, AZ [3] (6-30-78)
Eagle Iron Works, Des Moines, IA [3] (6-30-77)
Earlham College, Department of Biology, Richmond, IN [3] (6-30-75)
Eli Lilly & Co., Lilly Research Laboratories, Indianapolis, IN [2] (6-30-75)
Eisenhauer Laboratories, Los Angeles, CA
Ellerbe Architect, St. Paul, MN
Elmira College, Department of Botany, Elmira, NY [2] (6-30-75)
El Paso Chemical Laboratories, El Paso, TX [2] (6-30-78)
Empire Soils Investigations, Groton, NY
Engineers Laboratories, Inc., Jackson, MS
Engineers Testing Laboratories, Phoenix, AZ
Environmental Science & Engineering Corp., Mt. Juliet, TN
Esso Research & Engineering Co., Esso Agricultural Products Laboratory, Linden, NJ [3] (6-30-74)
Eustis Engineering Co., Metairie, LA
Evans, Jay, Testing Laboratory, Albany, GA
Evans, L. T., Inc., Los Angeles, CA

F

FEC Fertilizer Co., Homestead, FL
Farm Clinic, West Lafayette, IN [2] (6-30-76)
Federal Chemical Co., Columbus, OH
Federal Chemical Co., Nashville, TN
Fertilizers, John Taylor, Sacramento, CA
Florida Department of Agriculture and Consumer Services, Division of Plant Industry Laboratory, Gainesville, FL [2] (6-30-75)
Florida Department of Agriculture and Consumer Services, Pesticide Residue Program, Tallahassee, FL
Florida State University, Department of Geology, Tallahassee, FL [3] (6-30-75)
Florida State University, Department of Oceanography, Tallahassee, FL [2] (6-30-75)
Florida Technological University, Department of Biological Sciences, Orlando, FL [2] (6-30-74)
Florida Testing Laboratories, Inc., St. Petersburg, FL
Florida, University of, Agricultural Research & Education Center, Belle Glade, FL [2] (6-30-74)
Florida, University of, Department of Geology, Gainesville, FL [3] (6-30-74)
Florida, University of, Gulf Coast Experiment Station, Bradenton, FL [2] (6-30-76)
Florida, University of, Soils Department, McCarthy Hall, Gainesville, FL [2] (6-30-74)
Florida, University of, Soils Department, Newell Hall, Gainesville, FL [2] (6-30-74)
Florida, University of, Lake Alfred, FL
Foley, Hubert L., Jr., New Albany, MS
Flowers Chemical Laboratories, Altamonte Springs, FL
Foundation Test Services, Inc., Bethesda, MD
Franklin, R. T., & Assoc., Burbank, CA
Fresno Field Station, Fresno, CA
Froehling & Robertson, Inc., Richmond, VA [1]
Fruco & Associates, St. Louis, MO
Fugro, Inc., Long Beach, CA [2] (6-30-75)
Fuller Co., Allentown, PA [2] (6-30-74)
Fuller Co., Catasaqua, PA [2] (6-30-74)

G

GHT Laboratories of Imperial Valley, Inc., Brawley, CA
GREFCO, Inc., Torrance, CA [3] (6-30-78)
GREFCO, Inc., Lompoc, CA [2] (6-30-74)
GX Laboratories, Inc., Golden, CO [3] (6-30-77)
General Foods Corp., Birds Eye Division, Woodburn, OR [3] (6-30-74)
General Testing Laboratory, Kansas City, MO
Geo-Survey, Inc., Camp Hill, PA [2] (6-30-75)
Geo-Testing, Inc., San Rafael, CA [3] (6-30-74)
Geochemical Surveys, Dallas, TX [3] (6-30-74)
Geologic Associates, Franklin, TN
Geocon Incorporated, San Diego, CA [3] (6-30-74)
Geologic Associates, Knoxville, TN
Georgia Department of State Highways, Forest Park, GA [1]
Georgia State Department of Transportation, Forest Park, GA [3] (6-30-74)
Georgia Testing Laboratory, Atlanta, GA
Georgia, University of, Department of Agronomy, Athens, GA [3] (6-30-78)

Georgia, University of, Institute of Ecology, Athens, GA [3] (6-30-75)
Georgia, University of, Experiment, GA
Georgia, University of, Tifton, GA
Geotechnical Consultants, Inc., Glendale, CA
Gillen Engineering Co., Inc., Metairie, LA
Girdler Foundation & Exploration Co., Lenexa, VA
Glassmire, S. H., & Associates, Metairie, LA [3] (6-30-75)
Gooch, George W., Laboratory, Ltd., Los Angels, CA
Gore Engineering, Inc., Metairie, LA
Grace, W. R., & Co., Fort Pierce, FL [3] (6-30-76)
Grace, W. R., & Co., Washington Research Center, Clarksville, MD [2] (6-30-77)
Grace, W. R., & Co., Nashville, TN
Green Engineering Co., Sewickley, PA
Green Giant Co., Agricultural Research Department, Le Sueur, MN [3] (6-30-75)
Grimes, Walter B., & Associates, Chico, CA
Growers Chemical Corp., Milan, OH
Grubbs Consulting Engineers, Little Rock, AR
Gulf Coast Testing Laboratory, Inc., Corpus Christi, TX
Gulf South Research Institute, Baton Rouge, LA
Gulf South Research Institute, New Orleans, LA

H

Hales Testing Laboratories, San Jose, CA
Hales Testing Laboratories, Oakland, CA
Hamilton Company, Soil Testing Laboratory, McLeansboro, IL
Hampton Roads Testing Laboratories, Newport News, VA
Hanks, Abbot A., Testing Laboratory, San Francisco, CA
Hanson Engineers, Inc., Springfield, IL [3] (6-30-78)
Harding, Miller, Lawson, & Associate, San Rafael, CA [3] (6-30-75)
Harris, Inc., Frederick R., Woodbridge, NJ [3] (6-30-76)
Harris Laboratories, Inc., Phoenix, AZ [1,3] (6-30-77)
Harris Laboratories, Inc., Lincoln, NE
Harvard School of Public Health, Department of Microbiology, Boston, MA [3] (6-30-74)
Harvard University, Peabody Museum, Cambridge, MA [3] (6-30-78)
Harvard University, Soil Mechanics Laboratory, Cambridge, MA
Harza Engineering Co., Chicago, IL [3] (6-30-77)
Hawley & Hawley, Division of Skyline Labs, Inc., Tucson, AZ [3] (6-30-75)
Haynes, John H., Consulting Engineer, Dallas, TX
Hazen Research Inc., Golden, CO [3] (6-30-78)
Hazelton Laboratories, Inc., Falls Church, VA
Hector Supply Co., Miami, FL
Heinrichs Geoexploration Co., Tucson, AZ [3] (6-30-76)
Heinz, H. J., Bowling Green, OH
Hemphill Corp., Tulsa, OK
Herbert & Associates, Virginia Beach, VA
Hercules, Inc., Wilmington, DE
Hess, John D., Testing Corp., El Centro, CA
Hill-Harned & Associates, Redding, CA
Hill Top Research, Inc., Miamiville, OH
Hoffman-LaRoche, Inc., Nutley, NJ [3] (6-30-78)
Hollywood Testing Laboratories, Hollywood, CA
Horvitz Research Laboratories, Houston, TX
Hunt, Robert W., Co., Chicago, IL
Hunter College, Department of Anthropology, New York, NY
Hurst-Rosche Engineers, Inc., Hillsboro, IL

I

IIT Research Institute, Chicago, IL
IRI Research Institute, Inc., New York, NY

See footnotes at end of document.

Illinois Division of Highways, Bureau of Materials, Chicago, IL
Illinois Division of Highways, Bureau of Materials, Dixon, IL
Illinois Division of Highways, Bureau of Materials, Effingham, IL.
Illinois Division of Highways, Bureau of Materials, Elgin, IL
Illinois Division of Highways, Bureau of Materials, Effingham, IL
Illinois Division of Highways, Bureau of Materials, Springfield, IL
Illinois Division of Highways, Carbondale, IL
Illinois Division of Highways, East St. Louis, IL
Illinois Division of Highways, Ottawa, IL
Illinois Division of Highways, Peoria, IL
Illinois, University of, Department of Agronomy, Urbana, IL [3] (6-30-74)
Illinois, University of, Department of Anthropology, Urbana, IL [3] (6-30-75)
Illinois, University of, at Chicago Circle, Department of Geography, Chicago, IL [3] (6-30-78)
Indiana Farm Bureau Co-op, Indianapolis, IN
Indiana State Highway Commission, Division of Materials and Testing, Indianapolis, IN
Indiana University, Department of Geology, Bloomington, IN
Industrial Bio-Test Laboratories, Inc., Northbrook, IL
Institute for Research, Inc., Houston, TX
International Agriculture Services, San Francisco, CA [3] (6-30-77)
International Mineral & Chemical Corp., Libertyville, IL
International Mineral & Chemical Corp., Mulberry, FL
International Mineral Engineers, Inc., Golden, CO [3] (6-30-74)
International Research Corp., Mattawan, MI
Interpace Corp., Los Angeles, CA [3] (6-30-75)
Iowa State Highway Commission Soil Laboratory, Ames, IA
Iowa State University, Department of Agronomy, Ames, IA [3] (6-30-74)
Iowa State University, Engineering Research Institute, Ames, IA [3] (6-30-75)

J

Jennings Laboratories, Virginia Beach, VA
Jersey Testing Laboratories, Atco, NJ
Jersey Testing Laboratories, Newark, NJ
Jewell, G. K., & Associates, Columbus, OH
Johnson Soil Engineering Laboratory, Palisades Park, NJ

K

Kaiser Agricultural Chemical Co., Sullivan, IL
Kaiser Agricultural Chemicals Corp., Liberty, IN
Kaiser Agricultural Chemicals Corp., Savannah, GA
Kaiser Aluminum and Chemical Corp., Pleasanton, CA [3] (6-30-74)
Kalo Laboratories, Inc., Quincy, IL [3] (6-30-74)
Kansas City Testing Laboratory, Inc., Kansas City, MO
Kansas State University, Department of Agronomy, Manhattan, KS [3] (6-30-74)
Kansas, University of, Department of Geography, Lawrence, KS [3] (6-30-75)
Kentucky, University of, Department of Agronomy, Lexington, KY [3] (6-30-76)
Kentucky, University of, Division of Regulatory Services, Lexington, KY
Kleinfelder, J. H., & Associates, Fresno, CA
Kleinfelder, J. H., & Associates, Merced, CA
Kleinfelder, J. H., & Associates, Oakland, CA
Kleinfelder, J. H., & Associates, Sacramento, CA
Kleinfelder, J. H., & Associates, Stockton, CA

L

LFE Environmental Analysis Laboratory, Richmond, CA
Lake Ontario Environmental Laboratory, Oswego, NY
Langan Engineering Associates, Clifton, NJ
Langford & Meredith Laboratories, Division of The Analysts, Inc., The Analysts, Inc., New Orleans, LA
Larsen, Herluf T., Enola, PA
Larutan, Anaheim, CA [3] (6-30-77)
Larutan of the South, Hiram, GA
La Salle County Farm Bureau, Soil Testing Laboratory, Ottawa, IL
Law Engineering Testing Co., Atlanta, GA [1,3] (6-30-78)
Law Engineering Testing Co., McLean, VA [3] (6-30-74)
Layne-Western Co., Kansas City, MO
Layne-Western Co., Kirkwood, MO
Lederle Laboratories, Pearl River, NY [3] (6-30-75)
LeRoy Crandall & Associates, Los Angeles, CA [3] (6-30-77)
Lewin, David W., Corp., Geotechnical Engineering, The Arcade, Cleveland, OH
Libby, McNeill, & Libby, Janesville, WI [3] (6-30-76)
Lilly, Eli, & Co., Greenfield, IN [3] (6-30-74)
Lilly, Eli, & Co., Lilly Research Laboratories, Indianapolis, IN [3] (6-30-75)
Louisiana Department of Highways, Baton Rouge, LA
Louisiana State University, Department of Agronomy Laboratory, Baton Rouge, LA
Louisiana State University, Coastal Studies Institute, Baton Rouge, LA
Louisiana State University, New Orleans, LA
Lowry Testing Laboratory, Sacramento, CA

M

M & T Chemicals, Inc., Rahway, NJ
Maine State Highway Commission, Bangor, ME
Maine, University of, Orono, ME
Manchester College, Biology Department, North Manchester, IN
Mapco, Inc., Indiana Point Division, Athens, IL
Maryland, University of, Department of Agronomy, College Park, MD [3] (6-30-74)
Mason-Johnston & Associates, Inc., Dallas, TX
Massachusetts Department of Public Works, Wellesley Hills, MA
Massachusetts Institute of Technology, Soil Mechanics Division, Cambridge, MA [3] (6-30-75)
Massachusetts, University of, Department of Plant and Soil Sciences, Amherst, MA
Maurseth Howe Lockwood & Associates, Los Angeles, CA [3] (6-30-75)
McCallum Inspection Co., Chesapeake, VA [1]
McClellan Engineers, Clayton, MO
McClelland Engineers, Inc., Houston, TX [3] (6-30-74)
McGauthy, Marshall, and McMillian, Norfolk, VA
Memphis State University, Department of Biology, Memphis, TN
Memphis State University, Department of Civil Engineering, Memphis, TN
Merck Institute for Therapeutic Research, Rahway, NJ [3] (6-30-78)
Merck & Co., Inc., Agri Chemical Development, Rahway, NJ
Michigan Department of Public Health, Bureau of Laboratories, Division of Antibiotics and Fermentation, Lansing, MI [3] (6-30-78)
Michigan State University, Department of Botany and Plant Pathology, East Lansing, MI [3] (6-30-77)
Michigan State University, Soil Science Department, East Lansing, MI [3] (6-30-76)
Michigan State University, Soil Testing Laboratory, East Lansing, MI

Michigan Testing Engineers, Inc., Michigan Drilling Division, Detroit, MI
Midwest Soil Testing Service, Danforth, IL
Mier, Ezra, Raleigh, NC
Miles Laboratories, Inc., Marschall Division, Elkhart, IN [3] (6-30-77)
Miles Laboratories, Inc., Miles Research Division, West Haven, CT [3] (6-30-77)
Milwaukee, City of, Sewage Commission, Milwaukee, WI
Minnesota Department of Transportation, St. Paul, MN
Minnesota, University of, Department of Geology, Minneapolis, MN [3] (6-30-74)
Minnesota, University of, Department of Soil Science, St. Paul, MN [3] (6-30-75)
Mississippi State University, State College, MS
Mississippi, University of, University, MS
Missouri Highway Commission, Jefferson City, MO
Missouri, University of, Department of Food Sciences and Nutrition, Columbia, MO [3] (6-30-75)
Missouri, University of, Division of Biology, Columbia, MO [3] (6-30-76)
Mitchell & Associates, Dallas, TX [3] (6-30-74)
Monsanto Co., Agricultural Division, St. Louis, MO [3] (6-30-78)
Morse Laboratories, Sacramento, CA
Mountain State Research & Development, Tucson, AZ [3] (6-30-74)
Mueser, Rutledge, Wentworth, and Johnston, New York, NY [3] (6-30-74)

N

Na-Churs Plant Food Co., Marion, OH [3] (6-30-75)
Na-Churs, Red Oak, IA
National Bulk Carriers, Inc., New York, NY
National Laboratories, Evansville, IN
Natural Resources Laboratory, Golden, CO
National Soil Services, Inc., Dallas, TX
National Soil Services, Inc., Houston, TX [3] (6-30-75)
Nebraska Department of Roads, Soil Testing Laboratory, Lincoln, NE
Nebraska, University of, Department of Agronomy, Heim Hall, Lincoln, NE [3] (6-30-78)
Nelson Laboratories, Stockton, CA [3] (6-30-75)
Nevada State Highway Department Laboratory, Carson City, NV
New Jersey Department of Transportation, Trenton, NJ
New Mexico State Highway Department, Sante Fe, NM
New Mexico State University, Soil Testing Laboratory, Las Cruces, NM [3] (6-30-76)
New Mexico, University of, Anthropology Department, Albuquerque, NM [3] (6-30-74)
New Mexico, University of, Department of Geology, Albuquerque, NM [3] (6-30-74)
New York State University College, Biology Department, Geneseo, NY
New York, State University of, College of Environmental Sciences and Forestry, Syracuse, NY [3] (6-30-74)
New York, State University of, Department of Biological Sciences, Brockport, NY [3] (6-30-74)
New York, State University of, State University College at Brockport, Brockport, NY [3] (6-30-74)
Niagara Chemical Division of FMC Corp., Middleport, NY
North Carolina Department of Agriculture, Raleigh, NC
North Carolina Department of Geology, Raleigh, NC
North Carolina State University, Department of Soil Science, International Soil Testing Project, Raleigh, NC [3] (6-30-75)
North Carolina, University of, Department of Botany, Chapel Hill, NC (Dr. J. N. Couch)

See footnotes at end of document.

North Carolina, University of, Department of Botany, Chapel Hill, NC (Dr. N. G. Miller)
North Carolina, University of, Department of Botany, Chapel Hill, NC [3] (6-30-75) (Dr. Edward G. Barry)
North Dakota State Highway Department, State Highway Department Laboratory, Bismarck, ND
Norvell Plowman Laboratories, Little Rock, AR
Nu-ag, Inc., Rochelle, IL
Nutting, H. C., Co., Cincinnati, OH

O

Ohio Florist Association, Columbus, OH
Ohio State University, Botany Department, Columbus, OH [3] (6-30-76)
Ohio State University, Department of Agronomy, Columbus, OH [3] (6-30-74)
Ohio State University, Institute of Polar Studies, Columbus, OH [3] (6-30-76)
Ohio State University, Zoology Department, Columbus, OH [3] (6-30-76)
Oklahoma State Highway Department, Materials Division, Oklahoma City, OK
Oklahoma State University, Stillwater, OK
Oklahoma State University, Department of Agronomy, Stillwater, OK [3] (6-30-74)
Oklahoma State University, School of Civil Engineering, Stillwater, OK [3] (6-30-74)
Oklahoma Soil Testing Laboratories, Oklahoma City, OK
Oklahoma, University of, School of Civil Engineering and Environmental Science, Norman, OK [3] (6-30-74)
Old Dominion University, Norfolk, VA
Olson Management Service, Freeport, IL
O'Neal, Carl, & Associates, Dallas, TX
Onondaga Soil Testing, Inc., East Syracuse, NY
Oregon State Highway Department, Salem, OR [1]
Oregon State University, Soils Department, Corvallis, OR [3] (6-30-76)
Osborne Laboratories, Inc., Los Angeles, CA

P

Pacific Environmental Laboratory, San Francisco, CA [3] (6-30-75)
Pacific Spectro Chemical Laboratory, Los Angeles, CA
Parke, Davis, & Co., (Joseph Campau at the River), Detroit, MI
Parke, Davis, & Co., Medical and Science Affairs Division, Detroit, MI [3] (6-30-75)
Parrill, Irwin H., Edwardsville, IL
Pattison's Laboratories, Inc., Harlingen, TX [3] (6-30-75)
Penniman & Browne, Inc., Baltimore, MD
Penniman & Browne, Inc., Richmond, VA
Pennsylvania State University, Department of Agronomy, University Park, PA [3] (6-30-76)
Pennsylvania, University of, Department of Geology, Philadelphia, PA [3] (6-30-78)
Pennwalt Corp., Tacoma, WA [3] (6-30-74)
Perry Laboratory, Los Gatos, CA [3] (6-30-75)
Peters, Robert B., Co., Allentown, PA
Pfeiffer Foundation, Inc., Threefold Farm, Spring Valley, NY [3] (6-30-78)
Pfizer, Charles, & Co., Inc., Groton, CT [3] (6-30-75)
Phifer, Allen, Thorofare, NJ
Pickett, Ray, and Silver, St. Charles, MO
Pioneer Testing Laboratory, Inc., Redlands, CA
Pittsburgh Testing Laboratory, Pittsburgh, PA [1,3] (6-30-75)
Plains Laboratory, Lubbock, TX
Plantation Field Laboratory, Fort Lauderdale, FL
Pope, W. I., Mobile, AL
Portland Cement Association, Skokie, IL
Portland State College, Department of Biology, Portland, OR [3] (6-30-77)
Princeton University, Department of Geological & Geophysical Sciences, Princeton, NJ [3] (6-30-76)

Purdue University, Department of Agronomy, Lafayette, IN [3] (6-30-74)
Purdue University, Department of Biological Sciences, Lafayette, IN [3] (6-30-74)
Purdue University, Department of Entomology, Lafayette, IN
Purdue University, Laboratory for Applications of Remote Sensing, West Lafayette, IN [2] (6-30-74)

Q

Queens College, Flushing, NY

R

Rabe, Fred N., Engineering, Inc., Fresno, CA
Raymond International, St. Louis, MO
Reitz and Jens, Clayton, MO
Resources International, Fresno, CA [3] (6-30-74)
Rhode Island, University of, Agricultural Experiment Station, Department of Food and Resources, Chemistry, Kingston, RI [2] (6-30-74)
Rhode Island, University of, Department of Botany, Kingston, RI [3] (6-30-74)
Rice University, Department of Biology, Houston, TX [3] (6-30-74)
Richfield Oil Corp., Long Beach, CA
Ringel and Associates, Chico, CA
Rochester, University of, Department of Biology, Rochester, NY [2] (6-30-79)
Rocky Mountain Geochemical Corp., Midvale, UT
Rocky Monutain Geochemical Corp., Prescott, AZ
Rocky Mountain Geochemical Corp., West Jordan, UT [2] (6-30-74)
Rocky Mountain Technology, Inc., Golden, CO
Royster Co., Norfolk, VA [1]
Rummel, Klepper, & Kahl, Lansdowne, MD
Rutgers, the State University, Department of Soils and Crops, New Brunswick, NJ [3] (6-30-76)
Rutgers, the State University, International Agricultural Programs, New Brunswick, NJ [3] (6-30-76)
Rutgers, the State University, Soils Extension Specialist, New Brunswick, NJ

S

San Fernando Valley State College, Department of Biology, Northridge, CA
Sayre, Robert D., Richmond, VA
Schering Corp., Bloomfield, NJ [3] (6-30-74)
Scientific Associates, Inc., St. Louis, MO [3] (6-30-78)
Scott, O. M., & Sons, Seed Co., Marysville, OH
Scottland Soil Laboratory, Chrisman, IL
Seabrook Farms, Seabrook, NJ
Shankman Laboratories, Los Angeles, CA
Shannon & Wilson Co., Burlingame, CA
Shannon & Wilson, Inc., Portland, OR
Shannon & Wilson Co., Seattle, WA [3] (6-30-75)
Shawnee College Soils Laboratory, Ullin, IL
Shell Development Co., Biological Sciences Research Center, Modesto, CA
Shilstone Testing Laboratory, Inc., Baton Rouge, LA
Shilstone Testing Laboratory, Corpus Christi, TX
Shilstone Testing Laboratory, Inc., Houston, TX
Shilstone Testing Laboratory, Inc., Lafayette, LA
Shilstone Testing Laboratory, Inc., Monroe, LA
Shilstone Testing Laboratory, Inc., New Orleans, LA
Signal Oil & Gas Co., Los Angeles, CA [3] (6-30-74)
Skyline Laboratories, Inc., Wheat Ridge, CO [3] (6-30-77)
Smith-Douglas, Chesapeake, VA
Smith, Kline, & French Laboratories, Philadelphia, PA [3] (6-30-74)

Smithsonian Institution, Department of Mineral Sciences, Washington, DC[3] (6-30-74)
Snohomish Farm Veterinary Service, Snohomish, WA
Soil and Materials Engineers, Detroit, MI
Soil and Plant Laboratory, Inc., Santa Ana, CA[3] (6-30-77)
Soil and Plant Laboratory, Inc., Santa Clara, CA[3] (6-30-75)
Soil Consultants, Inc., Charleston, SC
Soil Consultants, Inc., Merrifield, VA
Soil Control Laboratory, Watsonville, CA
Soil Engineering Services, Decatur, IL
Soil Engineering Services, Inc., Minneapolis, MN
Soil Exploration Co., St. Paul, MN
Soil Services, Inc., Mountain View, CA[3] (6-30-78)
Soil Test, Moorestown, NJ
Soil Testing, Burlington, WA
Soil Testing Services, Inc., Northbrook, IL[3] (6-30-75)
Soilab Enterprises, Lancaster, CA
Soils Mechanics Services, Mt. Vernon, NY[3] (6-30-75)
South Alabama, University of, Department of Geology, Mobile, AL[3] (6-30-74)
South Carolina, University of, Columbia, SC
South Carolina, University of, Department of Anthropology and Sociology, Columbia, SC[3] (6-30-75)
South Dakota State Highway Department, Materials and Testing Department, Pierre, SD
South Dakota, University of, Department of Zoology, Vermillion, SD[3] (6-30-75)
Southern California, University of, Department of Geological Sciences, Los Angeles, CA[3] (6-30-74)
Southern Illinois Farm Foundation, Vienna, IL
Southern Illinois University, University Museum, Carbondale, IL[3] (6-30-74)
Southern Laboratories, Mobile, AL
Southern Technical Services, Inc., Jackson, MS
Southern Testing and Research Laboratories, Wilson, NC
Southwest Research Institute, San Antonio, TX[3] (6-30-74)
Southwestern Agricultural Testing Co., Fabens, TX[3] (6-30-75)
Southwestern Assayers & Chemists, Inc., Tucson, AZ[3] (6-30-74)
Southwestern Irrigation Field Station, Brawley, CA
Southwestern Laboratories, Dallas, TX[3] (6-30-74)
Southwestern Laboratories, Inc., Houston, TX[1]
Southwestern Laboratories of Louisiana, Inc., Alexandria, LA
Southwestern Laboratories of Louisiana, Inc., Baton Rouge, LA
Southwestern Laboratories of Louisiana, Inc., Monroe, LA
Southwestern Laboratories of Louisiana, Inc., Shreveport, LA
Southeastern Materials Laboratory, Phoenix, AZ
Squibb, E. R., & Sons, Department of Microbiology, Lawrenceville, NJ[3] (6-30-74)
St. Louis Testing Laboratories, Inc., St. Louis, MO
Stabilization Chemicals, Anaheim, CA[3] (6-30-77)
Standard Fruit Co., New Orleans, LA[3] (6-30-74)
Standard Laboratories, Goodfield, IL
Standard Testing & Engineering Co., Oklahoma City, OK[3] (6-30-76)
Stanford Research Institute, Menlo Park, CA[3] (6-30-77)

See footnotes at end of document.

Stauffer Chemical Co., Mountain View, CA
Stauffer Chemical Co., Richmond, CA
Stilwell & Gladding, Inc., New York, NY
Stone & Webster Engineering Corp., Boston, MA[3] (6-30-75)
Stoner Laboratories, Campbell, CA
Strawinsky Laboratory, Long Beach, CA
Suerdrup and Parcel & Associates, Inc., St. Louis, MO[3] (6-30-74)
Syracuse University Research Corp., Syracuse, NY

T

T-M-T Chemical Co., Inc., Five Points, CA
Techlab, Inc., Cincinnati, OH
Teledyne Isotopes, Palo Alto, CA
Tennent & Associates, Memphis, TN
Tennessee, University of, Soil Testing Laboratory, Nashville, TN
Tennessee Valley Authority, Materials Engineering Laboratory, Knoxville, TN
Test, Inc., Memphis, TN
Testing Engineers, Inc., Oakland, CA
Testing Engineers, Inc., San Jose, CA
Testing Laboratories, Inc., El Paso, TX[3] (6-30-75)
Testing Service Corp., Wheaton, IL
Tetco, Trinity Engineering Testing Corp., Corpus Christi, TX
Texas A & M University, Department of Sociology and Anthropology, College Station, TX[3] (6-30-75)
Texas A & M University, Soil & Crop Sciences Department, College Station, TX[3] (6-30-75)
Texas A & M University, Soil Testing Laboratory, Agricultural Extension Service and Experiment Station, College Station, TX[3] (6-30-75)
Texas Soil Laboratory, McAllen, TX[3] (6-30-78)
Texas Technological University, Department of Agronomy, Lubbock, TX[3] (6-30-76)
Texas Testing Laboratories, Dallas, TX
Texas, University of, Department of Botany, Austin, TX[3] (6-30-75)
Texas, University of, Radiocarbon Laboratory, Balcones Research Center, Austin, TX[3] (6-30-74)
Thompson, Vester J., Jr., Inc., Mobile, AL
Thornton Laboratories, Inc., Tampa, FL[3] (6-30-76)
Three Gee Dee, Pembroke, FL
Tippetts-Abbett-McCarthy-Stratton, New York, NY[3] (6-30-76)
Tri-State Soil Laboratory, Toledo, OH
Trinity Testing Laboratories, Inc., Corpus Christi, TX
Triple S Laboratory, Inc., Loveland, CO[3] (6-30-74)
Truesdale Laboratories, Inc., Los Angeles, CA
Twin City Testing and Engineering Laboratory, Inc., St. Paul, MN[3] (6-30-75)
Twin County Services Co., Murphysboro, IL
Twining Laboratories, Inc., Fresno, CA[3] (6-30-74)
Twining Laboratory of Southern California, Long Beach, CA

U

U.S. Agricultural Consultants Laboratories, San Gabriel, CA
U.S. Borax Research Corp., Anaheim, CA
U.S. Laboratories, Inc., Oakland, CA
U.S. Plant, Soil, and Nutrition Laboratory, Ithaca, NY
U.S. Terrestrial Plants Laboratory, Hanover, NH
U.S. Testing Co., Inc., Los Angeles, CA
U.S. Testing Co., Inc., Hoboken, NJ
U.S. Testing Co., Memphis Laboratory, Memphis, TN[3] (6-30-74)
U.S. Testing Laboratory, Richland, WA
USS Agri-Chemicals, Belmond, IA
USS Agri-Chemicals, Decatur, GA
Union Carbide Corp., Grand Junction, CO
Union Carbide Corp., Niagara Falls, NY[3] (6-30-75)
Union Carbide Corp., South Charleston, WV
Union Oil Company of California, Brea, CA
United Horticulture, Inc., Apopka, FL[3] (6-30-74)
Upjohn Co., Pharmaceutical Division, Kalamazoo, MI[3] (6-30-74)
Utah State University, College of Engineering, Agriculture and Irrigation Engineering, Logan, UT
Utah State University, Department of Bacteriology and Public Health, Logan, UT[3] (6-30-74)
Utah State University, Soil Laboratory, Logan, UT
Utah State University, Soil and Water Conservation Research, Mechanic Arts, Logan, UT
Utah State University, Crops Research Laboratory, Logan, UT

U.S. GOVERNMENT

U.S. Department of Agriculture, APHIS, Cyst Nematode Laboratory, Franklin, VA
U.S. Department of Agriculture, APHIS, Environmental Quality Laboratory, Brownsville, TX
U.S. Department of Agriculture, APHIS, Golden Nematode Laboratory, Hicksville, NY
U.S. Department of Agriculture, APHIS, Gypsy Moth Laboratory, Otis AFB, MA
U.S. Department of Agriculture, APHIS, Environmental Quality Laboratory, Gulfport, MS
U.S. Department of Agriculture, APHIS, Southern Methods Development Laboratory, Gulfport, MS
U.S. Department of Agriculture, ARS, CARD, U.S. Fruit, Vegetable, Soil, and Water Laboratory, Nematology Investigation, Weslaco, TX[3] (6-30-77)
U.S. Department of Agriculture, ARS, Plant and Entomological Sciences, Washington, DC[1]
U.S. Department of Agriculture, ARS, Soil, Water, and Air Sciences, Washington, DC[1]
U.S. Department of Agriculture, ARS, Southern Piedmont Conservation Research Center, Watkinsville, GA[3] (6-30-78)
U.S. Department of Agriculture, ARS, U.S. Water Conservation Lab, Phoenix, AZ[3] (6-30-79)
U.S. Department of Agriculture, FS, Southern Forest Experiment Station, Pineville, LA
U.S. Department of Agriculture, FS, SEFES, Athens, GA[3] (6-30-75)
U.S. Department of Agriculture, FS, Washington, D.C.[1]
U.S. Department of Agriculture, FS, Wood Products Insect Laboratory, Gulfport, MS[3] (6-30-74)
U.S. Department of Agriculture, SCS, Engineering and Watershed Planning Unit, Materials Testing Section, Portland, OR[3] (6-30-74)
U.S. Department of Agriculture, SCS, Engineering Division, Washington, DC[1]
U.S. Department of Agriculture, SCS, Soil Mechanics Laboratory, Lincoln, NE[3] (6-30-74)
U.S. Department of Agriculture, SCS, Soil Survey Investigations Unit, Lincoln, NE[3] (6-30-78)
U.S. Department of Agriculture, SCS, Soil Survey Laboratory, Riverside, CA[3] (6-30-77)
U.S. Department of Agriculture, SCS, Soil Survey, Washington, DC[1]
U.S. Department of Agriculture, SCS, Survey Investigations Unit, Beltsville, MD[3] (6-30-75)
U.S. Department of Commerce, National Bureau of Standards, Health Physics Section, Gaithersburg, MD[3] (6-30-75)

U.S. Department of Defense, U.S. Air Force, AFCES/DL Civil Engineering Center, Tyndall AFB, Panama City, FL [3] (6-30-78)
See footnotes at end of document.
U.S. Department of Defense, U.S. Air Force, Air Force Cambridge Research Laboratories (AFSC), Laurence G. Hanscom Field, Bedford, MA
U.S. Department of Defense, U.S. Air Force, Air Force Weapons Laboratory, Kirkland AFB, Albuquerque, NM [3] (6-30-76)
U.S. Department of Defense, U.S. Army, Construction Engineering Research Laboratory, Champaign, IL [2] (6-30-75)
U.S. Department of Defense, U.S. Army Corps of Engineers, Chicago, IL
U.S. Department of Defense, U.S. Army Corps of Engineers, Engineering Division Laboratory, Marietta, GA [3] (6-30-77)
U.S. Department of Defense, U.S. Army Corps of Engineers, Vicksburg, MS [3] (6-30-74)
U.S. Department of Defense, U.S. Army Corps of Engineers, Washington, DC [1]
U.S. Department of Defense, U.S. Army, Electronics Command, Institute for Exploratory Research, Fort Monmouth, NJ [3] (6-30-75)
U.S. Department of Defense, U.S. Army Engineer Power Group, Engineering Division, Pollution Control Laboratory, Fort Belvoir, VA [2] (6-30-74)
U.S. Department of Defense, U.S. Army, Environmental Health Agency, Building 2100, Edgewood Arsenal, MD [2] (6-30-74)
U.S. Department of Defense, U.S. Army Mobile Equipment Research Development Center, Countermine/Counter Intrusion Dept. Fort Belvoir, VA [2] (6-30-74)
U.S. Department of Defense, U.S. Army, South Pacific Corps of Engineers, Engineering Division Laboratory, Sausalito, CA [3] (6-30-78)
U.S. Department of Defense, U.S. Navy, Naval Facilities Engineering Command, Soil Mechanics and Paving Branch, Norfolk, VA
U.S. Department of Defense, U.S. Navy, Naval Weapons Center, China Lake, CA [2] (6-30-74)
U.S. Department of Health, Education, and Welfare, Center for Disease Control, Mycology Branch, Atlanta, GA [2]
U.S. Department of Health, Education, and Welfare, National Communicable Disease Center, Atlanta, GA
U.S. Department of the Interior, Bureau of Indian Affairs, Soil Testing Laboratory, Gallup, NM
U.S. Department of the Interior, Bureau of Central Environmental Geology, Denver, CO [2] (6-30-75)
U.S. Department of the Interior, Geological Survey, Albuquerque, NM
U.S. Department of the Interior, Geological Survey, Harrisburg, PA [3] (6-30-74)
U.S. Department of the Interior, Geological Survey, Washington, DC [1]
U.S. Department of Transportation, Federal Highway Administration, Fairbanks Highway Research Station, McLean, VA
U.S. Department of Transportation, Federal Highway Administration, Materials Testing Laboratory, Vancouver, WA [3] (6-30-77)
U.S. Department of Transportation, Federal Highway Administration, Washington, DC [1]
U.S. Environmental Protection Agency Laboratory, Sabine Island, Gulf Breeze, FL [2] (6-30-74)
U.S. Environmental Protection Agency, Pesticides Monitoring Laboratory, Bay St. Louis, MS
U.S. Environmental Protection Agency, Robert Kerr Laboratories, Ada, OK [3] (6-30-75)
U.S. Geological Survey, Quality of Water Laboratory, Water Resources Division, Menlo Park, CA

See footnotes at end of document.

V

Value Engineering Company, Alexandria, VA
Velsicol Chemical Corp., Chicago, IL [3] (6-30-75)
Vermillion Co., Farm Bureau, Danville, IL
Vermont, University of, Burlington, VT
Virginia Department of Highways, Richmond, VA
Virginia Polytechnic Institute, Blacksburg, VA
Virginia Truck Experiment Station, Painter, VA
Virginia Truck Experiment Station, Virginia Beach, VA
Vistron Company, Lima, OH

W

Wahler, W. A., & Associates, Palo Alto, CA [2] (6-30-75)
Walker Laboratories, Columbia, SC
Walker Laboratories, Florence, SC
Ward, J. S., & Associates, Caldwell, NJ [2] (6-30-76)
Ward Lind Engineers, Inc., Jackson, MS
Warf Institute, Inc., Madison, WI
Washington State University, Department of Agronomy and Soils, Pullman, WA [2] (6-30-75)
Washington State University, Department of Botany, Pullman, WA [2] (6-30-76)
Washington, University of, College of Forest Resources, Seattle, WA [2] (6-30-76)
Washington, University of, Department of Geological Sciences, Seattle, WA [2] (6-30-77)
Washington, University of, Laboratory of Radiation Ecology, Seattle, WA [2] (6-30-74)
Weber State College, Department of Microbiology, Ogden, UT
Western Agricultural Laboratory, Redlands, CA [2] (6-30-77)
Western Research Laboratories, Niagara Chemical Division, FMC, Richmond, CA
West Virginia Department of Highways, Charleston, WV
West Virginia, University of, Soil Testing Laboratory, Morgantown, WV
Wharton County Junior College, Soil Testing Laboratory, Wharton, TX
William and Mary, College of, Williamsburg, VA
Williams, E. V., Co., Inc., Virginia Beach, VA
Winthrop College Department of Biology, Rock Hill, SC [2] (6-30-74)
Wisconsin Department of Transportation, Madison, WI
Wisconsin, University of, Department of Anthropology, Madison, WI [2] (6-30-74)
Wisconsin, University of, Department of Anthropology, Milwaukee, WI [2] (6-30-74)
Wisconsin, University of, Department of Soil Science, Madison, WI
Wisconsin, University of, Soils Department, Madison, WI [3] (6-30-74)
Wolf's, Dr., Agricultural Laboratories, Fort Lauderdale, FL [3] (6-30-75)
Woodard Research Corp., Herndon, VA
Woodson-Tenent Laboratories, Memphis, TN [3] (6-30-74)
Woodward & Associates, Inc., Baton Rouge, LA
Woodward-Clyde-Secard & Associates, Denver, CO [3] (6-30-75)
Woodward, Clyde, & Associates, Orange, CA
Woodward, Clyde, & Associates, Clifton, NJ
Woodward, Clyde, & Associates, San Diego, CA
Woodward, Clyde, Sherard, & Associates, St. Louis, MO
Woodward-Etco & Associates, Inc., Houston, TX [2] (6-30-78)
Woodward-Gizienski & Associates, San Diego, CA [2] (6-30-74)
Woodward-Gardner & Associates, Philadelphia, PA
Woodward-Lundgren, & Associates, Oakland, CA
Woodward-Lundgren, & Associates, San Jose, CA
Woodward-McMaster & Associates, Kansas City, MO
Woodward-McMaster & Associates, Inc., St. Louis, MO
Woodward-Moorehouse & Associates, Inc., Clifton, NJ [3] (6-30-76)
Woodville Lime Products, Woodville, OH
Wyoming, University of, Department of Botany, Laramie, WY [3] (6-30-76)

Y

Yakima Testing Laboratory, Yakima, WA [3] (6-30-74)
Yale University, Department of Geology & Geophysics, New Haven, CT [2] (6-30-78)
Yale University, Greeley Laboratories, New Haven, CT [3] (6-30-77)
Yeshiva University, New York, NY
Yule, Jordan, and Associates, Camp Hill, PA

Z

Zoecon Corp., Palo Alto, CA

(Secs. 8 and 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33 (7 U.S.C. 161, 162, 150ee); 29 FR 16210, as amended, 37 FR 28464, 28477, 38 FR 19140; 7 CFR 301.48, 301.72, 301.80, 301.81, and 301.85)

Effective date. This amendment to the list of approved laboratories, PPQ 639, shall became effective March 5, 1974.

Under the provisions of the regulations supplemental to the notices of quarantine cited herein, soil samples for processing, testing, or analysis may be moved interstate from any regulated area specified in the regulations to laboratories approved by the Deputy Administrator and so listed by him. A laboratory may be approved if a compliance agreement is signed; samples are packaged to prevent spillage of soil; and soil residues, hazardous water residues, and shipping containers are treated in accordance with specified procedures.

The Deputy Administrator of Plant Protection and Quarantine Programs has approved the above-listed laboratories as establishments which meet the qualifications required under the regulations. The listed laboratories are, therefore, authorized to receive soil samples from the regulated areas specified in the regulations without certificates or permits attached.

With respect to establishments added to the list of approved laboratories, this revision relieves certain restrictions presently imposed and should be of made effective promptly in order to be of maximum benefit to persons subject to the restrictions that are being relieved. The deletion of laboratories from such list imposes certain restrictions that are necessary to prevent the spread of the above-named pests and should be made effective promptly to prevent the interstate spread of such dangerous pests.

Accordingly, it is found upon good cause under the administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with respect to this revision are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 27th day of February 1974.

T. G. DARLING,
Acting Deputy Administrator, Plant Protection and Quarantine Programs.

NOTE.—A date after a name indicates when the import permit expires.

[1] National Compliance Agreement—applies to all branch laboratories in conterminous United States.

[2] Authorized to receive unsterilized foreign samples only.

[3] Authorized to receive unsterilized foreign samples also.

[FR Doc.74-5055 Filed 3-4-74;8:45 am]

Forest Service

PROPOSAL AND DRAFT ENVIRONMENTAL STATEMENT ON ABSAROKA, BEARTOOTH, AND CUTOFF MOUNTAIN WILDERNESSES

Availability of Draft Environmental Statement and Proposal

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a proposal and draft environmental statement for Absaroka, Beartooth, and Cutoff Mountain Wildernesses, Forest Service Report Number USDA-FS-DES (Leg) R1-74-8.

The environmental statement concerns a proposal that portions of the Absaroka and the Beartooth Primitive Areas be designated as Wilderness and added to the National Wilderness Preservation System. It also proposes that certain areas of contiguous National Forest land be similarly designated and added to the System and that certain parts of both Primitive Areas be declassified. This proposal involves the Wilderness classification of 516,815 acres within the Gallatin and the Custer National Forests in Park, Sweet Grass, Stillwater, and Carbon Counties in south-central Montana.

This draft statement was filed with CEQ on February 25, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA Forest Service
South Agriculture Bldg., Room 3231
12th St. & Independence Ave., SW
Washington, DC 20250

USDA Forest Service
Northern Region
Federal Building, Room 3077
Missoula, MT 59801

USDA Forest Service
Custer National Forest
P.O. Box 2556
Billings, MT 59103

USDA Forest Service
Gallatin National Forest
P.O. Box 130
Bozeman, MT 59715

USDA Forest Service
Shoshone National Forest
P.O. Box 961
Cody, WY 82414

A limited number of single copies are available upon request to Regional Forester Steve Yurich, USDA Forest Service, Federal Building, Missoula, MT 59801.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, VA 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, state, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public, and from state and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Regional Forester Steve Yurich, USDA Forest Service, Federal Building, Missoula, MT 59801. Comments must be received by April 30, 1974, in order to be considered in the preparation of the final environmental statement.

KEITH M. THOMPSON,
Regional Forester
Northern Region, Forest Service.

FEBRUARY 25, 1974.

[FR Doc.74-5002 Filed 3-4-74;8:45 am]

MULTIPLE USE PLAN—SKALKAHO-GIRD AND SLEEPING CHILD PLANNING UNIT

Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a final environmental statement for the Multiple Use Plan—Skalkaho-Gird and Sleeping Child Planning Unit, Forest Service Report Number USDA-FS-FES (Adm) 73-69.

The environmental statement concerns the proposed implementation of a revised Multiple Use Plan for the Skalkaho-Gird and Sleeping Child Planning Unit, Darby Ranger District, Bitterroot National Forest, Ravalli County, Montana. About 121,000 acres of National Forest land are affected. The planning unit is divided into 13 subunits of similar resource potential and limitations to management. Significant values, management direction, and specific statements to guide land management have been developed for each subunit.

This final environmental statement was filed with CEQ on February 25, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Room 3231
12th St. & Independence Ave. SW.
Washington, D.C. 20250

USDA, Forest Service
Northern Region
Federal Building, Room 3077
Missoula, Montana 59801

USDA, Forest Service
Bitterroot National Forest
316 North Third Street
Hamilton, Montana 59840

USDA, Forest Service
Darby Ranger District
Darby, Montana 59829

A limited number of single copies are available upon request to:

Orville L. Daniels, Forest Supervisor
Bitterroot National Forest
316 North Third Street
Hamilton, Montana 59840

Darby District Ranger
Darby Ranger District
Darby, Montana 59829

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

KEITH M. THOMPSON,
Regional Forester,
Northern Region, Forest Service.

FEBRUARY 25, 1974.

[FR Doc.74-5001 Filed 3-4-74;8:45 am]

NORTH RIVER UNIT

Notice of Availability of Draft Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the North River Planning Unit, George Washington National Forest, Virginia, USDA-FS-R8-DES (Adm.)-74-4.

This environmental statement concerns the proposed management direction and resource allocation for a portion of the George Washington National Forest, known as the North River Planning Unit.

This draft environmental statement was transmitted to CEQ on February 22, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Room 3230
12th St. & Independence Ave. SW.
Washington, D.C. 20250

USDA, Forest Service
1720 Peachtree Road NW., Room 804
Atlanta, Georgia 30309

USDA, Forest Service
District Ranger
Bridgewater, Virginia 22812

A limited number of single copies are available upon request to Robert W. Cermak, Forest Supervisor, George Washington National Forest, P.O. Box 233, Harrisonburg, Virginia 22801.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please refer to the name and number of the environmental statement above when ordering.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the Council on Environmental Quality Guidelines.

Comments are invited from the public, and from state and local agencies which

are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor, Robert W. Cermak, George Washington National Forest, Roanoke, Virginia. Comments must be received by April 22, 1974 in order to be considered in the preparation of the final environmental statement.

HANS R. RAUM,
Acting Regional Forester.

[FR Doc.74-5019 Filed 3-4-74;8:45 am]

Office of the Secretary

MIDAMERICA COMMODITY EXCHANGE

Order Vacating Certain Designation as a Contract Market Under the Commodity Exchange Act

Pursuant to section 7 of the Commodity Exchange Act (7 U.S.C. 11), I hereby vacate the designation of the MidAmerica Commodity Exchange of Chicago, Illinois, as a contract market for rye, effective April 1, 1974. The said exchange, which was designated as a contract market for rye on October 24, 1922, has requested that such designation be vacated.

The said exchange shall remain designated as a contract market for wheat, corn, oats, soybeans, and live hogs, after April 1, 1974, having previously been so designated.

Issued this 28th day of February 1974.

CLAYTON YEUTTER,
Assistant Secretary for Marketing and Consumer Services.

FEBRUARY 28, 1974.

[FR Doc.74-5056 Filed 3-4-74;8:45 am]

SEATTLE GRAIN EXCHANGE

Order Vacating Designation as a Contract Market Under the Commodity Exchange Act

Pursuant to section 7 of the Commodity Exchange Act (7 U.S.C. 11), I hereby vacate the designation of the Seattle Grain Exchange of Seattle, Washington, as a contract market for wheat effective May 1, 1974. The said exchange, which was designated as a contract market for wheat on January 29, 1926, has requested that such designation be vacated.

Issued this 28th day of February 1974.

CLAYTON YEUTTER,
Assistant Secretary for Marketing and Consumer Services.

FEBRUARY 28, 1974.

[FR Doc.74-5057 Filed 3-4-74;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

BATTELLE MEMORIAL INSTITUTE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00116-75-07795. Applicant: Battelle Memorial Institute, Columbus Laboratories, 505 King Avenue, Columbus, Ohio 43201. Article: 600/S/20 Imacon 600 Camera. Manufacturer: John Hadland (P.I.) Ltd., United Kingdom. Intended use of article: The foreign article is intended to be used in research designed to investigate the detailed pulse shape of a mode-locked laser with a few picosecond resolution and the proton emission from laser produced plasmas in the same time region. The phenomena to to be studied are the time dependent ionization of a variety of high-Z materials and the early time hydrodynamics of both low and high-Z materials when irradiated by a very short, high power laser pulse. The objectives of the investigations are to produce very intense fluences of X-rays from laser-generated plasmas and to achieve fusion power.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the article was ordered (May 4, 1973).

Reasons: The foreign article provides a time resolution of at least 3 picoseconds. The National Bureau of Standards (NBS) advised in its memorandum dated January 15, 1974 that the capability described above is pertinent to the applicant's use in time dependent studies.

NBS also advised that it knows of no domestic instrument of equivalent scientific value to the article which was available at the time the article was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-4975 Filed 3-4-74;8:45 am]

TUFTS UNIVERSITY AND PRESBYTERIAN UNIVERSITY OF PENNSYLVANIA MEDICAL CENTER

Notice of Consolidated Decision on Applications for Duty-Free Entry of Ultramicrotomes

The following is a consolidated decision on applications for duty-free entry of ultramicrotomes pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.). (See especially § 701.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00163-33-46500. Applicant: Tufts University, School of Medicine, Department of Pathology, 136 Harrison Avenue, Boston, Massachusetts 02111. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The foreign article is intended to be used in research on biological mainly mammalian tissues and cultural systems derived from experimental animals and man which exhibit both normal and pathologic structure. Specific experiments are designed to elucidate the function of basophils and mast cells in cell mediated hypersensitivity reaction, particularly with regard to an understanding of the role of these cells in immunologic tumor rejection. Application received by Commissioner of Customs: October 5, 1973. Advice submitted by Department of Health, Education, and Welfare on: January 31, 1974.

Docket Number: 74-00165-33-46500. Applicant: Presbyterian-University of Pennsylvania Medical Center, 51 N. 39th Street, Philadelphia, Pennsylvania 19104. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The foreign article is intended to be used in research on blood vessels and muscle to investigate the capability of intracellular organelles to take up calcium and the identification of fatty materials in diseased blood vessels. The objectives are to determine at the ultrastructural level the sites that regulate contraction of muscle and how they are involved in the calcification of blood

vessels. The article will also be used to train graduated students in physiology. Application received by Commissioner of Customs: October 5, 1973. Advice submitted by Department of Health, Education, and Welfare on: January 31, 1974.

Comments: No comments have been received with respect to any of the foregoing applications. Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles for such purposes as these articles are intended to be used, is being manufactured in the United States. Reasons: Each of the foreign articles provides a range of cutting speeds from 0.1 to 20 millimeters per second. The most closely comparable domestic instrument is the Model MT–2B ultramicrotome which is manufactured by Ivan Sorvall, Inc. (Sorvall). The Model MT–2B has a range of cutting speeds from 0.09 to 3.2 millimeters per-second. The conditions for obtaining high-quality sections that are uniform in thickness, depend to a large extent on the hardness, consistency, toughness and other properties of the specimen materials, the properties of the embedding materials, and geometry of the block. In connection with a prior application (Docket Number 69–00665–33–46500), which relates to the duty-free entry of an article that is identical to those to which the foregoing applications relate, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned. The range of cutting speeds and a capability for the higher cutting speeds is, therefore, a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with another prior application (Docket Number 70–00077–33–46500) which also relates to an article that is identical to those described above, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness, etc." requires a maximum range in cutting speed and, further, that the "production of ultrathin serial sections of specimens that have a great variation in physical properties is very difficult." Accordingly, HEW advises in its respectively cited memoranda, that cutting speeds in excess of 4 millimeters per second are pertinent to the satisfactory sectioning of the specimen materials and the relevant embedding materials that will be used by the applicants in their respective experiments. For these reasons, we find that the Sorvall Model MT–2B ultramicrotome is not of equivalent scientific value to the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to any of the foreign articles to which the foregoing applications relate, for such purposes as these articles are intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-4976 Filed 3-4-74;8:45 am]

UNIVERSITY OF CALIFORNIA, LOS ALAMOS

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 73–00492–75–27000. Applicant: University of California, Los Alamos Scientific Laboratory, P.O. Box 990, Los Alamos, N. Mex. 87544. Article: Camera, image converter and accessories. Manufacturer: John Hadland Ltd., United Kingdom. Intended use of article: The article is intended to be used to study the interaction of ultrashort laser pulses with materials. Both the light output from the laser and the plasma resulting from interaction will be investigated. Such properties as spatial distribution and symmetry, velocity and direction of motion, and intensity of output will be measured.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides the capabilities for 10 nanosecond resolution and for 6 to 20 frames. The National Bureau of Standards (NBS) advised in its memorandum dated January 14, 1974 that both of the capabilities described above are pertinent to the purposes for which the article is intended to be used. NBS also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-4977 Filed 3-4-74;8:45 am]

UNIVERSITY OF CALIFORNIA, LOS ALAMOS

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 73–00443–75–82600. Applicant: University of California, Los Alamos Scientific Laboratory, P.O. Box 990, Los Alamos, N. Mex. 87544. Article: Thermovision, System, Model 680. Manufacturer: AGA, AB, Sweden. Intended use of article: The article is intended to be used to measure the distribution of the infrared radiation from released chemicals (chemical ferrocene and other compounds) and the intensity of the radiation. The objective of the experiments being conducted is to obtain data related to infrared emission from iron oxide molecules formed by chemical reaction between ferrocene and ambient ozone.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the article was ordered (August 31, 1972).

Reasons: The foreign article provides the capabilities for a horizontal resolution of 1.3 milliradians and operation in an aircraft environment. The National Bureau of Standards (NBS) advised in its memorandum dated January 14, 1974 that the capabilities described above are pertinent to the applicant's intended measurement of the spatial distribution of infrared emission from iron oxide molecules formed by chemical reaction between introduced ferrocene and ambient ozone. NBS also advised it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use which was available at the time the article was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being

manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-4978 Filed 3-4-74;8:45 am]

UNIVERSITY OF CONNECTICUT

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 73-00280-99-43595. Applicant: University of Connecticut, Storrs, Conn. 06268. Article: Betz Micromanometer, 250 mm range (2 each). Manufacturer: Instrumentenfabrik Van Essen N.V., Holland. Intended use of article: The article is intended to be used to determine precise pressure differences for air flows having velocities up to about 200 feet per second. Both static pressures and dynamic pressures are to be measured for air flows classed as low-speed wind-tunnel flows. The experiments in progress include:

a. Calibration of hot-wire probes with small calibration wind-tunnel.

b. Boundary layer studies where dynamic pressure probes are used to measure mean velocities and to serve as a calibration standard for hot-wire work.

c. Continuous monitoring of wind-tunnel speed-setting using a pilot tube.

d. Air flow and static pressure evaluation for a two-phase air-water wave tunnel.

In addition the article will be used in the courses Civil Engineering 266, Hydraulic Engineering Laboratory; Mechanical Engineering 264, Experimental Mechanical Engineering Graduate Study in Fluid Dynamics; Civil Engineering 399 and 499 as well as Mechanical Engineering 399 and 499; Thesis Preparation for Masters and Doctor of Philosophy candidates to perform experimental work with fluids such as air, water, oil, etc.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is capable of producing a differential pressure of from zero to 10 inches (250 millimeters) water and an accuracy of at least 0.0005 inch water. The National Bureau of Standards (NBS) in its memorandum dated January 28, 1974 advised that the capabilities described above are pertinent to the purposes for which the article is intended to be used. NBS also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-4979 Filed 3-4-74;8:45 am]

UNIVERSITY OF MICHIGAN

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00159-33-46040. Applicant: The University of Michigan, Pathology Department, 1335 E. Catherine Street, Ann Arbor, Michigan 48104. Article: Electron Microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The foreign article is intended to be used in teaching a course entitled *Electron Microscopy and Biological Sample Preparations.* The course will teach preparatory techniques for electron microscopy and include handling different types of tissue from human biopsies such as kidney, liver and a variety of neoplasms; the handling of various blood cells; the handling of bone marrow aspirates; and the handling of cells from tissue culture. The students will also be taught to operate the article but not at a level sufficient to qualify as expert electron microscopists.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used, was being manufactured in the United States at the time the article was ordered (December 5, 1972).

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programing. The most closely comparable domestic instrument available at the time the article was ordered was the Model EMU-4C electron microscope which was formerly manufactured by the Forgflo Corporation and which is currently supplied by the Adam David Company. The Model EMU-4C electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation. We are advised by the Department of Health, Education, and Welfare in its memorandum dated January 31, 1974 that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes. We, therefore, find that the Model EMU-4C electron microscope was not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

A. H. STUART,
Director, Special Import Programs Division.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

[FR Doc.74-4980 Filed 3-4-74;8:45 am]

UNIVERSITY OF PENNSYLVANIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 73-00373-65-25300. Applicant: Trustees of the University of Pennsylvania, Purchasing Department, Franklin Building Annex, 3451 Walnut Street, Philadelphia, PA 19174. Article: Electrical discharge machine. Manufacturer: Ateliers des Charmilles, Switzerland. Intended use of article: The article is intended to be used for the study of single crystals of Hf, Ni, Tl, Pr, Cu_3Au, Ni_3Al, Bi, Al, PbTe, Au and $SmCO_5$ and polycrystalline samples of Cu-Al, Tl-Al, CuMn, Al, Tm, Zrc, TiC, Tb, Si-Fe, and steel. The properties of the materials to be investigated are thermodynamic and transport mechanical, phase transformations and defects, interfaces, and electrodes, electronic and magnetic; and optical and acoustical. Experiments to be

conducted are the diffusivity of sulfur in $CaO-SiO_2-Al_2O_3$ melts; dislocation mobilities in ordered alloys; a study of the high temperature strength of Ni_3Al; and investigation in the hardening process of fatigue; mechanisms of metal-metal oxide electrode processes; domain structure of rare earth metals; electron energy band structure in metals and semiconductors; crystalline fields in rare earth metals and compounds; and optical and acoustical spectroscopy of solids.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a quill tracking accuracy of 0.00008 inch and a minimum introduction of strain and damage in the sample. The most closely comparable domestic instrument can be represented by the electrical discharge machine manufactured by Colt Industries Elox Division (Colt). The Colt machine, which does not introduce significant strain and damage in the sample, has a quill tracking accuracy of 0.00015 inch. The National Bureau of Standards (NBS) advised in its memorandum dated January 11, 1974 that the best available quill tracking accuracy and a minimum introduction of strain and damage in the sample are pertinent to the purposes for which the article is intended to be used. NBS also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-4981 Filed 3-4-74;8:45 am]

UNIVERSITY OF WASHINGTON

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 73-00446-00-17500. Applicant: University of Washington, C.R. Physical Project, Department of Oceanography WB-10, Seattle, Wash. 98195. Article: Tape reader No. 2103 and accessories. Manufacturer: Ivar Aanderaa, Norway. Intended use of article: The article is intended to be used to provide the necessary translation of digital tapes produced by Aanderaa Recording Current Meter to computer compatible digital tapes for further data processing. The equipment will also be used by graduate students in the process of collecting data for their research programs.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article will be used in oceanographic research to decode and monitor tapes generated by recording current meters of the same manufacture as the article. The article is compatible with the current meter tapes to be decoded and monitored and provides computer-compatible information. The National Bureau of Standards (NBS) advised in its memorandum dated January 29, 1974, that the characteristics of the article described above are pertinent to the purposes for which the article is intended to be used. NBS also advised that it knows of no domestic instrument of equivalent scientific value to the article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import Programs Division.

[FR Doc.74-4982 Filed 3-4-74;8:45 am]

Maritime Administration

CONSTRUCTION OF TANKERS OF ABOUT 265,000 DWT RECOMPUTATION OF FOREIGN COST

Notice of Intent

Notice is hereby given of the intent of the Maritime Subsidy Board pursuant to the provisions of section 502(b) of the Merchant Marine Act 1936, as amended, to recompute the estimated foreign cost of the construction of tankers of about 265,000 DWT since there appears to have been a significant change in shipbuilding market conditions since the previous determination of estimated foreign cost was made.

Any person, firm or corporation having any interest (within the meaning of section 502(b)) in such computations may file written statements by the close of business of March 27, 1974, with the Secretary, Maritime Subsidy Board, Maritime Administration, Room 3099B, Department of Commerce Building, 14th & E Streets, NW., Washington, D.C. 20230.

Dated: February 28, 1974.

By order of the Maritime Subsidy Board, Maritime Administration.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.74-5059 Filed 3-4-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

LIBRARY TRAINING PROGRAM

Notice of Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in sections 201, 221, and 222 of Title II, Part B of the Higher Education Act of 1965, as amended (20 U.S.C. 1021, 1031, and 1033), applications are being accepted from institutions of higher education and library organizations and agencies for grants under the Library Training Program for institutes, fellowships, and traineeships.

Applications must be received by the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. 20202 (mailing address: U.S. Office of Education, Application Control Center, 400 Maryland Ave., SW., Washington, D.C. 20202, Attention: 13.468), on or before April 8, 1974.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

The regulations which govern assistance to institutions of higher education and eligible agencies and organizations to assist in training persons in librarianship are published in 45 CFR Part 132, as amended by the Office of Education General Provisions Regulations published in the FEDERAL REGISTER on November 6, 1973, 38 FR at 30660. Applicable provisions of the General Provisions Regulations apply to this program. In addition, revised regulations on the library

training program are published as a notice of proposed rulemaking in this issue of the FEDERAL REGISTER and should be used for guidance in the preparation of applications and proposals.

Application forms and other pertinent information will be sent to all institutions and agencies which have previously participated in the program. Other institutions and agencies desiring to participate may obtain such application forms, proposal formats, and other pertinent information from the Division of Library Programs, Office of Institutional Development and International Education, Bureau of Postsecondary Education, U.S. Office of Education, 400 Maryland Avenue, SW., Washington, D.C. 20202, ATTN: Library Education and Postsecondary Resources Unit.

(20 U.S.C. 1021, 1031, 1033)

(Catalog of Federal Domestic Assistance Program No. 13.468; Training in Librarianship)

Dated: February 26, 1974.

JOHN OTTINA,
U.S. Commissioner of Education.

[FR Doc.74-5122 Filed 3-4-74;8:45 am]

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

COMMITTEE ON GRANT AND BENEFIT PROGRAMS

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Committee on Grant and Benefit Programs of the Administrative Conference of the United States, to be held at 10:30 a.m. on March 15, 1974 in the Conference Library, Suite 500, 2120 L Street, NW., Washington, D.C. 20037.

The Committee will meet to consider a report and proposed recommendation on Federal grant procedures, a report and proposed recommendation on anti-discrimination procedures in hiring by colleges and universities, and a pending study on representation in claims adjudications by Federal agencies.

Attendance is open to the interested public, but limited to the space available. Any member of the public may file a written statement with the Committee before, during or after the meeting. To the extent that time permits the Committee Chairman may allow public presentation or oral statements at the meeting. For further information concerning this committee meeting contact William R. Shaw (phone 202-254-7065). Minutes of the meeting will be available on request.

RICHARD K. BERG,
Executive Secretary.

FEBRUARY 27, 1974.

[FR Doc.74-5004 Filed 3-4-74;8:45 am]

COMMITTEE ON JUDICIAL REVIEW

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Committee on Judicial Review of the Administrative Conference of the United States, to be held at 1:00 p.m. on March 7, 1974 in the offices of Covington and Burling, 888 16th Street NW., Washington, D.C. 20006.

The Committee will meet to consider a report and proposed recommendation on preenforcement judicial review of rules adopted pursuant to the notice-and-comment procedures of 5 U.S.C. 553.

Attendance is open to the interested public, but limited to the space available. Any member of the public may file a written statement with the Committee before, during or after the meeting. To the extent that time permits the Committee Chairman may allow public presentation of oral statements at the meeting. For further information concerning this committee meeting contact Robert W. Hamilton (phone 202-254-7065). Minutes of the meeting will be available on request.

RICHARD K. BERG,
Executive Secretary.

FEBRUARY 27, 1974.

[FR Doc.74-5003 Filed 3-4-74;8:45 am]

ATOMIC ENERGY COMMISSION

WASTE MANAGEMENT ACTIVITIES; SAVANNAH RIVER PLANT

Notice of Meeting

Notice is hereby given by the Atomic Energy Commission and the Environmental Protection Agency of an informal meeting between staffs of the two agencies to be held in the Pine Room of the Commercial Motor Hotel, 235 Richland Avenue West, Aiken, South Carolina 29801, on March 12, 1974 at 9 a.m. The purpose of the meeting will be to discuss waste management activities at the Atomic Energy Commission's Savannah River Plant and AEC's environmental impact statement now in preparation which covers such activities. The public is cordially invited to attend these discussions.

Further information can be obtained from Mr. William R. Voigt, Deputy Director, Division of Production and Materials Management, U.S. Atomic Energy Commission, Washington, D.C. 20545 and E. David Harward, Director, Technology Assessment Division, Office of Radiation Programs, Environmental Protection Agency, Washington, D.C. 20460.

W. D. ROWE,
Deputy Assistant Administrator for Radiation Programs, Environmental Protection Agency.

FEBRUARY 26, 1974.

JAMES L. LIVERMAN,
Assistant General Manager for Biomedical and Environmental Research and Safety Programs, Atomic Energy Commission.

FEBRUARY 22, 1974.

[FR Doc.74-4998 Filed 3-1-74;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket Nos. 22859, 26460; Order 74-2-119]

ALASKA AIRLINES, INC. AND NORTHWEST AIRLINES, INC.

Order of Suspension Regarding Domestic Air Freight Rate Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 27th day of February 1974.

By tariff revisions[1] bearing the issue dates of January 29 and 30, 1974, and marked to become effective March 1, 1974, Alaska Airlines, Inc. (Alaska) and Northwest Airlines, Inc. (Northwest) propose to increase general and specific commodity bulk and container rates and charges between Alaska and the 48 contiguous states.

Alaska proposes to increase its bulk general and specific commodity rates by approximately 6.5 percent, and Northwest proposes to increase its bulk general and specific commodity and container general commodity rates by 7.5 percent.

In support of its proposal, Alaska asserts, inter alia, that the proposal is based upon recent increases in fuel costs estimated to amount to $2.0 million for the year ending February 28, 1975, and the proposal is expected to generate approximately $221,000 in added revenues, which, when combined with a concurrently proposed passenger-fare increase, is expected to offset the additional known fuel cost increases.

Northwest, in support of its proposal, asserts, inter alia, that it is experiencing rapid increases in operating costs; that fuel costs are increasing almost on a daily basis; that recent fuel cost increases add more than $1,000,000 in operating expenses annually in these markets; that Northwest's service is necessary particularly in view of Alaska's high dependency upon air freight service; that the proposed increase will generate approximately $215,000 in added revenues to offset cost increases; and that the proposed increases match those which have been filed by Alaska Airlines and Western Air Lines, Inc.

To the extent that the proposed rates apply between points in the 48 contiguous states and Anchorage, Fairbanks, Juneau, and Ketchikan, they come within the scope of the "Domestic Air Freight Rate Investigation," Docket 22859.[2] The issue now before the Board is whether to suspend the proposals or to permit them to become effective pending investigation.

In our opinion, the carriers have justified a need for higher revenues. The Board is aware of the sharp increases in fuel expenses in recent months and believes that some adjustment in rates and charges is justified to offset these higher

[1] Revisions to Airline Tariff Publishers, Inc., Agent, Tariffs C.A.B. Nos. 131 and 169.

[2] Alaska Airlines also proposes to increase rates involving other Alaskan points not covered in the Domestic Case. These rates will be permitted to become effective. These points are generally served via intra-Alaskan routes, such costs being higher than domestic costs, and the carrier receives subsidy for these routes. The proposed increases do not appear excessive.

expenses. In permitting certain of the rate increases proposed, the Board is giving weight to higher fuel prices claimed by the carriers to be actually experienced or those to be shortly effected pursuant to existing contracts.

Upon consideration of all relevant matters, the Board concludes it will suspend pending investigation proposals of Alaska Airlines involving higher bulk general commodity rates between Seattle/Tacoma, on the one hand, and Anchorage, Fairbanks, and Juneau, on the other, as well as for Northwest involving bulk general commodity rates for lengths of haul of 1,500 miles or over and all general commodity container rates and charges.

The foregoing suspended increases appear excessive in relation to costs indicated by data available to the Board. Although the carriers present data indicating their need for additional revenues, they make no showing that the rates and charges proposed for various lengths of haul are in line with their costs.

The remaining portions of the general commodity bulk increases as well as all specific commodity increases for both carriers will be permitted to become effective because they do not appear out of line with costs.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof.

It is ordered, That:

1. Pending hearing and decision by the Board, the increased rates, charges, and provisions described in Appendix A hereto [1] are suspended and their use deferred to and including May 29, 1974 unless otherwise ordered by the Board and that no change be made therein during the period of suspension except by order or special permission of the Board;

2. Copies of this order shall be filed with the tariffs and served upon Alaska Airlines, Inc. and Northwest Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.74-5040 Filed 3-4-74;8:45 am]

[1] Filed as part of the original document.

COMMISSION ON CIVIL RIGHTS

TEXAS STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Texas State Advisory Committee (SAC) to this Commission will convene at 1:00 p.m. on March 6, 1974, in Room 350, St. Anthony Hotel, 300 East Travis, San Antonio, Texas 78205.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Southwestern Regional Office of the Commission, Room 231, New Moore Building, 106 Broadway, San Antonio, Texas 78205.

The purposes of this meeting shall be (1) to finalize plans for the National Mexican American Education Conference scheduled for March 6-9, 1974, (2) to discuss plans for a proposed fact-finding meeting on prisons, (3) to introduce new members of the Texas SAC and (4) to appoint subcommittee to the Texas SAC.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.

Dated at Washington, D.C., February 28, 1974.

ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.74-5151 Filed 3-4-74;8:45 am]

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENT

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN POLAND

Entry or Withdrawal From Warehouse for Consumption

FEBRUARY 27, 1974.

On March 15, 1967, the United States Government concluded a comprehensive bilateral agreement with the Government of the Polish People's Republic concerning exports of cotton textiles and cotton textile products from Poland to the United States. On February 24, 1970, the two Governments exchanged notes amending and extending the bilateral agreement of March 15, 1967. The agreement was further amended and extended by exchange of notes dated January 22, 1974. Among the provisions of the agreement, as amended and extended, are those applying specific export limitations to Categories 19, 34, 36, 41, 42, 43, 49, 50, 60, and 62 for the fifth agreement year beginning March 1, 1974.

Accordingly, there is published below a letter of February 27, 1974 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, directing that the amounts of cotton textile products in the above categories, produced or manufactured in Poland, which may be entered or withdrawn from warehouse for consumption in the United States for the twelve-month period beginning on March 1, 1974 and extending through February 28, 1975, be limited to certain designated levels. This letter and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement, as amended and extended, but are designed to assist only in the implementation of certain of its provisions.

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C.

FEBRUARY 27, 1974.

DEAR MR. COMMISSIONER: Pursuant to the Bilateral Cotton Textile Agreement of March 15, 1967, as amended, between the Governments of the United States and the Polish People's Republic, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, you are directed to prohibit, effective March 1, 1974 and for the twelve-month period extending through February 28, 1975, entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textile products in Categories 19, 34, 36, 41, 42, 43, 49, 50, 60 and 62, produced or manufactured in the Polish People's Republic, in excess of the following twelve-month levels of restraint:

Category:		Twelve-month level of restraint
19	square yards	1,000,000
34	units	112,903
36	do	144,928
41	dozen	82,942
42	do	69,118
43	do	138,236
49	do	43,077
50	do	56,189
60	do	9,623
62	pounds	217,391

Cotton textile products in Categories 34, 36, 41, 49 and 50 produced or manufactured in the Polish People's Republic and exported to the United States from the Polish People's Republic prior to March 1, 1974 shall not be subject to this directive.

Cotton textile products in Categories 34, 36, 41, 49 and 50 which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be denied entry under this directive.

Entries of cotton textile products in Categories 19, 42, 43, 60 and 62, produced or manufactured in the Polish People's Republic and exported to the United States from the Polish People's Republic prior to March 1, 1974, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period March 1, 1973 through February 28, 1974. In the event that the levels of restraint established for such goods for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of March 15, 1967, as amended, between the Governments of the United States and the Polish People's Republic, which provide, in part, that within the aggregate and applicable group limits, limits on specific categories may be exceeded by not more than five percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 25, 1974 (39 FR 3430).

In carrying out the above directions, entry into the United States for consumption shall

be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Polish People's Republic and with respect to imports of cotton textiles and cotton textile products from the Polish People's Republic, have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs being necessary to the implementation of such actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

[FR Doc.74-4994 Filed 3-4-74;8:45 am]

COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN MEXICO

Entry or Withdrawal From Warehouse for Consumption

FEBRUARY 27, 1974.

On August 26, 1971, there was published in the FEDERAL REGISTER (36 FR 16957) a letter dated August 23, 1971 from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs prohibiting entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products, produced or manufactured in Mexico and exported from Mexico to the United States on or after 30 days after the date of said publication, for which Mexico had not issued a visa. One of the visa requirements is that the visa accompanying such shipments include the signature of a Mexican official authorized to issue visas. The Government of Mexico has requested, and the Government of the United States has acceded to the request, that Lic. Pablo H. Quiroga-Garza be authorized to issue visas replacing Lic. Bernardo L. Flores, who will cease to sign. This list of officials was previously amended on August 23, 1972 (37 FR 17507).

There is published below a letter of February 27, 1974 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs further amending, effective as soon as possible, the directive of August 23, 1971 to make the requested signature change. A facsimile of the signature of Lic. Pablo H. Quiroga-Garza is filed as part of the original document with the office of the Federal Register. A complete list of Mexican officials currently designated to issue visas is published as an enclosure to the letter to the Commissioner of Customs.

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

FEBRUARY 27, 1974.

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C.

DEAR MR. COMMISSIONER: This directive further amends, but does not cancel, the directive of August 23, 1971 from the Chairman, Committee for the Implementation of Textile Agreements, that directed you to prohibit under certain specified conditions entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1 through 64, produced or manufactured in Mexico, for which the Government of Mexico had not issued an appropriate visa. One of the requirements is that each visa include the signature of a Mexican official authorized to issue visas. This list of signatures was previously amended by directive of August 23, 1972.

Under the provisions of the Bilateral Cotton Textile Agreement of June 29, 1971 between the Governments of the United States and Mexico and in accordance with the procedures of Executive Order 11651 of March 3, 1972, the directive of August 23, 1971 is further amended, effective as soon as possible, to authorize Lic. Pablo H. Quiroga-Garza to issue visas in place of Lic. Bernardo L. Flores, who will no longer sign. A complete list of Mexican officials currently authorized to issue visas is enclosed.

The actions taken with respect to the Government of Mexico and with respect to imports of cotton textiles and cotton textile products from Mexico have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

OFFICIALS AUTHORIZED BY THE GOVERNMENT OF MEXICO TO ISSUE VISAS

J. Guillermo Becker A.
Jose Arango Rojas
Daniel Basulto Verduzco
Melquisedec Jimenez Mendez
Hermenegildo Delgado Cardena
Raymundo Apodaca Sanchez
Cesar Franco Porras
Guillermo Ramos Uriarte
Antonio Benitez Espindola
Juventino Martinez Velez
Pablo H. Quiroga-Garza

[FR Doc.74-4973 Filed 3-4-74;8:45 am]

CERTAIN MAN-MADE FIBER TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE REPUBLIC OF KOREA

Entry or Withdrawal From Warehouse for Consumption

FEBRUARY 27, 1974.

On May 25, 1972, there was published in the FEDERAL REGISTER (37 FR 10605) a letter of May 19, 1972, from the Chairman, Committee for the Implementation of Textile Agreements, to the Commissioner of Customs announcing implementation of an administrative mechanism intended to preclude circumvention of the licensing system for exports to the United States of cotton, wool and man-made fiber textiles and textile products produced or manufactured in the Republic of Korea. The purpose of this notice is to announce a further amendment of the administrative mechanism. The administrative mechanism was previously amended on December 21, 1972 (37 FR 28917); and in 1973, on July 17 (38 FR 20117), July 18 (38 FR 19723), August 8 (38 FR 21961), and September 24 (38 FR 26830).

The present amendment provides, at the request of the Government of the Republic of Korea, that, effective as soon as possible, visas issued on and after January 1, 1974, accompanying shipments of man-made fiber textile products in Category 224 exported from the Republic of Korea, should specify a subcategory classification within Category 224. The subcategory classification should be one of the following: 1) Category 224—Suits (T.S.U.S.A. 380.8143); 2) Category 224—Coats (T.S.U.S.A. Nos. 380.8103 and 380.8107); or 3) Category 224—Other (all remaining T.S.U.S.A. numbers included in Category 224 and T.S.U.S.A. Nos. 380.0428 and 380.8165). Shipments in Category 224 which fail to coincide with the subcategory classification shown on the accompanying visa will be denied entry.

Accordingly, there is published below a letter of February 27, 1974 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs implementing the previously described amendment.

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C.

FEBRUARY 27, 1974.

DEAR MR. COMMISSIONER: This letter further amends, but does not cancel, the directive of May 19, 1972 from the Chairman, Committee for the Implementation of Textile Agreements, that directed you to prohibit, effective 30 days after publication of notice in the FEDERAL REGISTER, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in Categories 1-64; wool textile products in Categories 101-126, 128, and 131-132; and man-made fiber textile products in Categories 200-243; produced or manufactured in the Republic of Korea for which the Republic of Korea had not issued a visa. The directive of May 19, 1972 was previously amended on December 21, 1972, and in 1973, on July 17, July 18, August 8 and September 24.

Under the provisions of the Wool and Man-Made Fiber Textile Agreement of January 4, 1972, as amended, between the Gov-

ernments of the United States and the Republic of Korea, and in accordance with the procedures of Executive Order 11651 of March 3, 1972, the directive of May 19, 1972 is further amended, effective as soon as possible, to require that visas issued on and after January 1, 1974, accompanying shipments of man-made fiber textile products in Category 224 exported from the Republic of Korea, specify a subcategory classification within Category 224. The subcategory classification should be one of the following: 1) Category 224—Suits (T.S.U.S.A. 380.8143); 2) Category 224—Coats (T.S.U.S.A. Nos. 380.8103 and 380.8107); or 3) Category 224—Other (all remaining T.S.U.S.A. numbers included in Category 224 and T.S.U.S.A. Nos. 380.0428 and 380.8165). Shipments in Category 224 which fail to coincide with the subcategory classification shown on the accompanying visa are to be denied entry.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of cotton, wool and man-made fiber textile products from the Republic of Korea have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553. This letter will be published in the FEDERAL REGISTER.

Sincerely,

SETH M. BODNER,
Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.

[FR Doc.74-4974 Filed 3-4-74;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

USE OF SAMPLING PLANS IN, AND IN ENFORCEMENT OF, MANDATORY SAFETY STANDARDS

Notice of Public Hearing

Notice is given that the Consumer Product Safety Commission will hold a public hearing on Wednesday, April 3, 1974, at 9:30 a.m. in the hearing room, 6th floor, Consumer Product Safety Commission, 1750 K Street NW, Washington, D.C., to obtain information and views concerning the use of sampling plans in mandatory safety standards issued by the Commission and in the enforcement of such mandatory safety standards.

The hearing will be held pursuant to section 27(a) of the Consumer Product Safety Act (Pub. L. 92-573, sec. 27(a), 86 Stat. 1227; (15 U.S.C. 2076(a))).

The Consumer Product Safety Commission is considering whether, as a matter of policy, it should incorporate statistically based sampling plans in some mandatory safety standards issued by the Commission. Such sampling plans would require the manufacturers of products subject to the safety standards to test their production in a predetermined manner according to the sampling plans, prior to offering the products for sale.

In addition, the Commission is considering whether, as a matter of policy, compliance market sampling plans should be used by the Commission in the enforcement of mandatory safety standards. Such plans would set requirements for identifying noncompliance with the safety standards. These compliance market sampling plans would be made public so all interested persons would know the Commission's planned method of enforcement.

Several of the Commission staff have recommended that sampling plans be incorporated in some mandatory safety standards and that the Commission use compliance market sampling plans in the enforcement of mandatory standards. These staff members believe that testing 100 percent of the items in a production lot may in some cases be unreasonable or impossible. They further state that using statistical techniques, sampling plans can be developed so that manufacturers will be able to determine the compliance of a production lot with a safety standard on the basis of the inspection results obtained by testing a relatively few items selected from that lot. They propose the development of sampling plans that would balance the risk of noncomplying items being sold against the cost and effort involved in sampling.

The Commission is aware of various objections to the use of statistically-based sampling plans. One of these objections is that if the safety standard requires sampling by the manufacturer, the standard would authorize the sale of noncomplying products. The argument is that sampling inspection cannot guarantee that items from noninspected lots will be free from defects and that even if the lot is acceptable on the basis of sampling inspection, some defective items may be offered for sale.

Some of the Commission staff also believe that compliance market sampling plans are necessary for the enforcement of mandatory safety standards. They believe statistically valid enforcement procedures must be followed to ensure that the Commission proceeds against only those in violation of safety standards.

Objections to the use of compliance market sampling plans by the Commission include the contention that such plans will delay and otherwise impede the Commission's enforcement of safety standards.

Specifically the Commission would appreciate presentations from persons or agencies on the practical problems of implementing sampling plans in standards. Accordingly, the Commission is seeking the widest possible range of information and views from representatives of industry; the safety and quality control fields; the scientific community; consumer organizations; local, state, and Federal government agencies; and any other persons who have had actual working experience with sampling plans in standards. In this regard, the Commission is particularly interested in hearing testimony from persons or groups who have experience in the enforcement aspects of sampling plans in standards.

Persons who wish to submit views on these as well as more general aspects of sampling plans are invited to do so. All interested persons are invited to observe the hearing.

Persons interested in presenting testimony, or in attending the hearing as observers, are requested to write or call Mr. Russell Smith, Office of Standards Coordination and Appraisal, Consumer Product Safety Commission, Washington, D.C. 20207; phone (301) 496-4197.

Those who wish to make an oral presentation must submit a copy or outline of their presentation and request a specific amount of time for such presentation by March 27, 1974. The Commission invites anyone, including persons unable to attend the hearing, to present written comments for the Commission's consideration. Such written material must be accompanied by a summary of not more than 250 words. All comments submitted for the hearing record must be received by close of business March 27, 1974, so that the Commission may have an opportunity to study them.

In the event the space available for the hearing will not accommodate everyone wishing to attend, attendance will be determined on the basis of the order in which requests for attendance are received.

Dated: February 28, 1974.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.74-5074 Filed 3-4-74;8:45 am]

COMMITTEE FOR PURCHASE OF PRODUCTS AND SERVICES OF THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST 1974

Notice of Proposed Additions

Notice is hereby given pursuant to section 2(a)(2) of Pub. L. 92-28; 85 Stat. 79, of the proposed additions of the following commodities to Procurement List 1974, November 29, 1973 (38 FR 33038).

COMMODITIES

Class 5510:
Stakes (For Regions 6 and 8 only);
5510-171-7701.
5510-171-7700.
5510-171-7734.
5510-171-7733.
5510-171-7732.

Comments and views regarding these proposed additions may be filed with the Committee not later than April 4, 1974. Communications should be addressed to the Executive Director, Committee for Purchase of Products and Services of the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

By the Committee.

CHARLES W. FLETCHER,
Executive Director.

[FR Doc.74-4967 Filed 3-4-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

USE OF DDT TO CONTROL THE DOUGLAS-FIR TUSSOCK MOTH

Order on Request for an Emergency Exemption

On June 14, 1972, the Administrator of the Environmental Protection Agency (EPA) issued an order cancelling most uses of DDT. This order was issued under the authority of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 135 et seq.) following seven months of hearings. The use of DDT for control of the tussock moth was not specifically addressed in that order, but there is no present registration of DDT for this purpose. Use of DDT for control of the tussock moth is therefore presently prohibited.

On January 3, 1974, the U.S. Forest Service requested an exemption from this prohibition for the contingency use of DDT to control a potential emergency outbreak of the Douglas-fir tussock moth on Federal, State, and private lands in Oregon, Idaho, and Washington. The States of Washington and Oregon have made separate similar requests. These requests are made pursuant to Section 18 of FIFRA as amended by Pub. L. 92-516 (86 Stat. 973) which provides that the Administrator of EPA "may, at his discretion, exempt any Federal or State agency from any provision of this Act if he determines that emergency conditions exist which require such exemption."

This order sets forth the Agency's disposition of these requests.

I. *Background*. A. *The 1974 Request*. The U.S. Forest Service requests an exemption from the registration requirements of FIFRA on a contingency basis. If the exemption is granted, the Forest Service will determine in May and early June whether DDT use is necessary to control the tussock moth, given conditions at that time. The Forest Service presently estimates that perhaps as many as 650,000 acres will require spraying in order to prevent serious tree damage. At a rate of 0.75 pounds per acre, approximately 490,000 pounds of DDT might therefore be required. This compares with the more than 150 million pounds of DDT which were used worldwide, and the 20 million pounds used in the United States at the time of the 1972 Order.

The Forest Service made its request for the use of DDT conditional upon a finding that emergency conditions exist after the 1974 egg hatch, and that natural controls will not reduce the larval populations to tolerable levels.[1] The Forest Service requested that EPA decide on this contingency request before March 1, 1974, to allow sufficient planning and contractual lead time. Application of DDT, if authorized, would occur in late May or early June when the moth larvae emerge from the egg masses.

B. *The 1973 Request*. In the spring of 1973, EPA received similar requests for emergency exemptions for the use of DDT to control the tussock moth from the U.S. Forest Service, several towns in the Blue Mountains area of Oregon and Washington, and from the Boise-Cascade Corporation. An Environmental Impact Statement was filed by the Forest Service covering last year's proposed DDT Spray Program.

EPA denied all of the 1973 requests for the emergency use of DDT. Many forests and entomology experts predicted that the tussock moth population would collapse as a result of the presence of a nuclear polyhedrosis virus, a natural enemy of the moth. EPA recognized that some tree damage would result before the collapse could occur, but this damage was not expected to be large enough to outweigh the risks of DDT use. While the virus may have caused collapse in certain areas of the infestation, the 1973 damage exceeded expectations, and significant new infestations developed in the summer of that year.

C. *EPA's Processing of the 1974 Request*. In addition to the contingency request of January 3, 1974, the U.S. Forest Service, in cooperation with the U.S. Department of the Interior, prepared a Draft Environmental Impact Statement (DEIS) which was submitted to the Council on Environmental Quality on December 28, 1973. The Forest Service has requested comments on this Draft Statement, and has stated that it intends to file the final Environmental Impact Statement sometime in March, 1974.

The DEIS covers only the actual application of the chemical by the Forest Service, and in no way is binding upon the EPA decision. The EPA decision need not, and cannot, because of the lead time required to prepare for the 1974 control program, await the filing of the final EIS. The DEIS was prepared pursuant to the requirements of the National Environmental Policy Act (83 Stat. 852), while the Environmental Protection Agency decision is governed by the provisions of the FIFRA. The Draft Environmental Impact Statement has provided EPA with considerable information to support the Forest Service request, but the Agency was not limited to this or any other source of information in making its decision.

In fact, the Agency has conducted extensive investigations of the entire issue ranging far beyond the DEIS. Agency officials have attended meetings of the Interagency Tussock Moth Steering Committee, an intergovernmental group which has made efforts to determine the need for and the methods of tussock moth control. EPA sponsored a Technical Information Seminar to examine the means for control of the tussock moth on November 16, 1973 in Seattle, Washington. EPA held four public hearings on the issues raised by the Forest Service's request for the use of DDT and by the Draft Environmental Impact Statement between January 14 and January 30, 1974, in the Pacific Northwest, and a final hearing in Washington, D.C. on February 1, 1974. Members of the public were invited to testify or submit written statements, and the record of these hearings were held open until February 4 to receive public comments. Numerous public officials testified at these hearings and many others submitted statements.

After initial review of the DEIS, EPA felt that additional information was needed from the Forest Service. Accordingly, by letter of January 21, 1974, the Agency requested response from the USDA-Forest Service to numerous detailed questions. A reply was received from the Head of the Forest Service dated February 5, 1974, which provided some additional information. In further response to the EPA letter and subsequent meetings with the Forest Service, USDA has made available to EPA copies of preliminary work plans, monitoring plans, and draft research designs for continuing Forest Service work on tussock moth control.

Additionally, EPA officials met with Forest Service research and field personnel in the Pacific Northwest during the month of January. At these meetings, EPA reviewed and discussed the methodology and criteria used by the Forest Service to survey egg, larvae, parasite and virus populations, and the status of development of alternatives to DDT.

D. *The Douglas-fir Tussock Moth—Description and Biology*. The Douglas-fir tussock moth (*Orgyia pseudotsugata* McDonnough) is a native insect of the Northwest and a natural component of the forests in that area. Under usual circumstances it exists in endemic numbers, but periodically increases to epidemic proportions and defoliates large acreages of its host trees. The Douglas-fir tussock moth produces one generation per year. Egg masses are laid on tree branches and trunks in the fall, and remain there through the winter; the larvae emerge from the egg masses in late May or early June after the host trees have begun new growth. The larvae feed on new foliage first, and, as they grow larger, begin feeding on the older foliage. It is during their five to seven larval states, particularly from the second instar on, that severe defoliation may occur. When mature, usually from late July to the end of August, the larvae pupate and emerge in 10 to 18 days as adult moths. Mating takes place on the cocoon where the female deposits a mass of eggs, averaging about 200 eggs per mass. Adult moths do not feed, and die within a few weeks. Because the female moth cannot fly, the population can spread only by wind dispersal of the larvae.

The tussock moth is most susceptible to control during the early larval stages (late May or early June). The tussock moth has many natural enemies, including disease organisms, insect parasites, predators, and birds. A nuclear polyhedrosis virus appears to be the major natural mortality factor in the dramatic population collapses that have terminated many previous outbreaks. This virus usually become significantly active in the third year of the population outbreak.

The exact relationship between the presence of tussock moth larvae and tree damage is not clear. We are certain that as the larvae population decreases toward

[1] January 3, 1974, letter to Russell E. Train from Paul A. Vander Myde, Deputy Assistant Secretary, Conservation, Research and Education, USDA.

zero, the amount of defoliation and tree mortality decreases. Exactly where the threshold points are, however, has not been clearly established. Even if these threshold points were known for certain, the task of determining exactly what the population of larvae is at any one time on a tree or on a group of trees is subject to serious measurement difficulties. Also relevant in forecasting the amount of damage which may occur from a particular population of larvae are: the extent of the virus population and other natural enemies of the larvae; whether the population of larvae is increasing or decreasing; and whether or not the trees have suffered previous damage. In short, although we know a considerable amount about the biology of the tussock moth, and its relationship to the forest on which it preys, there are still many areas where further knowledge is needed.

E. *Previous Outbreaks.* The first recorded tussock moth outbreak occurred in 1918 near Chase, British Columbia. Since then, major epidemics have occurred every decade in the fir forests of Western North America. Outbreak periods of the tussock moth seem to compress into three year cycles, but have been known to continue into a fourth and fifth year, and in one instance, up to 10 years. The outbreaks appear to develop explosively, in place, rather than a result of a spread from one geographical area to another. Detection of tussock moth populations at endemic, or low levels, is difficult. Visible defoliation is not usually detectable or adequately assessed until the second year of the outbreak making early detection of epidemic populations difficult.

F. *The Current Outbreak.* Although often referred to as one, there are presently several distinct outbreaks in the Northwest: one in the Blue Mountains of Eastern Washington and Oregon, one in the Colville Indian Reservation, and two in Idaho. In the years 1972 and 1973, the tussock moth defoliated trees on 800,000 acres. Of these, 17,000 acres of forest were completely killed; on an additional 71,000 acres, at least 50 percent of the Douglas fir were killed. In 1974 the Forest Service predicts that 650,000 acres will suffer serious damage if treatment with DDT is not approved. Some of this damage will occur on acreage which has not previously suffered defoliation. This projection is based on the finding of a number of new egg masses in the infested areas. While the number of egg masses is not determinative with regard to the intensity, extent, and possible danger of the infestation, it does indicate a potential for serious damage to the forest resources and environment in 1974.

The age of infestations in the various areas differs, and therefore the moth populations are at different stages of the infestation cycle. The infestation in the Blue Mountains is older and further advanced than those in the Colville area or Idaho. There are probably subinfestations within the larger infestations which may be at different levels of development. It is possible that the nuclear polyhedrosis virus occurred signficantly in those populations which were three years old in 1973, but that it did not affect the newer infestations. The varying ages of the moth populations contributes to the difficulty of assessing the impact of the virus.

Approximately two-thirds of the infested area is Federal land; the remainder is owned either by the respective States or private landowners. Indian land comprises 17 percent of the infested area.

G. *Possible Control Methods.* 1. *General Requirements.* In discussing the effectiveness of any control agent for the tussock moth, the following factors should be kept in mind: (1) tests which show conclusively that a substance will kill tussock moth larvae are not necessarily conclusive on the point that the substance will prevent or control tree damage; (2) the effectiveness of control measures depends, in part, upon the intensity of the infestation, particularly the number of larvae per thousand square inches of foliage. This second factor is illustrated by the following example: If the number of larvae per thousand square inches which will cause tree damage or mortality is determined to be 20, then the effectiveness of the control must be measured by its ability to reduce the larvae population below that number. If the level of infestation is 400 larvae per 1000 square inches, a control which is 96 percent effective will reduce the population to 16 larvae per unit. However, if the infestation level is 800 larvae per 1000 square inches, then 96 percent effectiveness will yield a reduction to only 32 per 1000 square inches—a level which could be expected to produce tree damage. Consequently, even a control agent with a relatively high capability to kill larvae (96 percent) may not be effective in preventing losses in a heavy infestation, but would be in a light infestation.

2. *Chemical Controls.* A number of chemical alternatives to DDT have been tested in the past. Tests on the current infestation, carried out in 1973, showed the following results:

(a) *Zectran:* tested on 70,000 acres in 1973, Zectran achieved larval mortality up to 93 percent, but did not provide satisfactory tree protection under the conditions used and the larvae present;

(b) *Carbaryl (Sevin):* in smaller tests, a carbaryl formulation achieved larval mortality up to 90 percent. In one case, where the intensity of infestation was lower, some tree protection was afforded;

(c) *Trichlorfon (Dylox):* 1973 tests showed larval mortality up to 98 percent, and some foliage protection; however, new growth was seriously defoliated;

(d) *Bioethanomethrin and resmethrin:* these synthetic pyrethrins are highly promising results in 1973 tests; however, the adaptation of the most effective application technology to forest uses has not yet been made;

(e) *DDT:* DDT was registered against the tussock moth in 1947. The Forest Service discontinued its use in forests in 1968. Laboratory tests show DDT to be toxic to tussock moth larvae. Field experiments have shown larval mortality to range up to 100 percent when compared to unsprayed check plots in the same infestation. Since DDT was not tested in the field during the 1973 infestation along with the other chemical controls, there is no statistical evidence correlating the use of DDT with prevention of tree mortality. However, there is qualitative evidence from competent authorities based on past use that DDT will control the tussock moth and afford tree protection.

3. *Biological controls.* Biological controls have been tested against the tussock moth in recent years. 1973 tests on two of these showed the following results:

(a) *Bacillus thuringiensis* (BT): already registered against a number of forest pests, BT was tested on 20 acre plots in 1973, and showed larval kill ranging from 80 to 98 percent in a new formulation;

(b) *Polyhedrosis virus:* this is the natural virus which normally causes collapse of tussock moth infestations. Applied artificially in 1973, the virus achieved larval kill up to 97 percent. The safety of artificially cultivating and distributing the virus on a wide-scale basis is still under considerable debate.

H. *Uncertainties.* From the foregoing discussion, it should be clear that the Agency presently lacks considerable data which, ideally, should be assessed before a decision is made. Unfortunately, this is very often the case in decisions concerning the protection of the environment given the complexities of the ecological system and uncertainties surrounding the environmental impacts of change introduced by man.

In the present case uncertainties occur in the following areas:

(1) The relationship between the intensity of larval populations and damage to trees;

(2) The efficacy of controls to prevent damage;

(3) The exact economic and social impact of a decision not to control the infestation;

(4) The extent of the virus population this year and its relationship to the potential collapse of some or all the infestations.

II. *The Decision.* Although under optimum conditions this Agency would postpone the decision on the Forest Service's contingency request until more of the uncertainties could be resolved, this option is not realistically open. A decision must be made at this time in order that planning and contractual arrangements for the 1974 control program may be made. If the EPA decision is positive, the Forest Service must know early in order to obtain supplies of DDT in the proper formulations, to contract for the application of the material, and to initiate the necessary research and monitoring planning, and design the operational procedures and the performance training which would ensure that the most environmentally sound application procedures are used. On the other hand, if the EPA decision is negative, the Forest Service and the involved State agencies must now begin to evaluate the practicality of fall-back actions which might be desirable.

If a dramatic decrease in the level of these uncertainties were possible or likely

during the next one to two months, the Agency would be more disposed toward delaying this decision despite the severe difficulties this could cause in the structuring of the 1974 control program. This is not, however, the case, and EPA is reluctantly persuaded that a decision must be made now as to whether the present situation qualifies for an exemption under section 18 of the FIFRA.

A. *Legal Parameters of the Decision*

Section 18, in its entirety, reads as follows:

> The Administrator may, at his discretion, exempt any Federal or State agency from any provision of this Act if he determines that emergency conditions exist which require such exemption.

On December 3, 1973, EPA published final regulations for this Section setting forth general requirements and the procedures to be followed (38 FR 33303). Section 166.1 of these regulations sets forth the parameters of decisions under this Section of the Act:

> An emergency will be deemed to exist when: (a) A pest outbreak has or is about to occur and no pesticide registered for the particular use, or alternative method of control, is available to eradicate or control the pest, (b) significant economic or health problems will occur without the use of the pesticide, and (c) the time available from discovery or prediction of the pest outbreak is insufficient for a pesticide to be registered for the particular use. In determining whether an emergency condition exists, the Administrator will also give consideration to such additional facts requiring the use of section 18 as are presented by the applicant.

In applying these criteria to the Forest Service request, the Agency has determined that emergency conditions do exist which require such an exemption from the requirements of FIFRA. This exemtion is not a directive from this Agency that DDT should be used this summer against tussock moth. It is the hope of the EPA that an actual emergency will not arise in the Northwest at the time of egg hatch and that spraying of DDT will not be necessary. This Agency's decision to grant this contingency request is based on the following findings:

1. *A pest outbreak has or is about to occur and no pesticide registered for the particular use, or alternative method of control, is available to eradicate or control the pest.*

(a) *Occurrence of an Outbreak.* The law does not require EPA to find that an actual emergency exists at the time of the decision. Instead the Agency must find that emergency conditions exist. This is an important distinction which embodies Congress' recognition that there are times when EPA's decision cannot await the actual start of an emergency since this would delay, and thereby effectively deny, the requested relief. This distinction is reflected in the regulations by the specification that EPA may find that a pest outbreak has or is about to occur (emphasis added). In the case of the pending Forest Service request, it is clear that the tussock moth activity is not, today, causing an emergency. The moths are in the egg stage, and no defoliation is now occurring. It is known, however, that when the eggs hatch, the larvae possess the potential for severe defoliation or tree mortality, and that the extent of that potential can only be determined very near the time when control measures would have to be taken in order to avoid tree damage.

(b) *Effective Means of Control.* The regulations also require EPA to examine alternative means of control. Clearly, if a registered pesticide, or other means of control which the Agency is prepared to recommend as a substitute, could afford practical, effective control, the need for an exemption under section 18 would be obviated. A number of controls which are not registered have, however, been considered by the Forest Service and EPA. These are the various chemical and biological controls discussed earlier in this Order. Although the Agency would wish to have better data on the efficacy of all of these controls, available evidence indicates that DDT will give better assurance of effectively controlling tussock moth damage than any of the alternatives available at this time.

2. *Significant economic or health problems will occur without the use of the pesticide.*

The Forest Service is projecting losses of $67 million this year if the emergency develops and no control is instituted. Although these projections can vary substantially depending on alternative accounting procedures which could be used, they are significantly higher than the April 1973 projection of $12.9 million which formed part of the basis for the Agency's decision last year that the risks outweighed the benefits of DDT use against the tussock moth. The fact that the Forest Service now estimates that the 1973 actual losses were $77 million illustrates a crucial point. The biology of the tussock moth, our ability to predict the extent of the infestation and the resulting damage, and the volatility of the supply and demand of timber make economic impact projections uncertain until the infestation takes its toll.

The decision last year was based to a large extent on the expectation that the natural virus would bring about the collapse of the moth population and thereby reduce the damage and the threat of future losses. Although the surveys this Spring will provide more definitive data on the extent of the virus population, it is already clear that last year the impact of the virus was less than was necessary to bring the infestation under control. In addition, new egg masses have been found since last year.

The projected economic impact, though perhaps small when seen from a national point of view, can be catastrophic on a regional or local level. Even if the actual economic impact were to prove to be considerably smaller than the total now projected by the Forest Service, the local impact would most probably be severe. Of particular concern are the Indian lands which comprise 17 percent of the infested area. Forty to 50 percent of Indian employment is directly in the forestry industry, and this industry generates about 95% of tribal income.

Any consideration of the economic and health impact of this infestation must consider the potential fire hazards resulting from defoliation. Forest fires are related to soil temperatures, water content, and fuel, all of which may be affected by severe defoliation.

While there is no way of estimating the probability of a major forest fire in the watershed area, the Forest Service estimates that, in areas of total defoliation, available fuel is four times greater than normal. This will change the nature of any fire outbreak, and will increase the speed at which a fire can spread from about four acres per hour to 25 acres or more per hour.

In light of the above factors, EPA concludes that the economic and health impact which will occur without the use of the pesticide will be significant.

3. *The time available from discovery or prediction of the pest outbreak is insufficient for a pesticide to be registered for the particular use.*

DDT was registered for use against the tussock moth at a time when its potential effects on man and wildlife were not known. FIFRA as amended in 1972 requires the Agency to find as a condition of registration under section 3 that the pesticide will perform its intended function without unreasonable adverse effects on the environment. Because exemptions under section 18 are given only when emergency conditions exist, are limited to time, and can be made very specific with regard to time, place, and manner of application, the information requirements for a section 18 exemption can be less than registration requirements under section 3 of the Act.

Registration of a pesticide under section 3 for use against the tussock moth would require extensive and replicated data on the efficacy and the environmental effects of such use. The biology of the tussock moth and the conditions necessary for determining the effectiveness of a pesticide in preventing tree damage (as contrasted with killing larvae), make it very difficult to conduct meaningful research on the efficacy of a particular pesticide except during a large infestation. As a result, last year was the first time since the 1972 order that field research on the efficacy of alternative control methods could have been initiated. The amount of research done at that time fell far short of what, in hindsight at least, was clearly required. Nevertheless, it is unlikely that any research program, no matter how extensive, would have produced in the space of one year evidence adequate to register a pesticide for use against the tussock moth, given the inconclusive results for the various alternative controls in the research program last year. The Agency finds therefore, that there has not been sufficient time for the Forest Service or others to obtain registration for a pesticide for use against the tussock moth since the 1972 Order of this Agency.

4. *Risks and Benefits.* In determining whether emergency conditions exist which require an exemption under section 18, extensive balancing of risks and benefits, and determination of no unreasonable adverse effects on the environ-

ment, are not required as they are in other sections of the Act. Nevertheless, a consideration of the risks and benefits is desirable when, as in this case, a significant quantity of a cancelled pesticide is proposed for use.

In order to find guidance for consideration of the risks and benefits of DDT, this Agency has turned to the June 14, 1972, EPA Order which cancelled most uses of DDT after a seven month hearing. This decision has been upheld by the U.S. Court of Appeals for the District of Columbia. Even though this decision was made under a different section of FIFRA, one which required extensive risk/benefit balancing, this order provides a lens through which the Forest Service request may be viewed.

The 1972 order found substantial risks associated with DDT. Specifically, the order found that DDT has acute and subacute effects on aquatic and avian species and that it can have adverse reproductive impacts on certain birds. Laboratory tests indicate that DDT produces tumors in test animals and is a potential carcinogen to man. The persistence of the chemical in the environment increased the Agency's concern about these effects.

The order concluded that the use of DDT on cotton and most other crops should be cancelled so as to stop the major contribution of DDT to the global ecology by the United States. The order recognized, however, that there would have to be exceptions to this general policy. These exceptions are for those situations where the benefits outweigh the risks because of such factors as:

(a) the unavailability of practical alternative means of control;

(b) the temporary nature of the use because of the need for a transition period to an alternative control method or to an alternative crop;

(c) the possibility of minimizing the impact on the environment because of restrictions which could be imposed on the specific use.

These guidelines are helpful in analyzing the Forest Service's request:

(a) EPA finds no reason to depart from the findings of the 1972 order with regard to the potential risks of DDT.

(b) As discussed above, there is no clear alternative means of control for the tussock moth.

(c) The proposed use is temporary. The Forest Service has asked for an exemption to use DDT only for the 1974 control season. It is EPA's expectation that alternative means of control will be available for post-1974 outbreaks. While substantial quantities of DDT would be introduced into the environment, the proposed Forest Service use would be only short-term.

(d) The risks to the environment in this instance can be minimized by placing controls on the way the program is conducted. In addition, prespray surveys and assessment of the viability of the egg populations after the winter can aid in holding to a minimum necessary the acreage where control is needed. It is possible that the egg masses will overwinter poorly, or that the virus will increase such that the need for chemical control is reduced. Careful assessment of these indicators can be made to insure that no unnecessary application of DDT would be made.

III. *Conclusions*. For all of the foregoing reasons, this Agency concludes that the 1974 tussock moth situation in the Northwest meets the requirements of section 18 of FIFRA and that the Forest Service should be granted its contingency request for an exemption from the provisions of FIFRA which prohibit the use of cancelled pesticides, specifically, the use of DDT. As noted above, it is the Agency's hope that an actual emergency requiring the use of DDT this summer will not occur. Against the very real possibility, however, that the conditions needed to prevent an emergency will not develop, the EPA has granted the Forest Service an exemption from the prohibitions of the FIFRA so that contingency preparations for the use of DDT can be made. In the interest of achieving a uniform program embodying consistent criteria for the identification of areas to be sprayed and standard operational controls which minimize the environmental impact of DDT use, the requests of the States of Washington and Oregon are denied. It is this Agency's understanding and expectation that the Forest Service will meet the control needs in these States. The Forest Service's exemption is granted subject to the following restrictions and requirements:

A. *Spray Restrictions*. 1. The laboratory hatch of egg masses shall be carried out, and all acreage eliminated where larval incidence is too low to justify DDT use or where viral incidence will control the outbreak without such use. The validity of the laboratory data shall be verified by field surveys carried out at the time of natural egg hatch. The Forest Service should be make every effort to refine both laboratory and field criteria for the above factors so that no acreage is sprayed unnecessarily;

2. An unsprayed buffer strip of at least 200 feet shall be left along live streams and waterways. Helicopter applicators shall take meteorological conditions into account and adjust spray courses and timing to ensure that DDT does not drift into these buffer strips.

3. Live streams and waterways shall be clearly marked on maps and photo aids for pilots. In addition, these water areas shall be marked with flags, balloons, and kytoons to avoid accidental spraying of water;

4. Payment of applicators shall be related to amount of spray actually reaching the target areas.

5. No spraying is to take place where winds exceed 6 m.p.h., or where temperature inversions exist. Meteorological conditions shall be verified by competent meteorologists on the ground at the spray site;

6. To the extent possible, livestock and other domestic animals shall be removed from the treatment area; hunters shall be informed as to the possibility of DDT residues in game animals taken from the spray area;

7. Warnings shall be prominently placed in public places within all areas to be sprayed, giving the date, time and duration of the spray project;

8. Applicators shall be licensed by their respective States, and shall be trained both on general procedures and in the field at the site of the spray project. Demonstrable familiarity with the geographical features of the spray area, especially waterways, is essential;

9. Deposition of spray at the target shall be monitored during the actual spray, using appropriately sensitized cards;

10. Spray boundaries shall be indicated by the use of flags, balloons and kytoons;

11. Complete records of the spray project shall be kept, including locations, quantity, times and places, and shall be furnished to EPA and the public within ten days of completion of the project.

B. *Research Requirements*. The development of reliable, registerable alternatives to DDT for forest pest management must become a first priority for the Forest Service. Consequently, before the commencement of any spray program, the Forest Service shall take whatever steps are necessary to assure that research will be carried out which, if successful, will be sufficient to support a registration request for the possible alternatives to DDT. This research must be completed in time to submit the necessary documents to EPA no later than December 1, 1974. This research must not be limited to the determination of whether alternative chemicals kill tussock moth larvae, but must be designed to meet the effects and efficacy requirements of the FIFRA. Specifically, data must be developed which can be used to assess the capability of a control mechanism to prevent tree defoliation and or tree mortality.

In addition the research program must include:

1. Further testing of Zectran to follow up on the 1973 tests. Particular attention should be paid to development and use during the test of the most effective methodology;

2. Further testing of resmethrin and bioethanomethrin with emphasis upon solving problems in application methodology;

3. Expanded testing of carbaryl and trichlorfon on larger test plots;

4. Conduct of statistical evaluations of the efficacy of DDT in preventing tree damage and mortality. In addition, experiments shall be conducted which test the efficacy of DDT at lower application rates. While it is the Agency's belief that with a conscientious effort to find an alternative to DDT, the use of this chemical will not be sought in the future, it would be foolish not to develop definitive data on the efficacy of this use;

5. Research designed to better define the correlation between the intensity of egg mass and larval populations, virus incidence, and tree damage and/or mortality. This research effort should have particular emphasis on improving ability to predict infestation intensity and resultant tree damage from early indicators.

The Agency is willing to work with the Forest Service and others in the development of the final research plan, particu-

larly in giving guidance on experimental design as it relates to registration requirements.

C. *Monitoring Requirements*. The Forest Service and affected State agencies must adhere to the general requirements of the monitoring plan which has been submitted to EPA. In addition to the program put forth in that plan, the Forest Service shall conduct pre- and post-spray sampling of forest litter and vegetation.

D. *Labelling*. In accordance with § 166.11 of the regulations (38 FR 33307) adopted pursuant to section 18 of the FIFRA as amended, Montrose Chemical is hereby authorized to ship not to exceed 500,000 pounds of DDT for use by the U.S. Forest Service as provided by this Order, under a label to be specified by this Agency.

E. *Other Considerations*. EPA reminds the Forest Service of the requirements of the Wild and Scenic Rivers Act (82 Stat. 906), the Bald and Golden Eagle Protection Act (16 USC 668), and the Endangered Species Act of 1973 (87 Stat. 884). While the granting of this exemption under section 18 of FIFRA is not incompatible with these statutes, the geographic area involved in the proposed spray program contains features significant in terms of each of these laws and their requirements must be met.

RUSSELL E. TRAIN,
Administrator.

FEBRUARY 28, 1974.

[FR Doc.74-5067 Filed 3-4-74;8:45 am]

[OPP-32000/19]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 979), and its procedures for implementation. This policy provides that EPA will, upon receipt of every application, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street, S.W., Washington, D.C. 20460.

On or before May 6, 1974, any person who (a) is or has been an applicant, (b) desires to assert a claim for compensation under section 3(c)(1)(D) against another applicant proposing to use supportive data previously submitted and approved, and (c) wishes to preserve his opportunity for determination of reasonable compensation by the Administrator must notify the Administrator and the applicant named in the FEDERAL REGISTER of his claim by certified mail. Every such claimant must include, at a minimum, the information listed in this interim policy published on November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy in regard to usage of existing supportive data for registration will be processed in accordance with existing procedures. Applications submitted under 2(c) will be held for the 60-day period before commencing processing. If claims are not received, the application will be processed in normal procedure. However, if claims are received within 60 days, the applicants against whom the particular claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after May 6, 1974.

APPLICATIONS RECEIVED

EPA File Symbol 3837-GI. LuBar Company, 1708 Campbell, Kansas City, Missouri 64108. *Sewer Line Root Killer*. Active Ingredients: Sodium Nitrate 17%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1021-RGNE. McLaughlin Gormley King Company, 8810 Tenth Avenue North, Minneapolis, Minnesota 55427, *Pyrocide Fogging Formula 7207*. Active Ingredients: Pyrethrins 2.0%; Piperonyl Butoxide 2.5%; N-octyl bicycloheptene dicarboximide 2.5%; Petroleum distillate 8.0%; Mineral Oil 85.0%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 9779-ERL. Riverside Chemical Company, P.O. Box 16902, Memphis, Tennessee 38116. *Riverside 20% Heptachlor Granules*. Active Ingredients: Heptachlor 20.0%; Related Compounds 7.4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3743-GGA. Southern Agricultural Chemicals, Inc., P.O. Drawer 527, Kingstree, South Carolina 29556. *Royal Brand M-M 2-4 Cabbage Dust*. Active Ingredients: Methomyl S-methyl-N-((methylcarbamoyl) oxy) thioacetimidate 2%; Maneb (manganese ethylenebisdithiocarbamate) 4%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 3372-U. Tex-Ag Company, Inc., P.O. Box 633, Mission, Texas 78572. *Parathion 4 LB Emulsifiable Concentrate*. Active Ingredients: Parathion: O-O-diethyl O-p-nitrophenyl phosphorothioate 46.53%; Xylene-range aromatic solvent 48.40%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 33722-G. Tex-Ag Company, Inc., P.O. Box 633, Mission, Texas 78572. *Rid-A-Mite Emulsifiable Concentrate*. Active Ingredients: Dioxathion 2,3-p-diozanedithiol S,S-bis (O,O-diethyl phosphorodithioate) 24.0%; Related Compounds 10.2%; Ethyl 4,4-Dichlorobenzilate 12.4%; Xylene Range Aromatic Hydrocarbon Solvent 44.1%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 9782-GU. Woodbury Chemical Company of Homestead, P.O. Box 4319, Princeton, Florida 33030. *Potato Seed-Piece Fungicide dust*. Active Ingredients: A coordination product of zinc ion and manganese ethylenebisdithiocarbamate 8%. Method of Support: Application proceeds under 2(c) of interim policy.

Dated: February 26, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.74-4933 Filed 3-4-74;8:45 am]

WASTE MANAGEMENT ACTIVITIES; SAVANNAH RIVER PLANT

Notice of Meeting

CROSS REFERENCE: For a document issued jointly by the Atomic Energy Commission and the Environmental Protection Agency concerning a meeting to be held on waste management activities at the Savannah River Plant, see FR Doc 74-4998, *supra*.

FEDERAL HOME LOAN BANK BOARD

FEDERAL ADVISORY COMMITTEE ACT

Notice of Meeting

FEBRUARY 26, 1974.

Pursuant to section 10(a) of Pub. L. 92-463, entitled the Federal Advisory Committee Act, notice is hereby given of the meeting of the Federal Savings and Loan Advisory Council on Monday, Tuesday, and Wednesday, March 18, 19, 20, 1974. The meeting will commence at 9 a.m. on March 18, at 9 a.m. on March 19, and at 9 a.m. on March 20 at the Madison Hotel, 15th & M Streets, NW., Washington, D.C. in the Arlington Room.

MONDAY, MARCH 18

9 to 11 a.m. — General discussion.
2:30 p.m. — Deferred loan fees.
Increase AID loan percentage.
Increase improvement loans to $10,000.
Mergers.
Mortgage backed bonds guaranteed by FHLBB.
Over 80 percent loans on multifamily housing.

TUESDAY, MARCH 19

Service corporations:
a. Examinations and Supervision for single and multiple ownership.
b. Authorize activities for above.
c. Expansion of fields of activity.
Elimination of all percentage of assets category for residential loan portfolios.
Simplification of regulations as they pertain to term certificates.
Planning for the effect of inflation on savings and loan industry.
Advances policy to maintain current levels of FHL Banks assets.
Variable rate mortgage.
Mobile home lending.
EFTS—what role should FHL Bank System play.

WEDNESDAY, MARCH 20

9 to 11 a.m. — General discussion.

The meeting will be open to the public on March 18 from 9-5, on March 19 from 9-5, and on March 20 from 9-5.

THOMAS R. BOMAR,
Chairman,
Federal Home Loan Bank Board.

[FR Doc.74-5000 Filed 3-4-74;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. E-8445]

CAMBRIDGE ELECTRIC LIGHT CO.

Notice of Extension of Time

FEBRUARY 25, 1974.

On February 21, 1974, Commission Staff Counsel filed a motion for an ex-

tension of the procedural dates established by the order issued December 13, 1973, in the above-designated matter. Staff Counsel states that all interested parties have been contacted and there is no opposition to the motion.

Upon consideration, notice is hereby given that the procedural dates in the above-designated matter are modified as follows:

Prehearing Conference, April 1, 1974 (10:00 a.m. e.d.t.).
Service of evidence by Staff, April 4, 1974.
Service of evidence by Intervenors, May 4, 1974.
Service of rebuttal evidence, June 4, 1974.
Hearing, June 25, 1974, 10:00 a.m. (e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc. 74-4957 Filed 3-4-74;8:45 am]

[Docket No. E-8626]

CONNECTICUT LIGHT AND POWER CO.

Proposed Purchase Agreement

FEBRUARY 25, 1974.

Take notice that Connecticut Light and Power Company (CL&P), on February 14, 1974, tendered for filing a proposed Purchase Agreement With Respect to Montville Unit No. 6 between CL&P and the Hartford Electric Light Company (HELCO).

CL&P asserts that the filing is made pursuant to part 35 of the Commission's regulations. The Purchase Agreement, CL&P alleges, provides for sales to HELCO of specified percentages of capacity and energy from CL&P's Montville Unit No. 6 generating unit during the period from November 1, 1973 through April 30, 1974, providing HELCO with an alternate source of generation for sales by HELCO to the Public Service Company of New Hampshire under a separate agreement between those two companies filed by HELCO on February 14, 1974.

CL&P requested an effective date for the Purchase Agreement of November 1, 1973.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before March 8, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-4946 Filed 3-4-74;8:45 am]

[Docket No. CP74-203]

EL PASO NATURAL GAS CO.

Notice of Application

FEBRUARY 25, 1974.

Take notice that on February 5, 1974, El Paso Natural Gas Company (Applicant), P.O. Box 1492, El Paso, Texas 79978, filed in Docket No. CP74-203 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain field transmission pipeline and metering facilities located in Hockley and Loving Counties, Texas, and Lea County, New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant requests authorization to abandon approximately 5.06 miles of 6⅝-inch O.D. field transmission pipeline and one 4½-inch standard orifice meter station installed under budget-type authorization issued in Docket No. CP67-60 on December 6, 1966 (36 FPC 979), for the receipt of gas by Applicant from American Petrofina Company of Texas, (APCT) No. 1 Wilder well in Loving County, Texas. Applicant states that APCT has informed it that due to decline in deliverability this well must be plugged and abandoned. Applicant, therefore states it has no further need for the facilities and requests permission to abandon them.

Applicant requests further authorization to abandon one standard positive displacement-type meter station located at a point on Applicant's Dumas line in Hockley County, Texas (the Pep Meter station). Applicant states that this station was originally installed for the purpose of serving West Texas Gas Company (West Texas), at Pep, Texas, which purchased and resold the natural gas to Phillips Petroleum Company (Phillips), for fuel in gas compressors utilized in oil pumping operations in Hockley County, Texas. Pioneer Natural Gas Company (Pioneer), as successor in interest to West Texas, has advised Applicant that Phillips has removed its pumps from this area, making the natural gas service rendered to Pioneer by Applicant unnecessary and thereby eliminating the need for Applicant's Pep Meter Station.

Applicant proposes to abandon the before described field transmission pipeline and metering facilities, together with the natural gas service heretofore rendered by means thereof, by removal and placement into stock pending a future need for such equipment. The total cost of the proposed abandonment is estimated to be $29,350.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 20, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided, for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-4959 Filed 3-4-74;8:45 am]

[Docket Nos. RP73-104 etc.]

EL PASO NATURAL GAS CO.

Notice of Postponement of Prehearing Conference

FEBRUARY 26, 1974.

On February 20, 1974, Staff Counsel filed a motion for a postponement of the prehearing conference scheduled for February 27, 1974, by order issued February 8, 1974, because of a conflict in schedules of the Administrative Law Judge. The motion states that El Paso has no objection to this motion.

Upon consideration, notice is hereby given that the prehearing conference is postponed to June 18, 1974, at 10:00 a.m. (e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-4954 Filed 3-4-74;8:45 am]

[Docket No. E-8008]

FLORIDA POWER & LIGHT CO.

Notice of Extension of Time and Postponement of Hearing

FEBRUARY 26, 1974.

On February 15, 1974, Florida Power and Light Company filed a motion for revision of the procedural dates fixed by the Presiding Administrative Law Judge. The motion states that the intervenors and staff have expressed no objection to this motion.

Upon consideration, notice is hereby given that the procedural dates in the above matter are further modified as follows:

Service of Evidence by New Smyrna, February 21, 1974.
Hearing, February 28, 1974 (10:00 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-4955 Filed 3-4-74;8:45 am]

[Docket No. E-8625]

HARTFORD ELECTRIC LIGHT CO.

Notice of Proposed Amended Purchase Agreement

FEBRUARY 26, 1974.

Take notice that on February 14, 1974 Hartford Electric Light Company (HELCO) tendered for filing proposed Amendment To Purchase Agreement With Respect To Middletown Unit No. 4, between HELCO and Public Service Company of New Hampshire.

HELCO asserts that the filing is made pursuant to part 35 of the Commission's regulations. HELCO asserts that the amended purchase agreement represents a modification of a previously filed rate schedule. The amended purchase agreement, HELCO alleges, seeks to improve reliability and availability of service for both HELCO and Public Service Company of New Hampshire by providing a portion of the capacity and energy called for under the original agreement from a source other than the Middletown Unit No. 4 of HELCO.

HELCO requested an effective date for the amended purchase agreement of November 1, 1973.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before March 8, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-4945 Filed 3-4-74;8:45 am]

[Docket No. CI74-433]

J. S. ABERCROMBIE MINERAL CO., INC., ET AL.

Notice of Application

FEBRUARY 26, 1974.

Take notice that on February 11, 1974, J. S. Abercrombie Mineral Company, Inc., et al. (Applicants), c/o Jerome M. Alper, Esquire, Bernstein, Alper, Schoene & Friedman, 818 18th Street, NW., Washington, D.C. 20006, filed in Docket No. CI74-433 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to El Paso Natural Gas Company (El Paso) from the Antelope Ridge Area, Lea County, New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants state that they commenced the sale of natural gas to El Paso from the subject acreage within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and propose to continue said sale for 16 months from the end of the emergency period within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Applicants propose to sell approximately 600,000 Mcf of gas per month at 55.0 cents per Mcf at 14.65 psia, subject to upward and downward Btu adjustment.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 20, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-4951 Filed 3-4-74;8:45 am]

[Docket No. RP74-70]

MICHIGAN GAS STORAGE CO.

Notice of Proposed Changes in FPC Gas Tariff

FEBRUARY 25, 1974.

Take notice that Michigan Gas Storage Company on February 15, 1974, tendered for filing proposed changes in its FPC Gas Tariff, original volume No. one, second revision. The proposed changes would increase revenues from jurisdictional sales and service by $1,256,510 based on the 12 month period ending November 30, 1973, as adjusted.

Michigan Gas Storage Company (Storage Company) proposes to increase the allowable annual rate of return on depreciated investment plus working capital from 8.10 to 10.22 percent. Storage Company alleges that the proposed change in the rate of return is required because the present long-term note of Storage Company, which has an interest cost of 6.375 percent, matures on April 30, 1974 and will be refinanced through the issuance of a new three-year bank note in the amount of $7,500,000 bearing interest at the rate of not more than 8.375 percent. Storage Company also alleges that it is necessary to increase the allowed return on equity from 9.42 percent to 11.00 percent to reflect the increased costs of equity and to avoid a material decline in its interest coverage before and after taxes.

The company asserts that copies of the filing were served upon Storage Company's sole customer, Consumers Power Company, and the Michigan Public Service Commission in accordance with requirements of § 1.17 of the Commission's rules of practice and procedure.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426 in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 8, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestant parties to the proceedings. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-4944 Filed 3-4-74;8:45 am]

[Docket No. E-8172]

KENTUCKY UTILITIES CO.

Notice of Further Extension of Time and Postponement of Prehearing Conference

FEBRUARY 26, 1974.

On February 15, 1974, the Electric and Water Plant Board of the City of Frankfort, et al.,* filed a motion for a further

extension of time to file testimony as required by notice issued February 6, 1974.

Upon consideration, notice is hereby given that the procedural dates in the above matter are further modified as follows:

Service of Intervenor evidence, March 5, 1974.
Service of Company rebuttal, March 21, 1974.
Prehearing Conference, April 1, 1974.
Hearing (Unchanged), April 2, 1974 (10:00 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

*City Utilities Commission of Barbourville, the City of Bardstown, Bardwell City Utilities, the Electric Plant Board of Benham, Berea College, the City Utilities Commission of Corbin, the City of Falmouth, the City of Madisonville, the City of Nicholasville, and the Municipal Light and Water Plant of Providence, Kentucky.

[FR Doc.74-4963 Filed 3-4-74;8:45 am]

[Docket No. RP74-69]

MIDWESTERN GAS TRANSMISSION, A TENNECO CO.

Filing of Proposed Plan for Curtailment of Deliveries (Northern System)

FEBRUARY 27, 1974.

Take notice that on February 12, 1974, Midwestern Gas Transmission Company (Midwestern) tendered for filing proposed changes to Third Revised Volume No. 1 of its FPC Gas Tariff, consisting of the following tariff sheets:

Original Sheet Nos. 95A, 95B, 95C, 95D, 95E, 95F and 95G
First Revised Sheet Nos. 94 and 95
Second Revised Sheet Nos. 11, 16, 19, 27, and 76
Third Revised Sheet No. 5

Midwestern states that the purpose of the tariff sheets is to (1) include in the general terms and conditions of Midwestern's tariff a new Article XX entitled curtailment of deliveries (Northern System), (2) revise the form of Sheet No. 5 to accommodate the rate adjustments provided by section 9 of Article XX and (3) make certain minor changes in wording on the other tariff sheets filed to conform to the inclusion of Article XX. Midwestern further states that the proposed curtailment plan is being filed pursuant to the Commission's Order No. 431 in Docket No. R-418 and pursuant to and in conformity with the Commission's Order No. 467-B, Docket No. R-469 as modified as to priority-of-service Category 2 by the Commission's opinion No. 647-A. Midwestern further states that the definitions utilized are those adopted by the Commission's Order Nos. 493 and 493-A in Docket No. R-474. Additionally, Midwestern states that the provisions of its Northern System curtailment plan are substantially identical to its Southern System curtailment plan which became effective without suspension in Docket No. RP74-29.

Midwestern indicates that the filing of its Northern System curtailment plan is necessary because the requirements of its Northern System customers, based on normal weather conditions, will be approximately 1,000,000 Mcf greater than the gas supply available from TransCanada, the Northern System's sole supplier, under three long-term contracts and related export licenses. Additionally, Midwestern states it has been advised by TransCanada that TransCanada is not in a position to provide the short-term sales as in the past because of the restraints of its export licenses and the present policies of the National Energy Board. Therefore, as a result of the foregoing circumstances Midwestern states it may not be able to meet its Northern System requirements for the twelve month period ending October 31, 1974.

Midwestern requests that its filing be made effective on the proposed effective date of March 15, 1974, without suspension, however, should the Commission suspend such tariff filing, Midwestern requests that the suspension be limited to a period of one day.

Midwestern's filing includes provision for an overrun penalty of $10.00 per Mcf for volumes taken in excess of curtailment volumes under the curtailment plan. The filing also eliminates the demand charge credits for curtailment of affected transportation services and for the inclusion of demand charge credits for curtailment under sales rate schedules in a new deferred account by semiannual adjustments to the commodity rates for sales under such rate schedules.

Midwestern states that copies of its filing have been mailed to all of its customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 C.F.R. 1.8, 1.10). All such petitions or protests should be filed on or before March 11, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-4943 Filed 3-4-74;8:45 am]

[Docket No. G-4283, etc.]

MITCHELL ENERGY CORP., ET AL.

Notice of Petition To Amend

FEBRUARY 27, 1974.

In the matter of Mitchell Energy Corporation (Operator), et al. (successor to George Mitchell & Associates, Inc., Agent for Anne W. Alexander, Executrix, et al.).

Take notice that on February 19, 1974, Mitchell Energy Corporation (Petitioner), 3900 One Shell Plaza, Houston, Texas 77002, filed in Docket No. G-4283 et al., a petition to amend the orders issuing certificates of public convenience and necessity in said dockets pursuant to section 7(c) of the Natural Gas Act by substituting Petitioner in lieu of George Mitchell & Associates, Inc., as certificate holder, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Petitioner states that effective February 1, 1974, it merged George Mitchell & Associates, Inc., that it has assumed all rights and obligations of the latter, and that it proposes to continue sales of natural gas in interstate commerce authorized to be made by the latter.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before March 20, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-4961 Filed 3-4-74;8:45 am]

[Docket No. CI74-426]

NORTHCOTT EXPLORATION CO., INC.

Notice of Application

FEBRUARY 26, 1974.

Take notice that on February 7, 1974, Northcott Exploration Company, Inc. (Applicant), Suite 1042, 210 Baronne Street, New Orleans, Louisiana 70112, filed in Docket No. CI74-426 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Trunkline Gas Company (Trunkline) from the Esther Field, Vermilion Parish, Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it commenced the sale of natural gas on January 7, 1974, from the subject acreage to Trunkline within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for two years from the end of the 180-day emergency period within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Applicant proposes to sell approximately 6,000 Mcf of gas per month at 45.0 cents per Mcf at 15.025 psia.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 20, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-4952 Filed 3-4-74;8:45 am]

[Docket No. RP73-48]

NORTHERN NATURAL GAS CO.

Rate Change Pursuant to Purchased Gas Cost Adjustment Provision

FEBRUARY 25, 1974.

Take notice that Northern Natural Gas Company (Northern) on February 19, 1974 tendered for filing third revised sheet no. 3a of its F.P.C. Gas Tariff, Volume No. 4. Northern alleges that the proposed change, to become effective March 1, 1974, would increase annual revenues from jurisdictional sales and service by $28,769. The increase of 2.46¢ per Mcf reflects an increase of the wholesale F-2 rate for gas purchased from Colorado Interstate Gas Company. This rate increase filing is being made pursuant to paragraph 19 of the General Terms and Conditions contained in Northern's F.P.C. Gas Tariff, Original Volume No. 4.

Copies of the filing were served upon the Gas Utility Customers and interested State Commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 11, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-4947 Filed 3-4-74;8:45 am]

[Docket No. RP74-12]

NORTHERN NATURAL GAS CO. (PEOPLES DIVISION)

Notice of Motion To Vacate Suspension Period and Terminate Proceedings

FEBRUARY 26, 1974.

Take notice that on February 20, 1974, Commission staff filed a motion in these proceedings to vacate the suspension period ordered by the Commission in this docket on October 16, 1974 and to terminate these proceedings. Staff states that upon its review of Northern Natural Gas Company, Peoples Division (Northern) filing it concludes that Northern's proposed rates are just and reasonable.

Staff states in the motion that only Northern and Staff are parties to this proceeding. The motion also states that Northern supports Staff's position.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 11, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-4948 Filed 3-4-74;8:45 am]

[Docket No. CI74-264 and Docket No. CI74-408]

PENNZOIL CO. AND ANADARKO PRODUCTION CO.

Order Consolidating Proceedings, Providing for Interventions and Testimony in Support Thereof, and Amending Date for Issuance of Initial Decision

FEBRUARY 25, 1974.

By order entitled order granting intervention and setting hearing issued January 25, 1974, the Commission set for hearing an application filed on October 18, 1973, by Pennzoil Company for certificate authorization pursuant to § 2.75 of the Commission's general policy and interpretations (§ 2.75) to sell natural gas in interstate commerce to Panhandle Eastern Pipeline Company.

On February 1, 1974, Anadarko Production Company (Anadarko) filed a motion to consolidate a similar application filed pursuant to § 2.75 on January 30, 1974. The Anadarko application requests certificate authorization pursuant to § 2.75 to sell and deliver natural gas in interstate commerce to Panhandle from previously dedicated acreage in Hemphill County, Texas, the Hugoton-Anadarko Area, at an initial rate of 50 cents per Mcf, with 1.0 cent per Mcf escalation, Btu adjustment, and tax reimbursement for any additional taxes assessed after January 31, 1972. The Anadarko contract is on file as Anadarko's FPC gas rate schedule no. 178.

Analysis of Anadarko's application indicates that it is virtually identical to the application in the Pennzoil Company, Docket No. CI74-264 proceeding. The two applications involve the identical purchaser, acreage, and contract pricing provisions.

Although the Commission did not act on the February 1, 1974, motion to consolidate prior to the February 8, 1974; date established for filing direct testimony in Docket No. CI74-264, Anadarko nevertheless complied with the service date and filed its direct testimony as if the two dockets had been consolidated.

Inasmuch as Anadarko has complied with the service date for filing its direct testimony, and the Anadarko application involves the same or similar questions of fact, we deem it appropriate to consolidate the two dockets for purposes of hearing and to provide a period of sufficient duration for the filing of interventions which have not previously been filed in the Pennzoil Company, Docket No. CI74-264 proceeding.

In Ordering Paragraph (H) of the above-mentioned order in Pennzoil Company, Docket No. CI74-264, we established a date for the issuance of the Administrative Law Judge's initial decision as well as the dates for briefs on exceptions and replies thereto. We deem it necessary and appropriate in the public interest and for the orderly administration of the Natural Gas Act to change these procedural dates.

The Commission orders:

(A) Docket No. CI74-264 and Docket No. CI74-408 are consolidated for purposes of hearing and disposition.

(B) Any person desiring to be heard or to make any protest with reference to said consolidated applications should on or before March 8, 1974, file the Federal Power Commission, Washington, D.C. 20426, a petition to intervene with testimony and evidence, if any. Testimony and evidence in rebuttal thereto shall be due on or before the date and time of the hearing scheduled in these consolidated proceedings, i.e., March 14, 1974, at 10:00 a.m. (e.d.t.).

(C) Paragraph (H) of the abovementioned order in Pennzoil Company, Docket No. CI74–264, issued January 25, 1974, is amended to read as follows:

(H) The Administrative Law Judge's decision shall be rendered on or before April 19, 1974. All briefs on exceptions shall be due on or before April 26, 1974, and replies thereto shall be due on or before March 5, 1974.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary*.

[FR Doc.74–4949 Filed 3–4–74;8:45 am]

SUN OIL CO.

[Docket No. CI74–432]

Notice of Application

FEBRUARY 26, 1974.

Take notice that on February 8, 1974, Sun Oil Company (Applicant), P.O. Box 2880, Dallas, Texas 75221, filed in Docket No. CI74–432 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce to Northern Natural Gas Company (Northern) from the Emperor Field, Winkler County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it commenced the sale of natural gas on February 1, 1974, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue said sale for two years from the end of a 60-day emergency period within the contemplation of § 2.70 of the Commission's general policy and interpretations (18 CFR 2.70). Applicant proposes to sell approximately 1,000 Mcf of gas per day to Northern at 45.0 cents per Mcf at 14.65 psia, subject to Btu adjustment.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 20, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB, *Secretary*.

[FR Doc.74–4953 Filed 3–4–74;8:45 am]

TRANSCONTINENTAL GAS PIPE LINE CORP.

[Docket No. RP73–3]

Notice of Proposed Changes in Rates and Charges

FEBRUARY 25, 1974.

Take notice that Transcontinental Gas Pipe Line Corporation (Transco) on February 13, 1974, tendered for filing third substitute fifth revised sheet no. 5 and third substitute third revised sheet no. 6 to its FPC Gas Tariff, First Revised Volume No. 1. These tariff sheets were filed pursuant to Transco's PGA clause to reflect a net increase of .6¢ per Mcf for Transco's CD, G, OG, E, PS, S–2, and ACQ rate schedules. According to Transco, copies of the filing were mailed to the appropriate state agencies. The proposed effective date is April 1, 1974.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before March 13, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission for public inspection.

KENNETH F. PLUMB, *Secretary*.

[FR Doc. 74–4958 Filed 3–4–74;8:45 am]

[Docket No. RP72–128]

TRANSWESTERN PIPELINE CO.

Notice of Proposed Changes in FPC Gas Tariff

FEBRUARY 26, 1974.

Take notice that Transwestern Pipeline Company (Transwestern) on February 14, 1974, tendered for filing as part of its FPC Gas Tariff, First Revised Volume No. 1 the following sheets:

Fourth Revised Sheet PGA–1
Second Substitute Thirty-second Revised Sheet No. 4
Second Substitute Twenty-seventh Revised Sheet No. 6–A
Second Substitute Eleventh Revised Sheet No. 6–D
Second Substitute Twenty-first Revised Sheet No. 7

These sheets are issued pursuant to Transwestern's Purchased Gas Cost Adjustment provision set forth in section 19 of the general terms and conditions of its FPC Gas Tariff, First Revised Volume No. 1. This provision was approved by order of the Federal Power Commission dated September 19, 1972 in Docket No. RP72–128. This change in Transwestern's rates reflects a cost of gas adjustment to track increased purchased gas costs and a surcharge adjustment to clear the balance of the Gas Cost Adjustment Account.

Transwestern proposes these tariff sheets become effective on April 1, 1974.

According to Transwestern, copies of the filing were served upon the company's jurisdictional customers and the interested state commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8, 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 13, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, *Secretary*.

[FR Doc.74–4950 Filed 3–4–74;8:45 am]

[Docket No. RP74–21]

UNITED GAS PIPE LINE CO.

Extension of Time and Postponement of Hearing; Correction

FEBRUARY 25, 1974.

In the notice of extension of time and postponement of hearing, issued February 13, 1974 and published in the FEDERAL REGISTER February 21, 1974 (39 FR 6645);

Line 14; Change Service of Company Rebuttal Evidence from "May 21, 1974" to "May 2, 1974".

KENNETH F. PLUMB, *Secretary*.

[FR Doc.74–4964 Filed 3–4–74;8:45 am]

[Docket No. ID–1618]

WILLIAM R. BISSON

Notice of Application

FEBRUARY 26, 1974.

Take notice that on February 14, 1974, William R. Bisson (Applicant), filed a supplemental application pursuant to section 305(b) of the Federal Power Act

seeking authority to hold the following positions:

Director and Vice President, Brockton Edison Co., Public Utility.
Director and Vice President, Fall River Electric Light Co., Public Utility.
Vice President, Montaup Electric Co., Public Utility.

By Commission order dated August 11, 1970, Applicant was authorized to hold the following positions:

Vice President, Blackstone Valley Electric Co., Public Utility.
Director, Montaup Electric Co., Public Utility.

By Commission order dated November 13, 1973, Applicant was authorized to hold the following position:

Director, Blackstone Valley Electric Co., Public Utility.

Brockton Edison Company owns and operates facilities for the transmission and distribution of electric energy at retail in the City of Brockton and 16 surrounding Towns in Massachusetts. Brockton also supplies electric energy to Newport Electric Corporation and the Town of Middleborough for resale. Most of the energy sold by Brockton is purchased from Montaup Electric Company.

Fall River Electric Light Company owns and operates facilities for the distribution of electric energy at retail, in the City of Fall River and in neighboring Towns of Swansea, Somerset, the major part of Dighton, and a part of Westport, all in Massachusetts. Fall River also supplies electric energy to the Narragansett Electric Company for resale. Most of the energy sold by Fall River is purchased from Montaup Electric Company.

Montaup Electric Company's principal place of business is in Somerset, Massachusetts. It owns and operates facilities in that town for the generation of electric energy, and elsewhere in Massachusetts for the transmission of such energy. Most of the electric energy which it generates, together with additional energy which it purchases, is sold to Blackstone, Brockton and Fall River which companies together own all of Montaup's outstanding securities except short-term notes representing bank borrowings.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 21, 1974, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests to intervene in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-4956 Filed 3-4-74;8:45 am]

[Docket No. E-8621]

ARIZONA PUBLIC SERVICE CO.

Notice of Filing of Supplement to Rate Schedule

FEBRUARY 27, 1974.

Take notice that on February 6, 1974, Arizona Public Service Company (Arizona) tendered for filing Supplement No. 5 to FPC Rate Schedule No. 32, relating to a Power Coordination Agreement containing various automatic escalation clauses and this filing accounts for a purported total yearly estimated increase of $33,604.80.

Arizona requests that the notice requirement of § 35.11 of the Commission's regulations be waived for this filing and that the current escalations be permitted to become effective at the beginning of each billing month. Arizona states that the reasons for these requests are the impossibility of anticipating an escalation prior to the end of a month and the elimination of multiplicity of monthly filings.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 5, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

MARY B. KIDD,
Acting Secretary.

[FR Doc.74-5044 Filed 3-4-74;8:45 am]

FEDERAL RESERVE SYSTEM

CEGROVE CORP.

Order Approving Acquisition of Bank

Cegrove Corporation, Wayne Township, New Jersey, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire 100 per cent of the voting shares (less directors' qualifying shares) of The Ramapo Bank, Wayne Township, New Jersey ("Bank").

On August 31, 1973, the Board issued an Order denying the subject application (38 FR 24931). On January 16, 1974, the Board granted a request by Applicant that a new proposal be treated as an amendment to the application. The amendment restructured certain financial details of the proposed transaction.

Notice of the amendment, affording opportunity for interested persons to submit comments and views, has been given. The time for filing comments and views has expired, and the Board has considered the amended application and all comments received.

Applicant controls one bank, Pilgrim State Bank, Cedar Grove, New Jersey, with deposits of $5 million, representing approximately 0.1 per cent of total deposits in commercial banks in the Greater Newark market. Bank, with deposits of approximately $35 million, operates three branches and is the 22nd largest of 35 organizations operating in the market approximated by the Paterson, New Jersey, SMSA. (All deposit data are as of December 31, 1972, and all market data are as of June 30, 1972.)

The Willowbrook office of Bank is separated from Pilgrim's office by only five miles, but penetration data show that neither bank derives a significant amount of business from the service area of the other, and it appears that this proposal would not eliminate significant competition. There has been close cooperation in the management and operation of the two banks and it seems unlikely that future competition will develop. Apparently, consummation of the proposal would not appreciably raise the barriers to entry in any relevant area nor affect adversely the competitive situation in any relevant area, and there remains available a significant number of potential "foothold" acquisitions to afford entry into the relevant markets. Competitive considerations, therefore, are regarded as consistent with approval.

The financial and managerial resources and future prospects of Applicant and Bank under the amended application are considered to be satisfactory. The new financial proposal submitted by Applicant provides for the sale of $400,000 in common stock within 30 days after the date of the acquisition, with the full proceeds of the sale being applied to reduce the acquisition debt attributable to the purchase of Bank from $1.5 to $1.1 million. Applicant further proposes to raise an additional $1 million in equity capital within 18 months to augment the capital of Bank. The Board's previous denial Order examined the possible strain on capital which might develop on the subsidiary banks in the proposed holding company system due to the high level of debt, the uncertainty of Applicant's ability to raise additional capital, and the apparent inability of Applicant to serve as a source of strength for its subsidiary banks. The new proposal tends to alleviate the Board's concern in these areas, since Applicant proposes to reduce the level of debt while maintaining acceptable capital levels at its subsidiary banks. Therefore, the Board regards such considerations as being consistent with approval of the application.

As noted in the previous Board Order with respect to this application, Applicant proposes to initiate no new services upon consummation of the proposal; however, considerations relating to the convenience and needs of the community are consistent with approval of the application. It is the Board's judgment that consummation of the transaction would be in the public interest and that the proposal 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 the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of New York pursuant to delegated authority.

By order of the Board of Governors,[1] effective February 25, 1974.

[SEAL] CHESTER B. FELDBERG, *Secretary of the Board.*

[FR Doc.74-5020 Filed 3-4-74;8:45 am]

FIRST AT ORLANDO CORP.

Acquisition of Bank

First at Orlando Corporation, Orlando, Florida, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 90 percent or more of the voting shares of (1) The Sebastian River Bank, Sebastian, Florida and (2) The Beach Bank of Vero Beach, Vero Beach, Florida. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than March 18, 1974.

Board of Governors of the Federal Reserve System, February 25, 1974.

[SEAL] ELIZABETH L. CARMICHAEL, *Assistant Secretary of the Board.*

[FR Doc.74-5022 Filed 3-4-74;8:45 am]

WYOMING BANCORPORATION

Acquisition of Bank

Wyoming Bancorporation, Cheyenne, Wyoming, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of Bank of Wyoming, N.A., Sheridan, Wyoming. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than March 25, 1974.

Board of Governors of the Federal Reserve System, February 25, 1974.

[SEAL] ELIZABETH L. CARMICHAEL, *Assistant Secretary of the Board.*

[FR Doc.74-5021 Filed 3-4-74;8:45 am]

[1] Voting for this action: Chairman Burns and Governors Mitchell, Daane, Brimmer, Sheehan, Bucher, and Holland.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 74-15]

AD HOC SUBCOMMITTEE OF THE SPACE SCIENCE AND APPLICATIONS STEERING COMMITTEE TO REVIEW PROPOSALS FOR SCIENTIFIC EXPERIMENTS FOR THE PIONEER VENUS ORBITER MISSION

Meetings

The NASA Advisory Subcommittee named above will meet at the Goddard Space Flight Center on March 11-13, 1974, in Building 26, Room 205. The meeting will be concerned with a scientific evaluation of proposals for flight experiments on the Pioneer Venus Orbiter Mission. The meeting will be closed to the public because throughout each session the Subcommittee will be candidly discussing and appraising the professional qualifications of the proposers and their potential scientific contributions to the mission. Discussion of these matters in public session would invade the privacy of the proposers and the other individuals involved.

The Subcommittee was established by the NASA Administrator for the purpose of advising NASA on the merit of proposals received in response to the NASA general solicitation of 26 July 1973 for proposals for flight experiments on the Pioneer Venus Orbiter. The Chairman of the Subcommittee is Dr. Robert F. Fellows, NASA Headquarters, Washington, DC 20546. The Executive Secretary is Mr. John C. Beckman, also of NASA Headquarters. There are approximately 15 other members of the Subcommittee. Questions may be directed to Dr. Fellows, telephone (202) 755-3660.

DAVID WILLIAMSON, Jr., *Acting Associate Administrator, National Aeronautics and Space Administration.*

FEBRUARY 26, 1974.

[FR Doc.74-4996 Filed 3-4-74;8:45 am]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

VISUAL ARTS FELLOWSHIPS ADVISORY PANEL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a closed meeting of the Visual Arts Fellowship Advisory Panel to the National Council on the Arts will be held at 10:00 a.m. on March 6 and at 10:00 a.m. on March, 1974 in the 11th floor conference room of the Shoreham Building, 806 15th Street NW., Washington, D.C.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER of January 10, 1973, this meeting which involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b) (4), (5), and (6), will not be open to the public.

Further information with reference to this meeting can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 382-5871.

PAUL BERMAN, *Director of Administration, National Foundation on the Arts and the Humanities.*

[FR Doc.74-5007 Filed 3-4-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[70-5453]

AMERICAN ELECTRIC POWER CO.

Notice of Proposed Issue and Sale of Common Stock by Holding Company Pursuant to an Underwritten Rights Offering

Notice is hereby given that American Electric Power Company, Inc. ("AEP"), 2 Broadway, New York, New York 10004, a registered holding company, has filed a declaration with this Commission designating sections 6, 7, and 12(c) of the Public Utility Holding Company Act of 1935 ("Act") and Rules 42 and 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

AEP proposes to offer up to 7,000,000 authorized but unissued shares of its common stock ("additional common stock") for subscription by the holders of its outstanding shares of common stock on the basis of one share of the additional common stock for each ten (10) shares of common stock held on the record date. The record date will be March 28, 1974, or such later date as AEP's registration statement under the Securities Act of 1933 may become effective. The subscription price, to be determined by AEP's Board of Directors at about 3:45 p.m. on the day preceding the record date, will be not more than the closing price of AEP common stock on the New York Stock Exchange on the day prior to the record date and not less than 90 percent thereof. The subscription offer will expire April 19, 1974, unless the record date should be later than March 28, 1974, in which event the expiration date will be specified by amendment.

AEP further proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, such of the shares of the additional common stock as are not subscribed for pursuant to the subscription offer, together with any shares of common stock acquired by AEP pursuant to any stabilizing activities, which are also proposed to be effected by AEP in connection with the proposed transaction. The aggregate amount to be paid by AEP to the successful bidder or bidders for their commitments and obligations under the purchase contract will be determined by the

competitive bidding procedure. The purchase contract will obligate the purchasers of the unsubscribed shares to make a public offering thereof promptly after the warrant expiration date. The stabilizing transactions may be effected on the New York Stock Exchange, in the over-the-counter market, or otherwise, but in no event will AEP acquire as a result of such transactions a net long position at any one time in excess of 700,000 shares of its common stock.

Rights to subscribe to the additional common stock will be evidenced by transferable subscription warrants which will be issued to all record holders of AEP common stock as promptly as practicable after the record date. No fractional shares will be issued; however, any holder with more than 10 shares, but not in exact multiples thereof, may purchase, at the subscription price, one extra share of additional common stock. A stockholder with less than 10 shares of common stock will be entitled to purchase, at the subscription price, one full share of additional common stock. In addition, each holder of a warrant or warrants who exercises such warrant or warrants in full will be given the privilege of subscribing, subject to allotment, at the same subscription price, for shares of additional unsubscribed common stock. AEP expects that subscription rights will be traded on the New York Stock Exchange and that, in addition, rights may be bought or sold through banks or brokers. In addition, AEP intends to afford to holders of warrants the opportunity to buy or to sell rights through AEP's subscription agent, such agent to charge 2¢ per right for its services in effecting such transactions.

AEP does not propose to mail warrants to stockholders whose registered addresses are outside the United States, Canada and Mexico. To the extent that AEP does not receive instructions from such stockholders to either exercise or otherwise dispose of their warrants, AEP may sell the rights evidenced by such warrants and may also sell the rights evidenced by warrants which are returned after the initial mailing as nondeliverable for any reason. AEP will, if such rights are sold, within 30 days following the fifth anniversary of such sale, pay any of the net proceeds then remaining unclaimed (as such net proceeds may have been reduced by the deduction of fees for the administration of such funds) to the Comptroller of the State of New York or other appropriate authority pursuant to the applicable provisions of the Abandoned Property Law of New York.

It is stated that proceeds of the sale of the shares of additional common stock and any unsubscribed shares, together with other funds available to AEP are to be used by AEP to pay commercial paper as it matures and to make additional investments in the common stock of its subsidiaries. At December 31, 1973, AEP had an aggregate amount of $134,150,000 of outstanding commercial paper.

Estimates of the fees and expenses to be incurred in connection ith the proposed issue and sale of common stock are to be filed by amendment. It is stated that no state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 19, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporation Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-5014 Filed 3-4-74;8:45 am]

[812-3254]

CAPITAL EXCHANGE FUND, INC. ET AL.

Notice of Application for Exemption

Notice is hereby given that Capital Exchange Fund, Inc., Depositors Fund of Boston, Inc., Diversification Fund, Inc., The Exchange Fund of Boston, Inc., Fiduciary Exchange Fund, Inc., Leverage Fund of Boston, Inc., Second Fiduciary Exchange Fund, Inc., Vance, Sanders Common Stock Fund, Inc., Vance, Sanders Income Fund, Inc., Vance, Sanders Investors Fund, Inc., and Vance, Sanders Special Fund, Inc., (the "Funds"), One Beacon Street, Boston, Massachusetts 02108, all Massachusetts corporations registered as management investment companies under the Investment Company Act of 1940 (the "Act"), and Jack L. Treynor ("Treynor") (hereinafter collectively called "Applicants") 219 East 42nd Street, New York, New York 10017, have filed an application for an order of the Commission pursuant to section 6(c) of the Act declaring that Treynor shall not be deemed an "interested person" of the Funds or any investment adviser of, or principal underwriter for, the Funds, within the meaning of section 2(a)(19) of the Act, solely by reason of his proposed status as a director and shareholder of, and consultant to, O'Brien Associates, Inc., ("OA"). All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are ummarized below.

Treynor represents that he is considering becoming a director of and consultant to OA and acquiring a stock interest in it of less than 5 percent of its outstanding stock. OA, a broker-dealer registered under the Securities Exchange Act of 1934 (the "1934 Act"), a member of the Midwest Stock Exchange, and an investment adviser registered under the Investment Advisers Act of 1940, offers its customers consulting services and portfolio analyses as a part of its services as a broker-dealer. OA's customers presently consist principally of institutions such as pension and endowment trusts and their managers, and it is expected that this will be true for the future as well. OA generally does not do a retail business with individuals, does not make a market over-the-counter or in the third market and does not sell mutual fund shares or participate in underwritings.

As a consultant, Treynor expects to spend a maximum of 12 days a year providing advice to OA or its clients. It is expected that he might be called upon to give advice on computer programs being designed or modified by OA or comment on reports being prepared for specific clients of OA. It is expected that he also may be asked to assist clients of OA to make policy decisions on appropriate long-range risk policies for their investment portfolios or advise them on their decision-making processes and the manner in which they conduct their investment management functions. Treynor also may refer potential clients to OA and explain OA's services or reports to clients and potential clients. Treynor will not advise OA or its clients on short-term risk policies (such as whether to invest in debt securities or common stocks on a short-term basis) or on the investment merit of specific companies or industries.

The Funds state that the Funds have no financial interest in or relationship with OA.Vance, Sanders & Company, Inc., ("VS"), a Maryland corporation employed by Capital Exchange Fund, Inc., Depositors Funds of Boston, Inc., Diversification Fund, Inc., The Exchange Fund of Boston, Inc., Fiduciary Exchange Fund, Inc., Leverage Fund of Boston, Inc., Second Fiduciary Exchange Fund, Inc., Vance, Sanders Income Fund, Inc., and Vance, Sanders Special Fund, Inc., as their investment adviser and by Vance, Sanders Common Stock Fund, Inc., Vance, Sanders Income Fund, Inc., Vance, Sanders Investors Fund, Inc., and Vance, Sanders Special Fund, Inc., as their principal underwriter, has informed

the Funds that it has no financial interest in or relationship with OA. Boston Management & Research Company, Inc., ("BM&R"), a Massachusetts corporation which is a wholly-owned subsidiary of VS and which is employed by Vance, Sanders Common Stock Fund, Inc., and Vance, Sanders Investors Fund, Inc., as their investment adviser, has informed the Funds that it has no financial interest in or relationship with OA.

Applicants assert that Treynor would be subject to no conflicts of interest as a result of his relationships with OA since his activities as a director, shareholder and consultant would be isolated from and independent of any business activities of the Funds and of VS and BM&R. In this connection, each Fund has undertaken that so long as Treynor is a director of the Fund and is concurrently a director or shareholder of or consultant to OA, the Fund will not enter into, or cause any other person to enter into any transaction which might confer a benefit on OA. Each Fund states that VS and BM&R have advised the Fund that during such period VS and BM&R will not enter into, or cause any other person to enter into, any transaction which might confer a benefit on OA. Applicants further assert that Treynor, by virtue of such relationships with OA, would not be in a position, nor would he have any reason, to act in any way to the detriment of the Funds in connection with any portfolio securities transaction of the Funds.

Applicants state that it is believed that services such as those provided by OA presently are provided to institutions by a number of competing investment advisers and brokerage firms and that the Funds, VS and BM&R are not foreclosing themselves from utilizing an investment tool. If it should be determined in the future, however, that it is desirable to utilize the services of OA, then, it will be necessary at that time for the Funds' Board of Directors to determine whether it is any longer in the best interests of the Funds to continue in effect the undertaking contained in this application that neither the Funds, VS nor BM&R will transact any business with OA. Although Treynor might participate in any discussions of the Boards of Directors of the Funds as to whether the undertakings of the Funds, VS and BM&R should be continued in effect, Treynor will not be permitted to participate in any vote with respect to said undertakings.

Section 2(a)(19) of the Act, in pertinent part, defines "interested person" when used with respect to an investment company, investment adviser, or principal underwriter for an investment company to include any broker or dealer registered under the 1934 Act or any affiliated person of such a broker or dealer. Section 2(a)(3) defines an "affiliated person" of another person to include any director of such other person. Treynor, as a director of O'Brien, would be an affiliated person of a broker or dealer and, therefore, an "interested person" of the Funds and of their investment adviser and principal underwriter.

Section 6(c) of the Act provides that the Commission by order, upon application, may conditionally or unconditionally exempt any person, security, or transaction from any provision or provisions of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicants contend that Treynor should not be deemed an "interested person" of the Funds, VS, or BM&R because his affiliation with OA would not affect or impair his independence in acting on behalf of the Funds and their shareholders and that the requested exemption is therefore consistent with the provisions of section 6(c) of the Act.

Notice is further given that any interested person may, not later than March 22, 1974, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit, or in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following March 22, 1974, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5011 Filed 3-4-74;8:45 am]

[File No. 500-1]

CONTINENTAL VENDING MACHINE CORP.

Notice of Suspension of Trading

FEBRUARY 22, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Vending Machine Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from February 24, 1974 through March 5, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5028 Filed 3-4-74;8:45 am]

[File No. 500-1]

GAMMA PROCESS CO. INC.

Notice of Suspension of Trading

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Gamma Process Co. Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 2:00 p.m. (e.d.t.) on February 21, 1974 through midnight (e.d.t.) on March 2, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5029 Filed 3-4-74;8:45 am]

[File No. 500-1]

GRANBY MINING CO., LTD.

Notice of Suspension of Trading

FEBRUARY 20, 1974.

The common stock of Granby Mining Co., Ltd. being traded on the Pacific Coast Stock Exchange and on the Philadelphia Baltimore Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Granby Mining Co., Ltd. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from 10:00 a.m. (e.d.t.) on February 20, 1974 through March 1, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5030 Filed 3-4-74;8:45 am]

[File No. 500-1]

HARVEST MARKETS INC.

Notice of Suspension of Trading

FEBRUARY 21, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Harvest Markets Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 2:00 p.m. (e.d.t.) on February. 21, 1974 through midnight (e.d.t.) on March 2, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5031 Filed 3-4-74;8:45 am]

[File No. 500-1]

HOME-STAKE PRODUCTION CO.

Notice of Suspension of Trading

FEBRUARY 22, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Home-Stake Production Company being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from February 24, 1974 through March 5, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5032 Filed 3-4-74;8:45 am]

[File No. 500-1]

INDUSTRIES INTERNATIONAL, INC.

Notice of Suspension of Trading

FEBRUARY 20, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Industries International, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from February 21, 1974 through March 2, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5033 Filed 3-4-74;8:45 am]

[812-3576]

INTERNATIONAL PLASMA CORP.

Notice of Application

In the matter of International Plasma Corporation, c/o James C. Gaither, Cooley, Godward, Castro, Huddleson & Tatum, The Alcoa Building, 1 Maritime Plaza, San Francisco, California 94111, Durrum Instrument Corporation, c/o John A. Wilson, Wilson, Mosher & Sonsini, 2 Palo Alto Square, Palo Alto, California 94304, Value Line Development Capital Corp., 5 East 44th Street, New York, New York, Genstar Pacific Corporation, P.O. Box 11787, Palo Alto, California, Sutter Hill Capital Corporation, Sutter Hill Ventures, 2 Palo Alto Square, Palo Alto, California 94304 (812-3576).

Notice is hereby given that International Plasma Corporation ("IPC"), Durrum Instrument Corporation ("Durrum"), Value Line Development Capital Corp. ("Value Line"), Genstar Pacific Corporation ("Genstar"), Sutter Hill Capital Corporation ("Capital"), and Sutter Hill Ventures ("Ventures") (hereinafter collectively called "Applicants") have filed an application pursuant to section 17(d) of the Investment Company Act of 1940 ("Act") and Rule 17d-1 thereunder for an order authorizing Value Line and the other shareholders of Durrum to exchange their shares of Durrum common and preferred stock for shares of IPC common stock pursuant to an Agreement and Plan of Reorganization dated December 21, 1973 (the "Agreement"). All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

IPC is a California corporation which designs, manufactures and sells plasma machines in which an excited gas causes chemical reactions to take place. Durrum is a Nevada corporation which designs, manufactures and sells chemical instruments. Ventures, which holds 51 percent of the outstanding common stock of IPC, is a limited partnership whose sole limited partner is Genstar, a California corporation. Genstar holds all of the outstanding stock of Capital, a California corporation. Capital and Genstar hold in the aggregate 41 percent of the outstanding shares of Durrum. Paul M. Wythes, a general partner of Ventures and a vice-president of Capital, is a member of the Boards of Directors of IPC and Durrum.

Value Line, a non-diversified, closed-end investment company registered under the Act holds 8 percent of the outstanding common stock of Durrum and is, therefore, an affiliated person of Durrum under section 2(a)(3) of the Act.

IPC proposes to acquire at least 90 percent of the outstanding common and preferred stock of Durrum in exchange for shares of IPC common stock. The Agreement provides that IPC will issue from 3.009 to 3.139 shares of IPC common stock in exchange for each share of common and preferred stock of Durrum. The exact exchange ratio will be determined on the basis of the number of shares of Durrum common and preferred stock outstanding at the closing and purchaseable on exercise of options and warrants then outstanding.

Applicants state that Genstar and Capital each may be deemed to be an affiliated person of Durrum under the definition of affiliated person set forth in section 2(a)(3) of the Act and, therefore, an affiliated person of an affiliated person of Value Line. Applicants also state that if Ventures, IPC and Durrum were each deemed to be under the common control of Genstar, Ventures and IPC would each be an affiliated person of Durrum and therefore an affiliated person of an affiliated person of Value Line.

Under section 17(d) of the Act, and Rule 17d-1 thereunder, it is unlawful for an affiliated person of a registered investment company, or an affiliated person of such person, to effect any transaction in which such investment company is a joint participant unless the Commission, upon application, has issued an order permitting such transaction. In passing upon applications for such orders, the Commission is required to consider whether the participation of the investment company in such joint enterprise or arrangement on the basis proposed is consistent with the provisions, policies, and purposes of the Act and the extent to which such participation is on a basis different from, or less advantageous than, that of other participants.

Applicants represent that the terms of the proposed transaction have been considered by the Boards of Directors of IPC and Durum and that each Board has determined that such terms are fair and reasonable. Applicants represent that the terms of the proposed transaction does not involve any unfair or less advantageous treatment of Value Line and are consistent with the general purposes of the Act.

In support of such assertions, Applicants cite, among others, the following factors:

1. The terms and conditions of the IPC offer will be the same to each Durrum shareholder (except that Value Line will incur none of the selling shareholder expenses).
2. The terms of the Agreement were achieved through arms-length negotiation, on the basis of the financial condition of both companies and all other pertinent business considerations.
3. An independent financial analysis of the transaction was obtained by the parties, and a favorable opinion rendered as to the fairness of the proposal.
4. Value Line, exercising its independent business judgment, has concluded that its participation in the proposed transaction is in its best interest.

Notice is further given that any interested person may, not later than March 22, 1974, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission,

Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the addresses set forth above. Proof of such service (by affidavit, or in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the matter will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5012 Filed 3-4-74;8:45 am]

[File No. 500-1]

LAMP FASHION INC.

Notice of Suspension of Trading

FEBRUARY 21, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Lamp Fashion Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 2:00 p.m. (e.d.t.) on February 21, 1974 through midnight (e.d.t.) on March 2, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5034 Filed 3-4-74;8:45 am]

MANATI INDUSTRIES INC.

[File No. 500-1]

Notice of Suspension of Trading

FEBRUARY 21, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Manati Industries Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 2:00 p.m. (e.d.t.) on February 21, 1974 through midnight (e.d.t.) on March 2, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5035 Filed 3-4-74;8:45 am]

[File No. 500-1]

NATIONAL ALFALFA DEHYDRATING AND MILLING CO.

Notice of Suspension of Trading

FEBRUARY 22, 1974.

The common stock of National Alfalfa Dehydrating and Milling Company being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Comission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from February 25, 1974 through March 6, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5036 Filed 3-4-74;8:45 am]

[File No. 500-1]

SEABOARD AMERICAN CORP.

Notice of Suspension of Trading

FEBRUARY 25, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Seaboard American Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from February 26, 1974 through March 7, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5009 Filed 3-4-74;8:45 am]

[File No. 500-1]

SEABOARD CORP.

Notice of Suspension of Trading

FEBRUARY 22, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, units and warrants of Seaboard Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from February 25, 1974 through March 6, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5037 Filed 3-4-74;8:45 am]

[File No. 500-1]

STRATTON GROUP, LTD.

Notice of Suspension of Trading

FEBRUARY 22, 1974.

The common stock of Stratton Group, Ltd. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Stratton Group, Ltd. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a)(4) and 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the period from February 24, 1974 through March 5, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc. 74-5038 Filed 3-4-74;8:45 am]

[File No. 500-1]

TECHNICAL RESOURCES, INC.

Notice of Suspension of Trading

FEBRUARY 25, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Technical Resources, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from February 26, 1974 through March 7, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.74-5010 Filed 3-4-74;8:45 am]

SMALL BUSINESS ADMINISTRATION

MAXIMUM INTEREST RATES

Notice of Establishment

Notice hereby is given that the Small Business Administration ("SBA") has established the maximum rate of interest which a lending institution may charge on an SBA participation loan approved by SBA on or after March 1, 1974, pursuant to section 7(a) of the Small Business Act, as amended, Section 402 of the Economic Opportunity Act of 1964, as amended, and Section 502 of the Small Business Investment Act, as amended.

Effective March 1, 1974, the maximum rate of interest acceptable to SBA on a guaranteed loan will be ten and one-half (10½) percent per year, and the maximum rate on an immediate participation loan will be nine and one-half (9½) percent per year.

These maximums shall remain in effect until changed by SBA.

Notice also is given hereby that the SBA has established a maximum rate of interest which a lending institution may charge on a revolving line of credit guaranteed by the SBA. Effective on the above date of March 1, 1974, the maximum interest rate acceptable to the SBA for this type of financing will be ten and one-half (10½) percent per year. This maximum rate shall remain in effect until changed by SBA.

These notices are being made under the provision of 13 CFR 120.3(b)(2)(vi).

(Catalog of Federal Domestic Assistance Programs:)
No. 59.012 Small Business Loans
No. 59.013 State and Local Development Company Loans
No. 59.014 Coal Mine Health and Safety Loans
No. 59.017 Meat and Poultry Inspection Loans
No. 59.001 Displaced Business Loans
No. 59.018 Occupational Safety and Health Loans
No. 59.003 Economic Opportunity Loans for Small Businesses)

Dated: February 28, 1974.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.74-5148 Filed 3-1-74;3:12 pm]

SELECTIVE SERVICE SYSTEM

National Headquarters

INDUCTION OF REGISTRANTS

Notice of Lottery Drawing

By virtue of the authority vested in me by § 1631.1 of Selective Service Regulations (32 CFR 1631.1), a drawing will be conducted in the Department of Commerce Auditorium, Washington, D.C., on March 20, 1974, beginning at 10 a.m., e.d.s.t., to establish a random selection sequence for induction of registrants who during the calendar year 1974 have attained their 19th but not their 20th year of age.

Dated: February 27, 1974.

BYRON V. PEPITONE,
Director.

[FR Doc.74-5018 Filed 3-4-74;8:45 am]

TARIFF COMMISSION

[AA1921-140]

REGENERATIVE BLOWER/PUMPS FROM WEST GERMANY

Notice of Investigation and Hearing

Having received advice from the Treasury Department on February 22, 1974, that regenerative blower/pumps from West Germany are being, or are likely to be, sold at less than fair value, the United States Tariff Commission on February 26, 1974, instituted investigation No. AA1921-140 under section 201 (a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Hearing. A public hearing in connection with the investigation will be held in the Tariff Commission's Hearing Room, Tariff Commission Building, 8th and E Streets, NW., Washington, D.C. 20436, beginning at 10 a.m., e.d.t., on Tuesday, April 2, 1974. All parties will be given an opportunity to be present, to produce evidence, and to be heard at such hearing. Requests to appear at the public hearing should be received by the Secretary of the Tariff Commission, in writing, at its office in Washington, D.C., not later than noon Thursday, March 28, 1974.

Issued: February 27, 1974.

By order of the Commission.

KENNETH R. MASON,
Secretary.

[FR Doc.74-5042 Filed 3-4-74;8:45 am]

[TEA-W-227]

WORKERS' PETITION FOR A DETERMINATION

Notice of Investigation

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the former workers of Clippard Instrument, Inc., Paris, Tennessee, the United States Tariff Commission, on February 26, 1974, instituted an investigation under section 301(c)(2) of the Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with coils (of the types provided for in item 682.05 and 682.60 of the Tariff Schedules of the United States) produced by said firm are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such firm or an appropriate subdivision thereof.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed within 10 days after the notice is published in the FEDERAL REGISTER.

The petition filed in this case is available for inspection at the Office of the Secretary, United States Tariff Commission, 8th and E Streets, NW, Washington, D.C., and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: February 27, 1974.

By order of the Commission.

KENNETH R. MASON,
Secretary.

[FR Doc.74-5043 Filed 3-4-74;8:45 am]

GENERAL SERVICES ADMINISTRATION

REGIONAL PUBLIC ADVISORY PANEL ON ARCHITECTURAL AND ENGINEERING SERVICES

Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of a meeting of the Regional Public Advisory Panel on Architectural and Engineering Services, March 7 and 8, 1974, from 8:00 a.m. to 4:00 p.m., Building 41, Denver Federal Center, Denver, Colorado. This meeting will be for the purpose of considering Architect-Engineering firms to provide design services for selected projects in the State of Colorado on a year term fixed price contract.

The meeting will be closed to the public in accordance with the provisions set forth in section 10(d) of Pub. L. 92-463.

MICHAEL J. NORTON,
Regional Administrator.

[FR Doc.74-5192 Filed 3-4-74;9:17 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 February 28, 1974 (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, 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.

The symbol (x) identifies proposals which appear to raise no significant issues, and 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).

NEW FORMS

DEPARTMENT OF COMMERCE

National Bureau of Standards, Form Letter and Resume for "A Directory of Authoritative Sources for Property Data on Ceramics", Form ———, Single time, Caywood, Information centers covering ceramics.

Bureau of the Census, 1974 Census of Agriculture Pretest: Recheck Listing Sheet; Respondent Interview, Forms 73X–A7, 73X–A8, Single time, Lowry, Farms.

Regular and Short Agriculture Questionnaires, Forms 73X–A1 PR, 73X–A2 PR, Single time, Lowry, Puerto Rican farmers in pretest area.

FEDERAL ENERGY ADMINISTRATION

Request for Data on Coal Conversion, Form ———, Single time, Lowry, Business firms.

FEDERAL RESERVE BOARD

Monthly Report on Foreign Assets, Form FR 936, Monthly, Hulett, Banks.

FEDERAL RESERVE BOARD

Quarterly Report on Foreign Assets, Form FR 937, Quarterly, Hulett, Nonbank financial institutions.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration, Evaluation of Hill-Burton Technical Standards and Guidelines for Medical Facilities, Form HRABHRD 0110, Single time, HRD/Sunderhauf, Hospitals built recently with Hill-Burton funds.

NATIONAL SCIENCE FOUNDATION

RANN Research Utilization Survey: Projected Utilization and Actual Utilization, Form—, Single time, Planchon, Principal investigators.

DEPARTMENT OF TRANSPORTATION

Departmental, University of Texas Transportation Survey Questionnaire, Form—, Single time, Foster, Adults in Austin, Texas.

REVISIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration, 1974 Survey of Independent Health Insurance Plans, Form SSA 1807, Annual, Caywood/Reese, Larger independent health insurance plans.

EXTENSIONS

DEPARTMENT OF COMMERCE

National Bureau of Standards, Package Size Survey, Form NBS 181, Occasional, Evinger (x), State & local govt. weights & measures officials.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control, Congenital Rubella Syndrome—Case Report, Form 4.271, Occasional, Evinger (x).

Rubella Case Investigation Report, Form 10.17, Occasional, Evinger (x).

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74–5175 Filed 3–4–74;8:45 am]

FEDERAL ENERGY OFFICE

AGRICULTURE ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770), notice is hereby given that the Agriculture Advisory Committee will meet at 2:00 p.m. on Monday, March 11, 1974, in room 4121, Main Treasury, 18th and C Streets NW.

The committee is composed of representatives of the agriculture industry from all areas of the United States.

The agenda for the meeting is as follows:

I. Problems in allocation program.
A. Allocation fraction to agricultural producers/end users (February 11 telegram from FEO to regional offices).
B. Plans for obtaining information to rule fuel distribution.
C. Ability for agricultural producers/end users to obtain fuel when needed (as cropping seasons demand increases).
D. Ability for agricultural producers/end users to obtain supplies at retail outlets.
E. Fuel for movement of migrant workers from distant areas to farm areas.
II. Proposed changes to definition of agricultural production.
III. Energy research and development as related to agriculture.

This meeting is open to the public; however, space and facilities are limited.

The chairman of the group is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business.

Further information concerning this meeting may be obtained from Richard A. Ashworth, Assistant to the Undersecretary of Agriculture, Washington, D.C., telephone 202–447–6185. Minutes of the meeting will be made available for public inspection at the Federal Energy Office, Washington, D.C.

Issued in Washington, D.C., on March 4, 1974.

WILLIAM N. WALKER,
General Counsel.

[FR Doc.74–5269 Filed 3–4–74;12:10 pm]

EMERGENCY ADVISORY COMMITTEE FOR NATURAL GAS SUBCOMMITTEE ON LP-GAS SUPPLY AND DEMAND

Notice of Meeting

Notice is hereby given in accordance with PL 92–463 that there will be a meeting of the Government Policies Task Group of the Subcommittee on LP-Gas Supply and Demand of the Emergency Advisory Committee for Natural Gas at 10:00 a.m. on Wednesday, March 6, 1974, in Room 4426, Treasury Building, 15th and Pennsylvania Avenue, NW., Washington, D.C. The Subcommittee is a group of qualified businessmen established to advise the Administrator, FEO, on LP-Gas Supply and Demand problems.

Agenda items are as follows:

1. Opening remarks by the Chairman of the Task Group.
2. Corrections and additions to minutes of previous meetings.
3. Receive comments and recommendations on issues raised on the Propane and Butane Mandatory Allocation Program.
4. Review and comment on draft of Proposed Revised Regulations on Mandatory Allocation Program for Propane and Butane.
5. Review and comment on propane and butane price regulations.
6. Review and recommendations of other Government policies that affect propane and butane supply/demand.
7. Other business—general discussion of rules and regulations.

This meeting will be open to the public to the extent of available space, on a first-come basis.

The Chairman of the group is empowered to conduct the meeting in a fashion that will in his judgment facilitate the orderly conduct of business.

Further information concerning the meeting may be obtained from Mr. Lucio D'Andrea, Office of Policy, Planning and Regulation, Federal Energy Office, Washington, D.C. 20461, Area Code 202/961–8471. Minutes of the meeting will be made available for public inspection at the Federal Energy Office, Washington, D.C.

Issued in Washington, D.C., on March 4, 1974.

WILLIAM N. WALKER,
General Counsel.

[FR Doc.74–5270 Filed 3–4–74;12:10 pm]

CONSUMERS ADVISORY COMMITTEE

Notice of Meeting

Notice is hereby given in accordance with Public Law 92–463 that a meeting of the Consumers Advisory Committee will be held Wednesday, March 13, 1974, at 1 p.m. in Room 3140A, New Post Office, 12th and Pennsylvania Avenue NW., Washington, D.C.

The committee was established to advise the Administrator, FEO, with respect to general consumer aspects of interests and problems related to the policy and implementation of programs crisis. The agenda for the meeting is as to meet the current national energy follows:

A. Organization.
B. Special Impact Office.
C. Energy Legislation.
D. Fuel Pricing.
E. Gas Rationing and its alternatives.
F. Project independence.
G. Petroleum Allocation and its impact.
H. New Business—discussion of rules and regulations.

The meeting is open to public; however, space and facilities are limited.

Further information concerning this meeting may be obtained from Joseph Dawson, Office of Consumer Affairs, Department of Health, Education and Welfare, Washington, D.C. 20201. Telephone 202/245–6975. Minutes of the meeting will

be made available for public inspection at the Federal Energy Office, Washington, D.C.

The chairman of the group is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business.

Issued in Washington, D.C., on March 4, 1974.

WILLIAM N. WALKER,
General Counsel.

[FR Doc.74-5272 Filed 3-4-74;12:11 pm]

ENVIRONMENTAL ADVISORY COMMITTEE

Notice of Meeting

Notice is hereby given in accordance with Pub. L. 92-463 that a meeting of the Environmental Advisory Committee will be held Tuesday, March 12, 1974, at 9:00 a.m., in Room 3140A, New Post Office, 12th and Pennsylvania Avenue NW., Washington, D.C.

The committee was established to advise the Administrator, FEO, with respect to general environmental aspects of interests and problems related to the policy and implementation of programs to meet the current national energy crisis. The agenda for the meeting is as follows:

I. Discussion of Interstate Commerce Commission Regulations.
II. Subpanel discussions.
A. Strip mining.
B. Offshore oil lease program.
C. Oil shale.
D. Electric utility pricing.
III. New Business—Discussion of rules and regulations.

The meeting is open to the public; however, space and facilities are limited.

Further information concerning the meeting may be obtained from Jim Oberwetter, Office of the Administrator, Environmental Protection Agency (West Tower), 401 M Street, SW., Washington, D.C. 20460. Telephone 202/755-9416. Minutes of the meeting will be made available for public inspection at the Federal Energy Office, Washington, D.C.

The chairman of the group is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business.

Issued in Washington, D.C., on March 4, 1974.

WILLIAM N. WALKER,
General Counsel.

[FR Doc.74-5271 Filed 3-4-74;12:10 pm]

INTERSTATE COMMERCE COMMISSION

[Notice No. 457]

ASSIGNMENT OF HEARINGS

FEBRUARY 28, 1974.

Cases assigned for hearing, postponement, cancellation, or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the official docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after the date of this publication.

MC-C-8065, Quality Drug Stores, Inc. —V— Eastern Freight Ways, Inc.; MC-C-8066, Quality Drug Stores, Inc. —V— Preston Trucking Company, Inc., and MC-C-8068, Quality Drug Stores, Inc. —V— Hermann Forwarding Company, now assigned March 6, 1974, at Harrisburg, Pa., is canceled and reassigned April 30, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 123685, Sub 17, Peoples Cartage, Inc., now assigned March 8, 1974, at Columbus, Ohio, is canceled and the application is dismissed.

MC 116254 (Sub-No. 137), Chem-Haulers, Inc., now assigned March 4, 1974, at Birmingham, Ala., is canceled and application dismissed.

MC-127834 Sub 94, Cherokee Hauling & Rigging, Inc., now assigned March 6, 1974, at Columbus, Ohio, is canceled and the application is dismissed.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-5047 Filed 3-4-74;8:45 am]

[Notice No. 37]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice, any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before March 25, 1974. 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-74455. By order of February 26, 1974, the Motor Carrier Board approved the transfer to Bruce E. Emerson, Cumberland, R.I., of the Certificate in No. MC-100375 and the Certificate of Registration in No. MC-100375 (Sub-No. 2) issued July 10, 1941, and June 10, 1964, respectively, to Eunice M. Emerson and Everett F. Emerson, a partnership, doing business as Emerson's Express, Cumberland, R.I., the former authorizing the transportation of general commodities, Lincoln, Pawtucket, and Providence, R.I., and the latter evidencing a right of the holder to engage in transportation in interstate or foreign commerce as described in certificate No. MC-163, dated September 9, 1947, issued by the Public Utility Administrator of Rhode Island—Thomas with exceptions, between Cumberland, G. Hetherington, 255 Main Street, Pawtucket, R.I. 02860, attorney for applicants.

No. MC-FC-74981. By order of February 26, 1974, the Motor Carrier Board approved the transfer to Duggan's Trucking, Inc., Buffalo, N.Y., of Certificate of Registration No. MC-120951 (Sub-No. 1) issued to Lawrence L. Johnson, Buffalo, N.Y., evidencing a right to transport general commodities, in interstate or foreign commerce solely within the State of New York—Robert D. Gunderman, Attorney, Suite 710, Statler Hilton, Buffalo, N.Y. 141202.

No. MC-FC-74988. By order of February 26, 1974, the Motor Carrier Board approved the transfer to All Container Services, Inc., Port Newark, N.J., of the operating rights in Certificate No. MC-135229 issued January 21, 1974, to Coastal Container Trucking Corp., Bayonne, N.J., authorizing the transportation of general commodities, with exceptions, in containers, between points within the New York, N.Y., Commercial Zone, subject to certain limitations—John L. Murray, 235 Mamaroneck Ave., White Plains, N.Y. 10605, Attorney for applicants.

No. MC-FC-74989. By order of February 27, 1974, the Motor Carrier Board approved the transfer to Griffin Express, Inc., Chicopee, Mass., of the operating rights in Certificate of Registration No. MC-98420 (Sub-No. 1) issued to Stephen F. Bakos, Sr., dba E. J. Griffin Express, Chicopee, Mass., evidencing a right to engage in interstate or foreign commerce in the transportation of general commodities, between points solely within the State of Massachusetts—Richard D. Hayes, Attorney, 135 State St., Springfield, Mass. 01103.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-5053 Filed 3-4-74;8:45 am]

[Notice No. 32]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 27, 1974.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of

such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

No. MC 110988 (Sub-No. 308 TA), filed February 14, 1974. Applicant: SCHNEIDER TANK LINES, INC., 200 West Cecil Street, Neenah, Wis. 54956. Applicant's representative: Neil DuJardin (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Modified soybean oil*, from Blooming Prairie, Minn., to points in Virginia, for 180 days. SUPPORTING SHIPPER: Viking Chemical Company, 915 Midland Bank Building, Minneapolis, Minn. 55401 (Glen W. Pagel, Vice President). SEND PROTESTS TO: District Supervisor John E. Ryden, Bureau of Operations, Interstate Commerce Commission, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 113362 (Sub-No. 270 TA), filed February 19, 1974. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, Iowa 50533. Applicant's representative: Milton D. Adams, Box 562, Austin, Minn. 55912. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mayonnaise, table sauces, syrups* (not medicated), *prune juice, extracts, salad dressings and cooked clam products*, from the plantsite of Doxsee Food Corporation at Terre Haute, Ind., to points in Colorado, Iowa, Nebraska, North Dakota, and South Dakota, for 180 days. SUPPORTING SHIPPER: Doxsee Food Corporation, 8323 Pulaski Highway, Baltimore, Md. 21237. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 113908 (Sub-No. 303 TA), filed February 14, 1974. Applicant: ERICKSON TRANSPORT CORPORATION, 2105 East Dale Street, Glenstone Sta., P.O. Box 3180, Springfield, Mo. 65804. Applicant's representative: B. B. Whitehead (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Neutral and distilled spirits—and—alcoholic liquors*, in bulk, from Lake Alfred, Fla., to Rogers, Ark., Kansas City, Mo., Charlotte, N.C., Memphis, Tenn., and Houston, Tex., for 180 days. SUPPORTING SHIPPER: Speas Company, 2400 Nicholson Avenue, Kansas City, Mo. 64120. SEND PROTESTS TO: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 117940 (Sub-No. 105 TA), filed February 11, 1974. Applicant: NATIONWIDE CARRIERS, INC., P.O. Box 104, Maple Plain, Minn. 55359. Applicant's representative: Donald L. Stern, Suite 530 Univac Bldg., 7100 W. Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron boilers, heating supplies and equipment*, from Columbiana, Ohio to points in Iowa, Minnesota, North Dakota, South Dakota, Wyomng and Montana, for 180 days. SUPPORTING SHIPPER: J. L. Company, Division of Monty Robinson, Inc., 7419 Washington Avenue South, Minneapolis, Minn. 55435. SEND PROTESTS TO: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building & U.S. Courthouse, 110 S. 4th Building & U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 127539 (Sub-No. 32 TA) (CORRECTION), filed February 5, 1974, published in the FEDERAL REGISTER issue of February 21, 1974 as No. MC 127539 (Sub-No. 31 TA), and republished as corrected this issue. Applicant: PARKER REFRIGERATED SERVICE, INC., 3533 E. 11th St., Tacoma, Wash. 98421. Applicant's representative: George R. LaBissoniere, 130 Andover Park East, Seattle, Wash. 98188. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting; *Bananas*, from Long Beach, Calif. to points in Oregon and Washington, for 180 days.

NOTE.—The purpose of this republication is to indicate the correct Docket number assigned to this proceeding in No. MC 127539 (Sub-No. 32 TA).

SUPPORTING SHIPPERS: Peirone Produce Company, 524 East Trent, Spokane, Wash. 99202; Standard Fruit & Steamship Company, 666 East Ocean, Suite 1404, Long Beach, Calif. 90802; West Coast Fruit and Produce, 448 E. 18th, Tacoma, Wash. 98421; and Pacific Fruit & Produce, P.O. Box 3687, 4103 2nd Ave., So., Seattle, Wash. 98124. SEND PROTESTS TO: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 6049 Federal Office Building, Seattle, Wash. 98104.

No. MC 133095 (Sub-No. 54 TA), filed February 14, 1974. Applicant: TEXAS CONTINENTAL EXPRESS, P.O. Box 434, 2603 W. Euless Blvd., Euless, Tex. 76039. Applicant's representative: Billy R. Reid, 6108 Sharon Rd., Fort Worth, Tex. 76116. 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), from San Angelo, Tex., to points in the District of Columbia, Connecticut, Maryland, Massachusetts, Maine, New Jersey, New York, Pennsylvania and Rhode Island, for 180 days. SUPPORTING SHIPPERS: Wilson & Co., Inc. 4545 Lincoln Blvd., Oklahoma City, Okla. 73105, A. N. Brent, Transportation Manager.; Armour Food Company, Fresh Meats Division, Greyhound Tower, 111 W. Clarendon, Phoenix, Ariz. 85077, Donald A. Chute, Manager of Transportation and Distribution. SEND PROTESTS TO: H. C. Morrison, Sr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, 819 Taylor Street, Room 9A27 Federal Bldg., Fort Worth, Tex. 76102.

No. MC 136531 (Sub-No. 1 TA), filed February 15, 1974. Applicant: LUISI TRUCK LINES, INC., P.O. Box 606, New Walla Walla Highway No. 11, Milton-Freewater, Oreg. 97862. Applicant's representative: George R. LaBissoniere, Suite 101, 130 Andover Park East, Seattle, Wash. 98188. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Canned foods*, from Milton-Freewater, Oreg., and Walla Walla, Wash., to Bakersfield, Fresno, Modesto, Los Angeles, San Diego, San Jose, Stockton, Sacramento, San Francisco, Oakland and Alameda, Calif., Las Vegas and Reno, Nev., for 180 days. SUPPORTING SHIPPER: Rogers Walla Walla, Inc., P.O. Box 998, Walla Walla, Wash. 99362. SEND PROTESTS TO: District Supervisor W. J. Huetig, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Court House, 555 S. W. Yamhill, Portland, Oreg. 97204.

No. MC 138003 (Sub-No. 7 TA), filed February 19, 1974. Applicant: ROBERT F. KAZIMOUR, 1200 Norwood Drive, S.E., P.O. Box 2011, 52406, Cedar Rapids, Iowa 52403. Applicant's representative: Michael J. Myers, 309 Badgerow Building, Sioux City, Iowa 51101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Refrigerators, freezers, central air conditioning and heating units, appliances, and parts, materials and supplies used in the manufacture, repair, and distribution of such commodities* (1) from Amana, Iowa to points in Alabama, Arizona, California, Florida, Georgia, Louisiana, Mississippi, Nevada, Oregon, Tennessee, Utah, and Washington; and (2) from Fayetteville, Tenn., to Amana, Iowa, and points in Arizona, California, Nevada, Oregon, Utah and Washington, for 180 days. SUPPORTING SHIPPER: Amana Refrigeration, Inc., Amana, Iowa 52203. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 138512 (Sub-No. 4 TA), filed February 15, 1974. Applicant: RONALD'S TRANSPORTATION SERVICES, INCORPORATED, doing business as WISCONSIN PROVISIONS EXPRESS, 3383 E. Layton Ave., Cudahy, Wis. 53110.

Applicant's representative: Allan J. Morrison (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cheese and cheese products, and equipment materials and supplies used in the manufacture and display of cheese and cheese products*, from Green Bay, Wis., to Detroit, Grand Rapids, Holland and Muskegon, Mich., for 180 days. RESTRICTION: Restricted against the transportation of commodities in bulk, and restricted to traffic originating at or destined to plants and facilities utilized by the L. D. Schreiber Cheese Co., Inc. SUPPORTING SHIPPER: L. D. Schreiber Cheese Co., Inc., P.O. Box 610, Green Bay, Wis. 54305. (Robert Buchberger, Traffic Manager). SEND PROTESTS TO: District Supervisor John E. Ryden, Bureau of Operations, Interstate Commerce Commission, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 139070 (Sub-No. 1 TA), filed February 13, 1974. Applicant: J & J ENTERPRISES, 230 West 1700 South, Salt Lake City, Utah 84115. Applicant's representative: Lon Rodney Kump, 720 Newhouse Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Kitchen cabinets*, from points in North Carolina, to points in Utah, Idaho, Montana and Wyoming, for 180 days. SUPPORTING SHIPPERS: Continental Kitchens, Inc., 230 West 1700 South, Salt Lake City, Utah 84115 (Nita K. Jackson, Secretary-Treasurer); Utah State Realty Corporation, 187 North 1st West, Logan, Utah (Robert D. Quayle, Secretary); Bridger Lumber Co., 3371 North Main, Logan, Utah (Robert Thatcher, Gen, Mgr. and Partner); Creative Kitchens, Inc., 3400 N. 36th St., #8, Boise, Idaho 83703 (Carl G. Smith, Pres.). SEND PROTESTS TO: District Supervisor Lyle D. Helfer, Bureau of Operations, Interstate Commerce Commission, 5239 Federal Building, 125 South State Street, Salt Lake City, Utah 84138.

No. MC 139463 TA (CORRECTION), filed January 30, 1974, published in the FEDERAL REGISTER issue of February 12, 1974, and republished in part as corrected this issue. Applicant: TABB TRUCKING CO., INC., Route 4, Box 79, Colquitt, Ga. 31737. Applicant's representative: W. Ferrell Tabb (Same address as above).

NOTE.—The purpose of this partial republication is to set forth the correct Docket No. 139463 TA, in lieu of MC 139643 TA shown in error in previous publication. The rest of the application remains the same.

No. MC 139483 (Sub-No. 1 TA), filed February 14, 1974. Applicant: ALLEN MITCHEK, P.O. Box 967, Rt. 1, Sterling, Colo. 80751. Applicant's representative: Charles J. Kimball, 2310 Colorado State Bank Building, Denver, Colo. 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Feed* from Sterling, Colo., to points in Wyoming, Colorado, Nebraska, and Kansas; and (2) *feed ingredients*, from points in Nebraska, North Dakota, South Dakota, Montana, Kansas, Iowa, and Colorado to Sterling, Colo., for 90 days. SUPPORTING SHIPPER: Farr Better Feeds, Division of W. R. Grace, P.O. Box 52, Lucerne, Colo. 80646. SEND PROTESTS TO: District Supervisor Roger L. Buchanan, Bureau of Operations, Interstate Commerce Commission, 1961 Stout Street, 2022 Federal Building, Denver, Colo. 80202.

No. MC 138512 (Sub-No. 3 TA), filed February 15, 1974. Applicant: ROLAND'S TRANSPORTATION SERVICES, INCORPORATED, doing business as WISCONSIN PROVISIONS EXPRESS, 3383 E. Layton Ave., Cudahy, Wis. 53110. Applicant's representative: Allan J. Morrison (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cheese and cheese products, and equipment, materials and supplies used in the manufacture and display of cheese and cheese products*, between Carthage, Mo., Logan, Utah; and Wisconsin, on the one hand, and, on the other, points in California, Idaho, Iowa, Illinois and Missouri for the account of L. D. Schreiber Cheese Co., Inc., for 180 days. RESTRICTION: Restricted against the transportation of commodities in bulk, and to traffic originating at or destined to plants and facilities utilized by the L. D. Schreiber Cheese Co., Inc., and further restricted against transportation of cheese and cheese products, from Green Bay, Wis., to points in California. SUPPORTING SHIPPER: L. D. Schreiber Cheese Co., Inc., 246 No. Main St., Green Bay, Wis. 54305 (Robert Buchberger, Traffic Manager). SEND PROTESTS TO: District Supervisor John E. Ryden, Bureau of Operations, Interstate Commerce Commission, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 139513 (Sub-No. 1 TA), filed February 13, 1974. Applicant: RITE-WAY TANK SALES, INC., 834 E. Tonto, Phoenix, Ariz. 85036. Applicant's representative: R. J. Duncan (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap iron and boiler and pressure tanks and piping*, from Phoenix, Ariz., to the Greater Los Angeles, Calif., area and back to Phoenix, Ariz., for 180 days. SUPPORTING SHIPPER: Rite-Way Boiler Works, Inc., 834 E. Tonto, Phoenix, Ariz. 85036. SEND PROTESTS TO: Andrew V. Baylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 3427 Federal Bldg., 230 N. First Avenue, Phoenix, Ariz. 85025.

No. MC 139517 TA, filed February 14, 1974. Applicant: R. A. HARMON TRUCKING COMPANY, 279 Main Street, South Portland, Maine 04106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail and chain grocery and food business houses, from South Portland, Maine to St. Albans, Burlington and Berlin, Vt., for 180 days. SUPPORTING SHIPPER: Hannaford Bros., Co., P.O. Box 1000, Portland, Maine 04104. SEND PROTESTS TO: Donald G. Weiler, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Rm. 307, 76 Pearl Street, Portland, Maine 04112.

No. MC 139518 TA, filed February 13, 1974. Applicant: GEORGE E. PAGEL, Rt. 1, Box 29, Stratford, S. Dak. 57474. Applicant's representative: Raymond M. Schutz, 500 Capitol Bldg., Aberdeen, S. Dak. 57401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bags and in bulk, from Hutchinson, Kans., to points in South Dakota, for 180 days. SUPPORTING SHIPPER: South Dakota Wheat Growers Association, 205 Van Slyke Building, Aberdeen, S. Dak. 57401, Larry Wheeting, Manager of Feed and Seed Division, SEND PROTESTS TO: J. L. Hammond, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 139519 TA, filed February 14, 1974. Applicant: R & B DISTRIBUTORS LTD., 8531 Addison Place, S.E., Calgary, Alberta, Canada. Applicant's representative: Joe Gerbase, 100 Transwestern Building, Billings, Mont. 59101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hardboard, prefinished paneling, fibreboard and particle board*, from points in Washington and Oregon, to ports of entry on the International Boundary line between the United States and Canada in Washington, Idaho, Montana and North Dakcta, for 180 days. SUPPORTING SHIPPER: J. Fyfe Smith Co., Ltd. 3640 7th St., S.E., Calgary, Alberta, Canada. SEND PROTESTS TO: Paul J. Labane, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Rm. 222 U.S. Post Office Building, Billings, Mont. 59101.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.74-5052 Filed 3-4-74;8:45 am]

[Notice No. 31]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 26, 1974.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provided that protests to the granting of an application must be filed

with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

No. MC 1855 (Sub-No. 19 TA), filed February 15, 1974. Applicant: SCHWENZER BROS., INC., P.O. Box 366, 767 St. George Avenue, Woodbridge, N.J. 07095. Applicant's representative: William J. Augello, 120 Main St., Huntington, N.Y. 11743. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum, petroleum products, and such commodities as are ordinarily used* or *distributed by wholesale* or *retail suppliers, marketers*, or *distributors of petroleum products*, in shipper-owned trailers, except in bulk, from Sewaren, N.J., to Richmond, Va., and (2) *empty shipper-owned trailers, empty drums and returned* or *damaged material on return*, to Newark and Sewaren, N.J., for 180 days. SUPPORTING SHIPPER: Shell Oil Company, P.O. Box 2099, Houston, Tex. 77001. SEND PROTESTS TO: District Supervisor Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 51146 (Sub-No. 360 TA), filed February 15, 1974. Applicant: SCHNEIDER TRANSPORT, INC., P.O. Box 2298, 54306, 266 South Broadway, Green Bay, Wis. 54304. Applicant's representative: Neil DuJardin (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, restricted to traffic originating at American Furniture Co., Inc., Martinsville, Va., and Smyth County, Va., to points in Wisconsin, for 180 days. SUPPORTING SHIPPER: American Furniture Co., Inc., Hairston Street, Martinsville, Va. (Vance S. Pitzer, Traffic Manager). SEND PROTESTS TO: District Supervisor John E. Ryden, Bureau of Operations, Interstate Commerce Commission, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 56082 (Sub-No. 66 TA), filed February 15, 1974. Applicant: DAVIS & RANDALL, INC., 9812 Quincy Ave., Cleveland, Ohio 44106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Milwaukee, Wis., to points in Allegany, Cattaraugus, Chautauqua, Chemung, Genesee, Livingston, Monroe, Onondaga, Steuben, Wayne, and Wyoming Counties, N.Y., for 180 days. SUPPORTING SHIPPER: Miller Brewing Company, 4000 West State Street, Milwaukee, Wis. 53208. SEND PROTESTS TO: District Supervisor Ross Davis, Bureau of Operations, Interstate Commerce Commission, 1518 Walnut St., Philadelphia, Pa. 19102.

No. MC 80428 (Sub-No. 87 TA), filed February 15, 1974. Applicant: McBRIDE TRANSPORTATION, INC., P.O. Box 430, 289 West Main St., Goshen, N.Y. 10924. Applicant's representative: S. Michael Richards, 44 North Ave., Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar, invert sugar and blends of liquid and/or invert sugar and corn syrups, and flavorings and flavoring syrups and corn syrups*, in bulk, in tank vehicles, from New York, N.Y., and Yonkers, N.Y., to points in Maine, New Hampshire, Rhode Island, Vermont, Massachusetts, and Connecticut, for 180 days. SUPPORTING SHIPPERS: CPC International, Inc., 1 Federal Street, Yonkers, N.Y. 10702; SuCrest Corporation, 120 Wall Street, New York, N.Y. 10005. SEND PROTESTS TO: Joseph M. Barnini, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 518 New Federal Building, Albany, N.Y. 12207.

No. MC 103993 (Sub-No. 796 TA), filed February 12, 1974. Applicant: MORGAN DRIVE-AWAY, INC., 2800 W. Lexington Ave., Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trucks*, in secondary movements, in truckaway service, from points in Elkhart County to points in the United States on and east of the western boundaries of North Dakota, Nebraska, Kansas, Oklahoma, and Texas, for 180 days. SUPPORTING SHIPPER: Utilimaster—Division of Holiday Rambler Corporation, Wakarusa, Ind. 46573. SEND PROTESTS TO: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 345 W. Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 103993 (Sub-No. 797 TA), filed February 12, 1974. Applicant: MORGAN DRIVE-AWAY, INC., 2800 W. Lexington Ave., Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings*, in sections on undercarriages, from points in Cabarrus County, N.C., to points in Georgia, South Carolina, Tennessee, Virginia, and West Virginia, for 180 days. SUPPORTING SHIPPER: Skyline Corporation, Elkhart, Ind. 46514. SEND PROTESTS TO: J. H. Gray, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 111401 (Sub-No. 408 TA), filed February 13, 1974. Applicant: GROENDYKE TRANSPORT, INC., Enid, Okla. 73701. Applicant's representative: V. R. Comstock, 2510 Rock Island Blvd., Enid, Okla. 73701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Activated carbon*, in bulk, in tank vehicles, from Marshall, Tex., to Boulder City, Nev., and Waterville Valley, N.H., for 180 days. SUPPORTING SHIPPER: ICI America, I. R. Hearn, Mgr., Traffic Research, Wilmington, Del. 19899. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Rm. 240, Old P.O. Bldg., 215 N.W. Third, Oklahoma City, Okla. 73102.

No. MC 120877 (Sub-No. 4 TA), filed February 11, 1974. Applicant: TIMM MOVING AND STORAGE COMPANY, Highway 2, 52 Bypass, Minot, N. Dak. 58701. Applicant's representative: Alan F. Wohlstetter, 1700 K Street, N.W., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Adams, Benson, Billings, Bottineau, Bowman, McHenry, Burleigh, Divide, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, Logan, Rollette, Sheridan, Sioux, Slope, Stark, Towner, Ward, Wells and Williams Counties, N. Dak., for 180 days. RESTRICTION: The operations authorized herein are subject to the following conditions: Said operations are restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized. Said operations are further restricted to the performance of pickup and delivery service in connection with packing, crating and containerization or unpacking, uncrating, and decontainerization of such traffic. SUPPORTING SHIPPERS: Karevan, Inc., P.O. Box 9240 Queen Anne Station, Seattle, Wash. 98109.; Towne International Forwarding, Inc., P.O. Box 16156, San Antonio, Tex. 78246.; DeWitt Freight Forwarding, 6060 North Figueroa Street, Los Angeles, Calif. 90042. SEND PROTESTS TO: J. H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 123907 (Sub-No. 1 TA), filed February 13, 1974. Applicant: DAHLMAN TRUCK LINES, INC., P.O. Box N, Stevens Point, Wis. 54481. Applicant's representative: Michael J. Wyngaard, 329 W. Wilson St., Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Stevens Point, Biron and Wisconsin Rapids, Wis., to points in Illinois on and east of Illinois State Highway 26 and on and north of Interstate Highway 80, for 180 days. SUPPORTING SHIPPER: Consolidated Papers, Inc., 231 First Ave., North, Wisconsin Rapids, Wis. SEND PROTESTS TO: Barney L. Hardin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 139 W. Wilson St., Room 202, Madison, Wis. 53703.

No. MC 124078 (Sub-No. 579 TA), filed February 14, 1974. Applicant: SCHWERMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53215. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alumina hydrate*, in packages and in bulk, in tank vehicles, from points in Murray County, Ga., to points in Alabama, Florida, North Carolina, South Carolina and Tennessee, for 180 days. SUPPORTING SHIPPER: Solem Industries, Inc., 3550 Broad Street, Atlanta, Ga. (S. A. Grove, President). SEND PROTESTS TO: District Supervisor John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 124711 (Sub-No. 25 TA), filed February 13, 1974. Applicant: BECKER AND SONS, INC., P.O. Box 1050, El Dorado, Kans. 67042. Applicant's representative: T. M. Brown, 600 Leininger Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the Mid-America Pipeline Co., terminal near Clay Center, Kans., to points in Nebraska, Iowa, and Missouri, for 180 days. SUPPORTING SHIPPER: Farmland Industries, Inc., P.O. Box 7305, Kansas City, Mo. 64116. SEND PROTESTS TO: M. E. Taylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 501 Petroleum Building Wichita, Kans. 67202.

No. MC 129068 (Sub-No. 22 TA), filed February 14, 1974. Applicant: GRIFFIN TRANSPORTATION, INC., 3002 S. Douglas Blvd., Oklahoma City, Okla. 73150. Applicant's representative: Jack L. Griffin (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, designed to be drawn by passenger automobiles in initial movements; and (2) *buildings*, complete, knocked down on or in sections, when moving on wheeled undercarriages, in initial movements, from points in Delaware County, Okla., to points in Texas, Louisiana, Arkansas, Kansas, Missouri, Colorado, New Mexico, Arizona, Mississippi and Nebraska, for 180 days. SUPPORTING SHIPPER: Larry J. Lambeth, General Manager, New Style Homes, Inc., Box 587, Jay, Okla. 74346. SEND PROTESTS TO: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Rm. 240, Old P.O. Bldg., 215 N.W. Third, Oklahoma City, Okla. 73102.

No. MC 129222 (Sub-No. 2 TA) (CORRECTION), filed January 30, 1974, published in the FEDERAL REGISTER issue of February 12, 1974, and republished as corrected this issue. Applicant: MARVIN FORD, doing business as FORD TRUCK LINE, Tipton, Iowa 52772. Applicant's representative: William L. Fairbank, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and liquid fertilizer ingredients*, in bulk, from the storage facilities utilized by Twin-State Engineering & Chemical Company located in the Davenport, Iowa, Commercial Zone, to points in Illinois, for 180 days.

NOTE.—The purpose of this republication is to indicate that the origin facilities are located in the Davenport, Iowa, Commercial Zone.

SUPPORTING SHIPPER: Twin-State Engineering & Chemical Company, 3732 West River Drive, Davenport, Iowa 52802. SEND PROTESTS TO: Herbert W. Allen, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 129808 (Sub-No. 12 TA), filed February 13, 1974. Applicant: GRAND ISLAND CONTRACT CARRIER, INC., West U.S. Highway #30, P.O. Box F, Grand Island, Nebr. 68801. Applicant's representative: Patrick E. Quinn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials and supplies used in the manufacture and production of metal scaffolding towers, conveyors, pumps and parts and accessories thereof* (except commodities in bulk), from Chicago, Ill., Kansas City, Mo., Kansas City, Kans.; St. Louis, Mo., East St. Louis, Ill., Elyria, Ohio, Wausau, Wis., and Milwaukee, Wis., and points in their respective commercial zones to the plantsite of Morgen Manufacturing Co., at or near Yankton, S. Dak., for 180 days. RESTRICTION: The authority sought is restricted to a transportation service to be performed under a continuing contract or contracts with Morgen (Morgen) Manufacturing Company. SUPPORTING SHIPPER: Thomas J. Sparks, Morgen Manufacturing Co., 117½ West Third Street, Yankton, S. Dak. SEND PROTESTS TO: Max H. Johnston, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 320 Federal Building & Court House, Lincoln, Nebr. 68508.

No. MC 134182 (Sub-No. 20 TA), filed February 12, 1974. Applicant: MILK PRODUCERS MARKETING COMPANY, doing business as ALL-STAR TRANSPORTATION, Second and West Turnpike Road, P.O. Box 505, Lawrence, Kans. 66044. Applicant's representative: Lucy Kennard Bell, Suite 910 Fairfax Bldg., 101 West Eleventh Street, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen batters*, from Tulsa, Okla., to Suffield and Hartford, Conn.; Harrington, Del.; Baltimore, Halethorpe and Landover, Md.; Boston, Milton, Southboro, South Boston and Watertown, Mass.; Elizabeth, Jersey City, Secaucus, Totowa and Woodbridge, N.J.; New York, N.Y.; and Belle Vernon, Erie, King of Prussia, Philadelphia, Pittsburgh, Reading and West Reading, Pa., for 180 days.

NOTE.—Applicant does not intend to tack the authority here applied for to another authority held by it, or to interline with other carriers.

SUPPORTING SHIPPER: Page Milk Company, P.O. Box 3047, Tulsa, Okla. 74101. SEND PROTESTS TO: Thomas P. O'Hara, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 234 Federal Building, Topeka, Kans. 66603.

No. MC 134300 (Sub-No. 12 TA), filed February 7, 1974. Applicant: PELHAM PRODUCE CARRIERS, INC., 933 E. Bloomington Freeway, Minneapolis, Minn. 55420. Applicant's representative: Paul J. Bozonie (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and vegetables*, from Fairmont, Winnebago, Mankato, Worthington, and Albert Lea, Minn., to points in Alabama, Florida, Georgia, Illinois, Indiana, Kansas, Massachusetts, Michigan, Missouri, New Jersey, Ohio, Pennsylvania and Wisconsin, for 180 days. SUPPORTING SHIPPER: Stokely-Van Camp, Inc., P.O. Box 1113, Indianapolis, Ind. SEND PROTESTS TO: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building & U.S. Court House, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 136647 (Sub 15 TA), January 28, 1974. Applicant: GREEN MOUNTAIN CARRIERS, INC., P.O. Box 1319, Albany, N.Y. 12201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pharmaceuticals and materials*, used in the manufacture thereof, except in bulk, for the account of Ayerst Laboratories, in vehicles with mechanical temperature controlled units, (a) from Mays Landing, N.J., Deepwater, N.J., Millville, N.J., Bridgeton, N.J., and Lakewood, N.J., Keokuk, Iowa, Rothschild, Wis., Franklin, Pa., Newtown, Pa., Wyandotte, Mich., and Cleveland, Ohio to Rouses Point, N.Y.; (b) from Rouses Point, N.Y., to Baltimore, Md., Clifton, N.J., and Little Falls, N.J.; (c) from Clifton, N.J., to Cleveland, Ohio, Niles, Ill., and Chamblee, Ga.; (d) from Baltimore, Md., to Little Falls, N.J., Chamblee, Ga., Cleveland, Ohio and Niles, Ill., and Rouses Point, N.Y.; (e) from Chicago, Ill., to Cleveland, Ohio, Chamblee, Ga., Little Falls, N.J., and Rouses Point, N.Y.; and (f) between Rouses Point, N.Y., and Detroit, Mich., for 180 days. SUPPORTING SHIPPER: Ayerst Laboratories, Div. of American Home Products Corp., Rouses Point, N.Y. 12979. SEND PROTESTS TO: Joseph Barnini, District Supervisor, Bureau of Operations, Interstate Commerce Commission 513 New Federal Building, Albany, N.Y. 12207.

No. MC 139455 TA (CORRECTION), filed January 25, 1974, published in the FEDERAL REGISTER issue of February 11, 1974, and republished as corrected this

issue. Applicant: RALPH OWNBEY, doing business as TWIN STATE COACH LINES, P.O. Box 826, Bristol, Va. 24201. Applicant's representative: Cecil D. Quillen, Gate City, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage, express and newspaper in the same vehicle with passengers*, between Abingdon, Va., and Boone, N.C., serving all intermediate points; from Abingdon, Va., over U.S. Highway 58 to Damascus, Va., thence over Virginia Highway 91 to the Virginia-Tennessee State Line, thence over Tennessee Highway 91 to Mountain City, Tenn., thence over U.S. Highway 421 to the junction of North Carolina County Road 1233, thence via North Carolina County Road 1233 through Zionville and Sugar Grove, N.C., to the junction of U.S. Highway 321, thence over U.S. Highway 321 to the junction of U.S. Highway 421 at Vilas, N.C., thence over U.S. Highway 421 to Boone, N.C., and return over the same route, for 180 days.

NOTE.—The purpose of this republication is to redescribe the territory description.

SUPPORTED BY: There are 8 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named. SEND PROTESTS TO: Danny R. Beeler, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 215 Campbell Avenue, SW., Roanoke, Va. 24011.

MOTOR CARRIERS OF PASSENGERS

No. MC 139242 (Sub-No. 4 TA), filed February 12, 1974. Applicant: D & T LIMOUSINE SERVICE, INC., 11941 Abbey Road, North Royalton, Ohio 44133. Applicant's representative: James M. Burtch, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers* who are employees of the Penn Central Transportation Company in Special operations, between points in Mahoning and Trumbull Counties, Ohio, on the one hand, and, on the other, points in Lawrence, Erie and Mercer Counties, Pa., for 180 days. SUPPORTING SHIPPER: The Penn Central Transportation Company, 807 Standbaugh Building, 44 Central Square, Youngstown, Ohio 44503. SEND PROTESTS TO: Franklin D. Bail, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 181 Federal Office Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary*.

[FR Doc.74-5046 Filed 3-4-74;8:45 am]

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