

# federal register

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

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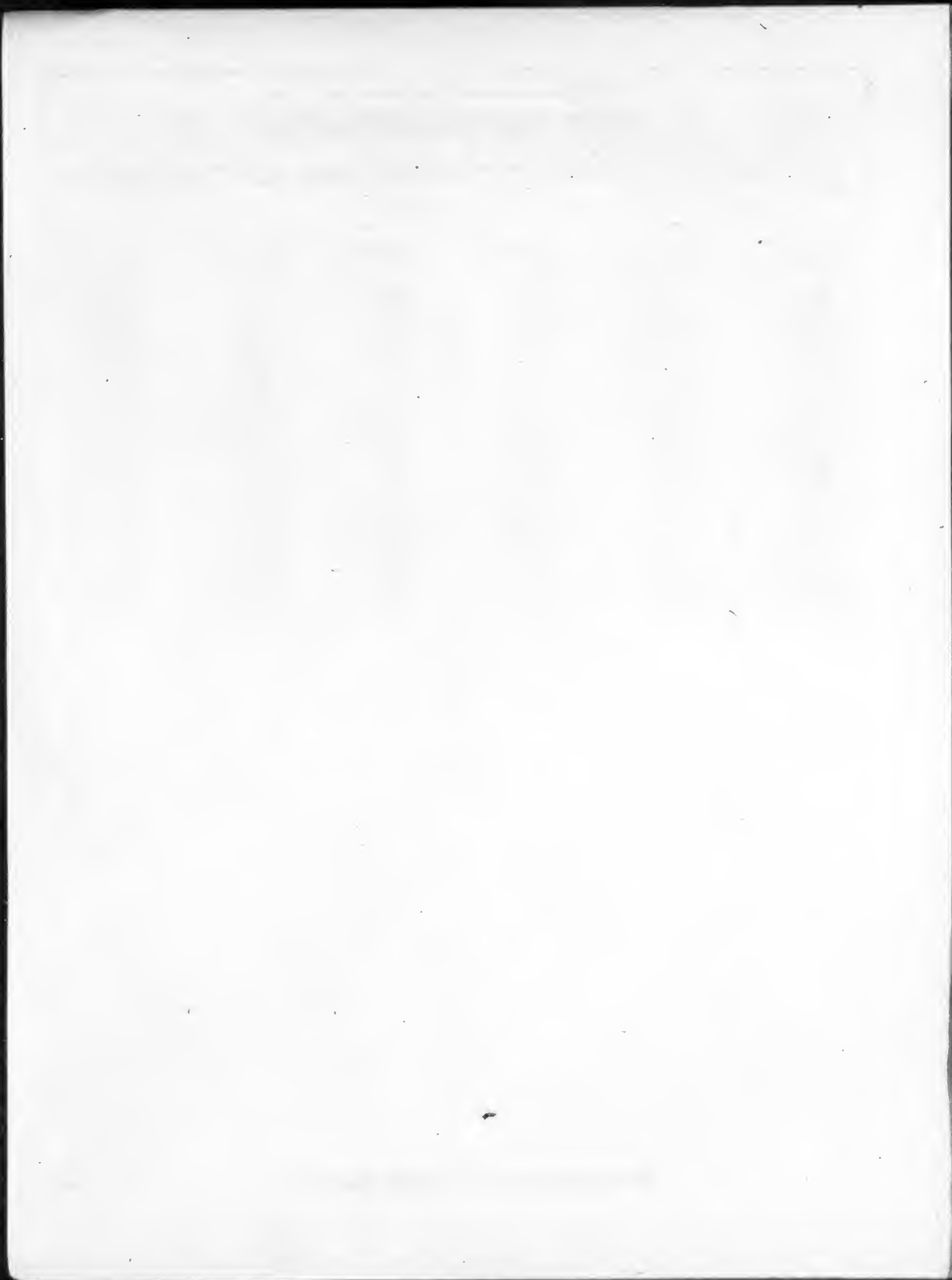
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# rules and regulations

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 1—General Provisions

### CHAPTER I—ADMINISTRATIVE COMMITTEE OF THE FEDERAL REGISTER

#### CFR CHECKLIST

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This checklist, prepared by the Office of the Federal Register, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the revision date and price of the volumes of the Code of Federal Regulations issued for 1974. New units issued during the month are announced on the back cover of the daily FEDERAL REGISTER as they become available.

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101-end	5.00
General Index	3.05
CFR Unit (Rev. as of Oct. 1, 1974):	
42	\$4.45
43 Parts:	
1-999	3.95
1000-end	5.65
44 [Reserved]	
45 Parts:	
1-99	3.00
100-199	5.30
200-499	3.15
500-end	3.65
46 Parts:	
1-29	2.05
30-40	2.05
41-69	3.85
70-89	2.05
90-109	1.90
110-139	1.90
140-149	7.60
150-165	3.70
166-199	2.55
200-end	6.20
47 Parts:	
0-19	4.10
20-69	5.20
70-79	4.45
80-end	6.05
48 [Reserved]	
49 Parts:	
1-99	1.90
100-199	7.20
200-999	5.85
1000-1199	3.40
1300-end	2.75
50	3.80

## Title 7—Agriculture

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

#### PART 301—DOMESTIC QUARANTINE NOTICES

##### Whitefringed Beetle; Regulated Areas

This document amends the supplemental regulation which lists regulated areas for purposes of the Federal Whitefringed Beetle Quarantine by adding to the regulated areas all or parts of the following previously nonregulated counties: White in Arkansas, Long in Georgia, Marion in Tennessee, and Arlington in Virginia; and by extending the regulated areas in the following previously regulated counties and city: Lawrence in Arkansas; Suwannee in Florida; McDuffie in Georgia; Holmes in Mississippi; Knox in Tennessee; and Fairfax County and the city of Alexandria in Virginia.

The city of Arlington, Virginia, is now included in Arlington County.

Pursuant to the provisions of sections 8 and 9 of the Plant Quarantine Act of August 20, 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), and § 301.72-2 of the Whitefringed Beetle Quarantine regulations, 7 CFR 301.72-2, as amended, the supplemental regulation designating regulated areas, 7 CFR 301.72-2a, is hereby amended to read as follows:

§ 301.72-2a Regulated areas; suppressive and generally infested areas.

The civil divisions and parts of civil divisions described below are designated as whitefringed beetle regulated areas within the meaning of the provisions of this subpart; and such regulated areas are hereby divided into generally infested areas or suppressive areas as indicated below.

#### ALABAMA

(1) *Generally infested area.* The entire State.

(2) *Suppressive area.* None.

#### ARKANSAS

(1) *Generally infested area.*

*Chicot County.* That area included within the corporate limits of the town of Lake Village.

*Clay County.* That area included within the corporate limits of the town of Datto.

*Craighead County.* Secs. 10, 11, 12, 13, 14, 15, 23, 24, 25, and 36, T. 14 N., R. 3 E.; secs. 1, 2, 3, 11, 12, 13, 14, 24, and 25, T. 13 N., R. 4 E.; secs. 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 34, 35, and 36, T. 14 N., R. 4 E.; secs. 18, 19, and 30, T. 13 N., R. 5 E., including all of the town of Jonesboro; secs. 9, 10, 11, 14, 15, and 16, T. 13 N., R. 7 E., including all of the town of Caraway; and secs. 27, 28, 33, and 34, T. 15 N., R. 7 E., including all of the town of Monette.

*Crittenden County.* The entire county.

*Greene County.* Secs. 27 and 34, T. 17 N., R. 3 E.; secs. 3, 4, 5, 8, and 9, T. 16 N., R. 4 E.; secs. 33 and 34, T. 17 N., R. 4 E.; secs. 1, 2, 11, and 12, T. 16 N., R. 5 E.; secs. 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, T. 17 N., R. 5 E.; secs. 4, 5, 6, 7, 8, 9, 15, 16, 21, 22, 27, and 34, T. 16 N., R. 6 E.; secs. 28, 29, 30, 31, 32, and 33, T. 17 N., R. 6 E., including all of the town of Paragould.

*Independence County.* That area included within the corporate limits of the city of Batesville.

*Jackson County.* That area included within a circle having a ½-mile radius with the center point located at the Jackson High School.

*Lawrence County.* That area included within the corporate limits of the towns of Black Rock and Imboden.

*Lee County.* All of the area lying within the corporate limits of the City of Marianna.

*Mississippi County.* Secs. 7, 8, 9, and 17, T. 15 N., R. 8 E., including all of the town of Leachville; sec. 19, T. 10 N., R. 9 E., secs. 11 and 12, T. 12 N., R. 9 E., all the area within the corporate limits of the town of Manila; secs. 4, 5, 8, and 9, T. 14 N., R. 10 E., including all of the town of Dell; secs. 8, 9, 16, and 17, T. 13 N., R. 11 E., including all of the town of Luxora; all of the area within the limits of the Blytheville Air Force Base; secs. 2, 3, 4, 8, 9, 10, 11, 13, 14, 15, 16, 17, 20, 21, 22, 23, and 28, T. 15 N., R. 11 E., including all of the town of Blytheville; secs. 27 and 34, T. 16 N., R. 11 E.; secs. 8, 17, and 18, T. 15 N., R. 12 E.

*Monroe County.* All of the area lying within the corporate limits of the towns of Brinkley and Clarendon, and secs. 22, 23, 26, and 27, T. 1 S., R. 2 W.

*Phillips County.* All of the area lying within the corporate limits of the cities of Helena and West Helena.

*Poinsett County.* That area included within the corporate limits of the towns of Harrisburg, Trumann, Weiner, and that portion of Marked Tree lying west of the Saint Francis River; all that area of the county lying east of the Saint Francis River; secs. 12, 13, 14, 23, 24, 25, and 26, T. 10 N., R. 3 E.

*Pulaski County.* That portion of T. 2 N., R. 12 W., lying west of State Highway 5 and north of Interstate 40; sec. 31, T. 3 N., R. 12 W.; that area included within a circle having a ½-mile radius with the center point located at the intersection of Markham Road and Rodney Parham Road; and that area of the city of Little Rock bounded on the north by East 15th Street, on the east by Geyer Street, on the south by Roosevelt Road, and on the west by Vance Street.

*Randolph County.* That area lying within the corporate limits of the town of Pochontas.

*St. Francis County.* Secs. 3, 4, 5, and 6, T. 4 N., R. 3 E.; secs. 16, 17, 20, 21, 22, 26, 27, 28, 29, 31, 32, 33, 34, and 35, T. 5 N., R. 3 E., including all of the town of Forrest City; secs. 5, 6, 7, and 8, T. 5 N., R. 6 E.; and secs. 17 and 18, T. 6 N., R. 6 E.

*Sharp County.* That area included within the corporate limits of the town of Hardy.

*Union County.* Secs. 17 and 35, T. 17 S., R. 15 W.

*White County.* Secs. 13 and 24, T. 6 N., R. 9 W.

*Woodruff County.* Sec. 19, T. 8 N., R. 3 W.; and sec. 24, T. 8 N., R. 4 W.

(2) *Suppressive area.* None.

#### FLORIDA

(1) *Generally infested area.*

*Bay County.* The entire county.

*Calhoun County.* The entire county.

*Columbia County.* Sec. 26, T. 3 S., R. 15 E.

*Escambia County.* The entire county.

*Gadsden County.* The entire county.

*Gulf County.* The entire county.

*Hamilton County.* Secs. 12, 13, and 24, T. 2 N., R. 11 E.; and secs. 7, 8, 17, 18, 19, and 20, T. 2 N., R. 12 E.

*Holmes County.* The entire county.

*Jackson County.* The entire county.

*Jefferson County.* That portion of the county lying north of the south boundary line of T. 1 S.

*Leon County.* The entire county.

*Liberty County.* The entire county.

*Madison County.* That portion of T. 1 N.,

R. 6 E., lying in the county; and T. 1 N., R. 7 E.

*Okaloosa County.* The entire county.

*Santa Rosa County.* The entire county.

*Suwannee County.* E½, T. 2 S., R. 13 E. and

W½, T. 2 S., R. 14 E., including the entire

city of Live Oak; and that portion of the

county lying within T. 4 S., R. 11 E. and 12 E.

*Wakulla County.* Secs. 31 and 32, T. 2 S.,

R. 1 W.

*Walton County.* The entire county.

*Washington County.* The entire county.

(2) *Suppressive area.* None.

#### GEORGIA

(1) *Generally infested area.*

*Appling County.* The entire county.

*Bacon County.* The entire county.

*Baker County.* The entire county.

*Baldwin County.* The entire county.

*Ben Hill County.* The entire county.

*Berrien County.* The entire county.

*Bibb County.* The entire county.

*Bleckley County.* The entire county.

*Brooks County.* The entire county.

*Bulloch County.* The entire county.

*Burke County.* The entire county.

*Butts County.* The entire county.

*Calhoun County.* The entire county.

*Candler County.* The entire county.

*Carroll County.* The entire county.

*Chatham County.* That portion of the

county lying between the Seaboard Coastline Railroad and the Pipe Maker's Canal and bounded on the east by Dean Forest Road and on the west by I-95.

*Clarke County.* The entire county.

*Clay County.* The entire county.

*Clayton County.* The entire county.

*Cobb County.* That portion of the county lying east of a line beginning where State Highway 6 intersects the Douglas-Cobb County line; thence northerly along said highway to its intersection with State Highway 5 at Powder Springs; thence northerly along said highway to its intersection with Secondary Road S-1378; thence northerly along said road to its intersection with the Fulton-Cobb County line where said line ends, and including the entire corporate limits of the cities of Marietta and Austell.

*Coffee County.* The entire county.

*Chattahoochee County.* The entire county.

*Colquitt County.* The entire county.

*Columbia County.* That portion of Georgia Militia District 128 lying north of Fort Gordon Reservation.

*Cook County.* The entire county.

*Coweta County.* The entire county.

*Crawford County.* The entire county.

*Crisp County.* The entire county.

*Decatur County.* The entire county.

*De Kalb County.* The entire county.

*Dodge County.* The entire county.

*Dooly County.* The entire county.

*Dougherty County.* The entire county.

*Douglas County.* All of that part of the city of Villa Rica that lies within the county.

*Early County.* The entire county.

*Elbert County.* That portion of the county lying within Georgia Militia District 189.

*Emanuel County.* The entire county.

*Evans County.* The entire county.

*Fayette County.* The entire county.

*Forsyth County.* That portion of the county lying within Georgia Militia District 879.

*Fulton County.* The entire county.

*Grady County.* The entire county.

*Greene County.* The entire county.

*Gwinnett County.* That portion of the county within a circle having a 3-mile radius with the center at the county courthouse in Lawrenceville; and Georgia Militia District 550.

*Hancock County.* The entire county.

*Haralson County.* The entire county.

*Harris County.* The entire county.

*Heard County.* The entire county.

*Henry County.* The entire county.

*Houston County.* The entire county.

*Irwin County.* The entire county.

*Jasper County.* The entire county.

*Jef Davis County.* The entire county.

*Jefferson County.* The entire county.

*Jenkins County.* The entire county.

*Johnson County.* The entire county.

*Jones County.* The entire county.

*Lamar County.* The entire county.

*Lanier County.* The entire county.

*Laurens County.* The entire county.

*Lee County.* The entire county.

*Long County.* That portion of the county lying within the city limits of Ludowici.

*Lowndes County.* The entire county.

*Macon County.* The entire county.

*Madison County.* That portion of the county lying within Georgia Militia Districts 382 and 205.

*Marion County.* The entire county.

*McDuffie County.* The entire county.

*Meriwether County.* The entire county.

*Miller County.* The entire county.

*Mitchell County.* The entire county.  
*Monroe County.* The entire county.  
*Montgomery County.* The entire county.  
*Morgan County.* The entire county.  
*Muscookee County.* The entire county.  
*Newton County.* The entire county.  
*Oconee County.* The entire county.  
*Oglethorpe County.* Georgia Militia Districts 227, 229, and 1303.  
*Peach County.* The entire county.  
*Pierce County.* The entire county.  
*Pike County.* The entire county.  
*Pulaski County.* The entire county.  
*Putnam County.* The entire county.  
*Quitman County.* The entire county.  
*Randolph County.* The entire county.  
*Richmond County.* The entire county.  
*Rockdale County.* The entire county.  
*Schley County.* The entire county.  
*Screven County.* The entire county.  
*Seminole County.* The entire county.  
*Spalding County.* The entire county.  
*Stewart County.* The entire county.  
*Sumter County.* The entire county.  
*Talbot County.* The entire county.  
*Taliaferro County.* That portion of the county lying within Georgia Militia District 601.

*Tattnall County.* The entire county.  
*Taylor County.* The entire county.  
*Telfair County.* The entire county.  
*Terrell County.* The entire county.  
*Thomas County.* The entire county.  
*Tift County.* The entire county.  
*Toombs County.* The entire county.  
*Treutlen County.* The entire county.  
*Troup County.* The entire county.  
*Turner County.* The entire county.  
*Twiggs County.* The entire county.  
*Upson County.* The entire county.  
*Walton County.* The entire county.  
*Warren County.* That portion of the county lying within a circle having a radius of 1 mile with the county courthouse at Warrenton as the center.  
*Washington County.* The entire county.  
*Webster County.* The entire county.  
*Wheeler County.* The entire county.  
*Whitfield County.* That portion of the county lying within an area having a 1-mile radius with the center at the intersection of State Highway 71 and State Secondary Road 1582.  
*Wilcox County.* The entire county.  
*Wilkinson County.* The entire county.  
*Worth County.* The entire county.  
 (2) *Suppressive Area.* None.

KENTUCKY

(1) *Generally infested area.* None.  
 (2) *Suppressive area—Christian County.* That area bounded by a line beginning at a point on U.S. Highway 41-A, 0.5 mile north of the Tennessee-Kentucky State line and 50 feet north of the Edston TVA Substation, thence along an imaginary line from said point 110 yards due east, thence 230 yards south along an imaginary line parallel to U.S. Highway 41-A, thence 110 yards due west along another imaginary line to U.S. Highway 41-A, thence north along said highway to the point of beginning.  
*McCracken County.* That area of the city of Paducah bounded by a line beginning at a point where Lone Oak Road intersects Jackson Street, thence northeasterly along Jackson Street to its junction with 31st Street, thence southeasterly along an imaginary line projected from said junction across the Paxton Park Golf Course to the junction of Oak Street and Emmett Street, thence westerly along said street to its junction with Lone Oak Road, thence northerly along said road to the point of beginning.  
*Warren County.* That area of the city of Bowling Green bounded by a line beginning at a point where Nashville Road inter-

sects Normal Boulevard, thence westerly along said boulevard to its junction with Normal Drive, thence northerly along said drive to its junction with State Street, thence northerly along State Street to its junction with 16th Street, thence southeasterly along 16th Street to its junction with Chestnut Street, thence southwesterly along Chestnut Street to its junction with Ogden Avenue, thence easterly along Ogden Avenue to its junction with 15th Street, thence southeasterly along 15th Street to its junction with Magnolia Avenue and Cook Street, thence southwesterly along Magnolia Avenue and Cook Street to its junction with Cabell Drive, thence southerly along said drive to its junction with Smith Drive, thence southwesterly along Smith Drive to its junction with Rodes Avenue, thence south along Rodes Avenue to its junction with Loving Avenue, thence west along Loving Avenue to the point of beginning.

LOUISIANA

(1) *Generally infested area—Acadia Parish.* T. 7 S., Rs. 1 E. and 1 W.; Secs. 13, 21, 22, 23, 24, 25, 26, 27, 28, 32, 33, 34, 35, 36, and 43, T. 9 S., R. 1 E.; that portion of sec. 14, T. 9 S., R. 1 E., lying south of Bayou Wikoff; those portions of secs. 20, 29, 30, 31, and 44, T. 9 S., R. 1 E., lying south and east of Bayou Plaquemine Brule; secs. 3, 4, 5, 6, 7, 8, and 37, T. 10 S., R. 1 E.; and secs. 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, T. 9 S., R. 2 E., and secs. 1, 2, 3, 4, 5, and 6, T. 7 S., R. 2 W.; and that portion of Sec. 1, T. 7 S., R. 3 W. within the parish.  
*Beauregard Parish.* That portion of T. 3 S., R. 6 W. lying within the parish.  
*Caddo Parish.* That area in the corporate limits of the city of Shreveport bounded by a line beginning at a point where Yourse Drive intersects U.S. Interstate Highway 20, thence southeast and then south along Yourse Drive to its intersection with Kings Highway, thence west along Kings Highway to its intersection with U.S. Interstate Highway 20, thence northeast along U.S. Interstate Highway 20 to the point of beginning.  
*Caldwell Parish.* Secs. 10, 11, 14, 15, T. 12 N., R. 3 E.  
*De Soto Parish.* Secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, T. 11 N., R. 13 W.; and that portion of the parish lying within T. 12 N., R. 13 W.  
*East Baton Rouge Parish.* The entire parish.  
*East Feliciana Parish.* The entire parish.  
*Evangeline Parish.* That area bounded by lines lying 1 mile west and east of and parallel to Louisiana Highway 13 extending from State Highway 1160 to the south line of the parish; sections 27, 28, 29, 31, 32, 33, 34, and 42, T. 6 S., R. 2 W.; and that portion of secs. 27 and 38, T. 6 S., R. 3 W., within the parish.  
*Iberia Parish.* That portion of the parish known as Avery Island including secs. 37, 39, 39, 53, 55, and 56, T. 13 S., R. 5 E.; and secs. 36, 55, 56, 57, 58, 59, and 60, T. 13 S., R. 6 E.; and secs. 1, 2, 10, 11, 12, and 13, T. 12 S., R. and 6 E.  
*Iberville Parish.* That portion of the parish lying west of the Mississippi River in T. 9 S., Rs. 12 and 13 E.  
*Jefferson Parish.* The entire parish.  
*Jefferson Davis Parish.* Secs. 36, 37, and that portion of sec. 38 within the parish in T. 6 S., R. 3 W., and that portion of sec. 1 within the parish, and secs. 2 and 3, T. 7 S., R.3W.  
*Lafayette Parish.* The entire parish.  
*Lincoln Parish.* The entire parish.  
*Livingston Parish.* The entire parish.  
*Morehouse Parish.* All that area within the corporate limits of the city of Bastrop; secs. 13, 14, and those portions of secs. 23, and

24 outside the corporate limits of the city of Bastrop, T. 21 N., R. 5 E.  
*Natchitoches Parish.* That portion of the parish lying within T. 9 N., R. 7 W.  
*Orleans Parish.* All of Orleans Parish, including the city of New Orleans.  
*Ouachita Parish.* The entire parish.  
*Plaquemines Parish.* That portion of the parish lying north of the south line of T. 18 S.  
*Pointe Coupee Parish.* That portion of the parish in T. 6 S., Rs. 8 and 9 E.  
*Rapides Parish.* That portion of sec. 1 outside of the corporate city limits of Pineville; sec. 2, T. 4 N., R. 1 W.; and secs. 35 and 36, T. 5 N., R. 1 W.; and that portion of the city of Alexandria bounded on the west by MacArthur Drive, on the south and east by Monroe Street, and on the north by Bolton Avenue; all of T. 1 N., R. 1 W.; secs. 4, 5, and 6, T. 1 S., R. 2 W.; secs. 28, 29, 30, 31, 32, and 33, T. 11 N., R. 2 W.; secs. 32, 78, 115, and that portion of 118 and 119 lying south of State Highway 121 in T. 4 N., R. 3 W.; secs. 12, 13, 37, 38, 40, and 41 in T. 4 N., R. 4 W.  
*Red River Parish.* That portion of the parish lying within the corporate limits of the city of Coushatta.  
*St. Bernard Parish.* The entire parish.  
*St. Charles Parish.* That portion of the parish lying north of the south line of T. 13 S.  
*St. Helena Parish.* The entire parish.  
*St. James Parish.* That portion of the parish lying north and east of the Mississippi River.  
*St. John the Baptist Parish.* That portion of the parish lying north and east of the Mississippi River.  
*St. Landry Parish.* That portion of the parish lying in T. 6 S. west of the east line of R. 2 E.; secs. 33, 34, 35, 42, and 45, T. 5 S., R. 5 E.; secs. 2, 3, 4, 5, 6, 11, 12, 13, 14, 15, 16, 52, and 63, T. 6 S., R. 5 E.; that portion of sec. 47 lying east of the Missouri Pacific Railroad, and sec. 61, T. 7 S., R. 5 E.; and sec. 30, T. 7 S., R. 6 E.  
*St. Martin Parish.* Secs. 13, 24, 105, and 106, T. 8 S., R. 5 E.; and secs. 48 and 67, T. 8 S., R. 6 E.  
*St. Tammany Parish.* The entire parish.  
*Tangipahoa Parish.* The entire parish.  
*Terrebonne Parish.* That area bounded by a line commencing where the Intracoastal Waterway crosses Bayou Terrebonne, thence north and east along said waterway to the east line of R. 17 E., thence south along said line to the intersection of East Houma city limits, thence south along said city limits line to the intersection of Louisiana Highway 57, thence north and west along said highway to the intersection of State Highway 24, thence west on State Highway 24 to the point of beginning.  
*Union Parish.* That portion of the parish lying within T. 20 N., Rs. 1 W. and 1 E., and T. 21 N., Rs. 1 W. and 1 E.  
*Vernon Parish.* That portion of the parish lying within T. 2 N., R. 9 W.; and that portion of the parish lying within the Fort Polk military reservation.  
*Washington Parish.* The entire parish.  
*Webster Parish.* T. 18 N., Rs. 8 and 9 W.; T. 19 N., R. 9 W.; and all that area lying within the corporate limits of the city of Springhill.  
*Winn Parish.* That portion of the parish lying within T. 11 N., Rs. 2 and 3 W.  
 (2) *Suppressive area.*  
*Bienville Parish.* That area lying within the corporate limits of the city of Arcadia.  
*Bossier Parish.* That area within the corporate limits of Bossier City bounded by a line beginning at a point where Barksdale Boulevard intersects the Kansas City Southern Railroad, thence southeast along Barksdale Boulevard to its junction with Central



Park Drive, thence southwest along Central Park Drive to its junction with Rodney Street, thence southwest along a line projected from a point at the junction of Central Park Drive and Rodney Street to the east bank of Red River, thence northwest along said bank of the Red River to its intersection with the Kansas City Southern Railroad, thence northeast along the Kansas City Railroad to the point of beginning.

**Calcasieu Parish.** Secs. 15, 16, 21, and 22, T. 8 S., R. 12 W.; secs. 31, 32, 33, 34, and 35, T. 8 S., R. 13 W.; secs. 2, 3, 4, 5, that portion of secs. 6, 7, 8, and 9 within the parish, and secs. 10 and 11, T. 9 S., R. 13 W.; that portion of sec. 36, T. 8 S., R. 14 W. within the parish; and that portion of sec. 1, T. 9 S., R. 14 W., within the parish.

**Grant Parish.** Sec. 15, T. 6 N., R. 1 W.

**Lafourche Parish.** That portion of T. 15 S., R. 17 E., lying within the parish.

**West Feliciana Parish.** Secs. 51, 52, 67, and 68, T. 3 S., R. 3 W., excluding that area lying within the corporate limits of the city of St. Francisville.

#### MISSISSIPPI

##### (1) Generally infested area.

**Adams County.** The entire county.  
**Alcorn County.** The entire county.  
**Amite County.** The entire county.  
**Attala County.** The entire county.  
**Benton County.** The entire county.  
**Bolivar County.** Secs. 3 and NW $\frac{1}{4}$ , T. 21 N., R. 5 W.; secs. 15, 16, 17, 18, 22, 27, and 34; SW $\frac{1}{4}$ , T. 22 N., R. 5 W.; secs. 8, 9, 16, 17, 20, and 21, T. 23 N., R. 5 W.; and secs. 10, 11, 15, and 16, T. 23 N., R. 8 W.

**Calhoun County.** The entire county.  
**Carroll County.** T. 17 N., R. 5 E.; secs. 1, 12, and 13, T. 19 N., R. 2 E.; and NW $\frac{1}{4}$  T. 19 N., R. 4 E.

**Chickasaw County.** The entire county.  
**Choctaw County.** The entire county.  
**Claiborne County.** The entire county.  
**Clarke County.** The entire county.  
**Coahoma County.** Secs. 18, 19, and 30, T. 27 N., R. 3 W.; and secs. 13, 14, 15, 22, 23, 24, 25, 26, and 27, T. 27 N., R. 4 W.

**Copiah County.** The entire county.  
**Covington County.** The entire county.  
**DeSoto County.** The entire county.  
**Forrest County.** The entire county.  
**Franklin County.** The entire county.  
**George County.** The entire county.  
**Greene County.** The entire county.  
**Grenada County.** The entire county.  
**Hancock County.** The entire county.  
**Harrison County.** The entire county.  
**Hinds County.** The entire county.  
**Holmes County.** The entire county.  
**Itawamba County.** The entire county.  
**Jackson County.** The entire county.  
**Jasper County.** The entire county.  
**Jefferson County.** The entire county.  
**Jefferson Davis County.** The entire county.  
**Jones County.** The entire county.  
**Kemper County.** The entire county.  
**Lafayette County.** The entire county.  
**Lamar County.** The entire county.  
**Lauderdale County.** The entire county.  
**Lawrence County.** The entire county.  
**Leake County.** The entire county.  
**Lee County.** The entire county.  
**Lincoln County.** The entire county.  
**Lowndes County.** The entire county.  
**Madison County.** The entire county.  
**Marion County.** The entire county.  
**Marshall County.** The entire county.  
**Monroe County.** The entire county.  
**Montgomery County.** The entire county.  
**Neshoba County.** The entire county.  
**Newton County.** The entire county.  
**Noxubee County.** The entire county.  
**Oktober County.** The entire county.  
**Panola County.** The entire county.  
**Pearl River County.** The entire county.  
**Perry County.** The entire county.

**Pike County.** The entire county.  
**Pontotoc County.** The entire county.  
**Prentiss County.** The entire county.  
**Rankin County.** The entire county.  
**Scott County.** The entire county.  
**Simpson County.** The entire county.  
**Smith County.** The entire county.  
**Stone County.** The entire county.  
**Sunflower County.** W $\frac{1}{2}$ , T. 21 N., R. 3 W.; W $\frac{1}{2}$ , T. 22 N., R. 3 W.; SW $\frac{1}{4}$ , T. 23 N., R. 3 W.; N $\frac{1}{2}$ , T. 21 N., R. 4 W.; and S $\frac{1}{2}$ , T. 22 N., R. 4 W.  
**Tallahatchie County.** Secs. 2 and 3, T. 24 N., R. 2 E.; secs. 34 and 35, T. 25 N., R. 2 E.; and NE $\frac{1}{4}$  T. 25 N., R. 3 E.  
**Tate County.** The entire county.  
**Tippah County.** The entire county.  
**Tishomingo County.** The entire county.  
**Tunica County.** Secs. 32 and 33, T. 4 S., R. 11 W.; and secs. 4 and 5, T. 5 S., R. 11 W.  
**Union County.** The entire county.  
**Walthall County.** The entire county.  
**Warren County.** The entire county.  
**Washington County.** That area lying within the corporate limits of the city of Greenville.

**Wayne County.** The entire county.  
**Webster County.** The entire county.  
**Wilkinson County.** The entire county.  
**Winston County.** The entire county.  
**Yalobusha County.** The entire county.  
**Yazoo County.** E $\frac{1}{2}$ , T. 12 N., R. 2 W.; secs. 1, 2, and 3, T. 11 N., R. 2 W.; and that portion of T. 12 N., R. 3 E., lying within the county.

##### (2) Suppressive area. None.

#### MISSOURI

(1) Generally infested area. None.  
 (2) Suppressive area—**Dunklin County.** That portion of the county 10, Buffalo Twp. T. 16 N., R. 7 E.; that portion of the county within the city of Malden lying east of Missouri Route 25 in secs. 10 and 15, Cotton Hill Twp. T. 22 N., R. 10 E.

**New Madrid County.** That portion of the county lying within and bounded by the corporate limits of the city of Portageville.

#### NORTH CAROLINA

(1) Generally infested area.  
**Anson County.** The entire county.  
**Cabarrus County.** The entire county.  
**Carteret County.** That portion of the county bounded by a line beginning at a point where the county lines of Jones, Carteret, and Onslow Counties meet; thence east along the Jones and Carteret County line to the intersection of said county line with State Secondary Road 1108; thence south along said road to its intersection with N.C. Highway 58; thence south and east along said highway to its junction with State Secondary Road 1113; thence south along said road to its junction with N.C. Highway 24; thence west along said highway to the junction of Carteret and Onslow County line; thence north along the Carteret and Onslow County line to the point of beginning.

**Craven County.** That portion of the county bounded by a line beginning at a point where the Pitt, Craven, and Lenoir County lines junction in the Neuse River; thence east along said river to its junction with the Trent River; thence southwest along the Trent River to its junction with the Jones County line; thence southwest and west along the Jones and Craven County line to its junction with the Lenoir County line; thence north along the Lenoir and Craven County line to the point of beginning.

**Cumberland County.** That area included within a circle having a  $4\frac{1}{2}$ -mile radius and center at the Atlantic Coast Line Railroad depot in Hope Mills, including all of the

town of Hope Mills and all of the communities of Cumberland and Roslin.

**Duplin County.** The entire county.  
**Edgecombe County.** That portion of the city of Rocky Mount lying in Edgecombe County and that area included within the corporate limits of the city of Pinetops.

**Greene County.** The entire county.  
**Harnett County.** An area 1 mile wide bounded on the north by the Harnett-Wake County line and extending south along U.S. Highway 401 and said highway as a center-line for a distance of 5 miles.

**Hyde County.** That area bounded by a line beginning at a point where U.S. 264 junctions with State Secondary Road 1132; thence east and northeast along said highway to its junction with State Secondary Road 1125; thence southeast along said road to its junction with State Secondary Road 1124; thence south, west, and southwest along said road to its junction with State Secondary Road 1132; thence northwest along said road to the point of beginning.

**Johnston County.** That portion of the county lying east of the Neuse River.

**Jones County.** The entire county.  
**Lenoir County.** The entire county.  
**Lincoln County.** That portion of the county lying within the corporate limits of the city of Lincolnton.

**Mecklenburg County.** The entire county.  
**Nash County.** That area bounded by a line beginning at a point where North Carolina Highway 58 intersects the Franklin and Nash County line; thence south along said highway to the junction of county road 1425; thence east along said road to its junction with North Carolina Highway 43; thence south and east along said highway to its intersection with the city limits of Rocky Mount; thence east along said city limits to its intersection with the Nash and Edgecombe County lines; thence south along the Nash and Edgecombe County line to a point where Nash, Edgecombe, and Wilson Counties meet; thence south and west along the Nash and Wilson County line to its junction with the Johnston County line; thence northwest along the Johnston and Nash County line to a point where Johnston, Wake, Franklin, and Nash County lines meet; thence northeast along the Franklin and Nash County line to the point of beginning.

**New Hanover County.** The entire county.  
**Onslow County.** The entire county.  
**Pender County.** The entire county.  
**Pitt County.** That portion of Pitt County lying south of Tar River.

**Richmond County.** That area of the city of Rockingham bounded by a line starting at a point where Rockingham Road crosses the North Fork of Falling Creek; thence westerly along said creek to its junction with Hitchcock; thence south and west along said creek for about 100 yards to the first westward branch (no name); thence west and north along said branch to its intersection with Highway 74; thence east along said highway to its junction with State Secondary Road 405; thence south and east along said road to its junction with State Secondary Road 1400 and U.S. 1; thence east along said road to its junction with Rockingham Road; thence south and east along said road to the point of beginning.

**Robeson County.** The entire county.  
**Rowan County.** The entire county.  
**Sampson County.** The entire county.  
**Scotland County.** That area bounded by a line beginning at a point where Big Shoe Heel Creek intersects with State Secondary Road 1323; thence extending southeast along said road to the Scotland-Robeson County line; thence southwest along said county line to its intersection with Big Shoe Heel Creek; thence northwest along said creek to the point of beginning.



That area bounded by a line beginning at the intersection of U.S. Highway 401 and State Secondary Road 1323 and extending southeast along said road to its intersection with State Secondary Road 1433; thence southwest along said road to its intersection with the corporate limits of the city of Laurinburg; thence northwest along said corporate city limits to its intersection with U.S. Highway 401; thence northeast along said highway to the point of beginning.

*Stanly County.* The entire county.

*Union County.* The entire county.

*Wake County.* The entire county.

*Wayne County.* The entire county.

*Wilson County.* The entire county.

(2) *Suppressive area.* None

**SOUTH CAROLINA**

(1) *Generally infested area.*

*Beaufort County.* All that area lying north of the Coosaw River and Whale Branch.

*Calhoun County.* That area bounded by a line beginning at a point where Warley Creek junctions with Lake Marion; thence extending west along said creek to its intersection with State Secondary Highway 73; thence southwest along said highway to its junction with State Secondary highway 72; thence south along said highway to its intersection with State Secondary Highway 157; thence southwest along said highway to its junction with State Primary Highway 6; thence southeast along said highway to its intersection with the Calhoun-Orangeburg County line; thence east along said county line to its junction with Lake Marion; thence northwest along the western shoreline of said lake to the point of beginning.

*Chesterfield County.* That area bounded by a line beginning at a point where State Secondary Highway 107 junctions with the South Carolina-North Carolina State line; thence east along said State line to its junction with State Secondary highway 57; thence southwest along said highway to its junction with State Primary Highway 109; thence southwest along said highway to its junction with State Primary Highway 9; thence west along said highway to its intersection with the corporate limits of the town of Pageland; thence in a northwesterly and southwesterly direction along said corporate limits to its intersection with State Primary Highway 207; thence northwest and west along said highway to its intersection with State Secondary Highway 107; thence north along said highway to the point of beginning.

*Darlington County.* That area bounded by a line beginning at a point where U.S. Highway 52 intersects with Black Creek; thence southeast along said creek to its intersection with State Secondary Highway 35; thence south along said highway to its intersection with the Darlington-Florence County line; thence westerly along said county line to its intersection with State Secondary Highway 49; thence north along said highway to its junction with State Secondary Highway 407; thence west along said highway to its junction with State Primary Highway 340; thence north along said highway to its junction with State Secondary Highway 681; thence west along said highway to its junction with U.S. Highway 401; thence northeast along said highway to its intersection with the corporate limits of the city of Darlington; thence north and northeast along said corporate limits for 1.3 miles to its intersection with the Seaboard Coasts Line Railroad; thence northwest along said railroad to its intersection with State Secondary Highway 580; thence north along said highway to its junction with State Secondary Highway 134; thence east along said highway to its junction with U.S. Highway 52; thence north along said highway to the point of beginning.

That area included within the corporate limits of the city of Hartsville.

*Florence County.* That area bounded by a line beginning at a point where State Secondary Highway 13 intersects the Florence-Darlington County line; thence northerly along said county line to its intersection with the Great Pee Dee River; thence southerly along said river to its intersection with U.S. Highway 301; thence west along said highway to its intersection with State Secondary Highway 24; thence southeast along said highway to its junction with State Secondary Highway 13; thence southwest along said highway to its junction with State Primary Highway 327; thence south along said highway to its junction with State Secondary Highway 57; thence west along said highway to its junction with U.S. Highway 801; thence south along said highway to its junction with State Secondary Highway 35; thence southwest along said highway to its intersection with State Secondary Highway 136; thence north along said highway to its junction with State Secondary Highway 107; thence west along said highway to its intersection with Interstate Highway 95; thence northeast along said highway to its intersection with State Secondary Highway 13; thence northwest along said highway to the point of beginning.

*Horry County.* That area bounded by a line beginning at a point where a dirt road junctions with U.S. Highway 501, said junction being 0.7 mile southeast of the junction of U.S. Highway 501 and State Secondary Highway 548; thence extending southeast along U.S. Highway 501 to its intersection with the east branch of Oakey Swamp; thence south along said branch to its junction with Oakey Swamp; thence northwest along said swamp to its junction with Crabtree Swamp; thence north along said swamp for 0.8 mile to its intersection with a dirt road; thence northeast along said road to the point of beginning.

*Lancaster County.* That portion of the county lying north of a line beginning at a point where State Primary Highway 160 intersects the Lancaster-York County line and extending southeast along said highway to its junction with U.S. Highway 521; thence north along said highway and ending at its intersection with the North Carolina-South Carolina State line.

That area included within the corporate limits of the city of Kershaw in Lancaster County.

*Lexington County.* That area bounded by a line beginning at a point where Interstate Highway 26 intersects the Saluda River; thence extending south along said highway to its intersection with the Lexington-Calhoun County line; thence east along said county line to its junction with the Congaree River; thence north along said river to its junction with the Saluda River; thence northwest along said river to the point of beginning.

*McCormick County.* That area included within a circle having a 3-mile radius and center at the junction of State Primary Highway 10 and State Primary Highway 28, including all of the town of McCormick.

*Orangeburg County.* That area bounded by a line beginning at a point where North Fork Edisto River junctions with the Orangeburg-Aiken-Lexington County line; thence northeast along the Orangeburg-Lexington County line to its junction with the Orangeburg-Calhoun County line; thence southeast along said county line to its intersection with Little Bull Swamp Creek; thence southwest along said creek to its junction with Bull Swamp Creek; thence south along said creek to its junction with North Fork Edisto River; thence northwest along said river to the point of beginning.

That portion of the county lying northeast of Four Hole Swamp.

*Richland County.* That area bounded by a line beginning at a point where Interstate Highway 20 intersects the Richland-Lexington County line and extending east along said highway to its intersection with State Secondary Highway 1036; thence south along said highway to its junction with U.S. Highway 1; thence southwest along said highway to its junction with State Secondary Highway 151; thence southeast along said highway to its junction with State Primary Highway 12; thence south along said highway to its intersection with Gills Creek and the Fort Jackson property line; thence southwesterly, southeasterly, and easterly along the Fort Jackson property line to its intersection with Mill Creek; thence south along said creek to its intersection with State Primary Highway 48; thence northwest along said highway to its junction with State Primary Highway 51; thence west along said highway to its junction with the Richland-Lexington County line; thence northwest along said county line to the point of beginning.

(2) *Suppressive area.* None.

**TENNESSEE**

(1) *Generally infested area.*

*Benton County.* All of Civil District 12, and that portion of the county lying within the corporate limits of the city of Camden.

*Bradley County.* That portion of the incorporated boundary of the city of Cleveland beginning at the intersection of State Highway 2 Bypass and U.S. Highway 64 and extending north along State Highway 2 Bypass to the intersection with the incorporated city limits; thence southerly along eastern incorporated city limits to the intersection with U.S. Highway 64; thence northwest along said highway to the point of beginning.

That area within the following bounds: Beginning at the intersection of Interstate Highway 75 and Harris Creek; thence east along said creek to its intersection with Candies Creek; thence north along said creek to its intersection with Harrison Pike; thence east on Harrison Pike to the Cleveland city limits; thence south along city limits boundary to its intersection with U.S. Highway 11; thence south along said highway to its intersection with U.S. Highway 64 connector road; thence northwest along said road to its intersection with Interstate Highway 75; thence northeast along said highway to the point of beginning.

*Carroll County.* The entire county.

*Chester County.* The entire county.

*Crockett County.* The entire county.

*Davidson County.* That portion of Civil District 1 bounded by a line beginning at the intersection of U.S. Highway 41A and Old Bernard Road; thence extending west 1-mile west along Old Bernard Road; north in a straight line to U.S. Highway 41A; thence southeast along U.S. Highway 41A to Old Clarksville Pike; thence east along Old Clarksville Pike to Eatons Creek Road; thence south along Eatons Creek Road to U.S. Highway 41A; thence south along U.S. Highway 41A to the point of beginning.

That portion of Civil District 2 beginning at the mouth of Cooper Creek; thence extending up Cooper Creek to Bobby Avenue; thence east along Bobby Avenue to the Cumberland River; thence down the Cumberland River to the point of beginning.

That portion of Civil District 3 beginning at the corner of Rosedale and Mile End Avenue; thence west along Mile End Avenue to Stainback Avenue; thence extending north along Stainback Avenue to Marie Avenue; thence west along Marie Avenue to Meridian Street; thence north along Meridian Street to Edith Avenue; thence east along Edith Avenue to Lischey Avenue; thence north

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along Lischey Avenue to Joy Avenue; thence east along Joy Avenue to Jones Avenue; thence south along Jones Avenue to Oneida Avenue; thence east on Oneida Avenue to Rosedale Avenue; thence south on Rosedale Avenue to the point of beginning.

That portion of Metro Nashville beginning at the intersection of FAS Road 6168 and L&N Railroad and extending north along said railroad to its intersection with the unincorporated urban boundary; thence extending east along said boundary to its intersection with U.S. Highway 31-A; thence south along said highway to its intersection with FAS Road 6246; thence southwest along said highway to its intersection with FAS Road 6168; thence west along said highway to the point of beginning.

**Decatur County.** All of Civil District 6.

**Dyer County.** That part of the county lying east and south of a line beginning at a point where Rock Slough intersects the Forked Deer River on the Lauderdale-Dyer County line; thence north along Rock Slough to its intersection with the Obion River; thence north and east along said river to its intersection with the Dyer-Obion County line.

**Fayette County.** The entire county.

**Franklin County.** That area contained within the following bounds: Beginning at the Dry Creek Bridge on State Highway 50 (Winchester-Lynchburg Road); thence extending southeast along Dry Creek to the L&N Railroad Bridge; thence west in a straight line to the southwest corner of the Francis Sisk property; thence north 0.3 mile along the west boundary of the Francis Sisk property; thence west 0.65 mile along a gravel road; thence north 0.5 mile along a gravel road to its intersection with State Highway 50 at the Broadview Baptist Church; thence east along State Highway 50 to Shasteen Road; thence north 0.6 mile along Shasteen Road to Old Farm Road; thence east to a point 0.15 mile north of the bridge on Matthew Branch Road; thence due east along a straight line to Dry Creek; thence southeast along Dry Creek to the starting point.

That area within the following bounds: Beginning at the intersection of Elk River Bridge with U.S. Highway 41A, extending southeast along the Elk River three-fourths mile to the Estill Springs Bend; thence extending due east to the Best Page Bridge Road; thence south along said road to intersection with Bruner Crossing Road; thence west along said road to U.S. Highway 41A; thence south on U.S. Highway 41A to Hesty Branch; thence west along said branch to the Elk River; thence west and north along the Elk River to the point of beginning.

That portion of the county bounded on the east by Beans Creek, on the south by U.S. Highway 64, and on the west and north by Robinson Creek.

**Gibson County.** The entire county.

**Giles County.** That portion of the county beginning at a point where U.S. Highway 64 and State Highway 11 intersect; thence east along U.S. Highway 64 to the intersection of the Pulaski city limits and Magazine Road; thence southeast on said road to Owl Hollow Road to its intersection with State Highway 7; thence northwest to its intersection with Crescent View Road; thence along said road to Richland Creek; thence northwest along said creek to State Highway 11; thence along said highway to point of beginning.

**Greene County.** That area within the following bounds: Beginning at a point where Flag Branch intersects Davy Crockett Lake; thence extending northeast along the south shore line of said lake to the intersection of Jones Bridge Road; thence southeast along said road to its intersection with the Cherokee National Forest; thence southwest along the forest boundary to the site of Unaka School; thence west along an unnamed coun-

ty road to the Cornertown Church site; thence generally northwest along Flag Branch to the point of beginning.

**Hamilton County.** That portion of the county bounded on the southwest by State Highway 153, on the north by Chickamauga Lake, on the east by the Volunteer Ordinance Works, and on the southeast by Interstate 75.

That portion of the county beginning at a point where U.S. Highway 11 intercepts Marlboro Avenue; thence easterly along said highway to Chickamauga Creek; thence south along said creek to East Ridge city boundary; thence west along said boundary to McBrien Road; thence south along said road to U.S. Highway 76; thence west along said highway to Marlboro Avenue; thence north along said avenue to point of beginning.

**Hardeman County.** The entire county.

**Hardin County.** That part of the county lying west of the Tennessee River and Civil Districts 4 and 5 lying east of the Tennessee River.

**Haywood County.** The entire county.

**Henderson County.** The entire county.

**Henry County.** The entire county.

**Knox County.** That portion of the county beginning at a point where U.S. Highway 11 intersects Turkey Creek; thence east along said highway to Canton Hollow Road; thence south along said road to Woody Drive; thence west along Woody Drive and Loop Road to Turkey Creek; thence north along said creek to point of beginning.

That portion of the city of Knoxville beginning at the intersection of Lonas Road and Kirby Road; thence northeast along Lonas Road to Coleman Road; thence south along Coleman Road and Forest Heights Drive to Sutherland Road; thence southwest along Sutherland Road to the west boundary of Highland Memorial Cemetery; thence north along said boundary to Interstate Highway 40, thence north of Interstate Highway 40 on Kirby Road to point of beginning.

That portion of the city of Knoxville bounded on the north by Seaver Drive, on the east by Dick Lomas Road, on the south by Federal Aid Secondary Highway 2404, and on the west by northwest by the Knoxville city limits.

That portion of the county bounded on the northeast by Woods Creek Road, on the south by Rutledge Pike, and on the northwest by Harris Road.

**Lauderdale County.** All of the county except Civil Districts 4, 5, 9, and 13.

**Lawrence County.** That portion of Civil District 5 north of Pond Creek and Coon Creek, and all of Civil Districts 8, 9, 10, 12, 13, 15, 16, and 17.

All of the incorporate city of Loretto, all of Civil District 2, and that portion of Civil District 6 lying south of the city of Loretto, west of the town of Fairview, and north of St. Joseph Road.

**Lewis County.** That portion of the city of Hohenwald north of Smith Street and Swan Avenue.

**Lincoln County.** That portion of Civil District 2 south of Coldwater Creek and that portion of Civil District 19 south of Coldwater Creek and west of the Camargo-Kirkland-State Line Road.

That portion of Civil District 17 south of State Highway 110.

**Madison County.** The entire county.

**Marion County.** That portion of the county bounded by a line beginning at a point where State Highway 156 junctions with U.S. Highway 72; thence north along said highway for 1.2 mile; thence along an imaginary line directly east to a point where this line junctions with the western boundary of Battle Creek; thence south along said boundary to its junction with the western boundary of the Tennessee River; thence south along said

boundary to the point where it intersects State Highway 156; thence along said highway to the point of beginning.

**Marshall County.** The city of Lewisburg and that area north and east of the city limits beginning at that point where the L&N Railroad intersects the northern city limits of Lewisburg; thence extending north along the L&N Railroad to its intersection with Double Bridges Road; thence east along said road to its intersection with the Old Farmington Road; thence southwest along said road to Snake Creek; thence southeast along Snake Creek to its intersection with the L&N Railroad; thence west along the L&N Railroad to the city limits.

**Maury County.** Civil District 5. That portion of Civil District 9 beginning at a point where FAS 6201 and 7993 intersect; thence east along FAS 7993 to its intersection with U.S. Highway 31; thence north on said highway to its intersection with first unnamed county road lying between U.S. Highway 31 and FAS 6255; thence south along FAS 6255 to Covey Hollow Road; thence southwest on Covey Hollow Road to unnamed county road; thence south and west on unnamed county road to its intersection with U.S. Highway 31; thence west on unnamed stream between U.S. Highway 31 and Hopewell Branch; thence along Hopewell Branch to Buck Matthews Road; thence north along said road to its intersection with McCain-Bigbyville Road; thence west on said road to its intersection with FAS 6201; thence north along FAS 6201 to point of beginning.

**McNairy County.** The entire county.

**Obion County.** Civil Districts 4, 6, and 13.

**Rhea County.** That portion of the city of Spring City west of U.S. Highway 27.

**Roane County.** That portion of the county bounded on the east by Little Emory River, on the south by Emory River, on the west by Bullard Branch, and on the north by the Morgan-Roane county line.

**Rutherford County.** Civil District 18, and that portion of Civil District 20 northeast of U.S. Highway 41.

**Shelby County.** The entire county.

**Tipton County.** The entire county.

**Wayne County.** The entire city of Clifton. That portion of the city of Waynesboro bounded on the north by U.S. Highway 64, on the east by Green River, on the south by Rocky Mill Branch, on the west by State Highway 13.

**Weakley County.** That part of the county lying east and south beginning at a point where State Highway 118 intersects the Kentucky-Tennessee State line; thence south along said highway to the northern boundary of Civil District 7; thence west and south along boundary of Civil District 7 to Mud Creek; thence west along said creek to the Obion-Weakley County line.

(2) *Suppressive area.* None.

## TEXAS

(1) *Generally infested area.* None.

(2) *Suppressive area—Harris County.* That portion of the county bounded by a line beginning at the point where Gosling Road crosses Willow Creek, thence easterly along said creek to its confluence with Spring Creek, thence southeasterly along said creek to U.S. Highway 59, thence southwesterly along said highway to its junction with Texas Highway 526, thence west along said highway to its junction with Interstate Highway 45, thence southerly along said highway to its intersection with West Road, thence west along said road to its junction with Stuebner Airline Road, thence northwesterly along said road to its junction with State Secondary Road 2920, thence east along said road to its intersection with Rhodes Road, thence north along said road to its junction with Spring-Stuebner Road, thence westerly



along said road to its junction with Gosling Road, thence north along said road to the point of beginning.

**Jasper County.** That portion of the county bounded by a line beginning at the intersection of Texas Highway 63 and Farm Road 254 and extending north and northeast along said farm road to its termination, thence easterly along the West Lake Peach Tree Road to its junction with Farm Road 2800, thence southeasterly along said farm road to its intersection with Gulf States Utilities Power Transmission Line, thence east along said Power Transmission Line to its junction with U.S. Highway 96, thence northerly along said highway to the junction of the Collins-Harrisburg Road, thence easterly along said road to its junction with Farm Road 1738, thence southerly along said road to its junction with Texas Highway 63, thence southwesterly along said highway to the junction of a county road at Bishop Chapel, thence southerly along said county road to its junction with Farm Road 1408, thence northwesterly along said road for a distance of 0.7 mile to where it crosses a triple gas transmission line; thence southerly along said gas transmission line to where it crosses Big Walnut Run, thence southwesterly along Big Walnut Run to where it crosses the east leg of Farm Loop Road 777, thence northeasterly along said road to its junction with Stick Road, thence west along said road to its junction with Farm Road 1747, thence north along said road to its junction with Farm Road 2799, thence east along said road to its junction with Farm Road 254, thence northerly along said road to the point of beginning.

**Tyler County.** That portion of the county bounded by a line beginning at the point of junction of Farm Road 256 and a county road running from Shiloh through Doucette to Barlow, and extending along said county road in an easterly direction to where it crosses Theuvenins Creek, thence southeasterly along said creek to where it crosses Farm Road 1013, thence westerly along said farm road to its junction with U.S. Highway 69, thence southerly along said highway to where it crosses Big Cypress Creek, thence northwesterly along said creek to its confluence with Little Cypress Creek, thence northerly along Little Cypress Creek to where it crosses U.S. Highway 190, thence westerly along said highway to its junction with Farm Road 256, thence northerly along said road to the point of beginning, but excluding the towns of Doucette and Hillister.

VIRGINIA

(1) Generally infested area.

**City of Alexandria.** The entire city.

**Arlington County.** The entire county, including the city of Arlington.

**City of Chesapeake.** That portion of the city bounded by a line beginning at a point where the Chesapeake-Portsmouth-Norfolk city limits junction with the Southern Branch of the Elizabeth River; thence eastward along the Chesapeake-Norfolk city line to its junction with the Chesapeake-Virginia Beach city line; thence southeast along said city line to its intersection with Providence Road (State Route 602); thence southwest along said road to its junction with Indian River at the point where Indian River reaches Indian River Park; thence northwest and west along said river to a point that is on a straight line with Welcome Road; thence northwest along said imaginary line and continuing along Welcome Road to its junction with Friend Road; thence southwest along said road to its junction with Campostella Road (State Route 168); thence southward along said road to its intersection with U.S. Highway 13, thence westward along said highway to its junction with Canal Road; thence northwest along said road to its

junction with Old Gilmerton Road; thence northwest along said road to its junction with Deep Creek Boulevard (State Route 651); thence northeast along said boulevard to its intersection with the Chesapeake-Portsmouth city line; thence northeast along said city line to its intersection with George Washington Highway (U.S. Highway 17); thence southwest along said highway to its intersection with St. Julian Creek; thence eastward along said creek to its junction with the Southern Branch of the Elizabeth River; thence northeast along the east bank of said river to the point of beginning.

**Chesterfield County.** That portion of the county bounded by a line beginning at the intersection of State Route 611 (Kingsland Road) and Atlantic Coast Line Railroad; thence northeast along said railroad to its intersection with U.S. Highways 1 and 301; thence east along railroad spur to its junction with Atlantic Coast Line Branch line at a point approximately .75 yards north of State Route 656 (Bellwood Road); thence southeast along said railroad to its intersection with Interstate 95; thence southeast along Interstate 95 to a point where State Route 1405 (Melba Road) would junction with said Interstate Highway providing State Route 1405 was extended in a straight line to that point; thence southwest along said imaginary line to State Route 1405 and continuing along State Route 1405 to its intersection with U.S. Highways 1 and 301; thence southeast along said highway to its intersection with Proctors Creek; thence northwest along said creek to its intersection with State Route 145; thence northeast along said State Road to its intersection with State Road 611 (Kingsland Road); thence west along said road to the point of beginning.

**Fairfax County.** That portion of the county bounded by a line beginning at a point where Braddock Road (Route 620) intersects with the Little River Turnpike (State Route 236) thence extending southeast along the Little River Turnpike (State Route 236) to its junction with the Alexandria-Fairfax city-county line; thence south and east along said line to its junction with the Potomac River; thence south and southwest along the west and north banks of said river to that body of water known as Gunston Cove; thence northwest along the north bank of said cove to that body of water known as Pohick Bay; thence west along the north bank of said bay to that body of water known as Pohick Creek; thence northwest along said creek to its intersection with Old Colchester Road (Route 611); thence southwest along Old Colchester Road to its intersection with Gunston Hall Road (State Route 242); thence north and west along said road to its junction with U.S. Highway 1 and Gunston Cove Road (Route 600); thence west and north along Gunston Cove Road to its junction with the northern entrance ramp of Interstate 95; thence north along Interstate 95 to its intersection with Accotink Creek; thence north along said creek to its intersection with Lake Accotink; thence west and north along the south and west shores of said lake and continuing north along Accotink Creek to its intersection with Braddock Road (Route 620) at a point just west of Inverchapel Road; thence east and north along Braddock Road to the point of beginning.

That portion of the county bounded by a line beginning at a point where Leesburg Pike (State Route 7) and Wilson Boulevard (State Route 613) intersects with the Fairfax-Falls Church County-City line; thence east along said county-city line to its junction with the Fairfax-Arlington County-City line; thence southeasterly along said county-city line to its intersection with the Fair-

fax-Alexandria County-City line; thence south along said county-city line to its junction with Leesburg Pike (State Route 7); thence northwestward along Leesburg Pike to the point of beginning.

That portion of the county bounded by a line beginning at a point where Annandale Road intersects with Falls Church-Fairfax City-County line; thence southeast along said line to its junction with Sleepy Hollow Road; thence southwest along said road to its intersection with Kerns Road; thence northwesterly along said road to its junction with Annandale Road; thence northward along said road to the point of beginning.

That portion of the county bounded by a line beginning at a point where Lewinsville Road (State Route 694) intersects with Interstate 495, thence southeastward along Lewinsville Road to its intersection with Dolly Madison Boulevard (State Route 123) and Great Falls Street, thence continuing southeastward along Great Falls Street (State Route 694) to its intersection with the Fairfax-Falls Church County-City line; thence northwestward along said county-city line to its junction with Leesburg Pike (State Route 7); thence northwestward along Leesburg Pike to its junction with Interstate 495; thence north along Interstate 495 to the point of beginning.

**City of Falls Church.** The entire city.

**City of Hampton.** That portion of the city bounded by a line beginning at a point where Interstate 64 intersects with the Newport News-Hampton city line; thence extending southeast along Interstate 64 to its junction with the Newport News Tunnel Connector Road; thence west and south along said road to its intersection with the Hampton and Newport News city line; thence south, west, and northward along said city line to the point of beginning.

**City of Newport News.** That portion of the city bounded by a line beginning at a point where Warwick River junctions with the James River and continuing northward along the southeast bank of Warwick River to its headwaters which is in the vicinity of Patricia Heights and adjacent to Fort Eustis; thence continuing along the northeast boundary of said fort to its junction with Skiffes Creek; thence eastward along said creek to its junction with Skiffes Creek landing road; thence along said road to its junction with Ripley Street; thence northeast along said street to its junction with U.S. Route 60, and State Road 236; thence north along State Road 236 to its intersection with Interstate 64; thence southeast along the northwest side of said interstate highway to its intersection with the Newport News-Hampton city line; thence west and southward along said line to its intersection with Hampton Roads; thence southwest along the north boundary of Hampton Roads to its junction with the James River; thence northwest along the eastern shore of the James River to the point of beginning.

**City of Norfolk.** The entire city.

**City of Portsmouth.** That portion of the city bounded by a line beginning at a point where Deep Creek Boulevard (State Highway 651) intersects with Jefferson Street; thence extending due east along Jefferson Street to its intersection with Eppingham Street; thence due south on Eppingham Street to its junction with George Washington Highway; thence southwestward along said highway to its intersection with Elm Avenue; thence southeastward along Elm Avenue to its intersection with the Southern Branch of the Elizabeth River; thence southward along the west bank of said branch to its junction with Paradise Creek; thence northwesterly along the north bank of said creek to its junction with Franklin Avenue; thence

**RULES AND REGULATIONS**

westward along Franklin Avenue to its junction with Deep Creek Boulevard; thence northward along said boulevard to the point of beginning.

*City of Virginia Beach.* That portion of the city bounded by a line beginning at the intersection of Virginia Beach Boulevard and Newton Road; thence northeast along Newton Road to a point where it is junctioned by Sullivan Boulevard and becomes Haygood Road; thence continuing along Haygood Road to its junction with Independence Boulevard; thence south along said boulevard to its intersection with that body of water known as Thalia Creek; thence northeast along Thalia Creek to that body of water known as Hebden Cove; thence easterly along Hebden Cove; thence due east from said cove to the Lynnhaven Methodist Church on Little Neck Road; thence southeast along said road to its junction with Little Haven Road; thence east on Little Haven Road to the Eastern Branch of Lynnhaven Bay; thence south along said branch and contiguous with London Bridge Creek to its intersection with Virginia Beach Boulevard (U.S. Route 58); thence east along Virginia Beach Boulevard (U.S. Route 58 and 58B) to its intersection with Birdneck Road; thence south on Birdneck Road to its junction with Bells Road; thence extending northwestward along a projected line from said junction to the south Lynnhaven Road exit of the Virginia Beach Expressway; thence west along the south side of said expressway to its intersection with South Plaza Trail; thence southwest along South Plaza Trail to its intersection with Old Forge Road; thence westward along a projected line to the junction of Holland Road and Edwin Drive; thence southwest along Edwin Drive to its intersection with Princess Anne Road; thence northwestward along Princess Anne Road to its intersection with the eastern branch of the Elizabeth River; thence west along the northern bank of said river branch to its junction with Newton Road; thence northeast along said road to the point of beginning.

That portion of the city bounded by a line beginning at a point where Virginia Beach-Norfolk city limits intersect with the Chesapeake Bay; thence east and southeast along the southern boundary of the Chesapeake Bay to its junction with Great Neck Point at the John Alesner Bridge; thence south to its junction with Shore Drive (U.S. Route 60); thence west along Shore Drive (U.S. Route 60) to its intersection with Northampton Boulevard; thence southwest along said boulevard to its junction with Shell Road; thence south and west along said road to its junction with Northampton Boulevard; thence southwest along Northampton Boulevard to its intersection with the Virginia Beach-Norfolk city limits; thence northward along said city limits to the point of beginning.

That portion of the city bounded by a line beginning at the junction of John Alesner Bridge and Great Neck Point; thence north and northeastward along the southern boundary of the Chesapeake Bay to its intersection with the Seashore State Park; thence south along the western boundary of Seashore State Park to its intersection with Long Creek; thence southwest along the north bank of said creek to the point of beginning.

That portion of the city bounded by a line beginning at a point where the eastern branch of the Elizabeth River intersects the Virginia Beach-Chesapeake city limits and extending eastward along the south bank of said river branch to a point one-fourth mile east of South Military Highway (U.S. Route

13); thence extending along a line projected due south to Gammon Road; thence south on the east side of said road to its junction with Indian River Road; thence northwest along said road to the intersection with South Military Highway (U.S. Route 13); thence southwest along said highway to its junction with Providence Road (State Route 602); thence southwest along said road to its junction with the Chesapeake-Virginia Beach city line; thence northward along said city line to the point of beginning.

(2) *Suppressive area.* None.

(Secs. 8 and 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33; (7 U.S.C. 161, 162, 150ee); 37 FR 28464, 28477; 38 FR 19140; 39 FR 21037; 7 CFR 301.72-2)

The Deputy Administrator of the Plant Protection and Quarantine Programs has determined that the whitefringed beetle has been found or there is reason to believe it is present in the civil divisions and parts of civil divisions listed as regulated areas or that it is necessary to regulate such areas because of their proximity to whitefringed beetle infestation or their inseparability for quarantine enforcement purposes from whitefringed beetle infested localities. Further, he has also determined that the areas designated as suppressive and generally infested areas are eligible for such designation under § 301.72-1, as amended.

The Deputy Administrator has also determined that each of the quarantined States, wherein only portions of the State are designated as regulated areas has adopted and is enforcing a quarantine or regulation which imposes restrictions on the intrastate movement of the regulated articles which are substantially the same as those which are imposed with respect to the interstate movement of such articles under the quarantine and regulations in this subpart, and that the designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of the whitefringed beetle. Therefore, such civil divisions and parts of civil divisions listed above are designated as whitefringed beetle regulated areas.

This document imposes restrictions that are necessary in order to prevent the dissemination of the whitefringed beetle and should be made effective promptly to accomplish its purpose in the public interest.

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 the foregoing amendment are impracticable and unnecessary, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

This amendment will become effective March 3, 1975.

Done at Washington, D.C., this 24th day of February 1975.

JAMES O. LEE, JR.,  
*Acting Deputy Administrator,  
Plant Protection and Quarantine Programs.*

[FR Doc.75-5340 Filed 2-28-75;8:45 am]

**CHAPTER IV—FEDERAL CROP INSURANCE CORPORATION, DEPARTMENT OF AGRICULTURE**

[Amdt. No. 64]

**PART 401—FEDERAL CROP INSURANCE**

**Subpart—Regulations for the 1969 and Succeeding Crop Years**

**WHEAT**

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above identified regulations are amended effective beginning with the 1976 crop year in the following respect:

1. Subsection 5(f) of the Wheat Endorsement shown in § 401.126 of this chapter is amended to read as follows:

**§ 401.126 The wheat endorsement.**

5. *Claims for loss.* . . .

(f) Notwithstanding the provisions of paragraph (c) of this section for determining production to be counted, the production to be counted of any threshed wheat which does not grade No. 3 or better, and, in addition, does not grade No. 5 or better on the basis of test weight only but otherwise grades No. 3 or better (determined in accordance with Official Grain Standards of the United States) because of poor quality due to insurable causes occurring within the insurance period, and would not meet these grade requirements if properly handled, shall be adjusted by (1) dividing the value per bushel of the damaged wheat as determined by the Corporation, by the market price per bushel at the local market at the time the loss is adjusted for wheat grading No. 2, or if the damaged wheat has been sold, by dividing the value of the damaged wheat by the No. 2 price on the date of sale at the local market, and (2) by multiplying the result thus obtained by the number of bushels of such damaged wheat.

If the threshed wheat does grade No. 5 or better on the basis of test weight only, and otherwise grades No. 3 or better, and it is determined that the production contains a moisture content of 15 percent or more, such production shall be reduced 1.2 percent for each full percentage point in excess of 14 percent.

(Secs. 508, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

The foregoing amendment establishes a formula for a more equitable procedure in the adjustment of wheat to be counted because of poor quality which is different from the formula applicable in the current contract. The current contract provides for an adjustment in any wheat production to be counted for which the quality has been damaged to the extent that the wheat does not grade No. 3 or better, and, in addition, does not grade No. 5 or better on the basis of test weight only but otherwise grades No. 3 or better (determined in accordance with Official Grain Standards of the United States). The production to count of any such damaged wheat is adjusted by dividing the value per bushel by the market price per bushel for wheat grading No. 3 at the time the loss is adjusted, and, multiplying the result thus obtained by the number of bushels of such damaged wheat.



Inasmuch as there are few markets which now quote a price for No. 3 wheat, the current formula no longer reflects current market practices, resulting in dissatisfaction among the insureds with the method contained in the current contract for downward adjustment of damaged production of wheat to be counted. The foregoing amendment will help alleviate the problems encountered in obtaining the value to be used in adjusting for quality.

Furthermore, the foregoing amendment will correct an inequity in the adjustment of harvested wheat containing excess moisture since the current contract makes no provision for adjusting harvested wheat production to count that contains excess moisture. The insured who has no drying equipment cannot qualify for a downward adjustment of such wheat, even though moisture is not counted as production in the market place. Under the terms of the foregoing amendment, adjustment for excess moisture can be made, thereby providing a more equitable loss adjustment method, and a more liberal formula for adjusting production to count.

It is desirable that this amendment become effective with the 1976 crop year. Notice of changes must be given wheat insureds by March 1, 1975. It would therefore be impossible to follow both the procedure for notice and public participation prescribed by 5 U.S.C. 553 (b) and (c) prior to the adoption of this amendment and to comply with the contractual provisions with respect to filing such changes in time to be effective with the 1976 crop year.

Under the circumstances, the Board of Directors found that it would be impracticable and contrary to the public interest to follow the procedure for notice and public participation prescribed by 5 U.S.C. 553 (b) and (c) as directed by the Secretary of Agriculture in a Statement of Policy, executed July 20, 1971 (36 FR 13804), prior to its adoption. Accordingly, said regulations were adopted by the Board of Directors on February 21, 1975.

[SEAL] PETER F. COLE,  
Acting Secretary, Federal  
Crop Insurance Corporation.

Approved on February 25, 1975.

EARL L. BUTZ,  
Secretary.

[FR Doc.75-5497 Filed 2-28-75; 8:45 am]

[Amdt. No. 65]

**PART 401—FEDERAL CROP INSURANCE**  
Subpart—Regulations for the 1969 and  
Succeeding Crop Years

**OATS**

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above identified regulations are amended effective beginning with the 1976 crop year in the following respects:

1. Subsection 4(f) of the Oat Endorsement shown in § 401.130 of this chapter is amended to read as follows:

§ 401.130 The oat endorsement.

4. Claims for loss. . . .

(f) Notwithstanding any other provision of this section for determining production to be counted, the production to be counted of any threshed oats which do not grade No. 3 or better, and, in addition, do not grade No. 4 or better on the basis of test weight only, but otherwise grade No. 3 or better (determined in accordance with Official Grain Standards of the United States), because of poor quality due to insurable causes occurring within the insurance period and would not meet these grade requirements if properly handled, shall be adjusted by (1) dividing the value per bushel of the damaged oats as determined by the Corporation, by the market price per bushel at the local market for oats grading No. 2 at the time the loss is adjusted, or if the oats have been sold, by dividing the value of the damaged oats by the No. 2 price on the date of the sale at the local market; and (2) multiplying the result thus obtained by the number of bushels of such damaged oats. If the threshed oats grade No. 4 or better on the basis of test weight only, and otherwise grade No. 3 or better, and it is determined that the production contains a moisture content of 17 percent or more, such production shall be reduced by 1.2 percent for each full percentage point in excess of 16 percent. There shall be no adjustment in the production to be counted of any threshed mixtures because of poor quality.

(Secs. 506, 516, 62 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

The foregoing amendment establishes a formula for a more equitable procedure in the adjustment of oats to be counted because of poor quality which is different from the formula applicable in the current contract. The current contract provides for an adjustment in any oats production to be counted for which the quality has been damaged to the extent that the oats do not grade No. 3 or better, and, in addition, do not grade No. 4 or better on the basis of test weight only, but otherwise grades No. 3 or better (determined in accordance with Official Grain Standards of the United States). The production to count of any such damaged oats is adjusted by dividing the value per bushel by the market price for oats grading No. 3 or better at the time the loss is adjusted, and multiplying the result thus obtained by the number of bushels of such damaged oats.

Inasmuch as there are very few markets which now quote a price for No. 3 oats, the current formula no longer reflects current market practices, resulting in dissatisfaction among the insureds with the method contained in the current contract for downward adjustment of damaged production of oats to be counted. The foregoing amendment will help alleviate the problems encountered in obtaining the value to be used in adjusting for quality. Furthermore, the foregoing amendment will correct an inequity in the adjustment of oats with a high moisture content since the current

contract makes no provision for adjusting harvested oats production to count that contains excess moisture. The insured who has no drying equipment cannot qualify for a downward adjustment of such damaged oats, even though moisture is not counted as production in the market place. Under the terms of the foregoing amendment, the adjustment for moisture can be made, thereby providing a more equitable loss adjustment method, and a more liberal formula for adjusting production to count.

The foregoing amendment is a distinct improvement in the formula for adjusting losses on oats by providing the insured with a more realistic adjustment method that amounts to a more attractive plan of insurance of greater benefit to oat insureds.

In view of the circumstances enumerated above, the Board of Directors found that it would be unnecessary and contrary to the public interest to follow the procedure for notice and public participation prescribed by 5 U.S.C. 553 (b) and (c) as directed by the Secretary of Agriculture in a Statement of Policy, executed July 20, 1971 (36 FR 13804), prior to its adoption. Accordingly, said regulations were adopted by the Board of Directors on February 21, 1975.

[SEAL] PETER F. COLE,  
Acting Secretary, Federal  
Crop Insurance Corporation.

Approved on February 25, 1975.

EARL L. BUTZ,  
Secretary.

[FR Doc.75-5498 Filed 2-28-75; 8:45 am]

[Amdt. No. 66]

**PART 401—FEDERAL CROP INSURANCE**  
Subpart—Regulations for the 1969 and  
Succeeding Crop Years

**BARLEY**

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above identified regulations are amended effective beginning with the 1976 crop year in the following respects:

1. Subsection 4(f) of the Barley Endorsement shown in § 401.125 of this chapter is amended to read as follows:

§ 401.125 The barley endorsement.

4. Claims for loss. . . .

(f) Notwithstanding the provisions of paragraph (c) of this section for determining production to be counted, the production to be counted of any threshed barley which does not grade No. 4 or better (determined in accordance with Official Grain Standards of the United States), because of poor quality due to insurable causes occurring during the insurance period and would not meet this grade requirement if properly handled, shall be adjusted by (1) dividing the value per bushel of the damaged barley as determined by the Corporation, by the market price per bushel at the local market for barley grading No. 2, at the time the loss is adjusted, or, if the damaged barley has been sold, by dividing

the value of the damaged barley by the No. 2 price on the date of sale at the local market; and (2) multiplying the result thus obtained by the number of bushels of such damaged barley. If the threshed barley does grade No. 4 or better and it is determined that the production contains a moisture content of 16 percent or more, such production shall be reduced 1.2 percent for each full percentage point in excess of 16 percent. There shall be no adjustment in the production to be counted of any threshed mixtures because of poor quality.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

The foregoing amendment establishes a formula for a more equitable procedure in the adjustment of barley to be counted which is different from the formula applicable in the current contract. The current contract provides for an adjustment in any barley production to be counted for which the quality has been damaged to the extent that the barley does not grade No. 4 or better (determined in accordance with the Official Grain Standards of the United States). The production to count of any such damaged barley is adjusted by dividing the value per bushel by the market price for barley grading No. 4 or better at the time the loss is adjusted, and, multiplying the result thus obtained by the number of bushels of such damaged barley.

Inasmuch as there are very few markets which now quote a price for No. 4 barley, the current formula no longer reflects current market practices, resulting in dissatisfaction among the insureds with the method contained in the current contract for the downward adjustment of damaged production of barley to be counted.

The foregoing amendment will help alleviate the problem encountered in obtaining the value to be used in adjusting for quality. Furthermore, the foregoing amendment will correct an inequity in the adjustment of such barley containing excess moisture, since the current contract makes no provisions for adjusting harvested barley to count that contains excess moisture. The insured, who has no drying equipment, cannot qualify for a downward adjustment of such barley, even though moisture is not counted as production in the market place. Under the terms of the foregoing amendment, the adjustment for moisture can be made, thereby, providing the insured with a more liberal formula for adjusting production to count, and, a more equitable pricing system based on current market practices.

The foregoing amendment is a distinct improvement in the formula for adjusting losses on damaged barley providing the insured with a more realistic and equitable adjustment method than is contained in the current contract, thereby, providing a more attractive plan of insurance that is of greater benefit to the barley insured.

In view of the circumstances enumerated above, the Board of Directors found that it would be unnecessary and contrary to the public interest to follow

the procedure for notice and public participation prescribed by 5 U.S.C. 553 (b) and (c) as directed by the Secretary of Agriculture in a Statement of Policy, executed July 20, 1971 (36 FR 13804), prior to the adoption of this amendment. Accordingly, said regulations were adopted by the Board of Directors on February 21, 1975.

[SEAL] PETER F. COLE,  
Acting Secretary, Federal  
Crop Insurance Corporation.

Approved on February 25, 1975.

EARL L. BUTZ,  
Secretary.

[FR Doc.75-5499 Filed 2-28-75;8:45 am]

CHAPTER IX—AGRICULTURAL MARKET-  
ING SERVICE (MARKETING AGREE-  
MENTS AND ORDERS; FRUITS, VEGET-  
TABLES, NUTS), DEPARTMENT OF  
AGRICULTURE

[Valencia Orange Reg. 487]

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

Minimum Size Regulation

This regulation sets a minimum size requirement of 2.20 inches in diameter applicable to the handling of Valencia oranges grown in District 3 of the production area of California and Arizona during the period March 10 through April 27, 1975. Such action is necessary to satisfy current and prospective market demand for fresh shipments of such California-Arizona Valencia oranges. The specified minimum size requirement is consistent with the size composition and available supply of the developing crop of Valencia oranges in District 3.

§ 908.787 Valencia Orange Regulation  
487.

*Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the regulation of shipments of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The minimum size requirement specified herein reflects the Department's appraisal of the crop and current and prospective marketing conditions during the period March 10 through April 27, 1975. The 1974-75 season crop of Valencia oranges is currently estimated at 60,700 carlots. The demand in regulated market channels will require about 35 percent of this volume, and the remaining 65 percent will be available for utilization in export, processing, and other

outlets. Fresh shipments of Valencia oranges from District 3 are now in progress. The volume and size composition of the crop of Valencia oranges grown in District 3 are such that ample supplies of the more desirable sizes are available to satisfy the demand in regulated channels. The regulation herein specified is designed to permit shipment of ample supplies of fruit of the more desirable sizes in the interest of both growers and consumers. The action is necessary to maintain orderly marketing conditions, provide consumer satisfaction, and guard against the shipment of undesirable sizes of Valencia oranges which tend to weaken the market for such fruit. The regulation therefore is consistent with the objective of the act of promoting orderly marketing and protecting the interest of consumers.

(3) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 6, 1975. Necessary supplemental information was received on February 18, 1975.

*Order.* (a) During the period March 10, 1975, through April 27, 1975, no handler shall handle any Valencia oranges grown in District 3 which are of a size smaller than 2.20 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit; Provided, That not to exceed 5 percent,

by count, of the Valencia oranges contained in any type of container may measure smaller than 2.20 inches in diameter.

(b) As used in this section, "handle", "handler", and "District 3" shall have the same meaning as when used in said amended marketing agreement and order.

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

Dated: February 26, 1975, to become effective March 10, 1975.

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

[FR Doc.75-54900 Filed 2-28-75; 8:45 am]

**PART 982—HANDLING OF FILBERTS GROWN IN OREGON AND WASHINGTON**  
Modification in Rate of Assessment for the 1974-75 Fiscal Year

Notice was published in the February 4, 1975, issue of the FEDERAL REGISTER (40 FR 5163) of a proposal to modify the rate of assessment by increasing it from 0.20 cent per pound to 0.275 cent per pound of assessable filberts for the 1974-75 fiscal year. This proposal was recommended by the Filbert Control Board under § 982.61 of the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982), regulating the handling of filberts grown in Oregon and Washington. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The current rate of assessment of 0.20 cent per pound of assessable filberts is contained in § 982.319(b) (39 FR 37479) of Subpart—Operating Reserve Funds; Budget of Expenses and Rate of Assessment (7 CFR 982.300-982.319). This assessment rate was based upon a production estimate of 8,500 tons. The Filbert Control Board has revised its estimate of production to 6,500 tons. Based upon this reduced estimate of production, the assessment rate on assessable filberts must be increased in order to provide sufficient funds to meet the authorized expenses and reserve requirements of the Board.

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. None were received.

After consideration of all relevant matter presented, including that in the notice, the information and recommendation submitted by the Filbert Control Board, and other available information, it is determined that the rate of assessment (i.e., 0.20 cent per pound) for the fiscal year beginning August 1, 1974, prescribed in § 982.319(b) should be increased to 0.275 cent per pound.

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) The relevant provisions of the marketing agreement and this part require that the rate of assessment, or

any modification of that rate, fixed for a particular fiscal year shall be applicable to all assessable filberts from the beginning of such year; and (2) the current fiscal year began on August 1, 1974, and the rate of assessment hereinafter fixed will automatically apply to all such assessable filberts beginning with that date.

Therefore, § 982.319(b) is amended to read as follows:

§ 982.319 Expenses of the Filbert Control Board and rate of assessment for the 1974-75 fiscal year.

(b) Rate of assessment. The rate of assessment for said fiscal year, payable by each handler under § 982.61, is fixed at 0.275 cent per pound of filberts.

Dated: February 25, 1975.

CHARLES R. BRADER,  
Deputy Director,  
Fruit and Vegetable Division.

[FR Doc.75-54899 Filed 2-28-75; 8:45 am]

**Title 9—Animals and Animal Products**  
**CHAPTER 1—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE**

**SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS**

**PART 78—BRUCELLOSIS**

**Designation of Modified Certified Brucellosis Areas**

The amendment deletes the following areas from the list of areas designated as Modified Certified Brucellosis Areas in 9 CFR 78.13 because it has been determined that these areas no longer come within the definition of § 78.1(1): Lauderdale County in Alabama; Bryan County in Oklahoma; and Falls, Hardin, Henderson, Houston, Hunt, Jefferson, Live Oak, Rusk, and Wilson Counties in Texas.

The following counties were deleted from the list of Modified Certified Brucellosis Areas in 9 CFR 78.13 on the specified dates: Adair and Haskell Counties in Oklahoma on October 29, 1974; Canadian County in Oklahoma on January 10, 1975; and Cherokee County in Oklahoma on February 12, 1975; and Dallas and Jim Wells Counties in Texas on January 10, 1975; and Anderson, Hill, Tarrant, and Wise Counties in Texas on February 12, 1975. Since said dates, it has been determined that these counties again come within the definition of § 78.1(1); and, therefore, they have been redesignated as Modified Certified Brucellosis Areas.

Accordingly, § 78.13 of said regulations designating Modified Certified Brucellosis Areas is hereby revised to read as follows:

§ 78.13 Modified certified brucellosis areas.

(a) All States of the United States are hereby designated as Modified Certified Brucellosis Areas except Alabama, Mississippi, Oklahoma, and Texas.

(b) The following States are hereby designated as Modified Certified Brucellosis Areas except for the counties named:

(1) Alabama except Lauderdale County.

(2) Mississippi except Rankin County.

(3) Oklahoma except Bryan, Le Flore, Okfuskee, and Pottawatomie Counties.

(4) Texas except Falls, Freestone, Hardin, Henderson, Houston, Hunt, Jefferson, Kaufman, Limestone, Live Oak, Navarro, Orange, Rusk, Smith, and Wilson Counties.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; sec. 3, 33 Stat. 1265, as amended; sec. 2, 65 Stat. 693; and secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111-113, 114a-1, 115, 117, 120, 121, 125, 134b, 134f; 37 FR 28464, 28477, 38 FR 19141, 9 CFR 78.16)

*Effective Date:* The foregoing amendment shall become effective on March 3, 1975.

The amendment imposes certain restrictions necessary to prevent the spread of brucellosis in cattle and relieves certain restrictions presently imposed. It should be made effective promptly in order to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. 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 of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable, unnecessary, 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 25th day of February, 1975.

PIERRE A. CHALOUX,  
Acting Deputy Administrator,  
Veterinary Services, Animal  
and Plant Health Inspection  
Service.

[FR Doc.75-5491 Filed 2-28-75; 8:45 am]

**PART 78—BRUCELLOSIS**

**Designation of Modified Certified Brucellosis Areas**

The following county was deleted from the list of Modified Certified Brucellosis Areas in 9 CFR 78.13 on the specified date: Jefferson Davis County in Mississippi on February 12, 1975. Since said date, it has been determined that this county again comes within the definition of § 78.1(1); and, therefore, it has been redesignated as a Modified Certified Brucellosis Area.

Accordingly, § 78.13 of said regulations designating Modified Certified Brucellosis Areas is hereby revised to read as follows:



§ 78.13 Modified certified brucellosis areas.

(a) All States of the United States are hereby designated as Modified Certified Brucellosis Areas except Mississippi, Oklahoma, and Texas.

(b) The following States are hereby designated as Modified Certified Brucellosis Areas except for the counties named:

- (1) Mississippi except Rankin County.
- (2) Oklahoma except Adair, Canadian, Cherokee, Haskell, Le Flore, Okfuskee, and Pottawatomie Counties.
- (3) Texas except Anderson, Dallas, Freestone, Hill, Jim Wells, Kaufman, Limestone, Navarro, Orange, Smith, Tarrant, and Wise Counties.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; sec. 3, 33 Stat. 1265, as amended; sec. 2, 65 Stat. 693; and secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111-113, 114a-1, 115, 117, 120, 121, 125, 134b, 134f; 37 FR 28464, 28477, 38 FR 19141, 9 CFR 78.16).

**Effective Date:** The foregoing amendment shall become effective on March 3, 1975.

The amendment imposes certain restrictions necessary to prevent the spread of brucellosis in cattle and relieves certain restrictions presently imposed. It should be made effective promptly in order to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. 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 of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable, unnecessary, 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 25th day of February, 1975.

PIERRE A. CHALOUX,  
Acting Deputy Administrator,  
Veterinary Services, Animal  
and Plant Health Inspection  
Service.

[FR Doc. 75-5492 Filed 2-28-75; 8:45 am]

SUBCHAPTER E—VIRUSES, SERUMS, TOXINS  
AND ANALOGOUS PRODUCTS, ORGANISMS  
AND VECTORS

PART 113—STANDARD REQUIREMENTS

Miscellaneous Amendments

Correction

In FR Doc. 74-30055, appearing at page 44712 in the issue for Friday, December 27, 1974 and corrected at page 6476 in the issue for Wednesday, February 12, 1975, make the following change:

On page 44721 in paragraph (d) of § 113.146, the reference to "(c) (1)" in line eight should read "(d) (1)".

Title 10—Energy  
CHAPTER I—NUCLEAR REGULATORY  
COMMISSION

ENERGY REORGANIZATION ACT

Revision of Chapter I To Reflect  
Organizational and Procedural Changes

On October 11, 1974, the Energy Reorganization Act of 1974, Pub. L. 93-438, was enacted.<sup>1</sup> That Act abolished the Atomic Energy Commission and created a new agency, the Nuclear Regulatory Commission (NRC), to which was transferred the licensing and related regulatory authority of the Atomic Energy Commission under the Atomic Energy Act of 1954, as amended. The Energy Reorganization Act also added, in section 202, authority for the NRC to license and regulate certain facilities owned by, and certain activities conducted by, the Energy Research and Development Administration (ERDA), which was also created by that Act.

The ERDA facilities and activities identified in section 202 are:

1. Demonstration Liquid Metal Fast Breeder reactors when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.
2. Other demonstration nuclear reactors, except those in existence on January 19, 1975, when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.
3. Facilities used primarily for the receipt and storage of high-level radioactive wastes resulting from licensed activities.
4. Retrievable Surface Storage Facilities and other facilities authorized for the express purpose of subsequent long-term storage of high-level radioactive waste generated by ERDA, which are not used for, or are part of, research and development activities.

The amendments set forth below reflect, in Chapter I of Title 10 of the Code of Federal Regulations, the division of the Atomic Energy Commission into two separate agencies, the organization of the NRC, the licensing and related regulatory authority of the NRC as to certain ERDA facilities and activities, and the prohibition against sex discrimination in Title IV of the Energy Reorganization Act. A separate document, published simultaneously in this issue (40 FR 8794), establishes the regulations of the Energy Research and Development Administration in 10 CFR Chapter III.

It should be noted that the NRC's authority over reactors within the first two categories specified in section 202 is reflected in Part 50, "Licensing of Production and Utilization Facilities," since re-

<sup>1</sup> The effective date of The Energy Reorganization Act of 1974 is January 19, 1975.

actors are utilization facilities licensed under that part, while the NRC's authority over the "facilities" in the latter two categories is reflected in Parts 30, 40 and 70, since those "facilities" are not production or utilization facilities within the definition of those terms in the Atomic Energy Act. Operators of ERDA-owned licensed reactors will be indemnified as licensees rather than as "ERDA contractors."

The existing exemptions for certain AEC contractors from licensing requirements has been continued for similar ERDA contractors, and a provision for exemptions for NRC contractors in appropriate cases has been added.

Part 7, Advisory Boards, has been revised to reflect the provisions of the Federal Advisory Committee Act (86 Stat. 770). Minor corrections to Chapter 1 have also been made.

Part 9, Public Records, has already been revised to reflect the 1974 Freedom of Information Act Amendments (Pub. L. 93-502) and the Energy Reorganization Act.

Section 301(b) of the Energy Reorganization Act of 1974 provides, in substance and as here pertinent, that the provisions of Chapter I of Title 10 of the Code of Federal Regulations are to continue in effect until modified by this Commission. The primary purpose of the technical and conforming amendments set forth below is to reflect wording, organizational and procedural changes effected or made necessary by that Act. These amendments, therefore, are primarily for the convenience of licensees, intervenors, and the interested public. Adoption of these technical amendments does not reflect any judgment by the Commission on the merits of the existing rules and is, of course, without prejudice to modification of those rules by the Commission in the future. These amendments will not affect any proceeding pending before the Atomic Energy Commission on the effective date of the Energy Reorganization Act of 1974. For these reasons, the Commission has found that notice of proposed rule making and public procedure thereon are unnecessary and that good cause exists for making the amendments effective on March 3, 1975.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, and sections 552 and 553 of Title 5 of the United States Code, the following amendments to Title 10, Chapter I of the Code of Federal Regulations are published as a document subject to codification.

1. The title of Chapter I of Title 10 is changed to "Nuclear Regulatory Commission".

PART 0—CONDUCT OF EMPLOYEES

2. The term "AEC" is amended to read "NRC" wherever it appears in Part 0 and the term "Atomic Energy Commission" is amended to read "Nuclear Regulatory Commission" wherever it appears in Part 0.



3. Paragraphs (c) through (h) of § 0.735-3 are amended to read as follows:  
**§ 0.735-3 Responsibilities and authorities.**

(c) The Executive Director for Operations assumes responsibilities assigned in §§ 0.735-21(b), 0.735-22(b), 0.735-23 (d) and (e), 0.735-26 (c) and (d), and 0.735-28.

(d) The Directors of Offices and Divisions. (1) Bring to the attention of appropriate contractors under their jurisdiction those provisions of this part (such as "Future Employment"; "Ex Parte Contacts"; "Assisting Former Employees"; "Gifts, Entertainment, and Favors"; "Cancellation of Contracts"; and others) which may affect the actions of a contractor and his employees in dealing with NRC employees.

(2) Report to the Office of Administration. All complaints concerning fraud, graft, corruption, diversion of NRC assets, and misconduct of NRC employees; take action as a result of investigations; and report on action taken, as provided in NRC Manual Chapter 0702, "Reporting and Investigation Irregularities".

(3) Assume responsibilities assigned in §§ 0.735-21(b), 0.735-22(b), 0.735-23(d), 0.735-27, 0.735-28, and 0.735-40(b).

(e) The Director, Office of Administration. (1) Provides a copy of this part to each employee and special Government employee, and to each such new employee at the time of his entrance on duty.

(2) Provides a copy of all revisions to each employee and special Government employee.

(3) Brings the provisions of this part to the attention of each employee and special Government employee annually, and at such other times as circumstances warrant.

(4) Assures the availability of counseling services under paragraph (h) of this section to each employee and special Government employee.

(5) Has available for review by employees and special Government employees, as appropriate, copies of laws, Executive Order 11222, NRC regulations, and pertinent Civil Service Commission regulations and instructions relating to ethical and other conduct.

(6) Notifies employees and special Government employees at time of entrance on duty and periodically thereafter of the availability of counseling services under paragraph (h) of this section and how and where these services are available.

(f) The Director, Office of Administration, assumes the responsibilities assigned in §§ 0.735-40(b) and 0.735-49.

(g) The Director, Office of Administration investigates all questions of employees' conduct, fraud, etc., in NRC, in accordance with NRC Manual Chapter 0702.

(h) The Solicitor.

(1) Is the counselor for NRC.

(2) Serves as NRC's designee to the Civil Service Commission on matters covered by this part.

(3) Designates deputy counselors.

(4) Coordinates counseling services,

and assures that counseling and interpretations on questions of conflicts of interest and other matters covered by the part are available to deputy counselors.

(5) Carries out the specific responsibilities assigned in §§ 0.735-27, 0.735-28, and 0.735-49(b).

4. Paragraphs (a), (b), (c) and (d) of § 0.735-4 are revised to read as follows and paragraph (i) is revoked:

**§ 0.735-4 Definitions.**

(a) "Commission" means the Commission of five members or a quorum thereof sitting as a body, as provided by section 201 of the Energy Reorganization Act of 1974, 88 Stat. 1233.

(b) "NRC" means the agency established by Title II of the Energy Reorganization Act of 1974 comprising the members of the Commission and all offices, employees, and representatives authorized to act in any case or matter, whether clothed with final authority or not.

(c) "Employee" means an NRC officer or employee and, insofar as statutory and Executive order restrictions are concerned, a member of the Commission, but does not include (unless otherwise indicated) a special Government employee, or an employee of another Government agency assigned or detailed to the NRC.

(d) "Former employee" means a former NRC officer or employee as defined in paragraph (c) of this section, a former special Government employee, as defined in paragraph (e) of this section, a former member of the Nuclear Regulatory Commission, a former member of the Atomic Energy Commission, and a former officer or employee of the Atomic Energy Commission.

5. Paragraph (a) of § 0.735-5 is amended to read as follows:

**§ 0.735-5 Basic requirements.**

(a) *Applicability.* The provisions of this part apply to all current and former NRC employees and special Government employees. Except for § 0.735-28, the provisions of this part are not applicable to employees of other Government agencies assigned or detailed to the NRC. Employees of other Government agencies assigned or detailed to the NRC are required by § 0.735-28 to furnish a statement of employment and financial interests if they are performing duties of a position specified in § 0.735-28(a). However, an employee of another Government agency assigned or detailed to the NRC is not relieved of his responsibilities under regulations or code of conduct prescribed by his parent agency.

**§ 0.735-21 [Amended]**

6. In § 0.735-21, paragraphs (b) (1), (2), (3), and (5) are amended by substituting "head of his division or office" for "field office manager, or head of division or office, Headquarters"; paragraph (b) (3) is amended by substituting "Executive Director for Operations" for "General Manager or the Director of Regulation, as appropriate,"; and paragraph (b) (4) is amended by substituting

"Executive Director for Operations" for "General Manager, or the Director of Regulations, as appropriate,".

7. Paragraph (b) of § 0.735-22 is revised to read as follows:

**§ 0.735-22 Future employment (based on 18 U.S.C. 208).**

(b) No employee shall undertake to act on behalf of the NRC in any capacity in a matter that to his knowledge affects even indirectly any party outside the Government with whom he is soliciting, negotiating, or has arrangements for future employment, except pursuant to the authorization of the Commission, its designee, or the Executive Director for Operations, as appropriate, after full disclosure. (See § 0.735-21.)

8. Paragraphs (d) and (e) (1) of § 0.735-23 are revised to read as follows:

**§ 0.735-23 Activities of officers and employees in claims against and other matters affecting the Government (based on 18 U.S.C. 205).**

(d) Nothing in paragraph (a) of this section prevents an employee from acting, with or without compensation, as agent or attorney for his parents, spouse, child, or any person for whom, or for any estate for which, he is serving as guardian, executor, administrator, trustee, or other personal fiduciary except in those matters in which he has participated personally and substantially as a Government employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, or which are the subject of his official responsibility, provided that the Commission, its designee, the Executive Director for Operations, or the head of an office or division, as appropriate, approves.

(e) (1) Nothing in paragraph (a) of this section prevents a special Government employee from acting as agent or attorney for another person in the performance of work under a grant by, or a contract with or for the benefit of, the United States when represented by the NRC provided that the Executive Director for Operations shall certify in writing that the national interest so requires. Such certification shall be submitted for publication in the FEDERAL REGISTER.

**§ 0.735-26 [Amended]**

9. Paragraphs (c) and (d) of § 0.735-26 are amended by substituting the words "Executive Director for Operations" for "General Manager" where they appear.

**§ 0.735-27 [Amended]**

10. Section 0.735-27 is amended by deleting the words "The manager of the field office or the head of the division or office, Headquarters," and substituting therefor "The head of the office or division".

11. In § 0.735-28, footnote 2 is amended by deleting the words "and members of the Uniformed Services"; paragraphs (e) (9) and (f) are amended by substituting "Commission, its designee, or the Executive Director for Operations," for

"General Manager, or Director of Regulation"; and paragraphs (b) (2), (e) (10), and (h) are revised to read as follows:

§ 0.735-28 Confidential statements of employment and financial interests.<sup>2</sup>

(b) . . .

(2) Heads of Offices and Divisions shall, in conformity with the above referenced criteria, recommend changes in Annex B to the Commission, its designee, or the Executive Director for Operations, as appropriate, for approval.

(e) . . .

(10) When, after consideration of the explanation of the employee provided for in paragraph (e) (9) of this section, the Commission, its designee, or the Executive Director for Operations, as appropriate, decides that remedial action is required, immediate action to end the conflict or appearance of conflict of interest, shall be taken. Remedial action may include, but is not limited to:

- (i) Changes in assigned duties;
- (ii) Divestment by the employee of his conflicting interest;
- (iii) Disciplinary action; or
- (iv) Disqualification for a particular assignment.

Remedial action whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, Executive Orders, and regulations. Disciplinary remedial action with respect to an employee of another Government agency assigned or detailed to the NRC shall be effected only by the parent agency.

(h) *To whom statements are to be submitted.* Submission of required statements shall be in accordance with the following:

- (1) Submitted to the Commission:
  - (i) Executive Director for Operations.
  - (ii) Director of Nuclear Reactor Regulation.
  - (iii) Director of Nuclear Material Safety and Safeguards.
  - (iv) Director of Nuclear Regulatory Research.
  - (v) The Secretary and Assistant Secretary.
  - (vi) The Chairman, Atomic Safety and Licensing Board Panel.
  - (vii) The Chairman, Atomic Safety and Licensing Appeal Panel.
  - (viii) The General Counsel.
  - (ix) The Solicitor.
  - (x) The Agency Inspector and Auditor.
  - (xi) Director, Office of Public Affairs.
  - (xii) Director, Office of Congressional Liaison.
  - (xiii) Chairman, Advisory Committee on Reactor Safeguards.
- (2) Submitted to the Individual Commissioners: Special Assistants.
- (3) Submitted to the Executive Director for Operations.
  - (i) Heads of Offices reporting to him.
  - (ii) Members of his immediate staff.

(4) Submitted to the Heads of Offices and Divisions: Employees under their respective jurisdiction.

(5) Submitted to officials responsible for their appointments: Special Government employees, consultants, experts, and advisers.

12. In § 0.735-29, paragraph (a) (1) is deleted, paragraph (a) (2) is redesignated paragraph (a) (1), a new paragraph (a) (2) is added and the section heading and introductory text of paragraph (a) are revised to read as follows:

§ 0.735-29 Restriction against owning certain security interests upon Commissioners, staff and other related personnel.

(a) No Commissioner or employee, including special government employees who are members of the Advisory Committee on Reactor Safeguards, the Atomic Safety and Licensing Board Panel, or the Atomic Safety and Licensing Appeal Panel (including a spouse, minor child or other member of the immediate household of a Commissioner, employee or such special government employee) shall own any stocks, bonds, or other securities of any corporation of the type listed in paragraph (a) (1) of this section.

(2) (i) An employee presently owning stocks, bonds or other securities covered in paragraph (a) (1) shall dispose of them no later than April 30, 1975.<sup>2</sup>

(ii) Any new employee who enters on duty after March 3, 1975 shall dispose of said stocks, bonds or securities no later than 30 days after entrance on duty.

13. In § 0.735-40, paragraph (d) is amended by substituting the words "Executive Director for Operations" for "General Manager or Director of Regulation, as appropriate," and paragraph (b) is revised to read as follows:

§ 0.735-40 Outside employment and other outside activity.

(b) In any case in which there is a question as to the propriety of outside employment in which an employee proposes to engage, and when the head of the office or division concludes that the proposed outside employment may be in violation of NRC policy, the following information shall be sent to the Office of Administration for prior approval of the proposed activity (in consultation, as appropriate, with the counselor): (1) Name, job title, and grade of the employee involved; (2) a brief summary of his official NRC duties; (3) a brief description of the proposed employment, including the compensation to be received; and (4) the name and nature of

<sup>2</sup> This grace period does not apply to employees who were already subject to these restrictions prior to January 19, 1975 pursuant to regulations previously promulgated by the Atomic Energy Commission. These employees must be rid of all such stocks, bonds or other securities, except insofar as a specific exemption under paragraph (c) previously has been granted.

the business of the employing individual or organization.

§ 0.735-49 [Amended]

14. Paragraph (a) of § 0.735-49 is amended by substituting "Director, Office of Administration" for "Director, Division of Personnel, Headquarters".

Annex B [Amended]

15. Category (1) of Annex B to Part 0 is amended to read "Heads of Offices and Divisions;" and the last paragraph of Annex B is amended by substituting the words "its designee, or the Executive Director for Operations" for "the General Manager, the Director of Regulation or field Office Manager".

#### PART 1—STATEMENT OF ORGANIZATION AND GENERAL INFORMATION

16. Part 1 is revoked.

#### PART 2—RULES OF PRACTICE

17. The authority citation following the table of contents of Part 2 is revised to read as follows:

AUTHORITY: Sec. 161, Pub. L. 83-703, 68 Stat. 948, as amended (42 U.S.C. 2201); Pub. L. 90-23, 81 Stat. 54 (5 U.S.C. 552), unless otherwise noted. Sections 2.200-2.206 also issued under sec. 186, Pub. L. 83-703, 68 Stat. 955 (42 U.S.C. 2236), and sec. 206, Pub. L. 93-438, 88 Stat. 1246 (42 U.S.C. 5846), and §§ 2.800-2.807 also issued under Pub. L. 89-554, 80 Stat. 883 (42 U.S.C. 553).

§ 2.780 [Amended]

17a. In § 2.780(e) the last sentence is deleted.

18. The term "AEC" is changed to read "NRC" where it appears, the term "Atomic Energy Commission" is changed to read "Nuclear Energy Commission" where it appears, and the zip code "20545" is changed to read "20555" where it appears.

19. Section 2.1 is revised to read as follows:

§ 2.1 Scope.

This part governs the conduct of all proceedings under the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974, for (a) granting, suspending, revoking, amending, or taking other action with respect to any license, construction permit, or application to transfer a license; (b) imposing civil penalties under section 234 of the Act; and (c) public rulemaking.

20. In § 2.4, paragraph (e) is amended by substituting for the words "section 21 of the Act," the words "section 201 of the Energy Reorganization Act of 1974 (88 Stat. 1242)," paragraphs (f) and (l) are deleted and paragraphs (d), (i), and (j) are revised, new paragraphs (o) and (r) are added, and the prefatory language is revised to read as follows:

<sup>2</sup> These amendments to Part 0 were approved by the Civil Service Commission on February 24, 1975.

§ 2.4 Definitions.

As used in this part,

(d) "Administration" means the Energy Research and Development Administration or its duly authorized representatives.

(i) "License" means a license or construction permit issued by the Commission.

(j) "Licensee" means a person who is authorized to conduct activities under a license or construction permit issued by the Commission.

(o) "Person" means (1) any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency other than the Commission or the Administration, except that the Administration shall be considered a person with respect to those facilities of the Administration specified in section 202 of the Energy Reorganization Act of 1974 (88 Stat. 1244), any State or any political subdivision of, or any political entity within a State, any foreign government or nation or any political subdivision of any such government or nation, or other entity; and (2) any legal successor, representative, agent, or agency of the foregoing.

(r) Except as redefined in this section, words and phrases which are defined in the Act and in this chapter have the same meaning when used in this part.

Subparts C and F [Deleted]

21. Subparts C and F are deleted.

§§ 2.101, 2.102, 2.103, 2.104, 2.105, 2.106, 2.107, 2.108, 2.717, 2.743, 2.760a, 2.764 and Appendix A [Amended]

22. In §§ 2.101, 2.102, 2.103, 2.104, 2.105 (e), 2.106, 2.107, 2.108, 2.717(b), 2.743(g), 2.760a, 2.764(b) and Appendix A, the term "Director of Regulation" is changed to "Director of Nuclear Reactor Regula-

\* The Administration facilities specified in section 202 are:

(1) Demonstration Liquid Metal Fast Breeder reactors when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(2) Other demonstration nuclear reactors, except those in existence on January 19, 1975, when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(3) Facilities used primarily for the receipt and storage of high-level radioactive wastes resulting from licensed activities.

(4) Retrievable Surface Storage Facilities and other facilities authorized for the express purpose of subsequent long-term storage of high-level radioactive waste generated by the Administration, which are not used for, or are part of, research and development activities.

tion or Director of Nuclear Material Safety and Safeguards, as appropriate".

§ 2.105 [Amended]

23. In § 2.105(a), the phrase "or the Director of Regulation" is deleted and the word "he" changed to "it".

§§ 2.206, 2.202, 2.205 [Amended]

24. In §§ 2.206, 2.202, and 2.205, the term "Director of Regulation" is changed to "Director of Nuclear Reactor Regulation, Director of Nuclear Material Safety and Safeguards, Director, Office of Inspection and Enforcement, as appropriate".

§ 2.201 [Amended]

25. In § 2.201, the term "Director of Regulation" is changed to "Director, Office of Inspection and Enforcement".

§§ 2.110, 2.403, 2.501 [Amended]

26. In §§ 2.110, 2.403, and 2.501, the term "Director of Regulation" is changed to "Director of Nuclear Reactor Regulation".

27. The terms "regulatory staff", "Regulatory Staff" and "Regulatory staff" are changed to "staff" wherever they appear.

§ 2.740b [Amended]

28. In § 2.740b(a), the word "regulatory" is changed to the word "staff".

§§ 2.720 and 2.744 [Amended]

29. In §§ 2.720 (h) and 2.744, the terms "General Manager or Director of Regulation", "General Manager or the Director of Regulation", "General Manager or Director of Regulation, as appropriate", "General Manager or the Director of Regulation, as appropriate", and "General Manager or the Director of Regulation, as appropriate, or by their designees," are changed to "Executive Director for Operations".

§ 2.752 [Amended]

30. Footnote 8 at § 2.752(a) is amended by changing the terms "Director of Regulation" and "Appendix D of Part 50" to "Director of Nuclear Reactor Regulation or Director of Nuclear Material Safety and Safeguards, as appropriate," and "Part 51", respectively.

31. A new § 2.111 is added to read as follows:

§ 2.111 Prohibition of sex discrimination.

No person shall on the ground of sex be excluded from participation in, be denied a license under, be denied the benefits of, or be subjected to discrimination under any program or activity carried on or receiving Federal assistance under the Act or the Energy Reorganization Act of 1974.

32. In § 2.785, paragraphs (a), (c) and (d) are revised to read as follows:

§ 2.785 Functions of Atomic Safety and Licensing Appeal Boards.

(a) The Commission has authorized Atomic Safety and Licensing Appeal

Boards to exercise the authority and perform the review functions which would otherwise have been exercised and performed by the Commission, including, but not limited to, those under §§ 2.760-2.771, 2.912, and 2.913 in (1) proceedings on applications for licenses under Part 50 of this chapter and (2) such other licensing proceedings under the regulations in this chapter as the Commission may specify.

(c) In the proceedings described in paragraph (a) of this section, the Atomic Safety and Licensing Appeal Board shall exercise the authority and perform the functions delegated to it subject to the provisions and limitations of the referenced sections and subpart. Except as provided in § 2.786, any action taken by the Atomic Safety and Licensing Appeal Board pursuant to its delegated authority shall have the same force and effect and shall be made, evidenced, and enforced in the same manner as actions of the Commission.

(d) In the proceedings described in paragraph (a) of this section, an Atomic Safety and Licensing Appeal Board may, either in its discretion or on direction of the Commission, certify to the Commission for its determination major or novel questions of policy, law or procedure.

Appendix A [Amended]

33. In Appendix A, the phrase "and the Energy Reorganization Act of 1974" is added to the end of the first sentence and footnote 1 is amended by deleting the words "to the conduct of authorization proceedings conducted under Part 115, Procedures for Review of Certain Nuclear Reactors Exempted from Licensing Requirements".

34. In Appendix A, section VI(e) the words "Chief, Public Proceedings Branch" are changed to "Chief, Docketing and Service Section".

35. In Appendix A, section IX(a) is amended by changing the words "permits, (2) proceedings on applications for authorizations under Part 115, and (3) such" to the words "permits and (2) such".

PART 3—RULES OF PROCEDURE IN CONTRACT APPEALS

36. Part 3, Rules of Procedure in Contract Appeals, is deleted.

PART 4—NONDISCRIMINATION IN FEDERALLY ASSISTED COMMISSION PROGRAMS—EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

37. The citation of authority following the table of contents of Part 4 is revised to read as follows:

AUTHORITY: Pub. L. 83-703, 68 Stat. 919, as amended, (42 U.S.C. 2011); secs. 602-605 Pub. L. 88-352, 78 Stat. 252, 253 (42 U.S.C. 2000d-1-2000d-4); sec 401, Pub. L. 93-438, 88 Stat. 1254 (42 U.S.C. 5891).



38. The term "AEC" is amended to read "NRC" wherever it appears in Part 4 and the term "Atomic Energy Commission" is amended to read "Nuclear Regulatory Commission" wherever it appears in Part 4.

39. The words "race, color, or national origin" are amended to read "sex, race, color, or national origin" wherever they appear in Part 4.

40. Section 4.1 is revised to read as follows:

#### § 4.1 Purpose.

The purpose of this part is to effectuate the provisions of Title VI of the Civil Rights Act of 1964 and Title IV of the Energy Reorganization Act of 1974 (hereafter collectively referred to as the "Act") to the end that no person in the United States shall, on the ground of sex, race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from NRC.

41. Paragraph (i) of § 4.3 is amended to read as follows:

#### § 4.3 Definitions.

(i) "Responsible NRC official" means the Executive Director for Operations, and the Directors of Nuclear Material Safety and Safeguards, Nuclear Reactor Regulation and Nuclear Regulatory Research, or any officer to whom they have delegated authority to act;

42. Section 4.4 is revised to read as follows:

#### § 4.4 Communications and reports.

Except where otherwise indicated, all communications and reports relating to this part shall be addressed to the United States Nuclear Regulatory Commission, Washington, D.C., 20555. Communications and reports may be delivered in person to the Commission's offices at 1717 H Street, NW., Washington, D.C., or its offices at 7920 Norfolk Avenue, Bethesda, Md.

#### §§ 4.23 and 4.25 [Deleted]

43. Sections 4.23 and 4.25 are deleted as set forth above.

#### § 4.45 [Amended]

44. Section 4.45 is amended by deleting the words "section 601 of".

#### § 4.51 [Amended]

45. Paragraphs (e) and (f) of § 4.51 are amended by deleting the words "section 602 of".

#### § 4.64 [Amended]

46. Section 4.64 is amended by substituting the words "Title VI of the Civil Rights Act of 1964" for the words "Title VI of the Act".

#### § 4.75 [Amended]

47. Paragraph (a) of § 4.75 is amended by deleting the last sentence.

48. Section 4.81 is revised to read as follows:

#### § 4.81 Judicial review.

Action taken pursuant to section 602 of the Civil Rights Act of 1964 is subject to judicial review as provided in section 603 of that Act.

49. Section 4.93 is revised to read as follows:

#### § 4.93 Supervision and coordination.

The Commission may from time to time assign to officials of other departments or agencies of the Government, with the consent of the department or agency involved, responsibilities in connection with the effectuation of the purposes of Title VI of the Civil Rights Act of 1964 and this part, other than responsibility for final decision as provided in § 4.72, including the achievement of effective coordination and maximum uniformity within the NRC and within the Executive Branch of the Government in the application of Title VI of the Civil Rights Act and this part to similar programs and in similar situations. Any action taken, determination made, or requirement imposed by an official of another department or agency acting pursuant to an assignment of responsibility under this section shall have the same effect as though such action had been taken by the responsible NRC official.

#### Appendix A [Amended]

50. Appendix A of Part 4 is amended by deleting paragraphs (a) through (k) and (p) through (t), and by redesignating paragraphs (l) through (o) as (a) through (d), respectively.

### PART 6—SECURITY POLICIES AND PRACTICES RELATING TO LABOR-MANAGEMENT RELATIONS

51. Part 6, Security Policies and Practices Relating to Labor-Management Relations, is revoked.

### PART 7—ADVISORY COMMITTEES

52. Part 7 is revised to read as follows:

Sec.	
7.1	Purpose and applicability.
7.2	Definitions.
7.3	Policy.
7.4	Interpretations.
7.5	Advisory committee management officer.
7.6	Establishment of advisory committees.
7.7	Charter.
7.8	Meetings.
7.9	Closed meetings.
7.10	Designated federal officer or employee.
7.11	Public notice.
7.12	Minutes.
7.13	Transcripts of advisory committee meetings.
7.14	Annual comprehensive review.
7.15	Termination and renewal of advisory committees.
7.16	Reports about advisory committees.
7.17	Availability of documents and information on advisory committees.
7.18	Uniform pay guidelines.
7.19	Fiscal and administrative responsibilities.

AUTHORITY: Sec. 161, Pub. L. 83-703, 68 Stat. 948, (42 USC 2201); sec. 201(f), Pub. L. 93-438, 88 Stat. 1243; Pub. L. 92-463, 86 Stat. 770 (5 USC Appendix I).

#### § 7.1 Purpose and applicability.

(a) The regulations in this part implement the Federal Advisory Committee Act (86 Stat. 770), Executive Order No. 11769 (39 FR 7125) and Office of Management and Budget Circular No. A-63. The provisions of the Federal Advisory Committee Act and this part shall apply to each advisory committee established by the Commission, including advisory committees created pursuant to sections 29 and 161a of the Atomic Energy Act of 1954, as amended, except to the extent that any Act of Congress establishing an advisory committee reporting to the Commission specifically provides otherwise.

(b) This part does not apply to inter-agency advisory committees or advisory committees established by the President unless specifically made applicable by the establishing authority.

(c) This part does not apply to any local civic group whose primary function is that of rendering a public service with respect to a Federal program, or any State or local committee, council, board, commission, or similar group established to advise or make recommendations to State or local officials or agencies.

#### § 7.2 Definitions.

As used in this part:

(a) "Act" means the Federal Advisory Committee Act (86 Stat. 770).

(b) "Advisory Committee" has the meaning set forth in section 3(2) of the Act.

(c) "Commission" means the Nuclear Regulatory Commission of five members, or a quorum thereof, sitting as a body, as provided by section 201(a) of the Energy Reorganization Act of 1974 (88 Stat. 1242).

(d) "Director" means the Director of the Office of Management and Budget.

(e) "NRC" means the Nuclear Regulatory Commission.

(f) "OMB" means the Office of Management and Budget.

(g) "Presidential advisory committee" means an advisory committee which advises the President.

(h) "Secretariat" means the Committee Management Secretariat of the Office of Management and Budget.

#### § 7.3 Policy.

In determining whether an advisory committee should be created and in reviewing the functions of operating advisory committees, the Commission will:

(a) Establish new advisory committees only when they are determined to be essential, keeping their number to the minimum necessary;

(b) Provide standards and uniform procedures to govern the establishment, operation, administration, and duration of advisory committees;

(c) Terminate advisory committees when they are no longer carrying out the purposes for which they were established;

(d) Keep the Congress and the public informed with respect to the number, purpose, membership, activities, and cost of advisory committees; and

(e) Insure that the function of advisory committees should be advisory only, and that all matters under their consideration should be determined, in accordance with law, by the official or officer involved.

**§ 7.4 Interpretations.**

Except as specifically authorized by the Commission in writing, no interpretation of the meaning of the regulations in this part by an officer or employee of the Commission other than a written interpretation by the General Counsel will be recognized to be binding upon the Commission.

**§ 7.5 Advisory committee management officer.**

(a) The Commission will designate an Advisory Committee Management Officer who shall:

(1) Exercise control and supervision over the establishment, procedures, and accomplishments of advisory committees established by the Commission;

(2) Assemble and maintain the reports, records, and other papers of any advisory committee during its existence; and

(3) Carry out, on behalf of the Commission, the provisions of 5 U.S.C. 552 with respect to the reports, records, and other papers designated in paragraph (a) (2) of this section.

(b) The name of the Advisory Committee Management Officer designated in accordance with this part shall be provided to the Secretariat.

**§ 7.6 Establishment of advisory committees.**

(a) No advisory committee shall be established under this part unless such establishment is:

(1) Specifically authorized by statute or by the President; or

(2) Determined as a matter of formal record by the Commission after consultation with the Secretariat, with timely notice published in the FEDERAL REGISTER, to be in the public interest in connection with the performance of duties imposed on the Commission by law.

(b) The determination required by paragraph (a) of this section shall:

(1) Contain a clearly defined purpose for the advisory committee;

(2) Require the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee;

(3) Contain appropriate provisions to assure that the advice and recommendations of the advisory committee will not be inappropriately influenced by the appointing authority or by any special interest, but will instead be the result of the advisory committee's independent judgment;

(4) Contain provisions dealing with the date for submission of reports (if any), the duration of the advisory committee, and the publication of reports and other

materials, to the extent that the Commission determines the provisions of § 7.16 to be inadequate; and

(5) Contain provisions which will assure that the advisory committee will have adequate staff (either supplied by the Commission or employed by it), will be provided adequate quarters, and will have funds available to meet its other necessary expenses.

(c) Consultation with the Secretariat may be in the form of a letter from the Commission describing the nature and purpose of the proposed advisory committee, including an explanation of why the functions of the proposed committee could not be performed by the NRC or by an existing committee. The letter should describe the Commission's plan to attain balanced membership on the proposed committee as prescribed in paragraph (b) of this section. If the Secretariat is satisfied that establishment of the advisory committee would be in accord with the Act, the Commission shall certify in writing that creation of the advisory committee is in the public interest.

(d) Unless otherwise specifically provided by statute or Presidential directive, advisory committees shall be utilized solely for advisory functions.

**§ 7.7 Charter.**

(a) No advisory committee established under this part shall meet or take any action until an advisory committee charter has been filed with the Commission and the Joint Committee on Atomic Energy.

(b) The charter required by paragraph (a) of this section shall contain the following information:

(1) The committee's official designation;

(2) The committee's objectives and the scope of its activity;

(3) The period of time necessary for the committee to carry out its purposes;

(4) The agency or official to whom the committee reports;

(5) The agency responsible for providing the necessary support for the committee;

(6) A description of the duties for which the committee is responsible, and, if such duties are not solely advisory, a specification of the authority for such functions;

(7) The estimated annual operating costs in dollars and man years for such committee;

(8) The estimated number and frequency of committee meetings;

(9) The committee's termination date, if less than two years from the date of the committee's establishment; and

(10) The date the charter is filed.

(c) A copy of the charter required by paragraph (a) of this section shall also be furnished at the time of filing to the Library of Congress, Exchange and Gift Division, Federal Advisory Committee Desk, Washington, D.C. 20540.

(d) An amendment to the charter may be filed if a substantial change occurs with regard to matters stated in the charter originally filed.

(e) The requirements of this section apply to committees utilized as advisory committees, though not established for that purpose.

**§ 7.8 Meetings.**

(a) Advisory committees established under this part shall not hold any meetings except at the call of, or with the advance approval of, the federal officer or employee designated in accordance with § 7.10, with an agenda approved by such officer or employee. Timely notice of each meeting shall be provided in accordance with § 7.11.

(b) The agenda required by paragraph (a) of this section shall list the matters to be considered at the meeting. It shall also indicate when any part of the meeting will concern matters within the exemptions of the Freedom of Information Act, 5 U.S.C. § 552(b) and § 9.5 of this chapter.

(c) Subject to the provisions of § 7.9, each advisory committee meeting shall be open to the public. Meetings open in whole or in part to the public shall be held at a reasonable time and at a place that is reasonably accessible to the public. The size of the meeting room shall be determined by such factors as the size of the committee, the number of members of the public who could reasonably be expected to attend, the number of persons who attended similar meetings in the past, and the resources and facilities available.

(d) Any member of the public shall be permitted to file a written statement with the committee related to any meeting that is open in whole or in part to the public. Interested persons may also be permitted by the committee chairman to speak at such meetings in accordance with procedures established by the committee.

**§ 7.9 Closed meetings.**

(a) The requirements of § 7.8 (c) and (d) that meetings shall be open to the public and that the public shall be afforded an opportunity to participate shall not apply to any advisory committee meeting which the President or the Commission determines is concerned with matters listed in 5 U.S.C. 552(b) and § 9.5(a) of this chapter.

(b) An advisory committee which seeks to have all or part of a meeting closed shall notify the Commission before the scheduled date of the meeting. The notification shall be in writing and shall specify the reasons why any part of the meeting should be closed.

(c) A request that a meeting be closed will be granted upon a determination by the Commission that the request is in accordance with the policies of this part. The Commission's determination will be in writing and will state the specific reasons for closing all or part of the meeting. The determination will be made available to the public on request.

(d) The Commission may delegate responsibility for making the determination required by paragraph (c) of this section. In any case where a determination to close a meeting is made by the

Commission's delegate, the determination shall be reviewed by the General Counsel.

(e) When a meeting is closed to the public, the advisory committee shall issue a report at least annually setting forth a summary of its activities and such related matters as would be informative to the public consistent with the policy of 5 U.S.C. 552(b) and Part 9 of this chapter. Notice of availability of such annual report shall be published in accordance with § 7.11.

**§ 7.10 Designated federal officer or employee.**

(a) The Commission will designate an officer or employee of the Federal Government to chair or attend each meeting of each advisory committee established under this part.

(b) No advisory committee shall conduct any meeting in the absence of the Federal employee or officer designated in accordance with paragraph (a) of this section.

(c) The Federal officer or employee designated in accordance with paragraph (a) of this section is authorized, whenever he determines it to be in the public interest, to adjourn any committee meeting he is designated to chair or attend.

**§ 7.11 Public notice.**

(a) The Commission's certification prescribed by § 7.6 that creation of the advisory committee is in the public interest and a description of the nature and purpose of the committee shall be published in the FEDERAL REGISTER at least 15 days prior to the filing of the committee's charter, unless the Secretariat, for good cause, authorizes a shorter period of time between publication of the notice and the filing of the charter.

(b) Except when the Director determines otherwise for reasons of national security, timely notice of each advisory committee meeting, whether open or closed to the public, shall be published in the FEDERAL REGISTER at least 15 days before the meeting date. Such notice should state the name of the advisory committee, the time, place and purpose of the meeting, and should include, where appropriate, a summary of the meeting agenda. Notices ordinarily should state that meetings are open to the public or explain why the meeting or any portion of a meeting is to be closed. Notice shorter than the time prescribed by this paragraph may be provided in emergency situations, and the reason for such emergency exceptions shall be made part of the meeting notice. A request for a determination that notice of a meeting should not be published for reasons of national security shall be submitted to the Director with a statement of reasons supporting the request at least 30 days before the meeting is scheduled.

(c) In addition to the notice required by paragraph (b) of this section, other forms of notice such as public releases and notice by mail should be used to in-

form the public of advisory committee meetings.

(d) The Secretary of the Commission should, where practicable, maintain lists of people and organizations interested in particular advisory committees and notify them of meetings by mail.

(e) Notice of the availability of the annual report required by § 7.9(e) will be published in the FEDERAL REGISTER no later than 60 days after its completion. The notice will include instructions which will allow the public access to the report.

**§ 7.12 Minutes.**

(a) Detailed minutes of each meeting of each advisory committee shall be kept and shall contain a record of the persons present, a complete summary of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the advisory committee. The record of persons present shall include the time and place of the meeting, a list of advisory committee members and staff and agency employees present at the meeting, a list of members of the public who presented oral or written statements, and an estimate of the number of members of the public who attended the meeting. The minutes shall describe the extent to which the meeting was open to the public and the extent of public participation. If it is impracticable to attach a report received, issued or approved by the advisory committee to the minutes, the minutes will describe the report in sufficient detail to enable any person requesting the report to readily identify it.

(b) The accuracy of all minutes shall be certified to by the chairman of the advisory committee concerned, except that in the case of a subcommittee or subgroup of the advisory committee, the accuracy of minutes shall be certified to by the chairman of the subcommittee or subgroup concerned.

**§ 7.13 Transcripts of advisory committee meetings and agency proceedings.**

Except where prohibited by contractual agreements entered into prior to January 5, 1973, copies of transcripts which have been prepared of advisory committee meetings will be made available to any person at the actual cost of duplication prescribed in § 9.9 of this chapter.

**§ 7.14 Annual comprehensive review.**

(a) The Commission will conduct an annual comprehensive review of the activities and responsibilities of each advisory committee to determine:

- (1) Whether such committee is carrying out its purpose;
  - (2) Whether, consistent with the provisions of applicable statutes, the responsibilities assigned to it should be revised;
  - (3) Whether it should be merged with other advisory committees; or
  - (4) Whether it should be abolished.
- (b) Pertinent factors to be considered in the comprehensive review required

by paragraph (a) of this section include the following:

- (1) The number of times the committee has met in the past year;
- (2) The number of reports or recommendations submitted by the committee;
- (3) An evaluation of the substance of the committee's reports or recommendations with regard to the Commission's programs or operations;
- (4) An evaluation (placing emphasis on the most recent 12 month period of the committee's work) of the history of Commission utilization of the committee's recommendations in policy formulation; program planning; decision making; accomplishing program objectives more effectively; and achieving economics in programs;
- (5) Whether the information or recommendations could be obtained from sources within the Commission or from another advisory committee already in existence;
- (6) The degree of duplication of effort by the committee as compared to other parts of the agency or other advisory committees; and
- (7) The estimated annual cost of the committee.

(c) The annual review required by this section shall be conducted on a calendar-year basis, and the results of the review will be included in the annual report to the Secretariat required by § 7.16(b). The report shall contain a justification for each advisory committee which the Commission determines should be continued, making reference, as appropriate, to the factors specified in paragraph (b) of this section.

(d) The review will examine all advisory committees, and committees found to be no longer needed will be terminated. Advisory committees established by an Act of Congress or the President will be reviewed, and if appropriate, their termination recommended.

**§ 7.15 Termination and renewal of advisory committees.**

(a) Each advisory committee shall terminate not later than the expiration of the two-year period beginning on the date of its establishment unless:

- (1) In the case of an advisory committee established by the President or an officer of the Federal Government such advisory committee is renewed by the President or such officer by appropriate action prior to the end of such period; or
- (2) In the case of an advisory committee established by an Act of Congress, its duration is otherwise provided for by law.

(b) Any advisory committee which is renewed by the President or any officer of the Federal Government may be continued only for successive two-year periods by appropriate action taken by the President or such officer prior to the date on which such advisory committee would otherwise terminate.

(c) Before it renews a non-statutory advisory committee in accordance with paragraphs (a) or (b) of this section,



the Commission will inform the Secretariat by letter not more than 60 days nor less than 30 days before the committee expires of the following: (1) its determination that renewal is necessary and is in the public interest; (2) the reasons for its determination; (3) the Commission's plan to attain balanced membership of the committee; and (4) an explanation of why the committee's functions cannot be performed by the NRC or by an existing advisory committee. After concurrence by the Secretariat, the Commission will certify in writing that the renewal of the advisory committee is in the public interest and will publish a notice of the renewal in the FEDERAL REGISTER and will file a new charter in accordance with § 7.7 of this part.

(d) Any advisory committee established by an Act of Congress shall file a charter in accordance with § 7.7 upon the expiration of each successive two-year period following the date of enactment of the Act establishing such advisory committee. The Advisory Committee on Reactor Safeguards shall file a charter in accordance with § 7.7 upon the expiration of each successive two-year period after January 5, 1975.

(e) No advisory committee required under this section to file a charter shall take any action, other than preparation and filing of such charter, between the date the new charter is required and the date on which such charter is filed.

(f) For purposes of this section:

(1) "Any officer of the Federal Government" shall mean the Commission with respect to advisory committees established by the Commission;

(2) "Nonstatutory advisory committee" shall mean an advisory committee not established by statute or reorganization plan.

**§ 7.16 Reports about advisory committees.**

(a) The Commission will furnish a report on the activities of NRC advisory committees annually to the Administrator, General Services Administration, in accordance with Federal Property Management Regulations Temporary Regulation B-1.

(b) The Commission will furnish a report on the activities of NRC advisory committees annually to the Secretariat in accordance with OMB Circular A-63.

(c) The Commission will inform the Secretariat by letter of the termination or other significant changes with respect to its advisory committees no later than 10 working days following the end of the month in which the change occurred. If no changes are made during any given month, a report to the Secretariat is not required.

**§ 7.17 Availability of documents and information on advisory committees.**

(a) Subject to the provisions of Parts 2 and 9 of this chapter, the records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents which were made

available to or prepared for or by each advisory committee shall be available for public inspection and copying at a single location in the NRC Public Document Room, 1717 H Street, NW., Washington, D.C.

(b) The Commission will maintain systematic information on the nature, functions, and operations of each of its advisory committees. A complete set of the charters of the Commission's advisory committees and copies of the annual reports required by § 7.16 will be maintained for public inspection in the NRC Public Document Room.

**§ 7.18 Uniform pay guidelines.**

(a) *Members.* Subject to the provisions of this section, the pay of the member of an advisory committee shall be fixed at the daily equivalent of a rate of the Commission's General Salary Schedule unless the members are appointed as consultants and compensated as provided in paragraph (c) of this section. In determining an appropriate rate of pay for the members of an advisory committee, consideration shall be given to the significance, scope, and technical complexity of the matters with which the advisory committee is concerned and the qualifications required of the members of the advisory committee. The pay of the members of an advisory committee shall not be fixed at a rate higher than the daily equivalent of the maximum rate for GG-15 unless the Commission has determined that, under the factors set forth in this paragraph, a higher rate of pay is justified and necessary. Such a determination will be reviewed annually by the Commission.

(b) *Advisory committee staff.* The pay of each member of the staff of an advisory committee shall be fixed at a rate of the General Salary Schedule in which the staff member's position would be appropriately placed in the NRC Evaluation System applicable to the position. The pay of a member of the staff of an advisory committee shall not be fixed at a rate higher than the daily equivalent of the maximum rate for GG-15 unless the Commission has determined that, under its Evaluation System, the staff member's position would appropriately be placed in the General Salary Schedule grade higher than GG-15. Such a determination will be reviewed by the Commission annually.

(c) *Consultants.* The rate of pay of a consultant to an advisory committee shall not exceed the maximum rate of pay which the Commission may pay experts and consultants under 5 U.S.C. 3109. Consideration shall be given to the qualifications required of the consultant and the significance, scope, and technical complexity of the work in fixing the rate of pay for the consultant.

(d) *Voluntary services.* The provisions of this section shall not prevent the Commission from accepting the voluntary services of a member of an advisory committee, or a member of the staff of an advisory committee, provided that the Commission has authority to accept such services without compensation.

(e) *Reimbursable travel expenses.* The members of an advisory committee, and the staff thereof, while engaged in the performance of their duties away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703 for persons employed intermittently in the government service.

**§ 7.19 Fiscal and administrative responsibilities.**

(a) The Controller shall keep records as will fully disclose the disposition of any funds which may be at the disposal of NRC advisory committees.

(b) The Office of Administration shall keep records as will fully disclose the nature and extent of activities of NRC advisory committees.

(c) Support services shall be provided by NRC for each advisory committee established by or reporting to it unless the establishing authority provides otherwise. Where any such advisory committee reports to more than one agency, only one agency shall be responsible for support services at any one time, and the establishing authority shall designate the agency responsible for providing such services.

**PART 10—CRITERIA AND PROCEDURES FOR DETERMINING ELIGIBILITY FOR ACCESS TO RESTRICTED DATA OR NATIONAL SECURITY INFORMATION**

67. The citation of authority following the table of contents of Part 10 is amended by adding the following:

Sec. 201(f) Pub. L. 93-438, 88 Stat. 1243 (42 U.S.C. 5841).

68. The term "AEC" is changed to "NRC", and the term "Atomic Energy Commission" is changed to "Nuclear Regulatory Commission" and the term "Division of Security" is changed to "Office of Administration" wherever they appear in Part 10.

69. The term "defense information" is changed to "national security information" wherever it appears in Part 10.

**§§ 10.1, 10.2, 10.5, 10.21 [Amended]**

70. In §§ 10.1, 10.2(d), 10.5(a), and 10.21 the term "General Manager" is changed to "Executive Director for Operations".

71. In § 10.1, the words "and the Energy Reorganization Act of 1974" are added after "the Atomic Energy Act of 1954, as amended".

72. In § 10.5, paragraphs (b)-(e) are revised to read as follows:

**§ 10.5 Definitions.**

(b) "Board" means a Personnel Security Board appointed by the Office of Administration and consisting of three members, one of whom shall be designated as Chairman;

(c) "Hearing Counsel" means an NRC attorney assigned to prepare and conduct Board hearings;

(d) "Personnel Security Review Board" means an appeal board appointed by

the Executive Director for Operations and consisting of three members, one of whom shall be designated as Chairman;

(e) "Commission" means the Nuclear Regulatory Commission of five members or a quorum thereof sitting as a body, as provided by Section 201 of the Energy Reorganization Act of 1974.

**§ 10.10 [Amended]**

73. Paragraph 10.10(c) is amended by deleting the second sentence thereof.

74. In § 10.11, paragraphs (a) (3), (b) (3) and (b) (4) are revised to read as follows:

**§ 10.11 Derogatory information.**

(a) . . . .

(3) Held knowing membership with the specific intent of furthering the aims of, or adherence to and active participation in, any foreign or domestic organization, association, movement, group, or combination of persons which unlawfully advocates or practices the commission of acts of force or violence to prevent others from exercising their rights under the Constitution or laws of the United States or of any State, or which seeks to overthrow the Government of the United States or any State or subdivision thereof by unlawful means.

(b) . . . .

(3) Affiliated with any organization, association, movement, group or combination of persons falling within provisions of Category "A", paragraph (a) (3) of this section, provided the individual or spouse did not discontinue the affiliation when he or she learned of its unlawful advocacy, practices or objectives referred to in such paragraph (a) (3), or did not otherwise establish rejection of such unlawful advocacy, practices, or objectives.

(4) Associated with any person or organization, association, movement, group, or combination of persons falling within the provisions of Category "A", paragraph (a) (3) of this section, provided the individual or spouse did not discontinue affiliation when he or she learned of its unlawful advocacy, practices or objectives referred to in such paragraph (a) (3), or did not otherwise establish rejection of such unlawful advocacy, practices, or objectives. Ordinarily, this will not include chance or casual meetings nor contacts limited to normal business or official relations.

**§ 10.21 [Amended]**

75. In § 10.21, the phrase in the first sentence "Manager of the office concerned" is changed to "Office of Administration", the term "via the Director, Division of Security, AEC," is deleted and the word "Manager" in the second sentence is changed to "Office of Administration".

**§ 10.22 [Amended]**

76. In § 10.22, the prefatory language is amended by changing "Manager of

Operations" to "Office of Administration", paragraphs (c) and (d) are amended by changing the term "Manager from whom he received such letter" to "Office of Administration", paragraph (f) is amended by changing "Manager" to "Executive Director for Operations", and paragraph (h) is amended by changing "Manager of Operations" to "Office of Administration", "General Manager" to "Executive Director of Operations".

**§§ 10.24, 10.25, 10.26, 10.29, 10.30, 10.31, 10.32, 10.33, and 10.34 [Amended]**

77. In the sections cited above, the term "Manager of Operations" is changed to "Office of Administration" and the term "General Manager" is changed to "Executive Director for Operations".

**§§ 10.25, 10.26, 10.27, and 10.28 [Amended]**

78. In the sections cited above, the term "Manager" is changed to "Office of Administration".

**§ 10.27 [Amended]**

79. In § 10.27, the phrase "Director, Division of Security, AEC, and the" in the third sentence of paragraph (j) is deleted and the term "General Counsel" is changed to "Executive Legal Director".

**§ 10.28 [Amended]**

80. In § 10.28(a), the words "individual's past employment in the atomic energy program" are changed to "individual's past employment in the nuclear energy field".

**§ 10.30 [Amended]**

81. In § 10.30, the term "Manager" and "Manager of Operations" is changed to "Office of Administration" and the phrase "through the Director, Division of Security, AEC" in paragraph (b) and the second sentence in paragraph (b) is deleted.

**§ 10.32 [Amended]**

82. In § 10.32, paragraph (b) is amended by changing the words "atomic energy program" to "Commission's program" and deleting the word "operational".

**§ 10.34 [Amended]**

83. In § 10.34, paragraph (b) is amended by changing the phrase "the Manager of Operations having jurisdiction over the position for which access authorization is required" to "Office of Administration" and paragraph (c) is amended by deleting the phrase, "and in any other case only with specific prior approval of the Director, Division of Security, AEC".

**§ 10.38 [Deleted]**

84. Section 10.38 is deleted.

**PART 11—ENVIRONMENTAL STATEMENTS—OPERATIONS**

**PART 12—GRAND JUNCTION REMEDIAL ACTION CRITERIA**

85. Parts 11 and 12 are deleted.

**PART 14—ADMINISTRATIVE CLAIMS UNDER FEDERAL TORT CLAIMS ACT**

86. Part 14 is amended by changing the term "AEC" to "NRC" where it appears, and by changing the term "Atomic Energy Commission" to "Nuclear Regulatory Commission" where it appears.

87. Paragraph 14.1(b) is revised to read as follows:

**§ 14.1 Scope of regulations.**

(b) The terms "Nuclear Regulatory Commission" and "Commission" as used in this part mean the agency established by section 201(a) of the Energy Reorganization Act of 1954, but do not include any contractor with the Nuclear Regulatory Commission.

88. Paragraph 14.2(b) is revised to read as follows:

**§ 14.2 Administrative claim; when presented; appropriate NRC office.**

(b) A claimant shall mail or deliver his claim to the office of employment of the Commission employee or employees whose negligent or wrongful act or omission is alleged to have caused the loss or injury complained of. Where such office of employment is not known and not reasonably ascertainable, claimant shall file his claim with the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

89. Section 14.6 is revised to read as follows:

**§ 14.6 Authority to adjust, determine, compromise, and settle.**

The authority to consider, ascertain, adjust, determine, compromise, and settle claims under the provisions of 28 U.S.C. 2672, as provided herein, is delegated to the Executive Director for Operations or his designee.

90. Section 14.8 is revised to read as follows:

**§ 14.8 Referral to Department of Justice.**

When Department of Justice approval or consultation is required under § 14.7, the referral or request shall be transmitted to the Department of Justice by the General Counsel or his designee after review and approval by the Executive Director for Operations or his designee.

**§ 14.9 [Amended]**

91. Section 14.9 is amended by deleting the words "or by the appropriate Chief Counsel or his designee."

**PART 19—NOTICES, INSTRUCTIONS, AND REPORTS TO WORKERS; INSPECTIONS**

92. The citation of authority following the table of contents of Part 19 is revised to read as follows:

AUTHORITY: Secs. 53, 63, 81, 103, 104, 161, Pub. L. 83-703, 68 Stat. 930, 933, 935, 936.

937, 948, as amended (42 U.S.C. 2073, 2093, 2111, 2133, 2134, 2201); Sec. 401, Pub. L. 93-438, 88 stat. 1254 (42 U.S.C. 5891)

93. Section 19.1 is revised to read as follows:

§ 19.1 Purpose.

The regulations in this part establish requirements for notices, instructions, and reports by licensees to individuals participating in licensed activities, and options available to such individuals in connection with Commission inspections of licensees to ascertain compliance with the provisions of the Atomic Energy Act of 1954, as amended, Title II of the Energy Reorganization Act of 1974, and regulations, orders, and licenses thereunder regarding radiological working conditions.

94. Section 19.2 is revised to read as follows:

§ 19.2 Scope.

The regulations in this part apply to all persons who receive, possess, use, or transfer material licensed by the Nuclear Regulatory Commission pursuant to the regulations in Parts 30 through 35, 40, or 70 of this chapter, including persons licensed to operate a production or utilization facility pursuant to Part 50 of this chapter.

§ 19.3 [Amended]

95. Paragraph 19.3(b) is amended by deleting the words "Atomic Energy Commission" and substituting therefor "Nuclear Regulatory Commission".

96. Section 19.5 is revised to read as follows:

§ 19.5 Communications.

Except where otherwise specified in this part, all communications and reports concerning the regulations in this part should be addressed to the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Communications, reports, and applications may be delivered in person at the Commission's offices at 1717 H Street, NW., Washington, D.C.; or at 7920 Norfolk Avenue, Bethesda, Maryland.

97. Paragraph (c) of §19.11 is revised to read as follows:

§ 19.11 Posting of notices to workers.

(c) Form NRC-3, "Notice to Employees", shall be posted by each licensee wherever individuals work in or frequent any portion of a restricted area.

NOTE: Copies of Form NRC-3 may be obtained by writing to the Director of the appropriate U.S. Nuclear Regulatory Commission Inspection and Enforcement Regional Office listed in Appendix "D", Part 20 of this chapter, or the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

§ 19.13 [Amended]

98. Section 19.13 is amended by changing the term "Atomic Energy Commission" to "Nuclear Regulatory Commission".

§§ 19.16 and 19.17 [Amended]

99. Sections 19.16 and 19.17 are amended by changing the term "Director of Regulation" to "Executive Director for Operations", by changing the term "Atomic Energy Commission" to "Nuclear Regulatory Commission", by changing the term "Regulatory Operations" to "Inspection and Enforcement" and by changing the zip code "20545" to "20555".

100. In § 19.30, the first sentence is amended to read as follows:

§ 19.30 Violations.

An injunction or other court order may be obtained prohibiting any violation of any provision of the Act or Title II of the Energy Reorganization Act of 1974, or any regulation or order issued thereunder. . . .

101. A new § 19.32 is added to read as follows:

§ 19.32 Discrimination prohibited.

No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity licensed by the Nuclear Regulatory Commission. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964. This remedy is not exclusive, however, and will not prejudice or cut off any other legal remedies available to a discriminatee.

PART 20—STANDARDS FOR PROTECTION AGAINST RADIATION

102. The citation of authority following the table of contents of Part 20 is amended by adding the following:

(Secs. 202, 206, Pub. L. 93-438, 88 Stat. 1244, 1246 (42 U.S.C. 5842, 5846))

103. The term "Atomic Energy Commission" is changed to "Nuclear Regulatory Commission", the term "AEC" is changed to "NRC", the term "USAEC" is changed to "USNRC", the term "Regulatory Operations" is changed to "Inspection and Enforcement", and the zip code "20545" is changed to "20555" wherever they appear in Part 20.

104. Paragraph 20.1(a) is revised to read as follows:

§ 20.1 Purpose.

(a) The regulations in this part establish standards for protection against radiation hazards arising out of activities under licenses issued by the Nuclear Regulatory Commission and are issued pursuant to the Atomic Energy Act of 1954, as amended; and the Energy Reorganization Act of 1974.

§ 20.1 [Amended]

105. Paragraph 20.1(c) is amended by changing the term "Atomic Energy Act of 1954, as amended" to "Atomic Energy

Act of 1954, as amended, and the Energy Reorganization Act of 1974".

106. Section 20.2 is revised to read as follows:

§ 20.2 Scope.

The regulations in this part apply to all persons who receive, possess, use, or transfer material licensed pursuant to the regulations in Parts 30 through 35, 40, or 70 of this chapter, including persons licensed to operate a production or utilization facility pursuant to Part 50 of this chapter.

107. Section 20.3 is amended by revising paragraph (a) (11) and by adding a new paragraph (a) (18) to read as follows:

§ 20.3 Definitions.

(a) As used in this part:

(11) "Person" means (i) any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, Government agency other than the Commission or the Administration (except that the Administration shall be considered a person within the meaning of the regulations in this part to the extent that its facilities and activities are subject to the licensing and related regulatory authority of the Commission pursuant to section 202 of the Energy Reorganization Act of 1974 (88 Stat. 1244)), any State, any foreign government or nation or any political subdivision of any such government or nation, or other entity; and (ii) any legal successor, representative, agent, or agency of the foregoing.

(18) "Administration" means the Energy Research and Development Administration or its duly authorized representatives.

108. Section 20.7 is revised to read as follows:

§ 20.7 Communications.

Except where otherwise specified in this part, all communications and reports concerning the regulations in this part should be addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Communications, reports, and applications may be delivered in person at the Commission's offices at 1717 H Street NW., Washington, D.C.; or at 7920 Norfolk Avenue, Bethesda, Maryland.

§§ 20.407 and 20.408 [Amended]

109. Paragraph 20.407(b) and § 20.408 are amended by changing the term "Director of Regulation, U.S. Atomic Energy Commission" to "Executive Director for Operations, U.S. Nuclear Regulatory Commission".

§ 20.407 [Amended]

110. Section 20.407 is amended by inserting "or the Atomic Energy Commission" after "Commission" in paragraph (a) and by deleting the first sentence of footnote 2.



111. Section 20.601 is revised to read as follows:

**§ 20.601 Violations.**

An injunction or other court order may be obtained prohibiting any violation of any provision of the Atomic Energy Act of 1954, as amended, or Title II of the Energy Reorganization Act of 1974, or any regulation or order issued thereunder. A court order may be obtained for the payment of a civil penalty imposed pursuant to section 234 of the Act for violation of section 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, or 109 of the Act, or section 206 of the Energy Reorganization Act of 1974, or any rule, regulation, or order issued thereunder, or any term, condition, or limitation of any license issued thereunder, or for any violation for which a license may be revoked under section 186 of the Act. Any person who willfully violates any provision of the Act or any regulation or order issued thereunder may be guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both, as provided by law.

**Appendix D [Amended]**

112. Appendix D is amended by changing the term "Directorate of Regulatory Operations" to "Office of Inspection and Enforcement" each time it appears.

**PART 30—RULES OF GENERAL APPLICABILITY TO LICENSING OF BYPRODUCT MATERIAL**

113. The citation of authority following the table of contents of Part 30 is revised to read as follows:

**AUTHORITY:** Secs. 81, 82, 161, 162, 183, 68 Stat. 935, 948, 953, 954, as amended (42 U.S.C. 2111, 2112, 2201, 2232, 2233); sec. 202, 206, 88 Stat. 1244, 1246 (42 U.S.C. 5842 and 5846).

Section 30.34(b) also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). For the purposes of sec. 223, 68 Stat. 958, as amended, 42 U.S.C. 2273, § 30.34(c) issued under sec. 161b., 68 Stat. 948 (42 U.S.C. 2201 (b)) and §§ 30.51 and 30.52 issued under sec. 161, 68 Stat. 950, as amended (42 U.S.C. 2201(c)).

114. The terms "Atomic Energy Commission", "AEC", "Director of Regulatory Operations", and the ZIP code "20545" are changed to "Nuclear Regulatory Commission", "NRC", "Office of Inspection and Enforcement", and "20555", respectively, where they appear in Part 30, except as otherwise indicated.

115. Section 30.1 is revised to read as follows:

**§ 30.1 Purpose and scope.**

This part prescribes rules applicable to all persons in the United States governing licensing of byproduct material under the Atomic Energy Act of 1954, as amended (68 Stat. 919), and under Title II of the Energy Reorganization Act of 1974 (88 Stat. 1242), and exemptions from the licensing requirements permitted by section 81 of the Act.

116. In § 30.4 a new paragraphs (a-1) is added, and the paragraphs (c) and (k) are revised to read as follows:

**§ 30.4 Definitions.**

(a-1) "Administration" means the Energy Research and Development Administration or its duly authorized representatives;

(c) "Agreement State" means any state with which the Atomic Energy Commission or the Nuclear Regulatory Commission has entered into an effective agreement under subsection 274b. of the Act. "Non-agreement State" means any other State;

(k) "Person" means (1) any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, Government agency other than the Commission or the Administration, except that the Administration shall be considered a person within the meaning of the regulations in this part to the extent that its facilities and activities are subject to the licensing and related regulatory authority of the Commission pursuant to section 202 of the Energy Reorganization Act of 1974 (88 Stat. 1244),<sup>\*</sup> any State or any political subdivision of or any political entity within a State, any foreign government or nation or any political subdivision of any such government or nation, or other entity; and (2) any legal successor, representative, agent, or agency of the foregoing;

**§ 30.6 [Amended]**

117. Section 30.6 is amended by changing the words "Director of Regulation" to "Director of Nuclear Material Safety and Safeguards" and by deleting the words " or at Germantown, Maryland."

118. In § 30.11, footnote 2 is deleted and paragraph (b) is revised to read as follows:

**§ 30.11 Specific exemptions.<sup>1</sup>**

(b) Any person subject to the provisions of §§ 30.32(f) and 30.33(a) (5) may request an exemption from the require-

<sup>\*</sup>The Administration facilities and activities identified in section 202 are:

(1) Demonstration Liquid Metal Fast Breeder reactors when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(2) Other demonstration nuclear reactors, except those in existence on January 19, 1975, when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(3) Facilities used primarily for the receipt and storage of high-level radioactive wastes resulting from licensed activities.

(4) Retrievable Surface Storage Facilities and other facilities authorized for the express purpose of subsequent long-term storage of high-level radioactive waste generated by the Administration, which are not used for, or are part of, research and development activities.

ments of those provisions. The Commission may grant an exemption from the provisions of § 30.32(f) and 30.33(a) (5) upon considering and balancing the following factors:

(1) Whether conduct of the proposed activities will give rise to a significant adverse impact on the environment and the nature and extent of such impact, if any;

(2) Whether redress of any adverse environmental impact from conduct of the proposed activities can reasonably be effected should such redress be necessary.

(3) Whether conduct of the proposed activities would foreclose subsequent adoption of alternatives; and

(4) The effect of delay in conducting such activities on the public interest. During the period of any exemption granted pursuant to this paragraph (b), any activities conducted shall be carried out in such a manner as will minimize or reduce their environmental impact.

119. Section 30.12 is revised to read as follows:

**§ 30.12 Persons using byproduct material under certain Energy Research and Development Administration and Nuclear Regulatory Commission contracts.**

Except to the extent that Administration facilities or activities of the types subject to licensing pursuant to section 202 of the Energy Reorganization Act of 1974 are involved, any prime contractor of the Administration is exempt from the requirements for a license set forth in sections 81 and 82 of the Act and from the regulations in this part to the extent that such contractor, under his prime contract with the Administration manufactures, produces, transfers, receives, acquires, owns, possesses, uses, imports, or exports byproduct material for: (a) the performance of work for the Administration at a United States Government-owned or controlled site, including the transportation of by product material to or from such site and the performance of contract services during temporary interruptions of such transportation; (b) research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof; or (c) the use or operation of nuclear reactors or other nuclear devices in a United States Government-owned vehicle or vessel. In addition to the foregoing exemptions and subject to the requirement for licensing of Administration facilities and activities pursuant to section 202 of the Energy Reorganization Act of 1974, any prime contractor or subcontractor of the Administration or the Commission is exempt from the requirements for a license set forth in sections 81 and 82 of the Act and from the regulations in this part to the extent that such prime contractor or subcontractor manufactures, produces, transfers, receives, acquires, owns, possesses, uses, imports or exports byproduct material under his prime contract or subcontract when the Commission determines that the exemption of the prime contractor or subcontractor is authorized by law; and that, under the terms of the contract or

subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety.

§ 30.14 [Amended]

120. Section 30.14(c) is amended by changing the words "or the Commission" to "the Commission, or the Atomic Energy Commission".

§§ 30.19 and 30.20 [Amended]

121. Sections 30.19(a) and 30.20(a) are amended by deleting the words "by the Commission".

122. Section 30.32(a) is revised to read as follows:

§ 30.32 Application for specific licenses.

(a) Applications for specific licenses should be filed on Form NRC-313, "Application for Byproduct Material License," with the Director of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Applications may be filed in person at the Commission's offices at 1717 H Street, N.W., Washington, D.C., at 7920 Norfolk Avenue, Bethesda, Maryland. Information contained in previous applications, statements or reports filed with the Commission or the Atomic Energy Commission may be incorporated by reference, provided that such references are clear and specific.

§ 30.33 [Amended]

123. Section 30.33 is amended by changing the term "Director of Regulation" in the first sentence in paragraph (a) (5) to "Director of Nuclear Material Safety and Safeguards".

§ 30.35 [Deleted]

124. Section 30.35 is deleted.

§ 30.41 [Amended]

125. In § 30.41, paragraph (b)(1) is amended by changing the term "Commission" to "Administration", paragraph (b) (5) is amended by changing the words "Commission or" to "Atomic Energy Commission, the Commission or", and paragraph (b) (2) is revised to read as follows:

(b) . . .  
(2) To the agency in any Agreement State which regulates radioactive material pursuant to an agreement under section 274 of the Act;

§ 30.55 [Amended]

126. In § 30.55, the last sentence in paragraphs (a) and (b) is amended by changing the term "U.S. Atomic Energy Commission, Post Office Box E, Oak Ridge, TN 37830" to "U.S. Energy Research and Development Administration, Post Office Box E, Oak Ridge, Tennessee 37830".

127. § 30.35, footnote 1 is deleted and the first sentence of paragraph (b) is revised to read as follows:

§ 30.55 Tritium reports.

(b) Except as specified in paragraph (d) and (e) of this section, each licensee

who is authorized to possess at any one time and location more than 10,000 curies of tritium shall submit to the Commission within thirty (30) days after June 30 and December 31 of each year a statement of his tritium inventory to the nearest hundredth of a gram calculated at 10,000 curies per gram. . . .

§ 30.62 [Amended]

128. In § 30.62, the words "withhold, recall or order" are changed to "cause" and the section heading is amended to read as follows:

§ 30.62 Right to cause the withholding or recall of byproduct material.

129. Section 30.63 is revised to read as follows:

§ 30.63 Violations.

An injunction or other court order may be obtained prohibiting any violation of any provision of the Atomic Energy Act of 1954, as amended, or Title II of the Energy Reorganization Act of 1974, or any regulation or order issued thereunder. A court order may be obtained for the payment of a civil penalty imposed pursuant to section 234 of the Act for violation of section 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, or 109 of the Act, or section 206 of the Energy Reorganization Act of 1974, or any rule, regulation, or order issued thereunder, or any term, condition, or limitation of any license issued thereunder, or for any violation for which a license may be revoked under section 186 of the Act. Any person who willfully violates any provision of the Act or any regulation or order issued thereunder may be guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both, as provided by law.

PART 31—GENERAL LICENSES FOR BYPRODUCT MATERIAL

130. The terms "Atomic Energy Commission", "AEC", "Regulatory Operations", "Director of Licensing", and the zip code "20545" are changed to "Nuclear Regulatory Commission", "NRC", "Inspection and Enforcement", "Director of Nuclear Material Safety and Safeguards", and "20555" respectively where they appear.

§ 31.5 [Amended]

131. In § 31.5, paragraph (b) is amended by deleting the words "by the Commission", paragraphs (c) (3) and (c) (5) are amended by changing the words "from the Commission or" to "pursuant to Parts 30 and 32 of this chapter or from", paragraph (c) (7) is amended by changing the words "from the Commission or" to "pursuant to Parts 30 and 36 of this chapter or from", and paragraph (c) (8) is amended by changing the words "specific licensee of the Commission or of an Agreement State whose specific license authorizes him" to "person holding a specific license pursuant to Parts 30 and 32 of this chapter or from an Agreement State".

§ 31.8 [Amended]

132. In § 31.8, paragraph (a) is amended by changing the words "by the Commission" to "pursuant to this chapter" wherever they appear, paragraph (b) is amended by deleting the words "by the Commission", and paragraph (c) is amended by changing the words "from the Commission or" to "pursuant to this chapter or from", and by adding after the colon following the word "statement" a footnote which reads as follows:

Sources generally licensed under this section prior to January 19, 1975 may bear labels authorized by the regulations in effect on January 1, 1975.

§ 31.10 [Amended]

133. In § 31.10, paragraph (a) is amended by deleting the words "by the Commission" and paragraph (b) is amended by changing the words "from the Commission or" to "pursuant to Parts 30 and 32 of this chapter or from".

§ 31.11 [Amended]

134. In § 31.11, the term "Materials Branch, Directorate of Licensing" in paragraph (b) is changed to "Office of Nuclear Material Safety and Safeguards", the words "to a person who is not authorized to receive it pursuant to a license issued by the Commission or" in paragraph (c) are changed to "except by transfer to a person authorized to receive it by a license pursuant to this chapter or from" and a footnote is added after the colon following the word "package" in paragraph (d) (2) to read as follows:

Material generally licensed under this section prior to January 19, 1975 may bear labels authorized by the regulations in effect on January 1, 1975.

PART 32—SPECIFIC LICENSES TO MANUFACTURE, DISTRIBUTE, OR IMPORT CERTAIN ITEMS CONTAINING BYPRODUCT MATERIAL

135. The term "Director of Licensing" is changed to "Director of Nuclear Material Safety and Safeguards" where it appears.

136. The terms "Atomic Energy Commission", "AEC", and the zip code "20545" are changed to "Nuclear Regulatory Commission", "NRC" and "20555", respectively, where they appear.

§ 32.51 [Amended]

137. In § 32.51(a) (3) (iii), a footnote is added after the colon following the word "form" to read as follows:

Devices licensed under § 32.51 prior to January 19, 1975 may bear labels authorized by the regulations in effect on January 1, 1975.

§ 32.54 [Amended]

138. In § 32.54, paragraph (a) is amended by changing footnote 1 to read as follows:

Devices licensed under section 32.53 prior to January 19, 1975 may bear labels authorized by the regulations in effect on January 1, 1975.

**§ 32.58 [Amended]**

139. In § 32.58, a footnote is added after the colon following the word "statement" to read as follows:

Sources licensed under section 32.57 prior to January 19, 1975 may bear labels authorized by the regulations in effect on January 1, 1975.

**§ 32.70 [Amended]**

140. In § 32.70(c), a footnote is added after the colon following the word "package" to read as follows:

Radioactive drugs licensed under § 32.70 prior to January 19, 1975 may bear labels authorized by the regulations in effect on January 1, 1975.

**§ 32.71 [Amended]**

141. In § 32.71(d), a footnote is added after the colon following the word "package" to read as follows:

Material licensed under section 32.71 prior to January 19, 1975 may bear labels authorized by the regulations in effect on January 1, 1975.

**§§ 32.72, 32.73, 32.74 [Amended]**

142. Paragraphs 32.72(a)(4)(i), 32.73(a)(5)(ii) and 32.74(a)(3) are amended by changing the words "Commission on or before" to "Atomic Energy Commission on or before".

**PART 33—SPECIFIC LICENSES OF BROAD SCOPE FOR BYPRODUCT MATERIAL**

**§ 33.12 [Amended]**

143. Section 33.12 in 10 CFR Part 33 is amended by changing the words "Form AEC-313" to read "Form NRC-313".

**PART 34—LICENSES FOR RADIOGRAPHY AND RADIATION SAFETY REQUIREMENTS FOR RADIOGRAPHIC OPERATIONS**

**§ 34.3 [Amended]**

144. Section 34.3 in 10 CFR Part 34 is amended by changing the term "Form AEC 313R" to "Form NRC 313R".

**§ 34.25 [Amended]**

145. In § 34.25, paragraph (d) is amended by changing the address "Director of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545" to "Director of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555" and by changing the term "Atomic Energy Commission Regulatory Operations" to "Nuclear Regulatory Commission's Inspection and Enforcement".

**§ 34.31 [Amended]**

146. In § 34.31, paragraph (a)(2) is amended by changing the term "AEC license(s)" to "NRC license(s)".

**PART 35—HUMAN USES OF BYPRODUCT MATERIAL**

147. The terms "Atomic Energy Commission", "AEC", and "Regulatory Operations" are changed to "Nuclear Regulatory Commission", "NRC", and "Ins-

pection and Enforcement" respectively where they appear except in §§ 35.14 (b)(1)(iii) and in 35.14(f)(1).

148. In § 35.14, paragraphs (b)(1)(i), (b)(2)(ii) and (b)(3)(i) are amended by deleting the words "by the Commission," paragraphs (b)(1)(iii) and (d)(4)(iii) are amended by deleting the words after the date "August 16, 1974" and substituting "on which application the Atomic Energy Commission or the Nuclear Regulatory Commission or the Agreement State has not acted." and paragraphs (b)(2)(iii) and (b)(3)(iii) are revised to read as follows:

**§ 35.14 Specific licenses for certain groups of medical uses of byproduct material.**

(b) . . .  
(1) . . .

(2) For Group III, no licensee shall receive, possess, or use generators or reagent kits containing byproduct material or shall use reagent kits that do not contain byproduct material to prepare radiopharmaceuticals containing byproduct material, except:

(iii) Generators or reagent kits that the manufacturer distributed on or before August 16, 1974 for which an application for license or approval was filed with the Atomic Energy Commission pursuant to § 32.73 of this chapter or with an Agreement State pursuant to equivalent State regulations on or before October 15, 1974 on which application the Atomic Energy Commission or the Nuclear Regulatory Commission or the Agreement State has not acted.

(3) For Group VI, no licensee shall receive, possess or use byproduct material except as contained in a source or device that has been manufactured, labeled, packaged and distributed in accordance with:

(iii) An application filed with the Atomic Energy Commission pursuant to § 32.74 of this chapter or with an Agreement State pursuant to equivalent State regulations on or before October 15, 1974 for a license to manufacture a source or device that the applicant distributed commercially on or before August 16, 1974 on which application the Atomic Energy Commission or the Nuclear Regulatory Commission or the Agreement State has not acted.

**§ 35.14 [Amended]**

149. In § 35.14, paragraph (b)(2)(i) is amended by changing the words "the Commission" to "the Commission or the Atomic Energy Commission", paragraph (b)(5)(vi) is amended by deleting the words after the word "him" and by substituting the words "by the Atomic Energy Commission or the Commission.", and paragraph (f)(1) is amended by changing the words "or an Agreement State" to ", the Commission, or an Agreement State".

**§ 35.31 [Amended]**

150. Section 35.31 is amended by changing the term "Director of Licens-

ing" to "Director of Nuclear Material Safety and Safeguards" and by changing the zip code "20545" to "20555" where they appear.

**PART 36—EXPORT AND IMPORT OF BYPRODUCT MATERIAL**

151. The term "Director of Licensing, U.S. Atomic Energy Commission" is changed to "Director of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission", the letters "AEC" are changed to "NRC"; and the zip code "20545" is changed to "20555" wherever they appear in Part 36.

**§ 36.11 [Amended]**

152. In § 36.11 the semicolon and words following the term "Md." are deleted.

153. Section 36.2 is revised to read as follows:

**§ 36.2 Communications.**

(a) All communications and reports concerning the regulations in this part should be addressed to the Director of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

(b) Communications and reports may be delivered in person at the Commission's offices at 1717 H Street, NW., Washington, D.C. or at 7920 Norfolk Avenue, Bethesda, Maryland.

**§§ 36.21, 36.22, 36.23, and 36.24 [Amended]**

154. The general license designations in §§ 36.21(a) and (b), 36.22(a) and (b), 36.23, and 36.24(a) and (b) are amended by changing the letters "AEC" to "NRC".

**PART 40—LICENSING OF SOURCE MATERIAL**

155. The citation of authority following the table of contents of Part 40 is revised to read as follows:

**AUTHORITY:** Secs. 62, 63, 64, 65, 161, 182, 183, 68 Stat. 932, 933, 948, 953, 954, as amended; (42 U.S.C. 2092, 2093, 2094, 2095, 2201, 2232, 2233); secs. 202, 206 88 Stat. 1244, 1246 (42 U.S.C. 5842, 5846) unless otherwise noted.

Section 40.46 also issued under sec. 184, 68 Stat. 954, as amended; 42 U.S.C. 2234. For the purposes of sec. 223, 68 Stat. 958, as amended; 42 U.S.C. 2273, § 40.41(c) issued under sec. 161b., 68 Stat. 948; 42 U.S.C. 2201 (b) and §§ 40.23(e)(3), 40.61 and 40.62 issued under sec. 161a., 68 Stat. 950, as amended; 42 U.S.C. 2201(o).

156. The terms "Atomic Energy Commission," "AEC" and the zip code "20545" are changed to "Nuclear Regulatory Commission", "NRC" and "20555," respectively, where they appear in Part 40, except as otherwise indicated.

157. In § 40.1 of 10 CFR Part 40, paragraph (b) is revised to read as follows:

**§ 40.1 Purpose.**

(b) The regulations contained in this part are issued pursuant to the Atomic Energy Act of 1954, as amended, (68 Stat. 919) and Title II of the Energy Reorganization Act of 1974 (88 Stat. 1242).



158. In § 40.4 a new paragraph (a-1) is added, and paragraphs (c) and (m) are revised to read as follows:

§ 40.4 Definitions.

As used in this part:

(a-1) "Administration" means the Energy Research and Development Administration or its duly authorized representatives.

(e) "Person" means (1) any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group Government agency other than the Commission or the Administration except that the Administration shall be considered a person within the meaning of the regulations in this part to the extent that its facilities and activities are subject to the licensing and related regulatory authority of the Commission pursuant to section 202 of the Energy Reorganization Act of 1974 (88 Stat. 1244), any State or any political subdivision of, or any political entity within a State, any foreign government or nation or any political subdivision of any such government or nation, or other entity; and (2) any legal successor, representative, agent or agency of the foregoing.

(m) "Agreement State" means any State with which the Atomic Energy Commission or the Nuclear Regulatory Commission has entered into an effective agreement under subsection 274b. of the Atomic Energy Act of 1954, as amended.

159. The term "Director of Licensing" is changed to "Director of Nuclear Material Safety and Safeguards" where it appears in part 40.

§§ 40.5 and 40.31 [Amended]

160. The last sentence in § 40.5 and the second sentence in § 40.31(a) are amended by deleting the words "; or at Germantown, Maryland".

161. Section 40.11 is revised to read as follows:

\*The Administration facilities and activities identified in section 202 are:

(1) Demonstration Liquid Metal Fast Breeder reactors when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(2) Other demonstration nuclear reactors, except those in existence on January 19, 1975, when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(3) Facilities used primarily for the receipt and storage of high-level radioactive wastes resulting from licensed activities.

(4) Retrievable Surface Storage Facilities and other facilities authorized for the express purpose of subsequent long-term storage of high-level radioactive waste generated by the Administration, which are not used for, or are part of, research and development activities.

§ 40.11 Persons using source material under certain Energy Research and Development Administration and Nuclear Regulatory Commission contracts.

Except to the extent that Administration facilities or activities of the types subject to licensing pursuant to section 202 of the Energy Reorganization Act of 1974 are involved, any prime contractor of the Administration is exempt from the requirements for a license set forth in sections 62, 63, and 64 of the Act and from the regulations in this part to the extent that such contractor, under his prime contract with the Administration, receives, possesses, uses, transfers, delivers, or imports into or exports from the United States source material for: (a) The performance of work for the Administration at a United States Government-owned or controlled site, including the transportation of source material to or from such site and the performance of contract services during temporary interruptions of such transportation; (b) research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof; or (c) the use or operation of nuclear reactors or other nuclear devices in a United States Government-owned vehicle or vessel. In addition to the foregoing exemptions, and subject to the requirement for licensing of Administration facilities and activities pursuant to section 202 of the Energy Reorganization Act of 1974, any prime contractor or subcontractor of the Administration or the Commission is exempt from the requirements for a license set forth in sections 62, 63, and 64 of the Act and from the regulations in this part to the extent that such prime contractor or subcontractor receives, possesses, uses, transfers, delivers, or imports into or exports from the United States source material under his prime contract or subcontract when the Commission determines that the exemption of the prime contractor or subcontractor is authorized by law; and that, under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety.

§ 40.13 [Amended]

162. In § 40.13(c) (5) (i), the words "or the Atomic Energy Commission" are added after "the Commission".

§ 40.13 [Amended]

163. In footnote 1 to § 40.13(c) (5) (ii), the words "the Commission" are changed to "the Atomic Energy Commission".

164. In § 40.14, the footnote to paragraph (a) is deleted and paragraph (b) is revised to read as follows:

§ 40.14 Specific exemptions.

(b) Any person subject to the provisions of §§ 40.31(f) and 40.32(e) may request an exemption from the requirements of those provisions. The Commission may grant an exemption from the

provisions of §§ 40.31(f) and 40.32(e) upon considering and balancing the following factors:

(1) Whether conduct of the proposed activities will give rise to a significant adverse impact on the environment and the nature and extent of such impact, if any;

(2) Whether redress of any adverse environmental impact from conduct of the proposed activities can reasonably be effected should such redress be necessary;

(3) Whether conduct of the proposed activities would foreclose subsequent adoption of alternatives; and

(4) The effect of delay in conducting such activities on the public interest. During the period of any exemption granted pursuant to this paragraph (b), any activities conducted shall be carried out in such a manner as will minimize or reduce their environmental impact.

§ 40.23 [Amended]

165. In § 40.23(c), the words "or the Atomic Energy Commission" are inserted after the words "the Commission".

§ 40.47 [Deleted]

166. Section 40.47 is deleted.

§ 40.32 [Amended]

167. The first sentence in § 40.32(e) is amended by changing the words "Director of Regulation" to read "Director of Nuclear Material Safety and Safeguards".

§ 40.51 [Amended]

168. In § 40.51, paragraph (b) (1) is amended by changing the word "Commission" to the word "Administration" and paragraph (b) (2) is amended by changing the words "Atomic Energy Commission" to "the Commission or Atomic Energy Commission".

§ 40.64 [Amended]

169. In § 40.64, the last sentence in paragraphs (a) and (b) is amended by changing the term "U.S. Atomic Energy Commission," to "U.S. Energy Research and Development Administration", the term "Regulatory Operations" in paragraph (c) is changed to "Inspection and Enforcement", footnote 4 is deleted, and the first sentence of paragraph (b) is amended to read as follows:

§ 40.64 Reports.

(b) Except as specified in paragraph (d) of this section, each licensee who is authorized to possess at any one time and location more than 1,000 kilograms of uranium or thorium, or any combination thereof shall submit to the Commission within 30 days after June 30 of each year a statement of his source material inventory. . . .

170. Section 40.81 is amended to read as follows:

§ 40.81 Violations.

An injunction or other court order may be obtained prohibiting any violation of any provision of the Atomic Energy Act of 1954, as amended, or Title II of the Energy Reorganization Act of 1974, or

any regulation or order issued thereunder. A court order may be obtained for the payment of a civil penalty imposed pursuant to section 234 of the Act for violation of section 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, or 109 of the Act, or section 206 of the Energy Reorganization Act of 1974, or any rule, regulation, or order issued thereunder, or any term, condition, or limitation of any license issued thereunder, or for any violation for which a license may be revoked under section 186 of the Act. Any person who willfully violates any provision of the Act or any regulation or order issued thereunder may be guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both, as provided by law.

#### PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

171. The citation of authority following the table of contents in Part 50 is amended to read as follows:

**AUTHORITY:** Secs. 103, 104, 161, 182, 183, 68 Stat. 936, 937, 948, 953, 954, as amended (42 U.S.C. 2133, 2134, 2201, 2232, 2233); secs. 202, 206, 88 Stat. 1244, 1246 (42 U.S.C., 5842, 5846), unless otherwise noted. Sections 50.80–50.81 also issued under sec. 184, 68 Stat. 954, as amended; 42 U.S.C. 2234. Sections 50.100–50.102 issued under sec. 186, 68 Stat. 955; 42 U.S.C. 2236. For the purposes of sec. 223, 68 Stat. 958, as amended; 42 U.S.C. 2273, § 50.54 (1) issued under sec. 1611, 68 Stat. 949; 42 U.S.C. 2201(1), and §§ 50.70–50.71 issued under sec. 1610, 68 Stat. 950, as amended; 42 U.S.C. 2201(o) and the Laws referred to in Appendices.

172. The terms "Atomic Energy Commission", "AEC", "regulatory staff" and zip code "20545" are changed to "Nuclear Regulatory Commission", "NRC", "staff" and "20555" respectively where they appear in Part 50.

173. Section 50.1 is revised to read as follows:

#### § 50.1 Basis, purpose, and procedures applicable.

The regulations in this part are promulgated by the Nuclear Regulatory Commission pursuant to the Atomic Energy Act of 1954, as amended, (68 Stat. 919) and Titles II of the Energy Reorganization Act of 1974 (88 Stat. 1242) to provide for the licensing of production and utilization facilities.

174. In § 50.2, paragraph (1) is amended and a new paragraph (w) is added to read as follows:

#### § 50.2 Definitions.

(1) "Person" means (1) any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency other than the Commission or the Administration, except that the Administration shall be considered a person to the extent that its facilities are subject to the licensing and related regulatory authority of the Commission pursuant to section 202 of the Energy Reorganization

Act of 1974,<sup>7</sup> any State or any political subdivision of, or any political entity within a State, any foreign government or nation or any political subdivision of any such government or nation, or other entity; and (2) any legal successor, representative, agent, or agency of the foregoing.

(w) "Administration" means the Energy Research and Development Administration or its duly authorized representatives.

175. Section 50.4 is revised to read as follows:

#### § 50.4 Communications.

Except where otherwise specified, all communications and reports concerning the regulations in this part should be addressed to the Director of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, or may be delivered in person at the Commission's offices at 1717 H Street, NW., Washington, D.C. or at 7920 Norfolk Avenue, Bethesda, Maryland.

#### § 50.10 [Amended]

176. The term "Director of Regulation" in § 50.10(e) (1) and (3) is changed to refer to "Director of Nuclear Reactor Regulation".

177. Section 50.11 is revised to read as follows:

#### § 50.11 Exceptions and exemptions from licensing requirements.

Nothing in this part shall be deemed to require a license for:

(a) The manufacture, production, or acquisition by the Department of Defense of any utilization facility authorized pursuant to section 91 of the Act, or the use of such facility by the Department of Defense or by a person under contract with and for the account of the Department of Defense;

(b) Except to the extent that Administration facilities of the types subject to licensing pursuant to section 202 of the Energy Reorganization Act of 1974<sup>8</sup> are involved,

(1) (i) The processing, fabrication or refining of special nuclear material or the separation of special nuclear material, or the separation of special nuclear material from other substances by a prime contractor of the Administration under a prime contract for:

<sup>7</sup> The Administration facilities identified in section 202 are:

(1) Demonstration Liquid Metal Fast Breeder reactors when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(2) Other demonstration nuclear reactors, except those in existence on January 19, 1975, when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(A) The performance of work for the Administration at a United States government-owned or controlled site;

(B) Research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof; or

(C) The use or operation of a production or utilization facility in a United States owned vehicle or vessel; or

(ii) By a prime contractor or subcontractor of the Commission or the Administration under a prime contract or subcontract when the Commission determines that the exemption of the prime contractor or subcontractor is authorized by law; and that, under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety;

(2) (i) The construction or operation of a production or utilization facility for the Administration at a United States government-owned or controlled site, including the transportation of the production or utilization facility to or from such site and the performance of contract services during temporary interruptions of such transportation; or the construction or operation of a production or utilization facility for the Administration in the performance of research in, or development, manufacture, storage, testing, or transportation of, atomic weapons or components thereof; or the use or operation of a production or utilization facility for the Administration in a United States government-owned vehicle or vessel: Provided, that such activities are conducted by a prime contractor of the Administration under a prime contract with the Administration.

(ii) The construction or operation of a production or utilization facility by a prime contractor or subcontractor of the Commission or the Administration under his prime contract or subcontract when the Commission determines that the exemption of the prime contractor or subcontractor is authorized by law; and that, under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety.

(c) The transportation or possession of any production or utilization facility by a common or contract carrier or warehousemen in the regular course of carriage for another or storage incident thereto.

<sup>8</sup> The Administration facilities identified in section 202 are:

(1) Demonstration Liquid Metal Fast Breeder reactors when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(2) Other demonstration nuclear reactors, except those in existence on January 19, 1975, when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

178. In § 50.12, the footnote to paragraph (a) is deleted and paragraph (b) is revised to read as follows:

§ 50.12 Specific exemptions.

(b) Any person may request an exemption permitting the conduct of activities prior to the issuance of a construction permit prohibited by § 50.10. The Commission may grant such an exemption upon considering and balancing the following factors:

(1) Whether conduct of the proposed activities will give rise to a significant adverse impact on the environment and the nature and extent of such impact, if any;

(2) Whether redress of any adverse environment impact from conduct of the proposed activities can reasonably be effected should such redress be necessary;

(3) Whether conduct of the proposed activities would foreclose subsequent adoption of alternatives; and

(4) The effect of delay in conducting such activities on the public interest, including the power needs to be used by the proposed facility, the availability of alternative sources, if any, to meet those needs on a timely basis and delay costs to the applicant and to consumers.

Issuance of such an exemption shall not be deemed to constitute a commitment to issue a construction permit. During the period of any exemption granted pursuant to this paragraph (b), any activities conducted shall be carried out in such a manner as will minimize or reduce their environmental impact.

§ 50.21 [Amended]

179. Paragraph (b)(2) of § 50.21 is amended by changing the term "Commission" to "Administration".

180. Paragraph (a) of § 50.30 is revised to read as follows:

§ 50.30 Filing of applications for licenses; oath or affirmation.

(a) *Place of filing.* Each application for a license, including whenever appropriate a construction permit, or amendment thereof, should be filed, for a nuclear reactor, testing facility, or other utilization facility, with the Director of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Each application for a license, including where appropriate, a construction permit or amendment thereof, for a fuel reprocessing plant, should be filed with the Director of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Communications, reports, and applications may be delivered in person at the Commission's offices at 1717 H Street, NW., Washington, D.C. or at 7920 Norfolk Avenue, Bethesda, Maryland.

§ 50.30 and Appendix E [Amended]

181. The terms "Director of Licensing" and "Director of Regulation" in § 50.30 (c) (2), and in footnote 1 of Appendix E

are changed to "Director of Nuclear Reactor Regulation or Director of Nuclear Material Safety and Safeguards, as appropriate".

§§ 50.34, 50.46 and 50.57 [Amended]

182. In footnote 3 of § 50.34(b) (6) (iii) and in §§ 50.46 and 50.57(c) the term "Director of Regulation" is changed to "Director of Nuclear Reactor Regulation."

§ 50.36a [Amended]

183. In § 50.36a(a) (2), the phrase "within 60 days after July 1 of 1971 and within 60 days after January 1 and July 1 of each year thereafter" is changed to "within 60 days after January 1 and July 1 of each year".

§ 50.42 [Amended]

184. In footnote 1 to § 50.42, the phrase "timely written notice to the Commission" is changed to "timely written notice to the Atomic Energy Commission".

185. Paragraphs (a) (2) (ii) through (vi) and (3) of § 50.46 are revised to read as follows:

§ 50.46 Acceptance criteria for emergency core cooling systems for light water nuclear power reactors.

(a) . . .

(2) With respect to reactors for which operating licenses have previously been issued and for which operating licenses may issue on or before December 28, 1974:

(i) Within six months following the date specified in paragraph (a) (2) (i) of this section an evaluation in accordance with paragraph (a) (1) of this section shall have been submitted to the Director of Regulation of the Atomic Energy Commission. The evaluation shall have been accompanied by such proposed changes in technical specifications or license amendments as may be necessary to bring reactor operation in conformity with paragraph (a) (1) of this section.

(ii) Any licensee may have requested an extension of the six-month period referred to in paragraph (a) (2) (i) of this section for good cause. Any such request shall have been submitted not less than 45 days prior to expiration of the six-month period, and shall have been accompanied by affidavits showing precisely why the evaluation is not complete and the minimum time believed necessary to complete it. The Director of Regulation of the Atomic Energy Commission shall have caused notice of such a request to be published promptly in the FEDERAL REGISTER; such notice shall have provided for the submission of comments by interested persons within a time period established by the Director of Regulation. If, upon reviewing the foregoing submissions, the Director of Regulation concluded that good cause had been shown for an extension, he may have extended the six-month period for the shortest additional time which in his judgment will be necessary to enable the

licensee to furnish the submissions required by paragraph (a) (2) (ii) of this section. Requests for extensions of the six-month period submitted under this subparagraph will have been ruled upon by the Director of Regulation prior to expiration of that period.

(iv) Upon submission of the evaluation required by paragraph (a) (2) (ii) of this section (or under paragraph (a) (2) (iii), if the six-month period is extended) the facility shall continue or commence operation only within the limits of both the proposed technical specifications or license amendments submitted in accordance with this paragraph (a) (2) and all technical specifications or license conditions previously imposed by the Atomic Energy Commission, including the requirements of the Interim Policy Statement (June 29, 1971, 36 FR 12248) as amended December 18, 1971, 36 FR 24082).

(v) Further restrictions on reactor operation will be imposed if it is found that the evaluations submitted under paragraphs (a) (2) (ii) and (iii) of this section are not consistent with paragraph (a) (1) of this section and as a result such restrictions are required to protect the public health and safety.

(vi) Exemptions from the operating requirements of paragraph (a) (2) (iv) of this section may be granted for good cause. Requests for such exemption shall be submitted not less than 45 days prior to the date upon which the plant would otherwise be required to operate in accordance with the procedures of said paragraph (a) (2) (iv) of this section. Any such request shall be filed with the Secretary of the Commission, who shall cause notice of its receipt to be published promptly in the FEDERAL REGISTER; such notice shall provide for the submission of comments by interested persons within 14 days following FEDERAL REGISTER publication. The Director of Nuclear Reactor Regulation shall submit his views as to any requested exemption within five days following expiration of the comment period.

(3) Construction permits may have been issued after December 28, 1973 but before December 28, 1974 subject to any applicable conditions or restrictions imposed pursuant to other regulations in this chapter and the Interim Acceptance Criteria for Emergency Core Cooling Systems published on June 29, 1971 (36 FR 12248) as amended (December 18, 1971, 36 FR 24082): Provided, however, that no operating license shall be issued for facilities constructed in accordance with construction permits issued pursuant to this paragraph, unless the Commission determines, among other things that the proposed facility meets the requirements of paragraph (a) (1) of this section.

186. The last sentence of § 50.54 (i-1) is amended to read as follows:

§ 50.54 Conditions of licenses.

(i-1) . . . Holders of operating licenses in effect on September 17, 1973



shall implement an operator requalification program which, as a minimum, meets the requirements of Appendix A of Part 55 of this chapter which was submitted for approval by the Atomic Energy Commission.

§ 50.54 [Amended]

187. In § 50.54(q), the words "shall submit such a plan to the Commission" are changed to "shall have submitted such a plan to the Atomic Energy Commission."

§ 50.55 [Amended]

188. In § 50.55, the term "Atomic Energy Commission Regulatory Operations Regional Office" is changed to "Nuclear Regulatory Commission Inspection and Enforcement Regional Office" and the term "Director of Regulatory Operations" is changed to "Division of Inspection and Enforcement".

§ 50.55a [Amended]

189. In § 50.55(a)(2), the words "or the Atomic Energy Commission" are inserted after the word "Commission".

190. Paragraph (d) of § 50.57 is deleted.

§ 50.57 Issuance of operating licenses.

(d) [Deleted]

§ 50.60 [Deleted]

191. Section 50.60, (including the preceding undesignated center heading and the note that follows § 50.60) is deleted as set forth above.

§ 50.65 [Amended]

192. In § 50.65(a), the term "Director of Licensing" is changed to "Director of Nuclear Material Safety and Safeguards", the words "or at Germantown, Maryland" are deleted and the ZIP code "20545" is changed to "20555".

§ 50.101 [Amended]

193. In § 50.101, the term "retake" is changed to "cause the retaking of".

194. Section 50.102 is revised to read as follows:

§ 50.102 Commission order for operation after revocation.

Whenever the Commission finds that the public convenience and necessity, or the Administration finds that the production program of the Administration requires continued operation of a production or utilization facility, the license for which has been revoked, the Commission may, after consultation with the appropriate federal or state regulatory agency having jurisdiction, order that possession be taken of such facility and that it be operated for a period of time as, in the judgment of the Commission, the public convenience and necessity or the production program of the Administration may require, or until a license for operation of the facility shall become effective. Just compensation shall be paid for the use of the facility.

195. Paragraph 50.103(a)(2) is revised to read as follows:

§ 50.103 Suspension and operation in war or national emergency.

(a) \* \* \*

(2) Cause the recapture of special nuclear material.

196. Section 50.110 is revised to read as follows:

§ 50.110 Violations.

An injunction or other court order may be obtained prohibiting any violation of any provision of the Atomic Energy Act of 1954, as amended, or Title II of the Energy Reorganization Act of 1974, or any regulation or order issued thereunder. A court order may be obtained for the payment of a civil penalty imposed pursuant to section 234 of the Act for violation of section 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, or 109 of the Act, or section 206 of the Energy Reorganization Act of 1974, or any rule, regulation, or order issued thereunder, or any term, condition, or limitation of any license issued thereunder, or for any violation for which a license may be revoked under section 186 of the Act. Any person who willfully violates any provision of the Act or any regulation or order issued thereunder may be guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both, as provided by law.

PART 51—LICENSING AND REGULATORY POLICY AND PROCEDURES FOR ENVIRONMENTAL PROTECTION

197. The citation of authority following the table of contents of Part 55 is amended by adding the following:

Sec. 202, 88 Stat. 1244 (42 U.S.C. 5842).

§§ 51.1 and 51.2 [Amended]

198. In §§ 51.1 and 51.2, the term "Atomic Energy Commission" is changed to "Nuclear Regulatory Commission."

199. The term "regulatory staff" is changed to "staff" wherever it appears in Part 51.

§§ 51.22, 51.23, 51.26, 51.50, 51.52 and 51.54 [Amended]

200. In §§ 51.22, 51.23(f), 51.26(a), 51.50, 51.52(d) and 51.54, the term "Director of Regulation or his designee" is changed to "Director of Nuclear Reactor Regulation or Director of Nuclear Material Safety and Safeguards or their designee, as appropriate".

PART 55—OPERATORS' LICENSES

201. The citation of authority following the table of contents of Part 55 is amended by adding the following:

Secs. 202, 206, Pub. L. 93-438, 88 Stat. 1244, 1246 (42 U.S.C. 5842, 5846).

§ 55.1 [Amended]

202. Section 55.1 is amended by deleting the words "or authorized" and "or 115" changing the word "Parts" to

"Part", and by adding "or section 202 of the Energy Reorganization Act of 1974" after the words "as amended,".

203. Section 55.2 is revised to read as follows:

§ 55.2 Scope.

The regulations contained in this part apply to any individual who manipulates the controls of any facility licensed pursuant to Part 50 of this chapter and to any individual designated by a facility licensee to be responsible for directing the licensed activities of licensed operators.

204. The terms "Atomic Energy Commission" and "AEC" are changed to "Nuclear Regulatory Commission" or "NRC" respectively where they appear in Part 55.

205. Section 55.5 is revised to read as follows:

§ 55.5 Communications.

Except where otherwise specified, all communications and reports concerning the regulations in this part, and applications filed under them should be addressed to the Director of Nuclear Reactor Regulation or the Director of Nuclear Material Safety and Safeguards, as appropriate, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Communications, reports, and applications may be delivered in person at the Commission's offices at 1717 H Street, NW., Washington, D.C. or at 7920 Norfolk Avenue, Bethesda, Md.

206. The first two sentences in § 55.10 (a) are amended to read as follows:

§ 55.10 Contents of applications.

(a) Applications for licenses should be filed in triplicate, except for the report of medical examination, with the Director of Nuclear Reactor Regulation or the Director of Nuclear Material Safety and Safeguards, as appropriate, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Communications, reports, and applications may be delivered in person at the Commission's offices at 1717 H Street NW., Washington, D.C.; at 7920 Norfolk Avenue, Bethesda, Md. \* \* \*

§§ 55.4, 55.10, 55.12, 55.20, 55.22, 55.25 and 55.31 [Amended]

207. The words "or by a holder of an authorization under Part 115 of this chapter", "or by the holder of an operating authorization", "or holder of an authorization" and "or authorization" in §§ 55.4(e), 55.10(a)(5) and (6), 55.12(a), 55.20, 55.22(a), 55.25 and 55.31(e) are deleted.

208. Section 55.50 is revised to read as follows:

§ 55.50 Violations.

An injunction or other court order may be obtained prohibiting any violation of any provision of the Atomic Energy Act of 1954, as amended, or Title II of the Energy Reorganization

Act of 1974, or any regulation or order issued thereunder. A court order may be obtained for the payment of a civil penalty imposed pursuant to section 234 of the Act for violation of section 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, or 109 of the Act, or section 206 of the Energy Reorganization Act of 1974, or any rule, regulation, or order issued thereunder, or any term, condition, or limitation of any license issued thereunder, or for any violation for which a license may be revoked under section 186 of the Act. Any person who willfully violates any provision of the Act or any regulation or order issued thereunder may be guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both, as provided by law.

§ 55.60 [Amended]

209. In § 55.60(b) and in the note at the end of § 55.60 the references to "Director of Licensing" are changed to "Director of Nuclear Reactor Regulation or Director of Nuclear Material Safety and Safeguards, as appropriate".

§ 55.61 [Deleted]

210. Section 55.61 is deleted.

**PART 60—DOMESTIC URANIUM PROGRAM**

211. Part 60 is deleted.

**PART 70—SPECIAL NUCLEAR MATERIAL**

212. The citation of authority following the table of contents in Part 70 is amended to read as follows:

**AUTHORITY:** Secs. 51, 53, 161, 182, 183, 68 Stat. 929, 930, as amended, 948, as amended, 953, as amended, 954 (42 USC 2071, 2073, 2201, 2232, 2233); secs. 202, 206, 88 Stat. 1244, 1246 (42 U.S.C. 5842, 5846) unless otherwise noted. For the purposes of sec. 223, 68 Stat. 958, as amended (42 USC 2273), §§ 70.32(a) (6) and 70.41(a) issued under sec. 161b, 68 Stat. 948; 42 USC 2201(b) and §§ 70.51 to 70.55 issued under sec. 161c, 68 Stat. 950, as amended (42 USC 2201(c)).

213. The terms "Atomic Energy Commission," "AEC" and the zip code "20545" are changed to "Nuclear Regulatory Commission," "NRC" and "20555" where they appear in Part 70, except where otherwise specified and except in § 70.32 (f).

214. In § 70.1 of 10 CFR Part 70, paragraph (b) is revised to read as follows:

§ 70.1 Purpose.

(b) The regulations contained in this part are issued pursuant to the Atomic Energy Act of 1954, as amended (68 Stat. 919) and Title II of the Energy Reorganization Act of 1974 (88 Stat. 1242).

215. In § 70.4 a new definition (a-1) is added, paragraph (p) is deleted and paragraph (h) is amended to read as follows:

§ 70.4 Definitions.

(a-1) "Administration" means the Energy Research and Development Ad-

ministration or its duly authorized representatives;

(h) "Person" means (1) any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, Government agency other than the Commission or the Administration, except that the Administration shall be considered a person within the meaning of the regulations in this part to the extent that its facilities and activities are subject to the licensing and related regulatory authority of the Commission pursuant to section 202 of the Energy Reorganization Act of 1974 (88 Stat. 1244), any State or any political subdivision of or any political entity within a State, any foreign government or nation or any political subdivision of any such government or nation, or other entity; and (2) any legal successor, representative, agent, or agency of the foregoing;

§§ 70.5, 70.21, 70.23 and 70.39 [Amended]

216. In §§ 70.5, 70.21(a), 70.23(a) (7) and 70.39(d) the words "Director of Licensing" are changed to "Director of Nuclear Material Safety and Safeguards."

§ 70.5 [Amended]

217. The last sentence in § 70.5 and the second sentence in § 70.21(a) are amended by deleting the words "; or at Germantown, Md".

218. Section 70.11 is revised to read as follows:

§ 70.11 Persons using special nuclear material under certain Energy Research and Development Administration and Nuclear Regulatory Commission contracts.

Except to the extent that Administration facilities or activities of the types subject to licensing pursuant to section 202 of the Energy Reorganization Act of

\* The Administration facilities identified in section 202 are:

(1) Demonstration Liquid Metal Fast Breeder reactors when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(2) Other demonstration nuclear reactors, except those in existence on January 19, 1975, when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(3) Facilities used primarily for the receipt and storage of high-level radioactive wastes resulting from licensed activities.

(4) Retrievable Surface Storage Facilities and other facilities authorized for the express purpose of subsequent long-term storage of high-level radioactive waste generated by the Administration, which are not used for, or are part of, research and development activities.

1974 are involved," any prime contractor of the Administration is exempt from the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety.

219. In § 70.14, the footnote to paragraph (a) is deleted and paragraph (b) is revised to read as follows:

§ 70.14 Specific exemptions.

(b) Any person subject to the provisions of §§ 70.21(f) and 70.23(a) (7) may request an exemption from the requirements of those provisions. The Commission may grant an exemption from the provisions of §§ 70.21(f) and 70.23(a) (7), upon considering and balancing the following factors:

(1) Whether conduct of the proposed activities will give rise to a significant adverse impact on the environment and the nature and extent of such impact, if any;

(2) Whether redress of any adverse environmental impact from conduct of the proposed activities can reasonably be effected should such redress be necessary;

(3) Whether conduct of the proposed activities would foreclose subsequent adoption of alternatives; and

(4) The effect of delay in conducting such activities on the public interest. During the period of any exemption requirements for a license set forth in section 53 of the Act and from the regulations in this part to the extent that such contractor, under his prime contract with the Administration receives title to, owns, acquires, delivers, receives, possesses, uses, transfers, imports or exports special nuclear material for: (a) The performance of work for the Administration at a United States Government-owned or controlled site, including the transportation of special nuclear material to or from such site and the performance of contract services during temporary interruptions of such transportation; (b) research in, or development, manufacture,

\*\* The Administration facilities identified in section 202 are:

(1) Demonstration Liquid Metal Fast Breeder reactors when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(2) Other demonstration nuclear reactors, except those in existence on January 19, 1975, when operated as part of the power generation facilities of an electric utility system, or when operated in any other manner for the purpose of demonstrating the suitability for commercial application of such a reactor.

(3) Facilities used primarily for the receipt and storage of high-level radioactive wastes resulting from licensed activities.

(4) Retrievable Surface Storage Facilities and other facilities authorized for the express purpose of subsequent long-term storage of high-level radioactive waste generated by the Administration, which are not used for, or are part of, research and development activities.

storage, testing or transportation of, atomic weapons or components thereof; or (c) the use or operation of nuclear reactors or other nuclear devices in a United States Government-owned vehicle or vessel. In addition to the foregoing exemptions, and subject to the requirement for licensing of Administration facilities and activities pursuant to section 202 of the Energy Reorganization Act of 1974, any prime contractor or subcontractor of the Administration or the Commission is exempt from the requirements for a license set forth in section 53 of the Act and from the regulations in this part to the extent that such prime contractor or subcontractor receives title to, owns, acquires, delivers, receives, possesses, uses, transfers, imports or exports special nuclear material under his prime contract or subcontract when the Commission determines that the exemption of the prime contractor or subcontractor is authorized by law; and that, under the terms granted pursuant to this paragraph (b), any activities conducted shall be carried out in such a manner as will minimize or reduce their environmental impact.

#### § 70.19 [Amended]

220. In § 70.19(a), (b), and (c) (3), the words "or the Atomic Energy Commission" are added after the words "Commission" and a footnote is added after the colon following the word "statement" in section 70.19(c) (2) to read as follows:

<sup>1</sup> Sources generally licensed under this section prior to January 19, 1975 may bear labels authorized by the regulations in effect on January 1, 1975.

221. Paragraph (a) (7) of § 70.32 is revised to read as follows:

#### § 70.32 Conditions of licenses.

(a) \* \* \*

(7) Except to the extent that the indemnification and limitation of liability provisions of Part 140 of this chapter apply, the licensee will hold the United States and the Administration harmless from any damages resulting from the use or possession of special nuclear material leased from the Administration by the licensee;

#### § 70.38 [Deleted]

222. Section 70.38 is deleted.

#### § 70.39 [Amended]

223. In § 70.39(b) a footnote is added after the colon following the word "statement" to read as follows:

<sup>1</sup> Sources generally licensed under this section prior to January 19, 1975 may bear labels authorized by the regulations in effect on January 1, 1975.

#### § 70.42 [Amended]

224. In § 70.42, paragraph (b) (1) is amended by changing the word "Commission" to the word "Administration" and paragraph (b) (2) is amended by inserting "the Commission or" before the words "the Atomic Energy Commission".

#### § 70.51 [Amended]

225. In § 70.51(g) and (h), the term "Commission" is changed to "Atomic Energy Commission".

#### §§ 70.52 and 70.53 [Amended]

226. In §§ 70.52 and 70.53(b), the terms "Regulatory Operations' Regional Office" and "Directorate of Regulatory Operations" are changed to "Inspection and Enforcement Regional Office" and "Office of Inspection and Enforcement" respectively.

227. Section 70.71 is revised to read as follows:

#### § 70.71 Violations.

An injunction or other court order may be obtained prohibiting any violation of any provision of the Atomic Energy Act of 1954, as amended, or Title II of the Energy Reorganization Act of 1974, or any regulation or order issued thereunder. A court order may be obtained for the payment of a civil penalty imposed pursuant to section 234 of the Act for violation of section 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, or 109 of the Act, or section 206 of the Energy Reorganization Act of 1974, or any rule, regulation, or order issued thereunder, or any term, condition, or limitation of any license issued thereunder, or for any violation for which a license may be revoked under section 186 of the Act. Any person who willfully violates any provision of the Act or any regulation or order issued thereunder may be guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both, as provided by law.

#### PART 71—PACKAGING OF RADIOACTIVE MATERIAL FOR TRANSPORT AND TRANSPORTATION OF RADIOACTIVE MATERIAL UNDER CERTAIN CONDITIONS

228. The citation of authority following the table of contents of Part 71 is amended by adding the following:

Secs. 202, 206, Pub. L. 93-438, 88 Stat. 1244, 1246; 42 U.S.C. 5842, 5846.

#### §§ 71.1 and 71.5 [Amended]

229. Paragraphs 71.1(a) and 71.5(b) are amended by changing the words "Atomic Energy Commission" to "Nuclear Regulatory Commission".

#### § 71.12 [Amended]

230. Section 71.12 is amended by changing the words "Directorate of Licensing" to "Director of Nuclear Material Safety and Safeguards or the Atomic Energy Commission" where they appear.

231. Section 71.13 is revised to read as follows:

#### § 71.13 Communications.

All communications concerning the regulations in this part should be addressed to the Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director of Nuclear Material

Safety and Safeguards, or may be delivered in person at the Commission's offices at 1717 H Street NW., Washington, D.C. or at 7920 Norfolk Avenue, Bethesda, Maryland.

#### §§ 71.16 and 71.42 [Amended]

232. In §§ 71.16 and 71.42(c), the term "AEC" is deleted.

#### § 71.61 [Amended]

233. In § 71.61, the term "Director of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545" is changed to "Director of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555".

234. Section 71.64 is revised to read as follows:

#### § 71.64 Violations.

An injunction or other court order may be obtained prohibiting any violation of any provision of the Atomic Energy Act of 1954, as amended, or Title II of the Energy Reorganization Act of 1974, or any regulation or order issued thereunder. A court order may be obtained for the payment of a civil penalty imposed pursuant to section 234 of the Act for violation of section 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, or 109 of the Act, or section 206 of the Energy Reorganization Act of 1974, or any rule, regulation, or order issued thereunder, or any term, condition, or limitation of any license issued thereunder, or for any violation for which a license may be revoked under section 186 of the Act. Any person who willfully violates any provision of the Act or any regulation or order issued thereunder may be guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both, as provided by law.

#### PART 73—PHYSICAL PROTECTION OF PLANTS AND MATERIALS

235. The term "Atomic Energy Commission" is changed to "Nuclear Regulatory Commission" where it appears and the citation of authority following the table of contents of Part 73 is amended by adding the following:

Secs. 202, 206, Pub. L. 93-438, 88 Stat. 1244, 1246; 42 U.S.C. 5842, 5846.

236. A new paragraph (q) is added to § 73.2 to read as follows:

#### § 73.2 Definitions.

(q) "ERDA" means the Energy Research and Development Administration or its duly authorized representatives.

237. Section 73.4 is revised to read as follows:

#### § 73.4 Communications.

Except where otherwise specified, all communications and reports concerning the regulations in this part should be addressed to the Director of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, or may be delivered in



person at the Commission's offices at 1717 H Street, NW., Washington, D.C.; at 7920 Norfolk Avenue, Bethesda, Maryland.

§§ 73.31, 73.33, 73.36, 73.71 and Appendix A [Amended]

238. In §§ 73.31(b), 73.33(a), 73.36(e), and 73.71, and the heading of Appendix A, the term "Regulatory Operations" is changed to "Inspection and Enforcement."

§ 73.36 [Amended]

239. Paragraph 73.36(c) (2) is amended by changing the words "When an AEC license-exempt contractor is the consignee" to "When a contractor exempt from the requirements for a Commission license is the consignee" and by changing the words "AEC Manual Chapters 2401 or 2405" to "ERDA Manual or NRC Manual Chapters 2401 or 2405, as appropriate."

§ 73.40 [Amended]

240. In § 73.40, the words "the Commission" is changed to "the Atomic Energy Commission."

§ 73.50 [Amended]

241. In § 73.50(c) (1) the references to "AEC" are changed to "NRC or ERDA."

242. Section 73.80 is revised to read as follows:

§ 73.80 Violations.

An injunction or other court order may be obtained prohibiting any violation of any provision of the Atomic Energy Act of 1954, as amended, or Title II of the Energy Reorganization Act of 1974, or any regulation or order issued thereunder. A court order may be obtained for the payment of a civil penalty imposed pursuant to section 234 of the Act for violation of section 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, or 109 of the Act, or section 206 of the Energy Reorganization Act of 1974, or any rule, regulation, or order issued thereunder, or any term, condition, or limitation of any license issued thereunder, or for any violation for which a license may be revoked under section 186 of the Act. Any person who willfully violates any provision of the Act or any regulation or order issued thereunder may be guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both, as provided by law.

Appendix A [Amended]

243. In Appendix A, the term "Directorate of Regulatory Operations" is changed to "Office of Inspection and Enforcement".

**PART 80—GENERAL RULES OF PROCEDURE ON APPLICATIONS FOR THE DETERMINATION OF REASONABLE ROYALTY FEE, JUST COMPENSATION OR THE GRANT OF AN AWARD FOR PATENTS, INVENTIONS OR DISCOVERIES**

244. Part 80 is deleted.

**PART 81—STANDARD SPECIFICATIONS FOR THE GRANTING OF PATENT LICENSES**

245. The citation of authority following the table of contents of Part 81 is amended by adding the following:

Sec. 201(f), Pub. L. 93-438, 88 Stat. 1243 (42 U.S.C. 5841).

246. Part 81 is amended by changing the term "AEC" to "NRC", by changing the words "Atomic Energy Commission" to "Nuclear Regulatory Commission", and by changing zip code "20545" to "20555" where they appear.

247. Section 81.1 is revised to read as follows:

§ 81.1 Purpose.

The regulations of this part establish the standard specifications for the issuance of licenses to rights in inventions covered by patents or patent applications vested in the United States of America, as represented by or in the custody of the Commission and other patents in which the Commission has the right to accord or require the grant of licenses.

248. Section 81.3 is amended to read as follows:

§ 81.3 Communications.

All communications concerning the regulations in this part, including applications for licenses, should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Communications and reports may be delivered in person at the Commission's offices at 1717 H Street NW., Washington, D.C., or at 7920 Norfolk Avenue, Bethesda, Md.

§ 81.13 [Amended]

249. In § 81.13(b), the words "Attention: Assistant General Counsel for Patents, USAEC" are deleted.

250. Section 81.52 is revised to read as follows:

§ 81.52 Appeals Board.

(a) *NRC Invention Licensing Appeal Board.* Upon notice of an appeal in accordance with § 81.51, the Executive Director for Operations of the Nuclear Regulatory Commission will designate within thirty (30) days an Invention Licensing Appeal Board (hereinafter, Board) to decide such an appeal.

(b) *Composition of the Board.* The Invention Licensing Appeal Board shall consist of three members having equal voting power, one of whom will be designated as Chairman.

(c) *Notice of designation of the Board.* The Executive Director for Operations of the Nuclear Regulatory Commission will advise the appellant of the designation of the Board, its composition, and Chairman.

§§ 81.61—81.83 [Deleted]

251. Sections 81.61—81.83 and the undesignated headings preceding §§ 81.61, 81.70 and 81.80 are deleted.

**PART 83—WAIVER OF PATENT RIGHTS**

252. Part 83, Waiver of Patent Rights, is deleted.

**PART 100—REACTOR SITE CRITERIA**

253. The citation of authority following the table of contents of Part 100 is amended by adding the following:

Secs. 202, Pub. L. 93-438, 88 Stat. 1244 (42 U.S.C. 5842).

§ 100.2 [Amended]

254. Section 100.2(a) is amended by deleting the words "and 115".

§ 100.11 [Amended]

255. Paragraph (b) (2) of § 100.11 is amended by changing the term "AEC" to "commission".

§ 100.11 [Amended]

256. The note which follows § 100.11 is amended by changing the words "Director of Licensing, U.S. Atomic Energy Commission" to "Director of Nuclear Reactor Regulation U.S. Nuclear Regulatory Commission" and by changing the zip code to "20555".

**PART 110—UNCLASSIFIED ACTIVITIES IN FOREIGN ATOMIC ENERGY PROGRAMS**

257. Part 110 is deleted.

**PART 115—PROCEDURES FOR REVIEW OF CERTAIN NUCLEAR REACTORS EXEMPTED FROM LICENSING REQUIREMENTS**

258. Part 115 is deleted.

**PART 130—PRIORITIES REGULATIONS**

259. Part 130 is deleted.

**PART 140—FINANCIAL PROTECTION REQUIREMENTS AND INDEMNITY AGREEMENTS**

260. The citation of authority following the table of contents of Part 140 is amended by adding the following:

Sec. 202, Pub. L. 93-438, 88 Stat. 1244 (42 U.S.C. 5842).

261. The term "Atomic Energy Commission" and "AEC" are changed to "Nuclear Regulatory Commission" and "NRC" respectively where they appear.

262. Paragraph 140.3(g) is revised to read as follows:

§ 140.3 Definitions.

(g) "Person" means (1) any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, Government agency other than the Commission or the Administration, except that the U.S. Energy Research and Development Administration shall be considered a person within the meaning of the regulations in this part to the extent that its facilities and activities are subject to the

## RULES AND REGULATIONS

licensing and related regulatory authority of the Commission pursuant to section 202 of the Energy Reorganization Act of 1974 (88 Stat. 1244), any State or any political subdivision thereof, or any political entity within a State, any foreign government or nation or any political subdivision of any such government or nation, or other entity; and (2) any legal successor, representative, agent, or agency of the foregoing.

263. Section 140.5 is revised to read as follows:

**§ 140.5 Communications.**

Except where otherwise specified in this part, all communications and reports concerning the regulations in this part should be addressed to the Director of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Communications and reports may be delivered in person at the Commission's offices at 1717 H Street NW., Washington, D.C., or at 7920 Norfolk Avenue, Bethesda, Md.

264. The footnote to § 140.82(b) is deleted and § 140.82(b) is revised to read as follows:

**§ 140.82 Procedures.**

(b) When a procedure is initiated under paragraph (a) of this section, the Commission will designate members of the principal staff to begin immediately to assemble the relevant information and prepare a report on which the Commission can make its determination.

**§ 140.84 [Amended]**

265. In § 140.84(b) (1) the phrase "or device" and the accompanying footnote are deleted.

**§§ 140.92—140.95 [Amended]**

266. In §§ 140.92, 140.93, 140.94, and 140.95 the phrase "Dated at Germantown, Md.," is deleted wherever it appears and the phrase "Dated at Bethesda, Md.," substituted therefor.

**PART 150—EXEMPTIONS AND CONTINUED REGULATORY AUTHORITY IN AGREEMENT STATES UNDER SECTION 274**

267. The citation of authority following the table of contents of Part 150 is amended by adding the following:

Sec. 201(f), Pub. L. 93-438, 88 Stat. 1243 (42 U.S.C. 5841).

268. The terms "AEC", "Director of Regulatory Operations", "Regulatory Operations" and the ZIP code "20545" are changed to "NRC", "Division of Inspection and Enforcement", "Inspection and Enforcement", and "20555", respectively, wherever they appear.

**§§ 150.2 and 150.3 [Amended]**

269. In §§ 150.2 and 150.3(b), the words "or the Atomic Energy Commission" are added after "Commission".

**§ 150.3 [Amended]**

270. Paragraph 150.3(d) is amended by changing the words "Atomic Energy

Commission" to "Nuclear Regulatory Commission".

271. Section 150.4 is revised to read as follows:

**§ 150.4 Communications.**

Except where otherwise specified in this part, all communications and reports concerning the regulations in this part should be addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Communications and reports may be delivered in person at the Commission's offices at 1717 H Street NW., Washington, D.C. 20555 or at 7920 Norfolk Avenue, Bethesda, Maryland.

**§§ 150.17 and 150.19 [Amended]**

272. Paragraphs 150.17 (a) and (b) and §§ 150.19 (a) and (b) are amended by deleting the words "Atomic Energy Commission" and substituting therefor "Energy Research and Development Administration".

**PART 160—TRESPASSING ON COMMISSION PROPERTY**

273. The citation of authority following the table of contents of Part 160 is amended by adding the following:

Sec. 201(f) 88 Stat. 93-438, 88 Stat. 1243 (42 U.S.C. 5841).

**§ 160.1 [Amended]**

274. Section 160.1 is amended by changing the words "Atomic Energy Commission" to "Nuclear Regulatory Commission" and by inserting the word "proprietary" before "jurisdiction".

275. Section 160.2 is revised to read as follows:

**§ 160.2 Scope.**

The regulations in this part apply to all facilities, installations, and real property subject to the jurisdiction or administration of the Nuclear Regulatory Commission or in its custody which have been posted with a notice of the prohibitions and penalties set forth in this part.

**PART 161—CONTROL OF TRAFFIC AT NEVADA TEST SITE**

276. Part 161 is deleted.

**PART 170—FEES AND FACILITIES AND MATERIALS LICENSES**

277. The title of Part 170 is revised to read as set forth above.

278. The citation of authority following the table of contents of Part 170 is amended by adding the following:

Sec. 201(f), Pub. L. 93-438, 88 Stat. 1243 (42 U.S.C. 5841).

**§§ 170.1 and 170.12 [Amended]**

279. Sections 170.1 and 170.12 are amended by changing the words "Atomic Energy Commission" to "Nuclear Regulatory Commission" where they appear.

280. Paragraph 170.3(g) (3) is revised to read as follows:

**§ 170.3 Definitions.**

(g) . . . . .

(3) Any facility designed or used for the processing of irradiated materials containing special nuclear material, except:

(i) laboratory scale facilities designed or used for experimental or analytical purposes;

(ii) facilities in which the only special nuclear materials contained in the irradiated material to be processed are uranium enriched in the isotope U<sup>235</sup> and plutonium produced by the irradiation, if the material processed contains not more than 10<sup>-6</sup> grams of plutonium per gram of U<sup>235</sup> and has fission product activity not in excess of 0.25 millicurie of fission products per gram of U<sup>235</sup>; and

(iii) facilities in which processing is conducted pursuant to a license issued under Parts 30 and 70 of this chapter, or equivalent regulations of an Agreement State, for the receipt, possession, use, and transfer of irradiated special nuclear material, which authorizes the processing of the irradiated material on a batch basis for the separation of selected fission products and limits the process batch to not more than 100 grams of uranium enriched in the isotope 235 and not more than 15 grams of any other special nuclear material.

281. Section 170.5 is revised to read as follows:

**§ 170.5 Communications.**

All communications concerning the regulations in this part should be addressed to the Executive Director for Operation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Communications may be delivered in person at the Commission's offices at 1717 H Street NW., Washington, D.C. or at 7920 Norfolk Avenue, Bethesda, Md.

*Effective date.* The foregoing amendments become effective March 3, 1975.

(Sec. 161, Pub. L. 93-703, 88 Stat. 948 (42 U.S.C. 2201); Sec. 201(f) Pub. L. 93-438, 88 Stat. 1243 (42 U.S.C. 5841))

Dated at Washington, D.C. this 24th day of February 1975.

For the Nuclear Regulatory Commission.

JOHN C. HOYLE,  
Acting Secretary.

[FR Doc.75-5205 Filed 2-28-75; 8:45 am]

**CHAPTER III—ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION  
INTERIM DESIGNATION OF RULES AND REGULATIONS**

**Transfer**

The Energy Research and Development Administration (ERDA) was established by the Energy Reorganization Act of 1974, Public Law 93-438, 88 Stat. 1233, and the Act was made effective on January 19, 1975, by Executive Order 11834 dated January 15, 1975, which Executive Order was published on January 17, 1975, at 40 FR 2971.

Pursuant to the authority contained in section 105 of the Energy Reorganization Act of 1974, all rules and regulations in Chapter I of Title 10, Code of Federal Regulations except Part 9, Public Records (Parts 0 through 170 of Chapter I of Title 10, CFR, respectively), approved as of the effective date of the reorganization (January 19, 1975) including any proposed rules thereunder, are continued in effect to the extent they are not inconsistent with applicable law, and with the clarifications set forth in (1) and (2) below, for all ERDA activities under the Energy Reorganization Act of 1974, the Federal Nonnuclear Energy Research and Development Act of 1974 (Public Law 93-577), and other applicable law, and are redesignated as Parts 700 through 870, respectively, of a new Chapter III—Energy Research and Development Administration.<sup>1</sup> A separate document published in the FEDERAL REGISTER on February 19, 1975 (40 FR 7320) established Chapter III of Title 10, Code of Federal Regulations for ERDA and Part 709, Public Records, was adopted.

(1) Any reference to "Atomic Energy Commission" or "AEC" means "Energy Research and Development Administration" or "ERDA" wherever appropriate.

(2) Any reference to the Commission, General Manager, Deputy General Manager, any of the Assistant General Managers, or other members of the General Manager's staff shall be deemed to be a reference to the "Administrator of the Energy Research and Development Administration or his designee", wherever appropriate.

A separate document, published simultaneously in this issue (40 FR 8774), establishes the regulations of the Nuclear Regulatory Commission in 10 CFR Chapter I.

This redesignation and retention of regulations formerly promulgated by the Atomic Energy Commission is a temporary measure to provide for an immediate and orderly transfer of regulations. During calendar year 1975, ERDA intends to republish and recodify all regulations applicable to ERDA in the FEDERAL REGISTER.

**Effective date:** March 3, 1975.

(Sec. 105 of the Energy Reorganization Act of 1974, Pub. L. 93-438)

ROBERT C. SEAMANS, Jr.,  
Administrator.

[FR Doc.75-5306 Filed 2-28-75;8:45 am]

**Title 12—Banks and Banking**

**CHAPTER V—FEDERAL HOME LOAN BANK BOARD**

**SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM**

[No. 75-157]

**PART 545—OPERATIONS**

**Service Corporation Service Area**

The following summary of the amendment adopted by this Resolution is pro-

<sup>1</sup> The redesignation of Part 0 in Chapter I, "Conduct of Employees", to Part 700 in Chapter III was approved by the Civil Service Commission on February 24, 1975.

vided for the reader's convenience and is subject to the full provisions of this Resolution as well as the specific provisions in the regulations.

**I. Present Situation.** Service corporations are authorized to perform services such as accounting and data processing primarily for savings and loan associations with home offices in the same State, District, Commonwealth, territory, or possession.

**II. Amended Regulation.** Authorizes service corporations to perform such services for savings and loan associations without reference to their location.

The Federal Home Loan Bank Board, by Resolution No. 74-1153, dated October 31, 1974, proposed an amendment to § 545.9-1(a)(4)(iii) of the Rules and Regulations for the Federal Savings and Loan System (12 CFR 545.9-1(a)(4)(iii)) for the purpose of permitting service corporations in which Federal savings and loan associations may invest under § 545.9-1 to perform the services listed in § 545.9-1(a)(4)(iii) primarily for savings and loan associations without reference to their location. Notice of such proposed rulemaking was published in the FEDERAL REGISTER on November 26, 1974 (39 F.R. 41264-41265), with an invitation for interested persons to submit written comments by December 27, 1974.

On the basis of its consideration of all relevant material presented by interested persons and otherwise available, the Board hereby amends said § 545.9-1(a)(4)(iii), as proposed, to read as set forth below, effective April 3, 1975.

Before this amendment, service corporations were authorized by § 545.9-1(a)(4)(iii) to perform services such as accounting and data processing primarily for savings and loan associations with home offices in the same State, District, Commonwealth, territory or possession. The amendment permits Federal association service corporations to provide such services to savings and loan associations on an interstate basis.

**§ 545.9-1 Service corporations.**

(a) **General service corporations.** Subject to the provisions of this section, a Federal association which has a charter in the form of Charter N or Charter K (rev.) may invest in the capital stock, obligations, or other securities of any service corporation organized under the laws of the State, District, Commonwealth, territory, or possession in which the home office of such association is located if:

(4) Substantially all of the activities of such service corporation, performed directly or through one or more wholly-owned subsidiaries or joint ventures, consist of one or more of the following:

(iii) Performing the following services, primarily for savings and loan associations:

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

Dated: February 19, 1975.

[SEAL] GRENVILLE L. MILLARD, Jr.,  
Assistant Secretary.

[FR Doc.75-5560 Filed 2-28-75;8:45 am]

**Title 14—Aeronautics and Space**

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

[Airworthiness Docket No. 74-WE-12-AD; Amdt. 39-2115]

**PART 39—AIRWORTHINESS DIRECTIVES**  
**McDonnell Douglas DC-10-10/-30/-40 Airplanes**

Amendment 39-1812 (39 FR 12997), AD 74-08-07, as amended by Amendment 39-1928 (39 FR 30109), limits the use of the automatic landing system installed on McDonnell Douglas DC-10-10/-30/-40 airplanes.

The FAA has determined that the manufacturer has developed design changes for the DC-10-10 and DC-10-30 automatic landing systems which will detect the previously undetected failures in the lateral control of the airplane before a hazardous deviation occurs. These modified automatic landing systems have been demonstrated to meet the performance specified in FAA Advisory Circular 20-57A; however, a satisfactory maintenance program, failure reporting program, and an appropriate airplane flight manual have not been approved to permit Category III operations. The modified automatic landing system for the DC-10-40 has not been demonstrated at this time. Therefore, the AD is being amended to permit the use of the DC-10-10 and DC-10-30 automatic landing systems, for use into meteorological conditions of 1200 feet RVR (Category II) or better, provided the necessary design changes are made.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-1812 (39 FR 12997), AD 74-08-07, amended by Amendment 39-1928 (39 FR 30109) is amended to add the following new paragraphs (d), and (e), applicable to the DC-10-10 and DC-10-30 airplanes only, to read:

(d) An operator may use the DC-10-10 or DC-10-30 automatic landing system for revenue service down to and including Category II meteorological conditions when all of the following are accomplished.

(1) All DC-10-10 and DC-10-30 airplanes in an individual operator's fleet have been modified per Douglas DC-10 Service Bulletin 22-78, dated February 7, 1975, or later FAA-approved revision.

(2) Douglas DC-10 Service Bulletin 22-80, dated February 7, 1975, or later FAA-approved revision is accomplished.



(3) The applicable Flight Guidance Appendix to the Airplane Flight Manual must incorporate the applicable revision, as listed below, approved on February 20, 1975 or later FAA-approved revision.

Report No. MDC-J1010 Revision No. 62.

Report No. MDC-J1030 Revision No. 41.

Report No. MDC-J5830 Revision No. 18.

(4) Approval to conduct automatic landings is obtained from the Principal Operations Inspector assigned to the individual operator.

(5) Remove the placard installed by paragraph (b)(2), above, when paragraphs (d)(1), (2), (3) and (4) are accomplished.

(e) If the requirements of paragraph (d) above are met, the following limitations apply to use of the DC-10-10 and DC-10-30 automatic landing systems:

#### AUTOMATIC LANDING SYSTEM

Do not use Automatic Landing mode until DC-10 Service Bulletin 22-41 and 22-48 and flight functional in accordance with MDC Report Number J6204 or production equivalents are accomplished (DC-10-10 airplanes only).

Do not exceed 235 knots with Single Land or Dual Land modes of the autopilot engaged.

#### CATEGORY III AUTOMATIC LANDING

In addition to the Automatic Landing System Limitations listed above, the following limitation applies:

Do not use Automatic Landing System for Category III operation.

This amendment become effective March 7, 1975.

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

Issued in Los Angeles, California, on February 20, 1975.

ROBERT H. STANTON,  
Director,  
FAA Western Region.

[FR Doc.75-5405 Filed 2-28-75;8:45 am]

[Docket No. 74-EA-89; Amdt. 39-2118]

### PART 39—AIRWORTHINESS DIRECTIVE United Aircraft of Canada Engines

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive applicable to United Aircraft of Canada, Ltd. PT6A type engines.

There have been reports of disc failure in the subject engine which, in turn, escaped confinement causing aircraft damage. Since this is a deficiency which can exist or develop in similar type design engines, an airworthiness directive is being issued which will require inspection of the engine oil filter and eventual replacement of the shaft housing assembly.

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

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89

[31 FR 13697] § 39.13 of Part 39 of the Federal Aviation Regulations is amended by issuing a new Airworthiness Directive as follows:

Applies to all United Aircraft of Canada Limited PT6A-6, -6A, -6B, -6/C20, -20, -20A, -20B, -27, -28, -34 series turboprop engines and PT6B-9 turboshaft engines.

Compliance required as indicated.

To ensure the early detection of engine failure and especially reduction gearbox deterioration in engines with a reduced strength power turbine shaft housing assembly part number 3010548, accomplish the following:

1. Within the next fifty hours in service after effective date of this A.D., unless previously accomplished, remove the main engine oil filter element and using a ten power magnifying glass and magnet, inspect the element for magnetic and non-magnetic particles:

a. If the inspection reveals less than twenty non-magnetic particles, clean oil filter and reinspect after every fifty hours in service.

b. (1) If the inspection reveals more than twenty non-magnetic particles, clean oil filter and reinspect after ten hours in service.

(2) If the reinspection, in accordance with paragraph (b)(1) reveals less than twenty non-magnetic particles, clean oil filter and reinspect after every fifty hours in service.

(3) If the reinspection, in accordance with paragraph (b)(1) reveals more than twenty non-magnetic particles, clean oil filter and reinspect after ten hours in service.

(4) If the reinspection, in accordance with paragraph (b)(3) reveals more than twenty non-magnetic particles, the engine must be removed from service for an overhaul inspection.

(5) If the reinspection in accordance with paragraph (b)(3) reveals less than twenty non-magnetic particles, clean oil filter and reinspect after every fifty hours in service.

c. (1) If the inspection reveals less than twenty magnetic particles, clean oil filter and reinspect after ten hours in service.

(2) If the reinspection in accordance with paragraph (c)(1) reveals the presence of similar quantity of magnetic particles, the engine must be removed from service for an overhaul inspection.

(3) If the reinspection, in accordance with paragraph (c)(1) reveals the presence of lesser quantity of magnetic particles, clean oil filter and reinspect every fifty hours in service thereafter.

d. (1) If the inspection reveals more than twenty magnetic particles, clean oil filter, drain and change oil, perform a ground run for one hour and reinspect oil filter. If the inspection after one hour ground run reveals more than twenty magnetic particles, the engine must be removed from service for an overhaul inspection.

(2) If the inspection after one hour ground run reveals less than twenty magnetic particles, clean oil filter and reinspect after ten hours in service.

(3) If the reinspection after ten hours' time in service reveals presence of similar quantity of magnetic particles, the engine must be removed from service for an overhaul inspection.

(4) If the reinspection after ten hours' time in service reveals the presence of lesser quantity of magnetic particles, clean oil filter and reinspect every fifty hours' time in service thereafter.

2. At the next reduction gearbox disassembly, but no later than 8000 hours' time in service after effective date of this A.D., rework the Part Number 3010548 power turbine shaft housing assembly in accordance

with United Aircraft of Canada Limited Engine Service Bulletin No. 1138 or replace the Part Number 3010548 power turbine shaft housing assembly with any other part number turbine shaft housing assembly listed as eligible in the engine parts catalog.

Aircraft may be flown to a base for performance of maintenance required by this A.D. per FAR 21.197 or FAR 21.199.

Upon submission of substantiating data through an FAA Maintenance Inspector, the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, may adjust the repetitive inspection times specified in this Airworthiness Directive.

This amendment is effective March 10, 1975.

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

Issued in Jamaica, N.Y., on February 24, 1975.

JAMES BISPO,  
Acting Director, Eastern Region.

[FR Doc.75-5407 Filed 2-28-75;8:45 am]

[Airspace Docket No. 74-GL-51]

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

#### Redesignation of Federal Airway

On January 6, 1975, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (40 FR 1061) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would add a north alternate to V-170 between Worthington, Minn., and Fairmont, Minn.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. No comments were received.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 24, 1975, as hereinafter set forth.

Section 71.123 (40 FR 307) is amended as follows:

In V-170 "Worthington, MN.; Fairmont, MN.; Rochester, MN.;" is deleted and "Worthington, Minn.; Fairmont, Minn.; including a N alternate via INT Worthington 064° and Fairmont 285° radials; Rochester, Minn.;" is substituted therefor.

This amendment is made 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 24, 1975.

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

[FR Doc.75-5408 Filed 2-28-75;8:45 am]

[Airspace Docket No. 74-EA-90]

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

**Designation of Transition Area**

On page 2825 of the FEDERAL REGISTER for January 16, 1975, the Federal Aviation Administration published a proposed rule which would designate a Williamson, N.Y., 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 regulation is hereby adopted, effective 0901 G.m.t. May 1, 1975.

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

Issued in Jamaica, N.Y., on February 24, 1975.

**JAMES BISPO,**

*Acting Director, Eastern Region.*

1. Amend § 71.181 of Part 71, Federal Aviation Regulations by adding the Williamson, New York 700-foot floor Transition Area as follows:

That airspace extending upward from 700 feet above the surface within a 6.5 mile radius of the center, lat. 43°14'10" N., long. 77°07'20" W. of Williamson-Sodus Airport, Williamson, N.Y., extending clockwise from a 065° to a 320° bearing from the airport; within a 5-mile radius of the center of the airport extending clockwise from a 320° to a 055° bearing from the airport.

[FR Doc.75-8409 Filed 2-28-75; 8:45 am]

**Title 17—Commodity and Securities Exchanges**

**CHAPTER II—SECURITIES AND EXCHANGE COMMISSION**

[Release Nos. 33-5571, 34-11260, 35-18821, 39-382, IC-8680, IA-437]

**PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS**

**Subpart D—Freedom of Information**

On November 21, 1974, the Congress passed a series of amendments to the Freedom of Information Act, 5 U.S.C. 552, which went into effect on February 19, 1975.

The Commission's general rules relating to Records and Information are set forth at 17 CFR 200.80. The Commission has determined that certain amendments should be made to the provisions of § 200.80 in order to conform them to the amended provisions of the Freedom of Information Act. In other respects, changes in these rules have been adopted in order to conform them to current Commission practice. The Commission has also reorganized and renumbered the provisions of § 200.80 to present them in a more readily understandable form.

In addition, on January 16, 1975, the Commission, as required by the Freedom of Information Act amendments, published for comment its proposal to continue in effect its existing fee schedule for search and duplication services performed in response to requests under the Act. The Commission has considered the comments received in response to that proposal and has determined to continue the existing fee schedule unchanged.

Section 200.80(a) generally sets forth the nature of information published by the Commission and records available from the Commission. Section 200.80(a) (1) describes the nature of information that is published in the FEDERAL REGISTER; § 200.80(a) (2) describes the nature of records that are available for public inspection and copying at the Commission's public reference facility; § 200.80(a) (3) describes other records that are generally available upon request, with reference to an enumeration contained in Appendix A to the rules; and § 200.80(a) (4) notes circumstances in which records may be made available with identifying details deleted. Subsection (b) of § 200.80 enumerates those matters that are generally considered non-public, indicating the manner in which the Commission considers exemptions from the disclosure requirements of the Freedom of Information Act apply to various types of records maintained by the Commission. Information concerning the location of Commission public reference facilities and the nature of documents available at locations outside Washington, D.C. are described in § 200.80(c). The procedures to be followed by persons requesting records for inspection or requesting copies of records are set forth in § 200.80(d). The fees that will be charged for records services are described in § 200.80(e); the current fee schedule is contained in Appendix E to the rules. And a general description of releases and publications issued by the Commission or by the Government Printing Office relating to the Commission's activities are set forth in § 200.80(f), with reference to the compilations contained in appendices B, C, and D to the Section.

I. *New procedure for requesting copies of Commission records and for obtaining administrative review of a denial of access to records.* The Freedom of Information Act, as amended, will now require an agency within 10 business days after a request for records has been received to make an initial decision whether to comply with the request and will now also require that where it has initially been determined not to make a record available, an administrative appeal of that determination must be decided by the agency within 20 business days after receipt of the appeal. 5 U.S.C. 552(a) (6) (A).

In order to assure that the required prompt attention may be given to requests for records other than those which

are routinely made available,<sup>1</sup> the Commission has found it necessary to require that all requests must be made either in person during normal business hours at the Commission's Public Reference Room, 1100 L Street, NW, Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549. It should be noted that the ten-day period within which the Commission will normally respond to a request will begin only upon receipt by the Commission of the request.

Of course, the Commission will not deny a request solely because it has been misdirected. In fact, it has instructed all staff members promptly to forward misdirected requests to the Public Reference Section. But the Commission has made clear in § 200.80(d) (9) (ii) of its amended rule that it cannot assure a timely or satisfactory response to written requests for copies of records made other than in the manner specified under paragraph (d),<sup>2</sup> and the Commission will not entertain an administrative appeal from an alleged failure of its staff to comply with a misdirected request unless it can be shown that the request was in fact received by the Public Reference Section.

Consistent with the Freedom of Information Act, as amended, 5 U.S.C. 552(a) (3) (A), requests for records are required to be made in terms that reasonably describe the records sought with sufficient specificity to permit them to be located among the records of the Commission (§ 200.80(d) (3)). Normally, records requested at the Public Reference Room will be made available immediately unless the request relates to matters that are generally nonpublic as described in paragraph (b) of Section 200.80.

If it should be initially determined that access to a record must be denied,

<sup>1</sup> Certain records of the Commission—particularly documents filed with the Commission pursuant to the disclosure requirements of the various statutes that the Commission administers—are and will continue to be available for immediate inspection at the Commission's Public Reference Room, 1100 L Street, NW, Washington, D.C. A compilation of those records is contained in Appendix A to § 200.80, 17 CFR 200.80a. Certain records of this character are also immediately available to public reference facilities maintained by the Commission in its regional offices, as described in paragraph (c) of § 200.80. In these respects the substance of the Commission's rule remains unchanged.

<sup>2</sup> Members of the public have sometimes addressed a request for records to particular staff members rather than to the Public Reference Section. This causes needless delay and may, in fact, result in the request being misplaced or overlooked. Accordingly, requests will be considered to have been received by the Commission for purposes of its compliance with the provisions of the Freedom of Information Act relating to prompt determinations only after they have actually been received by the Public Reference Section.

the person who has requested it will promptly be advised of the denial and of his right to appeal the adverse determination to the Commission (§ 200.80(d)(5)). In addition to the Public Information Officer, the Director of a staff Division or Office Head whose zone of responsibility relates to the requested records is given authority to determine that a record is not required by law to be made available and should not be made available. The notification of denial of any request will state the name and title of the Commission official responsible for the denial.

Provisions for administrative review of a denial of a request are contained in § 200.80(d)(6). That paragraph provides that anyone who has been notified that his request has been denied or who has received no response to a request within ten working days (or within any extended period permitted by § 200.80(d)(7)),<sup>4</sup> may appeal the adverse determination or failure to respond by applying for an order of the Commission directing that the record be made available.

All such appeals must be made in writing (§ 200.80(d)(6)(i)) and must be delivered to the Commission's Public Information Officer or mailed to the Securities and Exchange Commission, Public Information Officer, Washington, D.C. 20549. (§ 200.80(d)(6)(ii).) The application may state such facts and cite such authorities as the applicant may consider appropriate. (§ 200.80(d)(6)(iii).) This is significant because while the Commission may determine to withhold any record exempt from the disclosure requirements of the Freedom of Information Act, it is not required to do so; accordingly, it may be persuaded in a particular situation to disclose a record for good

cause shown although it could not be compelled to do so. (§ 200.80(d)(6)(iv).)

The Commission will make a determination with respect to the appeal within twenty business days after receipt of the appeal (or within any extended period permitted by § 200.80(d)(7)).<sup>4</sup> (§ 200.80(d)(6)(v).) If on appeal the denial of a request of access to a record is in whole or in part upheld, the Commission will notify the person making the request of the names and titles of the members of the Commission who voted to deny the request and will advise him of the provisions in the Freedom of Information Act providing for judicial review of the Commission's determination. (§ 200.80(d)(6)(vi).)<sup>5</sup>

**II. Fees for records services.** On January 16, 1975, the Commission published for comment a proposal to continue in effect its existing fee schedule for search and duplication services for requests for records. See Securities Act of 1933 Release No. 5556, January 16, 1975; 40 FR 3222 (January 20, 1975). At the same time, the Commission also proposed to continue in effect its rule that no fee will be charged for searching for a record when one-half man-hour or less is required to locate records and make them available for inspection or copying; when more than one-half man-hour is required to locate requested records, search fees will be charged unless: (1) the record is found to be non-public and is not made available to the requester, or (2) after a reasonable search, a record which was adequately identified cannot be located. *Provided, however,* That a fee will be charged if, after the person who requested the record has been notified that it cannot be located, the search is continued beyond that time at his insistence.

After consideration of the comments received in response to these proposals, the Commission has determined to enact the rules proposed as 17 CFR 200.80(e)(1) and (2).<sup>6</sup> The current fee schedule appears as Appendix E to Subpart D of Part 200 of the Commission's Rules, 17 CFR 200.80e.

<sup>4</sup> See n. 3, *supra*.

<sup>5</sup> See, 5 U.S.C. § 552(a)(4).

<sup>6</sup> One commentator questioned the propriety of the Commission's procedure in contracting with a third party to perform duplicating services for members of the public. Since the Freedom of Information Act, as amended, authorizes only such fees as will recover direct costs of providing such services, 5 U.S.C. 552(a)(4)(A), it was questioned whether fees established pursuant to a contract that will allow a profit to the contractor are permissible. The Commission does not believe that the Freedom of Information Act requires that the agency itself perform the duplicating services that the Act contemplates. Moreover, the Commission does not believe that the new amendments should be interpreted to abrogate existing contractual commitments. However, after the termination of the existing duplication contract the Commission will consider the feasibility and economic advantage, if any, of renting or purchasing duplicating machines to be offered for public coin operation at a price reflecting the Commission's actual cost.

In order to protect persons requesting Commission records from incurring unexpectedly large expenses, the Commission has also determined to promulgate a new provision relating to requests that will require large expenditures to locate and make records available. This provision, § 200.80(e)(3), states that a request for records may provide that the requesting person is willing to bear costs up to a stated limit for services to be provided in searching for records. If such a statement is included in the request, no work will be done without further written authorization that will result in fees beyond the stated limit. If no limit is stated in the request, services in searching for records will not be done so as to exceed a fee of \$25 without written authorization, and the requesting person will be advised when the \$25 limit has been reached.

The Commission has also determined to promulgate a new provision, § 200.80(e)(4), to implement one of the recent amendments to the Freedom of Information Act, allowing records to be furnished without charge or at a reduced charge where the agency determines that waiver or reduction of fees is in the public interest because furnishing the information can be considered as primarily benefiting the general public. See 5 U.S.C. 552(a)(4)(A). The Commission's Rule requires requests for waiver or reduction of fees to be submitted with the original request for records and that the request may state such facts as the requester may consider appropriate.

**III. Substantive changes with respect to requests for matters that are generally considered non-public.** The recent amendments to the Freedom of Information Act modified two of the nine exemptions from the disclosure requirements of the Act, 5 U.S.C. 552(b). These changes are reflected in amendments to the Commission's Rule.<sup>7</sup> In addition, a provision was added to the Freedom of Information Act which requires that any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of exempt portions. This provision is reflected in the introductory language of § 200.80(b).

**Amendment to Exemption Relating to National Defense and Foreign Policy Matters.** The first exemption, 5 U.S.C. 552(b)(1), pertaining to documents classified under an Executive Order for reasons of defense or foreign policy, was modified by the recent amendments to the Freedom of Information Act. Although this exemption does not normally apply to Commission records, the rule has been amended to conform to the new statutory language.

**Amendment to Exemption Relating to Investigatory Files.** The seventh exemption, 5 U.S.C. 552(b)(7), pertaining to investigatory files, was also changed by

<sup>7</sup> Previously, the matters generally considered non-public were set forth in paragraph (c) of § 200.80. These matters are now set forth in paragraph (b) of the Section, as amended.

<sup>8</sup> In accordance with the Freedom of Information Act, as amended, 5 U.S.C. 552(a)(6)(B), the Commission's Rule provides for an extension of time to respond to a request in unusual circumstances. See § 200.80(d)(7). Thus, the time limits prescribed in § 200.80(d)(5) or (6) may be extended by written notice to the person making the request, which will state the reason for the extension and the date on which a determination is expected. No extension will be made for more than ten working days. The unusual circumstances which justify an extension are:

1. The need to search for and collect requested records;
2. The need to search for, collect and examine a voluminous amount of records demanded in a single request; and
3. The need for consultation among divisions or offices within the Commission or for consultation by the Commission with another agency having a substantial interest in the determination of the request.

If the Commission is unable to comply with the time limits specified in the Act, it will give written notice of the reason for the delay to the person making the request and will be prepared to demonstrate to a court, if need be, the existence of exceptional circumstances and that the Commission is exercising due diligence in responding to the request.



the recent amendments to the Freedom of Information Act. The Commission's Rule has similarly been amended to conform to the statutory provision.<sup>6</sup> Generally, the exemption and the rule now relate to individual investigatory records rather than to investigatory files as a whole, which was previously the case. Under the rule, as amended, the Commission will not publicly disclose investigatory records if doing so would interfere with enforcement proceedings, deprive a person of a right to a fair trial or an impartial adjudication or disclose the identity of a confidential source.

Also, so long as a concrete prospect of enforcement action to which the records would be relevant continues to exist, the records will generally be non-public. As one consequence of the rule, however, after all enforcement action is completed, the evidentiary materials compiled in the course of an investigation will generally be made available to any person, although in a particular case the Commission may withhold investigatory records that would constitute an unwarranted invasion of personal privacy, disclose investigatory techniques and procedures or endanger the life or physical safety of law enforcement personnel.

The Commission regrets that in many cases the Commission will disclose records although persons who cooperated in its investigation would have reasonable grounds to object, either because of personal privacy or business secrecy considerations. But the stringent time requirements under the Freedom of Information Act, as amended, as well as the heavy financial and manpower burden that the Commission would be obliged to sustain if it were to attempt to examine each individual record for these purposes, will generally prevent the Commission from refusing to make disclosure on these bases.

Because the Commission wishes, if possible, to afford appropriate protection to the interests of private persons who might be adversely affected through disclosure of the Commission's investigatory files, the Commission invites any person who has previously given testimony or supplied documentary evidence in a Commission investigation to write to the Commission (to the attention of the Director of the Division of Enforcement) if

<sup>6</sup> Commission investigative records include documents, transcripts, correspondence, memoranda and other work product concerning examinations and investigations authorized by law and any related litigation or administrative proceedings, as well as all written communications from or to any person confidentially complaining or furnishing information respecting violations of the law and all communications with the person who is the subject of a Commission examination or investigation or with his counsel, including any communication to the Commission prior to a decision with respect to the authorization of an enforcement proceeding (see Securities Act of 1933 Release No. 5310, September 27, 1972), and any offer of settlement with respect to any actual or contemplated enforcement proceeding.

he believes that particular testimony he gave or specific documents he supplied would be exempt from the disclosure requirements of the Freedom of Information Act and wishes those matters to be treated as non-public. The relevant documents or portions of testimony must be specifically identified, however, since the Commission cannot undertake to make detailed examination of voluminous materials. Moreover, any such letter should demonstrate why disclosure of the specified matters would "constitute a clearly unwarranted invasion of personal privacy" or would publicly expose sensitive commercial or financial information that would not normally be disclosed by the person from whom it was obtained.

Similarly, with respect to investigatory files that may be compiled in the future, all persons who supply testimony or documents to the Commission which they believe are exempt from the disclosure requirements of the Freedom of Information Act may request that they be withheld in the event of a subsequent demand for disclosure. The request must be in writing, should be directed to the attention of the Director of the Division of Enforcement, and must state what specific materials are considered to be confidential and the legal or factual basis upon which that claim is made.

Although every consideration will be given to requests for confidential treatment, it should be understood that the Commission will not treat as non-public any matters it believes are required to be disclosed under the Freedom of Information Act, or which the Commission believes should be disclosed in the public interest.

Following is the complete text of Subpart D of Part 200 of the Commission's rules, 17 CFR 200.80, as amended, and Appendix E to Subpart D, 17 CFR 200.80e, containing the Commission's present schedule of fees relating to search and duplication services.

**Subpart D—Information and Requests**

**AUTHORITY:** The provisions of this Subpart D issued under 80 Stat. 383, as amended, 31 Stat. 54, secs. 19, 23, 48 Stat. 85, 901, as amended, sec. 20, 49 Stat. 833, sec. 319, 53 Stat. 1173, secs. 38, 211, 54 Stat. 841, 855; 5 U.S.C. 552, 15 U.S.C. 77a, 78w, 79t, 77sss, 80a-37, 80b-11, unless otherwise noted.

**§ 200.80 Commission records and information.**

(a) (1) *Information published in the FEDERAL REGISTER.* Except as provided in paragraph (b) of this section the following materials are published in the FEDERAL REGISTER for the guidance of the public:

(i) Description of the Commission's central and field organization and the established places at which, the employees from whom, and the methods whereby the public may obtain information, make submittals or requests, or obtain decisions;

(ii) Statements of the general course and method by which the Commission's functions are channeled and determined, including the nature and requirements of

all formal and informal procedures available;

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

(iv) Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the Commission; and

(v) Each amendment, revision, or repeal of the foregoing.

(2) *Records available for public inspection and copying; documents published and indexed.* Except as provided in paragraph (b) of this section, the following materials are available for public inspection and copying during normal business hours at the public reference room located at 1100 L Street NW., Washington, D.C. and at the Regional Offices of the Commission, and, except for indices, they are also published weekly by the Government Printing Office in a document entitled "SEC Docket" (see paragraph (f) (2) of this section):

(i) Final opinions of the Commission, including concurring and dissenting opinions, as well as orders made by the Commission in the adjudication of cases;

(ii) Statements of policy and interpretations which have been adopted by the Commission and are not published in the FEDERAL REGISTER;

(iii) Administrative staff manuals and instructions to staff that affect a member of the public;

(iv) A record of the final votes of each member of the Commission in every Commission proceeding concluded after July 1, 1967; and

(v) Current indices (published quarterly or more frequently) providing identifying information to the public as to the materials made available pursuant to paragraphs (a) (2) (i), (ii) and (iii) of this section which have been issued, adopted or promulgated after July 1, 1967, and such other indices as the Commission may determine.

(3) *Other records available upon request.* Except with respect to the records made available under paragraphs (a) (1) and (2) of this section, and subject to the provisions of paragraph (b), pertaining to nonpublic matters, the Commission, upon request for records which (i) reasonably describes such records and (ii) is made in accordance with the rules set forth in paragraphs (d) and (e) of this section, stating the time, place, fees (if any) and procedures to be followed, shall make the records promptly available to any person. A compilation of records generally available at the public reference room at the principal office of the Commission appears below as Appendix A to this section (17 CFR 200.80a).

(4) *Records available with identifying details deleted.* To the extent required to prevent a clearly unwarranted invasion of personal privacy, identifying details

may be deleted from materials made public as set forth in paragraphs (a) (1), (2), and (3) of this section, e.g., apparently defamatory statements made about any person, information received by or given to the Commission in confidence, or any contents of personnel and medical and similar files. In addition, certain materials which are considered to be nonpublic, as described in paragraph (b) of this section may, as authorized by the Commission from time to time, be made available for public inspection and copying in an abridged or summary form or with identifying details deleted.

(b) *Nonpublic matters.* Certain records are nonpublic, but any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are considered nonpublic under the paragraph (b) of this section. Except for such reasonably segregable portions of records, the Commission will generally not publish or make available to any person matters that are:

(1) (i) Specifically authorized under criteria established by an executive order to be kept secret in the interest of national defense or foreign policy, and (ii) are in fact properly classified pursuant to such executive order.

(2) Related solely to the internal personnel rules and practices of the Commission or any other agency of the Government of the United States, including operation rules, guidelines, and manuals of procedure for investigators, auditors, and other employees other than those which establish legal requirements to which members of the public are expected to conform.

(3) Specifically exempted from disclosure by statute, including:

(i) Information contained in any notification, statement, application, declaration, report, or other document or record filed with or received by the Commission as required or permitted by law which is entitled to confidential treatment by operation or application of the provision of Clause 30 of Schedule A of the Securities Act of 1933 and Rule 485 (17 CFR 230.485) thereunder, section 24 of the Securities Exchange Act of 1934 and Rule 24b-2 (17 CFR 240.24b-2) thereunder, section 22 of the Public Utility Holding Company Act of 1935 and Rule 104(b) (17 CFR 250.104(b)) thereunder, section 321(b) of the Trust Indenture Act of 1939, section 33(b) of the Investment Company Act of 1940 and Rule 45a-1 (17 CFR 270.45a-1) thereunder, or section 210 of the Investment Advisers Act of 1940; and

(ii) Information concerning administrative proceedings which are nonpublic pursuant to the provisions of section 22 of the Securities Exchange Act of 1934, section 19 of the Public Utility Holding Company Act of 1935, section 320 of the Trust Indenture Act of 1939, section 41 of the Investment Company Act of 1940, or section 212 of the Investment Advisers Act of 1940.

(4) Trade secrets and commercial or financial information obtained from a person and privileged or confidential, including:

(i) Information contained in letters of comment in connection with registration statements, applications for registration or other material filed with the Commission, replies thereto, and related material which is deemed to have been submitted to the Commission in confidence or to be confidential at the instance of the registrant or person who has filed such material unless the contrary clearly appears; and

(ii) Information contained in any document submitted to or required to be filed with the Commission where the Commission has undertaken formally or informally to receive such submission or filing for its use or the use of specified persons only, such as preliminary proxy material filed pursuant to Rule 14a-6 under the Securities Exchange Act (17 CFR 240.14a-6), reports filed pursuant to Rule 316(a) under the Securities Act (17 CFR 230.316(a)), agreements filed pursuant to Rule 15c-3-1(c) (7) (G) under the Securities Exchange Act (17 CFR 240.15c3-1(c) (7) (vii)), schedules filed pursuant to Part II of Form X-17A-5 (17 CFR 249.617) in accordance with Rule 17a-5(b) (3) under the Securities Exchange Act (17 CFR 240.17a-5(b) (3)), statements filed pursuant to Rule 17a-5(k) (1) under the Securities Exchange Act (17 CFR 240.17a-5(k) (1)), and confidential reports filed pursuant to Rules 17a-9, 17a-10, 17a-12 and 17a-16 under the Securities Exchange Act (17 CFR 240.17a-9, 240.17a-10, 240.17a-12, and 240.17a-16); and

(iii) Information contained in reports, summaries, analyses, letters, or memoranda arising out of, in anticipation of or in connection with an examination or inspection of the books and records of any person or any other investigation.

(5) Interagency or intra-agency memoranda or letters, including generally records which reflect discussions between or consideration by members of the Commission or members of its staff, or both, of any action taken or proposed to be taken by the Commission or by any member of its staff, and specifically, reports, summaries, analyses, conclusions, or any other work product of members of the Commission or of attorneys, accountants, analysts, or other members of the Commission's staff, prepared in the course of an inspection of the books or records of any person whose affairs are regulated by the Commission, or prepared otherwise in the course of an examination or investigation or related litigation conducted by or on behalf of the Commission, except those which by law would routinely be made available to a party other than an agency in litigation with the Commission.

(6) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, including those concerning all employees of the

Commission and those concerning persons subject to regulation by the Commission, such as personal information about employees of brokers or dealers reported to the Commission pursuant to Rule 15b8-1(a) (2) (iii) under the Securities Exchange Act (17 CFR 240.15b8-1(a) (2) (iii)).

(7) Investigatory records compiled for law enforcement purposes to the extent that production of such records would interfere with enforcement proceedings, deprive a person of a right to a fair trial or an impartial adjudication, or disclose the identity of a confidential source. In a particular case the Commission may also withhold investigatory records that would constitute an unwarranted invasion of personal privacy, disclose investigative techniques and procedures or endanger the life or physical safety of law enforcement personnel. Investigatory records include all documents, records, transcripts, correspondence and related memoranda and work product concerning examinations and other investigations and related litigation as authorized by law, which pertain to or may disclose the possible violations by any person of any provision of any of the statutes, rules, or regulations administered by the Commission; and all written communications from or to any person confidentially complaining or otherwise furnishing information respecting such possible violations, as well as all correspondence and memoranda in connection with such confidential complaints or information.

(8) Contained in or related to examinations, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; and

(9) Geological and geophysical information and data, including maps, concerning wells.

(c) (1) *Public reference facilities.* The Commission has a specially staffed and equipped public reference room located at 1100 L Street, NW, Washington, D.C. (Phone No. 202-523-5506) and public reference facilities in the New York Regional Office, 26 Federal Plaza, New York, New York 10007 (212-264-1615), Los Angeles Regional Office, 312 North Spring Street, Los Angeles, California 90012 (213-688-5879), and Chicago Regional Office, 219 South Dearborn Street, Chicago, Illinois 60604 (312-353-7433). Some facilities for public use are also provided in other regional offices. A contractor maintains coin-operated machines in the public reference rooms in Washington, D.C., and at the Commission's regional offices in New York City, Los Angeles and Chicago. These machines, which are operated by customers on a do-it-yourself basis, can be used to make immediate copies up to 8½ by 14 inches in size of materials that are available for inspection in those offices.

(i) The public reference room in Washington has available for public examination all of the publicly-available records of the Commission as described in paragraph (a) of this section.



(ii) All regional offices have available for public examination the materials set forth in paragraph (a)(2) of this section, as well as copies of prospectuses used in recent offerings of securities registered under the Securities Act; registration statements and recent annual reports filed pursuant to the Securities Exchange Act of companies having their principal office in their respective regions; active broker-dealer and investment adviser applications originating in their respective regions; and Regulation A (17 CFR 200.251 *et seq.*) letters of notification filed in their respective regions. Certain of the materials described in paragraph (a)(1) of this section may also be available at particular regional offices.

(iii) In the New York, Chicago and Los Angeles Regional Offices, microfiche of all recent registration statements filed pursuant to the Securities Act of 1933, registration statements and periodic reports filed pursuant to the Securities Exchange Act of 1934, and periodic reports filed pursuant to the Investment Company Act from 1969 to date are available for inspection and reproduction.

(2) *Public reference inquiries.* Inquiries concerning the nature and extent of records available at the Commission's public reference room in Washington or at its other public reference facilities may be made in person or by telephone. The addresses and telephone numbers of all Commission Regional and Branch Offices are set forth at paragraph (c)(1) of this section. Written inquiries may be addressed to the Public Reference Section, 500 North Capitol Street, Washington, D.C. 20549, or to a particular regional office.

(d) *Requests for Commission records and copies thereof—(1) Time and place of request for inspection of records.* Requests for inspection of Commission records may be made in person during normal business hours at the public reference room located at 1100 L Street, NW, Washington, D.C. Requests for inspection of Commission records located in a regional office may be made in person during normal business hours at that regional office.

(2) *Requests for copies of records.* Requests for copies of Commission records may be made either in person at the public reference room or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

(3) *Description of requested records.* Each request for Commission records or copies thereof shall reasonably describe the records sought with sufficient specificity with respect to names, dates and subject matter to permit the records to be located among the records maintained by or for the Commission. A person who has requested Commission records or copies thereof will be promptly advised if the records cannot be located on the basis of the description given and that further identifying information must be provided before his request can be satisfied.

(4) *Normal availability.* Records or copies will normally be made available either immediately upon receipt of a request or within ten days thereafter, unless the request relates to matters that are generally non-public as described in paragraph (b) of this section.

(5) *Initial determinations, denials.* With respect to any record that is generally considered nonpublic as described in paragraph (b) of this section, the Public Information Officer of the Commission will determine within ten days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of a request for inspection of the record or for a copy (or within such extended period as may be permitted in accordance with paragraph (7) of this subsection (d)) whether to comply with such request, and shall immediately notify the person making such request of such determination, and, where it is determined not to comply, the reasons therefor, and of the right of such person to appeal to the Commission any adverse determination: *Provided*, That a Director of a staff Division of the Commission or Office head whose zone of responsibility relates to the record requested (See 17 CFR 200.13, *et seq.*) may make a determination that the record or copy is not lawfully required to be made available and should not be made available, in which case he, and not the Public Information Officer, shall make the required notification. The notification of denial of any request for records shall set forth the name and title or position of each person responsible for the denial.

(6) *Administrative review.* Any person who has been notified pursuant to paragraph (d)(5) of this section that his request for inspection of a record or for a copy has been denied, or who has received no response to a request for a record or copy within ten days (or within such extended period as may be permitted in accordance with paragraph (d)(7) of this section) after his request was received by the Commission's staff, may appeal the adverse determination or the failure to respond by applying for an order of the Commission determining and directing that the record be made available.

(i) The application shall be in writing and shall identify the record in the form in which it was originally requested.

(ii) The application should be delivered to the Office of the Public Information Officer or sent by mail to the Securities and Exchange Commission, Public Information Officer, Washington, D.C. 20549.

(iii) The applicant may, if he wishes, state such facts and cite such legal or other authorities as the applicant may consider appropriate.

(iv) The Commission may determine to withhold any record that is exempt from the disclosure requirements of the Freedom of Information Act, 5 U.S.C. 552, although it may disclose a record, even if exempt, if the application shows good cause why it should do so.

(v) The Commission will make a determination with respect to any appeal

within twenty days (excepting Saturdays, Sundays and legal public holidays) after the receipt of such appeal or within such extended period as may be permitted in accordance with paragraph (d)(7) of this section.

(vi) If on appeal the denial of the request for a record or a copy is in whole or in part upheld, the Commission will advise the person making such request of the denial, shall notify him of the names and positions of the members of the Commission responsible for the denial and shall notify him of the provisions for judicial review of that determination that are set forth at 5 U.S.C. 552 (a)(4).

(7) *Extension of time to consider requests and to consider administrative appeals.* In unusual circumstances, as specified in this paragraph, the time limits prescribed in either paragraphs (d)(5) or (6) of this section may be extended by written notice to the person making a request for a record or a copy, setting forth the reasons for such extension and the date on which a determination is expected to be dispatched. No such notice shall specify a date that would result in an extension for more than ten working days. As used in this paragraph, "unusual circumstances" means, but only to the extent reasonably necessary to the proper processing of the particular request—

(i) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request. (Many records of the Commission are stored in Federal Records Centers in accordance with law—including many of the documents which have been on file with the Commission for more than 2 years—and cannot be made available for several days after a request has been made. Other records may temporarily be located at a regional or branch office of the Commission. Any person who has requested for personal examination a record stored at the Federal Records Center or temporarily located in a regional or branch office of the Commission will be notified when the record will be made available to him at the public reference room of the Commission. Any person who has ordered a copy of such record will be provided with a copy as soon as practicable.)

(ii) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request. (While every reasonable effort will be made fully to comply with each request as promptly as possible on a first-come, first-served basis, work done to search for, collect and appropriately examine records in response to a request for a large number of records will be contingent upon the availability of processing personnel in accordance with an equitable allocation of time to all members of the public who have requested or wish to request records.)

(iii) The need for consultation, which shall be conducted with all practicable speed, with another agency having a



substantial interest in the determination of the request or among two or more components within the Commission having substantial subject-matter interest therein.

(8) *Inability to comply with time requirements.* If the Commission should be unable to comply with the applicable time limits contained in this paragraph (d) of this section in responding to a request for records, it shall written notice of the reason for delay to the person who made the request and shall be prepared to demonstrate to a court, if need be, the existence of exceptional circumstances and that the Commission is exercising due diligence in responding to the request for records.

(i) *Records in use for another member of the public.* Any record being inspected by or copied for another member of the public will be made available as soon as practicable.

(ii) *Records in use by a member of the Commission or its staff.* Although every effort will be made to make a record in use by a member of the Commission or its staff available when requested, it may occasionally be necessary to delay making such a record available when doing so at the time the request is made would seriously interfere with the work of the Commission or its staff.

(iii) *Missing or lost records.* Any person who has requested a record or copy will be notified if the record sought cannot be found. If he so requests, he will be notified if it should subsequently be located.

(9) *Oral requests; misdirected written requests—*(1) *Telephone and other oral requests.* While the Commission's staff will attempt in good faith to comply with requests for copies of records made orally, by telephone or otherwise, the Commission cannot assure a timely or satisfactory response to such requests due to the risk of misunderstanding inherent in the use of oral communication. The Commission will not entertain any appeal from an alleged denial or failure to comply with an oral request. Any person who has orally requested a copy of a record that he believes to have been improperly denied to him should resubmit his request in appropriate written form in order to obtain proper consideration and, if need be, administrative review.

(ii) *Misdirected written requests.* The Commission cannot assure that a timely or satisfactory response will be given to written requests for inspection or copies of records that are directed to the Commission other than in the manner prescribed in paragraphs (d) (1) and (2) of this section. Any staff member who receives a written request for records should promptly forward the request to the Public Reference Section. Misdirected requests for records will be considered to have been received for purposes of paragraph (d) of this section only when they have been actually received by the Public Reference Section. The Commission will not entertain any appeal from an alleged denial or failure to comply with a misdirected request, unless it is clearly shown that the request

was in fact received by the Public Reference Section.

(e) *Fees for records services.* A current schedule of fees for record services, including locating and making records available, attestations and copying, appears in Appendix E to this Subpart D, 17 CFR 200.80e. Copies of the current schedule of fees may also be obtained upon request made in person, by telephone or by mail from the public reference room or at any regional office of the Commission.

(1) *Services requiring one-half man-hour or less.* No fee will be charged when one-half man-hour or less is required to locate and make available records requested for inspection or for copying.

(2) *Services requiring more than one-half man-hour.* A fee will be charged as provided in the Commission's current schedule of fees when more than one-half man-hour of work is devoted to locating and making available for inspection or for copying records requested by a person, except that no such fee will be charged in connection with any record which is not made available because:

(i) It is found to be nonpublic as described in paragraph (b) of this section; or

(ii) After reasonable search, a record adequately identified cannot be located. Provided, That a fee will be charged if after the person who requested the record or copy has been notified that it cannot be located, the search is continued beyond that time at his insistence.

(3) *Requests requiring large expenditures.* A request for Commission records may state that the requesting person is willing to pay fees up to a stated limit for services to be provided in locating and making available requested records. In such circumstances, no work will be done that will result in fees beyond the stated limit without further written authorization. If no limit is initially stated by the person requesting records or copies, services in locating and making available the requested records will not be done so as to exceed fees of \$25 (exclusive of applicable copying charges) without the express written authorization by the requesting person, and he will be so advised.

(4) *Waiver or reduction of fees.* Requested records shall be furnished without charge or at reduced charge whenever it shall be determined by the Commission that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public. Requests for waiver or reduction of fees may be submitted with the original request for records and may state such facts as the requester may consider appropriate. Such requests will promptly be brought to the Commission's attention.

(5) *Records obtained from Federal Records Centers.* When, to fill a request for inspection or copying, records are required to be obtained from a Federal Records Center, fees, in addition to those provided on the Commission's current schedule of fees, will be charged to

the extent authorized or required by rules or regulations promulgated by the General Services Administration.

(6) *Attestations.* In addition to any other fees or charges which may apply, a fee will be charged for records attestations as provided in the Commission's current schedule of fees. The seal of the Commission will be affixed to all attestations without additional charge.

(7) *Copying services.* Copies of public records filed with or retained by the Commission, or portions thereof, will be provided subject to fees established by agreement between the Commission and a private contractor as set forth in the Commission's current schedule of fees.

(i) *Facsimile copies.* All requests for facsimile copies may be made either in person at the Commission's public reference room, 1100 L Street, NW, Washington, D.C. or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549. Copies when authorized will be sent directly to the purchaser by the contractor unless attestation is requested. A person who has been provided with facsimile copies of records upon request will be billed by the contractor for his copying services at rates shown in the Commission's current schedule of fees, plus postage, if any, and will be billed separately by the Commission for attestation and searching fees, if any. Special classes of copying services, including expedited delivery, to the extent available under the current contract, are described in the Commission's current schedule of fees. Cost estimates with respect to facsimile copying will be supplied upon request.

(ii) *Microform copies.* A contractor also makes available to the public microform copies of certain public documents on file with the Commission, at prices and on terms governed by its contract with the Commission. Microform services include subscription microfiche service on an annual basis. Requests concerning the types and cost of microform services, orders for copies or subscriptions, and payment should be addressed directly to the contractor, the name and address of which is set forth in the Commission's current schedule of fees.

(iii) *Transcripts of public hearings.* Copies of the transcripts of recent public hearings may be obtained from the reporter subject to the fees established annually by contract between the Commission and the reporter. Copies of that contract, which contains tables of charges, may be inspected in the public reference room, 1100 L Street NW., Washington, D.C. and in each regional and branch office. Copies of other public transcripts may be obtained, in the manner of other Commission records, subject to the charges referred to in paragraph (e) (7) (i) of this section.

(f) *Releases and publications.* (1) The Commission's decisions, reports, orders, rules and regulations are published initially in the form of releases and distributed to the press. Certain decisions and reports thereafter are printed in bound volumes entitled "Securities and

Exchange Commission Decisions and Reports"; these volumes may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(2) The Commission publishes daily the *SEC News Digest*, which summarizes the releases published by the Commission each day, contains Commission announcements, and lists certain filings with the Commission. The Commission publishes weekly the *SEC Docket*, which prints in full the text of every Commission release. Subscriptions to the *SEC News Digest* and the *SEC Docket* may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

(3) The Commission publishes an annual report to the Congress which sets forth the result of the Commission's operations during the past fiscal year under the various statutes committed to its charge. Copies may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

(4) The Commission also makes other information in the fields of securities and finance, including economic studies, available to the public through the issuance of releases on specific subject matters.

(5) A classification of the releases available from the Commission appears below as Appendix B to this section (17 CFR 200.80b). Other publications available from the Commission are set forth in Appendix C to this section (17 CFR 200.80c). Copies of statutes, rules and regulations, and miscellaneous publications set forth in Appendix D to this section (17 CFR 200.80d) may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

[Appendices A, B, C, and D remain unchanged.]

**§ 200.80e Appendix E—Schedule of Fees for Records Services.**

**Searching and Attestation Services.**—Locating and making available records requested for inspection or copying (including overhead costs) [17 CFR 200.80(e)(2)]: First one-half man-hour—No Fee; Each additional one-half hour or fraction thereof—\$2.50.

Attestation with Commission Seal (in addition to other fees, if any) [17 CFR 200.80(e)(6)]: \$2.00.

Payment for the above services must be made by check or money order payable to: "Treasury of the United States." Address mailed payments to:

Comptroller, Securities and Exchange Commission, Washington, D.C. 0549.

**Facsimile Copies of Documents** [17 CFR 200.80(e)(7)(i)].—Copies of public records filed with or retained by the Commission are provided by a commercial copier at rates established by a contract between the copier and the Commission. All requests for facsimile copies should be directed to the Public Reference Section, Securities and Exchange Commission, Washington, D.C. 20549. Cost estimates with respect to any copying job will be supplied upon request by the Public Reference Section.

Copies, when authorized, will be sent directly to the purchaser by the contract copier unless attestation is requested. The purchaser will be billed by the copier for the cost of the copies plus postage or other delivery charges, if any. Payment of all copying charges must be made to the official copier, not to the SEC, in the manner specified on the company invoice. The purchaser will be billed separately by the Commission for searching and attestation services, if any, at the rates noted above.

All of the following facsimile copying services provide copies 8½" x 14", in size, regardless of the size of the original. Material to be copied which cannot be copied onto one 8½" x 14" page without reducing character images to less than 6-point type size will be copied on two pages which the purchaser may match and join.

The following types of facsimile copying services are available. The stated time for delivery in each case begins to run only after receipt of the material by the contractor; if files cannot immediately be made available by the Commission, the time of the shipment will be affected.

**Regular service.**—Photostatic copies of originals or of other hard copies will be shipped within four working days after material is received by the Contractor—per page—\$0.15; Minimum charge per order for regular service—\$2.00. (Delivery costs are additional.)

**Priority service.**—Photostatic copies of originals or of other hard copies received by the Contractor by the close of a business day will be shipped by the close of business of the following day—per page—\$0.30; Minimum charge per order for priority service—\$5.00. (Delivery costs are additional.)

**Watching services.**—(1) Photostatic copies of Form N-1q filings may be ordered in advance on a "when-filed" basis. Subscriber to this service may designate companies the filings of which he wishes to receive. Copies shipped by the close of business of the working day following receipt of documents by Contractor—per page—\$0.40; Minimum charge per order—\$5.00. (Delivery costs are additional.)

(2) Photostatic copies of a type of filing (e.g. S-1, S-2, S-3, S-16, Proxy, 8K) on a "when-filed" basis. Subscriber to this service may request automatic receipt of a specified type of filing. This service made available only for the complete filing as submitted to the Commission. Copies shipped by the close of business of the working day following receipt of documents by the Contractor—per page—\$0.40; Minimum charge per order—\$5.00. (Delivery costs are additional.)

(3) Any non-standard demands requested by the customer, such as selection criteria not specified above in connection with watch services, may include a special order handling charge to be negotiated between the Contractor and the customer depending on additional order handling requirements. Please address all requests for information to: Disclosure Inc., 1400 Spring Street, Silver Spring, Maryland 20910.

**Self-Service Copying Facilities.**—In addition to the copying services described above, the contract copier maintains customer operated machines in the public reference rooms of the Commission in Washington, D.C., New York, Los Angeles and Chicago. These machines can be used to make immediate copies of material available for inspection in those offices, at a cost of 12 cents per page (up to 8½" x 15" in size).

**Microform Copies of Documents** [17 CFR 200.80(e)(7)(ii)].—The Contractor also offers certain microform copying services pursuant to the contract. Microfiche copies are offered in a variety of subscription and special order services. Arrangements also may

be made to subscribe to reports of companies selected by the requester, or to obtain microfiche of individual documents. The cost of microfiche service varies according to the type of service and the volume.

The Contractor supplying these services will supply information and price lists upon request. Please address all requests for information, and all orders for microform copies to: Disclosure, Inc., 1400 Spring Street, Silver Spring, Maryland 20910.

Except as to the provisions of paragraphs (e)(1) and (e)(2) relating to fees, and to the fee schedule contained in Appendix E, this amendment relates only to matters of agency procedure and practice. The Commission therefore deems that further public notice and the rulemaking procedures provided in Section 4 of the Administrative Procedure Act, as amended, 5 U.S.C. section 553, are unnecessary.

For the Commission.

[SEAL] SHIRLEY E. HOLLIS,  
Assistant Secretary.

FEBRUARY 21, 1975.

[FR Doc.75-5527 Filed 2-20-75; 8:45 am]

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

**CHAPTER I—FEDERAL POWER COMMISSION**

**SUBCHAPTER D—APPROVED FORMS, FEDERAL POWER ACT**

[Docket No. RM75-10; Order No. 515-A]

**PART 141—STATEMENTS AND REPORTS (SCHEDULES)**

**Weekly Telephone Reporting of Coal Consumption and Stocks by Electric Utilities**

On November 4, 1974, the Federal Power Commission, by Order No. 515, required electric utilities to make weekly reports of their coal consumption and coal stocks for the period from November 3, 1974 to April 26, 1975. The intent of Order No. 515 was to provide information for the weekly coal assessment program operated by the Department of the Interior and the Federal Energy Administration during the pendency of the national coal strike.

With the ending of the coal strike, a coal emergency no longer exists. The Department of the Interior and the Federal Energy Administration have discontinued the coal assessment program and no longer use the FPC data collected under Order No. 515. Information indicates that the rate of recovery from the impact of the strike has been satisfactory and because coal deliveries have essentially returned to normal any immediate threat to electric power capability has subsided.

In view of the above stated facts, the weekly reporting requirement of Order No. 515 no longer provides benefits appropriate to its costs. The Commission, therefore, feels that the public interest would be best served by terminating Order No. 515.

The Commission finds.

(1) Since the amendment prescribed herein which was not included in the notice in this proceeding is consistent



with the prime purpose of the rulemaking, further notice and opportunity for comment is unnecessary.

(2) Good cause exists that the amendment herein adopted become effective upon issuance of this order.

(3) The purposes and objectives of FPC Order No. 515, issued November 4, 1974 in Docket No. RM75-10, having been accomplished, it is in the public interest that FPC Order No. 515 be terminated.

The Commission, acting pursuant to the authority granted by the Federal Power Act, particularly section 309 (49 Stat. 858; 16 U.S.C. 825h), as amended, orders,

§ 141.63 [Removed]

(A) Effective March 3, 1975, § 141.63 of Title 18 of the Code of Federal Regulations, and compliance therewith, are terminated.

(B) The amendment adopted herein shall be effective upon issuance of this order.

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

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5465 Filed 2-28-75; 8:45 am]

#### Title 21—Food and Drugs

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

[OPP-282302; FRL 339-7]

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

#### PART 121—FOOD ADDITIVES

#### Methoprene

On July 24, 1974, notice was given (39 FR 26929) that Zoecon Corp., 975 California Ave., Palo Alto CA 94304, had filed a petition (PP 4F1514) for a pesticide food additive tolerance. This petition proposed establishment of food additive tolerances for residues of the insect growth regulator methoprene (isopropyl (E,E-11-methoxy-3,7,11-trimethyl-2,4-dodecadienoate)) in potable water at 0.01 part per million. This regulator is intended to be used in control of floodwater mosquitoes. Zoecon Corp. subsequently amended the petition to request an exemption from the requirement of a tolerance for residues of methoprene in potable water. (For a related document, see this issue of the FEDERAL REGISTER page —?)

The data submitted in the petition and other relevant material has been evaluated. The proposed exemption from a tolerance is considered adequate to cover residues resulting from the use and it will protect the public health. Therefore, it is concluded that an exemption from the requirement of a tolerance should be established as set forth below.

Any person adversely affected by this regulation may on or before April 2, 1975, file written objections with the Hearing Clerk, Environmental Protection Agency,

401 M Street, SW, East Tower, Room 1019, Washington DC 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective on March 3, 1975, Part 121 is amended by adding § 121.168 to Subpart D.

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

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

#### § 121.1268 Methoprene.

The insect growth regulator methoprene (isopropyl (E,E-11-methoxy-3,7,11-trimethyl-2,4-dodecadienoate)) is exempt from the requirement of a tolerance in potable water when used on pastures, rice fields, marshlands, and other noncrop areas to control floodwater mosquitoes.

[FR Doc.75-5402 Filed 2-28-75; 8:45 am]

#### SUBCHAPTER C—DRUGS

#### PART 135e—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Monensin, Zinc Bacitracin

#### Correction

In FR Doc. 75-3748 appearing on page 6490 in the issue for Wednesday, February 12, 1975, in the table for § 135e.50(f), the number under "Grams per ton" for item 4 now reading "55-45" should read "15-45".

#### SUBCHAPTER F—BIOLOGICS

#### PART 630—ADDITIONAL STANDARDS FOR VIRAL VACCINES

Poliovirus Vaccine, Live, Oral; Tests for Safety

Pursuant to section 351 of the Public Health Service Act, Poliovirus Vaccine, Live, Oral, offered in interstate commerce must be licensed and must meet certain standards to ensure the continued safety, purity, potency, and effectiveness of the vaccine. The standards governing the manufacture of Poliovirus Vaccine, Live, Oral, are prescribed in §§ 630.10 through 630.18 (21 CFR 630.10-630.18). These regulations require in paragraph (b)(1) of § 630.16, Test for safety, that each monovalent virus pool or monovalent lot be tested in comparison with the Reference Attenuated Poliovirus for neurovirulence in *Macaca mulatta* (rhesus) monkeys. Additionally, § 630.18 Equivalent methods, provides that modifications of any particular manufacturing method or process or the conditions under which it is conducted as set forth in the additional standards

relating to Poliovirus Vaccine, Live, Oral, shall be permitted whenever the manufacturer present evidence that demonstrates the modification will provide assurances of safety, purity, and potency of the vaccine that are equal to or greater than the assurances provided by such standards, and the Commissioner of Food and Drugs (previously the Surgeon General of the Public Health Service) makes such finding a matter of official record.

The Commissioner has reviewed current licenses for Poliovirus Vaccine, Live, Oral, and finds that in 1967, the Bureau of Biologics (then the Division of Biologics Standards, Public Health Service) authorized a manufacturer to substitute the *Macaca cynomolgus* monkey for the *Macaca mulatta* monkey for use in the neurovirulence test prescribed in § 630.16(b)(1) (formerly 42 CFR 73.114). Such authorization was given and continues to remain in effect in accordance with § 630.18 (formerly 42 CFR 73.118), based on data resulting from a comparative study of the neurovirulence test on five consecutive lots of vaccine using both species of monkeys. Results of the study demonstrated that *Macaca cynomolgus* and *Macaca mulatta* are equally suitable for the neurovirulence test.

Having reviewed the data in the approved license applications for Poliovirus Vaccine, Live, Oral, and other relevant material, the Commissioner concludes that § 630.16(b)(1) should be amended by deleting reference to a specific species of *Macaca* monkey (*Macaca mulatta* (rhesus)) and designating the use of the genus (*Macaca*) only to reflect the present use of *Macaca* monkeys other than *Macaca mulatta* for neurovirulence testing of licensed Poliovirus Vaccine, Live, Oral.

Therefore, pursuant to provisions of the Public Health Service Act (sec 351, 58 Stat. 702, as amended; 42 U.S.C. 262) and under authority delegated to the Commissioner (21 CFR 2.120), Part 630 is amended in § 630.16 by revising paragraph (b)(1) to read as follows:

#### § 630.16 Tests for safety.

(b) \* \* \*

(1) *Neurovirulence in monkeys.* Each monovalent virus pool or monovalent lot shall be tested in comparison with the Reference Attenuated Poliovirus for neurovirulence in *Macaca* monkeys by both the intrathalamic and intraspinal routes of injection. A preinjection serum sample obtained from each monkey must be shown to contain no neutralizing antibody in a dilution of 1:4 when tested against no more than 1,000 TCID<sub>50</sub> of each of the three types of poliovirus. The neurovirulence tests are not valid unless the sample contains at least 10<sup>1.0</sup> TCID<sub>50</sub> per ml. when titrated in comparison with the Reference Poliovirus, Live, Attenuated of the appropriate type. All monkeys shall be observed for 17 to 21 days, under the supervision of a qualified pathologist, physician or veterinarian, and any



evidence of physical abnormalities indicative of poliomyelitis or other viral infections shall be recorded.

Pursuant to the Administrative Procedures Act (5 U.S.C. 553(b) and (d)), the Commissioner concludes that notice, public procedure, and delayed effective date are unnecessary for the promulgation of this order as it does not impose a duty or burden on any person, but rather incorporates existing requirements under approved licenses.

**Effective date:** This order shall become effective on March 3, 1975.

(Sec. 351, 58 Stat. 702 as amended; 42 U.S.C. 262.)

Dated: February 25, 1975.

SAM D. FINE,  
Associate Commissioner for  
Compliance.

[FR Doc.75-5472 Filed 2-28-75;8:45 am]

Title 22—Foreign Relations  
CHAPTER V—UNITED STATES  
INFORMATION AGENCY

PART 503—AVAILABILITY OF RECORDS

Freedom of Information

FEBRUARY 25, 1975.

Part 503 of Title 22 of the Code of Federal Regulations is hereby replaced by the following regulations:

- Sec.
- 503.1 Introduction.
- 503.2 Description of central and field organization.
- 503.3 Places at which forms and instructions for use by the public may be obtained.
- 503.4 Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretation of general applicability formulated and adopted by the Agency.
- 503.5 Availability of final opinions, orders, policies, interpretations, manuals, and instructions.
- 503.6 Availability of Agency records.
- 503.7 Exemptions.
- 503.8 Limitations of exemptions.
- 503.9 Reports.

**AUTHORITY:** 22 U.S.C. 2658; 31 U.S.C. 483a; 5 U.S.C. 301; 5 U.S.C. 552 as amended by Pub. L. 93-502, 88 Stat. 1561; E.O. 10477, as amended, 18 FR 4540, 3 CFR 1949-1953 Comp., page 958, at 22 U.S.C.A. 811a; E.O. 11652, 37 FR 5209, 3 CFR (1974), page 339.

§ 503.1 Introduction.

It is the policy of the U.S. Information Agency that information about its operations, organizations, procedures, and records be freely available to the public in accordance with the provisions of Public Law 90-63, the "Freedom of Information Act," as amended by Public Law 93-502 (5 U.S.C. 552), referred to hereinafter as "the Act." In compliance with the Act, the Agency will make the fullest possible disclosure of its information and identifiable records consistent with the provisions of the Act and the regulations in this part.

§ 503.2 Description of central and field organization.

The description of the organization of the U.S. Information Agency is contained

in Part 504 of this chapter. (34 FR 20429, Dec. 31, 1969).

§ 503.3 Places at which forms and instructions for use by the public may be obtained.

Subject matter	Office	Address
All forms and instructions pertaining to procedures under the Act.	Office of Public Information.....	1750 Pennsylvania Ave. NW., Washington, D.C. 20547.
Contracts and Procurement.....	Contract and Procurement Division, Office of Administration and Management.	1776 Pennsylvania Ave. NW., Washington, D.C. 20547.
Application for employment, domestic service.	Domestic Service Recruitment, Office of Personnel and Training.	Do.
Appointments to Foreign Service, or service in Binational Centers.	Foreign Service Recruitment, Office of Personnel and Training.	Do.
General information.....	Office of Public Information.....	1750 Pennsylvania Ave. NW., Washington, D.C. 20547.

§ 503.4 Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretation of general applicability formulated and adopted by the Agency.

(a) **Restriction on domestic availability of Agency media products.** Section 501 of the United States Information and Educational Exchange Act of 1948, as amended, and Reorganization Plan No. 8 of 1953 authorize USIA to provide for the preparation, and dissemination abroad, of information about the United States, its peoples, and its policies. However, any such information (other than "Problems of Communism") may not be disseminated within the United States, its territories, or possessions, but, on request, shall be available in the English language at USIA, at all reasonable times following its release as information abroad, for examination only by representatives of United States press associations, newspapers, magazines, radio systems, and stations, and by research students and scholars, and, on request, shall be made available for examination only to Members of Congress.

(b) **Agency regulations previously published—(1) Procurement.** The Agency's implementation of the Federal Procurement Regulations (41 CFR) is published in 41 CFR, Ch. 19.

(2) **Visual and auditory educational materials.** The Agency's regulations governing the facilitation of circulation abroad of American-made visual and auditory educational materials are published in 22 CFR, Ch. V, Part 502.

(3) **Tort claims.** The Agency's regulations governing procedure under the Federal Tort Claims Act are published in 22 CFR, Ch. V, Part 511.

§ 503.5 Availability of final opinions, orders, policies, interpretations, manuals, and instructions.

The Agency will, in accordance with the rules in this section, and in § 503.7, make available for public inspection and copying final opinions and orders made in the adjudication of cases, those statements of policy and interpretation that have been adopted by the Agency and are not published in the FEDERAL REGISTER, and administrative staff manuals and instructions to staff that affect any member of the public.

(a) **Deletion to protect privacy.** To the extent required to prevent a clearly unwarranted invasion of personal privacy, the Agency may delete identifying details when it makes available or publishes an opinion, statement of policy, interpretation, or staff manual or instruction. Whenever the Agency finds any such deletion necessary, the responsible officer or employee must fully explain the justification therefor in writing.

(b) **Current index.** The Management Division of the Agency's Office of Administration and Management, 1750 Pennsylvania Avenue NW., Washington, D.C., will maintain and make available on Agency premises for public inspection and copying a current index providing identifying information for the public as to any matter issued, adopted or promulgated after July 4, 1967, and required by this section to be made available or published. The Agency has made copies of such index and will provide copies on request. Single copies will be free. Multiple copies will be provided at a cost of \$0.20 per page.

§ 503.6 Availability of Agency records.

Except with respect to the records made available under §§ 503.2, 503.3, 503.4 and 503.5, the Agency will, upon a request which reasonably describes records in accordance with the requirements of this section, and subject to the exemptions listed in § 503.7, make such records promptly available to any person. The term "record" does not include copies of the records of other Government agencies, foreign governments, international organizations, or non-governmental entities unless they evidence organization, functions, policies, decisions, procedures, operations, or activities of USIA.

(a) **Requests for records—How made and addressed.** Requesters seeking access to Agency records under the Act should direct all requests in writing to the Office of Public Information of USIA (I/R). Requests addressed directly to overseas posts or other Agency offices will not be deemed to have been received for purposes of the time period set forth in 5 U.S.C. 552(a) (6) (A) (i) until forwarding to the appropriate office has been effected, or until such forwarding would have been effected with the exercise of due diligence by Agency personnel. When a request for a record encompasses classified information originated by another

department or agency, or documents of other departments or agencies in the files of USIA which are not records of USIA, the request for that information shall be referred to the originator or to the appropriate department or agency. The requester will be advised of the date and the addressee of the referral. The Office of Public Information will notify the requester of the date on which a request was received.

The envelope containing an initial request for appeal should be clearly addressed as follows:

**Initial request:**

Freedom of Information Act  
Request for access to records  
Office of Public Information  
U.S. Information Agency  
1750 Pennsylvania Avenue, NW  
Washington, D.C. 20547

**Appeal:**

Freedom of Information Act  
Appeal for access to records  
Office of Public Information  
U.S. Information Agency  
1750 Pennsylvania Avenue, NW  
Washington, D.C. 20547

Requesting letters should contain all available data concerning desired information, including a description of the material, dates, titles, authors, and other information which may help identify the records. The first paragraph of a request letter should state whether it is an initial request or an appeal.

(b) *Administrative Time Limits.* (1) Upon request for access to Agency records, a determination shall be made within ten working days after receipt of any such request whether to provide the requested information. The Office of Public Information shall immediately notify the requester in writing of any adverse determination, the reasons therefor, the officials responsible for such determination, and the right of the requester to appeal.

(2) When a request for records has been denied in whole or in part, the requester may, within thirty days of its receipt, appeal the denial to the head of the agency, or his delegate. All appeals should be addressed in compliance with § 503.6(a). Appeals will be reviewed by the Agency's Committee for Public Information Policy (CPIP) and its findings will be communicated to the Director or his delegate. When an appeal is made, a determination must be made within twenty days (excepting Saturdays, Sundays, and legal public holidays) after receipt of such appeal. If on appeal the denial of the request for records is in whole or in part upheld, the Office of Public Information shall notify the requester in writing of such determination, the reasons therefor, the officials responsible for such determination, and of the requester's right to judicial review.

(3) In unusual circumstances, the time limits noted in paragraphs (b) (1) and (2) of this section may be extended by written notice to the requester setting forth the reasons for extension and the date on which a determination can be expected. Such extensions of the time limits may not exceed ten working days in the aggregate. The term "unusual cir-

cumstances" as used in this paragraph, is defined as:

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

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

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

(4) Any person making a request for records as described in §§ 503.2, 503.3, 503.4 and 503.5 may consider administrative remedies exhausted if the Agency fails to comply within the applicable time limit provisions of this section. When no determination can be dispatched within the applicable time limits set forth in this section, the responsible division shall nevertheless continue to process the request. On expiration of the time limit the Office of Public Information (I/R) shall inform the requester of the reason for the delay, of the date on which a determination may be expected to be dispatched, and of his right to treat the delay as a denial and of his right to appeal. I/R may ask the requester to forego appeal until a determination is made. A court may retain jurisdiction and allow the Agency additional time to complete its review of the records, if it can be determined that exceptional circumstances exist and that the Agency is exercising due diligence in responding to the request.

(c) *Fees.* The Act authorized the Agency to require payments of a fee with certain requests for records. This authority is consistent with the Government's policy on user charges expressed in 31 U.S.C. 483a and in Office of Management and Budget Circular No. A-25 which provides that "where a service (or privilege) provides special benefits to an identifiable recipient above and beyond those which accrue to the public at large, a charge should be imposed to recover the full cost to the Federal Government of rendering that service."

(1) *Schedule of Standard Fees.* The following specific fees shall apply with respect to services rendered to the public:

(i) Making copies (Xerox or comparable) per page—\$0.20.

(ii) Searching for records, per hour or fraction thereof—\$5 for clerical personnel, \$9 for supervisory personnel.

(iii) Duplication of architectural photographs and drawings—\$2.

(iv) For signed statement of non-availability of record—No fee.

(2) *Determination of Non-Standard Fees.* (i) When no specific fee has been established for a service (for example, when the search involves computer time, or special travel, transportation, or communications costs), the Assistant Director, USIA (Public Information) is au-

thorized to determine the direct costs of the service and include such costs in the fees chargeable under this section.

(ii) Where it is anticipated that the fees chargeable under this section will amount to more than \$25, and the requester has not indicated in advance his willingness to pay fees as high as are anticipated, the requester shall be promptly notified of the amount of the anticipated fee or such portion thereof as can readily be estimated. In appropriate cases, an advance deposit may be required. The notice or request for an advance deposit shall extend an offer to the requester to confer with knowledgeable Agency personnel in an attempt to reformulate the request in a manner which will reduce the fees and meet the needs of the requester. Dispatch of such a notice or request shall suspend the running of the period for response by the Agency until a reply is received from the requester.

(iii) Search costs are due and payable even if the record which was requested cannot be located after all reasonable efforts or if the Agency determines that a record which is exempt from disclosure under this part is to be withheld.

(iv) Fees must be paid in full prior to issuance of requested copies.

(v) Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States, a postal money order, or cash. Remittances shall be made payable to the order of the Treasurer of the United States and mailed to the Assistant Director, USIA (Public Information), USIA, 1750 Pennsylvania Avenue NW, Washington, D.C. 20547. The Agency will assume no responsibility for cash which is lost in the mail.

(vi) A receipt for fees paid will be given only upon request. Refund of fees paid for services actually rendered will not be made.

(vii) The Assistant Director, USIA (Public Information) or an officer designated by the Assistant Director, may waive all or part of any fee provided for in this section when the Assistant Director or the designated officer deems it to be in either the Agency's interest or in the general public's interest.

**§ 503.7 Exemptions.**

The Act authorizes exemption from disclosure of the following classes of records and information concerning matters that are:

(a) Specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such Executive Order;

(b) Related solely to the internal personnel rules and practices of the Agency;

(c) Specifically exempted from disclosure by statute (such as Section 501 of the United States Information and Educational Exchange Act of 1948, as amended, 22 U.S.C. 1461);

(d) Trade secrets and commercial or financial information obtained from a person are privileged or confidential;

(e) Inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the Agency;

(f) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(g) Investigatory records compiled for law enforcement purposes, but only to the extent that the production of such records would:

(1) Interfere with enforcement proceedings;

(2) Deprive a person of a right to a fair trial or an impartial adjudication;

(3) Constitute an unwarranted invasion of personal privacy;

(4) Disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source;

(5) Disclose investigative techniques and procedures;

(6) Endanger the life or physical safety of law enforcement personnel;

(h) Contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions; or

(i) Geological and geophysical information and data, including maps, concerning wells.

Any reasonably segregable portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt under this section.

§ 503.8 Limitation of exemptions.

The Act declares that it does not authorize withholding of information or limit the availability of Agency records to the public except as specifically stated in this part. Nor is authority granted to withhold information from Congress.

§ 503.9 Reports.

On or before March 1 of each calendar year, the Agency shall submit a report covering the preceding calendar year to the Speaker of the House of Representatives and President of the Senate for referral to the appropriate committees of the Congress. The report shall include:

(a) The number of determinations made by the Agency not to comply with

requests for records and the reasons for such determinations;

(b) The number of appeals made by requesters of records, the results of such appeals, and the reason for the action upon each appeal that results in a denial of information;

(c) The names and titles or positions of each person responsible for the denial of records requested, and the number of instances of participation for each;

(d) The results of each proceeding conducted pursuant to 5 U.S.C. 552(a) (4) (F), including a report of the disciplinary action taken against the officer or employee who was primarily responsible for improperly withholding records or an explanation of why disciplinary action was not taken;

(e) A copy of every rule made by the Agency regarding this section;

(f) A copy of the fee schedule and the total amount of fees collected by the Agency for making records available under this section; and

(g) Such other information as indicates efforts to administer fully this section.

EUGENE P. KOPP,  
Deputy Director,  
U.S. Information Agency.

[FR Doc.75-5403 Filed 2-28-75; 8:45 am]

Title 24—Housing and Urban Development  
CHAPTER X—FEDERAL INSURANCE ADMINISTRATION  
SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI 490]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The Federal Insurance Administrator finds that comment and public procedure and the use of delayed effective dates in identifying the areas of communities which have special flood or mudslide hazards, in accordance with 24 CFR Part 1915, would be contrary to the public interest. The purpose of such identifications is to guide new development away from areas threatened by flooding. Since this publication is merely for the purpose of informing the public of the location of areas of special flood hazard and has no binding effect on the sale of flood insurance or the commencement of construction, notice and public procedure are impracticable, unnecessary, and contrary to the public interest. Inasmuch as this publication is not a substantive rule, the identification of special hazard areas shall be effective on the date shown. Where two dates appear in the column marked effective date of identification, the first listing refers to the initial identification of areas having special flood hazards, and the second date refers to additional areas identified. Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of communities with special hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazard
California	Marin	San Anselmo, city of.	H 060180A 01 through H 060180A 08	Department of Water Resources, P.O. Box 338, Sacramento, Calif. 95802.  California Insurance Department, 107 South Broadway, Los Angeles, Calif. 90012.	City Engineer's Office, City of San Anselmo, City Hall, San Anselmo, Calif. 94960.	Mar. 1, 1974. Feb. 28, 1975.
Do.	Santa Clara	Monte Sereno, city of.	H 060345A 01 through H 060345A 02	.....do.....	Mayor, City of Monte Sereno, 19041 Saratoga-Los Gatos Rd., Monte Sereno, Calif. 95030.	May 24, 1974.
Colorado	Fremont	Canon City, city of.	H 080068A 01 through H 080068A 04	Colorado Water Conservation Board, Room 102, 1845 Sherman St., Denver, Colo. 80203. Colorado Division of Insurance, 106 State Office Bldg., Denver, Colo. 80208.	Mayor, City of Canon City, Post Office Box 711, 612 River St., Canon City, Colo. 81212.	May 24, 1974. Feb. 28, 1975.
Do.	Lake	Leadville, city of.	H 080096A 01	.....do.....	Mayor, City of Leadville, City Hall, Leadville, Colo. 80451.	May 17, 1974.
Do.	Weld	Greeley, city of.	H 080184A 01 through H 080184A 04	.....do.....	Civic Center Complex, 919 7th St., Greeley, Colo. 80631.	May 3, 1974. Feb. 28, 1975.
Connecticut	Fairfield	Stratford, town of.	H 090016 01 through H 090016 09	Department of Environmental Protection, Division of Water and Related Resources, Room 207, State Office Bldg., Hartford, Conn. 06115. Connecticut Insurance Department, State Capitol Bldg., 165 Capitol Ave., Hartford, Conn. 06115.	Stratford Town Hall, 2725 Main St., Stratford, Conn. 06497.	Feb. 28, 1975.



State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.....	Windham.....	Brooklyn, town of.	H 090164 01 through H 090164 06	.....do.....	Town Manager, Town Office, Town of Brooklyn, Brooklyn, Conn. 06234.	Do.
Do.....	New London.....	Griswold, town of.	H 090173 01 through H 090173 12	.....do.....	Town Manager, Town Office, Town of Griswold, Griswold, Conn. No ZIP.	Do.
Illinois.....	DuPage.....	Elmhurst, city of.	H 170235A 01 through H 170235A 03	Governor's Task Force on Flood Control, 300 North State St., Room 1010, Chicago, Ill. 60610. Illinois Insurance Department, 525 West Jefferson St., Springfield, Ill. 62702.	Mayor, City of Elmhurst, 104 South Kenilworth, Elmhurst, Ill. 60126.	May 3, 1974. Feb. 28, 1975.
Indiana.....	Porter.....	Burns Harbor, town of.	H 180207A 01 through H 180207A 02	Division of Water, Department of Natural Resources, 608 State Office Bldg., Indianapolis, Ind. 46204. Indiana Insurance Department, 509 State Office Bldg., Indianapolis, Ind. 46204.	Town Board of Burns Harbor, Box Rd., Chesterton, Ind. 46304.	June 7, 1974. Mar. 14, 1975.
Kansas.....	Allen.....	Iola, city of.....	H 200038A 01	Division of Water Resources, State Office Bldg., Topeka, Kans. 66612. Kansas Insurance Department, 1st Floor, Statehouse, Topeka, Kans. 66612.	Mayor, City of Iola, Iola, Kans. 66749..	Dec. 17, 1973. Mar. 7, 1975.
Do.....	Johnson.....	Olathe, city of.....	H 200173A 01 through H 200173A 10	.....do.....	City Engineer's Office, Kansas at Santa Fe, Olathe, Kans. 66061.	Mar. 1, 1974. Feb. 28, 1975.
Do.....	Osage.....	Osage City, city of.	H 200252A 01	.....do.....	City Manager, City Bldg., City of Osage, Osage City, Kans. 66523.	Mar. 1, 1974. Feb. 28, 1975.
Maine.....	Franklin.....	Wilton, town of.	H 230063 01 through H 230063 12	Bureau of Civil Emergency Preparedness, State House, Augusta, Maine 04330. Maine Insurance Department, Capitol Shopping Center, Augusta, Maine 04330.	Town Manager's Office, Town of Wilton, Wilton, Maine 04294.	Feb. 28, 1975.
Do.....	Penobscot.....	Alton, town of.....	H 230101 01 through H 230101 14	.....do.....	Mayor, City Hall, Town of Alton, Alton, Maine No ZIP.	Do.
Do.....	Knox.....	North Haven, town of.	H 230228 01 through H 230228 11	.....do.....	Town Manager, Town Office, Town of North Haven, North Haven, Maine 04853.	Do.
Do.....	Kennebec.....	Vienna, town of.....	H 230249 01 through H 230249 07	.....do.....	Town Manager, Town Office, Town of Vienna, Vienna, Maine 04360.	Do.
Do.....	Waldo.....	Belmont, town of.	H 230252 01 through H 230252 02	.....do.....	Town Council, Town of Belmont, Belmont, Maine No ZIP.	Mar. 14, 1975.
Do.....	do.....	Brooks, town of.....	H 230253 01 through H 230253 02	.....do.....	Town Council, Town of Brooks, Brooks, Maine 04921.	Do.
Do.....	do.....	Liberty, town of.....	H 230259 01 through H 230259 02	.....do.....	Town Council, Town of Liberty, Liberty, Maine 04949.	Do.
Do.....	Hancock.....	Franklin, town of.	H 230282 01 through H 230282 04	.....do.....	Town Manager, Town Office, Town of Franklin, Franklin, Maine 04634.	Feb. 28, 1975.
Do.....	do.....	Mariaville, town of.	H 230286 01 through H 230286 04	.....do.....	Town Council, Town of Mariaville, Mariaville, Maine. No ZIP.	Mar. 14, 1975.
Do.....	do.....	Sullivan, town of.....	H 230295 01 through H 230295 03	.....do.....	Town Council, Town of Sullivan, Sullivan, Maine. No ZIP.	Do.
Do.....	Washington.....	Perry, town of.....	H 230319 01 through H 230319 07	.....do.....	Town Manager, Town Office, Town of Perry, Perry, Maine 04667.	Feb. 28, 1975.
Do.....	do.....	Topsfield, town of.	H 230324 01 through H 230324 03	.....do.....	Town Council, Town of Topsfield, Topsfield, Maine 04490.	Mar. 14, 1975.
Do.....	Penobscot.....	Carmel, town of.....	H 230375 01 through H 230375 04	.....do.....	Town Manager, Town Office, Town of Carmel, Carmel, Maine 04419.	Feb. 28, 1975.
Do.....	do.....	Chester, town of.....	H 230377 01 through H 230377 03	.....do.....	Town Council, Town of Chester, Chester, Maine. No ZIP.	Mar. 14, 1975.
Do.....	do.....	Enfield, town of.....	H 230384 01 through H 230384 03	.....do.....	Town Manager, Town Office, Town of Enfield, Enfield, Maine 04433.	Feb. 28, 1975.
Do.....	do.....	Lagrange, town of.	H 230393 01 through H 230393 04	.....do.....	Town Manager, Town Office, Town of Lagrange, Lagrange, Maine 04453.	Do.
Massachusetts.....	Bristol.....	Dartmouth, town of.	H 250051 01 through H 250051 06	Division of Water Resources, Water Resources Commission, State Office Bldg., 100 Cambridge St., Boston, Mass. 48926. Massachusetts Division of Insurance, 100 Cambridge St., Boston, Mass. 48926.	Town Hall, Russell Mills Rd., Dartmouth, Mass. 02714.	Feb. 28, 1975.
Michigan.....	Kent.....	Grand Rapids, city of.	H 260106A 01 through H 260106A 19	Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48926. Michigan Insurance Bureau, 111 North Hosmer St., Lansing, Mich. 48913.	Mayor, City of Grand Rapids, City Hall, 300 Monroe, Grand Rapids, Mich. 49502.	Nov. 9, 1973. Mar. 7, 1975.
Do.....	do.....	Wyoming, city of.....	H 260111A 01 through H 260111A 09	.....do.....	Mayor, City of Wyoming, City Hall, 115 28th St., Wyoming, Mich. 49509.	Do.
Do.....	Wayne.....	Dearborn, city of.....	H 260220A 01 through H 260220A 08	.....do.....	City-Engineer-Deputy Director, City of Dearborn, Public Works Department, City Hall Annex, 4500 Maple, Dearborn, Mich. 48126.	May 3, 1974. Feb. 28, 1975.
Do.....	do.....	Riverview, city of.	H 260240A 01 through H 260240A 02	.....do.....	Mayor, City Hall, City of Riverview, 1700 Fort St., Riverview, Mich. 48192.	Do.
Do.....	do.....	Rockwood, city of.	H 260241A 01 through H 260241A 08	.....do.....	City of Rockwood, 32409 Fort St., Rockwood, Mich. 48173.	Nov. 2, 1973. Mar. 14, 1975.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.....	Wayne.....	Trenton, city of...	H 260244A 01 through H 260244A 03	.....do.....	Mayor, City of Trenton, City Hall, 2800 3d St., Trenton, Mich. 48183.	May 10, 1974. Mar. 7, 1975.
Nevada.....	Elko.....	Carlin, city of.....	H 320099A 01 through H 320099A 04	Division of Water Resources, Department of Conservation and Natural Resources, Nye Bldg., Carson City, Nev. 89701.	Mayor, City of Carlin, Carlin, Nev. 89822.	May 3, 1974. Mar. 7, 1975.
New Hampshire.....	Grafton.....	Dorchester, town of.	H 330050 01 through H 330050 04	Nevada Insurance Division, Department of Commerce, Nye Bldg., Carson City, Nev. 89701. Office of Comprehensive Planning, Division of Community Planning, State House Annex, Concord, N.H. 03301. New Hampshire Insurance Department, 78 North Main St., Concord, N.H. 03301.	Chairman, Board of Selectmen, Town of Dorchester, Dorchester, N.H. No ZIP.	Mar. 14, 1975.
Do.....	Rockingham.....	Auburn, town of.	H 330176 01 through H 330176 04	.....do.....	Town Manager, Town Office, Town of Auburn, Auburn, N.H. 03032.	Feb. 28, 1975.
Do.....	do.....	South Hampton, town of.	H 330193 01 through H 330193 03	.....do.....	Town Manager, Town Office, Town of South Hampton, South Hampton, N.H. No ZIP.	Do.
Do.....	Strafford.....	Strafford, town of.	H 330196 01 through H 330196 12	.....do.....	Town Manager, Town Office, Town of Strafford, Strafford, N.H. 03884.	Do.
Do.....	Rockingham.....	Stratham, town of	H 330197 01 through H 330197 06	.....do.....	Town Manager, Town Office, Town of Stratham, Stratham, N.H. 03885.	Do.
Do.....	do.....	East Kingston, town of.	H 330203 01 through H 330203 04	.....do.....	Town Manager, Town Office, Town of East Kingston, East Kingston, N.H. 03827.	Do.
Do.....	do.....	Hampstead, town of.	H 330211 01 through H 330211 05	.....do.....	Town Manager, Town Office, Town of Hampstead, Hampstead, N.H. 03841.	Do.
New Jersey.....	Ocean.....	Ocean, township of.	II 340518 01 through H 340518 10	Bureau of Water Control, Department of Environmental Protection, Post Office Box 1390, Trenton, N.J. 08625. New Jersey Department of Insurance, State House Annex, Trenton, N.J. 08625.	Township of Clerk's Office, Municipal Bldg., Ocean Township, Railroad Ave., Corliss St., Waretown, N.J. 08758.	Do.
Do.....	Warren.....	Hardwick, town of.	II 340528 01 through H 340528 02	.....do.....	Town Manager, Town Office, Town of Hardwick, Hardwick, N.J. No ZIP.	Do.
Do.....	Sussex.....	Byram, township of.	II 340557 01 through H 340557 02	.....do.....	Township Clerk, Township Office, Township of Byram, Byram, N.J. No ZIP.	Do.
Do.....	do.....	Fredon, township of.	H 340558 01 through H 340558 02	.....do.....	Township Clerk, Township Office, Township of Fredon, Fredon, N.J. No ZIP.	Do.
New York.....	Cortland.....	Lapeer, town of...	H 361326 01 through H 361326 02	New York State Department of Environmental Conservation, Division of Resources Management Services, Bureau of Water Management, Albany, N.Y. 12201. New York State Insurance Department, 123 William St., New York, N.Y. 10038.	Town Manager, Town Office, Town of Lapeer, Lapeer, N.Y. No ZIP.	Do.
Do.....	Cattaraugus.....	Red House, town of.	H 361366 01 through H 361366 04	.....do.....	Town Manager, Town Office, Town of Red House, Red House, N.Y. No ZIP.	Do.
Do.....	Clinton.....	Ellenburg, town of.	H 361382 01 through H 361382 09	.....do.....	Town Council, Town of Ellenburg, Ellenburg, N.Y. 12933.	Mar. 14, 1975.
Do.....	Cortland.....	Cuyler, town of...	H 361386 01 through H 361386 04	.....do.....	Town Manager, Town Office, Town of Cuyler, Cuyler, N.Y. 13050.	Feb. 28, 1975.
Do.....	Seneca.....	Lodi, village of....	H 361530 01	.....do.....	Village Clerk, Village of Lodi, Lodi, N.Y. 14860.	Do.
Do.....	Wyoming.....	Castile, village of.	H 361563 01	.....do.....	Village Clerk, Village of Castile, Castile, N.Y. 14427.	Do.
North Carolina.....	Edgecomb.....	Tarboro, town of.	H 370094A 01 through H 370094A 11	.....do.....	Town Manager, Building Inspector, Town Hall, Post Office Box 220, Tarboro, N.C. 27884.	Feb. 15, 1974. Feb. 28, 1975.
Ohio.....	Clark.....	Springfield, city of.	H 390063A 1 through H 390063A 07	Ohio Department of Natural Resources, Fountain Sq., Columbus, Ohio 43224. Ohio Insurance Department, 447 East Broad St., Columbus, Ohio 43215.	Mayor, Municipal Bldg., Springfield, Ohio 45501.	April 12, 1974.
Do.....	Fairfield.....	Pickerington, village of.	H 390162A 01	.....do.....	Mayor, Village of Pickerington, 21 West Columbus, Pickerington, Ohio 43147.	June 28, 1974.
Do.....	Lucas.....	Maumee, city of....	H 390360A 01 through H 390360A 04	.....do.....	Mayor, City Hall, Maumee, Ohio 43537	Feb. 8, 1974.
Oregon.....	Multnomah.....	Fairview, city of....	H 410180A 01	Executive Department, State of Oregon, Salem, Ore. 97310. Oregon Insurance Division, Department of Commerce, 158 12th St. N.E., Salem, Ore. 97310.	Mayor, City of Fairview, Fairview, Ore. 97024.	May 10, 1974. Feb. 28, 1975.

## RULES AND REGULATIONS

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Pennsylvania	Bedford	East St. Clair, township of.	H 421337 01 through H 421337 12	Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 17120. Pennsylvania Insurance Department, 108 Finance Bldg., Harrisburg, Pa. 17120.	Chairman Board of Supervisors, Township of East St. Clair, Bedford, Pa. 15522.	Feb. 28, 1975.
Do.	Columbia	Briar Creek, township of.	H 421548 01 through H 421548 07	do.	Chairman Board of Supervisors, Township of Briar Creek, R.D. 1, Berwick, Pa. 18603.	Mar. 14, 1975.
Do.	do.	Main, township of.	H 421554 01 through H 421554 05	do.	Chairman Board of Supervisors, Township of Main, R.D. 3, Bloomsburg, Pa. 17815.	Feb. 28, 1975.
Do.	Potter	Harrison, township of.	H 421978 01 through H 421978 12	do.	Chairman Board of Supervisors, Township of Harrison, Harrison Valley, Pa. 16927.	Do. Do.
Do.	Schuylkill	Mahanoy, township of.	H 422011 01 through H 422011 07	do.	Chairman Board of Supervisors, Township of Mahanoy, 1 Lower St., Morea Colliery, Pa. 17955.	Do.
Do.	Wayne	Dyberry, township of.	H 422165 01 through H 422165 04	do.	Chairman Board of Supervisors, Township of Dyberry, Honesdale, Pa. 18431.	Do.
Do.	Crawford	Beaver, township of.	H 422385 01 through H 422385 11	do.	Chairman Board of Supervisors, Township of Beaver, Springboro, Pa. 16435.	Do.
Do.	Lackawanna	Lehigh, township of.	H 422459 01 through H 422459 08	do.	Chairman Board of Supervisors, Township of Lehigh, Star Route, Gouldsboro, Pa. 18424.	Do.
Do.	Venango	Scrubgrass, township of.	H 422542 01 through H 422542 08	do.	Chairman Board of Supervisors, Township of Scrubgrass, R.D. No. 2, Emmenton, Pa. 16373.	Do.
Do.	Washington	Centerville, borough of.	H 422552 01 through H 422552 07	do.	Mayor, Borough of Centerville, Denbo, Pa. 15429.	Do.
Do.	Susquehanna	Bridgewater, township of.	H 422585 01 through H 422585 13	do.	Chairman, Board of Supervisors, Township of Bridgewater, Springville, Pa. 18844.	Do.
Do.	Lycoming	Moreland, township of.	H 422598 01 through H 422598 08	do.	Chairman, Board of Supervisors, Township of Moreland, R.D. 4, Muncy, Pa. 17756.	Do.
Rhode Island	Washington	Exeter, town of.	H 440032 01 through H 440032 09	R. I. Statewide Planning Program, 285 Melrose St., Providence, R.I. 02807. Rhode Island Insurance Division, 169 Weybosset St., Providence, R.I. 02903. South Carolina Insurance Department, 2711 Middleburg St., Columbia, S.C. 29204.	Town Council, Town of Exeter, Exeter, R.I. 02822.	Mar. 14, 1975.
South Carolina	Beaufort	Bluffton, town of.	H 450027A 01	South Carolina Water Resources Commission, Post Office Drawer 164, 700 Knox Abbott Dr., Cayce, S.C. 29033. South Carolina Insurance Department, 2711 Middleburg St., Columbia, S.C. 29204.	Mayor, Town of Bluffton, Post Office Box 386, Bluffton, S.C. 29910.	May 17, 1974. Mar. 14, 1975.
Vermont	Orange	West Fairlee, town of.	H 500079 01 through H 500079 08	Management and Engineering Division, Water Resources Department, State Office Bldg., Montpelier, Vt. 05602. Vermont Insurance Department, State Office Bldg., Montpelier, Vt. 05602.	Chairman, Town of West Fairlee, West Fairlee Board of Selectmen, c/o Town Clerk, West Fairlee, Vt. 05683.	Feb. 28, 1975.
Do.	Franklin	Swanton, town of.	H 500220 01 through H 500220 07	do.	Town Manager, Town Office, Town of Swanton, Swanton, Vt. 05488.	Do.
Do.	Windsor	West Windsor, town of.	H 500301 01 through H 500301 02	do.	Town Manager, Town of West Windsor, Municipal Bldg., West Windsor, Vt. 05689.	Do.
Virginia	Rockbridge	Unincorporated areas.	H 510235 01 through H 510235 38	Bureau of Water Control Management, State Water Control Board, Post Office Box 11143, Richmond, Va. 23230. Virginia Insurance Department, 700 Blanton Bldg., Post Office Box 1157, Richmond, Va. 23209.	County Administrator, Court House Square, Rockbridge County, Lexington, Va. 24450.	Do.
West Virginia	Kanawha	Charleston, city of.	H 540073A 01 through H 540073A 10	Flood Insurance Department, State Division of Planning Development, Capitol Bldg., Room 150, Charleston, W. Va. 25305. Insurance Commissioner, Building No. 3, Room 643, 1809 Washington St., Charleston, W. Va. 25305.	Mayor, City of Charleston, City Bldg., Charleston, W. Va. 25301.	May 10, 1974. Jan. 24, 1975.
Wisconsin	Wausara	Wautoma, city of.	H 550506A 01	Wisconsin Department of Natural Resources, Post Office Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 201 East Washington Ave., Madison, Wis. 53703.	Mayor, City of Wautoma, 410 West Main, Wautoma, Wis. 54982.	May 17, 1974. Mar. 14, 1975.

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

Issued: February 18, 1975.

J. ROBERT HUNTER,  
Acting Federal Insurance Administrator.

[FR Doc. 75-5298 Filed 2-28-75; 8:45 am]



[Docket No. FI 483]

PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The Federal Insurance Administrator finds that comment and public procedure and the use of delayed effective dates in identifying the areas of communities which have special flood or mudslide hazards, in accordance with 24 CFR Part 1915, would be contrary to the public interest. The purpose of such identifications is to guide new development away from areas threatened by flooding. Since this publication is merely for the purpose of informing the public of the location of areas of special flood hazard and has no binding effect on the sale of flood insurance or the commencement of construction, notice and public procedure are impracticable, unnecessary, and contrary to the public interest. Inasmuch as this publication is not a substantive rule, the identification of special hazard areas shall be effective on the date shown. Where two dates appear in the column marked effective date of identification, the first listing refers to the initial identification of areas having special flood hazards, and the second date refers to additional areas identified. Accordingly, § 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of communities with special hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Alabama	Butler	Georgiana, city of	H 010018 01 through H 010018 03	Alabama Development Office, Office of State Planning, State Office Bldg., 501 Dexter Ave., Montgomery, Ala. 36104. Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery, Ala. 36104.	Mayor, City of Georgiana, Georgiana, Ala. 36104.	Feb. 21, 1975.
Do	Etowah	Reece City, city of	H 010253 01 through H 010253 03	do	Mayor, City of Reece City, Reece City, Ala. (No ZIP).	Do.
Do	Walker	Oakman, town of	H 010299 01 through H 010299 02	do	Mayor, Town of Oakman, Oakman, Ala. 35579.	Do.
Do	Winston	Haleyville, city of	H 010303 01 through H 010303 02	do	Mayor, City of Haleyville, Haleyville, Ala. 35665.	Do.
Arkansas	White	Bradford, city of	H 050131 01	Division of Soil and Water Resources, State Dept. of Commerce, 1920 West Capitol Ave., Little Rock, Ark. 72201. Arkansas Insurance Dept., 400 University Tower Bldg., Little Rock, Ark. 72204.	Mayor, City of Bradford, City Hall, Bradford, Ark. 72020.	Do.
Do	Pulaski	City of Little Rock, city of	H 050181B 01 through H 050181B 14	do	City of Little Rock, Mackham and Broadway, Little Rock, Ark.	Nov. 2, 1973. Mar. 1, 1974.
Do	Baxter	Gassville, city of	H 050243 01 through H 050243 02	do	Mayor, City of Gassville, Gassville, Ark. 72635.	Feb. 21, 1975. Feb. 21, 1975.
Do	Sevier	Gillham, town of	H 050244 01 through H 050244 02	do	Mayor, Town of Gillham, Town Hall, Gillham, Ark. 71841.	Do.
Do	Johnson	Knoxville, town of	H 050260 01 through H 050260 02	do	Mayor, Town of Knoxville, Town Hall, Knoxville, Ark. 72845.	Do.
Do	Grant	Leola, town of	H 050261 01 through H 050261 02	do	Mayor, Town of Leola, Town Hall, Leola, Ark. 72064.	Do.
Do	Carroll	Oak Grove, town of	H 050269 01 through H 050269 02	do	Mayor, Town of Oak Grove, Oak Grove, Ark. 72660.	Do.
Do	Clark	Amity, city of	H 050303 01	do	Mayor, City of Amity, Amity, Ark. 71921.	Do.
Do	Howard	Mineral Springs, city of	H 050349 01	do	Mayor, City of Mineral Springs, Mineral Springs, Ark. 71851.	Do.
Do	Craighead	Black Oak, town of	H 050389 01	do	Mayor, Town Hall, Town of Black Oak, Black Oak, Ark. 72414.	Do.
Do	Ashley	Fountain Hill, town of	H 050414 01	do	Mayor, Town of Fountain Hill, Town Hall, Fountain Hill, Ark. 71642.	Do.
Colorado	El Paso	Manitou Springs, city of	H 080063A 01 through H 080063A 02	Colorado Water Conservation Board, Room 102, 1845 Sherman St., Denver, Colo. 80203. Colorado Division of Insurance, 106 State Office Bldg., Denver, Colo. 80203.	Mayor, City of Manitou Springs, Manitou Springs, Colo. 80829.	Mar. 29, 1974. Feb. 21, 1975.
Connecticut	New London	Groton, town of	H 090097 01 through H 090097 11	Department of Environmental Protection, Division of Water and Related Resources, Room 207, State Office Bldg., Hartford, Conn. 06115. Connecticut Insurance Department, State Capitol Bldg., 165 Capitol Ave., Hartford, Conn. 06115.	Office of the Town Clerk, Town of Groton, 45 Fort Hill Rd., Groton, Conn. 06340.	Feb. 21, 1975.
Do	Tolland	Coventry, town of	H 090110 01 through H 090110 12	do	The Planning and Zoning Office, Town Hall, Coventry, Conn. 06228.	Aug. 9, 1974. Feb. 21, 1975.
Do	New London	Noank Fire District	H 090129 01 through H 090129 08	do	Town Hall, Noank Fire District, 45 Fort Hill Rd., Groton, Conn. 06340.	Feb. 21, 1975.
Do	do	Salem, town of	H 090156 01 through H 090156 03	do	Town Manager, Town Hall, Salem, Conn. (No ZIP).	Do.
Do	do	Ledyard, town of	H 090157 01 through H 090157 14	do	Town Manager, Town Hall, Ledyard, Conn. 06339.	Do.
Do	Fairfield	Sherman, town of	H 090166 01 through H 090166 07	do	Town Manager, Town Hall, Sherman, Conn. 06784.	Do.
Do	Litchfield	Goshen, town of	H 090177 01 through H 090177 12	do	Town Manager, Town Hall, Goshen, Conn. 06756.	Do.
Do	do	Bethlehem, town of	H 090178 01 through H 090178 06	do	Town Manager, Town Hall, Bethlehem, Conn. 06751.	Do.

RULES AND REGULATIONS

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Florida	Walton	Unincorporated areas.	H 120317 01 through H 120317 27	Department of Community Affairs, 2571 Ex. Center Circle East, Howard Bldg., Tallahassee, Fla. 32301.  State of Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	County Board of Commissioners, County Courthouse, County of Walton, De Funiak Springs, Fla. 32433.	Do.
Do.	Hernando	Brooksville, city of.	H 120333 01 through H 120333 03	.....do.....	Building Inspector's Office, City Hall, 26 S. Brooksville Ave., Brooksville, Fla. (No ZIP).	Do.
Georgia	Calhoun and Early	Arlington, city of.	H 130026 01 through H 130026 02	Department of Natural Resources, Office of Planning and Research, 270 Washington St. SW., Room 707, Atlanta, Ga. 30334.  Georgia Insurance Department, State Capitol, Atlanta, Ga. 30334.	Mayor, City Hall, City of Arlington, Arlington, Ga. 31713.	Do.
Do.	De Kalb	Clarkston, town of.	H 130067 01	.....do.....	Mayor, City Hall, Town of Clarkston, Clarkston, Ga. 30021.	Do.
Do.	Putnam	Eatonton, city of.	H 130218 01 through H 130218 02	.....do.....	Mayor, City of Eatonton, Eatonton, Ga. 31024.	Do.
Do.	Morgan	Madison, city of.	H 130224 01 through H 130224 02	.....do.....	Mayor, City of Madison, Madison, Ga. 30650.	Do.
Idaho	Adams	New Meadows, city of.	H 160181 01	Department of Water Administration, State House, Annex 2, Boise, Idaho 83707.  Idaho Department of Insurance, Room 206, Statehouse, Boise, Idaho 83707.	Mayor, City of New Meadows, New Meadows, Idaho 83654.	Do.
Illinois	Kendall	Unincorporated areas.	H 170341 01 through H 170341 05	Governor's Task Force on Flood Control, 309 North State St., Room 1010, Chicago, Ill. 60610.  Illinois Insurance Department, 625 West Jefferson St., Springfield, Ill. 62702.	Kendall County Building and Zoning Administration, Courthouse Annex, 105 Fox Rd., Yorkville, Ill. 60660.	Do.
Do.	Putnam	Magnolia, village of.	H 170571 01	.....do.....	Village Clerk, Village of Magnolia, Magnolia, Ill. 61336.	Do.
Do.	do	Mark, village of.	H 170572 01	.....do.....	Mayor, Village of Mark, Mark, Ill. 61340.	Do.
Do.	Sangamon	Clear Lake, village of.	H 170639 01	.....do.....	Mayor, Village of Clear Lake, Clear Lake, Ill. (No ZIP).	Do.
Do.	Vermilion	Alvin, village of.	H 170644 01	.....do.....	Mayor, Village of Alvin, Alvin, Ill. 61811.	Do.
Do.	Will	Elwood, village of.	H 170649 01	.....do.....	Mayor, Village of Elwood, Elwood, Ill. 60421.	Do.
Indiana	Cass	Galveston, town of.	H 180356 01	Division of Water, Department of Natural Resources, 608 State Office Bldg., Indianapolis, Ind. 46204.  Indiana Insurance Department, 509 State Office Bldg., Indianapolis, Ind. 46204.	Town Clerk, Town of Galveston, Galveston, Ind. 46932.	Do.
Do.	Clinton	Mulberry, town of.	H 180358 01	.....do.....	Town Clerk, Town of Mulberry, Mulberry, Ind. 46058.	Do.
Do.	Delaware	Gaston, town of.	H 180360 01	.....do.....	Town Clerk, Town of Gaston, Gaston, Ind. 7342.	Do.
Do.	Elkhart	Wakarusa, town of.	H 180364 01	.....do.....	Mayor, Town of Wakarusa, Wakarusa, Ind. 46573.	Do.
Do.	Grant	Fowlerston, town of.	H 180369 01	.....do.....	Town Clerk, Town of Fowlerston, Fowlerston, Ind. 47944.	Do.
Do.	do	Sweetser, town of.	H 180370 01	.....do.....	Town Clerk, Town of Sweetser, Sweetser, Ind. 46967.	Do.
Do.	Hendricks	North Salem, town of.	H 180374 01	.....do.....	Town Clerk, Town of North Salem, North Salem, Ind. 46185.	Do.
Do.	Marshall	Culver, town of.	H 180384 01	.....do.....	Town Clerk, Town of Culver, Culver, Ind. 46920.	Do.
Do.	Ohio	Rising Sun, city of.	H 180388 01	.....do.....	County Auditor's Office, Courthouse, Rising Sun, Ind. 47040.	Do.
Do.	Randolph	Farmland, town of.	H 180390 01	.....do.....	Town Clerk, Town of Farmland, Farmland, Ind. 47340.	Do.
Do.	Warren	State Line City, town of.	H 180396 01	.....do.....	Town Clerk, Town of State Line City, State Line City, Ind. 47982.	Do.
Iowa	Worth	Northwood, town of.	H 190302A 01 through H 190302A 02	Iowa Natural Resources Council, James W. Grimes Bldg., Des Moines, Iowa 50319.  Iowa Insurance Department, Lucas State Office Bldg., Des Moines, Iowa 50319.	Mayor, City of Northwood, City Hall, Northwood, Iowa 50459.	May 10, 1974. Feb. 21, 1975.
Do.	Clayton	Monona, town of.	H 190620 01 through H 190620 02	.....do.....	Mayor, Town of Monona, Monona, Iowa 52159.	Feb. 21, 1975.
Louisiana	Claborne Parish	Athens, village of.	H 220354 01 through H 220354 02	State Department of Public Works, P.O. Box 44155, Capitol Station, Baton Rouge, La. 71003.  Louisiana Insurance Department, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Mayor, Village of Athens, Athens, La. 71003.	Do.
Maine	Aroostook	Island Falls, town of.	H 230022 01 through H 230022 12	Bureau of Civil Emergency Preparedness, State House, Augusta, Maine 04330.  Maine Insurance Department, Capitol Shopping Center, Augusta, Maine 04330.	Town Manager, Town Hall, Island Falls, Maine 04747.	Do.
Do.	do	Weston, town of.	H 230039 01 through H 230039 04	.....do.....	Town Manager, Town of Weston, Town Office Building, Weston, Maine 04404.	Do.
Do.	York	Acton, town of.	H 230190 01 through H 230190 03	.....do.....	Town Manager, Town Hall, Acton, Maine 04001.	Do.
Do.	do	Alfred, town of.	H 230191 01 through H 230191 04	.....do.....	Town Manager, Town Hall, Alfred, Maine 04002.	Do.
Do.	do	Newfield, town of.	H 230196 01 through H 230196 04	.....do.....	Town Manager, Town Hall, Newfield, Maine. No ZIP.	Do.
Do.	do	North Berwick, town of.	H 230197 01 through H 230197 03	.....do.....	Town Manager, Town Hall, North Berwick, Maine 03906.	Do.

State	County	Location	Map No	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.....do.....		Waterboro, town of.	H 230199 01 through H 230199 05	do.....do.....	Town Manager, Town of Waterboro, Waterboro, Maine 04087.	Do.
Do.....do.....	Lincoln.....	Bristol, town of.	H 230215 01 through H 230215 06	do.....do.....	Town Manager, Town Hall, Bristol, Maine 04539.	Do.
Do.....do.....	Knox.....	Hope, town of.	H 230226 01 through H 230226 02	do.....do.....	Town Manager, Town Hall, Hope, Maine 04847.	Do.
Do.....do.....	Lincoln.....	New Castle, town of.	H 230218 01 through H 230218 04	do.....do.....	Town Manager, Town Hall, New Castle, Maine. No ZIP.	Do.
Do.....do.....	Kennebec.....	Albion, town of.	H 230231 01 through H 230231 04	do.....do.....	Town Manager, Town Hall, Albion, Maine 04910.	Do.
Do.....do.....	do.....	Chelsea, town of.	H 230234 01 through H 230234 02	do.....do.....	Town Manager, Town Hall, Chelsea, Maine. No ZIP.	Do.
Do.....do.....	do.....	China, town of.	H 230235 01 through H 230235 04	do.....do.....	Town Manager, Town Hall, China, Maine 04926.	Do.
Do.....do.....	do.....	Readfield, town of.	H 230245 01 through H 230245 03	do.....do.....	Town Manager, Town Hall, Readfield, Maine 04355.	Do.
Do.....do.....	do.....	Sidney, town of.	H 230247 01	do.....do.....	Town Manager, Town of Sidney, Sidney, Maine. No ZIP.	Do.
Do.....do.....	Waldo.....	Montville, town of.	H 230261 01 through H 230261 04	do.....do.....	Town Manager, Town Hall, Montville, Maine. No ZIP.	Do.
Do.....do.....	do.....	Winterport, town of.	H 230271 01 through H 230271 04	do.....do.....	Town Manager, Town Hall, Town of Winterport, Winterport, Maine 04498.	Do.
Do.....do.....	Hancock.....	Brooksville, town of.	H 230276 01 through H 230276 05	do.....do.....	Town Manager, Town Hall, Brooksville, Maine 04617.	Do.
Do.....do.....	do.....	Lamoine, town of.	H 230285 01 through H 230285 02	do.....do.....	Town Manager, Town Hall, Lamoine, Maine. No ZIP.	Do.
Do.....do.....	do.....	Stonington, town of.	H 230294 01 through H 230294 04	do.....do.....	Town Manager, Town of Stonington, Stonington, Maine 04681.	Do.
Do.....do.....	Washington.....	Cutler, town of.	H 230310 01 through H 230310 06	do.....do.....	Town Manager, Town Hall, Cutler, Maine 04626.	Do.
Do.....do.....	do.....	Harrington, town of.	H 230314 01 through H 230314 03	do.....do.....	Town Manager, Town Hall, Harrington, Maine 04643.	Do.
Do.....do.....	do.....	Marshfield, town of.	H 230316 01 through H 230316 02	do.....do.....	Town Manager, Town Hall, Marshfield, Maine. No ZIP.	Do.
Do.....do.....	do.....	Princeton, town of.	H 230320 01 through H 230320 03	do.....do.....	Town Manager, Town Hall, Princeton, Maine 04663.	Do.
Do.....do.....	do.....	Roque Bluffs, town of.	H 230322 01 through H 230322 02	do.....do.....	Town Manager, Town Office, Town of Roque Bluffs, Roque Bluffs, Maine. No ZIP.	Do.
Do.....do.....	do.....	Steuben, town of.	H 230323 01 through H 230323 06	do.....do.....	Town Manager, Town of Steuben, Steuben, Maine 04680.	Do.
Do.....do.....	do.....	Vanceboro, town of.	H 230324 01 through H 230324 02	do.....do.....	Town Manager, Town Hall, Vanceboro, Maine 04491.	Do.
Do.....do.....	Oxford.....	Greenwood, town of.	H 230332 01 through H 230332 03	do.....do.....	Town Manager, Town Hall, Greenwood, Maine. No ZIP.	Do.
Do.....do.....	do.....	Stoneham, town of.	H 230340 01 through H 230340 04	do.....do.....	Town Manager, Town of Stoneham, Stoneham, Maine. No ZIP.	Do.
Do.....do.....	do.....	Woodstock, town of.	H 230344 01 through H 230344 05	do.....do.....	Town Manager, Town of Woodstock, Woodstock, Maine. No ZIP.	Do.
Do.....do.....	Franklin.....	Chesterville, town of.	H 230346 01 through H 230346 04	do.....do.....	Town Manager, Town Hall, Chesterville, Maine. No ZIP.	Do.
Do.....do.....	do.....	Industry, town of.	H 230348 01 through H 230348 04	do.....do.....	Town Manager, Town Hall, Industry, Maine. No ZIP.	Do.
Do.....do.....	do.....	Jay, town of.	H 230349 01 through H 230349 05	do.....do.....	Town Manager, Town Hall, Jay, Maine 04239.	Do.
Do.....do.....	do.....	New Vineyard, town of.	H 230361 01 through H 230361 04	do.....do.....	Town Manager, Town Hall, New Vineyard, Maine 04958.	Do.
Do.....do.....	Somerset.....	Detroit, town of.	H 230357 01 through H 230357 02	do.....do.....	Town Manager, Town Hall, Detroit, Maine 04929.	Do.
Do.....do.....	do.....	Embden, town of.	H 230359 01 through H 230359 04	do.....do.....	Town Manager, Town Hall, Embden, Maine. No ZIP.	Do.
Do.....do.....	do.....	Hartfield, town of.	H 230361 01 through H 230361 04	do.....do.....	Town Manager, Town Hall, Hartfield, Maine. No ZIP.	Do.
Do.....do.....	Penobscot.....	Charleston, town of.	H 230376 01 through H 230376 04	do.....do.....	Town Manager, Town Hall, Charleston, Maine 04422.	Do.
Do.....do.....	do.....	Corinth, town of.	H 230380 01 through H 230380 04	do.....do.....	Town Manager, Town Hall, Corinth, Maine. No ZIP.	Do.
Do.....do.....	do.....	Dixmont, town of.	H 230381 01 through H 230381 04	do.....do.....	Town Manager, Town Hall, Dixmont, Maine 04332.	Do.
Do.....do.....	do.....	Exeter, town of.	H 230386 01 through H 230386 04	do.....do.....	Town Manager, Town Hall, Exeter, Maine 04435.	Do.
Do.....do.....	do.....	Greenfield, town of.	H 230388 01 through H 230388 03	do.....do.....	Town Manager, Town Hall, Greenfield, Maine. No ZIP.	Do.



State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.....do.....		Lowell, town of..	H 230395 01 through H 230395 04	.....do.....	Town Manager, Town Hall, Lowell, Maine 04106.	Do.
Do.....	Piscataquis.....	Atkinson, town of.	H 230407 01 through H 230407 08	.....do.....	Town Manager, Town Hall, Atkinson, Maine. No ZIP.	Do.
Do.....	Aroostook.....	Linneus, town of..	H 230427 01 through H 230427 04	.....do.....	Town Manager, Town Hall, Linneus, Maine. No ZIP.	Do.
Do.....do.....		Ludlow, town of..	H 230429 01 through H 230429 02	.....do.....	Town Manager, Town Hall, Ludlow, Maine. No ZIP.	Do.
Do.....do.....		Merrill, town of..	H 230430 01 through H 230430 04	.....do.....	Town Manager, Town Hall, Merrill, Maine. No ZIP.	Do.
Do.....do.....		New Limerick, town of.	H 230432 01 through H 230432 02	.....do.....	Town Manager, Town Hall, New Limerick, Maine 04761.	Do.
Do.....do.....		New Sweden, town of.	H 230433 01 through H 230433 04	.....do.....	Town Manager, Town Hall, New Sweden, Maine 04762.	Do.
Do.....do.....		St. Agatha, town of.	H 230435 01 through H 230435 04	.....do.....	First Selectman, Town Office, St. Agatha, Maine 04772.	Do.
Do.....	Androscoggin.....	Wales, town of....	H 230439 01 through H 230439 02	.....do.....	Town Manager, Town Office Bldg., Wales, Maine. No ZIP.	Do.
Do.....	Aroostook.....	Connor, township of.	H 230451 01 through H 230451 04	.....do.....	Maine Land Use Regulation Commission, State House, Township of Connor, Augusta, Maine 04330.	Do.
Do.....do.....		Silver Ridge, township of.	H 230452 01 through H 230452 08	.....do.....	.....do.....	Do.
Do.....	Oxford.....	Milton, township of.	H 230460 01 through H 230460 02	.....do.....	.....do.....	Do.
Do.....	Penobscot.....	Argyle, township of.	H 230464 01 through H 230464 03	.....do.....	Maine Land Use Regulation Commission, State House, Township of Argyle, Augusta, Maine 04330.	Do.
Do.....	Washington.....	Brookton, township of.	H 230470 01 through H 230470 06	.....do.....	Maine Land Use Regulation Commission, State House, Township of Brookton, Augusta, Maine 04330.	Do.
Do.....	Washington (T 01-RO & TE);	Lambert Lake, township of.	H 230472 01 through H 230472 08	.....do.....	.....do.....	Do.
Massachusetts.....	Berkshire.....	Savoy, town of....	H 250040 01 through H 250040 12	Division of Water Resources, Water Resources Commission, State Office Bldg., 100 Cambridge St., Boston, Mass. 02202. Massachusetts Division of Insurance, 100 Cambridge St., Boston, Mass. 02202.	Mayor, Town of Savoy, Savoy, Mass. 01236.	Do.
Do.....	Franklin.....	Shutesbury, town of.	H 250128 01 through H 250128 03	.....do.....	Mayor, Town of Shutesbury, Shutesbury, Mass. 01072.	Do.
Do.....do.....		Monroe, town of..	H 250351 01 through H 250351 04	.....do.....	Town Manager, Town Hall, Monroe, Mass. No ZIP.	Do.
Michigan.....	Wayne.....	Ecorse, city of....	H 260223A 01.....	Water Resources Commission, Bureau of Water Management, Stevens T. Mason Bldg., Lansing, Mich. 48926. Michigan Insurance Bureau, 111 North Hosmer St., Lansing, Mich. 48913.	Mayor, City Hall, City of Ecorse, 3860 West Jefferson, Ecorse, Mich. 48229.	May 3, 1974.
Do.....	Leelanau.....	Cleveland, township of.	H 260302 01 through H 260302 11	.....do.....	Supervisor's Office, Town of Cleveland, Cleveland, Mich. No ZIP.	Feb. 21, 1975.
Minnesota.....	Otter Tail.....	Elizabeth, city of.	H 270335A 01.....	Division of Water, Soils, and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-210 State Office Bldg., St. Paul, Minn. 55101.	Mayor, City of Elizabeth, Elizabeth, Minn. 56533.	Do.
Missouri.....	Independent City.	St. Louis, city of..	H 290385 01 through H 290385 19	Department of Natural Resources, Division of Program and Policy Development, State of Missouri, 308 East High St., Jefferson, Mo. 65101. Division of Insurance, P.O. Box 690, Jefferson City, Mo. 65101.	City Hall, Room 401, 12th and Market St., St. Louis, Mo. 63103.	Do.
Do.....	Carter.....	Fremont, village of.	H 290477 01.....	.....do.....	Village Clerk, Village of Fremont, Fremont, Mo. 63941.	Do.
Do.....	Newton.....	Stella, city of....	H 290488 01.....	.....do.....	Mayor, City of Stella, City Hall, Stella, Mo. 64867.	Do.
Do.....	Jackson.....	Unincorporated areas.	H 290492 01 through H 290492 21	.....do.....	Jackson County Planning Commissioners, County Courthouse, 306 W. Kansas, Independence, Mo. 64050.	Do.
Do.....	De Kalb.....	Union Star, city of.	H 290512 01.....	.....do.....	Mayor, City of Union Star, City Hall, Union Star, Mo. 64404.	Do.
Do.....	Bates.....	Rockville, city of.	H 290518 01.....	.....do.....	Mayor, City of Rockville, City Hall, Rockville, Mo. 64780.	Do.
Do.....	McDonald.....	Southwest City, city of.	H 290528 01.....	.....do.....	Mayor, City of Southwest City, City Hall, Southwest City, Mo. 64844.	Do.
Do.....	Bates.....	Hume, city of....	H 290577 01.....	.....do.....	Mayor, City of Hume, City Hall, Hume, Mo. 64752.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.....	Shelby.....	Hunnell, city of.	H 290578 01	do.....	Mayor, City of Hunnwell, City Hall, Hunnwell, Mo. 63443.	Do.
Do.....	Schuyler.....	Greentop, city of.	H 290596 01	do.....	Mayor, City of Greentop, City Hall, Greentop, Mo. 63546.	Do.
Do.....	Carroll.....	Hale, city of.	H 290597 01	do.....	Presiding Judge, Carroll County Court, Courthouse, Hale, Mo. 64643.	Do.
Do.....	Hickory.....	Cross Timbers, village of.	H 290610 01	do.....	Village Clerk, Village Hall, Cross Timbers, Mo. 65634.	Do.
Do.....	Linn and Sullivan.....	Browning, city of.	H 290619 01	do.....	Mayor, City of Browning, City Hall, Browning, Mo. 64630.	Do.
Do.....	Rudolph.....	Clark, city of.	H 290639 01	do.....	Mayor, City of Clark, City Hall, Clark, Mo. 65243.	Do.
Do.....	De Kalb.....	Clarksdale, city of.	H 290630 01	do.....	Mayor, City of Clarksdale, City Hall, Clarksdale, Mo. 64430.	Do.
Do.....	Iron.....	Viburnum, city of.	H 290646 01	do.....	Mayor, City of Viburnum, City Hall, Viburnum, Mo. 65596.	Do.
Do.....	Pheips.....	St. James, city of.	H 290661 01 through H 290661 02	do.....	Mayor, City of St. James, City Hall, St. James, Mo. 65559.	Do.
Do.....	Marion and Monroe.....	Monroe City, city of.	H 290688 01 through H 290688 02	do.....	Presiding Judge, Marion County Court, Courthouse, Paimyra, Mo. 63461.	Do.
Do.....	Jasper.....	Jasper, city of.	H 290722 01	do.....	Mayor, City of Jasper, City Hall, Jasper, Mo. 64755.	Do.
Do.....	St. Francois.....	Esther, city of.	H 290730 01	do.....	City Council, City Hall, Esther, Mo. No ZIP.	Do.
Do.....	Barton.....	Golden City, city of.	H 290735 01	do.....	Mayor, City of Golden City, City Hall, Golden City, Mo. 64748.	Do.
Do.....	McDonald.....	Goodman, city of.	H 290736 01	do.....	Mayor, City of Goodman, City Hall, Goodman, Mo. 64543.	Do.
Do.....	Bates.....	Amoret, city of.	H 290762 01	do.....	Mayor, City of Amoret, City Hall, Amoret, Mo. 64722.	Do.
Do.....	Jasper.....	Asbury, city of.	H 290765 01	do.....	Mayor, City of Asbury, City Hall, Asbury, Mo. 64832.	Do.
Nebraska.....	Jefferson.....	Steele, village of.	H 310121 01	Nebraska Natural Resources Commission, Terminal Bldg., 7th floor, Lincoln, Nebr. 68508. Nebraska Insurance Department, 1335 L St., Lincoln, Nebr. 68509.	Village Clerk, Village Hall, Steele, Nebr. 68440.	Do.
Do.....	Logan.....	Stapleton, village of.	H 310323 01	do.....	Village Manager, Village Hall, Stapleton, Nebr. 69163.	Do.
New Hampshire.....	Belknap.....	Belmont, town of.	H 330002 01 through H 330002 10	Office of Comprehensive Planning, Division of Community Planning, State House Annex, Concord, N.H. 03301. New Hampshire Insurance Dept., 78 North Main St., Concord, N.H. 03301.	Senior Selectman, Town of Belmont, Belmont, N.H. 03220.	Do.
Do.....	do.....	Gilford, town of.	H 330004 01 through H 330004 15	do.....	Senior Selectmen, Town of Gilford, Gilford, N.H. No ZIP.	Do.
Do.....	Coos.....	Jefferson, town of.	H 330033 01 through H 330033 04	do.....	Selectmen, Town of Jefferson, Town Office, Jefferson, N.H. 03583.	Do.
Do.....	Grafton.....	Alexandria, town of.	H 330041 01 through H 330041 06	do.....	Chairman, Board of Selectmen, Town of Alexandria, Alexandria, N.H. No ZIP.	Do.
Do.....	do.....	Franconia, town of.	H 330053 01 through H 330053 10	do.....	Chairman, Planning Board, Town of Franconia, Franconia, N.H. 03580.	Do.
Do.....	do.....	Lincoln, town of.	H 330062 01 through H 330062 10	do.....	Chairman, Planning Board, Town of Lincoln, Lincoln, N.H. 03251.	Do.
Do.....	do.....	Lisbon, town of.	H 330063 01 through H 330063 08	do.....	Chairman, Planning Board, Town of Lisbon, Lisbon, N.H. 03585.	Do.
Do.....	do.....	Piermont, town of.	H 330071 01 through H 330071 06	do.....	Chairman, Planning Board, Town of Piermont, Piermont, N.H. 03779.	Do.
Do.....	Merrimack.....	Hooksett, town of.	H 330115 01 through H 330115 12	do.....	Selectmen, Town of Hooksett, Hooksett, N.H. 03106.	Do.
Do.....	do.....	Salisbury, town of.	H 330121 01 through H 330121 05	do.....	Selectmen, Town of Salisbury, Salisbury, N.H. 03288.	Do.
Do.....	Rockingham.....	Candia, town of.	H 330126 01 through H 330126 04	do.....	Selectmen, Town of Candia, Candia, N.H. 03034.	Do.
Do.....	do.....	Deerfield, town of.	H 330127 01 through H 330127 07	do.....	Selectmen, Town of Deerfield, Town Hall, Deerfield, N.H. 03037.	Do.
Do.....	Strafford.....	Farmington, town of.	H 330147 01 through H 330147 11	do.....	Chairman, Board of Selectmen, Town of Farmington, Farmington, N.H. 03835.	Do.
Do.....	do.....	Somersworth, city of.	H 330151 01 through H 330151 05	do.....	Mayor, Town Hall, City of Somersworth, Somersworth, N.H. 03878.	Do.
Do.....	do.....	Barrington, town of.	H 330178 01 through H 330178 12	do.....	Selectmen, Town Office Building, Barrington, N.H. 03825.	Do.
Do.....	Rockingham.....	Chester, town of.	H 330182 01 through H 330182 02	do.....	Selectmen, Town Office Bldg., Town of Chester, Chester, N.H. 03036.	Do.
Do.....	do.....	Greenland, town of.	H 330210 01 through H 330210 05	do.....	Selectmen, Town of Greenland, Greenland, N.H. 03940.	Do.
Do.....	Hillsborough.....	Lyndeborough, town of.	H 330218 01 through H 330218 10	do.....	Selectmen, Town of Lyndeborough, Lyndeborough, N.H. No ZIP.	Do.
Do.....	do.....	Mason, town of.	H 330221 01 through H 330221 08	do.....	Selectmen, Town of Mason, Mason, N.H. No ZIP.	Do.
Do.....	Rockingham.....	Newington, town of.	H 330229 01 through H 330229 06	do.....	Selectmen, Town of Newington, Newington, N.H. No ZIP.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
New Jersey	Camden	Cherry Hill, township of.	H 340129 01 through H 340129 13	Bureau of Water Control, Department of Environmental Protection, P.O. Box 1290, Trenton, N.J. 08625.	Township of Cherry Hill, c/o Public Works Department, 1 Perina Blvd., Cherry Hill, N.J. 08008.	Do.
Do.	Monmouth	Deal, borough of.	H 340292 01 through H 340292 03	do.	Borough Clerk, Municipal Bldg., Durant Square, Deal, N.J. No ZIP.	Do.
Do.	Camden	Voorhees, township of.	H 340538 01 through H 340538 06	do.	Office of Township Administrator, Township of Voorhees, Municipal Bldg., 620 Bercln Rd., P.O. Box 175, Kirkwood, N.J. 08043.	Do.
Do.	do.	Laurel Springs, borough of.	H 340547 01	do.	Mayor, Borough of Laurel Springs, Laurel Springs, N.J. 08021.	Do.
Do.	Gloucester	Woodbury Heights, borough of.	H 340550 01 through H 340550 02	do.	Mayor, Borough of Woodbury Heights, Woodbury Heights, N.J. 08097.	Do.
New York	Cortland	Cortland, city of.	H 360178A 01 through H 360178A 02	New York State Department of Environmental Conservation, Division of Resources Management Services, Bureau of Water Management, Albany, N.Y. 12201. New York State Insurance Department, 128 William St., New York, N.Y. 10038.	Mayor, City Hall, City of Cortland, Cortland, N.Y. 13045.	Do.
Do.	Chenango	North Norwich, town of.	H 361089 01 through H 361089 08	do.	Mayor, City of North Norwich, North Norwich, N.Y. 13814.	Do.
Do.	Steuben	Hornby, town of.	H 361211 01 through H 361211 10	do.	Town Manager, Town Hall, Hornby, N.Y. No ZIP.	Do.
Do.	Cattaraugus	Cattaraugus, village of.	H 361367 01	do.	Village Manager, Village Hall, Cattaraugus, N.Y. 14719.	Do.
Do.	CClinton	Peru, town of.	H 361384 01 through H 361384 22	do.	Town Manager, Town Hall, Peru, N.Y. 12972.	Do.
Do.	Franklin	Santa Clara, town of.	H 361398 01 through H 361398 12	do.	Town Manager, Town Hall, Santa Clara, N.Y. No ZIP.	Do.
Do.	Steuben	Troupsburg, town of.	H 361436 01 through H 361436 04	do.	Town Manager, Town Hall, Troupsburg, N.Y. No ZIP.	Do.
North Carolina	Carteret	Cape Carteret, town of.	H 370046A 01	Division of Community Assistance, Department of Natural and Economic Resources, P.O. Box 27687, Raleigh, N.C. 27611. North Carolina Insurance Department, P.O. Box 26387, Raleigh, N.C. 27611.	Cape Carteret Town Hall, Town of Cape Carteret, Swansboro, N.C. 28584.	May 24, 1974. Feb. 21, 1975.
Do.	Northampton	Jackson, town of.	H 370175 01	do.	Mayor, Town of Jackson, Jackson, N.C. 27845.	Feb. 21, 1975.
Do.	Watauga	Boone, town of.	H 370253A 01 through H 370253A 02	do.	Town Hall, Town of Boone, Boone, N.C. 28607.	June 21, 1974. Feb. 21, 1975.
North Dakota	Towner	Bisbee, city of.	H 380128 01	State Water Commission, State Office Bldg., 900 East Blvd., Bismarck, N. Dak. 58501. North Dakota Insurance Department, State Capitol, Bismarck, N. Dak. 58501.	Mayor, City of Bisbee, Bisbee, N. Dak. 58317.	Feb. 21, 1975.
Do.	Ramsey	Edmore, city of.	H 380166 01	do.	Mayor, City of Edmore, Edmore, N. Dak. 58330.	Do.
Do.	Benson	Esmond, city of.	H 380167 01	do.	Mayor, City of Esmond, Esmond, N. Dak. 58332.	Do.
Do.	Cass	Hunter, city of.	H 380181 01	do.	Mayor, City of Hunter, Hunter, N. Dak. 58048.	Do.
Do.	do.	Kindred, city of.	H 380182 01	do.	Mayor, City of Kindred, Kindred, N. Dak. 58051.	Do.
Do.	Lamoure	Marion, city of.	H 380188 01	do.	Mayor, City of Marion, Marion, N. Dak. 58468.	Do.
Do.	Divide	Noonan, city of.	H 380191 01	do.	Mayor, City of Noonan, Noonan, N. Dak. 58765.	Do.
Do.	Cavalier	Osnabrock, city of.	H 380192 01	do.	Mayor, City of Osnabrock, Osnabrock, N. Dak. 58269.	Do.
Do.	Adams	Reeder, city of.	H 380197 01	do.	Mayor, City of Reeder, Reeder, N. Dak. 58649.	Do.
Do.	Barnes	Sanborn, city of.	H 380202 01	do.	Mayor, City of Sanborn, Sanborn, N. Dak. 58480.	Do.
Do.	Griggs	Cooperstown, city of.	H 380219 01	do.	Mayor, City of Cooperstown, Cooperstown, N. Dak. 58425.	Do.
Do.	Ramsey	Devils Lake, city of.	H 380221 01 through H 380221 07	do.	Mayor, City of Devils Lake, Devils Lake, N. Dak. 58301.	Do.
Do.	McHenry	Drake, city of.	H 380222 01	do.	Mayor, City of Drake, Drake, N. Dak. 58738.	Do.
Do.	Dickey	Ellendale, city of.	H 380225 01	do.	Mayor, City of Ellendale, Ellendale, N. Dak. 58433.	Do.
Do.	Morton	New Salem, city of.	H 380243 01	do.	Mayor, City of New Salem, New Salem, N. Dak. 58563.	Do.
Do.	Pembina	St. Thomas, city of.	H 380249 01	do.	Mayor, City of St. Thomas, St. Thomas, N. Dak. 58276.	Do.
Do.	Kidder	Steele, city of.	H 380251 01	do.	Mayor, City of Steele, Steele, N. Dak. 58482.	Do.



RULES AND REGULATIONS

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State	County	Location	Map No:	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Ohio.....	Hamilton.....	Blue Ash, city of..	H 390208 01 through H 390208 05	Ohio Department of Natural Resources, Fountain Square, Columbus, Ohio 43224. Ohio Insurance Department, 447 East Broad St., Columbus, Ohio 43215.	City of Blue Ash, City Hall, 9602 Kenwood Rd., Blue Ash, Ohio 45242.	Do.
Do.....	Tuscarawas.....	Midvale, village of.	H 390715 01 through H 390715 03	do.....	Village Clerk, Village of Midvale, Midvale, Ohio 44653.	Do.
Oklahoma.....	Comanche.....	Lawton, city of...	H 400049A 01 through H 400049A 11	Oklahoma Water Resources Board, 2214 Northwest 40th St., Oklahoma City, Okla. 73112. Oklahoma Insurance Department, Room 406, Will Rogers Memorial Bldg., Oklahoma City, Okla. 73105.	Mayor, City of Lawton, City Hall, 4th and Avenue A, Lawton, Okla. 73504.	Aug. 9, 1974. Feb. 21, 1975.
Oregon.....	Gilliam.....	Arlington, city of..	H 410071 01.....	Executive Department, State of Oregon, Salem, Ore. 97310. Oregon Insurance Division, Department of Commerce, 158 12th St. N.E., Salem, Ore. 97310.	Mayor, Municipal Bldg., City of Arlington, Arlington, Ore. 97812.	Feb. 21, 1975.
Do.....	Wasco.....	Unincorporated areas.	H 410229 01 through H 410229 12	do.....	Wasco County Planning Office, Wasco County Courthouse, Annex B, Room 122, 502 East 5th St., The Dalles, Ore. 97068.	Do.
Pennsylvania...	Delaware.....	Media, borough of.	H 420421 01 through H 420421 02	Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 19063. Pennsylvania Insurance Department, 108 Finance Bldg., Harrisburg, Pa. 17120.	Borough Manager, Borough of Media, 221 East 2d St., Media, Pa. 19063.	Do.
Do.....	Adams.....	Hamiltonban, township of.	H 421252 01 through	do.....	Chairman, Board of Supervisors, Township of Hamiltonban, R.D. 2, Fairfield, Pa. 17320.	Do.
Do.....	Armstrong.....	Rayburn, township of.	H 421314 01 through	do.....	Chairman, Board of Supervisors, R.D. 6, Township of Rayburn, Klttanning, Pa. 16201.	Do.
Do.....	Clinton.....	Gallagher, township of.	H 421537 01 through	do.....	Chairman, Board of Supervisors, Township of Gallagher, Box 29, Star Route, Lock Haven, Pa. 17745.	Do.
Do.....	Elk.....	Jones, township of.	H 421537 15 through H 421612 01 through	do.....	Chairman, Board of Supervisors, Township of Jones, R.F.D. 1, Wilcox, Pa. 15870.	Do.
Do.....	Plke.....	Greene, township of.	H 421612 39 through H 421965 01 through	do.....	Chairman, Board of Supervisors, Township of Greene, Greentown, Pa. 18426.	Do.
Do.....	Adams.....	Bendersville, borough of.	H 421965 09 through	do.....	Mayor, Borough of Bendersville, Bendersville, Pa. 17306.	Do.
Do.....	do.....	Fairfield, borough of.	H 422295 01.....	do.....	Borough Manager, Borough of Fairfield, Miller St., Fairfield, Pa. 17320.	Do.
Do.....	Clarion.....	Limestone, township of.	H 422369 01 through H 422369 04 through	do.....	Chairman, Board of Supervisors, Township of Limestone, R.D. 1, Strattanville, Pa. 16258.	Do.
South Carolina.	Hampton.....	Scotia, town of....	H 450101 01 through H 450101 02	South Carolina Water Resources Commission, Post Office Drawer 164, 700 Knox Abbott Dr., Cayce, S.C. 29033. South Carolina Insurance Department, 2711 Middleburg St., Columbia, S.C. 29204.	Mayor, Town of Scotia, Town Hall, Scotia, S.C. 29039.	Do.
South Dakota...	Roberts.....	Corona, town of...	H 460071 01.....	State Planning Bureau, Office of Executive Management, State Capitol, Pierre, S. Dak. 57501. South Dakota Department of Insurance, Insurance Bldg., Pierre, S. Dak. 57501.	Mayor, Town of Corona, Corona, S. Dak. 57227.	Do.
Do.....	Faulk.....	Faulkton, city of..	H 460175 01.....	do.....	Mayor, City of Faulkton, Faulkton, S. Dak. 57438.	Do.
Texas.....	Harris.....	Galena Park, city of.	H 490293 01 through H 490293 02	Texas Water Development Board, Post Office Box 13087, Capitol Station, Austin, Tex. 78711. Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701.	Mayor, City of Galena Park, City Hall, 2000 Clinton Dr., P.O. Box 46, Galena Park, Tex. 77547.	Do.
Do.....	Lee.....	Lexington, town of.	H 480902 01.....	do.....	Mayor, Town of Lexington, Lexington, Tex. 78947.	Do.
Do.....	Swisher.....	Kress, city of.....	H 481021 01.....	do.....	Mayor, City of Kress, Kress, Tex. 79052.	Do.
Do.....	Travis.....	Manor, city of.....	H 481027 01.....	do.....	Mayor, City of Manor, Manor, Tex. 78653.	Do.
Do.....	Williamson.....	Thrall, city of....	H 481049 01.....	do.....	Mayor, City of Thrall, Thrall, Tex. 76578.	Do.
Utah.....	Summit.....	Henefer, town of..	H 490136 01.....	Utah Department of Natural Resources, Division of Water Resources, State Capitol Bldg., Room 435, Salt Lake City, Utah 84114. Utah Insurance Department, 115 State Capitol, Salt Lake City, Utah 84114.	Mayor, Town of Henefer, Henefer, Utah 84033.	Do.

State	County	Location	Map No	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Vermont	Bennington	North Bennington, village of	H 500180 01 through H 500180 03	Management and Engineering Division, Water Resources Department, State Office Bldg., Montpelier, Vt. 05602. Vermont Insurance Department, State Office Bldg., Montpelier, Vt. 05602.	Village Clerk, Village of North Bennington, North Bennington, Vt. 05257.	Do.
Do.	Orleans	Coventry, town of	H 500246 01 through H 500246 03	.....do.....	Town Manager, Town of Coventry, Coventry, Vt. 05825.	Do.
Do.	Chittenden	Bolton, town of	H 500308 01 through H 500308 04	.....do.....	Town Manager, town of Bolton, Bolton, Vt. No ZIP.	Do.
Virginia	Goochland	Unincorporated areas.	H 510072 01 through H 510072 76	Bureau of Water Control Management, State Water Control Board, Post Office Box 11143, Richmond, Va. 23230. Virginia Insurance Department, 700 Blanton Bldg., Post Office Box 1157, Richmond, Va. 23209.	County Commissioners, County of Goochland, County Courthouse, Post Office Box 152, Goochland, Va. 23063.	Do.
Do.	King George	.....do.....	H 510312 01 through H 510312 14	.....do.....	County Commissioners, County of King George, King George, Va. 22485.	Do.
Washington	Okanogan	Winthrop, town of	H 530125 01	Department of Ecology, Olympia, Wash. 98501. Washington Insurance Department, Insurance Building, Olympia, Wash. 98501.	Town of Winthrop, Town Hall, Winthrop, Wash. 98862.	Do.
Do.	Wahkiakum	Unincorporated areas.	H 530193 01 through H 530193 11	.....do.....	County Engineer, Wahkiakum County, P.O. Box 97, Cathlamet, Wash. 98612.	Do.
Do.	Pierce	Puyallup, city of	H 530144A 01 through H 530144A 04	.....do.....	City Manager, City of Puyallup, Puyallup, Wash. 98371.	May 24, 1974; Feb. 21, 1975.
West Virginia	Lewis	Unincorporated areas.	H 540085 01 through H 540085 25	Flood Insurance Department, State Division of Planning Development, Capitol Bldg., Room 150, Charleston, W. Va. 25305. Insurance Commissioner, Building No. 3, Room 643, 1800 Washington St., Charleston, W. Va. 25305.	County Commissioners, County of Lewis, County Courthouse, Weston, W. Va. 26452.	Feb. 21, 1975.
Do.	Wayne	.....do.....	H 540200 01 through H 540200 37	.....do.....	County Commissioners, County of Wayne, County Courthouse, Wayne, W. Va. 25570.	Do.
Do.	Pleasant	Belmont, town of	H 540253 01 through H 540253 02	.....do.....	Town Manager, Town Hall, Belmont, W. Va. 26184.	Do.

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

Issued: February 12, 1975.

J. ROBERT HUNTER,  
Acting Federal Insurance Administrator.

[FR Doc.75-5299 Filed 2-28-75; 8:45 am]

**Title 29—Labor**  
**CHAPTER XIV—EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**PART 1601—PROCEDURAL REGULATIONS**

**Designated 706 Agencies**

By virtue of the authority vested in it by section 713(a) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e-12(a), 78 Stat. 265, the Equal Employment Opportunity Commission (hereinafter referred to as the Commission) hereby amends Title 29, Chapter XIV, § 1601.12(m) in accordance with the requirements of § 1601.12(i) (1).

The amended § 1601.12(m) sets forth all of those state and local agencies which have been formally designated as 706 Agencies as defined in § 1601.12(c) for the purpose of receiving charges deferred by the Commission pursuant to section 706 (c) and (d) of Title VII, and whose final findings and orders will be accorded substantial weight by the Commission as provided in § 1601.19b(e).

Publication of this amendment to § 1601.12(m) effectuates the formal des-

ignation of the following agencies as 706 Agencies:

- Arizona Civil Rights Division.
- California Fair Employment Practices Commission.
- Montana Commission for Human Rights.
- Nebraska Equal Opportunity Commission.
- Nevada Commission on Equal Rights of Citizens.
- Omaha Human Relations Department.
- Springfield (Ohio) Human Relations Department.
- Virgin Islands Department of Labor.
- Wichita Commission on Civil Rights.

Notice of the proposed designation of the foregoing agencies as 706 Agencies was published in the January 20, 1975, issue of the FEDERAL REGISTER, 40 FR 3220, with notice that written comments pursuant to this designation must be filed with the Commission on or before February 10, 1975.

With the addition of the foregoing agencies, § 1601.12(m) is amended to read as follows:

§ 1601.12 Deferrals to State and local authorities.

(m) The designated 706 Agencies are:

- Alaska Commission for Human Rights.
- Arizona Civil Rights Division.
- Baltimore Community Relations Commission.
- Bloomington Human Rights Commission.
- California Fair Employment Practices Commission.
- Colorado Civil Rights Commission.
- Connecticut Commission on Human Rights and Opportunities.
- Dade County Fair Housing and Employment Commission.
- Delaware Department of Labor.
- District of Columbia Office of Human Rights.
- East Chicago Human Relations Commission.
- Gary Human Relations Commission.
- Idaho Commission on Human Rights.
- Illinois Fair Employment Practices Commission.
- Indiana Civil Rights Commission.
- Iowa Commission on Civil Rights.
- Kansas Commission on Civil Rights.
- Kentucky Commission on Human Rights.
- Massachusetts Commission Against Discrimination.
- Michigan Civil Rights Commission.
- Minnesota Department on Human Rights.
- Montana Commission for Human Rights.
- Nebraska Equal Opportunity Commission.
- Nevada Commission on Equal Rights of Citizens.
- New Hampshire Commission for Human Rights.

*New Jersey* Division on Civil Rights, Department of Law and Public Safety.  
*New York City* Commission on Human Rights.  
*New York State* Division of Human Rights.  
*Ohio* Civil Rights Commission.  
*Oklahoma* Human Rights Commission.  
*Omaha* Human Relations Department.  
*Oregon* Bureau of Labor.  
*Pennsylvania* Human Relations Commission.  
*Philadelphia* Commission on Human Relations.  
*Seattle* Human Rights Commission.  
*Springfield (Ohio)* Human Relations Department.  
*South Dakota* Human Relations Commission.  
*Tacoma* Human Rights Commission.  
*Utah* Industrial Commission.  
*Virgin Islands* Department of Labor.  
*Washington State* Human Rights Commission.  
*West Virginia* Human Rights Commission.  
*Wichita* Commission on Civil Rights.  
*Wisconsin* Equal Rights Division, Department of Industry, Labor and Human Relations.  
*Wyoming* Fair Employment Practices Commission.

The designated Notice Agencies are:  
*Arkansas* Governor's Committee on Human Resources.  
*Florida* Commission on Human Relations.  
*Georgia* Governor's Council of Human Relations.  
*Montana* Department of Labor and Industry.  
*North Dakota* Commission on Labor.  
*Ohio* Director of Industrial Relations.  
*South Carolina* Human Affairs Commission.  
 (Sec. 713(a), 78 Stat. 265 (42 U.S.C. Sec. 2000e-12(a)))

This amendment is effective on March 3, 1975.  
 Signed at Washington, D.C., this 14th day of February 1975.  
 JOHN H. POWELL, Jr.,  
*Chairman.*  
 [FR Doc.75-5566 Filed 2-28-75; 8:45 am]

**PART 1602—RECORDS AND REPORTS**  
**Apprenticeship Information Report EEO-2; Extension of Deadline for Filing Report**

Notice is hereby given that the 1974 deadline for filing Apprenticeship Information Report EEO-2 as required by 29 CFR 1602.15 is extended from September 30, 1974, to April 30, 1975. The period during which statistics for Report EEO-2 must be obtained remains unchanged. Signed at Washington, D.C., this 25th day of February 1975.  
 JOHN H. POWELL, Jr.,  
*Chairman, Equal Employment Opportunity Commission.*  
 [FR Doc.75-5565 Filed 2-28-75; 8:45 am]

**PART 1602—RECORDS AND REPORTS**  
**Local Union Report EEO-3; Extension of Deadline for Filing Report**

Notice is hereby given that the 1974 deadline for filing Local Union Equal Employment Opportunity Report EEO-3 required by 29 CFR 1602.22 is extended from November 30, 1974, to April 30,

1975. The period during which statistics for Report EEO-3 must be obtained remains unchanged. Signed at Washington, D.C. this 25th day of February, 1975.  
 JOHN H. POWELL, Jr.,  
*Chairman, Equal Employment Opportunity Commission.*  
 [FR Doc.75-5566 Filed 2-28-75; 8:45 am]

**Title 38—Pensions, Bonuses, and Veterans' Relief**  
**CHAPTER I—VETERANS ADMINISTRATION**  
**PART 2—DELEGATIONS OF AUTHORITY**  
**Chief Medical Director**

The Administrator of Veterans' Affairs amends Part 2 of Title 38, Code of Federal Regulations, to incorporate provisions relating to safety and quality standards for adaptive automotive equipment furnished to eligible veterans.

Chapter 39 of Title 38, United States Code, authorizes the Administrator to provide or assist in providing automobiles or other conveyances to disabled veterans and servicemen or servicewomen who meet the eligibility requirements prescribed in that chapter. It also authorizes furnishing such adaptive equipment as may be required for safe operation of an automobile or other conveyance by an eligible person. Section 1903 of Chapter 39 provides that adaptive equipment may not be furnished unless it conforms to minimum standards of safety and quality prescribed by the Administrator. The amendment to Part 2 of Title 38, Code of Federal Regulations, delegates to the Chief Medical Director or designee authority to establish such standards.

Compliance with the provisions of § 1.12 of this chapter, as to notice of proposed regulatory development and delayed effective date, is unnecessary in this instance and would serve no useful purpose since the regulatory provision involves an internal delegation of responsibility for an agency function.

In § 2.6, paragraph (a) (9) is added to read as follows:

§ 2.6 Administrator's delegations of authority to certain officials (38 U.S.C. 212(a)).

Employees occupying or acting in the positions designated in this section are delegated authority as indicated:

(a) *Department of Medicine and Surgery.* The Chief Medical Director is delegated authority:

(9) To develop and establish minimum safety and quality standards for adaptive equipment provided under chapter 39 of title 38, United States Code, or to appoint a designee to perform these functions.

*Effective date:* This VA regulation is effective February 25, 1975.  
 Approved: February 25, 1975.  
 By direction of the Administrator.  
 [SEAL] ODELL W. VAUGHN,  
*Deputy Administrator.*  
 [FR Doc.75-5531 Filed 2-28-75; 8:45 am]

**PART 17—MEDICAL**  
**Safety and Quality Standards for Adaptive Automotive Equipment**

The Administrator of Veterans' Affairs amends Part 17 of Title 38, Code of Federal Regulations, to incorporate provisions relating to safety and quality standards for adaptive automotive equipment furnished to eligible veterans.

Chapter 39 of Title 38, United States Code, authorizes the Administrator to provide or assist in providing automobiles or other conveyances to disabled veterans and servicemen or servicewomen who meet the eligibility requirements prescribed in that chapter. It also authorizes furnishing such adaptive equipment as may be required for safe operation of an automobile or other conveyance by an eligible person. Section 1903 of Chapter 39 provides that adaptive equipment may not be furnished unless it conforms to minimum standards of safety and quality prescribed by the Administrator. Authority to establish such standards has been delegated to the Chief Medical Director or designee. The change to Part 17 of Title 38, Code of Federal Regulations, authorizes the Chief Medical Director or designee to develop and establish minimum standards of safety and quality for adaptive equipment and sets up guidelines for applying such standards.

Compliance with the provisions of § 1.12 of this chapter, as to notice of proposed regulatory development and delayed effective date, is unnecessary in this instance and would serve no useful purpose since the regulatory provision involves an internal delegation of responsibility for an agency function.

In Part 17, § 17.119 is added to read as follows:

§ 17.119 Minimum standards of safety and quality for automotive adaptive equipment.

(a) The Chief Medical Director or designee is authorized to develop and establish minimum standards of safety and quality for adaptive equipment provided under 38 U.S.C. Chapter 39.

(b) In the performance of this function, the following considerations will apply:

(1) Minimum standards of safety and quality will be developed and promulgated for basic adaptive equipment specifically designed to facilitate operation and use of standard passenger motor vehicles by persons who have specified types of disablement and for the installation of such equipment.



(2) In those instances where custom-built adaptive equipment is designed and installed to meet the peculiar needs of uniquely disabled persons and where the incidence of probable usage is not such as to justify development of formal standards, such equipment will be inspected and, if in order, approved for use by a qualified designee of the Chief Medical Director.

(3) Adaptive equipment, available to the general public, which is manufactured under standards of safety imposed by a Federal agency having authority to establish the same, shall be deemed to meet required standards for use as adaptive equipment. These include such items as automatic transmissions, power brakes, power steering and other automotive options.

(c) For those items where specific Veterans Administration standards of safety and quality have not as yet been developed, or where such standards are otherwise provided as with custom-designed or factory option items, authorization of suitable adaptive equipment will not be delayed. Approval of such adaptive equipment, however, shall be subject to the judgment of designated certifying officials that it meets implicit standards of safety and quality adopted by the industry or as later developed by the Veterans Administration.

**Effective date:** This VA Regulation is effective February 24, 1975.

Approved: February 24, 1975.

By direction of Administrator.

[SEAL] ODELL W. VAUGHN,  
Deputy Administrator.

[FR Doc.75-5530 Filed 2-28-75;8:45 am]

#### Title 39—Postal Service

#### CHAPTER I—U.S. POSTAL SERVICE

#### PART 111—GENERAL INFORMATION ON POSTAL SERVICE

##### Postal Service Manual; Miscellaneous Amendments

Chapter I of the Postal Service Manual, which has been incorporated by reference in the FEDERAL REGISTER (see 39 CFR 111.1), has been amended by the issuance of Post Office Services (Domestic) Transmittal Letter 35, Issue 98, dated February 21, 1975.

In accordance with 39 CFR 111.3 notice of these changes is hereby published in the FEDERAL REGISTER as an amendment to that section and the text of the changes is filed with the Director, Office of the Federal Register. Subscribers to the Manual will receive these amendments automatically from the Government Printing Office. (For other availability of Chapter I of the Postal Service Manual, see 39 CFR 111.2).

Description of these amendments to Chapter I of the Postal Service Manual follows:

##### PART 122—ADDRESSES

##### PART 137—OFFICIAL MAIL

1. The primary purpose of these amendments in Parts 122 and 137 of

the Postal Service Manual is to make postal regulations consistent with Pub. L. 93-191 and Pub. L. 93-255, statutes which effected major revisions and clarifications in the Congressional franking statutes.

The amendments to Part 122 are primarily concerned with postal regulations in 122.4, dealing with the use of a simplified address such as Postal Customer, Local by Members of Congress.

The amendments in Part 137 are primarily concerned with postal regulations in 137.13, 137.14 and 137.15, dealing with the authorized users of the frank, the matter that may be franked, the marking required, and the period during which the frank may be used. In addition, these regulations deal with certain changes in the restrictions on the use and weight of franked mail.

Also amended are the postal regulations in 137.2 dealing with mail sent as postage and fees paid or penalty mail by executive and judicial officers. Among other changes, section 137.22a is amended to include examples of mail matter not considered official Government mail; and section 137.231a is amended to show an updated list of departments and agencies authorized to mail under postage and fees paid or penalty mail indicia.

Section 137.62 is revised, consistently with Pub. L. 93-191, to delete the individual names of widows of former Presidents and to permit the surviving spouse of a former President to send out properly endorsed nonpolitical mail without prepayment of postage. In addition, section 137.82 is amended to require additional separations of official mail by class and additional preparations of second-class, controlled circulation, bulk third class, and special rate fourth class mail prior to deposit at the post office.

##### PART 132—SECOND CLASS

2. Section 132.473e is amended and new 132.473f and g are added to clarify regulations concerning the half page rule as it applies to pages containing coupons, or applications, or order forms. As a conforming change, section 132.48b is deleted. These changes were the subject of a rule making proceeding and were previously adopted on March 6, 1974, 39 FR 8616. However, publishers were subsequently exempted from compliance with the regulations until January 1, 1975. 39 FR 17948.

##### PART 152—WHO MAY CARRY LETTERS

3. Part 152. is revised to reflect new regulations under the Private Express Statutes, 39 CFR Parts 310, 320 (39 FR 33209). This part has been written with a dual purpose in mind: (1) To provide summary information on the general nature of the Private Express restrictions and the circumstances where private carriage may be permitted; and (2) To suggest that local officials should be helpful when asked private express questions on fairly obvious matters, but that authoritative, technical advice should be obtained and may be provided only by the Opinions Division of the Law Department.

The remainder of the changes are minor, technical, or editorial in nature. In consideration of the foregoing, 39 CFR 111.3 is amended as follows:

#### § 111.3 Amendments to Chapter I of the Postal Service Manual.

##### Amendments to Postal Service Manual

Transmittal Letter	Date	F.R. Publication
Letter 35, issue 98.....	Feb. 21, 1975	40 F.R. —

Except as otherwise noted herein, these amendments are effective immediately. (5 U.S.C. 552(a), 39 USC 401, 404, 407, 408, 3001-3011, 3201-18, 3403-06, 3621 and 50 USC 1463-64)

ROGER P. CRAIG,  
Deputy General Counsel.

[FR Doc.75-5505 Filed 2-28-75;8:45 am]

#### PART 243—CONDUCT OF OFFICES

##### Display of Photographs in Post Offices Prohibited

Regulations codified under Part 243 Conduct of Offices are amended in § 243.2 to add new paragraph (i) adopting new policy of prohibiting the display of photographs of an incumbent or former President or Postmaster General in post office lobbies or in common use public service areas in facilities owned by or leased to the Postal Service.

Accordingly, the following amendment is effective immediately.

In § 243.2, new paragraph (i) is added to read as follows:

##### § 243.2 Quarters.

(i) *Public service areas—prohibited items.* Photographs of an incumbent or former President or Postmaster General are not to be displayed in post office lobbies or in common use public service areas such as elevator lobbies and corridors in facilities owned by or leased to the Postal Service. Further, such photographs are not to be requisitioned or purchased by postal installations at Postal Service expense.

(39 U.S.C. 401)

ROGER P. CRAIG,  
Deputy General Counsel.

[FR Doc.75-5506 Filed 2-28-75;8:45 am]

#### Title 40—Protection of Environment

#### CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[OPP-262802; FRL 339-4]

##### SUBCHAPTER E—PESTICIDE PROGRAMS

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

##### Glyphosine

On November 21, 1973, notice was given (38 FR 32164) that the Monsanto Co., 800 N. Lindbergh Blvd., St. Louis MO 63166, had filed a petition (PP 4F1439)

for a pesticide tolerance with the Environmental Protection Agency (EPA). This petition proposed establishment of tolerances for residues of the plant growth regulator glyphosine (N,N-bis (phosphonomethyl) glycine) in or on raw agricultural commodities sugarcane at 3 parts per million and sugarcane fodder and forage at 5 parts per million. Monsanto Co. subsequently amended the petition by withdrawing the tolerance proposal for residues in or on sugarcane fodder and forage.

The data submitted in the petition and other relevant material have been evaluated. The plant regulator is considered useful for the purpose for which the tolerance is sought. The tolerance is adequate to cover residues in or on sugarcane and it will protect the public health. Furthermore, there is no reasonable expectation of residues in eggs, meat, milk, or poultry as delineated in § 180.6(a) (3) of 40 CFR. Therefore, it is concluded that the tolerance should be established as set forth below.

Any person adversely affected by this regulation may on or before April 2, 1975, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M Street SW., East Tower, Room 1019, Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective on March 3, 1975, Part 180 is amended by adding § 180.354 to Subpart C—Specific Tolerances.

(Section 408(d)(2) of the Federal Food, Drug, and Cosmetic Act, 68 Stat. 512 (21 U.S.C. 346a), transferred to the Administrator EPA in Reorganization Plan No. 3 (35 FR 15623))

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

**§ 180.354 Glyphosine; tolerances for residues.**

A tolerance of 3 parts per million is established for residues of the plant growth regulator glyphosine (N,N-bis (phosphonomethyl) glycine) in or on the raw agricultural commodity sugarcane.

[FR Doc.75-5400 Filed 2-28-75;8:45 am]

[OPP-262803; FRL 339-6]

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

**Methoprene**

On July 24, 1974, notice was given (39 FR 26929) that Zoecon Corp., 975 California Ave., Palo Alto CA 94304, had filed

a petition (PP 4F1514) for a pesticide tolerance with the Environmental Protection Agency (EPA). This petition proposed establishment of tolerances for residues of the insect growth regulator methoprene (isopropyl (E,E-11-methoxy-3,7,11-trimethyl-2,4-dodecadienoate)) in or on the raw agricultural commodities forage grasses and forage legumes at 0.5 part per million; fat of cattle, goats, hogs, horses, sheep and poultry at 0.25 part per million; eggs, fish, shellfish, meat and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep at 0.1 part per million; and milk and rice and rice straw at 0.01 part per million. Zoecon Corp. subsequently amended the petition to request an exemption from the requirement of tolerances for residues of methoprene on these commodities. (For a related document, see this issue of the FEDERAL REGISTER, page ).

The data submitted in the petition and other relevant material have been evaluated. The insect growth regulator is considered useful for the purpose for which the exemptions are sought and the exemptions established by regulation will protect the public health.

Any person adversely affected by this regulation may on or before April 2, 1975, file written objections with the Hearing Clerk, Environmental Protection Agency, 401 M Street, SW, East Tower, Room 1019, Washington DC 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Effective on March 3, 1975, Part 180 is amended by adding § 180.1033 to read as follows to Subpart D—Exemptions from Tolerances.

(Section 408(d)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(d)(2)), transferred to the Administrator EPA in Reorganization Plan No. 3 (35 FR 15623).)

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

**§ 180.1033 Methoprene; exemption from the requirement of a tolerance.**

The insect growth regulator methoprene (isopropyl (E,E-11-methoxy-3,7,11-trimethyl-2,4-dodecadienoate)) is exempt from the requirement of a tolerance in or on the raw agricultural commodities eggs; the fat, meat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep; fish; forage grasses; forage legumes; milk; rice; rice straw; and shellfish; when used on pastures, rice fields, and marshlands and other non-crop areas to control floodwater mosquitoes.

[FR Doc.75-5401 Filed 2-28-75;8:45 am]

**Title 45—Public Welfare**

**CHAPTER XI—NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**

**PART 1100—STATEMENT OF THE GUIDANCE OF THE PUBLIC—ORGANIZATION, PROCEDURE AND AVAILABILITY OF INFORMATION**

**Freedom of Information Regulations**

The National Foundation on the Arts and the Humanities, in accordance with the Freedom of Information Act, 5 U.S.C. 552, as amended by Pub. L. 93-502, November 21, 1974, finds it necessary to amend its regulations promulgated pursuant to the Act and published at 45 CFR Part 1100. The purpose of the amendments is to ensure the Foundation's compliance with the new provisions of the Freedom of Information Act and to apprise the public of specified procedures which will assist the Foundation in expediting all requests for information.

The major modifications in the regulations concern the time limits within which the agency must make its determination concerning a request for information, both initially and on appeal. Additionally the regulation modification provides for a separate section which includes an updated schedule of fees to be charged to any person requesting records or other documents from the Foundation.

A further modification of the current regulations deals with the publication by this agency of various indices of documents of the Foundation. Pursuant to Freedom of Information Act provisions, the Foundation has determined that in view of the paucity of public requests for a current index of the Foundation's statement of policy and interpretation, and administrative staff manuals, publication of such indices on a quarterly basis would be unnecessary and impracticable. Copies of the index shall be provided on request at duplication cost.

The final substantial amendment to the regulations of this part deals with an annual report by the Foundation to both Houses of Congress detailing the activities of the Foundation with respect to requests for documents and the Foundation's treatment of such requests.

All further amendments to the provisions of the Part are of a procedural nature consisting of language by which the regulations of this Part are made to conform to the provisions of the Freedom of Information Act as amended and effective February 19, 1975.

Therefore, pursuant to sections 3 and 4 of the Administrative Procedure Act, and the Freedom of Information Act, 5 U.S.C. 552, as amended by Pub. L. 93-502, November 21, 1974, Title 45 Code of Federal Regulations, Part 1100, § 1100.3 is amended and § 1100.4 is added as follows:

1. Section 1100.3 is revoked in its entirety and is hereby superseded by a new § 1100.3 which reads as follows:

- Sec.  
1100.3-1 Statements of policy.  
1100.3-2 Current index.

1100.3-3 Requests for records.

1100.3-4 Procedures on requests for documents.

1100.3-5 Foundation report of actions.

1100.4 Schedule of files for search and duplication of records.

AUTHORITY: 5 U.S.C. 552, as amended by Pub. L. 93-502.

§ 1100.3-1 Statement of policy.

(a) The Chairman of the National Endowment for the Arts and the Chairman of the National Endowment for the Humanities are responsible for effective administration of the provisions of Pub. L. 89-487, as amended. The Chairman of each Endowment shall carry out this responsibility through the program and the officials as hereinafter provided in this Part.

(b) In addition, the Chairman of each Endowment, pursuant to his responsibility hereby directs that every effort be expended to facilitate the maximum expedited service to the public with respect to the obtaining of information and records. Accordingly, members of the public may make requests for information and records in accordance with the provisions of § 1100.3-3 of this Part.

§ 1100.3-2 Current Index.

(a) Each Endowment shall maintain and make available for public inspection and copying a current index providing identifying information for the public as to any matter which is issued, adopted, or promulgated and which is required to be made available pursuant to 5 U.S.C. 552(a) (1) and (2). Publication of such indices has been determined by the Foundation to be unnecessary and impracticable. The indices shall, nonetheless, be provided to any member of the public at a cost not in excess of the direct cost of duplication of any such index upon request therefore made in accordance with § 1100.3-3 of this Part.

(b) The index for each Endowment shall be available at the Office of the General Counsel, National Endowment for the Arts and the Office of the General Counsel, National Endowment for the Humanities respectively.

§ 1100.3-3 Requests for records.

(a) Requests for access to records of the National Endowment for the Arts and the National Endowment for the Humanities may be filed by mail or in person with the Deputy Chairman of the Endowment concerned between 9 a.m. and 5:30 p.m., Monday through Friday, except holidays.

(b) All requests should reasonably describe the record or records sought; and

(c) Any requests submitted in writing should be clearly identified as a request made pursuant to the Freedom of Information Act by labelling the envelope with the letters FOIA.

§ 1100.3-4 Procedures on requests for documents.

(a) *Determination of compliance with requests for document.* (1) Upon request by any member of the public for documents made in accordance with the rules of this part the Deputy Chairman of the Endowment receiving the request or his delegate in his absence, shall deter-

mine whether or not such request shall be granted.

(2) Except as provided in paragraph (c) of this section, such determination shall be made by the Deputy Chairman of the Endowment receiving the request within ten (10) days (excepting Saturdays, Sundays and legal public holidays) after receipt by the Endowment of such request.

(3) The Deputy Chairman shall immediately notify the party making such request of the determination made, the reasons therefore, and, in the case of a denial of such request, shall notify the party of his right to appeal that determination to the Chairman of the involved Endowment.

(b) *Appeals from adverse determination (denial of request).* (1) Any party whose request for documents or other information pursuant to this part has been denied in whole or in part by the Deputy Chairman may appeal such determination. Any such appeal shall be addressed to the Chairman, National Endowment for the Arts, Washington, D.C. 20506 or the Chairman, National Endowment for the Humanities, Washington, D.C. 20506, and shall be submitted within a reasonable time following receipt of the party of notification of the initial denial by the Deputy Chairman in the case of a total denial of the request or within a reasonable time following receipt of any of the records requested in the case of a partial denial. In no case shall an appeal be filed later than ten (10) working days following receipt of notification of denial or receipt of a part of the records requested.

(2) Upon appeal from any denial or partial denial of a request for documents by the Deputy Chairman of either Endowment, the Chairman of the involved Endowment or the Chairman's specific delegate in his absence, shall make a determination with respect to that appeal within twenty (20) days (excepting Saturdays, Sundays and legal public holidays) after receipt by the Endowment of such appeal, except as provided in paragraph (c) of this section. If, on appeal, the denial is upheld, either in whole or in part, the Chairman shall notify the party submitting the appeal and shall notify such person of the provisions of paragraph (a) of the FOIA (Pub. L. 93-502, 88 Stat. 1561-1562, November 21, 1974) regarding judicial review of such determination upholding the denial. Notification shall also include the statement that the determination is that of the Chairman, National Endowment for the Arts, or the Chairman, National Endowment for the Humanities, and the name of the Chairman.

(c) *Exception to time limitation.* In unusual circumstances as specified in this paragraph, the time limits prescribed with respect to initial actions or actions on appeal may be extended by written notice from the Deputy Chairman of the Endowment receiving the request to the person making the request. Such notice shall set forth the reason for such extension and the date on which a determination is expected to be dispatched. No such notice shall specify a date that would result in an extension

for more than ten working days. As used in this paragraph, "unusual circumstances" means, but only to the extent reasonably necessary to the proper processing of the particular request—

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

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

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

(d) *Effect of failure by either Endowment to meet the time limitation.* Failure by either Endowment to deny or grant any request for documents within the time limits prescribed by the FOIA (5 U.S.C. 552, as amended) and these regulations shall be deemed to be an exhaustion of the administrative remedies available to the person making the request.

§ 1100.3-5 Foundation report of actions.

On or before March 1 of each calendar year, the National Foundation on the Arts and the Humanities shall submit a report of its activities with regard to public information requests during the preceding calendar year to the Speaker of the House of Representatives and to the President of the Senate. The report shall include—

(a) The number of determinations made by the National Foundation on the Arts and the Humanities not to comply with requests for records made to the agency under the provisions of this part and the reasons for each such determination.

(b) The number of appeals made by persons under such provisions, the result of such appeals, and the reason for the action upon each appeal that results in the denial of information.

(c) The names and titles or positions of each person responsible for the denial of records requested under the provisions of this part and the number of instances of participation for each.

(d) The results of each proceeding conducted pursuant to subsection (a) (4) (f) of FOIA, as amended November 21, 1974, including a report of the disciplinary action taken against the officer or employee who was primarily responsible for improperly withholding records or an explanation of why disciplinary action was not taken.

(e) A copy of every rule made by the Foundation implementing the provisions of the FOIA, as amended November 21, 1974.

(f) A copy of the fee schedule and the total amount of fees collected by the agency for making records available under this section.

(g) Such other information as indicates efforts to administer the provisions of the FOIA, as amended.



§ 1100.4 Schedule of fees for search and duplication of records.

§ 1100.4-2 Schedule.

While most information will be furnished promptly at no cost as a service to the general public, fees will be charged if the cost of search and duplication warrants.

§ 1100.4-2 Schedule.

Fees which may be charged by the Foundation for search and duplication of records are as follows:

(a) *Duplication fees.* \$2 for the first six (6) pages, five (5¢) cents per page thereafter for photocopying.

(b) *Search fees.* \$8 per hour to search records for specific documents plus transportation costs of personnel arising from searches for requested information.

*Effective Date:* This Part became effective on the 19th day of February, 1975.

Dated: February 25, 1975.

NANCY HANKS,  
Chairman, National  
Endowment for the Arts.

Dated: February 25, 1975.

RONALD BERMAN,  
Chairman, National  
Endowment for the Humanities.

[FR Doc.75-5501 Filed 2-28-75;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Amdt. No. 7 to Service Order No. 1129]

PART 1033—CAR SERVICE

Chicago, Rock Island and Pacific Railroad Company Authorized to Operate Over Tracks of Burlington Northern Inc.

FEBRUARY 26, 1975.

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 21st day of February, 1975.

Upon further consideration of Service Order No. 1129 (38 FR 8062, 9668, 18026, 33399; 39 FR 8161, 19218 and 43633), and good cause appearing therefor:

*It is ordered, That:*

Service Order No. 1129 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

§ 1033.1129 Service Order No. 1129.

(a) *Chicago, Rock Island and Pacific Railroad Company authorized to operate over tracks of Burlington Northern Inc.* \* \* \*

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., June 30, 1975, 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, 1975.

(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.75-5561 Filed 2-28-75;8:45 am]

[Amdt. No. 6 to Service Order No. 1131]

PART 1033—CAR SERVICE

Chicago, Rock Island and Pacific Railroad Company Authorized to Operate Over Tracks of Chicago, Milwaukee, St. Paul and Pacific Railroad Company

FEBRUARY 26, 1975.

At a Session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 21st day of February, 1975.

Upon further consideration of Service Order No. 1131 (38 FR 9232, 17845, 33399; 39 FR 8327, 19218 and 41853), and good cause appearing therefor:

*It is ordered, That:* Service Order No. 1131 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

§ 1033.1131 Service Order No. 1131.

(a) *Chicago, Rock Island and Pacific Railroad Company authorized to operate over tracks of Chicago, Milwaukee, St. Paul and Pacific Railroad Company.* \* \* \*

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., August 31, 1975, 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, 1975.

(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.75-5562 Filed 2-28-75;8:45 am]

[Amdt. No. 2 To Corrected Service Order No. 1176]

PART 1033—CAR SERVICE

The Kansas City Southern Railway Company Authorized to Operate Over Certain Tracks of St. Louis-San Francisco Railway Company

FEBRUARY 25, 1975.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 21st day of February, 1975.

Upon further consideration of Corrected Service Order No. 1176 (39 FR 13264, 32138 and 33300), and good cause appearing therefor:

*It is ordered, That:* Corrected Service Order No. 1176 be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

§ 1033.1176 Service Order No. 1176.

(a) *The Kansas City Southern Railway Company authorized to operate over certain tracks of St. Louis-San Francisco Railway Company.* \* \* \*

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., August 31, 1975, unless otherwise modified, changed, or suspended by order of this Commission.

*Effective dates:* This amendment shall become effective at 11:59 p.m., February 28, 1975.

(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.75-5550 Filed 2-28-75;8:45 am]

# proposed rules

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

## DEPARTMENT OF AGRICULTURE

Office of the Secretary

[ 7 CFR Parts 25, 25A ]

### COMMITTEE MANAGEMENT

#### Proposed Regulations

Notice is hereby given that the Department of Agriculture proposes to add new Parts 25 and 25A to Title 7, Code of Federal Regulations. Part 25 sets forth guidelines and procedures to be followed by Departmental agencies for the establishment, operation, duration and public accessibility to advisory committees under its jurisdiction. Part 25A provides guidelines and procedures for the establishment, operation and duration of all other committees, except advisory committees, under the jurisdiction of the Department.

Interested persons may submit written comments on the proposed regulations to Preston Davis, Office of Management and Finance, USDA, on or before March 14, 1975. All written comments will be available for public inspection during regular business hours in Room 4175, South Building, USDA.

(7 CFR 1.27(b))

JOSEPH R. WRIGHT, Jr.,  
Assistant Secretary  
for Administration.

JANUARY 29, 1975.

The proposed regulations are as follows:

### PART 25—ADVISORY COMMITTEE MANAGEMENT

#### Subpart A—Purpose and Policy

- Sec.  
25.1 Purpose.  
25.2 Policy.  
25.3 Definitions.

#### Subpart B—Responsibilities

- 25.7 Department.  
25.8 Agencies.

#### Subpart C—Establishment and Renewal of Advisory Committees

- 25.11 Establishment of advisory committees.  
25.12 Duration and renewal of advisory committees.

#### Subpart D—Membership and Meeting Procedure

- 25.15 General procedures.  
25.16 Clearance of advisory committee members.  
25.17 Invitation to serve on national advisory committees.  
25.18 Certificate of appointment.  
25.19 Pay guidelines.  
25.20 Meetings.  
25.21 Disclosure of official information to public members.

#### Subpart E—Reporting and Records

- 25.24 Annual reporting and comprehensive review.

- Sec.  
25.25 Reports issued by advisory committees.  
25.26 Committee control system.  
25.27 Financial records.

#### Subpart F—Exceptions

- 25.30 Exceptions.

AUTHORITY: 5 U.S.C. 301; Sec. 8, 86 Stat. 773, 5 U.S.C. App. I.

#### Subpart A—Purpose and Policy

##### § 25.1 Purpose.

The regulations in this Part provide guidelines and procedures for the establishment, operation, duration and accessibility to the public of advisory committees under the jurisdiction of the Department of Agriculture.

##### § 25.2 Policy.

In addition to complying with the provisions of the Federal Advisory Committee Act (Pub. L. 92-463; 86 Stat. 770, 5 U.S.C. App. I) and Office of Management and Budget Circular A-63, Revised, requirements with respect thereto, it shall be the policy of this Department to maintain control over the establishment and use of all advisory committees. The provisions of the Federal Advisory Committee Act, 5 U.S.C. App. 5, and all regulations issued by the Office of Management and Budget, the Department, and applicable Department agency shall apply to all advisory committees, unless otherwise provided by law. The number of such committees shall be held at the absolute minimum required for effective program operation and compliance with various provisions of law.

##### § 25.3 Definitions.

As used herein, terms are defined as follows:

(a) *Advisory committee.* Any committee, subcommittee, board, commission, council, conference, panel, task force, or similar group, subgroup, or body which is not composed wholly of full-time officers or employees of the Federal Government and which is in the interest of obtaining advice or recommendations for one or more agencies or officers of the Federal Government.

(1) *Non-statutory advisory committee.* Any advisory committee established or utilized by the President or a Government official, including an advisory committee authorized, but not established, by a Federal Statute.

(2) *Statutory advisory committee.* Any advisory committee established by an Act of Congress. (If the statute directs the Secretary to establish an advisory committee, it is a statutory committee since the Secretary has no discretion in its establishment.)

#### Subpart B—Responsibilities

##### § 25.7 Department.

(a) The Assistant Secretary for Administration is the Advisory Committee Management Officer of the Department. He is responsible for:

(1) exercising control and supervision over the establishment, procedures, and accomplishments of advisory committees;

(2) assigning responsibility for the assembling and maintenance of the reports, records, and other papers of committees; and

(3) carrying out, on behalf of the Department, the provisions of section 552 of Title 5, United States Code, with respect to such reports, records, and other papers. To carry out these responsibilities and to evaluate committee activities, the Advisory Committee Management Officer shall hold periodic review meetings, but not less than one per year. The review meetings shall include the Deputy Under Secretary. Agency personnel shall attend as requested.

(b) The Office of Management and Finance provides staff assistance for the Advisory Committee Management Officer by:

(1) Maintaining systematic information on the nature, functions and operations of each Department advisory committee, including a complete set of charters and the annual reports for advisory committees;

(2) Filing advisory committee charters with appropriate House and Senate committees and the Library of Congress;

(3) Maintaining committee control records for advisory committees (see Subpart E of this Part).

(4) Complying with advisory committee management reporting requirements;

(5) Providing advice and guidance on the establishment, renewal, utilization, management, and reporting of all types of advisory committee throughout the Department; and

(6) Scheduling periodic review meetings and providing adequate notification to those who will attend.

##### § 25.8 Agencies.

The head of each agency engaged in committee activity shall be responsible for providing an orderly procedure for:

(a) Establishing or terminating advisory committees and providing guidelines for the selection of members.

(b) Adhering to the law and regulations governing the use of advisory committees.

(c) Designating for each advisory committee a central location for the assembling and maintenance of the reports, records, and other papers of the advisory

committee for public inspection and copying.

(d) Conducting periodic reviews of advisory committee activities (see Subpart E of this Part).

(e) Maintaining an adequate advisory committee control system. This includes maintaining records of all advisory committees sponsored by the agency.

(f) Submitting Committee Control Records (Form AD-241) for all advisory committees (see Subpart E of this Part).

**Subpart C—Establishment and Renewal of Advisory Committees**

**§ 25.11 Establishment of advisory committees.**

(a) *Policy on establishment.* The following policy shall govern the establishment of any advisory committee.

(1) No advisory committee shall be established within the Department unless:

(i) It has been specifically authorized by statute or Presidential directive, or determined as a matter of formal record by the Secretary or appropriate Assistant Secretary or Director of Agricultural Economics to be in the public interest.

(ii) It has been established in accord with these regulations.

(iii) Prior consultation with the Office of Management and Budget has been accomplished.

(iv) Timely notice of the intent to establish the committee is published in the FEDERAL REGISTER.

(v) It has been determined that the functions of the committee are not being and could not be performed by an existing agency or advisory committee.

(vi) The purpose of the advisory committee has been clearly defined.

(2) An annual report for each advisory committee shall be prepared by the agency providing support services. This report shall describe the committee's membership, functions, and actions.

(3) Unless provided otherwise by statute or Presidential directive, advisory committees shall be utilized solely for advisory functions. Decisions regarding actions or policies relating to matters dealt with by an advisory committee shall be made solely by an official of the Government.

(b) *Procedure for establishment.* (1) *Obtaining approval.* An agency desiring to establish an advisory committee that is not specifically authorized by statute or by the President shall first consult with and obtain the approval of the appropriate Assistant Secretary or Director of Agricultural Economics.

(i) If the Assistant Secretary or Director approves, that agency shall prepare a letter for the signature of the Advisory Committee Management Officer, to the Director, Office of Management and Budget, containing the following:

(A) The nature and purpose of the proposed advisory committee and the reasons why it is needed.

(B) An explanation of why the functions could not be performed by the agency or by an existing advisory committee.

(C) A description of the agency's plan to attain balanced membership on the proposed advisory committee.

(D) A statement that notice of the action will be published in the FEDERAL REGISTER.

(E) A statement that establishment is in the public interest in connection with the work of the Department.

(F) A request for Office of Management and Budget concurrence in the Department's decision to establish the advisory committee.

(ii) This letter shall be submitted to the Office of Management and Finance. The Office of Management and Finance is responsible for obtaining Departmental clearances and signature of the letter, and forwarding it to the Office of Management and Budget.

(iii) The Office of Management and Finance shall notify the Assistant Secretary or Director and the agency by memorandum as to whether the Office of Management and Budget concurs in the decision to establish the advisory committee.

(2) *Preparation of FEDERAL REGISTER Notice.* (i) If the Office of Management and Budget concurs, the agency providing support services shall then prepare, for publication in the FEDERAL REGISTER, a notice advising the public of the Department's intent to establish the advisory committee. The notice shall state the name and purpose of the advisory committee, a statement that it is in the public interest to establish the advisory committee in connection with the duties of the Department, and the name and address of the agency official to whom the public may submit comments. The Advisory Committee Management Officer shall sign notices for national advisory committees. Notices for regional, state, and local advisory committees shall be signed by an official of the agency providing support services. All notices shall receive clearance by the Office of Management and Finance prior to signature.

(ii) In the case of advisory committees specifically established by statute or by the President, neither approval by the Office of Management and Budget nor FEDERAL REGISTER notice of intent to establish said advisory committee is required. It is required, however, that a charter be filed.

(3) *Preparation of establishment document.* The agency providing support services shall prepare an establishment document as follows:

(i) For a national advisory committee (one operating on a national basis), the establishment document shall be in the form of a numbered Secretary's Memorandum. The document shall include:

(A) Name, clearly defined purpose, and functions of the advisory committee.

(B) Statement of reasons why the advisory committee is necessary, and statutory authorization, if any.

(C) Titles and/or names of the chairman, vice-chairman and executive secretary and a statement designating the De-

partment employee to attend the meeting if the chairman or vice-chairman are not Department employees. National Advisory committees shall be chaired by an official from the Office of the Secretary with an agency official as vice-chairman, unless another arrangement is approved by the Advisory Committee Management Officer. (See § 25.20(b) of this Part.)

(D) Statement that the advisory committee will terminate in two years, unless provided otherwise by statute.

(E) Statement that establishment of the advisory committee is in the public interest in connection with duties imposed on the Department by law.

(F) Statement concerning the plan to achieve balanced membership on the advisory committee (§ 25.15 of this Part).

The document shall be routed to the Office of Management and Finance through the Office of the General Counsel.

(ii) Regional, state, and local advisory committees shall be established by the appropriate Assistant Secretary or Director of Agricultural Economics. The establishment document shall be in the form of an unnumbered Secretary's Memorandum. The document shall include:

(A) Name, clearly defined purpose, and functions of the advisory committee.

(B) Statement of reasons why the advisory committee is needed and statutory authorization, if any.

(C) Titles and/or names of the chairman, vice-chairman and executive secretary and a statement designating the Department employee to attend the meeting if the chairman or vice-chairman are not Department employees (§ 25.20(b) of this Part).

(D) Statement that the advisory committee will terminate in two years, unless provided otherwise by statute.

(E) Statement that establishment of the advisory committee is in the public interest in connection with duties imposed on the Department by law.

(F) Statement concerning the plan to achieve balanced membership on the committee (§ 25.15 of this Part).

(4) *Preparation of charter.* Before an advisory committee meets or takes any action, the agency providing support services for the advisory committee shall prepare a charter. The original and four copies of this charter shall be submitted to the Office of Management and Finance no sooner than 15 days following publication of the notice in the Federal Register provided above. The charter shall contain:

(i) The advisory committee's official designation.

(ii) The advisory committee's objectives and the scope of its activity.

(iii) The period of time necessary for the advisory committee to carry out its purposes.

(iv) The agency or official to whom the advisory committee reports.

(v) The agency responsible for providing the necessary support for the advisory committee.



## PROPOSED RULES

(vi) A description of the duties for which the committee is responsible and, if such duties are not solely advisory, a specification of the authority for such functions.

(vii) The estimated annual operating costs in dollars and man-years.

(viii) The estimated number and frequency of advisory committee meetings.

(ix) The advisory committee's termination date, if less than two years from the date of the advisory committee's establishment.

(x) Space for the "date of filing" to be filled in by the Office of Management and Finance.

(5) *Establishment document as charter.* The establishment document shall serve as the charter if it contains the required information. If it does not, a separate document entitled "Charter of \_\_\_\_\_ Committee" shall be prepared and submitted to the Office of Management and Finance.

(6) *Signing of charter.* The Advisory Committee Management Officer shall sign charters for national advisory committees when the charter is not included in the establishment document. The agency official responsible for committee management (§ 25.26 of this Part) shall sign the charters for regional, State, and local advisory committees when the charter is not included in the establishment document.

(7) *Filing of charter.* The Office of Management and Finance shall file the charters with the appropriate House and Senate committees and the Library of Congress, and notify the agency providing support services when this has been done.

(c) *Termination of approval to establish advisory committee.* If an advisory committee is not established within one year from the date on which Office of Management and Budget concurred in its establishment, the approval to establish said committee shall be considered terminated unless the Advisory Committee Management Officer grants an extension. In no case shall the approval extend beyond two years from the date on which the Office of Management and Budget concurred in the establishment of the advisory committee. The policy governs both the establishment and the renewal of committees.

#### § 25.12 Duration and renewal of advisory committees.

(a) Unless otherwise provided for by law, all advisory committees in existence on January 5, 1973, shall terminate on January 5, 1975, if not renewed prior to the latter date. Unless otherwise provided for by law, each advisory committee established after January 5, 1973, shall terminate not later than two years after its establishment unless it is renewed prior to that time by appropriate action or its duration is otherwise provided for by law. Unless provided otherwise by the establishing authority, the duration of a subgroup shall be the same as that of the parent committee.

(b) No advisory committee shall be renewed unless it is clearly demonstrated

that the committee provides advice necessary to the operation of the Department which can be obtained in no other way.

(i) *Non-statutory advisory committees.* Not more than 60 days before the scheduled date of termination, the agency providing support services and desiring to renew a non-statutory advisory committee shall consult with and obtain the approval of the appropriate Assistant Secretary or Director of Agricultural Economics.

(A) If the Assistant Secretary or Director approves, the agency providing support services shall prepare a letter for the signature of the Advisory Committee Management Officer, to the Director, Office of Management and Budget. The policy and procedure provided for in § 25.11 (a), (b), and (c) of this Part for establishing an advisory committee apply to renewal of an advisory committee, except that the renewal document shall be signed before the FEDERAL REGISTER notice is published.

(B) Any request to the Office of Management and Budget for approval to renew an advisory committee submitted less than 30 days before the expiration date or after the expiration date of the advisory committee shall be treated for all purposes as a request to establish a new advisory committee.

(ii) *Statutory advisory committees.* Statutory advisory committees shall terminate in accordance with § 25.12 of this Part.

(A) If an agency providing support services wishes to have the committee established under the Department's authority, the agency should proceed under the procedures in § 25.11 of this Part.

(B) The charter for a statutory advisory committee whose termination as provided for by law is in excess of two years shall be filed when the committee is established and upon the expiration of each successive two-year period, if any, following the date of enactment of the statute establishing the advisory committee.

(C) No advisory committee required to file a new charter shall take any action, other than preparation and filing of such charter, between the date the new charter is required and the date it is filed.

#### Subpart D—Membership and Meeting Procedure

##### § 25.15 General procedures.

(a) The membership of an advisory committee shall be "fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee." (Sec. 5(b)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. I). In addition, committee members shall be appointed with a view toward safeguarding against any special interest inappropriately influencing the advisory committee.

(b) Members shall not serve on more than one advisory committee at any one time unless prior approval is obtained from the Advisory Committee Manage-

ment Officer. Requests for multiple membership shall be submitted in writing through the Office of Management and Finance. Appointment of new members in the event of vacancies shall be for the unexpired period of the committee. Committee appointments expire when the committee is terminated in accordance with § 25.12 of this Part. The appointing authority may, however, terminate an appointment at an earlier time.

(c) In the event the advisory committee is extended for another two-year period, the membership shall be reconstituted. Appointment of new members shall provide for rotation to the extent feasible and practicable, but reappointments may be made to assure effectiveness and continuity of operations consistent with the above constraints.

(d) It shall be the responsibility of the agency providing support services to insure that no person selected as a member of an advisory committee is engaged in employment or has a financial interest which would conflict or appear to conflict with his service on the committee.

(e) There shall be no discrimination on the basis of race, color, national origin, religion, or sex in the selection of members.

#### § 25.16 Clearance of advisory committee members.

(a) *Policy.* It is essential that a background clearance be carried out prior to selection of all members of advisory committees, except Federal employees designated by title in the establishing document.

(b) *Procedures.* The following procedures shall be used to obtain clearances:

(1) The agency which provides support services shall submit for each prospective appointee a separate sheet showing, at the minimum, the person's full name, date and place of birth, company affiliation, title or position, name of parent company if appropriate, business address, residence address, a brief statement of his current business or profession, and past achievements. Clearance procedures will not be instituted if biographical data is insufficient to permit complete background review.

(2) An original and three copies of the above information shall be sent to the Deputy Under Secretary.

(3) The procedures described above shall be utilized for both existing and prospective members when a committee is renewed. Therefore, names and biographical data of members should be submitted for clearance when a request for renewal is forwarded.

(4) National advisory committee members shall be appointed by the Secretary, following clearance by the Office of Personnel and the Deputy Under Secretary. Regional, State, or local advisory committee members shall be appointed by the agency providing support services, following such clearance.

(5) No direct contact shall be made with prospective appointees by agency officials until clearance is obtained.

**§ 25.17 Invitation to serve on national advisory committees.**

(a) Letters of invitation to serve on national advisory committees shall be issued only after clearance has been received from both the Office of Personnel and the Deputy Under Secretary.

(b) Letters of invitation for the Secretary's signature shall be prepared by the agency providing support services and must include:

- (1) Purpose of the committee.
- (2) Name of the chairman.
- (3) Frequency of meetings (if known).
- (4) Location of meetings (if known).
- (5) Travel and per diem allowances if applicable.

(6) Expiration date of appointment.  
 (c) It is important that committees be constituted as soon as possible after invitations have been accepted. Committee executive secretaries shall provide appropriate followup where letters of invitation have been issued and no response is received within 21 days of the date the invitation was mailed.

**§ 25.18 Certificate of appointment.**

(a) Members appointed to serve on national advisory committees shall receive a Certificate of Appointment, signed by the Secretary. The chairman of each committee shall arrange for presentation of certificates either by mail at time of appointment or at the next meeting of the committee.

(b) The name of the appointee and title of the committee shall be engrossed (not typed) on the certificate. Agencies shall submit Form AD-73 (Request for Art and Graphic Services), accompanied by the certificates and the information to be engrossed, to the Art and Graphics Division, Office of Communication.

(c) Certificates may be requisitioned from Service Operations Division, Office of Operations.

**§ 25.19 Pay guidelines.**

Unless otherwise specifically provided by law, members of advisory committees will receive no compensation but may receive travel and per diem allowances in accordance with Departmental regulations. If a statute provides for compensation to members of an advisory committee but does not specify a rate of compensation, the agency which provides support services shall review the significance, scope, and technical complexity of the matters with which the advisory committee is concerned and the qualifications required of its members and shall recommend to the Advisory Committee Management Officer the rate of pay for the members. This recommendation shall be forwarded, in duplicate, through the Office of Management and Finance. If approved, the original shall be endorsed by the Advisory Committee Management Officer and returned to the agency. The rate of pay may not be higher than the daily equivalent of the maximum rate for GS-15.

**§ 25.20 Meetings.**

Advisory committees shall be subject to the following provisions:

(a) No meeting shall be held except at the call of, or with the advance approval of, a designated Department official and with an agenda approved by such official. The agenda shall list the matters to be considered at the meeting and shall indicate whether any part of the meeting will concern matters within the exemptions of the Freedom of Information Act, 5 U.S.C. 552(b).

(b) Committees shall meet under the chairmanship of, or in the presence of, a Department official who shall have the authority, and be required to adjourn any meeting whenever he considers adjournment to be in the public interest. No committee shall conduct a meeting in the absence of the Department official designated in the establishment document to chair or attend the meeting.

(c) The Department shall maintain an open-door policy with respect to meetings. Meetings will be open to the public except when a determination is made in writing by the Secretary that the meeting is concerned with matters which are within the exemptions of 5 U.S.C. 552(b), and that the public interest requires such activities to be withheld from disclosure.

(d) If an advisory committee seeks to have all or part of a meeting closed on the basis of an exemption contained in 5 U.S.C. 552(b), the agency providing support services shall prepare a determination for the Secretary's signature, stating that it is essential to close the meeting and the specific reasons for closing all or part of the meeting. Such determination shall be accompanied by any additional explanation of the facts and reasons why the meeting should be closed as are pertinent. This determination, in duplicate, and accompanying explanation shall be forwarded to the Advisory Committee Management Officer, through the Office of the General Counsel and the Office of Management and Finance, at least 45 days before the scheduled meeting.

(e) Only the Secretary has the authority to close a meeting or a part of a meeting.

(f) Requests to close meetings shall be prepared on a case-by-case basis.

(g) The closing of a meeting or any portion of a meeting may be reviewed by the Advisory Committee Management Officer after the meeting is held. If it is determined that a meeting or any portion of a meeting was closed inappropriately, corrective action may be taken.

(h) Timely notice of all meetings, both open and closed, shall be published in the FEDERAL REGISTER. The agency providing support services shall be responsible for preparation of the notice and submitting it to the FEDERAL REGISTER in sufficient time to allow for publication at least 15 days in advance of the meeting. Shorter notice may be provided in emergency situations and the reasons for such emergency exceptions shall be made part of the meeting notice. The agency providing support services should normally start processing meeting notices no later than 30 days before the meeting is scheduled to allow for clearance within the Department and handling time at the FEDERAL REGISTER. The notice shall contain:

(1) The name of the advisory committee.

(2) The time and purpose of the meeting, including a summary of the agenda or the person from whom it may be obtained.

(3) The extent to which the public will be permitted to attend or participate in the meeting.

(4) Statement that the meeting is open and the place where the meeting will be held or, if the meeting is to be closed, an explanation of why it is closed.

(5) The name of the person to whom written comments may be made.

(i) In addition, a press release containing all the above information shall be prepared announcing all committee meetings at least 15 days in advance of the meetings. For national committee meetings, the agency providing support services shall provide this release to the Office of Communication at least 20 days prior to the meeting date. The Office of Communication shall make the release available to the appropriate media. Releases announcing regional, State, and local advisory committee meetings shall be furnished by the agency providing support services to the local media.

(j) The Director, Office of Management and Budget, may waive the requirement of notice of meeting if he determines otherwise for reasons of national security. If such a determination is desired, the agency providing support services shall prepare a letter to the Director for the Secretary's signature. This request, stating the reasons, shall be submitted to the Advisory Committee Management Officer, through the Office of the General Counsel and the Office of Management and Finance, no later than 45 days prior to the meeting. If the Director determines that public notice would be inconsistent with national security, the meeting shall be closed to the public.

(k) The agency that provides support services to the committee is responsible for complying with the following rules regarding open or partially-open meetings:

(1) The meeting shall be held at a reasonable time and at a place that is reasonably accessible to members of the public.

(2) The size of the meeting room shall be large enough to accommodate the committee members, its staff, and those members of the public who could reasonably be expected to attend.

(3) Any member of the public shall be permitted to file a written statement with the committee before or at a reasonable time following the meeting.

(4) Interested persons may be permitted by the committee chairman to speak at the meeting in accordance with procedures established by the committee.

(1) Detailed minutes shall be kept of all meetings. The chairman or the designated Department employee shall certify to the accuracy of the minutes, which shall include at least the following items:

(1) The time and place of the meeting.

(2) A list of committee members, committee staff, and Department employees present.

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(3) A complete summary of all matters discussed and conclusions reached.

(4) Copies of all reports received, issued, or approved by the advisory committee.

(5) A description of the extent to which the meeting was open to the public.

(6) A description of public participation, including a list of members of the public who presented oral or written statements and an estimate of the number who attended the meeting.

(m) The records, reports, transcripts, working papers, etc., of all open committee meetings shall be available for public inspection and copying. If a portion of a meeting was closed, the minutes of the open portion shall be available to the public.

(n) Committee records shall be maintained by the agency providing support services for the life of the committee and disposed of no sooner than four years after the expiration of the committee.

(o) If transcripts are made of a meeting, they shall be available within a reasonable period of time following the meeting.

(p) Advice or recommendations of the committee shall be given only with respect to matters covered in the record of the committee's proceedings.

(q) When the meeting ends, a press release shall be issued and/or a briefing held for the news media. The Department shall provide such appropriate additional information as may be requested. The responsibility for the release or briefing rests with the chairman of the advisory committee (or the designated Department representative) working with the agency information person assigned to the meeting and with the Department's Office of Communication.

#### § 25.21 Disclosure of official information to public members.

Certain types of information classified under security regulations, or specifically restricted by law or Presidential directives, may not be disclosed to members of advisory committees. However, material otherwise restricted "FOR OFFICIAL USE ONLY" may, in some circumstances, be made available when essential to the transaction of committee business. When making material available to committee members, it must be clearly understood that all material presented for review at an open committee meeting is to be available for public inspection and copying. Therefore, good judgment must be exercised to assure:

(a) That presentation of the information is essential.

(b) That risk of consequences adverse to the public interest has been carefully weighed.

#### Subpart E—Reporting and Records

##### § 25.24 Annual reporting and comprehensive review.

(a) The Department shall submit an annual report and the results of the comprehensive review to the General Services Administration by February 1 for

preparation of the annual report required by the Federal Advisory Committee Act. The reporting and review period is the calendar year. The General Services Administration will provide exact instructions, but at least the following information must be included:

(1) Exact name of advisory committee.

(2) The date of and authority for its establishment.

(3) The termination date or the date it is to make a report.

(4) Brief statement of function.

(5) Title(s) and date(s) of report(s) submitted, if any.

(6) Whether the committee is ad hoc (less than 12 months) or continuing.

(7) Actual dates of all meetings.

(8) Names and occupations of current members.

(9) Estimated total aggregate annual cost to the Government to fund, service, supply and maintain the committee.

(10) A list of the advisory committees terminated during the calendar year.

(11) Recommendations of advisory committees that should be terminated.

(12) Summary of the total number of advisory committee meetings and the number of closed or partially closed meetings, including a recapitulation of the exemptions of the Freedom of Information Act used as basis for closed meetings.

(13) Detailed comments on agency efforts and procedures to insure balanced membership on its advisory committees.

(14) If an advisory committee has had closed or partially closed meetings, a summary of its activities and such related matters, which are informative to the public and consistent with 5 U.S.C. 552(b), should be included in its annual report.

(b) If meetings of an advisory committee have been entirely or partially closed, the agency that provides support services to the committee shall prepare, for FEDERAL REGISTER publication, a notice of the availability of the annual report for that committee no later than 60 days after the report's completion. The notice shall include instructions which allow the public access to the report.

(c) The comprehensive review shall be provided by the agencies to the Office of Management and Finance by November 15 of each year.

##### § 25.25 Reports issued by advisory committees.

The agency that provides support services will forward eight copies of any report issued by an advisory committee, at the time it is issued, to:

Library of Congress, Exchange and Gift Division, Federal Advisory Committee Desk, Washington, D.C. 20540

This requirement excludes minutes of meetings, material exempt under 5 U.S.C. 552(b), and the annual report prepared for submission to the General Services Administration (§ 25.24 of this Part). If appropriate, background papers prepared for use of the committee may also be provided to the Library of Congress.

##### § 25.26 Committee control system.

(a) *Responsibility.* (1) Each agency head shall designate an official to be responsible for the maintenance of central control records of all advisory committees which the agency sponsors or for which it provides support services. Such information shall be kept current at all times and agencies shall be prepared to furnish such information upon request.

(2) Each agency sponsoring an advisory committee shall provide the support services for that committee. The Secretary shall designate the agency which will provide support services for advisory committees established or authorized by statute.

(b) *Submission of committee control record (AD-241).* (1) to provide current and uniform information on all advisory committees in the Department and of interest to the Department, a Department-wide uniform Committee Control Record (AD-241) shall be used for:

(i) Department records maintained in the Office of Management and Finance.

(ii) Agency committee control records.

Each agency, through the official responsible for committee management, shall submit an original and one copy of a complete Form AD-241, Committee Control Record, to the Office of Management and Finance for each advisory committee for which it provides support services.

(2) As committees are established or renewed, agencies shall submit a Form AD-241 to the Office of Management and Finance. When changes are made on established committees in individual memberships, addresses, or expiration dates, agencies shall submit a Form AD-241 to the Office of Management and Finance with only blocks 1, 2, and 4 completed and showing and identifying in block 14 the specific change(s) made. Agencies shall submit this form within 15 days after a change occurs. Form AD-241 for statutory advisory committees should be submitted when the advisory committee is established and at the same two-year intervals as its charter is filed.

(c) In addition to the Committee Control Record (AD-241), agencies shall maintain:

(1) Copies of committee charters.

(2) Minutes of committee proceedings.

(3) Copies of press releases and committee reports.

(4) Copies of Secretarial determinations under 5 U.S.C. 552(b)

that committee activities will be closed to the public.

(5) Any other working papers properly a part of committee or subcommittee records.

##### § 25.27 Financial records.

(a) Each agency, through the official responsible for committee management, shall maintain up-to-date records which disclose the disposition of funds made available to its advisory committees. These records shall be available for inspection and audit by officials of the Department and the Comptroller General or his representatives.



(b) When it appears that committee expenses will exceed estimates by ten percent or more, prior approval of payment of such additional expenses must be obtained from the Advisory Committee Management Officer. An original and two copies of a memorandum should be routed through the Office of Management and Finance justifying increased expenses and requesting approval of payment. If approved, the original shall be endorsed by the Advisory Committee Management Officer and returned to the requesting agency.

**Subpart F—Exceptions**

**§ 25.30 Exceptions.**

The requirements of this Part shall not apply to:

(a) Any local civic group whose primary function is that of rendering a public service with respect to a Federal program.

(b) Any State or local committee or similar group established to advise State and local officials or agencies.

**PART 25A—OTHER COMMITTEE MANAGEMENT**

**Subpart A—Purpose and Policy**

- Sec. 25.33 Purpose.
- 25.34 Policy.
- 25.35 Definitions.

**Subpart B—Responsibilities**

- 25.38 Department.
- 25.39 Agencies.

**Subpart C—Establishment of Committees**

- 25.42 Establishment of committees.

**Subpart D—Reporting and Records**

- 25.45 Committee control system.
- 25.46 Financial records.

**Subpart E—Liaison Membership**

- 25.49 Policy.
- 25.50 Procedure.

**AUTHORITY:** 5 U.S.C. 301.

**Subpart A—Purpose and Policy**

**§ 25.33 Purpose.**

The regulations in this Part provide guidelines and procedures for the establishment, operation, and duration of all committees, except advisory committees, under the jurisdiction of the Department, and also cover Department liaison members on other committees.

**§ 25.34 Policy.**

It shall be the policy of the Department to maintain control over the establishment and use of all committees. The number of such committees shall be held at the absolute minimum required for effective program operation and compliance with various provisions of law.

**§ 25.35 Definitions.**

As used herein, terms are defined as follows:

(a) *Committee.* Any committee, subcommittee, board, commission, or body other than an advisory committee (as defined in Section 25.3 of this title).

(b) *Interagency committee.* Any committee made up wholly of full-time Government officers or employees of more

than one department or agency, which is expected to be in existence for more than twelve months.

(c) *Departmental committee.* Any committee composed exclusively of representatives of two or more agencies of the Department.

(d) *Agency committee.* Any committee composed exclusively of members from a single agency of the Department.

(e) *Liaison membership.* Departmental representation by the Secretary or his designated representative on committees, councils, boards, and similar bodies established by law, Executive Order, or by Presidential direction and not sponsored by the Department. Such membership may relate to international, government, or nongovernment activities, but excludes association with professional, fraternal, civil or similar types of nongovernment groups.

**Subpart B—Responsibilities**

**§ 25.38 Department.**

(a) The Assistant Secretary for Administration is the Committee Management Officer of the Department. He is responsible for:

(1) exercising control and supervision over the establishment, procedures, and accomplishments of all committees under the jurisdiction of the Department;

(2) assigning responsibility for the assembling and maintenance of the reports, records, and other papers of committees during their existence.

(b) The Office of Management and Finance provides staff assistance for the Committee Management Officer by:

(1) Maintaining systematic information on the nature, functions and operations of each Department committee.

(2) Maintaining committee control records for committees.

(3) Providing advice and guidance on the establishment, renewal, utilization, management, and reporting of all types of committees throughout the Department.

**§ 25.39 Agencies.**

The head of each agency engaged in committee activity shall be responsible for providing an orderly procedure for:

(a) Establishing or terminating committees and providing guidelines for the selection of members.

(b) Adhering to law and regulations governing the use of committees.

(c) Designating for each committee a central location for the assembling and maintenance of the reports, records, and other papers of the committee.

(d) Periodic review of committee activities.

(e) Maintenance of an adequate committee control system. This includes maintaining records of:

(1) All interagency committees which the agency has established or chairs.

(2) All Departmental committees which the agency has established or chairs.

(3) All agency committees.

(4) All liaison memberships held by officials or employees of an agency as

designees of the Secretary for committees not established or sponsored by the Department.

**Subpart C—Establishment of Committees**

**§ 25.42 Establishment of committees.**

(a) *Committees not under Federal Advisory Committee Act.* Committees may be established which have public members but do not perform an advisory function (e.g., Honor Awards Committee). Agencies desiring to establish such a committee shall consult with the Committee Management Officer and prepare a Secretary's Memorandum. Members are required to receive clearance (§ 25.16 of this Title). An original and one copy of the Committee Control Record (Form AD-241) shall be submitted to the Office of Management and Finance. No charter is required. The committee shall terminate not later than two years after its establishment.

(b) *Interagency committees.* Interagency committees shall be established only after exchange of letters between the participating agencies. A Secretary's Memorandum shall be drafted to formalize or publicize committee activities of major importance. No charter is required.

(c) *Departmental committees.* Other Departmental committees may be authorized by the sponsoring agency in accordance with agency regulations.

(d) *Agency committees.* Agency regulations shall provide for the establishment, conduct, and termination of agency committees.

**Subpart D—Reporting and Records**

**§ 25.45 Committee control system.**

(a) *Responsibility.* Each agency head shall designate an official to be responsible for the maintenance of central control records of all departmental agency and interagency committees which the agency sponsors or provides support services for, including liaison memberships. Such records shall be kept current at all times and agencies shall be prepared to furnish information thereon upon request. Each agency sponsoring a committee shall provide the support services for that committee.

(b) *Submission of committee control record (AD-241).* (1) To provide current and uniform information on all committees in the Department and of interest to the Department, a Department-wide uniform Committee Control Record (AD-241) shall be used for:

(A) Department records maintained in the Office of Management and Finance.

(B) Agency committee control records. Each agency, through the official responsible for committee management, shall submit an original and one copy of a complete Form AD-241, Committee Control Record, to the Office of Management and Finance for each committee for which it provides support services.

(2) As committees are established or renewed, agencies shall submit a Form AD-241 to the Office of Management and Finance. When changes are made on established committees in individual

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memberships, addresses, or expiration dates, agencies shall submit a Form AD-241 to the Office of Management and Finance with only blocks 1, 2, and 4 completed and showing and identifying in block 14 the specific change(s) made. Agencies shall submit this form within 15 days after a committee is established and within 5 days after a change occurs.

(C) In addition to the Committee Control Record (AD-241), agencies shall maintain:

- (1) Minutes of committee proceedings.
- (2) Copies of press releases and committee reports.
- (3) Any other working papers properly a part of committee or subcommittee records.

#### § 25.46 Financial records.

(a) Each agency, through the official responsible for committee management, shall maintain up-to-date records which disclose the disposition of funds made available to interagency committees which it sponsors, establishes, or chairs. These records shall be available for inspection and audit by officials of the Department and, the Comptroller General or his representatives.

(b) When it appears that committee expenses will exceed estimates by ten percent or more, prior approval of payment of such additional expenses shall be obtained from the Committee Management Officer. Route an original and two copies of a memorandum to the Office of Management and Finance justifying increased expenses and requesting approval of payment. If approved, the original shall be endorsed by the Committee Management Officer and returned to the requesting agency.

#### Subpart E—Liaison Membership

#### § 25.49 Policy.

(a) The Secretary may, in his discretion, designate a representative and alternate representative to bodies on which the Department maintains liaison membership. Only such authorized representatives or alternates as the Secretary designates may attend meetings of such bodies for the Department. The delegation of authority to represent the Department provided to the Secretary's representative and alternate may not be redelegated.

(b) When it is impossible for either the representative or alternate to attend the regular meetings of these bodies, the Office of the Secretary should be notified in sufficient time to make necessary arrangements.

#### § 25.50 Procedure.

(a) When the Secretary's representative and alternate on a Government-wide council, commission, or similar body are officials of the Office of the Secretary, the representative and alternate shall notify the Committee Management Officer of their designation. The Office of Management and Finance shall provide the Committee Management Officer with all necessary staff assistance.

(b) When the Secretary's representative and alternate are agency officials,

the representative's agency shall carry out the following procedure:

(1) Prepare a letter for the Secretary's signature informing the Chairman, Executive Director, or similar appropriate official of the body in question of the designation of the Department's representative and alternate.

(2) Route the above materials to the Office of Management and Finance for appropriate review and clearance.

(3) Maintain a current listing of all such liaison memberships held by agency officials. If an agency official can no longer maintain such a liaison membership, immediately inform the Office of Management and Finance so that action to appoint a new representative may be taken.

[FR Doc.75-5500 Filed 2-28-75;8:45 am]

## DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 75-GL-7]

### ALTERNATE VOR FEDERAL AIRWAY

#### Proposed Designation

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a west alternate to V-177 between Wausau, Wis., and Duluth, Minn.

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, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 2300 East Devon, Des Plaines, Ill. 60018. All communications received on or before April 2, 1975, 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 Chief 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 designate V-177W from Wausau to Duluth via Hayward, Wis., and change the floor of V-177 to coincide with the floor of the 1200-foot transition areas between Wausau and Duluth.

The minimum en route altitude would be lower on the proposed alternate airway than on the main airway. This would expedite the traffic flow in and out of Hayward and Cable Union Airports. The lower altitude would also be advantageous to flights during winter icing conditions.

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 25, 1975.

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

[FR Doc.75-5410 Filed 2-28-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-WA-1]

### VOR FEDERAL AIRWAYS

#### Proposed Extension

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would extend V-77 from Waterloo, Iowa, to Waukon, Iowa, and also extend V-138 from Fort Dodge, Iowa, to Waukon via Mason City, Iowa.

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, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 601 E. 12th Street, Kansas City, Mo. 64106. All communications received on or before April 2, 1975, 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 Chief 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 extend V-77 from Waterloo direct to Waukon and extend V-138 from Fort Dodge direct to Mason City, direct to Waukon.

Increased traffic flow in these areas justify the designation of these routes as airways to assist in the control of IFR flights.

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 25, 1975.

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

[FR Doc.75-5411 Filed 2-28-75;8:45 am]

[14 CFR Part 121]

[Docket No. 14320, Notice No. 75-8]

### DISPOSITION OF DOCUMENTS

#### Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 121 of the

Federal Aviation Regulations to permit supplemental air carriers and commercial operators to retain certain required flight documents for 30 days at a place other than the principal operations base.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, SW, Washington, D.C. 20591. All communications received on or before May 2, 1975, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Section 121.697(c) provides that if a flight conducted by a supplemental air carrier or commercial operator originates at a place other than the principal operations base, the pilot in command (or other person authorized by the carrier or operator) shall, before or immediately after departure of the flight, mail signed copies of the manifest and other documents listed in § 121.697(a) to the principal operations base of the air carrier or operator. These documents are required by § 121.697(d) to be kept at the principal operations base for at least six months.

Supplemental air carriers and commercial operators occasionally conduct operations in remote areas where difficulties in mailing documents have been experienced resulting in delays in their transmittal to principal operations bases and increasing the probability of their loss in transit. Delays in the delivery of such documents, or their loss in transit, could adversely affect the conduct of an accident investigation if an accident involving a flight should occur. Furthermore, the current regulation may impose an unnecessary burden on supplemental air carriers engaging in scheduled operations, since it does not permit such carriers to retain the documents for a limited period of time at stations established for regularly scheduled service.

Under the circumstances, the FAA has found it to be in the public interest to grant exemptions to certain air carriers and commercial operators from compliance with § 121.697(c) to the extent necessary to permit copies of the documents required by § 121.697(a) to be retained for 30 days at a place other than the principal operations base, subject to appropriate conditions and limitations. Under the exemptions granted a particular flight has normally returned to the principal operations base and the originals or copies of the required documents have

been deposited there within 30 days, thereby making it unnecessary to send to that base those copies retained at the place where the flight originated. In light of the experience gained in operations conducted under those exemptions, it is proposed to amend § 121.697 to provide an alternative to the current requirement in paragraph (c) of that section for the retention of the flight manifest and other required documents.

These amendments are proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a) and 1421), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend Part 121 of the Federal Aviation Regulations by amending § 121.697 (c) and (d), and by adding a new paragraph (e) to that section, to read as follows:

§ 121.697 Disposition of load manifest, flight release, and flight plans: supplemental air carriers and commercial operators.

(c) Except as provided in paragraph (d) of this section, if a flight originates at a place other than the principal operations base of the air carrier or commercial operator, the pilot in command (or another person not aboard the airplane who is authorized by the carrier or operator) shall, before or immediately after departure of the flight, mail signed copies of the documents listed in paragraph (a) of this section to the principal operations base.

(d) If a flight originates at a place other than the principal operations base of the air carrier or commercial operator and there is at that place a person to manage the flight departure for the air carrier or commercial operator who does not himself depart on the aircraft, signed copies of the documents listed in paragraph (a) of this section may be retained at that place for 30 days before being sent to the principal operations base of the air carrier or commercial operator. However, the documents for a particular flight need not be further retained at that place or be sent to the principal operations base, if the originals or other copies of them have been previously returned to the principal operations base.

(e) The supplemental air carrier or commercial operator shall:

- (1) Identify in its operations manual the person having custody of the copies of documents retained in accordance with paragraph (d) of this section; and
- (2) Retain at its principal operations base either the original or a copy of the records required by this section for at least six months.

Issued in Washington, D.C., on February 21, 1975.

R. P. SKULLY,  
Director, Flight Standards Service.

[FR Doc. 75-5412 Filed 2-28-75; 8:45 am]

### [ 14 CFR Part 137 ]

[Docket No. 13235; Notice No. 75-7]

## AGRICULTURAL AIRCRAFT OPERATIONS

### Agricultural Aircraft Operator Certificates

The Federal Aviation Administration is considering amending Part 137 of the Federal Aviation Regulations to permit the holder of a Part 133 rotorcraft external-load operator certificate to conduct an agricultural aircraft operation, involving only the dispensing of water on forest fires by rotorcraft external-load means, without compliance with, among other things, the Part 137 operator certificate requirements.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue SW., Washington, D.C. 20591. All communications received on or before June 2, 1975, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This notice is issued in response to a request for rule making made in a petition by the Helicopter Association of America (HAA) (Docket No. 13235; July 9, 1974).

Under § 137.3 of the Federal Aviation Regulations, "agricultural aircraft operation" is defined as "the operation of an aircraft for the purpose of (1) dispensing any economic poison, (2) dispensing any other substance intended for plant nourishment, soil treatment, propagation of plant life, or pest control, or (3) engaging in dispensing activities directly affecting agriculture, horticulture or forest preservation, but not including the dispensing of live insects." The dispensing of water on forest fires by helicopter is an agricultural aircraft operation. Therefore, a helicopter operator must obtain a Part 137 certificate before engaging in that activity.

The HAA contends that a helicopter operator who has met the requirements for a Part 133 certificate is qualified to safely dispense water on forest fires by rotorcraft external-load means. Therefore, it requests that the FAA except Part 133 certificate holders who wish to engage in that dispensing activity from the requirement to obtain a Part 137 agricultural aircraft operator certificate. To accomplish this, the HAA recommends a change in the definition of "agricultural aircraft operation". It proposes that the FAA exclude from that definition all dispensing activities associated with forest fire control.



The FAA believes that some dispensing operations involving forest fire suppression should be conducted in accordance with the requirements of Part 137. However, after further consideration, we believe that a helicopter operator who holds a Part 133 certificate is qualified to safely conduct rotorcraft external-load fire suppression operations, involving only the dispensing of water, by virtue of having met the Part 133 operating certificate requirements.

Section 133.23 prescribes the knowledge requirements that an applicant must meet to obtain a Part 133 certificate. Paragraph (b) of that section provides that he must demonstrate his knowledge of the steps to be taken before starting operations, the proper method of attaching the external load, the performance capabilities of the helicopter to be used, and proper instruction of flight crew and ground workers. In addition, paragraph (c) of that section specifies the skills that an applicant must satisfactorily demonstrate with the class of helicopter combination which he desires to operate. Paragraph (c) also provides that the applicant must perform takeoffs and landings, demonstrate directional control while hovering, accelerate from a hover, fly at operational airspeeds, and perform approaches to the landing or working area. Paragraph (c) (6) requires that a Class B rotorcraft-load combination applicant must demonstrate his ability to maneuver the external load into the release position. Moreover, if a winch is installed to hoist the external load, he must demonstrate the winch operation.

Furthermore, § 133.31(e) prescribes flight-operational checks which the Administrator may require a pilot to perform before he operates a helicopter with an external-load configuration that differs substantially from any he has previously carried with that type of rotorcraft. Finally, § 133.47 requires the applicant to prepare a Rotorcraft-Load Combination Flight Manual for approval by the Administrator that includes, among other things, information essential for safe operation with external loads.

Therefore, the FAA proposes to amend Part 137 to permit the holder of a Part 133 rotorcraft external-load operator certificate to conduct an agricultural aircraft operation, involving only the dispensing of water on forest fires by rotorcraft external-load means, without compliance with the operator certificate requirements, among others, of Part 137. More specifically, this proposed amendment would except a Part 133 certificate holder from the requirement to obtain a Part 137 certificate, and from compliance with the operating rules of Part 137 contained in §§ 137.31 through 137.35, 137.39, 137.41, and 137.51 through 137.59. In addition, the proposal would not require a Part 133 certificate holder to comply with the records and reports provisions of Part 137, Subpart D, since those provisions currently apply only to persons who hold a Part 137 certificate.

However, under this proposal, a Part 133 certificate holder would have to conduct operations in accordance with all of the rules of Part 133 governing rotorcraft external-load operations, and in compliance with the operating rules of Part 137 contained in §§ 137.29, 137.37, 137.43, 137.45, 137.47, and 137.49.

These amendments are proposed under the authority of sections 313(a), 601, and 607 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1427) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend Part 137 of the Federal Aviation Regulations as follows:

1. By amending § 137.11 by revising paragraph (a) and by adding a new paragraph (d) to read as follows:

§ 137.11 Certificate required.

(a) Except as provided in paragraphs (c) and (d) of this section, no person may conduct agricultural aircraft operations without, or in violation of, an agricultural aircraft operator certificate issued under this part.

(d) The holder of a rotorcraft external-load operator certificate under Part 133 of this chapter conducting an agricultural aircraft operation, involving only the dispensing of water on forest fires by rotorcraft external-load means, need not comply with this subpart.

2. By amending § 137.29 by revising paragraph (a), by revoking and reserving paragraph (b), by adding a new paragraph (d), and by adding a new paragraph (e) to read as follows:

§ 137.29 General.

(a) Except as provided in paragraphs (d) and (e) of this section, this subpart prescribes rules that apply to persons and aircraft used in agricultural aircraft operations conducted under this part.

(b) [Reserved]

(d) Sections 137.31 through 137.35, 137.41, and 137.53 through 137.59 do not apply to persons and aircraft used in agricultural aircraft operations conducted with public aircraft.

(e) Sections 137.31 through 137.35, 137.39, 137.41, 137.51 through 137.59, and Subpart D do not apply to persons and rotorcraft used in an agricultural aircraft operation conducted by a person holding a certificate under Part 133 of this chapter and involving only the dispensing of water on forest fires by rotorcraft external-load means. However, the operation shall be conducted in accordance with—

(i) The rules of Part 133 of this chapter governing rotorcraft external-load operations; and

(ii) The operating rules of this subpart contained in §§ 137.29, 137.37, 137.43, 137.45, 137.47, and 137.49.

Issued in Washington, D.C., on February 21, 1975.

R. P. SKULLY,  
Director, Flight Standards Service.

[FR Doc.75-5413 Filed 2-28-75; 8:45 am]

## NUCLEAR REGULATORY COMMISSION

[ 10 CFR Parts 2, 21, 31, 35, and 40 ]

### REPORTS TO THE COMMISSION CONCERNING DEFECTS AND NONCOMPLIANCE

#### Proposed Requirements

The Nuclear Regulatory Commission has under consideration amendments to 10 CFR Chapter I, Parts 2, 31, 35, and 40 of its regulations and the addition of a new Part 21 to its regulations. Part 21 would be entitled "Reporting of Defects and Noncompliance".

The purpose of these proposed amendments is to implement section 206 of Pub. L. 93-438, the Energy Reorganization Act of 1974.

Section 206 provides as follows:

#### NONCOMPLIANCE

Section 206(a) Any individual director, or responsible officer of a firm constructing, owning, operating, or supplying the components of any facility or activity which is licensed or otherwise regulated pursuant to the Atomic Energy Act of 1954, as amended, or pursuant to this Act, who obtains information reasonably indicating that such facility or activity or basic components supplied to such facility or activity—

(1) fails to comply with the Atomic Energy Act of 1954, as amended, or any applicable rule, regulation, order, or license of the Commission relating to substantial safety hazards, or

(2) contains a defect which could create a substantial safety hazard, as defined by regulations which the Commission shall promulgate shall immediately notify the Commission of such failure to comply, or of such defect, unless such person has actual knowledge that the Commission has been adequately informed of such defect or failure to comply.

(b) Any person who knowingly and consciously fails to provide the notice required by subsection (a) of this section shall be subject to a civil penalty in an amount equal to the amount provided by section 234 of the Atomic Energy Act of 1954, as amended.

(c) The requirements of this section shall be prominently posted on the premises of any facility licensed or otherwise regulated pursuant to the Atomic Energy Act of 1954, as amended.

(d) The Commission is authorized to conduct such reasonable inspections and other enforcement activities as needed to insure compliance with the provisions of this section.

The proposed new Part 21 of this chapter and the proposed amendments to Parts 2, 31, 35, and 40 are intended to implement section 206.

Comments are particularly invited with respect to the definition of "responsible officer" in proposed § 21.3(i). This definition would specify those persons who would be obligated to report defects in basic components and failures to comply with applicable requirements. The legislative history of the Energy Reorganization Act of 1974 makes it clear that the section does not reach all employees with knowledge of a defect or non-compliance—e.g., artisans doing construction work—because the Senate provision expressly covering "employees" was changed by the Conference Committee

to "responsible officer". (See H. Rep. 93-1252 on H.R. 11510, 93d Cong. 2d Sess., p. 36.) The definition of "responsible officer" as now proposed would extend to field personnel with management authority who should have prompt knowledge of defects, such as project managers and chief quality assurance personnel.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 and section 553 of title 5 of the United States Code, notice is hereby given that adoption of the following amendments to 10 CFR Chapter I, Parts 2, 31, 35, and 40 and the addition of a new Part 21 to Chapter I are contemplated. All interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed amendments and new Part 21 should send them to the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by May 2, 1975. Copies of comments on the proposed amendments and the proposed new part may be examined at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C.

The proposed amendments would read as set forth below:

1. A new Part 21 is added to read as follows:

**PART 21—REPORTS OF DEFECTS AND NONCOMPLIANCE**

**GENERAL PROVISIONS**

- Sec. 21.1 Purpose.
- 21.2 Scope.
- 21.3 Definitions.
- 21.4 Interpretations.
- 21.5 Communications.
- 21.6 Posting of regulations.

**NOTIFICATION**

- 21.21 Notification of failure to comply or existence of a defect.

**PROCUREMENT DOCUMENTS**

- 21.31 Procurement documents.

**INSPECTIONS, RECORDS**

- 21.41 Inspections.
- 21.51 Maintenance of records.

**AUTHORITY:** Secs. 161, 234, 68 Stat. 948, as amended; 83 Stat. 444 (42 U.S.C. 2201, 2282); sec. 206, 88 Stat. 1246 (42 U.S.C. 5846).

**GENERAL PROVISIONS**

**§ 21.1 Purpose.**

The regulations in this part establish procedures and requirements for implementation of section 206 of the Energy Reorganization Act of 1974, (88 Stat. 1246). That section requires any individual director or responsible officer of a firm constructing, owning, operating or supplying the components of any facility or activity which is licensed or otherwise regulated pursuant to the Atomic Energy Act of 1954, as amended, or the Energy Reorganization Act of 1974, to notify the Commission of information reasonably indicating (a) failure of the facility, activity or basic component supplied to such facility or activity to comply with the Atomic Energy Act of 1954 as amended,

or any applicable rule, regulation, order, or license of the Commission relating to substantial safety hazards; or (b) defects in any such facility, activity or components which could create a substantial safety hazard.

**§ 21.2 Scope.**

The regulations in this part apply, except as otherwise provided in this part or Parts 31, 35, or 40 of this chapter, to each firm, and each director or responsible officer of a firm, constructing, owning, operating or supplying basic components of any facility or used in any activity licensed or otherwise regulated pursuant to Parts 30, 40, 50, 70, or 71 of this chapter.

**§ 21.3 Definitions.**

As used in this part,

(a) "Basic component" means any component, structure, system or constituent part thereof, supplied for or utilized in a facility or activity subject to the licensing requirements of Parts 30, 40, 50, 70, or 71 of this chapter in which a defect or failure to comply with any applicable regulation in this chapter, order or license issued by the Commission could create a substantial safety hazard.

(b) "Commission" means the Nuclear Regulatory Commission or its duly authorized representatives.

(c) "Constructor" or "firm constructing" means any individual, corporation, partnership or other entity engaged in the design, manufacture, fabrication, placement, erection, installation, modification, inspection, or testing of basic components.

(d) "Defect" means:

(1) Any deviation in a basic component, supplied to a purchaser, from:

- (i) Performance specifications, or
- (ii) Design criteria, or

(iii) The normally expected performance or life expectancy of the component in the service for which intended, as specified in either (A) the procurement document for such component or (B) the application for license to construct or operate any facility or conduct any activity subject to the licensing requirements of Part 30, 40, 50, 70 or 71 of this chapter,

if such condition could create a substantial safety hazard.

(2) The installation, use, or operation of any basic component in a facility subject to the licensing requirements of this section; or

(3) The installation, use or operation of any basic component in a facility subject to the licensing requirements of Part 50 of this chapter if such component was not designed, fabricated, erected, constructed, tested and inspected as required by § 50.55a of this chapter or in accordance with the procurement document for such component, or the application for a license to construct or operate such facility; if such installation, use or operation could create a substantial safety hazard; or

(4) Any condition or circumstance involving a basic component that causes, or contributes to, a safety limit, as defined in the technical specifications of a facility license issued pursuant to Part 50 of this chapter, being exceeded.

(e) "Director" means an individual who is authorized to manage and direct the affairs of a corporation, partnership or other business entity.

(f) "Firm operating" means any individual, corporation, partnership, or other entity engaged in the operation of a facility or the conduct of an activity which is subject to the licensing requirements of Parts 30, 40, 50, 70 or 71 of this chapter.

(g) "Firm owning" means any individual, corporation, partnership, or other entity that possesses a legal right to use and enjoy property, including the right to transmit it to others, used in a facility or activity which is subject to the licensing requirements of Parts 30, 40, 50, 70, or 71 of this chapter.

(h) "Procurement document" means any contract that defines the requirements which items or services must meet in order to be considered acceptable by the purchaser.

(i) "Responsible officer" means the president, vice-president and others who are vested or delegated with power of executive authority or management authority for a corporation, partnership or other business entity.

(j) "Substantial safety hazard" means a risk of any of the following:

- (1) The exposure (i) of the whole body of any individual to 25 rems or more of radiation; (ii) of the skin of the whole body of any individual to 150 rems or more of radiation; or (iii) of the feet, ankles, hands or forearms of any individual to 375 rems or more of radiation.
- (2) The release of radioactive material in concentrations which, if averaged over a period of 24 hours, would exceed 5,000 times the limits specified for such materials in Appendix B, Table II, Part 20 of this chapter.

(k) "Supplier" or "firm supplying components" means any individual, corporation, partnership, or other entity identified as contractually responsible for delivery to the purchaser of a basic component used, or to be used, in a facility or activity which is subject to the licensing requirements of Part 30, 40, 50, 70 or 71 of this chapter.

(l) "Supplier" or "firm supplying components" means any individual, corporation, partnership, or other entity identified as contractually responsible for delivery to the purchaser of a basic component used, or to be used, in a facility or activity which is subject to the licensing requirements of Part 30, 40, 50, 70 or 71 of this chapter.

**§ 21.4 Interpretations.**

Except as specifically authorized by the Commission in writing, no interpretation of the meaning of the regulations in this part by any officer or employee of the Commission other than a written interpretation by the General Counsel will be recognized to be binding upon the Commission.

**§ 21.5 Communications.**

Except where otherwise specified in this part, all communications and reports concerning the regulations in this part should be addressed to the Director, Office of Inspection and Enforcement,

U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, or to the Director of the appropriate Inspection and Enforcement Regional Office at the address specified in Appendix D of Part 20 of this chapter. Communications and reports may be delivered in person at the Commission's offices at 1717 H Street NW., Washington, D.C.; at 7920 Norfolk Avenue, Bethesda, Md.; or at the appropriate Inspection and Enforcement Regional Office at the location specified in Appendix D of Part 20 of this chapter.

#### § 21.6 Posting of regulations.

Each firm constructing, owning, operating or supplying basic components of any facility or used in any activity licensed or otherwise regulated pursuant to Parts 30, 40, 50, 70 or 71 of this chapter shall assure that a current copy of the regulations in this part is posted in a conspicuous position on the premises of the firm.

#### NOTIFICATION

#### § 21.21 Notification of failure to comply or existence of a defect.

(a) Each individual subject to the regulations in this part, upon obtaining information reasonably indicating that a facility or activity or basic component supplied to such facility or activity

(1) fails to comply with the Atomic Energy Act of 1954 as amended, or any applicable rule, regulation, order or license of the Commission relating to a substantial safety hazard, or

(2) contains a defect shall immediately notify the Commission, unless such individual has actual knowledge that the Commission has been adequately informed of such defect or failure to comply.

(b) Initial notification of the Commission of any defect or failure to comply as required by paragraph (a) of this section shall be made to the appropriate Inspection and Enforcement Regional Office in such manner as to assure that it is received within 24 hours after the information of such defect or failure to comply is obtained by the individual subject to the regulations in this part. If initial notification is by means other than written communication, the information shall be reported in writing to the appropriate Inspection and Enforcement Regional Office within 10 days after the information of the defect or failure to comply is obtained.

(c) The written report required by paragraph (b) of this section shall include, but not be limited to, the following information, to the extent known:

(1) Name and address of the individual informing the Commission.

(2) Identification of the facility or activity or basic component supplied to such facility or activity which fails to comply or contains a defect.

(3) Identification of the firm supplying the basic component which fails to comply or contains a defect.

(4) Nature of the defect or failure to comply and the safety hazard which is created or could be created by such defect or failure to comply.

(5) The date and means by which the information of such defect or failure to comply was obtained.

(6) In the case of a basic component which contains a defect or fails to comply, the number and location of all such components in use at, supplied to or being supplied to a facility or activity subject to the regulations in this part.

(7) The corrective action which has been, is being, or will be taken, by whom and how long it has taken or will take to complete.

(8) What advice about the basic component has been, is being, or will be given to purchasers or suppliers.

(d) Individuals subject to this part may be required by the Commission to supply additional information.

#### PROCUREMENT DOCUMENTS

#### § 21.31 Procurement documents.

Each firm constructing, owning, operating or supplying basic components of any facility or used in any activity licensed or otherwise regulated pursuant to Parts 30, 40, 50, 70 or 71 of this chapter shall assure that:

(a) Any procurement documents issued on or after [a date six months after the effective date of this part], specify that section 206 of the Energy Reorganization Act of 1974 applies to the procurement if such procurement covers basic components and (b) any procurement document issued before [six months after the effective date of this part], covering such procurement of basic components be modified within 12 months after [the effective date of this part] to specify that section 206 of the Energy Reorganization Act of 1974 applies to any remaining action under such document.

#### INSPECTION, RECORDS

#### § 21.41 Inspections.

Each firm constructing, owning, operating or supplying basic components of any facility or used in any activity licensed or otherwise regulated pursuant to Parts 30, 40, 50, 70 or 71 of this chapter shall permit inspection, by duly authorized representatives of the Commission, of its records, premises, activities, and of basic components as defined in § 21.3(a) as may be necessary to effectuate the purposes of section 206 of the Energy Reorganization Act of 1974.

#### § 21.51 Maintenance of records.

Each firm constructing, owning, operating or supplying basic components of any facility or used in any activity licensed or otherwise regulated pursuant to Parts 30, 40, 50, 70 or 71 of this chapter shall:

(a) If a licensee, maintain such records in connection with the licensed activity as may be required to assure compliance with the regulations in this part;

(b) If a constructor or supplier, maintain such records in connection with the design, manufacture, fabrication, placement, erection, installation, modification, inspection or testing of a basic component of any licensed facility or used in any licensed activity as may be

required to assure compliance with the regulations in this part.

#### ENFORCEMENT

#### § 21.61 Failure to notify.

Any individual subject to the regulations in this part who knowingly and consciously fails to provide the notice required by § 21.21 shall be subject to a civil penalty in an amount not to exceed \$5000 for each failure to provide such notice, and a total amount not to exceed \$25,000 for all failures to provide such notice occurring within any period of thirty consecutive days. Each day of failure to provide the notice required by § 21.21 shall constitute a separate failure for the purpose of computing the applicable civil penalty. No individual found liable for civil penalty pursuant to this section shall be reimbursed, directly or indirectly, by the firm of which he is a director or responsible officer.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948; sec. 234, Pub. L. 91-161, 83 Stat. 444; sec. 206, Pub. L. 93-438, 88 Stat. 1246 (42 U.S.C. 2201, 2282, 5846))

#### PART 2—RULES OF PRACTICE

2. Paragraph (b) of § 2.200 is amended to read as follows:

#### § 2.200 Scope of subpart.

(b) This subpart also prescribes the procedures in cases initiated by the staff to impose civil penalties pursuant to section 234 of the Act and section 206 of the Energy Reorganization Act of 1974.

#### PART 31—GENERAL LICENSEES FOR BYPRODUCT MATERIAL

§§ 31.5, 31.7, 31.10, and 31.11 [Amended]

3. In 10 CFR Part 31, §§ 31.5(c)(10), 31.7(b), 31.11(f) and 31.10(b)(3) are amended by changing the words "Parts 19 and 20" to read "Parts 19, 20 and 21".

#### PART 35—HUMAN USE OF BYPRODUCT MATERIAL

§ 35.31 [Amended]

5. In 10 CFR Part 35, § 35.31(e) is amended by changing the words "Parts 19 and 20" to read "Parts 19, 20, and 21".

#### PART 40—LICENSING OF SOURCE MATERIAL

§ 40.22 [Amended]

6. In 10 CFR Part 40, § 40.22(b) is amended by changing the words "Parts 19 and 20" to read "Parts 19, 20, and 21".

(Sec. 161, Pub. L. 83-703, 68 Stat. 948; Sec. 206; Pub. L. 93-438, 88 Stat. 1246 (42 U.S.C. 2201, 5846)).

Dated at Washington, D.C., this 24th day of February, 1975.

For the Nuclear Regulatory Commission.

JOHN C. HOYLE,  
Acting Secretary of the Commission.  
[FR Doc. 75-5206 Filed 2-28-75; 8:45 am]



# notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF THE TREASURY Office of Revenue Sharing ENTITLEMENT DATA Procedure for Improvement

The data used by the Office of Revenue Sharing in calculating initial revenue sharing allocations for State governments pursuant to the State and Local Fiscal Assistance Act of 1972 (Pub. L. 92-512, 31 U.S.C.A. Chapter 24), for the sixth entitlement period (July 1, 1975 through June 30, 1976) will be mailed to the Governor of each State and to the Mayor of Washington, D.C. on or about March 3, 1975. For purposes of the revenue sharing program, the District of Columbia is treated as a State. The collective data for all State governments and units of local government will be available in final form from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, after April 22, 1975.

These data have been compiled by the Bureau of the Census and Internal Revenue Service, and definitions of each data element are provided in this notice. If State governments believe that there are errors in this data, relative to these definitions and effective dates, they should so inform the Office of Revenue Sharing in writing and provide evidence and documentation to fully justify the proposed corrections of data. This may be accomplished by writing to the Office of Revenue Sharing (Symbols SDD) with full justification to support proposed corrections of data. The written justification must be received by the Office of Revenue Sharing on or before March 21, 1975 in order that corrections to data elements may be used in determining initial sixth entitlement period allocations.

The data of record in the Office of Revenue Sharing for those State governments which do not respond by March 21, 1975 will be used to calculate their initial allocation for the sixth entitlement period.

Upon receipt of any written response from State governments, the Office of Revenue Sharing will, as timely as practicable, work with the Bureau of the Census to substantiate or correct all data questioned and advise the State governments of its findings. Those findings will constitute final administrative action for purposes of giving State governments standing to obtain judicial review of the questioned data.

In order to assure equitable treatment of each recipient, the books will be kept open until all evidence and documentation received on or before March 21, 1975

have been reviewed, and data determined to be erroneous have been corrected.

Dated: February 26, 1975.

[SEAL]

GRAHAM W. WATT,  
Director,  
Office of Revenue Sharing.

**I. Population.** Population shall be determined on the same basis as resident population as determined by the Bureau of the Census for general statistical purposes.

The population of States used for revenue sharing purposes in Entitlement Period 6 is the 1974 population of States. The 1974 population data for States are the provisional estimates of the total resident populations of States as of July 1, 1974. These population estimates are those which were published by the Bureau of the Census in a report entitled *Estimates of the Population of States, July 1, 1973 and 1974 (Current Population Reports, Series P-25, No. 533)* dated October 1974. Incorporated in these population totals for the year ending July 1, 1974, are estimates of population change, including migration, based on vital statistics, key population indicators and extrapolations of past trends. For a complete description of the methodology used, consult the full report in the Bureau of the Census' Series P-25.

**II. Urbanized population.** Urbanized population means the population of any area consisting of a central city or cities of 50,000 or more inhabitants (and of the surrounding closely settled territory for such city or cities) which is treated as an urbanized area by the Bureau of the Census for general statistical purposes.

The urbanized population of States used for revenue sharing purposes in Entitlement Period 6 is the 1970 urbanized population of States. A State's urbanized 1970 population is the amount of that State's 1970 population which was classified as an urbanized area according to Bureau of the Census 1973 Urbanized Area Criteria. (The Bureau of the Census revised its definitional criteria in 1973 for urbanized areas to make them more consistent with the criteria for Standard Metropolitan Statistical Areas (SMSAs). An urbanized area was defined for each SMSA using 1970 Census population.)

1. An urbanized area must include a central city or cities that qualify under one of the criteria listed below. All population criteria refer to 1970 census population counts (except as specified in item 1a).

a. A city of 50,000 inhabitants or more according to the 1970 census, a special census taken between 1960 and 1970 or the 1960 census provided that the city is located in an SMSA and is not included in an existing urbanized area.

b. A city having a population of at least 25,000 which, with the addition of the population of contiguous places, (incorporated or unincorporated) each of which has a population density of at least 1,000 persons per square mile, and which together constitute for general economic and social purposes a single community with a combined population of at least 50,000, provided that the city is located within an SMSA and is not included in an existing urbanized area.

2. In addition to a central city or cities, an urbanized area includes contiguous territory meeting the following criteria:

a. Incorporated places of 2,500 inhabitants or more but excluding the rural portions of extended cities.

b. Incorporated places with fewer than 2,500 inhabitants, provided that each has a closely settled area of 100 housing units or more; and all unincorporated places recognized in the 1970 census.

c. Contiguous small parcels of unincorporated land (delineated as either enumeration districts or block parcels prior to the 1970 census) determined to have a 1970 census population density of 1,000 inhabitants or more per square mile. (In this instance the areas of large nonresidential tracts devoted to such urban land uses as railroad yards, airports, factories, parks, golf courses, and cemeteries are excluded in computing the population density.)

d. Other similar small areas in unincorporated territory without regard to population density provided that they serve

To eliminate enclaves, or

To close indentations of one mile or less in width across the open end of the urbanized areas in order to eliminate narrow fingers of "rural" area, or

To link outlying areas of qualifying density provided that these are not more than 1½ miles from the main body of the urbanized area.

**III. Income.** Income means total money income received from all sources, as determined by the Bureau of the Census for general statistical purposes.

The per capita income (PCI) of States used for revenue sharing purposes in Entitlement Period 6 is the 1972 per capita income of States. The per capita income is the estimated mean or average amount of total money income received during calendar year 1972 by all persons residing in a State in April 1973. The 1972 PCI estimates are based on data from the 1970 Census, or later Special Censuses, and reflect corrections to the Census data which have been made since 1970.

Total money income is the sum of:

Wage or salary income.

Net nonfarm self-employment income.

Net farm self-employment income.

Social Security or railroad retirement income.

Public assistance income.

All other income such as interest, dividends, veteran's payments, pensions, unemployment insurance, alimony, etc.

The total represents the amount of income received before deductions for personal income taxes, Social Security, bond purchases, union dues, medicare deductions, etc.

Receipts from the following sources are not included as income: Money received from the sale of personal property; capital gains; the value of income "in kind" such as food produced and consumed in the home or free living quarters; withdrawal of bank deposits; money borrowed; tax refunds; exchange of money between relatives living in the same household; gifts and lump sum inheritances, insurance payments, and other types of lump sum receipts.

The 1970 census PCI data were updated to 1972, based on income data from the 1969 and 1972 Federal income tax returns and State income estimates prepared by the Bureau of Economic Analysis to measure the change from 1969 to 1972.

At the State level, 1972 per capita income estimates were developed by carrying forward the 1970 census aggregates for each type of income (as itemized above) and dividing the sum of the 1972 aggregates for each State by the estimated April 1973 population. The percent change in wage and salary income as reflected by the IRS data, was used to update the 1970 census wage and salary amount, while the remaining income types were carried forward using the percent change implied in estimates developed by the Bureau of Economic Analysis.

IV. *State individual income tax.* The individual income tax of any State is the tax imposed upon the income of individuals by such State and described as a State income tax under section 164(a)(3) of the Internal Revenue Code of 1954.

The State individual income tax data for Entitlement Period 6 are calendar year 1974 State individual income tax collections. Actual calendar year 1974 State individual income tax collections were obtained from the Bureau of the Census publication entitled *Quarterly Summary of State and Local Tax Revenue October-December 1974*. These are collections of taxes on individuals measured by net income and taxes distinctively on special types of income (e.g., interest, dividends, income from intangibles, etc.).

The calendar year 1974 State individual income tax collections data may not agree exactly with the figures in Census' *Quarterly Summary of State and Local Tax Revenue*, if corrections to these data were made subsequent to its publication.

V. *Federal individual income tax liabilities.* Federal individual income tax liabilities attributed to any State for any period shall be determined on the same basis as such liabilities are determined for such period by the Internal Revenue Service for general statistical purposes.

In general, the Federal individual income tax liability of a State means the total annual Federal individual income taxes after credits attributed to the residents of the State by the Internal Revenue Service. Income tax after credits is determined by subtracting statutory credits from the total of income tax before credits and the tax surcharge. It does not include self-employment tax or tax from recomputing prior year investment credit, nor does it take into account refundable credits.

Income tax before credits is the tax liability computed on taxable income based on:

1. The regular combined normal tax and surcharge including tax from the optional tax tables,
2. Alternative tax, or
3. Tax computed using the income averaging provisions.

Examples of credits which are applied against income taxes are:

1. Retirement income credit,
2. Investment credit,
3. Foreign tax credit, and
4. Other tax credits.

The State and Local Fiscal Assistance Act of 1972 (Revenue Sharing Act) specifies that, if available, data on Federal individual income tax liabilities should be "for taxable years ending . . . during the last calendar year ending before the beginning of such entitlement period."

The most recent Federal individual income tax liabilities available for revenue sharing use in Entitlement Period 6 are the 1973 IRS estimates of Federal individual in-

come tax liabilities of States. These estimated tax amounts for calendar year 1973 are the preliminary 1973 estimates from the Internal Revenue Service's *Statistics of Income*.

VI. *State and local taxes.* The State and local taxes are the compulsory contributions exacted by the State (or by any unit of local government or other political subdivision of the State) for public purposes (other than employee and employer assessments and contributions to finance retirement and social insurance systems, and other than special assessments for capital outlay), as such contributions are determined by the Bureau of the Census for general statistical purposes.

State and local taxes data used for revenue sharing purposes in Entitlement Period 6 are the fiscal year 1972-73 state and local taxes, as reported by the Bureau of the Census in Table 17 of *Governmental Finances 1972-73* (GF 73, No. 5). Fiscal year 1972-73 is a government's 12-month accounting period that ended between July 1, 1972 and June 30, 1973 except for the State governments of Alabama and Texas (as well as school districts in those States). These latter governments have fiscal years which end at the end of September and August, respectively, and are treated as though they were part of the group with fiscal years ending June 30.

Tax revenue comprises amounts collected from all taxes which are imposed by a government and collected by that government or which are collected for it by another government acting as its agent. This includes interest and penalties but does not include amounts paid under protest and amounts refunded. For purposes of this definition, local governments and political subdivisions include counties (parishes in Louisiana and boroughs in Alaska), municipalities, townships, school districts, and special districts. A unit of government also includes, in addition to the central authority of the unit, any semi-autonomous boards, commissions, or other agencies dependent on it that do not in themselves meet requirements as to fiscal and administrative independence even though as to accounting records and other specific administrative aspects such agencies may operate outside the central accounting and administrative pattern of the unit.

The State government information contained in State and local taxes is based on the annual Bureau of the Census survey of State finances. State finances statistics are compiled by representatives of the Bureau of the Census from official records and reports of the various States. The local government portion of the State and local taxes data are estimates based on information received from a sample of such governments. The sample consisted of approximately 16,000 local governments. Survey coverage applied to all counties having a 1970 population of 50,000 or more, all cities having 1970 population of 25,000 or more, all other governments whose relative importance in their State based on expenditure or debt was above a specified size, and a random sample of remaining units.

The fiscal year 1972-73 State and local taxes data may not agree exactly with the figures in *Governmental Finances 1972-73*, because corrections to these data have been made subsequent to its publication.

VII. *General tax effort factor.* The general tax effort factor of any State for any entitlement period is the net amount collected from the State and local taxes of such State during the most recent reporting year, divided by the aggregate personal income attributed to such State for the same period. Personal income means the income of individuals, as determined by the Department of Commerce for national income accounts purposes.

The general tax effort factor of any State used for Entitlement Period 6 is the amount

of fiscal year 1972-73 State and local taxes of the State divided by the aggregate personal income of the State for 1972. State and local taxes for fiscal year 1972-73 are as defined above, and as reported by the Bureau of the Census in Table 17 of *Governmental Finances 1972-73* (GF 73, No. 5).

Aggregate personal income for States in calendar year 1972 is estimated by the Bureau of Economic Analysis of the Department of Commerce for national income accounting purposes as reported in Table 1, pages 32-33, of *Survey of Current Business*, August 1974, Volume 54, Number 8.

Aggregate personal income represents the total current income received by persons residing in the State from all sources, including transfers from government and business but excluding transfers among "persons." Not only individuals (including owners of unincorporated enterprises), but also nonprofit institutions, private trust funds, and private pension, health, and welfare funds are classified as "persons." Personal income is measured on a before-tax basis, as the sum of wages and salary disbursements, other labor income, proprietors' and rental income, interest and dividends and transfer payments, minus personal contributions for social insurance, etc.

[FR Doc.76-5064 Filed 2-26-76; 9:45 am]

## DEPARTMENT OF DEFENSE

### Office of the Secretary

### DEFENSE SCIENCE BOARD TASK FORCE ON STRATEGIC SUBMARINES

#### Advisory Committee Meeting

The Defense Science Board Task Force on Strategic Submarines will meet in closed session on 25-26 March 1975, at the Commander in Chief Atlantic Headquarters, Norfolk, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense.

In accordance with Pub. L. 92-463, section 10, paragraph (d), it has been determined that Defense Science Board meetings concern matters listed in section 552(b) of Title 5 of the United States Code, particularly subparagraph (1) thereof, and that the public interest requires such meetings to be closed insofar as the requirements of paragraphs (a) (1) and (a) (3) of section 10, Pub. L. 92-463 are concerned.

MAURICE W. ROCHEL,

Director, Correspondence and Directives OASD (Comptroller).

FEBRUARY 26, 1975.

[FR Doc.76-5460 Filed 2-26-76; 9:45 am]

## DEPARTMENT OF THE INTERIOR

### Bonneville Power Administration

### PROCUREMENT CONTRACTING

#### Re Delegations of Authority

Re delegations of authority published in the FEDERAL REGISTER on July 6, 1968 (33 FR 9764) and amended on September 13, 1968 (33 FR 12974), February 21, 1969 (34 FR 2508), August 9, 1969 (34

FR 12955), September 18, 1969 (34 FR 14534), May 1, 1971 (36 FR 8266), June 8, 1971 (36 FR 11047), July 24, 1971 (36 FR 13799), November 26, 1971 (36 FR 22689), May 6, 1972 (37 FR 9245), July 13, 1972 (37 FR 13721), November 3, 1972 (37 FR 23463), June 27, 1973 (38 FR 16922), August 29, 1973 (38 FR 23343), September 17, 1973 (38 FR 26011), August 14, 1974 (39 FR 29205), and January 8, 1975 (40 FR 1523), are further amended by revising Section 10.12 to read as follows:

**10.12 MATERIALS, EQUIPMENT, AND OTHER CONTRACTS.**

a. (3) Authorize the publication of advertisements, notices, or proposals, pursuant to section 3828 of the Revised Statutes, 82 Stat. 1305, 44 U.S.C. 3702 (1968).

(4) Execute contracts and amendments to contracts for the disposal of surplus property, except electric utility system real properties, for which the Administration is the authorized disposal agency under delegations heretofore or hereafter made pursuant to the provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 378, as amended, 40 U.S.C. 484 to 486 (1970).

b. The Head, Procurement Section, may exercise the authority delegated to the Chief, Branch of Materials and Procurement, when the amount involved does not exceed \$500,000.

c. The Staff Assistant—Contracting may exercise the authority delegated to the Head, Procurement Section, when the amount involved does not exceed \$50,000.

d. The Purchasing Agents each may exercise the authority described in Subsections 10.12a (1) and (3) when the amount involved does not exceed the small purchase limitation found in 41 U.S.C. 252(c) (3), and the authority described in Subsection 10.12a(2) on construction and clearing contracts.

e. The Head of the Quality Control Unit and his designees may exercise the authority of the Contracting Officers for materials and equipment contracts in administering the technical provisions of the contracts during manufacturing and production. This authority includes the functions of (1) acceptance or rejection of materials or equipment; (2) interpretation of technical specific cautions; (3) approval of tests; and (4) quality surveillance and review of factory operations.

f. The Head of the Receiving Inspection Group and his designees may exercise the authority of the Contracting Officers for materials and equipment contracts in administering the technical provisions of the contracts at destination. This authority includes the (1) acceptance or rejection of materials or equipment; (2) approval of test results; and (3) determining corrections necessary to meet contract specifications or requirements.

g. The Head of the Contract Administration Unit and his designees may exercise the authority of the Contracting Officers for materials and equipment contracts in administering all functions of the contracts not redelegated under Subsections 10.12d and 10.12e, but may not (1) award, agree to, or execute any contract or modification thereto, (2) in any way obligate the payment of money by the Government; (3) make a final decision on any matter which would be subject to appeal under the disputes clause of the contract; or (4) terminate for any cause the contractor's right to proceed.

(205 DM 5.1; 205 DM 9.3; 205 DM 9.4; 205 DM 10; 28 F.R. 9884; 205 DM 11.1; 39 F.R. 43630; 365 DM 1)

Dated: February 18, 1975.

RAY FOLEEN,  
Deputy Administrator.

[FR Doc.75-5419 Filed 2-28-75;8:45 am]

**RESIDENTIAL/COMMERCIAL TASK GROUP, COMMITTEE ON ENERGY CONSERVATION, NATIONAL PETROLEUM COUNCIL**

**Cancellation of Meeting**

The meeting of the Residential/Commercial Task Group of the Committee on Energy Conservation of the National Petroleum Council which was to be held on March 4, 1975 in the Council's Conference Room, 1625 K Street NW., Washington, D.C. has been canceled. The notice announcing the meeting was published on page 6694 of the February 13, 1975 issue of the FEDERAL REGISTER.

Dated: February 26, 1975.

C. K. MALLORY,  
Deputy Assistant Secretary  
of the Interior.

[FR Doc.75-5540 Filed 2-28-75;8:45 am]

[Order No. 2972]

**TRANS-ALASKA PIPELINE**

**Authority Delegation**

FEBRUARY 24, 1975.

**SECTION 1. Purpose.** The purpose of this Order is to grant certain authority of the Secretary of the Interior under the Defense Production Act of 1950, as amended, 50 U.S.C. App. 2061 et seq., to the Authorized Officer referred to in the "Agreement and Grant of Right-of-way for Trans-Alaska Pipeline" and in the stipulations thereto, whose position was established by Secretary's Order No. 2960 of January 23, 1974 (39 FR 5645).

**Sec. 2. Authority.** This order is issued in accordance with the authority provided by section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), Executive Order 10480 of August 14, 1953, as amended (18 FR 4939), and Defense Mobilization Order 8400.1 of November 6, 1963 (28 FR 12164).

**Sec. 3 Secretarial delegation of authority.** (a) The Authorized Officer referred to in section 1 of this Order is hereby delegated the authority of the Secretary

of the Interior under the Defense Production Act insofar as it pertains to the Department of the Interior's serving as claimant for the materials and equipment for which priorities and allocation support is being provided, or may be provided, to the Trans-Alaska Pipeline System and facilities related to its support and supply pursuant to section 101(a) of the Act, under systems administered by the Department of Commerce and utilized to furnish such priorities and allocation support in accordance with the joint authorization of the Director, Office of Preparedness, General Services Administration, and the Administrator, Federal Energy Administration, dated September 23, 1974, and December 30, 1974 (39 FR 34608 and 40 FR 26, 27) and amendments thereto.

(b) *Redelegation.* The authority granted in section 3(a) of this order may be redelegated.

ROGERS C. B. MORTON,  
Secretary of the Interior.

FEBRUARY 24, 1975.

[FR Doc.75-5533 Filed 2-28-75;8:45 am]

**Office of the Secretary**

**TRANSPORTATION TASK GROUP COMMITTEE ON ENERGY CONSERVATION NATIONAL PETROLEUM COUNCIL**

**Cancellation of Meeting**

The meeting of the Transportation Task Group of the Committee on Energy Conservation of the National Petroleum Council which was to be held on March 6, 1975 in the Council's Conference Room, 1625 K Street NW., Washington, D.C. has been canceled. The notice announcing the meeting was published on page 6996 of the February 18, 1975 issue of the FEDERAL REGISTER.

Dated: February 26, 1975.

C. K. MALLORY,  
Deputy Assistant Secretary  
of the Interior.

[FR Doc.75-5539 Filed 2-28-75;8:45 am]

**DEPARTMENT OF AGRICULTURE**

**Agricultural Marketing Service**

**SALMONELLA INSPECTION OF DRY MILK PRODUCTS PLANTS**

**Memorandum of Understanding With the Food and Drug Administration**

CROSS REFERENCE: For a document giving notice of a Memorandum of Understanding between the Agricultural Marketing Service and the Food and Drug Administration, see FR Doc. 75-5473 appearing at page 8846 of this issue of the FEDERAL REGISTER.

**Animal and Plant Health Inspection Service ANIMAL WELFARE**

**List of Licensed Exhibitors**

Pursuant to the provisions of the Act of August 24, 1966, as amended by the Animal Welfare Act of 1970 (7 U.S.C.



2131 et seq.), and the regulations thereunder (9 CFR Part 2), notice is hereby given that the following exhibitors are licensed under said Act:

## ALABAMA

Anderson, W. H., dba The Zoo  
530 Dillingham Street, Phenix City 36867  
Birmingham Zoo  
2630 Cahaba Road, Birmingham 35223  
Cooper, Mrs. Elmer, dba Floral Park Motel  
P.O. Box 566, Tuskegee  
Hazen, Vernon  
1414 Spruce Avenue, Twin Falls 83301  
Montgomery Children's Zoo  
329 Vandiver Street, Montgomery 36110  
Weaver, M. G., dba Canyonland Park, Inc.  
Box 158, Leesburg 35983

## ARKANSAS

Funland Park Zoo  
Route 3, Jonesboro 72401  
Holiday Island Animal Park  
Route 2, Eureka Spring 72632  
Little Rock Zoological Gardens  
Room 108, City Hall, Little Rock 72201  
Wilmoth, Ross L., dba Wild Wilderness  
Route 3, Box 309, Gentry 72734

## CALIFORNIA

Allen, Charles  
P.O. Box 91, Pixley 93256  
Alpine Village  
833 West Torrance Boulevard, Torrance 90502  
Baby Zoo, Inc.  
1384 Grae Avenue, San Leandro 94577  
Berwick, Ray, Universal Studio Tours  
Universal City 91608  
Big John A. Strong and Sons Circus  
275 Oakwood Drive, Thousand Oaks 91360  
Butcher, Richard H., dba Santa's Village  
6348 Los Gatos Highway, Scotts Valley 95066  
California Alligator Farm  
7671 LaPalma Avenue, Pomona 91766  
Child's Estate Foundation  
P.O. Box 4768, Santa Barbara 93103  
City of Folsom  
50 Natoma Street, Folsom 93103  
City of Merced, Applegate Park Zoo  
2525 O Street, Merced 95340  
City of Oakland, Office of Parks and Recreation  
1520 Lakeside Drive, Oakland 94612  
Department of Parks and Recreation  
155 West Washington Boulevard, Los Angeles 90015  
Detroy, Gene, dba Lion Country Safari  
8800 Moulton Parkway, Laguna Hills 92653  
DiSesso, Moe, dba Moe DiSesso Trained Wildlife  
13618 Van Nuys Blvd., Pacoima 91361  
Driscoll, Halleck H., dba Allied Movie Dogs  
16555 Lassen Street, Sepulveda 91343  
Frank Inn, Inc.  
12265 Branford Street, Sun Valley 91352  
Holter, Gene, dba MovieLand Animals, Inc.  
10940 Riverside Avenue, Bloomington 92316  
International Animal Menagerie, Inc.  
P.O. Box 76, San Anselmo 94960  
Jett, Alma  
11025 Cypress Avenue, Fontana 92335  
Johnson Brothers Elephants  
2168 1st Street, Corona 91720  
Johnson, Ronald C. and Carl L., dba Ron's Tropical Fish Pet and Pet Supplies Miniature Zoo, CNS36Z, 7788 Cypress Avenue, Riverside 91503  
Kabat, Roy, dba Animal Actors of Hollywood  
Box 104, Thousand Oaks 91360  
Kellner, S. J., dba George Matthews Great London Circus, 604 Ferry Street, Martinez 94553  
Knott's Berry Farm  
8039 Beach Boulevard, Buena Park 90620  
La Forres, James Michael

1968 Marin Avenue, Berkeley 94707  
Lion Country Safari, Inc.  
8800 Moulton Parkway, Laguna Hills 92653  
Los Angeles Zoo  
5333 Zoo Drive, Los Angeles 90027  
Madonna, Alex  
Madonna Inn, Madonna Road & Highway  
- 101, San Luis Obispo 93401  
Magic Mountain, Inc.  
26101 Magic Mountain Parkway, P.O. Box 5500, Valencia 91355  
Malcolm, Burke, Inc., dba Santa's Village Operations, P.O. Box 638, Shyforest 92385  
Maravelas, Mrs. Emma L., dba Deer Farm  
P.O. Box 505, Independence 93526  
Martin, Steve E.  
P.O. Box 65, Acton 93510  
Meredith, Gordon W.  
12137 Lopez Canyon Road, San Fernando 91342  
Mickey Grove Park and Zoo  
11793 North Mickey Grove Road, Lodi 95240  
Mosely, Geraldine and Clifford  
P.O. Box 9621, N. Hollywood 91609  
Mount Wilson Skyline Park  
6121 Santa Monica Boulevard, Hollywood 90038  
Nance, Robert  
1806 Los Angeles Avenue, Simi Valley 93065  
Nobbitt, H. Lee  
1650 Walnut Street, La Puente 91744  
Orphans of the Wild  
P.O. Box 1865, Buellton 93427  
Oxley, Ronald Lynn  
7423 Soledad Canyon Road, Acton 93510  
Parks and Recreation Department  
c/o City Hall, Roseville 95678  
Randall, Buford L. and Driscoll, Goldine J.  
23870 Pine Street, Newhall 91321  
Real Fun Corporation  
5423 East Laurel Street, Fresno 93737  
Robertson, Clyde E.  
1123 4th Street, Norco 91760  
Roeding Park Zoo  
892 West Belmont Avenue, Fresno 93728  
Sacramento Zoo  
3930 W. Land Park Drive, Sacramento 95822  
San Francisco Zoological Gardens  
Zoo Road and Skyline Boulevard, San Francisco 94132  
San Luis Obispo County Department of Parks and Beaches  
1009 Monterey Street, San Luis Obispo 93401  
Schumacher, Lou  
P.O. Box 642, Baldwin Park 91706  
Sea World, Inc.  
1720 S. Shores Road, San Diego 92109  
Sequoia Park and Zoo  
P.O. Box 1018, Eureka 95501  
Snyder, Fay E. dba Yvette's Mini Circus  
Revue, P.O. Box 5343, Station #1, North Hollywood 91605  
Shawver, Cheryl  
7433 Soledad Canyon Road, Acton 93510  
Six Flags Over Mid-America, Inc.  
6122 Knott Avenue, Buena Park 90621  
Thomas, Harry O.  
13666 E. 14th Street, San Leandro 94576  
Toth, George N., dba Cougar Hill Ranch  
P.O. Box 132, Littlerock 93543  
Universal Studio Tours—Tour Operations  
P.O. Box 8620, Universal City 91608  
Vargas, Cliff, dba Circus Vargas  
13666 E. 14th Street, San Leandro 94576  
Weinhart, John, dba Jungle Cat World  
P.O. Box 331, Rialto 92376  
Zoological Society of San Diego  
P.O. Box 551, San Diego 92112

## COLORADO

Cheyenne Mountain Zoological Park  
Box 158, Colorado Springs 80901  
Denver Zoological Foundation  
c/o Denver Zoological Gardens, Denver 80205

## CONNECTICUT

Beardsley Park Zoo  
Noble Avenue, Bridgeport 06610  
Commerford-Shea,  
41 Chestnut Drive, Wolcott 06716  
Emerson, Ralph L. dba Emerson's Wild Animal Farm, 132 Tryon Street, South Glastonbury 06854  
Schulten, John, dba Old MacDonald's Farm, Inc., 768 Connecticut Avenue, Norwalk 06854  
Waterman, H. Earl, Jr., dba Grand Game, 1380 Mountain Road, West Suffield 06093  
Wawrzynowicz, Peter V., dba Born Free Game Farm, P.O. Box 11, Montville 06353

## FLORIDA

Alligator Alley Jungle Zoo  
P.O. Box 802, Kissimmee 32741  
Crandon Park Zoo  
400 Crandon Boulevard, Key Biscayne 33149  
Del Rio Cristiani, dba Consolidated Amusement Co., P.O. Box 877, Riverview 33569  
Godwin's Gatorland, Inc.  
U.S. 17-92-441, Kissimmee 32741  
Housers Zoo  
9230 New Haven Avenue, Melbourne 32901  
Hoxie Brothers Circus  
9140 S.W. 59th Avenue, South Miami 33156  
Jacksonville Zoological Society  
8605 Zoo Road, Jacksonville 32218  
Langford Hotel  
P.O. Box 970, Winter Park 32789  
Lion Country Safari, Inc.  
P.O. Box 16066, West Palm Beach 33406  
Monkey Jungle, Inc.  
14805 S.W. 216 St., Miami 33170  
Rainbow Springs Corporation, Inc.  
P.O. Box 98, Dunneilon 32630  
Ringling Brothers, Barnum & Bailey Circus World, 7200 S. Orange Blossom, Orlando 32809  
Salisbury, David L., dba Royal Panthers  
1519 Cambridge Drive, Cocoa 32922  
Santa Fe Teaching Zoo, Santa Fe Community College, 3000 NW. 83rd Street, Gainesville 32601  
Schappacher, Ralph, dba Diamond S. Rodeo & Wild West Show, 2824 45th Street, East, Bradenton 33505  
Sebolt, Denne, dba Snake-A-Torium  
P.O. Box 9253, Panama City Beach 32401  
Weed, Frank  
SW. 125 Avenue & State Road 84, Fort Lauderdale 33314  
Zoological Society of the Palm Beach, Inc.  
Dreier Park Zoological Gardens  
P.O. Box 6597, West Palm Beach 33405

## GEORGIA

Atlanta Zoological Park  
518 Atlanta Avenue, SE., Atlanta 30315  
Lion Country Safari  
Route 3, Box 579, Stockbridge 30281  
Snowden, R. V. dba Chico's Monkey Farm  
Highway 17, Route 1, Box 118, Richmond Hill 31324  
Stone Mountain Gamer Ranch, Inc.  
1 Robert E. Lee Boulevard, Stone Mountain 30063  
Tift Zoological Park  
1314 North Monroe Street, Albany 31706

## HAWAII

Honolulu Zoo, Parks and Recreation Department  
151 Kapahulu Avenue, Honolulu 96815  
Onekahakaha Beach Park  
25 Aupuni Street, Hilo 96720

## IDAHO

Boise City Zoo  
1104 Royal Boulevard, Boise 83706  
Deer Farm  
Box 711, Post Falls 83854  
Ferdinand, C. Carol, dba Cowboy Joe and his Animal Show, P.O. Box 303, Nampa 83651  
Ross Park Zoo

Box 4169, Pocatello 83201  
 Santa's Reindeer, Inc.  
 1414 Spruce Avenue, Twin Falls 83301  
 Tautphaus Park Zoo  
 P.O. Box 220, Idaho Falls 83401

## ILLINOIS

Animal Kingdom Exhibits  
 1108 Lee Street, Desplaines 60016  
 Briar, Glen, Inc.  
 2 South 661, Route 53, Glen Ellyn 60187  
 Chicago Zoological Park  
 3300 South Golf Road, Brookfield 60518  
 Frisco, Joe T., dba Wonderful World of Animals, Route 2, Box 329, Peoria 61614  
 Glen Oak Zoo  
 2500A Prospect Road, Peoria 61614  
 Hume's Exotic Wild Life Ranch  
 1404 Busse Road, Marengo 60152  
 Lan-Oak Park District  
 P.O. Box 99, 175th & Chicago Avenue, Lansing 60438  
 Lincoln Park Zoological Garden  
 100 West Webster Avenue, Chicago, 60614  
 Midwest Park Service, Inc.  
 Pioneer Park, Box 595, Route 3, Aurora 60504  
 Miller Park Zoo  
 109 East Olive Street, Bloomington 61701  
 Popen, Gerald  
 Route 2, Box 220, Long Grove 60047  
 Volkoun, William, dba Pine Hill Bird Farm & Zoo  
 2605 63rd Street, Downers Grove 60515  
 Watson, Lee G.  
 Route 4, Box 151, Elgin 60120  
 Wheaton Park District  
 666 South Main, Wheaton 60167

## INDIANA

Biggs, Michael and Donald Jester, dba Safari Animal Farms  
 Box 18, Russellville 46175  
 Buck Lake Ranch, Inc.  
 Post Office Box 270, Angola 46703  
 Duermyer, Frederick D., dba Deer Parke Zoo  
 Route 1, Bloomington 47832  
 Fort Wayne Children's Zoological Gardens  
 3411 Sherman Street, Fort Wayne 46808  
 Glen Miller Park  
 City of Richmond Zoo, Richmond 47374  
 Harding, Warren and Marjorie  
 382 West Main, Peru 46970  
 Indianapolis Zoological Society  
 3120 East 30th Street, Indianapolis 46218  
 Mesker Park Zoo  
 Bement Avenue, Evansville 47712  
 Michigan City Parks and Recreation Department  
 Washington Park Zoological Gardens  
 Washington Park, Michigan City 46360  
 North America Wildlife Park Foundations, Inc.  
 Battle Ground 47920  
 O.K. Corporation, dba Deek Park Zoo  
 Route 2, Wolcott 47995  
 Smith, George L.  
 A#1, Box 138A, Galveston 46932  
 Tandy, Edwin, dba Working Children's Magic Circus  
 Little Bridge Kennels, Sheldon 60966  
 Warner, Jean  
 2915 Morris Avenue, Terre Haute 47815

## IOWA

Des Moines Children's Zoo  
 7401 SW. 9th Street, Des Moines 50315

## KANSAS

Farmer, Larry R.  
 605 Wink Street, Oakley 67748  
 Lee Richardson Zoo  
 Fennup Zoo, Garden City 67636  
 Leonard, Robert E.  
 P.O. Box 332, Manhattan 66502  
 Sedgwick County Zoological Society  
 5555 Zoo Boulevard, Wichita 67212

Topeka Zoological Park  
 635 Gage Boulevard, Topeka 66604  
 Trowbridge, Don and Larr Discoll, dba Bear House, Bunker Hill 67626

## KENTUCKY

Abrams, Boyd P.  
 P.O. Box 56, Flatlick 40935  
 Louisville Zoological Garden  
 1100 Trevillian Way, Louisville 40213

## LOUISIANA

Alexandria Zoo  
 P.O. Box 71, Alexandria 71301  
 Audubon Park Zoo  
 Audubon Park, New Orleans 70118  
 Greater Baton Rouge Zoo  
 P.O. Box 458, Baton Rouge 70821  
 Louisiana Purchase Gardens and Zoo  
 P.O. Box 11, Monroe 71201

## MAINE

Fraser, Clayton H.  
 Route 1, Houlton 04730

## MARYLAND

Ambrose, Earl L. and Evelyn H.  
 Route 2, Box 1138, Hagerstown 21740  
 Brown, Henry Philip, dba Garden of Eden Farm, 7751/2 Annapolis Neck Road, Annapolis 21403  
 Gibson, Joan E., dba Little Big Horn Farm  
 Route 1, Box 192, Brandywine 20613  
 Hinkle, Timmie  
 1734 Virginia Avenue, Hagerstown 21740  
 Lewis, Janis L. dba Big Valley Ranch  
 P.O. Box 1156, Lake Shore, Pasadena 21122

## MASSACHUSETTS

Caprow Park Zoo  
 County Street, Attleboro 02703  
 Forest Park Zoological Society, Inc.  
 P.O. Box 295, Forest Park Station, Springfield 01108  
 Franklin Park Zoological Gardens  
 Dorchester 02121  
 Shankpainter Zoo  
 Box 4, Provincetown 02657  
 Town of North Attleboro, Park Department  
 Attleboro 02703  
 Worcester Science Center  
 222 Harrington Way, Worcester 01604

## MICHIGAN

Deer Forest Co., Inc.  
 P.O. Box 817, Coloma 49038  
 Detroit Zoological Park Commission  
 P.O. Box 39, Royal Oak 48068  
 Dutch Village, Inc.  
 Box 703, Holland 49423  
 Kurt, Heide, dba Game Haven  
 13750 Shire Road, Wolverine 49799  
 Roger, Jourden, dba Deer Park  
 4750 Whitehall Road, Muskegon 49445  
 Plank Road Farm, dba Cowbell Seeds, Inc.  
 156 West Superior Street, Wayland 49348

## MINNESOTA

Hochmayr, Frank  
 Deer Forest, Nisswa 56468  
 Loss, Ted dba Total Loss Game Farm  
 Route 6, Brainerd 56401  
 Oberle, Donald  
 Comfrey 56019  
 Tank, Irving H. & Gene A., dba Deerland Enterprises, Route 7, Brainerd 56401

## MISSISSIPPI

Jackson Zoological Park  
 2918 West Capitol Street, Jackson 39209

## MISSOURI

African Lion Safari, Inc.  
 Route 1, Linn Creek 65052  
 Anheuser-Busch, Inc.  
 721 Pestalozzi Street, St. Louis 63118  
 Elkano Kennels  
 P.O. Box 1326, Joplin 64801

Kansas City Zoo  
 Swope Park Kansas City 64132  
 Old McDonald Farm, Savannah 64506  
 Rees, Raymond, dba Rays Ark  
 Route 1, Holcomb 63852  
 St. Louis Zoological Park  
 Forest Park, St. Louis 63110  
 Springfield Public Park Board, dba Dickerson Park Zoo, 1536 East Division Street, Springfield 65803

## MONTANA

The Trap Inc.  
 Route 1A, Box 173, Columbia Falls 59912

## NEBRASKA

Lincoln Children's Zoo  
 2800 A Street, Lincoln 68502

## NEVADA

Las Vegas Valley Zoo  
 P.O. Box 4036, Tule Springs, 89106  
 Nevada Wild Animal Compound, Inc.  
 6000 Racel Road, Las Vegas 89030

## NEW HAMPSHIRE

Benson Wild Animal Farm, Inc.  
 Hudson 03050  
 Natureland, Inc.  
 Route 3, Lincoln 03251  
 Tilton, Mr. & Mrs. Charles W.

## NEW JERSEY

Animal Kingdom Talent Services  
 197 Morristown Road, Gillette 07933  
 Animal Management of New Jersey, Inc.  
 P.O. Box Tiger, West Milford 07480  
 Dietch, Bob  
 4123 Geiges Place, Fairlawn 07410  
 Flying W. Exhibits,  
 Foestertown Road, Medford 08055  
 North East Exhibits, 164 Westminister Avenue  
 Atlantic City 08401  
 North East Exhibits  
 164 Westminister Avenue, Atlantic City 08401  
 Rose's Animal Farm  
 Hobson Street, Trenton 08610  
 Space Fred, dba Space Wild Animal Farm, Inc.  
 R.D. 3, Bemmerville Road, Sussex 07461  
 Ward, John W., Jr., dba North Eastern Breeding Farm 526 W. Saddle River Road, Ridgewood 07450

## NEW MEXICO

Fur, Fin and Feather Pet Center  
 1404 North Sullivan, Farmington 87401  
 Rio Grande Zoological Park  
 903 Tenth Street, SW., Albuquerque 87102

## NEW YORK

Animal Land  
 Lake George 12845  
 Burnet Park Zoo  
 412 Spencer Street, Syracuse 13204  
 Catskill Game Farm, Inc.  
 R.D. 1, Catskill 12414  
 City of Utica and Utica Zoological Society  
 Steele Hill Road, Utica 13501  
 City of Watertown, dba Thompson Park Zoo  
 Municipal Building, Washington Street,  
 Watertown 13601  
 Fantasy Island, Inc.  
 3400 Grand Island Boulevard, Grand Island 14072  
 Fox's Zoo, Inc.  
 Route 152, West Sand Lake 12146  
 Frontier Town Productions, Inc.  
 North Hudson 12855  
 Gabler, Dr. John H. dba Ford Rickey Game Farm, 408 N. George Street, Rome 13440  
 Gillette, Arthur E., dba Magic Forest,  
 Route 9, Lake George 12845  
 Great Adventure, Inc.  
 320 E. 65th Street, New York 10021  
 Kingston Recreation Commission  
 467 Broadway, Kingston 12401

## NOTICES

Malkin, Louis S.  
98-17 Horace Harding Expressway, Corona  
11368

McCormick, Robert S.  
Box 175, Flets Mills 13638

Museum of the Hudson Highlands  
Cornwall-on-Hudson 12620

New York Zoological Park  
185th Street and Southern Blvd., Bronx,  
10460

Novak, Stanley, dba L. I. Game Farm Zoo-  
logical Park  
Chapman Blvd., Manorville 11949

Palisades Interstate Park Commission  
Bear Mountain 10911

Parks, Recreation and Cultural Affairs Adm.  
830 Fifth Avenue, New York 10021

Safari Animal Country, Inc.  
Box C, Gansevoort

Santa's Workshop, Inc.  
North Pole 12946

Santinelli, Emil, dba Birch Hill Game Park  
Horsepound Road, Carmel 10512

Seneca Park Zoo  
2222 St. Paul Street, Rochester 14621

Smith, Frank M. dba Adirondack Game Farm  
R.D. 1, Route 29, Dolgeville 13329

Snyder-Darien Corp., dba Snyder-Darien  
Lake Children's Zoo,  
9993 Allegheny Road, Corfu 14036

Southern Tier Zoological Society, Inc.  
Box 1513, Binghamton 13902

Staten Island Zoological Society  
614 Broadway, Staten Island 10310

Sterling Alaska Fur and Game Farms, Inc.  
Saranac Avenue, Lake Placid 12946

Sterling Forest Gardens Corporation  
P.O. Box 608, Tuxedo 10987

Wilner, Robert  
53 Hawley Avenue, Port Chester 10573

Wood Charles R., dba Storytown, U.S.A.  
Box 511, Lake George 12845

Zoological Society of Buffalo, Inc.  
Buffalo Zoological Gardens, Buffalo 14214

## NORTH CAROLINA

The Carowinds Corporation  
P.O. Box 15514, Charlotte 28210

Jett's Petting Zoo, Inc.  
1200 West Road, Kinston 28501

Mitchell, S. H., dba Circle M. Zoo  
2734 Robinhood Road, Winston-Salem  
27106

Soco Gardens  
Route 1, Box 355, Maggie 28751

Toms, Lester  
Route 3, Box 306, Forest City 28043

Tote-Em-In-Zoo  
Route 2, Box 368, Wilmington 28401

## NORTH DAKOTA

Dakota Zoological Society, Inc.  
Box 711, Bismarck 58501

Gold Seal Co.  
Medora 58645

Minot Park District, dba Roosevelt Park Zoo  
P.O. Box 538, Minot 58701

Spring Lake Zoo  
P.O. Box 1306, Williston 58801

Wahpeton Zoo  
Route 2, Wahpeton 58075

## OHIO

Bischoff, Robert J., dba Highway Animal  
Farm  
P.O. Box 118, Ada 48510

City of Akron (Parks & Recreation Bureau)  
960 Evans Avenue, Akron 44305

The Cleveland Aquarium  
601 E. 72nd Street, Cleveland 44103

Cleveland Zoological Society  
P.O. Box 09040, Cleveland 44109

Columbus Zoological Gardens  
9990 Riverside Drive, Powell 43065

Diamond K. Donkery Ball Co., Inc.  
Route 1, Wapakoneta 45985

Koskinson, S. Paul, dba Hoskinson's Animals  
of Distinction  
211 S. Main Street, Creston 44217

Lion Country Safari, Inc.  
P.O. Box 400, Kings Island, Kings Mill  
45034

Lipko, Col. Jerry  
P.O. Box 2276, Zanesville 43701

Mielsen, Herbert C. dba Lagoon Deer Park,  
Inc.  
1502 Martin Point, Sandusky 44870

Toledo Zoological Gardens  
2700 Broadway, Toledo 43609

Weidner, Thomas O.  
Route 1, Weidner's Corners, Baltimore  
43105

Zoological Society of Cincinnati  
3400 Vine Street, Cincinnati 45220

## OREGON

City of Klamath Falls (Moore Park)  
City Hall 226 South 5th, Klamath Falls  
97601

Follis, Dr. Thomas B., dba World Wildlife  
Safari  
P.O. Box 600, Winston 97496

Gilbert, Lloyd W., dba West Coast Deer Park  
Route 1, Box 759C, Bandon 97411

Holland, Lloyd D., dba Deerland Park,  
Box 77, Chiloquin 97439

Indian Forest, Inc.  
Route 1, Box 654, Florence 97439

Kabat, Roy G.  
13260 Highway 238, Jacksonville 97530

Portland Zoological Gardens  
4001 SW. Canyon Road, Portland 97221.

Miller, Whitney & Deana J.  
Route 4, Box 125, Milton-Freewater 97862

Woodland Deer Park  
27893 Redwood Highway, Cave Junction  
97523

## PENNSYLVANIA

Animal Kingdom Talent Serv., Inc.  
Box 61, RD 2, Tioga 16946

Brubaker, Rufus M.  
Penryn Road, Manheim 17545

Chukar Hill Wild Animal Ranch  
R.D. 1, East Earl 17519

Elmwood Park Zoo  
Norristown 19401

Erie Zoological Society  
653 Shunpike Road, Erie 16508

Forest Zoo & Animal Safari,  
Box 79, Ashville 16613

Hall, Vincent, dba Claws "N" Paws  
206 Maple Avenue, Hawley 18428

Hannum, Fred A., dba Green Acres  
R.D. 3, Coatesville 19320

Holmberg, William C., dba Frontier Zoo  
Box C, Ligonier 15658

Kiracofe, Jakc M., dba Boiling Springs Zoo  
Park  
Boiling Springs 17007

Lake Tobias Animal Haven  
R.D. 1, Halifax 17032

Mercersburg Sportsmen's Association, Inc.  
Box 33, Mercersburg 17236

Peeling, Clyde R., dba Clyde Peeling's Repti-  
land  
Box 66, Allenwood 17810

Pocono Snake Country, Inc.  
Box 238, Route 209, Marshalls Creek 15335

Pocono Wild Animal Farm  
R.D. 1, Stroudsburg 18360

Richard, William H., dba Bill's Place  
Box 117, Mercersburg 17236

Schreengost, A. Dean  
R.D. 3, Sheloutz 15774

Simpson, Ralph R.  
Route 5, Gettysburg 17325

Trexler-Lehigh County Game Preserve Com-  
mission  
445 Hamilton Street, Allentown 18105

Wampler, Glenn R., dba Wild Animals, Breed-  
ers and Dealers  
R.D. 2, Box 354, Annville 17003

Waynesboro Fish and Game Protective Asso-  
ciation, Inc.  
Box 368, Waynesboro 17268

Zimmerman, Richard J., dba Gettysburg  
Game Park  
R.D. 1, Fairfield 17320

Zoological Society of Philadelphia  
34th Street and Girard Avenue, Philadel-  
phia 19104

## PUERTO RICO

Familandia, Inc.  
Box 633, Uauco 00768

Hernandes, Juan Vargas, c/o Manuel Gomez  
Box 171, Moco 00716

## RHODE ISLAND

City of Pawtucket  
Armistice Blvd., Pawtucket 02865

## SOUTH CAROLINA

Collins, B. Harold, dba Circle C. Animal Ex-  
hibit,  
Route 1, Campoleil 29322

Columbia Zoological Park, Riverbanks Park  
P.O. Box 1143, Columbia 29202

## SOUTH DAKOTA

Aberdeen Parks and Recreation Department  
Municipal Building, Aberdeen 57401

Bear Country, USA  
South Highway, 16 Keystone Rt., Rapid  
City 57701

City of Watertown (Bramble Zoo)  
Watertown 57201

Holm, James C.  
615 East Dakota Avenue, Pierre 57501

Johnson, Carl J.  
3510 S. Western Avenue, Sioux Falls 57105

Sioux Falls Park and Recreation Department  
(Great Plains Zoo), 224 West 9th Street  
Sioux Falls 57102

## TENNESSEE

Knoxville Municipal Zoo  
P.O. Box 1631, Knoxville 37901

Opryland USA  
Box 2138, Nashville 37214

Overton Park Zoo and Aquarium,  
Memphis 38112

Tylandsvik, Lloyd and Leonard H. Peterson,  
dba  
Tennessee Game Farm, Route 2, Box 192,  
Joelton 37080

## TEXAS

Ablene Zoological Society  
Box 60, Abilene 79604

Amarillo Parks and Recreation Division  
(Amarillo Storyland Zoo)  
Box 1971, Amarillo 79186

Caldwell Schools, Inc., dba Caldwell Chil-  
dren's Zoo  
P.O. Box 428, Tyler 75701

Central Texas Zoological Society  
P.O. Box 3245, Waco 76707

City of Arlington, Texas, Seven Seas Sea Life  
Park, P.O. Box 777, Arlington 76010

City of Gainesville (Frank Buck Zoo)  
P.O. Drawer J, Gainesville 76240

City of Lufkin (Ellem Trout Park Zoo)  
P.O. Drawer 190, Lufkin 75901

City of Midland (Cole Park Zoo)  
P.O. Box 1152, Midland 79701

Dallas Zoo  
621 East Clarendon Drive, Dallas 75203

El Paso Zoological Park  
Washington Park, El Paso 79905

Fort Worth Zoological Park  
2727 Zoological Drive, Fort Worth 76110

Gladys Porter Zoo  
600 Ringgold Street, Brownsville 78520

Gustin, Lula Belle, dba Tezas Snake Farm  
Route 1, Box 487, New Braunfels 78130

Houston Zoological Gardens  
P.O. Box 1562, Houston 77001

Lion Country Safari, Inc.  
601 Lion Country Parkway, Grand Prairie  
75050

The Lynch Manufacturing Company, Inc.  
Olton Route, Plainview 79072



San Antonio Zoological Society (San Antonio Zoological Gardens & Aquarium), 3903 No. St. Mary's Street, San Antonio 78212  
 Sea Arama Marineworld  
 Box 3068, Galveston 77550  
 Six Flags Over Texas  
 Box 191, Arlington 76010  
 Spring Lake Park Zoo  
 P.O. Box 1967, Texarkana 75501  
 Tanglewood-on-Texoma, Inc.  
 P.O. Box 265, Pottsville 76076  
 Town or Pecos City  
 P.O. Box 929, Pecos 79772  
 Victoria Zoological Park  
 Box 2426, Victoria 77901

## UTAH

Hogle Zoological Gardens  
 P.O. Box 2337, Salt Lake City 34110  
 Sun International Movie Animal Haven  
 Box 231, Springdale 84767

## VIRGINIA

City of Roanoke, dba Mill Mountain Childrens Zoo Department of Parks & Recreation, 714 13th Street SW., Roanoke 24016  
 Lion Country Safari, Inc., P.O. Box 114, Doswell 23047  
 Mitchell, S. H., dba Circle M. Zoo, Route 2, Box 286, Stuart 24171  
 Mogensen, Karl E., dba Natural Bridge Zoological Park, Box 72, Natural Bridge 24578

## WASHINGTON

Lynch, W. J. & M. D., dba Loboland USA  
 P.O. Box 344, Gardiner 98339  
 Olympic Game Farm  
 Route 3, Box 908, Sequim 98382  
 Pedersen, Dale  
 P.O. Box 26, Graham 98338  
 Point Defiance Zoo  
 Point Defiance Park, Tacoma 98407  
 Tacoma Zoological Society, Inc., dba Northwest Trek, P.O. Box 7272, Tacoma 98407  
 Woodland Park Zoological Gardens  
 5500 Phinney Avenue, North, Seattle 98103

## WISCONSIN

Fawn-Doe-Rosa  
 St. Croix Falls 54024  
 Layman, Howard  
 Box 440, Mercer 54547  
 Seldon, Arlan, dba Murray Hill Enterprises  
 Route 5, Box 9, Burlington 53105

(Sec. 3, 80 Stat. 351, as amended; 84 Stat. 1561, 7 U.S.C. 2133; 37 FR 28464, 28477; 38 FR 19141; 9 CFR 2.127.)

Done at Washington, D.C., this 25th day of February, 1975.

PIERRE A. CHALOUX,  
 Acting Deputy Administrator,  
 Veterinary Services, Animal  
 and Plant Health Inspection  
 Service.

[FR Doc.75-5493 Filed 2-28-75; 8:45 am]

## Farmers Home Administration

[Designation No. A150]

## IOWA

## Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Iowa as a result of natural disasters consisting of:

Floyd—Freezes September 2, 3, 20, and 21, 1974.  
 Jefferson—Excessive rainfall May 4 to June 21, 1974. Drought July 6 to 30, 1974. Abnormal cloudy and cool weather August 1 to September 20, 1974. Hail August 12, 1974. Killing frosts September 20 and October 2, 1974.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Public Law 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Robert D. Ray that such designation be made.

Applications for Emergency loans must be received by this Department no later than April 21, 1975, for physical losses and November 20, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 24th day of February 1975.

FRANK B. ELLIOTT,  
 Administrator,  
 Farmers Home Administration.

[FR Doc.75-5496 Filed 2-28-75; 8:45 am]

[Designation A113, Amdt. 1]

## NORTH DAKOTA

## Designation of Emergency Area

The Secretary of Agriculture has found that a general need for agricultural credit exists in Stutsman County, North Dakota. The Secretary has found that this need exists as a result of a natural disaster consisting of hail damage July 5, 11, 13, and 15 and August 1, 5, 14, 19, 23, 25, and 30, 1974.

Therefore the Secretary has designated this area as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Arthur A. Link that such designation be made.

Applications for Emergency loans must be received by this Department no later than February 18, 1975, for physical losses and September 19, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 25th day of February, 1975.

FRANK B. ELLIOTT,  
 Administrator,  
 Farmers Home Administration.

[FR Doc.75-5495 Filed 2-28-75; 8:45 am]

Soil Conservation Service  
FAIRFOREST CREEK WATERSHED  
PROJECT, SOUTH CAROLINA

## Notice of Negative Declaration

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; part 1500 of the Council on Environmental Quality Guidelines (38 FR 20550) August 1, 1973; and § 650.8(b)(3) of the Soil Conservation Service Guidelines (39 FR 19851) June 3, 1974; the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Fairforest Creek Watershed Project, Spartanburg and Union Counties, South Carolina.

The environmental assessment of this federal action indicates that the project will not create significant adverse local, regional, or national impacts on the environment and that no significant controversy is associated with the project. As a result of these findings, Mr. G. E. Huey, State Conservationist, Soil Conservation Service, USDA, 601 Federal Building, 901 Sumter Street, Columbia, South Carolina 29201, has determined that the preparation and review of an environmental impact statement is not needed for this project.

The project concerns a plan for watershed protection and flood prevention. The planned works of improvement include conservation land treatment measures supplemented by one floodwater retarding structure.

The environmental assessment file is available for inspection during regular working hours at the following location: Soil Conservation Service, USDA, 601 Federal Building, 901 Sumter Street, Columbia, South Carolina 29201

No administrative action on implementation of the proposal will be taken until March 18, 1975.

(Catalog of Federal Domestic Assistance Program No. 10.904, National Archives Reference Services.)

Dated: February 19, 1975.

WILLIAM B. DAVEY,  
 Deputy Administrator for Wa-  
 ter Resources, Soil Conser-  
 vation Service.

[FR Doc.75-5356 Filed 2-28-75; 8:45 am]

## DEPARTMENT OF COMMERCE

Domestic and International Business  
Administration

## BOYCE THOMPSON INSTITUTE

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:** 75-00140-91-81595.  
**Applicant:** Boyce Thompson Institute for Plant Research Inc., 1086 North Broadway, Yonkers, New York 10701. **Article:** Dust Feed Mechanism and Accessories. **Manufacturer:** L. Adams Ltd., United Kingdom. **Intended use of article:** The article is intended to be used in the study of "Effects of particulate matter on Plants." The article will supply a small controlled amount of dust into an air stream which in turn will be passed over a plant canopy. The resulting exposure may or may not cause a phytotoxic effect.

**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 high degree of feed control of fine dust into an air stream. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated January 28, 1975 that the capability described above is pertinent to the applicant's use in a study of phytotoxic effects, if any, on plants due to micronized eryolite dust dispersed by the article. HEW also advises 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.75-5476 Filed 2-28-75; 8:45 am]

#### DUKE UNIVERSITY MARINE LAB.

##### 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:** 75-00141-01-57000.  
**Applicant:** Duke University Marine Laboratory, Pivers Island, Beaufort, N.C. 28516. **Article:** Oxygen Diffusion Chamber. **Manufacturer:** L. Eschweiler & Co.,

West Germany. **Intended use of article:** The article is intended to be used for studies of blood and hemoglobin solutions with respect to their oxygen binding properties. The degree of cooperativity and pH dependence of these blood samples will be investigated. The article will also be used in the course Biochemistry 220, Adaptations of Organisms to the Marine Environment, to introduce students to the concepts and ideas of how organisms adapt in a biochemical way to a changing environment.

**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 speed, accuracy and automatic procedure. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated January 28, 1975 that the capabilities described above are pertinent to the applicant's use in teaching and research elucidating the mechanism of oxygen binding by heme proteins. HEW also advises 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.75-5476 Filed 2-28-75; 8:45 am]

#### HARVARD MEDICAL SCHOOL

##### 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:** 75-00161-33-46040.  
**Applicant:** Harvard Medical School, Bertram-Gund Laboratory, Massachusetts Eye and Ear Infirmary, 243 Charles Street, Boston, Mass. 02114. **Article:** Electron Microscope, Model JEM 100C. **Manufacturer:** JOEL Ltd., Japan. **Intended use of article:** The article is intended to be used for studies of mammalian retinal tissues derived from experimental animals, human donors and biopsy which exhibit normal and patho-

genic structure. Material will also be obtained from mammalian cell cultures and purified extracts of cells. The experiments to be conducted include: (1) The study of localization and distribution of enzymes in retinal cell membranes, (2) experiments to elucidate the supramolecular architecture of biological membrane systems, and (3) studies of the physiologic and pathologic changes in retinal cell ultrastructure under experimentally induced and hereditary degeneration.

**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 has a specified resolving capability of 3 Angstroms (Å). The most closely comparable domestic instrument is the Model EMU-4C supplied by the Adam David Company. The Model EMU-4C has a specified resolving capability of 5Å. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated January 28, 1975 that the best resolution available is pertinent to the purposes for which the foreign article is intended to be used. HEW further advises that domestic instruments do not provide resolution equivalent to that of the foreign article. We, therefore, find that the EMU-4C is 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 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.75-5477 Filed 2-28-75; 8:45 am]

#### LAMONT DOHERTY GEOLOGICAL OBSERVATORY

##### 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:** 75-00136-85-43000.  
**Applicant:** Lamont-Doherty Geological Observatory of Columbia University,

**Palisades, New York 10964.** Article: **Magnetometer System.** Manufacturer: **Digico, United Kingdom.** Intended use of article: The article is intended to be used for the measurement of weakly magnetized rocks for paleomagnetic studies of general type in limestones, deep-sea sediments and lavas, and terrestrial rocks.

**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 specification of short measurement time and high sensitivity. The National Bureau of Standards (NBS) advises in its memorandum dated January 21, 1975 that the specification described above is pertinent to the purposes for which the article is intended to be used. NBS also advises 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.75-5479 Filed 2-28-75; 8:45 am]

#### MEDICAL UNIVERSITY OF SOUTH CAROLINA

##### 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:** 75-00153-33-46040. **Applicant:** Medical University of South Carolina, 80 Barre Street, Charleston, S.C. 29401. **Article:** Electron Microscope, Model EM 301. **Manufacturer:** Philips Electronic Instruments NVD, The Netherlands. **Intended use of article:** The article is intended to be used for routine transmission electron microscopy in a vast number of studies which will include the following:

(1) Repair of bacterial DNA, (2) quantitation of virus, (3) Study of viral infected cells, (4) bacterial sporulation and the effects of anti-fungal drugs on vari-

ous fungi, (5) Cytochemical studies on enzyme changes during bacterial sporulation and during the differentiation of fungi (6) Membrane studies on virus infected cells, especially enveloped viruses that change the cellular membranes during viral replication, (7) Studies on the relationship of one cell to another, especially in regard to neoplastic cells, (8) Development of X-ray analysis in the biological or medical field. In addition, the article will be used in a course titled "Advanced Electron Microscopy," concentrating on all of the advanced techniques not available in other electron microscopy courses currently being taught at the University.

**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 guaranteed resolution of 3 Angstroms (Å) point to point and is equipped with a high resolution scanning attachment which provides images in the scanning transmission, secondary electron, and back scattered electron modes. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated January 28, 1975 that the scanning capability and the better resolution of the foreign article are pertinent to the applicant's use which includes membrane studies on virus infected cells, studies of bacterial DNA repair, quantitation of virus and mapping of ferritin labeled antibodies. The most closely comparable domestic instrument to the foreign article is the Model EMU-4C electron microscope produced by the Adam David Company. HEW further advises that the domestic transmission electron microscope does not provide the pertinent scanning capability or equal resolution. We, therefore, find that the EMU-4C is 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 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.75-5480 Filed 2-28-75; 8:45 am]

#### NATIONAL ACADEMY OF SCIENCE

##### 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:** 75-00146-33-43780. **Applicant:** National Academy of Sciences, Prosthetics Research and Development, 2101 Constitution Avenue NW., Washington, D.C. 20201. **Article:** Ljubljana Functional Electronic Peroneal Orthosis, Type PO 12. **Manufacturer:** Slovenijales, Yugoslavia. **Intended use of article:** The articles are intended to be used to stimulate paralyzed muscle to provide useful function.

**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 article is an instrument of advanced design which is to be used to stimulate paralyzed muscle in clinical research and in testing the feasibility of this device for the treatment of stroke patients. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated January 28, 1975 that the specific design of the article is required and pertinent to the applicant's intended purposes. HEW also advises that it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for such purposes as the 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 is being manufactured in the United States.

A. H. STUART,  
Director,

Special Import Program Division.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

[FR Doc.75-5482 Filed 2-24-75; 8:45 am]

#### TEXAS TECH UNIVERSITY

##### 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: 75-00172-01-59400. Applicant: Texas Tech University, Purchasing Department, P.O. Box 4050, Lubbock, Texas 79409. Article: Quantum Yield Photoreactor and Accessories. Manufacturer: Applied Photophysics Ltd., United Kingdom. Intended use of article: The article is intended to be used for quantum-yield measurements in mechanistic studies of photochemical reactions. The article will be used in chemistry courses in the training of students in modern approaches to chemistry and biochemistry.

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 specification of a quartz dewar and cuvettes with quartz-to-pyrex seals. The National Bureau of Standards (NBS) advises in its memorandum dated February 5, 1975 that the specification described above is pertinent to the applicant's intended use which will require measurement of relative rates of photochemical reactions at low temperature and vacuum. NBS also advises that it knows of no domestic instrument of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

(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.75-5483 Filed 2-28-75; 8:45 am]

#### UNIVERSITY OF CALIFORNIA— SANTA CRUZ

##### 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: 75-00130-33-07795. Applicant: University of California, Purchasing Office, 1156 High Street, Santa Cruz, CA 95064. Article: Recording Oscilloscope Camera. Manufacturer: Tonnies Medizinische Electronik, West Germany. Intended use of article: The article is intended to be used to film the face of an oscilloscope during neurophysiological experiments, thereby making a permanent record of the oscilloscope traces.

Comments: No comments have been received with respect to this application. Decision: Application approved. No in-

strument 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 capability to use 70 millimeter film. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated January 28, 1975 that the capability described above is pertinent to the applicant's use which requires a film width adequate for recording eight oscilloscope traces of data taken during neurophysiological experiments. HEW also advises that it knows of no domestic apparatus that provides the pertinent characteristic.

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.75-5484 Filed 2-28-75; 8:45 am]

#### UNIVERSITY OF HOUSTON

##### 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 (Public Law 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: 75-00147-00-11000. Applicant: University of Houston, Biophysical Sciences & Chemistry, 3001 Culen Blvd., Houston, Texas 77004. Article: Altma Model 4 Multiple Ion Detector. Manufacturer: Altma AB, Sweden. Intended use of article: The article is an accessory to an existing gas chromatograph-mass spectrometer computer system being used for research involving pyrolysis of lunar samples, analysis of volatile compounds in cancerous mice urine, analysis of prebiotic synthesis products and environmental monitoring.

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 application relates to a compatible accessory for an instrument that had been previously imported for the use of the applicant institution. The article is being furnished by the manufacturer which produced the instrument

with which the article is intended to be used and is pertinent to the applicant's purposes.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with or can be readily adapted to the instrument with which the foreign article is intended to be used.

(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.75-5478 Filed 2-28-75; 8:45 am]

#### UNIVERSITY OF MONTANA

##### 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: 75-00134-01-74600. Applicant: University of Montana, Chemistry Department, Missoula, Montana 59801. Article: Malvern k7023 High Speed Correlator and RR102 Spectrometer. Manufacturer: Precision Devices & Systems Ltd., United Kingdom. Intended use of article: The article is intended to be used for studies of ribosomal subunits, proteins and ribonucleoprotein fragments. Light scattering from solutions containing these macromolecules will be studied to determine the translational diffusion coefficients of each.

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 efficient photon detection with a time resolution of 50 nanoseconds. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated January 28, 1975 that the characteristics of the article described above are pertinent to the applicant's use in obtaining the molecular weight of macromolecules, such as ribosomal subunits, proteins and ribonucleoprotein fragments. HEW also advises that the most closely comparable domestic instrument, the SA1COR SA1-43A digital correlator, does not provide the characteristics found to be pertinent. HEW advises 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.75-5481 Filed 2-28 75;8:45 am]

#### VETERANS ADMINISTRATION HOSPITAL, MARTINEZ

##### 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: 75-00149-33-43780. APPLICANT: Veterans Administration Hospital, Rehabilitation Medicine Services, 150 Muir Road, Martinez, California 94553. ARTICLE: Kromayer Lamp, Model 10. Manufacturer: Hanovia Lamps Ltd., United Kingdom. Intended use of article: The article is intended to be used for patient care and experimenting on effects of light and wound healing. It aids healing by erythematous action—bactericidal and astringent effect—and will be used as a physical modality in the Rehabilitation Medicine Service for patient care.

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 a high-pressure mercury arc lamp which is water cooled. The Department of Health, Education, and Welfare (HEW) in its memorandum dated January 28, 1975 that the characteristics of the article described above are pertinent to the applicant's intended uses in clinical research in the effect of different light sources on the rate of wound healing. HEW also advises that it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended uses. 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.75-5485 Filed 2-28-75;8:45 am]

#### National Bureau of Standards COMMERCIAL STANDARD Proposed Withdrawal Action

In accordance with § 10.12 of the Department's "Procedures for the Development of Voluntary Product Standards" (15 CFR Part 10, as revised, 35 FR 8349 dated May 28, 1970), notice is hereby given of the withdrawal of Commercial Standard CS 184-51, "Steel Fence Posts—Field and Line Type."

It has been determined that this standard is technically inadequate, no longer used by the industry and that revision would serve no useful purpose. The subject matter of CS 184-51 is adequately covered by American Society for Testing and Materials A702-74, "Steel Fence Posts and Assemblies, Hot Rolled for Field and Line Type Fencing." This action is taken in furtherance of the Department's announced intentions as set forth in the public notice appearing in the FEDERAL REGISTER of January 3, 1975 (40 FR 817), to withdraw this standard.

The effective date for the withdrawal of this standard will be May 2, 1975. This withdrawal action terminates the authority to refer to this standard as a voluntary standard developed under the Department of Commerce procedures.

Dated: February 26, 1975.

RICHARD W. ROBERTS,  
Director.

[FR Doc.75-5534 Filed 2-28-75;8:45 am]

#### COMMERCIAL STANDARD Proposed Withdrawal Action

In accordance with § 10.12 of the Department's "Procedures for the Development of Voluntary Product Standards" (15 CFR Part 10, as revised; 35 FR 8349 dated May 28, 1970), notice is hereby given of the withdrawal of Commercial Standard CS 260-63, "Shoeboard."

It has been determined that this standard is technically inadequate, no longer used by the industry and that revision would serve no useful purpose. This action is taken in furtherance of the Department's announced intentions as set forth in the public notice appearing in the FEDERAL REGISTER of January 3, 1975 (40 FR 817), to withdraw this standard.

The effective date for the withdrawal of this standard will be May 2, 1975. This

withdrawal action terminates the authority to refer to this standard as a voluntary standard developed under the Department of Commerce procedures.

Dated: February 26, 1975.

RICHARD W. ROBERTS,  
Director.

[FR Doc.75-5535 Filed 2-28-75;8:45 am]

#### FEDERAL INFORMATION PROCESSING STANDARDS TASK GROUP 13

##### Notice of Meeting

Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. III, 1973), notice is hereby given that the Federal Information Processing Standards Task Group 13 (FIPS TG-13), "Workload Definition and Benchmarking," will hold a meeting from 10 a.m. to 4 p.m. on Wednesday, April 16, 1975, in Room B-255, Building 225, of the National Bureau of Standards at Gaithersburg, Maryland.

The purpose of this meeting is to review the progress of four work groups which are addressing the areas of Problem Definition, Benchmark Program Transferability, Preliminary Benchmarking Guidelines, and Workload Definition.

The public will be permitted to attend, to file written statements, and, to the extent that time permits, to present oral statements. Persons planning to attend should notify the Executive Secretary, Mr. John F. Wood, Institute for Computer Sciences and Technology, National Bureau of Standards, Washington, D.C. 20234 (Phone 301-921-3485).

Dated: February 26, 1975.

RICHARD W. ROBERTS,  
Director.

[FR Doc.75-5536 Filed 2-28-75;8:45 am]

#### National Oceanic and Atmospheric Administration SEA-ARAMA MARINE WORLD Modification of Permit

Notice is hereby given that pursuant to the provisions of § 216.33 (d) and (e) of the regulations governing the taking and importing of marine mammals (39 FR 1851 January 5, 1975), the Public Display Permit issued to Sea-Arama Marine World, Seawall Boulevard at 91st Street, P.O. Box 3068, Galveston, Texas on December 5, 1974 is modified in the following manner:

The area of collection of the false killer whales authorized has been changed to include the waters off the State of Hawaii versus listing specific Hawaiian Islands.

This modification is effective March 3, 1975.

The permit as modified and documentation pertaining to the modification, is available for review in the Office of the Director, National Marine Fisheries

Service, Washington, D.C. 20235 and in the Office of the Regional Director, National Marine Fisheries Service, Southeast Region, 9450 Gandy Boulevard, St. Petersburg, Florida 33702.

Dated: February 11, 1975.

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

[FR Doc.75-5512 Filed 2-28-75; 8:45 am]

**SEA LIFE PARK INC.  
Modification of Permit**

Notice is hereby given that, pursuant to the provisions of § 216.33 (d) and (e) of the regulations governing the taking and importing of marine mammals (39 FR 1851, January 15, 1974), the Public Display Permit issued to Sea Life Park Inc., Makapuu Point, Waianalo, Hawaii 96795 on February 8, 1974 is modified in the following manner:

The area of collection of the cetaceans authorized has been modified to include the waters off the State of Hawaii, versus the listing of specific islands and the period of the authorized taking has been extended to June 30, 1976 from December 31, 1975.

This modification is effective March 3, 1975.

The permit, as modified and documentation pertaining to the modification, is available for review in the Office of the Director, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, and the Office of the Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Dated: February 10, 1975.

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

[FR Doc. 75-5513 Filed 2-28-75; 8:45 am]

**SEA WORLD, INC.  
Modification of Permit**

Notice is hereby given that, pursuant to the provisions of § 216.33(d) and (e) of the Regulations Governing the Taking and Importing of Marine Mammals (39 FR 1851, January 15, 1974), the Public Display Permit issued to Sea World, Incorporated, 1720 South Shores Road, San Diego, California 92109, on May 7, 1974, as modified on August 23, 1974 (39 FR 30522), is further modified, by means of Modification No. 2, in the following manner.

The advance notification procedures provided in the permit modification of August 23, 1974, are clarified, so as to apply specifically to killer whale collecting activities within the Puget Sound area.

This modification is effective March 3, 1975.

The Permit, as modified, is available for review in the Office of the Director, National Marine Fisheries Service, De-

partment of Commerce, Washington, D.C. 20235; and in the Offices of the Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731; the Regional Director, National Marine Fisheries Service, Northwest Region, Lake Union Building, 1700 Westlake Avenue North, Seattle, Washington 98109; and the Regional Director, National Marine Fisheries Service, Alaska Region, P.O. Box 1668, Juneau, Alaska 99801.

Dated: February 14, 1975.

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

[FR Doc.75-5514 Filed 2-28-75; 8:45 am]

**Office of the Secretary  
APPLIANCE EFFICIENCY  
Voluntary Program**

Notice is hereby given that the Department of Commerce proposes to institute a Voluntary Program for Appliance Efficiency.

President Ford in his State of the Union Message to Congress on January 15, 1975, directed that a voluntary program be developed to effect by 1980 a 20 percent improvement in the energy usage of new home appliances.

The President has stated that unless there is substantial agreement within the next several months from manufacturers to work toward this goal in the context of the voluntary program proposed herein, he will submit legislation to establish a mandatory program for appliance efficiency.

The base year from which improvements are to be measured is 1972. For those appliances which are produced by model years, model year 1972 will be used. For appliances which have no definite model years, calendar 1972 will be used.

The 20 percent reduction in energy use is an average goal across all appliance types. Goals for specific appliance types may be higher or lower than the average depending on technical and economic feasibility. Additionally, annual intermediate goals will be set and used to measure progress and report accomplishments.

The methods for measuring energy consumption or energy efficiency will, to the maximum extent possible, be the same as those used in the DOC Voluntary Labeling Program for Household Appliances and Equipment. The procedures for establishing the extent of obtained improvements may be based on energy calculations that are production weighted.

In attaining the established goals, each company will formulate its own plans which may include upgrading the entire or a portion of the line, eliminating less efficient models or modifying production mix.

The Department plans to publish in the FEDERAL REGISTER not later than

April 30, 1975, for thirty day public comment, a DoC proposed overall program or a set of individual proposed programs for each appliance type to attain the energy efficiency goal for each appliance type to be reached by 1980, including intermediate goals.

In order to prepare the most effective proposal, the Department is interested in obtaining comments and suggestions as to how this program can be carried out. Particularly, the Department is interested in the following: (1) test and certification procedures for appliances in the program; (2) methods of attaining required goals and measurement thereof other than by using production weighted energy improvements; (3) methods of measuring progress and attainment of goals without a requirement for production data; and (4) methods of verifying production data, if such data are required.

Interested persons are encouraged to submit written comments or suggestions in four copies to the Assistant Secretary for Science and Technology, Room 3862, U.S. Department of Commerce, Washington, D.C. 20230, on or before April 2, 1975.

A public docket will be available for examination by interested persons at the Central Reference and Records Inspection Facility of the Department of Commerce, Room 7068, Main Commerce Building, 14th Street between E Street and Constitution Avenue, NW., Washington, D.C. 20230.

Issued February 25, 1975.

BETSY ANCKER-JOHNSON,  
Assistant Secretary  
for Science and Technology.

[FR Doc.75-5469 Filed 2-28-75; 11:27 am]

**DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE**

**Food and Drug Administration  
SILVER-PLATED HOLLOWWARE  
Request for Information and Data  
Correction**

In FR Doc. 75-3889, appearing at page 6523 in the issue for Wednesday, February 12, 1975, on page 6524, in the first column, the fifteenth line of the fourth paragraph should read "do not represent a significant health hazard".

**SALMONELLA INSPECTION OF DRY MILK  
PRODUCTS PLANTS**

**Memorandum of Understanding With the  
Agricultural Marketing Service**

Pursuant to the notice published in the FEDERAL REGISTER of October 3, 1974 (39 FR 35697) that future agreements of memoranda of understanding between the Food and Drug Administration and others would be published in the FEDERAL REGISTER, the Commissioner of Food and Drugs issues the following notice:



A Memorandum of Understanding between the Food and Drug Administration and the Agricultural Marketing Service of the U.S. Department of Agriculture was executed on February 19, 1975. The memorandum, developed and agreed to by the respective agencies to consolidate two previous memoranda covering Salmonella inspection of dry milk products plants, reads as follows:

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
AGRICULTURAL MARKETING SERVICE, USDA  
AND THE  
FOOD AND DRUG ADMINISTRATION**

The Food and Drug Administration (hereinafter called FDA) and the Agricultural Marketing Service (hereinafter called AMS) have long recognized the need for exchange of information and coordination of activities in order to avoid duplication of efforts in the Salmonella inspection and sampling coverage of dry milk products plants. Agreements have been in effect since May 1968.

**Purpose.** To consolidate and update the following two Memoranda of Understanding on Salmonella in non-fat dry milk products:

(a) Salmonella Surveillance of Dry Milk Plants Under USDA's Continuous Inspection (FDA MOU 71-2) effected Nov. 1970.

(b) The Inspection of Dry Milk Plants Approved by the USDA for Inspection and Grading and Operating Under the USDA Salmonella Surveillance Program (FDA MOU 72-4) effected Dec. 1971.

This Understanding supersedes the aforementioned MOU's upon acceptance by both parties.

**Background.** The U.S. Department of Agriculture has two types of voluntary inspection programs:

(1) **Plant Inspection Program for USDA Approval for Grading Services.** An approved plant is one or more adjacent buildings, or parts thereof, comprising a single plant at one location in which the facilities and methods of operation therein have been surveyed and approved by the administrator as suitable and adequate for inspection or grading service (7 CFR Part 58, Subpart B—General Specifications for Dairy Plants Approved for USDA Inspection and Grading Service).

(2) **Resident Inspection and Grading Program.** The program requires USDA plant approval and continuous inspection of the plant's processing operation and finished products.

Under the Plant Inspection Program (hereinafter called PIP), dry milk plants are surveyed for approval every three months. The surveys include a Salmonella surveillance of the plant's product and environmental material. Official inspection and grading of the product is provided on a request and assignment basis under this program. Dry milk products produced under this program are not eligible to be packaged with the USDA Shield.

**I. DESCRIPTION OF WORK TO BE PERFORMED**

(A) The following procedure shall apply for plants and product under the PIP program:

(1) **AMS will:** (a) Supply FDA with copies of its quarterly publication "Dairy Plants Surveyed and Approved for USDA Grading Service."

(b) Promptly notify FDA in writing when a plant or a product from a plant is no longer under its Salmonella Surveillance Program or when a plant or product comes under the program.

(c) Report to FDA by telephone, confirm by written report, positive product samples on commercial production when quarterly

surveillance reveals two or more product positive tests.

(d) Report to FDA any single positive product sample.

(e) Report all results, both positive and negative, of follow-up tests on positive product samples.

(f) Report positive environmental samples whenever the positive tests are repetitive.

(g) Report any conclusion as to whether the positive product test result was an isolated finding, or if not, whether the apparent source of contamination was detected and corrected.

(2) **FDA will:** (a) Not institute plant inspections for Salmonella in dry milk products in any plant operating under USDA inspection and grading, or participating in the USDA Salmonella Surveillance Program, except when AMS reports positive Salmonella samples on two or more production lots from plants engaged in commercial distribution, or where routine sampling by FDA of lots in commercial distribution reveals positive Salmonella findings. This does not preclude FDA inspections of any plant for problems other than Salmonella, whether or not such plant produces dry milk products under USDA inspection or the Salmonella Surveillance Program, or the sampling of their products, including dry milk products, for problems other than Salmonella.

(b) Institute sampling of commercially distributed dry milk products when two or more production lots are identified with positive results, when such course is deemed advisable. FDA will not duplicate USDA efforts by resampling the same stocks for Salmonella at the same location previously examined by USDA.

(c) Notify AMS regarding any information relating to plant or product noncompliance involving Salmonella. AMS shall take necessary corrective action, and if necessary to achieve prompt correction, supplement its power with coordinated FDA authority and support.

(d) Report to AMS on request, data and results on its Salmonella Surveillance of dry milk plants that are not approved under the AMS program, or those in the USDA Salmonella Surveillance Program.

(e) If FDA determines that in interest of the public health it is necessary to take actions differing from those set forth in this memorandum, it will give advance notice to AMS.

(B) The following additional services shall apply for plants and products under the USDA Resident Program:

(1) **AMS will:** (a) Furnish to FDA the names and locations of plants operating under the program.

(b) Promptly notify FDA in writing when a plant is no longer under the program or when a plant comes under the program.

(c) Report Salmonella test results in accordance with the provisions in sec. I(A)(1) (c) through (g) of this Memorandum of Understanding.

(2) **FDA will:** (a) Accept the AMS Salmonella Surveillance Program on such plants and the finished dry milk products after shipment from those plants will not be sampled by FDA for Salmonella examinations. This does not preclude FDA sampling dry milk at manufacturing plants using dry milk as an ingredient as a follow-up to consumer complaints, or where the dry milk may have become contaminated or adulterated after leaving the dry milk manufacturer's control. Neither will it preclude FDA inspections of any plant for problems other than Salmonella, whether or not such plant produces dry milk products under USDA inspection, or the sampling of their products, including dry milk products, for problems other than Salmonella.

**II. NAME AND ADDRESS OF PARTICIPATING AGENCIES**

U.S. Department of Agriculture,  
Agricultural Marketing Service,  
Dairy Division,  
Washington, DC 20250.

Food and Drug Administration,  
5600 Fishers Lane,  
Rockville, MD 20852.

**III. LIAISON OFFICERS**

Mr. Edwin F. Garbe,  
Chief, Inspection and Grading Branch,  
Agricultural Marketing Service, Dairy Division,

U.S. Department of Agriculture,  
Washington, DC 20250,  
Telephone: (202) 447-3171.

Mr. Richard C. Swanson,  
Epidemiological Investigations Coordinator,  
Field Investigations Branch, DFO/EDRO,  
5600 Fishers Lane, HFO-120,  
Rockville, MD 20852,  
Telephone: (301) 443-3340.

**IV. PERIOD OF AGREEMENT**

This agreement, when accepted by both parties, covers an indefinite period of time and may be modified by mutual consent of both parties or may be terminated by either party upon a thirty (30) day advance written notice to the other.

Approved and accepted for the U.S. Department of Agriculture, Agricultural Marketing Service:

E. L. PETERSON,  
Administrator, AMS, USDA.

Date: February 19, 1975.

Approved and accepted for the Food and Drug Administration:

SAM D. FINE,  
Associate Commissioner  
for Compliance.

Dated: February 19, 1975.

**Effective date.** This Memorandum of Understanding became effective on February 19, 1975.

Dated: February 24, 1975.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.75-5473 Filed 2-28-75;8:45 am]

**METHADONE**

**Availability of Petition To Allow Dispensing in Solid Dosage Form**

Notice is given that a petition was filed on July 1, 1974, by Bristol Laboratories, Division of Bristol-Myers Co., Syracuse, N.Y. 13201, under the Administrative Procedure Act (5 U.S.C. 553(e)) proposing a revision to the methadone regulations (21 CFR 310.505(d)(6)) to permit administering and dispensing a solid dosage form of a specially formulated methadone combination product to persons enrolled in a methadone treatment program. The Commissioner of Food and Drugs requests comments on this petition on or before May 2, 1975.

Currently, § 310.505(d)(6) of the methadone regulations requires that all

oral methadone administered or dispensed to persons enrolled in a methadone treatment program be in a liquid form and be prepared in such a way as to reduce its potential for parenteral injection and accidental ingestion. The basis for the requirement is to reduce the potential for abuse of the drug.

In its petition, Bristol Laboratories proposes an oral solid dosage drug product containing a combination of methadone and the narcotic antagonist naloxone formulated in a gum base to make the extraction of the methadone for injectable purposes difficult. Thus they contend that allowing such a product would make the basis for the present regulation no longer applicable. Pursuant to section 505, the new drug provisions, of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), Bristol Laboratories has also submitted a new-drug application for this product, which is currently pending before the Food and Drug Administration.

The revision to the methadone regulations proposed in the Bristol Laboratories' petition would, if adopted, have a significant impact on the operation of methadone treatment programs as well as on all activities concerned with drug abuse. The proposal was presented to the Interagency Methadone Treatment Policy Review Board, consisting of representatives of the Food and Drug Administration; the Special Action Office for Drug Abuse Prevention, the National Institute for Drug Abuse, and the Drug Enforcement Administration. This Board was established to assist the Food and Drug Administration in developing standards for methadone treatment programs. By memorandum dated November 12, 1974, the Board suggested that the new dosage form might offer real advantages without a demonstrable increase in the risk of diversion. It recommended, however, that the dosage form not be permitted to be used on an unrestricted basis until further studies were done "to determine the susceptibility of the drug to diversion and client acceptability of the product." This is currently being explored in conjunction with Bristol Laboratories.

Because of the significance of this proposed revision, the Food and Drug Administration solicits comments from individuals, associations, and Federal, state, local, or private organizations having an interest in this subject. If, after a review of the comments and further consideration and possible study of Bristol's combination tablet and its effects on methadone treatment programs, the Commissioner concludes that the suggested revision of the regulations is necessary and justified, such revision will be published for comments as proposed rulemaking.

Copies of the petition and the memorandum of the Methadone Treatment Policy Review Board are available on request from the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852.

Any person who wishes may file written comments (preferably in quintupli-

cate) on the petitioner's proposed revision of the methadone regulations by on or before May 2, 1975 with the Hearing Clerk, at the address above. Received comments may be seen in the office above during working hours, Monday through Friday.

Dated: February 21, 1975.

WILLIAM F. RANDOLPH,  
Acting Associate Commissioner  
for Compliance.

[FR Doc.75-5474 Filed 2-28-75;8:45 am]

Committee name	Date, time, place	Type of meeting and contact person
1. Panel on Review of Viral Vaccines and Rickettsial Vaccines.	March 12 and 13, 8:30 a.m., Room 121, Bldg. 29, National Institutes of Health, 8800 Rockville Pike, Bethesda, Md.	Open—Jack Gertzog, (HFB-5), 8800 Rockville Pike, Bethesda, Md. 20014, 301-496-1676.

**Purpose.** Advises the Commissioner of Food and Drugs on the safety and effectiveness of viral vaccines and rickettsial vaccines and combinations thereof; reviews and evaluates available data concerning the safety, effectiveness, and adequacy of labeling of currently marketed biological products consisting of live, attenuated virus, inactivated virus, or killed inactivated rickettsial microorganisms, used either singly or in combination, to prevent a variety of specific infectious diseases in man caused by viral rickettsial microorganisms.

**Agenda.** Discussion of the safety of live influenza vaccines; safety of inactivated influenza vaccines; and the safety of live polio virus vaccines.

Agenda items are subject to change as priorities dictate.

Dated: February 25, 1975.

SAM D. FINE,  
Associate Commissioner for  
Compliance.

[FR Doc.75-5471 Filed 2-28-75;8:45 am]

Office of the Secretary  
**HEALTH SERVICES ADMINISTRATION**  
Statement of Organization, Functions and Delegations of Authority

Part 3, Health Services Administration, in the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (39 FR 10463, March 20, 1974) is hereby amended to change the name of and all references to the Program Office for Neighborhood Health Centers (3B08), Bureau of Community Health Services to the Program Office for Community Health Centers (3B08).

Dated: February 19, 1975.

THOMAS S. MCFEE,  
Acting Assistant Secretary  
for Administration and Management.

[FR Doc.75-5467 Filed 2-28-75;8:45 am]

Office of the Secretary  
**REVIEW PANEL ON NEW DRUG  
REGULATION**

Notice of Establishment

Pursuant to the Federal Advisory Committee Act, Pub. L. 92-463, the Of-

**Food and Drug Administration**  
**ADVISORY COMMITTEE**  
Meeting

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; 5 U.S.C. App. I), the Food and Drug Administration announces the following public advisory committee meeting and other required information in accordance with provisions set forth in section 10(a) (1) and (2) of the act:

Office of the Secretary announces the establishment by the Secretary, Department of Health, Education, and Welfare, on February 21, 1975, of the following advisory committee:

**Designation.** Review Panel on New Drug Regulation.

**Purpose.** To study existing policies and procedures for the regulation of new drugs by the Food and Drug Administration, to advise the Secretary of Health, Education, and Welfare of any deficiencies in these policies and procedures, and to make recommendations to the Secretary concerning the elimination of such deficiencies.

**Termination.** Panel will terminate thirty days following submission of its final report.

Dated: February 26, 1975.

THEODORE COOPER,  
Acting Assistant Secretary  
for Health.

[FR Doc.75-5538 Filed 2-28-75;8:45 am]

National Institutes of Health  
**NATIONAL CANCER ADVISORY BOARD**  
Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meetings of the National Cancer Advisory Board, National Cancer Institute, March 17-18, 1975. National Institutes of Health, Building 31, Conference Room 6, and the Board Subcommittees on Diagnosis and Treatment and Carcinogenesis and Prevention, March 16, at 4 p.m., Conference Rooms 7 and 8, respectively.

The Board meeting will be open to the public on March 17 from 9 a.m. to 5 p.m., and on March 18, from 2 p.m. to adjournment. On March 17, reports will be presented by the Board Subcommittee on Environmental Carcinogenesis; implications of the proposed FDA regulations regarding toxicants in food; and Mayo Clinic's pancreas cancer diagnosis and lung cancer projects. On March 18, reports will be presented by the Board Subcommittee on Centers; the Type C virus isolation from human myelogenous leukemia, and RNA tumor virus information in human cancers. The Board Subcommittees will be open to the public on March 16 from 4 p.m. to 4:30 p.m. to discuss any new policy considerations involving the National Cancer Program.

Attendance by the public at these meetings will be limited to space available.

In accordance with the provisions set forth in sections 552(b)(4), 522(b)(5) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the Board meeting will be closed to the public on March 18 from 9 a.m. to 12:30 p.m. and the Subcommittee meetings on March 18 from 4:30 p.m. to adjournment, for the review, discussion and evaluation of individual initial pending and renewal grant applications. The closed portions of the meetings involve solely the internal expression of views and judgments of committee members on individual grant applications which contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications. The fiscal year 1977 budget will also be discussed during the closed portion of the Board meeting.

Dr. Richard A. Tjalma, Assistant Director, NCI, Building 31, Room 11A46, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5854) will provide summaries of the meetings, substantive program information, and rosters of Board members.

(Catalog of Federal Domestic Assistance Program Nos. 13.312; 13.314; 13.391; 13.392, National Institutes of Health.)

Dated: February 28, 1975.

S. L. FREMEAUX,  
Committee Management Officer,  
National Institutes of Health.

[FR Doc.75-5782 Filed 2-28-75;11:47 am]

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Interstate Land Sales  
Registration

[Docket No. N-75-263]

### SUBURBAN ESTATES SUBDIVISION

#### Notice of Hearing

In the matter of Suburban Estates Subdivision Land Sales Enforcement Division, Docket No. 74-129.

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d). Notice is hereby given that:

1. Florida Development Properties, Inc., Morris Fruchtman, President its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing issued January 3, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Suburban Estates Subdivision, located in Osceola County, Florida, contain untrue statements of

material fact or omit to state material facts required to be stated therein as necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received January 30, 1975, in response to the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d), it is hereby ordered That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before James W. Mast, in room 7146, Department of HUD, 451 7th Street SW., Washington, D.C., on March 18, 1975, at 10 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before March 11, 1975.

5. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceeding shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45 (b)(1).

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: February 24, 1975.

By the Secretary.

JAMES W. MAST,  
Administrative Law Judge.

[FR Doc.75-5609 Filed 2-28-75;8:45 am]

[Docket No. N-75-264]

### WHITE BIRCH LAKES OF CLARE SUBDIVISION

#### Notice of Hearing

In the matter of White Birch Lakes of Clare Subdivision Land Sales Enforcement Division, Docket No. 74-142.

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d) Notice is hereby given that:

1. Neuland Development, Inc., Richard G. Neumann, President its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing issued December 9, 1974, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Prop-

erty Report for White Birch Lakes of Clare Subdivision, located in Clare County, Michigan, contain untrue statements of material fact or omit to state material facts required to be stated therein as necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received December 30, 1974, in response to the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d), it is hereby ordered That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in room 7146, Department of HUD, 451 7th Street SW., Washington, D.C. on March 11, 1975, at 10:00 a.m.

The following time and procedure is applicable to such hearings: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before March 4, 1975.

5. The respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceeding shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45 (b)(1).

This notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

By the Secretary.

Dated: February 24, 1975.

JAMES W. MAST,  
Administrative Law Judge.

[FR Doc.75-5510 Filed 2-28-75;8:45 am]

## CIVIL AERONAUTICS BOARD

[Docket 25280; Agreement C.A.B. 24925 R-1; Order 75-2-63]

### INTERNATIONAL AIR TRANSPORT ASSOCIATION

Specific Commodity Rates; Order

#### Correction

In FR Doc. 4427, appearing at page 7127 in the issue of Wednesday, February 19, 1975, the order number, which was inadvertently omitted in the original printing, should read as set forth above.

[Docket 26494; Agreement C.A.B. 24940 R-1 through R-3; Order 75-2-54]

### INTERNATIONAL AIR TRANSPORT ASSOCIATION

Passenger Fares; Order

#### Correction

In FR Doc. 75-4428, appearing in the issue of Wednesday, February 19, 1975,



the order number, which was inadvertently omitted in the original printing, should read as set forth above.

[Docket No. 26218]

**FRONTIER AIRLINES, INC.**

**Service to Stillwater, Okla.; Oral Argument**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in this proceeding is assigned to be held before the Board on March 26, 1975, at 10 a.m. (local time), in Room 1027, Universal Building, 1825 Connecticut Avenue, NW, Washington, D.C.

Dated at Washington, D.C., February 26, 1975.

[SEAL] **ROBERT L. PARK,**  
*Chief Administrative Law Judge.*

[FR Doc.75-5555 Filed 2-28-75; 8:45 am]

[Docket No. 24694]

**MIAMI-LOS ANGELES COMPETITIVE  
NONSTOP CASE**

**Oral Argument**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in this proceeding is assigned to be held before the Board on April 2, 1975, at 10 a.m. (local time), in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., February 25, 1975.

[SEAL] **ROBERT L. PARK,**  
*Chief Administrative Law Judge.*

[FR Doc.75-5554 Filed 2-28-75; 8:45 am]

[Docket No. 25908]

**TRANSATLANTIC ROUTE PROCEEDING**

**Oral Argument**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in this proceeding is assigned to be held before the Board on April 9, 1975, at 10:00 a.m. (local time), in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., February 25, 1975.

[SEAL] **ROBERT L. PARK,**  
*Chief Administrative Law Judge.*

[FR Doc.75-5553 Filed 2-28-75; 8:45 am]

**CIVIL SERVICE COMMISSION  
COMMITTEE ON PRIVATE VOLUNTARY  
AGENCY ELIGIBILITY**

**Closed Meeting**

Pursuant to the provisions of section 10 of Public Law 92-463, effective January 5, 1973, notice is hereby given that the Committee on Private Voluntary Agency Eligibility will hold a closed meeting on March 17, 1975. The meeting will

be held in Room 5322, Civil Service Commission Building, 1900 E Street NW., Washington, D.C., beginning at 2 p.m. and ending at approximately 4:30 p.m.

The Committee's primary responsibility is to make recommendations to the Chairman of the Civil Service Commission regarding eligibility of national voluntary agencies to participate in the Federal fund-raising program. At this meeting the Committee will review applications for fund-raising privileges which have been submitted by voluntary organizations to the Commission in compliance with the Federal Fund-Raising Manual.

The meeting will be closed to the public under a determination to do so made under the provisions of section 10(d) of Public Law 92-463. Additional information concerning this meeting may be obtained by contacting the Office of the Chairman, U.S. Civil Service Commission, 1900 E Street NW., Washington, D.C.

**IRVING KATOR,**  
*Assistant to the Chairman.*

[FR Doc.75-5573 Filed 2-28-75; 8:45 am]

**COMMITTEE FOR THE IMPLEMENTATION  
OF TEXTILE AGREEMENTS**

**MAN-MADE FIBER TEXTILE PRODUCTS  
PRODUCED OR MANUFACTURED IN  
HAITI**

**Entry or Withdrawal From Warehouse for  
Consumption**

**FEBRUARY 28, 1975.**

On February 27, 1975, the United States Government, in furtherance of the objectives of, and under the terms of, the Arrangement Regarding International Trade in Textiles, done at Geneva on December 20, 1973, requested the Government of Haiti to enter into consultations concerning exports to the United States of man-made fiber textile products in Categories 214, 219, 228, and 229, produced or manufactured in Haiti. A complete description of these categories was published in the FEDERAL REGISTER of February 3, 1975 (40 FR 5010).

Notice is hereby given that under the provisions of Articles 3 and 6 of the Arrangement, if no solution is mutually agreed upon by the two governments within sixty (60) days of the date of delivery of the aforementioned note, entry and withdrawal from warehouse for consumption of man-made fiber textile products in Categories 214, 219, 228, and 229, produced or manufactured in Haiti and exported to the United States during the twelve-month period beginning on the date of delivery of the note, may be restrained at levels which are yet to be determined.

**ALAN POLANSKY,**  
*Acting Chairman, Committee  
for the Implementation of  
Textile Agreements, and Acting  
Deputy Assistant Secretary  
for Resources and Trade  
Assistance, U.S. Department  
of Commerce.*

[FR Doc.75-5730 Filed 2-28-75; 10:15 am]

**DEFENSE MANPOWER COMMISSION  
MANPOWER REQUIREMENTS**

**Public Hearing**

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that the Defense Manpower Commission will hold a public hearing on April 17, 1975, in the New Executive Office Building, Room 2010, 726 Jackson Place, NW, Washington, D.C. 20036, from 9 a.m. to approximately 4 p.m., so that representatives of public and private organizations and interested citizens can express their views on issues which the Commission is required to address by its enabling legislation.

Public Law 93-155 directs the Commission to conduct a comprehensive study and investigation of the overall manpower requirements of the Department of Defense on both a short and long term basis with a view to determining what the manpower requirements are currently and will likely be over the next ten years, and how manpower can be more effectively utilized in the Department of Defense.

The Commission is required to submit its final report to the Congress and the President by April 19, 1976.

The public hearing on April 17, 1975, will be exclusively on the subject of Total Force Manpower Requirements and Total Force Mix (referring to the mix of active military personnel, civilian employees, National Guard and Reserves, and contractor personnel). Other hearings of the Commission as announced in the FEDERAL REGISTER have provided, or will provide, opportunity for consideration of other Defense manpower matters within the Commission's purview, specified in Public Law 93-155.

The Defense Manpower Commission is inviting several individuals to make presentations at the hearing on April 17, 1975, to ensure that various aspects of the subject are addressed and that representative viewpoints are heard. In addition, any interested person may submit a written statement on the subject for consideration by the Commission. Each person desiring to submit a written statement should provide it to the Commission by April 17, 1975.

Interested persons wishing to attend the public hearing as observers, subject to capacity limits, should notify the Commission staff (Mr. Rippe—Telephone Number: 202-254-7803) by April 11, 1975. Copies of statements and other correspondence should be sent to: Defense Manpower Commission, 1111 18th Street NW, Room 301-F, Washington, D.C. 20036, ATTN: Hearing Management, making reference to the Total Force hearing on April 17, 1975.

Dated: February 25, 1975.

**BRUCE PALMER, Jr.,**  
*General, USA (Ret.),  
Executive Director.*

[FR Doc.75-5399 Filed 2-28-75; 8:45 am]

## ENVIRONMENTAL PROTECTION AGENCY

[FRL 339-2]

### SCIENCE ADVISORY BOARD/HAZARDOUS MATERIALS ADVISORY COMMITTEE

#### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given that a meeting of the Hazardous Materials Advisory Committee of the Science Advisory Board will be held beginning at 9 a.m., March 19, 1975, in Room 1112, Building 2, Crystal Mall, 1921 Jefferson Davis Highway, Arlington, Virginia.

This is a regularly scheduled meeting of the Committee. The Agenda includes a report on the activities of the Science Advisory Board; a status report from the ad hoc study group for organics in drinking water; presentations and discussions on pesticide research in the United States Department of Agriculture Combined Forests Research and Development Program, prospects for using endemic plant pathogens as alternatives to chemicals for weed control, the role of the Global Environmental Monitoring System (GEMS, United Nations Environmental Program), an in vitro toxicological assay; development of model systems utilizing cells of human origin; consideration of the environmental implications of the proposed emergency use of DDT on cotton in the State of Louisiana and member items of interest.

The meeting is open to the public. Any member of the public wishing to attend, participate, or obtain additional information should contact Dr. J. Frances Allen, Executive Secretary, Hazardous Materials Advisory Committee, (703) 557-7720.

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

FEBRUARY 25, 1975.

[FR Doc.75-5558 Filed 2-28-75; 8:45 am]

## FEDERAL ENERGY ADMINISTRATION

### OLD OIL ALLOCATION PROGRAM

Entitlement Notice for December 1974

#### Correction

In FR Doc. 75-4293 appearing at page 7132 in the issue for Wednesday, February 19, 1975, in the Appendix table on page 7133, the seventh number from the top under "Required to sell" for Apco now reading "117,636" should read "177,636".

## WHOLESALE PETROLEUM 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 Wholesale Petroleum Advisory Committee will meet Tuesday, March 18, 1975, at 9 a.m., Hyatt Regency-O'Hare, 9300 Bryn Mawr Avenue, Rosemont, Illinois.

The Committee was established to provide advice and information to the Federal Energy Administration concerning the wholesale trade of selling heating oil, residual fuel, and gasoline.

The agenda for the meeting is as follows:

1. Discussion of proposed rulemaking on mark-up on retail sales of gasoline to reflect increased non-product costs
2. Discussion of class of purchaser
3. Discussion of status of commission agents
4. Review of compliance problems
5. Review of conservation measures
6. Discussion of pricing problems
7. Remarks from the floor—10-minute rule

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform Lois Weeks, Advisory Committee Management Officer, (202) 961-7022 at least 5 days before the meeting and reasonable provision will be made for their appearance on the agenda.

Further information concerning this meeting may be obtained from the Advisory Committee Management Office.

Minutes of the meeting will be made available for public inspection at the Federal Energy Administration, Washington, D.C.

Issued at Washington, D.C. on February 27, 1975.

DAVID G. WILSON,  
Acting General Counsel.

[FR Doc.75-5698 Filed 2-28-75; 8:45 am]

## FEDERAL MARITIME COMMISSION

### NON-CONTAINER CARRIERS DISCUSSION AGREEMENT

#### Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before March 24, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If

a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

#### Notice of Agreement Filed by:

Stanley O. Sher, Esquire  
Billig, Sher & Jones, P.C.  
1126 Sixteenth Street, N.W.  
Washington, D.C. 20036

Agreement No. 10109-1, among the forty-two member lines of the above-named agreement, is an agreement to extend the approval of the basic agreement permanently.

By Order of the Federal Maritime Commission.

Dated: February 26, 1975.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.75-5562 Filed 2-28-75; 8:45 am]

## UNITED STATES ATLANTIC/PERU SOUTHBOUND POOLING AGREEMENT

#### Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., San Juan, Puerto Rico and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before March 13, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

#### Notice of Agreement Filed by:

Harold T. Quinn, Esquire  
Barrett Smith Schapiro & Simon  
26 Broadway  
New York, New York 10004

Agreement No. 10041-3, between Compania Peruana De Vapores and Prudential Lines, Inc., extends the effective period of the basic pooling agreement for two additional years from March 31, 1975, and consolidates approved Amendments Nos. 10041-1 and 10041-2 into the basic document.

By Order of the Federal Maritime Commission.

Dated: February 26, 1975.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 75-5561 Filed 2-28-75; 8:45 am]

### CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

#### Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by section 311 (p) (1) of the Federal Water Pollution Control Act, and have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

Certificate No.	Owner/Operator and Vessel
01017	Westfall-Larsen & Co., A/S: <i>Moldanger</i> .
01064	Reinauer Transportation Companies: <i>Bert Reinauer</i> .
01096	Anglo Nordic Shipping Limited: <i>Nordic Trader</i> .
01152	Neptune Maritime Co. of Monrovia: <i>Natad</i> .
01185	Aksjeselskapet Kosmos: <i>Nopal Japana</i> .
01302	Boston Fuel Transportation, Inc.: <i>Vincent Tibbetts</i> .
01358	Orgulf Transport Company: <i>John D. Geary</i> .
01450	Hall Brothers Steamship Co., Ltd.: <i>Bretwalda, White Crest</i> .
01459	Palm Line Limited: <i>Africa Palm</i> .
01529	OY Pulpships AB: <i>Matai</i> .
01544	Esso Societe Anonyme Francaise: <i>Esso Normandis, Esso Bretagne, Esso Provence, Esso Gascogne, Esso Languedoc, Esso Paris, Esso Lorraine, Esso Bourgogne</i> .
01574	Fearnley & Eger: <i>Fernwind</i> .
01578	Harald Jacobsen Shipping A/S: <i>Janneland, Janne, Janja</i> .
01758	Chotin Transportation Inc.: <i>CH 2690, CH 3293, CH 2891, 3490X</i> .
01904	Waterman Steamship Corporation: <i>Jeff Davis</i> .
01905	The Ben Line Steamers Ltd.: <i>Cramond</i> .
01945	National Iranian Tanker Co. (Monrovia) Ltd.: <i>Persten Commander</i> .
02005	Polskie Linie Oceaniczne: <i>Piotr Dunin</i> .
02146	Pittston Marine Transport Corporation: <i>Putnam</i> .
02333	Diamond Shamrock Corporation: <i>Star 519, DSC 551, DSC 552</i> .
02367	Canadian Pacific (Bermuda) Ltd.: <i>Port Edmonton</i> .
02418	Sidermar S.P.A.: <i>Laminatore, Acciatare, Orsa Minore, Corona Boreale</i> .
02471	P.N. Djakarta Lloyd: <i>Djettmulla</i> .
02551	Ellerman Lines Ltd.: <i>City of Limassol</i> .

Certificate No.	Owner/Operator and Vessel
02715	Allied Towing Corporation: <i>ATC-134, ATC-202</i> .
02736	Reichhold Chemicals, Inc.: <i>RV 50, RV 51</i> .
02842	Clemente Campos y Cia. S.A.: <i>Marichu</i> .
02860	Taiwan Navigation Co., Ltd.: <i>Tai Lien</i> .
02876	Kabushiki Kaisha Hokkaido Gogyo Kosha: <i>Ryuyo Maru No. 3</i> .
02975	Venture Shipping (Managers) Limited: <i>Lustre Venture, Alexander Venture</i> .
02982	The Shipping Corp. of India Ltd.: <i>Bhagat Singh, Raft, Ahmed Kidwai, Jhansi-Ki-Rani, Annapurna</i> .
03413	Baba-Daiko Shosen K.K.: <i>Hudson Maru</i> .
03415	Chiyoda Kisen K.K.: <i>Wakato Maru</i> .
03465	Nagoya Kisen Kabushiki Kaisha: <i>Shofuku Maru</i> .
03467	Nichiro Gogyo K.K.: <i>Akebono Maru No. 28, Akebono Maru No. 32, Kuroshio Maru No. 76</i> .
03476	Nissin Kisen K.K.: <i>Japan Maple, Japan Linden, Long Beach Maru</i> .
03484	Sanko Kisen K.K.: <i>Wako Maru</i> .
03492	Sawayama Kisen K.K.: <i>Kyushu Maru</i> .
03503	Shofuku Kisen K.K.: <i>Matsumae Maru, Suruga Maru, Mitaka Maru, Jinrei Maru, Toyota Maru No. 20</i> .
03508	Taiyo Gogyo K.K.: <i>Hayabusa Maru, Hayabusa Maru No. 2</i> .
03635	Hines, Incorporated: <i>James G. Hines</i> .
03690	The Harbor Tug & Barge Company: <i>180</i> .
03849	Algoma Central Railway: <i>Algoosco</i> .
04034	Grimaldi Compagnia di Navigazione S.P.A.: <i>PO</i> .
04037	C. F. Bean Corporation: <i>C.F. Bean, C.W. Bean, Buster Bean, Bean No. 19, Bean No. 4, Lenel Bean, Jim Kisen, Bean No. 24, Bean No. 18, Tide Mar XXI, OB 653, Bean No. 5</i> .
04128	Skips A/S Westray: <i>Brunla</i> .
04136	Thomas Marine Company: <i>TT 7004, TT 7005, TT 7006, TT 7007</i> .
04154	Industrial Molasses Puerto Rico, Inc.: <i>BI 363</i> .
04198	Megeron Shipping Ltd.: <i>Energy</i> .
04226	National Marine Service, Inc.: <i>NMS 1650, NMS 1651, NMS 1652</i> .
04281	The Puerto Rico Lighterage Company: <i>St. Croix</i> .
04420	Navigazione Alta Italia S.P.A.: <i>Nai Di Stefano</i> .
04556	Nihon Hogei K.K.: <i>Ryusho Maru No. 15</i> .
04569	Marasia S.A.: <i>Artico</i> .
04573	S.A. Pescuera Industrial Gallega: <i>Alamo</i> .
04664	Hindman Transportation Company Ltd.: <i>Blanche Hindman</i> .
05003	Wisconsin Barge Line Inc.: <i>Cajun Cory</i> .
05039	Inland Oil and Transport Co.: <i>IOT-310, IOT-311, IOT-355, IOT-356</i> .
05472	National Shipping Corporation: <i>Azizbhatti</i> .
05520	Union Carbide Corporation: <i>CC-134, NMS-1312, CC-620, CC-621, CC-622, CC-623, CC-624</i> .
05549	Polska Zegluga Morska: <i>Studzianki</i> .
05553	Cia Nacional de Navegacion S.A.: <i>Tanambi, Acasima, Pigoana</i> .

Certificate No.	Owner/Operator and Vessel
05577	Far Eastern Shipping Company: <i>Ermak</i> .
05578	Baltic Shipping Company: <i>Polessk</i> .
05589	Maya Compania Naviera S.A.: <i>Evandros</i> .
05624	Perusahaan Pertambangan Minyak Dan Gas Bumi Negara (Pertamina): <i>Permina Samudra XV</i> .
05792	Korea Wonyang Fisheries Co., Ltd.: <i>Kwang Myong 81, Kwang Myong 83, Kwang Myong 97, Kwang Myong 88, Kwang Myong 98, Kwang Myong 99, Kwang Myong 87</i> .
05854	Levin Metals Corporation: <i>DE-1023, DE-1024, DER-388, DER-389</i> .
06012	Tensel Kisen K.K.: <i>Tensel Maru</i> .
06117	Helmut Bastian Reederei: <i>Nahost Klippers, Nahost Kurier</i> .
06122	Mares Neptunes S.A. Panama: <i>Bouboulina Wave</i> .
06244	Agrico Chemical Company: <i>Franzis</i> .
06282	Avondale Shipyards Inc.: <i>ST 3, ITCO 3373, RL 16, Drydock No. 1</i> .
06435	Dampskibeaktieselskabet Den Norske Afrikaog Australielinie, Wilhelmsens Dampskibeaktieselskab, A/S Tonsberg, A/S Tankfart I, A/S Tankfart IV, A/S Tankfart V, A/S Tankfart VI: <i>Tigre</i> .
06566	Occidental Petroleum Corporation: <i>RV-52</i> .
06578	Van Nievelt, Goudriaan & Co. B.V.: <i>Aludra</i> .
06761	Sinclair Memphis Marine Service, Inc.: <i>Sinclair 7</i> .
06877	Societe Francaise de Transports Maritimes Paris: <i>Post Entente, Champagne, Aquitaine</i> .
06925	Bibby Bulk Carriers Ltd.: <i>Yorkshire</i> .
06955	Shin Ho Marine Enterprise Co., Ltd.: <i>Lyra Skin No.</i>
06963	Societe Francaise de Transports Maritimes A.T.A. Waion: <i>Arnage</i> .
06995	Novorossiisk Shipping Co.: <i>Dzhordano Bruno</i> .
07201	Coast Marine Construction, Inc.: <i>ZB-106F</i> .
07259	Brilliant Transport Company: <i>Mobil Comet, Mobil Japan, Mobil Magnolia, Mobil Marketer, Mobil Petroleum, Mobil Producer</i> .
07262	Pacific Union Lines Limited: <i>Oriental Enterprise, Oriental Mariner, Oriental Enterprise, Oriental Mariner</i> .
07526	Marine Equipment Suppliers, Inc.: <i>Blue Water No. 4</i> .
07527	Korea Line Corporation: <i>Peace Rose</i> .
07631	Meridionalpesca S.P.A.: <i>Antonietta Madre, De Glosa L. Natale Senior, Emanuele Junior</i> .
07816	K.K. Kyodogumi: <i>Sumi Maru</i> .
07962	Louisiana Towing Co., Inc.: <i>Dennis Brown</i> .
08414	I.F.R. Services Limited: <i>Gladiola</i> .
08426	Michele Amoroso & Fijil: <i>Amoroso IV</i> .
08462	Whitelme Navigation Co., Ltd.: <i>Lily Venture</i> .
08471	Villere Marine Corporation: <i>PP CO 304</i> .
08530	Prompt Shipping Corporation, Ltd.: <i>Sulu Career, Kara Career</i> .
08625	United States Metals Refining Company: <i>Copper Queen</i> .
08633	Margate Shipping Company: <i>Chelsea</i> .
08652	Scorpion Shipping Inc.: <i>Sea Queen</i> .



Certificate	
No.	Owner/Operator and Vessel
08709	Bibby Freighters Limited: <i>Ocean Bridge</i> .
09088	Dong Won Fisheries Co., Ltd.: <i>Dong Won No. 519, Dong Won No. 502</i> .
09244	System Fuels Inc.: <i>SFI 21, SFI 22</i> .
09252	Ocean Victory Ltd.: <i>Ocean Fresh</i> .
09360	Anchortank Transportation Inc.: <i>Anchortank-1</i> .
09400	Mariani Fruit Co., Inc.: <i>Victoria M</i> .
09427	Ascendant Navigation Co., S.A.: <i>Ascendant</i> .
09436	Daerim Fishery Co., Ltd.: <i>Chung Yong No. 2, Chung Yong No. 5</i> .
09440	Barge Leasing Corp.: <i>EC 12, ZB 1000, ZB 1001, ZB 1004, ZB 1005, ZB 1006</i> .
09515	Ta Chi Navigation (Panama) Corp., S.A.: <i>Euryppylus</i> .
09518	Pacific Universal Navigation S.A.: <i>Pacific Royal</i> .
09530	Naviera Y Pesquera de la Baja Calif. S.A. de C.V.: <i>Calmez</i> .
09566	Houshin Kaiun K.K.: <i>Seigen Maru</i> .
09612	Oceanic Shipping Corporation: <i>St. Sultana, St. Unzen</i> .
09634	Bergen Shipping Co., Ltd.: <i>Yukon-mart</i> .
09654	West Compania Naviera S.A.: <i>Golden Leader</i> .
09668	Metropolitan Bulk Carriers Corp.: <i>Mount Pindos</i> .
09698	Lapang Carriers (Liberia) Inc.: <i>Mileto</i> .
09708	Zapata Marine Service Limited, S.A.: <i>Venture Service, Vigilant Service</i> .
09732	Great Neck Operating Corp.: <i>Brook</i> .
09734	Pesquera Portobello, S.A.: <i>Portobello</i> .
09750	Destino Delmar S.A.: <i>Calypso Trader</i> .
09767	Halcyon Star Lines, Ltd.: <i>Halcyon Star</i> .
09769	Samaru Shipping Co., Inc.: <i>Samaru</i> .
09772	Tae Chang Fisheries Co., Ltd.: <i>Ta Chang No. 75, Parto No. 81, Tae Chang No. 71, Tae Chang No. 73</i> .
09775	South East Shipping Co., Ltd.: <i>Treasure</i> .
09779	Elnaval Navigation Company Limited: <i>Mimi M</i> .
09780	Glyfada Shipping Company Limited: <i>Eurosailor</i> .
09781	Riverside Transportation Co.: <i>Navidad</i> .
09783	Lithuanian Shipping Company: <i>Krasnaya Gorka, Nizhny Tagil</i> .
09784	Kingsway Tankers, Inc.: <i>Williamsburgh</i> .
09785	San Diego Transportation Company: <i>4130</i> .
09786	Rederij H. & P. Holwerda: <i>Tanja Holwerda</i> .
09787	Scanmar Tanker Corporation: <i>Mercury</i> .
09788	Daejin Shipping Co., Ltd.: <i>Sun Yang No. 21, Sun Yang No. 22</i> .
09789	Transportes Maritimos Unidos, S.A.: <i>Ocean Fighter</i> .
09790	Casa Ciriza, S.A.: <i>Marcellina de Ciriza</i> .
M-09791	Northern Associates: Vessels not over 10,000 gross tons.
09792	United Fair Agencies Ltd.: <i>Jade City</i> .
09793	Grand Venture (Panama) Inc.: <i>Union Fair</i> .
09795	Oregonian Shipping Co., S.A.: <i>Oregonian</i> .
09796	Partrederiet TT Hemland: <i>Hemland</i> .
09799	Meltemi Maritime Ltd.: <i>Meltemi</i> .

Certificate	
No.	Owner/Operator and Vessel
09800	Roman Bernard, Ltd.: <i>Roman Bernard</i> .
09801	Ogden Shipping Company: <i>World Protector</i> .
09802	Open Seas Compania Naviera S.A.: <i>Patianna</i> .
09803	Ocean Clue Shipping Company: <i>Rania</i> .
09804	Zao Shipping Co., S.A.: <i>Zao</i> .
09806	Pescanica, S.A.: <i>Regent</i> .
09808	Bay Shipping Corporation: <i>Nezagram</i> .
09809	Lindinger Karat K/S: <i>Lindinger Karat</i> .
09813	Schiffahrt-Und Assekuranz-Gesellschaft E. Russ & Co.: <i>Georg Russ</i> .
09815	Centurion Shipping Limited: <i>Hermina</i> .
09819	Dahl-Hendricksen, Inc.: <i>Pelican</i> .
09821	Kohoku Gyogyo K.K.: <i>Kohoku Maru No. 31</i> .
09824	Lacerta Shipping Limited: <i>Golden Portsmouth</i> .
09827	Lime Panama S.A.: <i>Silver Lime</i> .
09828	Manson-Osberg-Ghemm: <i>MPE 12, Manson No. 2, BC 46</i> .
09831	Castalia Shipping Corporation S. A. Panama: <i>Aegis Logic</i> .
09834	Societe des Chalands de la Mediterranee, S. A.: <i>Samarinda, Chalmed No. 1</i> .
09835	N. V. Prinsendam: <i>Prinsendam</i> .
09873	Yarmouth Shipping Co., Ltd.: <i>Resurgence Express</i> .
09840	Samos Glory Maritime Corporation S. A.: <i>Samos Glory</i> .
09845	The University of Miami, Inc.: <i>James M. Gilliss</i> .
09846	Silver Bay Shipping Company S. A. of Panama: <i>Aristaios</i> .
09847	Guybulk Shipping Ltd.: <i>Hariwa, Arrocane</i> .
09850	Inter Waves Shipping Company S. A.: <i>Queen of Cephalonia</i> .
09852	Bulk Navigation Limited: <i>Ivy</i> .
09871	Belzetta Shipping Company S. A.: <i>Leage</i> .

By The Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.75-5563 Filed 2-28-75;8:45 am]

**GENERAL ACCOUNTING OFFICE  
REGULATORY REPORTS REVIEW**

**Notice of Receipt of Report Proposals**

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO, on February 24, 1975. See 44 U.S.C. 3512 (c) & (d). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipt.

The notice includes the title of the request received, the name of the agency sponsoring the proposed collection of information, the agency form number, and the frequency with which the information is proposed to be collected.

Written comments on the proposed ICC form are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed form, comments must be received on or before March 24, 1975, and should be addressed

to Mr. Monte Canfield, Jr., Director, Office of Special Programs, United States General Accounting Office, 425 I Street NW., Washington, D.C. 20548.

Further information about the item in this notice may be obtained from the Regulatory Reports Review Officer, 202-376-5425.

**INTERSTATE COMMERCE COMMISSION**

Request for clearance of revised Annual Report Form W-1, required to be filed by some 78 Class A and Class B water carriers on inland and coastal waterways, pursuant to section 313 of the Interstate Commerce Act. Data are used for economic regulatory purposes. Revisions made in this annual report form resulted from changes in the Uniform System of Accounts (49 CFR 1209) adopted through rulemaking proceedings. Reporting burden for carriers is estimated to average 297 man-hours per report. Reports are mandatory and available for use of the public.

NORMAN F. HEYL,  
Regulatory Officer  
Review Office.

[FR Doc.75-5537 Filed 2-28-75;8:45 am]

**GENERAL SERVICES  
ADMINISTRATION**

[FPR Temporary Reg. 29; Supplement 1]

**PROCUREMENT**

**Service Contract Act of 1965, as Amended**

1. *Purpose.* This regulation revises the contract clause for Federal Service Contracts in excess of \$2,500, as set forth in FPR Temporary Regulation 29.

2. *Effective date.* This regulation is effective April 7, 1975, but may be observed earlier.

3. *Expiration date.* This regulation will continue in effect until canceled.

4. *Background.* Pub. L. 93-259 amended the Fair Labor Standards Act of 1938 to increase the minimum wage rate under the Act, and for other purposes. With the increase in the section 6(a) (1) rates, it was necessary for the Department of Labor to amend 29 CFR 4.6 and 4.167, relating to tipped employees (39 FR 14943, April 29, 1974). This Supplement 1 to FPR Temporary Regulation 29 conforms the contract clause to this action. In addition, a typographical error in a subtitle of the clause is corrected.

5. *Agency implementation.* The clause appearing in subparagraph 5 e of FPR Temporary Regulation 29 is amended as follows:

**SERVICE CONTRACT ACT OF 1965, AS AMENDED**

• • • • •  
(c) *Obligation to furnish fringe benefits.* • • •

• • • • •  
(0) • • • • •  
(1) • • • • •

(2) An employee engaged in an occupation in which he customarily and regularly receives more than \$20 a month in tips may have the amount of his tips credited by his employer against the minimum wage required by section 2(a) (1) or section 2(b) (1),

## NOTICE

of the Act, in accordance with the regulations in 29 CFR Part 531: *Provided, however*, That the amount of such credit may not exceed \$1 per hour, effective May 1, 1974, \$1.05 per hour effective January 1, 1975, and \$1.15 per hour after December 31, 1975.

[End of clause]

Dated: February 14, 1975.

ARTHUR F. SAMPSON,  
*Administrator of General Services.*

[FR Doc.75-5532 Filed 2-28-75;8:45 am]

### INTERIM COMPLIANCE PANEL (COAL MINE HEALTH AND SAFETY)

**BROYLES & DOTSON COAL CO.**

**Applications for Renewal Permits**

Applications for Renewal Permits for Noncompliance with the Electric Face Equipment Standard prescribed by the Federal Coal Mine Health and Safety Act of 1969 have been received for items of equipment in underground coal mines as follows:

ICP Docket No. 4290-000, BROYLES & DOTSON COAL COMPANY,

Mine No. 6, Mine ID No. 44 01539 0,  
Hurley, Virginia.

ICP Permit No. 4290-006-R-1 (Epling GE 102  
3-Wheel Battery Powered Tractor, I.D. No. 6).

ICP Permit No. 4290-007-R-1 (Epling GE 204  
3-Wheel Battery Powered Tractor, I.D. No. 7).

In accordance with the provisions of Section 504.7(b) of Title 30, Code of Federal Regulations, notice is hereby given that requests for public hearing as to an application for a renewal permit may be filed within 15 days after publication of this notice. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,  
*Chairman,*  
*Interim Compliance Panel.*

FEBRUARY 24, 1975.

[FR Doc.75-5466 Filed 2-28-75;8:45 am]

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 75-13]

#### NASA RESEARCH AND TECHNOLOGY AD- VISORY COUNCIL PANEL ON AERO- NAUTICAL OPERATING SYSTEMS

##### Meetings

The NASA Research and Technology Advisory Council Panel on Aeronautical Operating Systems will meet on March 19-21, 1975, at the NASA Ames Research Center, Moffett Field, California 94035. The meeting will be held in the Conference Room of Building N-200, Administration Building. Members of the public will be admitted on a first-come, first-

served basis, up to the seating capacity of the room, which is about 50 persons. All visitors must report to the Receptionist in Building N-200.

The NASA Research and Technology Advisory Council's Panel on Aeronautical Operating Systems serves in an advisory capacity only. The current Chairman is Mr. Franklin W. Kolk. There are 12 members. The following list sets forth the approved agenda and schedule for the March 19-21, 1975, meeting of the Panel on Aeronautical Operating Systems. For further information, please contact the Executive Secretary, Mr. Kenneth E. Hodge, area code 202-755-2375.

MARCH 19, 1975

Time	Topic
8:30 a.m.-----	Reports of the Chairman and Executive Secretary. (Purpose: To summarize action taken at the November 1974 meeting of the Research and Technology Advisory Council and actions taken on previous Panel recommendations, and to report FY 1976 program information and NASA organizational changes.)
9:10 a.m.-----	Report of the Ad Hoc Panel on Terminal Configured Vehicles. (Purpose: To brief the Panel on highlights of the February 1975 Ad Hoc Panel meeting and members' recommendations.)
10 a.m.-----	Status Reports on NASA Research of Interest to the Panel. (Purpose: To provide the Panel members with up-dated information on significant NASA aeronautical research programs within the purview of the Panel's responsibilities.)

MARCH 20, 1975

8:30 a.m.-----	Flight Management Program. (Purpose: To acquaint The Panel members with the Flight Management Program and to obtain their comments and advice on program plans.)
9:30 a.m.-----	Potential New Initiatives for FY 1977. (Purpose: To provide the Panel members with a preliminary view of potential program directions in FY 1977.)
10 a.m.-----	NASA's Long-Range Aeronautical Planning Activities. (Purpose: To brief the Panel on NASA's "Outlook for Aeronautics" Study and to obtain comments on this study by members.)
3 p.m.-----	General Discussion of Civil Aeronautical Fuel Conservation Opportunities. (Purpose: To solicit information on current fuel conservation practices in the industry and advice on opportunities for NASA research in this area.)

MARCH 21, 1975

Time	Topic
8:30 a.m.-----	Inspection of Ames Research Center Facilities. (Purpose: To provide Panel members with a background of NASA facility capability to accomplish aircraft operating systems research.)
10 a.m.-----	General Discussion and Development of Panel Recommendations. (Purpose: To afford the Panel members and other attendees an opportunity to discuss matters relating to the Panel responsibilities and to provide the Panel an opportunity to develop its recommendations to NASA.)
12 Noon-----	Adjournment.

DUWARD L. CROW,  
*Assistant Administrator for  
DOD and Interagency Affairs,  
National Aeronautics and  
Space Administration.*

FEBRUARY 25, 1975.

[FR Doc.75-5507 Filed 2-28-75;8:45 am]

[Notice 75-14]

#### NASA RESEARCH AND TECHNOLOGY AD- VISORY COUNCIL COMMITTEE ON AERODYNAMICS AND CONFIGURA- TIONS

##### Meetings

The NASA Research and Technology Advisory Council Committee on Aerodynamics and Configurations will meet on March 19-21, 1975, at the NASA Flight Research Center, Edwards, California 93523. The meeting will be held in Conference Room 2090 of Building 4800, and will be open to the public with the exception of the closed session from 2 p.m. to 2:45 p.m. on March 20. This session will include discussion of the maneuver capability of United States combat aircraft. Since this session will be concerned with matters listed in section 552(b)(1), Title 5, United States Code, it is hereby determined that it should be closed to the public. Members of the public will be admitted to the other sessions on a first-come, first-served basis, up to the seating capacity of the room, which is about 25 persons. All visitors must report to the Flight Research Center Receptionist in Building 4800.

The NASA Research and Technology Advisory Council Committee on Aerodynamics and Configurations serves in an advisory capacity only. The current Chairman is Mr. W. T. Hamilton. There are 12 members. The following list sets forth the approved agenda and schedule for the March 19-21, 1975, meeting of the Aerodynamics and Configurations Committee. For further information, please contact Mr. James J. Kramer, Area Code 202-755-2403.

MARCH 19, 1975

Time	Topic
9 a.m.-----	Report of the chairman. (Purpose: To summarize action taken at the November 1974 meeting of the Research and Technology Advisory Council.)
9:40 a.m.-----	Report of the Executive Secretary. (Purpose: To brief the Committee on recent or proposed changes in NASA organization, in pertinent aeronautics programs, and on potential new initiatives for FY 1977.)
10:30 a.m.-----	Status report on Laser Velocimeter Progress, Problems, and Schedule. (Purpose: To provide an update on Center activity and plans involving use of the laser-velocimeter in aeronautical research.)
11 a.m.-----	Impact of Space Shuttle Program on Aeronautical Research at the Flight Research Center. (Purpose: To brief the Committee on the possible effects that anticipated support of the Space Shuttle Program could have on aeronautical research.)
11:30 a.m.-----	Stall-Spin Flight Research Program. (Purpose: To provide a progress report on the ongoing stall-spin research program using a 1/2-scale model of the F-15 airplane.)
11:40 a.m.-----	Status of the Remotely-Piloted Research Vehicle (RPRV) Program. (Purpose: To notify the Committee of recent progress in the development of the RPRV test technique including use of the Firebee II vehicle.)
12:45 p.m.-----	Tour of the Flight Research Center Hangar. (Purpose: To view the flight hardware referred to in presentations during the meeting.)
1:45 p.m.-----	Airframe/Propulsion System Integration Research Program. (Purpose: To inform the Committee of proposed additions to the NASA airframe/propulsion system integration research program, for example, studies using an Air Force provided F-15 aircraft.)
3 p.m.-----	Results of Transonic Aircraft Technology (TACT) Program. (Purpose: To inform the Committee of pertinent information obtained recently in the NASA/Air Force TACT program using a modified F-111 aircraft.)
3:45 p.m.-----	Summary and Recommendations Resulting from November 1974 Army/NASA Rotorcraft Symposium. (Purpose: To

Time

Topic

brief the Committee on the recent Rotorcraft Symposium held at the Langley Research Center and on resultant research recommendations.)

MARCH 20, 1975

9:05 a.m.-----	Discussion of Center Written Reports. (Purpose: To provide elaboration on items included in the previously distributed written reports on pertinent aeronautical research areas prepared by the Ames, Langley, and Lewis Research Centers.)
10:15 a.m.-----	Discussion of Member Written Reports. (Purpose: To provide elaboration on items included in the previously distributed written reports provided by individual members of the Committee.)
12:45 p.m.-----	Tour of Air Force Facility. (Purpose: To view available flight hardware of interest to the Committee.)
2 p.m. (closed session).	Discussion of Highly Maneuverable Aircraft Technology Requirements. (Purpose: To discuss industry combat aircraft design philosophy and recent flight test experience with advanced combat aircraft.)
2:45 p.m.-----	Working Group Sessions on Basic Technology, Conventional Takeoff and Landing (CTOL) Aircraft, and Vertical and Short-Takeoff and Landing (V/STOL) Aircraft. (Purpose: To develop position statements and possible recommendations pertaining to the focus and scope of the technical programs reviewed earlier.)

MARCH 21, 1975

8:30 a.m.-----	Committee Review of Working Group Reports. (Purpose: To prepare final Committee recommendations for consideration by the NASA Research and Technology Advisory Council, based on inputs from the Basic Technology, CTOL Aircraft Working Groups.)
11:30 a.m.-----	Adjournment.

DUWARD L. CROW,  
Assistant Administrator for  
DOD and Interagency Affairs,  
National Aeronautics and  
Space Administration.

FEBRUARY 25, 1975.

[FR Doc.75-5508 Filed 2-28-75; 8:45 am]

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-247]

### CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

#### Availability of Licensee's Report for Indian Point Unit No. 2 and Request for Amend- ment to Facility Operating License DPR-26

Notice is hereby given that Consolidated Edison Company of New York, Inc. (the licensee) has submitted a report entitled, "Economic and Environmental Impacts of Alternative Closed-cycle Cooling Systems for Indian Point Unit No. 2," dated December 1, 1974, in compliance with Paragraph 2.E.(2) of Facility Operating License DPR-26, as amended, for Unit No. 2, located in Westchester County New York. Subject to the staff acceptance of the licensee's conclusions of the report, the licensee proposes that the license be amended as follows:

(5) Subject to all of the foregoing provisions of this Paragraph 2.E., the Nuclear Regulatory Commission has determined, following review of the document entitled "Economic and Environmental Impacts of Alternative Closed-Cycle cooling Systems for Indian Point Unit No. 2" dated December 1, 1974, that a closed-cycle natural draft, wet cooling tower system is the preferred alternative closed-cycle cooling system for installation at Indian Point Unit No. 2.

The licensee's report and request for amendment to the facility operating license are being made available for public inspection in the Commission's Public Document Room at 1717 H Street NW, Washington, D.C. 20555, and in the Hendrick Hudson Free Library, 31 Albany Post Road, Montrose, New York 10548. The licensee's report and request for amendment to the license have also been made available at the New York State Office of Planning Services, 488 Broadway, Albany, New York 12207, and the Tri-State Regional Planning Commission, 100 Church Street, New York, New York 10006.

The licensee's report discusses the description, design, economic and environmental impacts of various alternative closed-cycle cooling systems, and based on the information in this report, the licensee has determined that a natural-draft, closed-cycle wet cooling tower system would be the preferred system for installation at Indian Point Unit No. 2 if an alternative closed-cycle cooling system is required.

The Commission will consider the licensee's report on alternative closed-cycle cooling systems and request for amendment to the Facility Operating License DPR-26 for Indian Point Unit No. 2 in accordance with the provisions of 10 CFR Part 51.

Indian Point Unit No. 2 is presently being operated with once-through cooling in accordance with the full term-full power Facility Operating License DPR-26, as amended, which was issued on September 28, 1973 and shall expire on October 14, 2006.



Dated at Rockville, Maryland, this 24th day of February 1975.

For the Nuclear Regulatory Commission.

GEORGE W. KNIGHTON,  
Chief, Environmental Projects  
Branch No. 1, Division of Re-  
actor Licensing.

[FR Doc.75-5414 Filed 2-28-75;8:45 am]

[Docket No. 50-245]

**NORTHEAST NUCLEAR ENERGY CO.  
ET AL**

**Issuance of Amendment to Facility  
Operating License**

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 6 to Facility Operating License No. DPR-21 issued to Connecticut Light and Power Company, The Hartford Electric Light Company, Western Massachusetts Electric Company, and Northeast Nuclear Energy Company ("the licensees"). Facility Operating License No. DPR-21 authorizes the operation of the Millstone Nuclear Power Station, Unit No. 1, located in Waterford, Connecticut. The amendment is effective as of its date of issuance.

The amendment permits continued operation of the Millstone Nuclear Power Station, Unit No. 1 at power levels up to 100% of rated for a period not in excess of 3390 MWD/ST; thereafter reducing power by an increment of at least 0.006 percent of rated for each 1 MWD/ST of fuel exposure for the period beyond 3390 MWD/ST but not in excess of 3890 MWD/ST; and thereafter reducing the power by an increment of at least 0.014 percent of rated for each 1 MWD/ST of fuel exposure for the period beyond 3890 MWD/ST but not in excess of 4390 MWD/ST.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

For further details with respect to this action, see (1) the application for amendment dated December 2, 1974, and supplement dated December 27, 1974, (2) Amendment No. 6 to License No. DPR-21, and (3) The Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and the Waterford Public Library, Rope Ferry Road, Route 156, Waterford, Connecticut 06385.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission,

Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 24th day of February, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,  
Chief, Operating Reactors  
Branch #3, Division of Reac-  
tor Licensing.

[FR Doc.75-5415 Filed 2-28-75;8:45 am]

[Docket No. P-531-A]

**PUBLIC SERVICE COMPANY OF  
OKLAHOMA**

**Receipt of Partial Application for Construc-  
tion Permits and Facility Licenses: Time  
for Submission of Views on Antitrust  
Matters**

FEBRUARY 7, 1975.

Public Service Company of Oklahoma (the applicant), pursuant to section 103 of the Atomic Energy Act of 1954, as amended, has filed one part of an application, dated November 20, 1974, in connection with its plans to construct and operate two boiling water reactors in Rogers County, Oklahoma, near the town of Inola. The portion of the application filed contains the information requested by the Attorney General for the purpose of an antitrust review of the application as set forth in 10 CFR Part 50, Appendix L.

The remaining portion of the application consisting of a Preliminary Safety Analysis Report accompanied by an Environmental Report pursuant to § 2.101 of Part 2, is expected to be filed during August 1975. Upon receipt of the remaining portions of the application dealing with radiological health and safety and environmental matters, separate notices of receipt will be published by the Commission including an appropriate notice of hearing.

A copy of the partial application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20545, and at the Local Public Document Room, Tulsa City—County Library, Tulsa, Oklahoma 74102, Docket No. P-531-A has been assigned to the application and it should be referenced in any correspondence relating to it.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Office of Antitrust and Indemnity, Directorate of Licensing, on or before March 18, 1975.

Dated at Bethesda, Maryland, this 9th day of January, 1975.

For the Atomic Energy Commission.

WALTER R. BUTLER,  
Chief, Light Water Reactors  
Branch 1-2, Directorate of  
Licensing.

[FR Doc.75-1855 Filed 1-16-75;8:45 am]

**DEPARTMENT OF LABOR**

Occupational Safety and Health  
Administration

[V-75-1]

**POTTER-DEWITT CORP.**

**Application for Variance and Interim Order;  
Grant of Interim Order**

I. Notice of application. Notice is hereby given that Potter-DeWitt Corporation has made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596) and 29 CFR 1905.11 for a variance and interim order pending a decision on the application for a variance, from the standards prescribed in 29 CFR 1910.107(d)(1) and (2) concerning Ventilation for Flammable and Combustible Liquids During Spray Painting Operations. The address of the place of employment that will be affected by the application is as follows:

Potter-DeWitt Corporation  
Route 63 Big Tree Road  
Pavilion, New York 14525

The applicant certifies that employees who would be affected by the variance have been notified of the application by giving a copy of it to their authorized employee representative, and by posting a copy at all places where notices to employees are normally posted. Employees have also been informed of their right to petition the Assistant Secretary for a hearing.

Regarding the merits of the application the applicant contends that it is providing a place of employment as safe as that required by 29 CFR 1910.107(d)(1) which requires that ventilation and exhaust systems shall be in accordance with the standard for Blower and Exhaust Systems for Vapor Removal, NFPA No. 91.1961, where applicable and shall also conform to the provisions of this section. 29 CFR 1910.107(d)(2) requires that spraying areas shall be provided with mechanical ventilation adequate to remove flammable vapors, mist or powders to a safe location and to confine and control combustible residues in that life is not endangered.

The applicant contends that it operates a paint spray shop which is located in the company's repair shop in Pavilion, New York. The applicant contends that occasionally it paints large construction equipment such as loaders, rollers, bulldozers, graders, etc. The size of this equipment demands a large paint room. The equipment to be painted enters through a large wooden overhead door in the northeast wall. A main door connects to the maintenance shop on the southeast wall. The building has a concrete floor and roof, and the walls are of cinder block construction. Six windows which can be opened are placed in the northwest wall.

The applicant further states that the ceiling is equipped with a 24" diameter roof ventilator and inside louvers which can be opened and closed by hand through a drop cord. The applicant con-

tends that the ventilator will move about 5000 CFM of air.

The applicant states that the spray painting operations are performed by one employee. It states that this employee wears a respirator face mask while operating the paint spray apparatus and while sanding surfaces. The applicant states the type of respirator used is a Whitecap No. 4390 BRIM which is approved by the Bureau of Mines to meet 21B-104, 19B-59 Type C, and § 1910.134.

The applicant contends that the actual spraying time may extend up to 4 hours in a particular day. On the average, about one spray operation is performed per week. It states that the paint shop is kept clean of unrelated equipment, but two stepladders and an extension ladder are available for painting high areas. It also states that all electrical equipment is vapor and explosion proof. The wiring is placed in solid conduits. Three electrical lights have globes projecting horizontally inside the workroom.

The applicant states that the amount of paint in the paint shop at one time is mostly limited to less than 10 gallons, but it may at times be as high as 25 gallons. The paint and thinner is kept in the metal 5 gallon can which it is purchased in, and they are not opened until used. It contends that only one type of paint is used.

The applicant contends that the vapor levels in the paint shop have been measured by the New York State Department of Labor and found to have an average concentration of 250 ppm of petroleum naphtha while the Threshold Limit Value in § 1910.93 is set at 500 ppm for an 8 hour weighted exposure. The lower explosion limit for petroleum naphtha is about 1 percent.

The applicant alleges that the size of its equipment demands a large paint room and because of the relatively low usage factor in conjunction with the additional safety features as described in its application that a place of employment as safe as the requirements of the standard is being provided.

A copy of the application will be made available for inspection and copying upon request at the Office of Compliance Programming, U.S. Department of Labor, 1728 M Street NW., Room 210, Washington, D.C. 20210, and at the following Regional and Area Offices:

U.S. Department of Labor  
Occupational Safety and Health Administration

1515 Broadway (1 Astor Plaza)  
New York, New York 10036

U.S. Department of Labor  
Occupational Safety and Health Administration

Room 203—Midtown Plaza  
700 East Water Street  
Syracuse, New York 13210

All interested persons, including employers and employees, who believe they would be affected by the grant or denial of the application for a variance are invited to submit written data, views and arguments relating to the pertinent application no later than April 2, 1975. In addition, employers and employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application no later than April 2, 1975, in conformity with the requirements of 29 CFR 1905.15. Submission of written comments and requests for a hearing should be in quadruplicate, and must be addressed to the Office of Compliance Programming at the above address.

**II. Interim order.** It appears from the application for a variance and interim order, that an interim order is necessary to prevent an undue hardship upon the applicant and its employees pending a decision on the variance. Therefore it is ordered, pursuant to authority in section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970, and 29 CFR 1905.11(c) that Potter-DeWitt Corporation be, and it is hereby, authorized to continue spray painting in the manner described in its application for a variance provided that:

(1) the amount of paint stored in the paint spray area is limited to one day's supply (10 gallons) as required by § 1910.107(b)(2) and (2) the total air volume exhausted through the spray room shall be such as to dilute solvent vapors to at least 25 percent of the lower explosive limit of the solvent being sprayed.

Potter-DeWitt Corporation shall give notice of this interim order to employees affected thereby, by the same means required to be used to inform them of the application for a variance.

**Effective date:** This interim order shall be effective as of March 3, 1975, and shall remain in effect until a decision is rendered on the application for variance.

Signed at Washington, D.C. this 24th day of February, 1975.

JOHN STENDER,

Assistant Secretary of Labor.

[FR Doc.75-5504 Filed 2-28-75; 8:45 am]

Office of Employee Benefits Security  
ADVISORY COUNCIL ON EMPLOYEE WELFARE AND PENSION BENEFIT PLANS  
Notice of Meeting

Pursuant to section 512 of the Employee Retirement Income Security Act of

1974 (29 U.S.C. 1001) a meeting of the Advisory Council on Employee Welfare and Pension Benefit Plans will be held on Tuesday, March 18, 1975, at 9:30 a.m., in the Executive Room, Shoreham Americana Hotel, 2500 Calvert Street NW., Washington, D.C.

The meeting will be open to the public. The purpose of the meeting is to discuss the items listed in the following agenda:

1. Administration of Oath of Office
2. Introduction: Review of Operations
3. Principles of Organization
4. Substantive Title I ERISA Questions:
  - (a) Indemnification under section 410,
  - (b) Recordkeeping for Reporting and Disclosure under Part 1,
  - (c) Required regulations under section 407 concerning employer securities and employer real property, and
  - (d) Definition of "seasonal industry" under Part 1.
5. Agenda Items for Next Meeting.

Any member of the public may file a written statement concerning the topics under this agenda or any other matters relating to the Advisory Committee with Paul J. Fasser, Jr., Assistant Secretary for Labor-Management Relations, Department of Labor, 14th Street and Constitution Avenue NW., Room 3305, Washington, D.C. 20210. Communications addressed after March 21, 1975, should be mailed to Assistant Secretary Fasser as above except that the address should be changed to the New Department of Labor Building, 200 Constitution Avenue NW., Room 20S 2307, Washington, D.C. 20210.

Persons desiring to attend should notify Mr. Edward F. Lysczek, Executive Secretary of the Advisory Council, William Building, Room 700, 7923 Eastern Avenue, Silver Spring, Maryland 20910, or may call at Area Code 301-427-8100.

Signed at Washington, D.C. this 28th day of February, 1975.

PAUL J. FASSER, JR.,

Assistant Secretary for

Labor-Management Relations.

[FR Doc.75-5774 Filed 2-28-75; 11:23 am]

### FEDERAL POWER COMMISSION

[Dockets Nos. RP71-7 and RP73-77  
(PGA 75-4)]

#### ALABAMA-TENNESSEE NATURAL GAS CO.

##### Proposed PGA Rate Adjustment

FEBRUARY 21, 1975.

Take notice that on February 12, 1975, Alabama-Tennessee Natural Gas Company (Alabama-Tennessee), P.O. Box 918, Florence, Alabama 35630, tendered for filing as part of its FPC Gas Tariff, Third Revised Volume No. 1, Sixth Revised Sheet No. 3-A and Substitute Sixth Revised Sheet No. 3-A. These revised tariff sheets are proposed to become effective as of March 15, 1975.

Alabama-Tennessee states that the sole purpose of such revised tariff sheets is to adjust Alabama-Tennessee's rates pursuant to the PGA provisions of Section 20 of the General Terms and Conditions of its tariff to reflect increased rates to become effective on March 15, 1975, to be charged by its sole supplier, Tennessee Gas Pipeline Company.

The revised tariff sheets provide for the following rates:

Rate schedule	Sixth revised sheet No. 3-A	Substitute sixth revised sheet No. 3-A
G-1:		
Demand.....	\$3.04	\$3.01
Commodity.....	48.47¢	47.10¢
SG-1:		
Commodity.....	70.06¢	69.09¢
I-1:		
Commodity.....	50.47¢	49.10¢

Alabama-Tennessee states that copies of the filings have been mailed to all of its jurisdictional customers and affected State regulatory 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 4, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[Docket No. CI75-478]

#### AMERADA HESS CORP.

[FR Doc.75-5424 Filed 2-28-75; 8:45 am]

##### Application

FEBRUARY 21, 1975.

Take notice that on February 10, 1975, Amerada Hess Corporation (Applicant),

1200 Milam, 6th Floor, Houston, Texas 77002, filed in Docket No. CI75-478, an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to discontinue the sale of casinghead gas to Warren Petroleum Company (Warren) from a well located in the Eunice Field, Lea County, New Mexico, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that under a certain percentage sales casinghead gas contract between Applicant and Warren Applicant sells casinghead gas produced from a well located in the Eunice Field to Warren. The application indicates that said well was reclassified as a gas well in an oil pool by the New Mexico Oil Conservation Commission. Applicant states that as an oil well the casinghead gas produced therefrom was dedicated to a contract with Warren dated August 30, 1961, however as gas well gas, the gas-well gas from the well is dedicated to Northern Natural Gas Company pursuant to a Gas Purchase Contract dated June 21, 1974, heretofore filed as Applicant's FPC Gas Rate Schedule No. 30.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 7, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5425 Filed 2-28-75; 8:45 am]

[Docket No. E-9241]

#### AMERICAN ELECTRIC POWER SERVICE CORP.

##### Changes in Rates and Charges

FEBRUARY 21, 1975.

Take notice that American Electric Power Service Corporation (AEP) on January 30, 1975, tendered for filing on behalf of its affiliate, Ohio Power Company (Ohio), Modification No. 7 dated January 1, 1975, to the Operating Agreement dated June 14, 1962, between Ohio and The Cleveland Electric Illuminating Company, designated Ohio Rate Schedule FPC No. 31.

Section 1 of Modification No. 7 provides for an increase in the Demand Charge for Short Term Power from \$0.45 to \$0.50 per kilowatt per week and Section 2 provides for an increase in the Demand Charge for Limited Term Power from \$2.50 to \$2.75 per kilowatt per month, both schedules proposed to become effective January 1, 1975. Applicant states that since the use of Short Term and Limited Term Power cannot be accurately estimated, it is impossible to estimate the increase in revenues resulting from the Modification.

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 February 21, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5426 Filed 2-28-75; 8:45 am]

[Project No. 2143]

#### CENTRAL ELECTRIC POWER COOPERATIVE, INC.

##### Application for Surrender of Transmission Line License

FEBRUARY 21, 1975.

Public notice is hereby given that application was filed June 15, 1973, under the Federal Power Act (16 U.S.C. 791a-825r) by Central Electric Power Cooperative, Inc. (Correspondence to: Mr. E. V. Lewis, General Manager, Central Electric Power Cooperative, Inc., Cayce, South Carolina 29033) for surrender of its Pinopolis-Kingstree Transmission Line License for Project No. 2143 located in Berkeley and Williamsburg Counties, South Carolina, and affecting lands of the United States within the Francis Marion National Forest.



The project consists of a 115-kV transmission line extending 32 miles from the Pinopolis switchyard of the South Carolina Public Service Authority (SCPSA) to Kingtree Substation, South Carolina.

The order issuing license, dated July 8, 1954, stated that Applicant and SCPSA had entered into an agreement for a 35 year period whereby SCPSA would furnish Applicant electric energy and SCPSA has an option to purchase this line at any time during the agreement.

Applicant requests approval of the application for surrender of license because Applicant believes that the Commission no longer claims jurisdiction over this line, as discussed in its Order issued August 4, 1970 concerning Project No. 199. The U.S. Forest Service issued on April 15, 1974, a special use permit to allow continued use of the subject right-of-way now licensed as Project No. 2143.

Any person desiring to be heard or to make protest with reference to said application should on or before March 28, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 75-5427 Filed 2-28-75; 8:45 am]

[Docket No. RI75-112]

#### CERTAIN PRODUCER AND PIPELINE RESPONDENTS<sup>1</sup>

#### Order Instituting Investigation of Status of Nonproducing Dedicated Reserves and To Show Cause

FEBRUARY 20, 1975.

We are issuing this order instituting an investigation and requiring the respondents to show cause why certain natural gas reservoirs in the Federal Domain are presently in nonproducing status and could not or should not be produced. This constitutes another step in our continuing efforts<sup>2</sup> to investigate and identify all possible natural gas supplies which are not now being fully utilized to help alleviate the pervasive natural gas shortage.

We will require the respondents to show cause why the dedicated reserves are not now being produced, or why they economically could or should not be produced. This proceeding will be two-

<sup>1</sup> See Appendices A and B for names of the respondents.

<sup>2</sup> FPC Report of Offshore Investigation: Producible Shut-In Leases As of January 1974 (First Phase), (issued March 1974); (Second Phase), (issued July 1974).

phased with the initial phase being an investigation of all offshore dedicated nonproducing reserves in the Federal Domain in the Gulf of Mexico. Subsequent thereto, a second-phase proceeding involving offshore state and onshore dedicated nonproducing reserves may be convened as further ordered by the Commission.

Our Staff has completed a preliminary investigation of nonproducing natural gas reserves in the Gulf of Mexico and its report,<sup>3</sup> based on information filed by interstate pipelines in FPC Form No. 15<sup>4</sup> and examination of company records, indicates that there are now, and have been for at least the past ten years offshore nonproducing natural gas reserves dedicated to interstate pipeline companies. While these nonproducing reserves reached a peak in 1969, and fluctuate from year-to-year as new discoveries and new sales are made, the Staff report indicates that, as of year-end 1973, nonproducing reserves amounted to 7.9 trillion cubic feet.<sup>5</sup> Approximately 6.5 trillion cubic feet of these reserves are located in the Federal Domain. The 7.9 trillion cubic feet of nonproducing gas reserves is twenty-six percent of the total offshore gas reserves of 30.5 trillion cubic feet reported in 1973 by the interstate pipelines in FPC Form No. 15 and may represent an important and potential natural gas supply for interstate consumers.

Natural gas provides approximately one-third of the nation's energy and is a vitally important national source of energy. Curtailments of natural gas deliveries are adversely affecting the nation's economic stability and welfare. In 1974, nine of the thirteen pipeline companies with nonproducing Gulf of Mexico gas reserves experienced actual curtailments of firm service requirements of 1.17 Tcf.<sup>6</sup> Based on available information it is apparent that these same pipeline companies will experience a substantial increase in curtailments during 1975. A deficiency of approximately nineteen percent in the total supply of natural gas needed by these interstate pipeline companies is expected during the period September 1974 through August 1975.<sup>7</sup> This graphically demonstrates the

<sup>3</sup> FPC, Preliminary Investigation of Non-Producing Gas Reserves in the Gulf of Mexico as reported in Federal Power Commission Form No. 15 (February 20, 1975).

<sup>4</sup> 18 CFR 260.7, Order Prescribing Annual Report Form No. 15 And Statement Of Policy With Respect Thereto, Order No. 279, 31 FPC 750 (1964), as amended by Order No. 337, 37 FPC 326 (1967), as amended by Order No. 399, 43 FPC 563 (1970), as amended by Order No. 476, 49 FPC 602 (1973).

<sup>5</sup> The definition of proved reserves as set forth in FPC Form No. 15 was used for the purposes of the Staff's preliminary investigation. Said definition differs from the AGA, API definitions of proved reserves in that it does not require a flow test to have been made. See Appendix D.

<sup>6</sup> Monthly Report of Natural Gas Pipeline Curtailment, FPC Form No. 17 (November 8, 1972).

<sup>7</sup> 18 CFR 260.12, Report of Supply and Requirements, FPC Form No. 16, Docket No. R-472, Order No. 489, 50 FPC 561 (1973).

worsening natural gas supply situation confronting our nation.

The outlook for continuing shortages of natural gas requires that this Commission take every prudent step, explore every possible source of supply, and re-examine existing practices to attempt to insure an adequate supply of natural gas for consumers. The nonproducing reserves of natural gas in the Gulf of Mexico represent an identifiable supply of gas which might be produced in the near future.

On the basis of the Staff investigation conducted so far, it is not possible to form definite conclusions with respect to the undeveloped reserves reported on Form No. 15. We need to determine in the first instance, whether the Form No. 15 data is reliable and accurate, for if reserves have been overstated, then the reserve inventory of the interstate pipelines is lower, and the nation's gas supply posture is worse, than earlier studies indicate. If the Form No. 15 data is reliable and accurate, then we need to determine whether nondevelopment has occurred because of engineering and technical constraints, or by reason of conservation regulations of the Department of the Interior, or because of inadequate transportation capacity, or because of failure of producers to meet or pipelines to enforce contract or certificate obligations, or because of factors within control of this Commission. The purpose of this investigation is to determine facts, and take such remedial action, if any, which is within our power.

Our Staff's preliminary investigation reveals that the bulk of the nonproducing reserves are in reservoirs "behind the pipe"<sup>8</sup> awaiting completion and production when other reservoirs penetrated by the well bores are depleted. This apparently represents standard development practices of the past, particularly for multi-reservoir offshore fields. Past practice may not be suitable today in view of the rising level of curtailments of firm requirements experienced and anticipated by many of the pipelines claiming significant volumes of dedicated but nonproducing reserves.

The results of our Staff's investigation to date, while informative, do not enable conclusions to be formed concerning the required financial investments and the economic and engineering feasibility of producing presently nonproducing reservoirs. Nor do the results of the Staff's preliminary investigation enable us to evaluate the impact that placing such reservoirs on production in the near term might have on conservation or the "husbanding" of the available natural gas reserves.

The nonproducing reserves dedicated to and reported by the interstate pipe-

<sup>8</sup> Behind the Pipe. Reservoirs which will be produced in the future by (a) normal plug back and recompletion techniques (b) mechanically opening up previously perforated zones and (c) anticipated drilling of additional wells to accelerate production of additional volumes prior to depletion of other producing zones in the well bore.

line companies could represent a vital supply of natural gas. Therefore, pursuant to our authority under sections 3, 4, 5, 7, 8, 10, 14, 15, and 16 of the Natural Gas Act, we hereby institute a proceeding to further investigate the amount and availability of dedicated reserves currently in nonproducing status.

The information elicited as a result of this investigation of nonproducing reserves will assist the Commission by providing accurate information required for the performance of the Commission's duties under the Natural Gas Act. Through an exercise of the Commission's general investigatory powers the Commission will establish a more reliable data base pertaining to the development of natural gas reserves.

This investigation, in addition to assisting the Commission in administering the Act, will serve a proper regulatory purpose by (1) perfecting the integrity of the reporting process, (2) testing the veracity of data contained in the Commission's Form No. 15 and (3) furthering the greater public knowledge.

Furthermore, the information resulting from this investigation and the data obtained will facilitate greater coordination among governmental agencies in developing our nation's natural gas reserves and administering existing energy programs.

By instituting this proceeding we direct the respondents to submit evidence to verify (1) the identification, location, and volumes of reserves in nonproducing status claimed by interstate pipeline companies, and (2) to determine the economic and engineering feasibility of placing such nonproducing reserves on producing status as soon as practicable.

The respondents should also submit evidence on, but not limited to, the drilling, completion and other engineering techniques by which these subject dedicated reservoirs may be placed on production; e.g. multiple completions in the same well bore, additional wells to the more shallow reservoirs and what additional facilities would be required to gather or transport increased volumes of gas.

Differences in definitions<sup>1</sup> and terminology are not to limit the scope and purposes of this proceeding which *inter alia* are to obtain comprehensive evidence to determine why such gas is not being produced from the reservoirs, when production from these reservoirs is anticipated, and what action is necessary to begin production.

Attached as Appendix C to this order is a list of nonproducing reservoirs (offshore-Federal Domain) reported in FPC Form No. 15 by interstate pipeline companies which have transmission facilities or purchase gas in the Gulf of Mexico. The respondents' obligation to show cause applies but is not restricted to each of these reservoirs containing dedicated nonproducing reserves.

<sup>1</sup>The definition of proved reserves as set forth in FPC Form No. 15 is to be used for the purposes of this proceeding.

The United States Geological Survey of the Department of the Interior (USGS) is directly concerned with offshore production in the Federal Domain in the Gulf of Mexico. It is presently conducting an investigation of leases not presently in production. The investigation we are instituting herein almost entirely concerns leases now in production. Consequently, our investigation will not be duplicative of the current USGS investigation. Other governmental agencies and departments may also have an interest in the subject of this proceeding. We seek their cooperation and encourage their formal participation in this proceeding.

The enumeration of the issues above is not intended as a limitation on the scope of this proceeding and all parties inclusive of Commission Staff are free to pursue any other relevant issues that may become manifest during the course of this investigation.

**The Commission finds.** It is necessary and proper to institute a formal investigation and proceeding into the matters set forth above pursuant to sections 8, 10, 14, 15, and 16 of the Natural Gas Act, applying those investigatory sections as they interpret and apply to sections 3, 4, 5, and 7 of the Natural Gas Act, naming as respondents those pipeline companies and producers listed in Appendices A and B and requiring each of the respondents to submit testimony to show cause why any dedicated nonproducing reserves are not being produced, or why they economically could or should not now be produced.

**The Commission orders.** (A) Pursuant to the provisions of the Natural Gas Act, particularly sections 5, 8, 10, 14, 15, and 16 thereof, and pursuant to the Commission's rules of practice and procedure and the regulations under the Natural Gas Act, a public hearing shall be convened on April 22, 1975, at 10 a.m. (e.d.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street NE, Washington, D.C. 20426, wherein pursuant to this investigation each respondent listed in Appendices A and B will be required to show cause why any dedicated nonproducing reserves are not now being produced, or why they economically could or should not be produced.

(B) On or before March 24, 1975, the pipeline companies and producers named as respondents in Appendices A and B and any intervenors are hereby directed to file testimony and evidence in response to all the questions and issues enumerated and raised in the body of this order, as well as any other evidence they may wish to present in furtherance of their positions.

(C) The Presiding Administrative Law Judge designated by the Chief Administrative Law Judge for that purpose (See Delegation of Authority, 18 CFR 3.5(d)) shall, pursuant to 18 CFR 1.27, preside over the taking of testimony and cross-examination thereof and is authorized as deemed necessary to issue subpoenas,

cause evidence to be filed by any respondent, and take or cause depositions to be taken of any respondent.

(D) Pursuant to the provisions of 18 CFR 1.30 the Presiding Administrative Law Judge shall render an initial decision addressing *inter alia* the following matters and in so doing draw conclusions as to fact and law and make recommendations where appropriate: (1) Determine (a) reasons why gas from nonproducing reservoirs is not being produced, (b) when, under current practices, production from these reservoirs is anticipated, (c) the economic and engineering feasibility of accelerating the date for placing such nonproducing reserves on producing status, and (d) whether there is compliance with certificate obligations as to the rate of delivery of gas from the dedicated acreage of which these nonproducing reservoirs are a part, (2) Determine the accuracy and reliability of the FPC Form No. 15 reporting process and veracity of the data reported by the respondents herein; and recommend what, if any, action should be taken to improve the usefulness, accuracy and reliability of the report form. (3) Set forth what, if any, recommendations concerning the development, purchase or transportation of offshore nonproducing reserves in the Federal Domain should be made to the Department of the Interior pursuant to the Outer Continental Shelf Lands Act. (4) Set forth areas of consideration for possible recommendations to the Congress for legislation relating to the natural gas industry.

(E) Notices of intervention and petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington, D.C. 20426, on or before March 24, 1975, in accordance with the Commission's rules of practice and procedure.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

#### APPENDIX A

##### PIPELINE COMPANY RESPONDENTS, FEDERAL DOMAIN—GULF OF MEXICO

Columbia Gas Transmission Corporation.  
Consolidated Gas Supply Corporation.  
Michigan—Wisconsin Pipe Line Company.  
Natural Gas Pipeline Company of America.  
Sea Robin Pipeline Company.  
Southern Natural Gas Company.  
Tennessee Gas Pipeline Company.  
Texas Eastern Transmission Corporation.  
Texas Gas Transmission Corporation.  
Transcontinental Gas Pipe Line Corporation.  
Trunkline Gas Company.  
United Gas Pipe Line Company.

#### APPENDIX B

##### PRODUCER RESPONDENTS

##### FEDERAL DOMAIN—GULF OF MEXICO

Amerada Hess Corporation.  
Amoco Production Company.  
Aquitaine Oil Corporation.  
Argonaut Petroleum Corporation.  
Ashland Oil and Refining Company.

<sup>2</sup> 5(c), 67 Stat. 464 (1953); 48 U.S.C. 1334(c) (1970).

Atlantic-Richfield Company.  
 Burmah Oil Development Corporation, Inc.  
 Cabot Corporation.  
 California Company, Div. of Chevron Oil Company.  
 Canadian Superior Oil (U.S.), Ltd.  
 Charter Resources.  
 Chevron Oil Company.  
 Cities Service Oil Company.  
 C & K Petroleum Company.  
 C & K Offshore Company.  
 CNG Producing Company.  
 Columbia Gas Development Corporation.  
 Consolidated Gas Supply Corporation.  
 Continental Oil Company.  
 Dixilyn Corporation.  
 Essex Royalty Company.  
 Exchange Oil & Gas Company.  
 Exxon Company.  
 Felmont Oil Corporation.  
 Forest Oil Corporation.  
 General American Oil Company of Texas.  
 General Crude Oil Company.  
 Getty Oil Company.  
 Gulf Oil Corporation.  
 Hamilton Brothers Oil Company.  
 Hamilton Brothers Petroleum Company.  
 Hassle Hunt Trust.  
 Highland Resources, Incorporated.  
 Hunt Oil Company.  
 Hunt Petroleum Corporation.  
 Juniper Petroleum.  
 Kerr-McGee Corporation.  
 Keweenaw Oil Company.  
 The Louisiana Land and Exploration Company.  
 Marathon Oil Corporation.  
 Midwest Oil Corporation.  
 Mobil Oil Corporation.  
 Newmont Oil Company.  
 Occidental Petroleum Corporation.  
 Ocean Drilling & Exploration Corporation.  
 The Offshore Company.  
 Oil & Gas Futures, Inc.  
 Oil & Gas Futures, Inc. of Texas.  
 Peto Oil Company.  
 Pennzoll Producing Company.  
 Phillips Petroleum Company.  
 Placid Oil Company.  
 River Corporation.  
 Shell Oil Company.  
 Signal Oil and Gas Company.  
 Skelly Oil Company.  
 Southern Natural Gas Company.  
 Sun Oil Company.  
 Superior Oil Company.  
 Tenneco Oil Company, Inc.  
 Tennessee Gas Supply Company.  
 Texas Eastern Transmission Corporation.  
 Texas Gas Exploration Corporation.  
 Transocean Oil Company, Inc.  
 Texaco, Inc.  
 Union Oil Company of California.  
 Union Texas Petroleum, Div. of Allied Chemical.  
 Warren American Oil Company.

APPENDIX C

1973 GULF OF MEXICO NONPRODUCING RESERVOIRS REPORTED IN FORM 15

Definitions

Reservoir type:  
 A—Associated gas.  
 C—Combined Associated and solution gas.  
 N—Nonassociated.  
 S—Solution gas.

Status:

1. Behind the pipe.
2. New well(s) required.
3. Workover required.
4. Future gas cap completion.
5. Waiting on facilities.
6. Unknown.
7. To be dropped.

Proven by:

FT—Flow test (e.g. potential test, production test, drill stem test, or actual production).  
 NFT—Not flow tested (e.g. reserves calculated from electric log analysis, core analysis, tests in adjacent fault segments, composite field totals).

Columbia Gas Transmission Corporation, 1973—Gulf of Mexico Nonproducing Reservoirs Reported in Form 15

[All volumes in MMcf at 14.73 Psia and 60° F.]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>EAST CAMERON BLK 33:</b>					
10 SAND RES A.....	N	1,195	1	.....	X
10 SAND RES B.....	N	976	1	.....	X
10 SAND RES C.....	N	2,127	1	.....	X
LOWER 10 SAND RES BC.....	N	493	1	.....	X
NO 1 SAND RES AA.....	N	373	1	.....	X
NO 1 SAND RES BC.....	N	1,185	1	.....	X
NO 1 SAND RES D.....	N	5,584	1	.....	X
NO 1 SAND RES F.....	N	1,837	1	.....	X
NO 5 SAND RES A.....	N	12,545	1	.....	X
NO 5 SAND RES A.A.....	N	2,570	1	.....	X
NO 5 SAND RES D.....	N	767	1	.....	X
NO 5 SAND RES E.....	N	493	1	.....	X
NO 5 SAND RES F.....	N	943	1	.....	X
<b>EAST CAMERON BLK 270:</b>					
C4 SAND.....	N	9,153	1	.....	X
<b>EUGENE ISLAND SA BLK 273:</b>					
1,700 FT SD.....	N	4,339	1	.....	X
2,300 FT SD.....	N	917	1	.....	X
2,700 FT SD.....	N	1,448	1	.....	X
3,500 FT SD.....	N	8,339	1	X	
<b>EUGENE ISLAND SA BLK 292:</b>					
BB2 SD-RES A.....	N	326	1	X	
BP SD-RES A.....	N	2,399	1	.....	X
CF SD-RES B.....	N	278	1	.....	X
CF SD-RES C.....	N	82	1	.....	X
CI SD-RES D.....	N	2,747	1	.....	X
DB SD-RES C.....	S	481	1	X	
DB SD-RES D.....	N	2,493	1	.....	X
EA SD-RES A.....	N	7,500	1	.....	X
EB SD-RES B.....	N	1,914	1	.....	X
EB SD-RES D.....	N	1,881	1	.....	X
ED SD-RES A.....	N	6,725	1	.....	X
EE SD-RES D.....	N	8,258	1	.....	X
EG SD-RES B.....	N	3,298	1	.....	X
<b>EUGENE ISLAND SA BLK 314:</b>					
VARIOUS.....	M	109,148	5	X	
<b>SOUTH MARSH ISLAND BLK 33:</b>					
12,800 FT SAND WEST.....	S	1,339	5	.....	X
13,000 FT SAND WEST.....	S	3,196	5	.....	X
BUL 1 4 SD SOUTH.....	N	1,129	5	X	
I FAUNA 4 SD SOUTH.....	N	4,448	5	X	
TEX X2 SAND NORTHEAST.....	N	5,461	5	X	
<b>VERMILION BLK 162:</b>					
9,400 FT SAND.....	N	1,502	3	X	
10,300 FT SAND.....	N	1,448	1	X	
<b>VERMILION SA BLK 255:</b>					
UPPER 9,800 FT SD RES C.....	N	723	1	.....	X
10,500 FT SD RES C.....	N	494	1	.....	X
H1 SAND RES K.....	S	439	1	.....	X
H1 SAND RES L.....	S	52	1	.....	X
H2 SAND RES K.....	N	3,150	1	.....	X
H3 SAND RES G.....	N	281	1	.....	X
H3 SAND RES K.....	N	1,214	1	.....	X
H1 SAND RES L.....	N	175	1	.....	X
I2 SAND RES K.....	N	5	3	X	
I2 SAND RES L.....	S	86	1	.....	X
I3 SAND RES K.....	N	148	3	.....	X
J1A SAND RES L.....	N	49	1	.....	X
J2 SAND RES L.....	S	36	1	.....	X
K2 SAND RES H.....	S	16	1	.....	X
K2 SAND RES J.....	N	271	1	.....	X
K2 SAND RES K.....	S	2	1	.....	X
K2 SAND RES L.....	N	186	1	.....	X
K2 SAND RES M.....	S	170	1	.....	X
K3 SAND RES H.....	S	67	1	.....	X
K3 SAND RES J.....	A	906	1	.....	X
K3 SAND RES K.....	S	58	1	.....	X
K3 SAND RES L.....	S	5	1	X	
ORANGE SAND RES B.....	N	1,548	1	.....	X
<b>WEST CAMERON BLK 146:</b>					
C1 SAND.....	N	2,111	1	.....	X



NOTICES

Consolidated Gas Supply Corporation, 1975—Nonproducing Reservoirs Reported in Form 16

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>VERMILION S.A. BLK 255:</b>					
L8 SAND	S	167			
H-1 SAND SEG	N	318			
H-1 SAND SEG	N	497			
H-2 SAND SEG	N	1,383			
H-3 SAND	N	643			
I-1 SAND SEG	N	305			
I-1 SAND SEG	N	814			
I-2 SAND SEG	S	230			
J-1 SAND	S	112			
K-2 SAND	N	780			
EH-1 (9,700 FT) SAND	N	11,892			

Michigan-Wisconsin Pipeline Company, 1975—Gulf of Mexico Nonproducing Reservoirs Reported in Form 16

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>EUGENE ISLAND BLK 77:</b>					
T6/T7 SAND EAST	N	21,088	1 X		
T-9 SAND N.E.	N	799	1 X		
<b>EUGENE ISLAND BLK 175:</b>					
6 RESERVOIRS	C	10,271	1		X
<b>EUGENE ISLAND BLK 188:</b>					
29 RESERVOIRS	C	18,274	1		X
<b>EUGENE ISLAND BLK 198:</b>					
E-6 SAND S.W.	N	5,154	1 X		
G-1 SAND NORTH CENTRAL	N	6,289	1 X		
F-6 SAND NORTH CENTRAL	N	15,829	3 X		
<b>EUGENE ISLAND BLK 208:</b>					
TOTAL FIELD	C	9,646	1 X		
<b>EUGENE ISLAND BLK 231:</b>					
16 RESERVOIRS	N	56,175	1		X
<b>EUGENE ISLAND BLK 206:</b>					
12 RESERVOIRS	N	37,629	1		X
<b>EUGENE ISLAND BLK 273:</b>					
5 RESERVOIRS	N	9,659	1		X
<b>EUGENE ISLAND S.A. BLK 206:</b>					
5 RESERVOIRS	N	125,064	1		X
<b>EUGENE ISLAND S.A. BLK 306:</b>					
TOTAL FIELD	C	300,008	5		X
<b>SHIP SHOAL BLK 204 AND 205:</b>					
16 RESERVOIRS	C	4,268	1		X
<b>SHIP SHOAL BLK 207 AND 216:</b>					
31 RESERVOIRS	C	84,534	1		X
<b>SHIP SHOAL BLK 207 AND 208:</b>					
2 RESERVOIRS	C	878	1		X
<b>SHIP SHOAL BLK 210:</b>					
10 RESERVOIRS	N	9,016	1		X
<b>SOUTH MARSH ISL. BLK 6:</b>					
3 RESERVOIRS	C	13,380	1		X
<b>WEST CAMERON BLK 17:</b>					
11,700 SAND	N	5,117	1 X		
11,800 D SAND	N	1,041	6 X		
12,200 U SAND	N	1,378	1 X		
12,500 U SAND	N	960	1 X		
14,800 U SAND	N	18,265	1 X		
<b>WEST CAMERON BLK 28:</b>					
13,770 SAND	N	4,728	1 X		
<b>WEST CAMERON BLK 71:</b>					
6 RESERVOIRS	N	67,657	1		X
<b>WEST CAMERON BLK 149:</b>					
No. 9 SAND RES. 0	N	342	1 X		
No. 10 SAND RES. 1	N	179	1		X
No. 11 SAND RES. 3	N	947	1		X
<b>WEST CAMERON BLK 149:</b>					
NO. 11 SAND RES. 8	N	617	1		X
NO. 13 SAND RES. 7	N	216	1 X		
NO. 15 SAND RES. 1	N	1,637	1 X		
NO. 15 SAND RES. 7	N	3,250	1 X		
NO. 24 SAND RES. 2	N	4,735	1 X		
NO. 24 SAND RES. 3	N	7,465	1		X
NO. 24 SAND RES. 7	N	1,359	1		X
NO. 25 SAND RES. 4	N	3,515	1 X		
NO. 25 SAND RES. 5	N	24	1		X
NO. 25 SAND RES. 7	N	1,463	1		X
NO. 25 SAND RES. 8	N	1,322	1 X		
NO. 27 SAND RES. 5	N	25	1		X
NO. 27 SAND RES. 7	N	1,182	1		X
NO. 27 SAND RES. 8	N	418	1 X		
NO. 27 SAND RES. 12	N	2,102	1		X
NO. 29 SAND RES. 5	N	82	1		X
NO. 38 SAND RES. 3	N	203	1 X		
NO. 43 SAND RES. 12	N	1,764	1 X		

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Natural Gas Pipeline Company of America, 1973—Gulf of Mexico Non-producing Reservoirs Reported in Form 15

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>TIGER SHOAL:</b>					
J SD SEG III B	N	25,388	1	X	
N 2 SD SEG III B	N	17,133	3	X	
P SD SEG III B	N	26,910	1	X	
R SD SEG III B	N	15,604	3	X	
V SD SEG I	N	13,609	3	X	
<b>WEST CAMERON BLK 168:</b>					
CID/OF/E SEG C	N	7,387	1	X	
<b>WEST CAMERON BLK 229:</b>					
GH SEG III	N	15,406	1	X	
<b>TOTAL</b>		<b>349,001</b>			

Sea Robin Pipeline Company, 1973—Gulf of Mexico Non-producing Reservoirs Reported in Form 15

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>EAST CAMERON BLOCK 195:</b>					
CP-0A SAND	N	1,555	1		X
CP-18 SD SEG 1	NN	6,193	1	X	
CP-18 SD SEG 2	NN	967	1		X
CP-18A SD SEG 2	NN	797	1		X
CP-25 SD SEG 1	NN	15,368	1	X	
CP-25B SD SEG 2	NN	2,529	1	X	
<b>EAST CAMERON BLOCK 224:</b>					
VA-1 II-5 SEG 2	N	642	3		X
<b>EAST CAMERON SA BLK 261:</b>					
L-2 SAND SEG 2	N	174	1	X	
L-4 UPPER SAND	NN	1,819	1		X
V-1 SAND	NN	1,729	1		X
V-2 STRAY SAND	N	934	1		X
<b>EAST CAMERON SA BLK 265:</b>					
A-9 SAND	N	2,554	1		X
B-1 SAND SEG 2	NN	1,998	1	X	
H-2 SAND SEG 1	NN	3,256	1		X
H-2A SAND SEG 1	NN	1,945	1		X
H-2A SAND SEG 2	NN	717	1		X
B-3 SAND SEG 2	NN	1,189	1	X	
D-4 SAND	NN	2,709	1		X
E-1 SAND	N	2,802	3		X
<b>EUGENE ISLAND BLK 265:</b>					
5175 SAND	N	886	1		X
5550 SAND VALPH-1	N	43,650	1		X
5575 SAND VAL H-2	N	12,864	1		X
5950 SAND TEX-21	N	1,932	1		X
9300 SOC BULL 16B	NN	2,140	1		X
9650 SGB BULL 5C	NN	2,284	1		X
11975 AL 17 SGA	N	1,608	1		X
11975 BL 17 SGC	N	783	1		X
<b>EUGENE ISLAND BLK 265:</b>					
11975 BL 17 SGD	N	3,134	1		X
11975 BL 17 SGE	NN	1,675	1		X
11975 BL 17 SGF	NN	3,908	1		X
12150 O DD SEG A	NN	9,581	1		X
12150 SD DD SEG E	NN	1,762	1		X
12150 SD DD SEG F	NN	1,656	1		X
12350 SD EE SEG A	NN	12,136	1		X
12350 SD EE SEG F	NN	5,494	1	X	
12650 SD FF SEG A	NN	1,156	1		X
12650 SD FF SEG G	NN	420	1		X
13175 SD GG SEG A	NN	4,908	1		X
13175 SD OO SEG C	NN	1,725	1		X
13350 SD HH SEG B	NN	1,651	1		X
13350 SD HH SEG F	NN	324	1		X
BUL-1 NO 4	S	2,215	1		X
EE SEG H	S	282	1		X
RESERVOIR NAMES NOT GIVEN	T	2,340	1		X
<b>EUGENE ISLAND BLK 238:</b>					
B-13A SEG G	N	2,734	6	X	
C-18 SEG E	S	97	1	X	
C-18 SEG J	N	8,490	1	X	
C-19 SAND	N	423	1		X
<b>EUGENE ISLAND BLK 265:</b>					
C-17 SD RES A	N	7,101	1		X
C-30 SD RES B	N	669	1		X
<b>SHIP SHOAL BLK 222:</b>					
EC-A SAND	N	3,031	1		X
EI-A SAND	S	503	1		X
EJ-A SAND	S	385	1		X
EM-A SAND	S	625	1		X
ET-A SAND	N	1,251	1		X
EV-A SAND	N	3,223	1		X
FA-A SAND	S	319	1		X
<b>SOUTH MARSH ISLAND BLK 15:</b>					
A-1 SAND	N	1,058	1		X
B-15 SAND	NN	4,661	1		X
D-3A-15 SAND	NN	4,580	1		X
E-1-15 SAND	NN	1,509	1		X
E-1-16 SAND	N	8,169	1		X

## NOTICES

## Sea Robin Pipeline Company, 1973—Gulf of Mexico Non-producing Reservoirs Reported in Form 15—Continued

[All volumes in MMcf at 14.73 Pals and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	KFT
<b>SOUTH MARSH ISLAND BLK 27:</b>					
K SAND.....	N	1,049	1	.....	X
MO SAND.....	N	1,689	1	.....	X
M6 SAND.....	N	777	1	.....	X
N SAND.....	N	1,312	1	.....	X
V SAND.....	N	4,306	1	X	
<b>SOUTH MARSH ISLAND BLK 41:</b>					
10,300 SAND.....	N	962	1	.....	X
13,700 SAND.....	N	4,136	1	.....	X
<b>VERMILLION BLK 198:</b>					
7,500 SAND.....	N	3,562	1	.....	X
9,500 SAND.....	N	1,810	1	.....	X
9,600 SAND SEG 1.....	N	1,091	1	.....	X
9,600 SAND SEG 2.....	N	1,043	1	.....	X
11,500 SAND.....	N	230	1	X	
11,850 SAND SEG 1.....	N	1,331	1	X	
11,900 SAND.....	N	1,216	1	.....	X
V SAND SEG 1.....	N	6,860	1	.....	X

## Southern Natural Gas Company, 1973—Gulf of Mexico Non-producing Reservoirs Reported in Form 15

[All volumes in MMcf at 14.73 Pals and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>MAIN PASS BLK 107:</b>					
035 4,600.....	N	2,004	2	.....	X
045 5,000-112.....	N	1,921	1	.....	X
060 6,000.....	N	2,390	1	.....	X
<b>MAIN PASS BLK 133:</b>					
035 5,200.....	N	1,872	7	.....	X
087 5,700.....	N	4,210	1	.....	X
089 6,100.....	N	3,432	1	.....	X
015 6,200.....	N	1,396	1	.....	X
<b>MAIN PASS BLK 200:</b>					
020 JEB.....	N	327	7	.....	X
<b>MAIN PASS BLK 209:</b>					
998 MISC. GAS.....	N	5,000	1	.....	X
<b>MAIN PASS BLK 306:</b>					
906 MISC. GAS.....	A	7,650	4	.....	X
908 MISC. GAS.....	A	51,001	4	.....	X
<b>SOUTH PASS BLK 62:</b>					
998 MISC. GAS.....	N	4,992	1	.....	X
<b>WEST DELTA BLK 30:</b>					
020 9,000.....	N	280	1	.....	X
175 7,675 P.....	A	1,200	1	X	
270 8,800.....	S	84	1	.....	X
<b>WEST DELTA BLK 73:</b>					
540 ROB EN.....	A	1,844	1	X	
590 CRS K-2.....	N	2,121	1	X	
665 AMPH E-1.....	N	2,576	1	X	

## Tennessee Gas Pipeline Company, 1973—Gulf of Mexico Non-producing Reservoirs Reported in Form 15

[All volumes in MMcf at 14.73 Pals and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>EAST CAMERON BLK 33:</b>					
10,800 ROB 43 #5 SEG 2 MIO.....	N	871	1	.....	X
10,800 ROB 43 #5 SEG 4 MIO.....	N	322	1	.....	X
10,800 ROB 43 #5 SEG 6 MIO.....	N	229	1	.....	X
<b>EAST CAMERON BLK 51:</b>					
8,200 MIO 1-2.....	N	4,000	6	.....	X
<b>EAST CAMERON BLK 62:</b>					
6,310 D-3 MIO.....	N	2,967	2	.....	X
<b>EAST CAMERON BLK 64:</b>					
9,900 L-2 NN SEG 1 MIO.....	N	10,899	6	.....	X
9,900 L-2 NN SEG 3 MIO.....	N	10,273	1	X	
9,900 L-2 NN SEG 11 MIO.....	N	13,559	1	X	
10,000 M-1 OB SEG 6 MIO.....	N	10,513	1	X	
10,200 M-3 OG SEG 6 MIO.....	N	5,189	1	X	
<b>EAST CAMERON BLK 71:</b>					
8,990 J-N MIO.....	N	9,052	2	.....	X
9,760 K-J MIO.....	N	10,984	1	.....	X
14,650 O-G MIO.....	N	1,205	7	.....	X
<b>EAST CAMERON BLK 88:</b>					
6,800 CB SEG 1 MIO.....	N	229	1	X	
6,900 CE SEG 1 MIO.....	N	345	1	X	
10,200 SEG 3 MIO.....	N	587	1	X	
10,650 K8 SEG 2 MIO.....	N	0	7	.....	X
<b>EAST CAMERON BLK 270:</b>					
3,350 CB-7 PLEIST.....	N	3,498	1	.....	X
3,900 CM-3 NORTH PLEIST.....	N	809	1	.....	X
3,900 CH-3 NW PLEIST.....	N	3,707	1	.....	X
4,100 D-5 PLEIST.....	N	5,628	1	.....	X
4,800 DH-3A PLEIST.....	N	2,574	1	X	
5,200 EI-5 SEG 2 PLEIST.....	N	2,769	1	.....	X
6,700 FH-B PLEIST.....	N	1,228	1	X	
7,900 STRAY PLEIST.....	N	1,406	1	.....	X
8,900 FI-4 WEST PLEIST.....	N	30,506	1	X	
<b>EUGENE ISLAND BLK 208:</b>					
11,000 #16 SEG 2 PLEIST.....	N	6,317	6	.....	X
11,300 #18 SEG 2 PLEIST.....	N	8,027	6	.....	X



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Tennessee Gas Pipeline Company, 1975—Gulf of Mexico Nonproducing Reservoirs Reported in Form 15—Continued

[All volumes in MMcf at 14.73 Pals and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>EUGENE ISLAND BLK 258:</b>					
7,450 GH WEST PLEIST.....	N	2,724	1	X	
9,150 JK PLEIST.....	S	534	6		X
9,850 JT PLEIST.....	N	3,189	1	X	
<b>EUGENE ISLAND BLK 330:</b>					
6,700 E-1 SEG 3 PLEIST.....	S	2,985	1		X
<b>GRAND ISLE BLK 41:</b>					
12,400 OT SEG 6A MIO.....	S	4,436	1		X
12,400 OT SEG 6B MIO.....	S	3,142	1		X
13,100 PM SEG 6 MIO.....	N	17,827	1		X
13,200 PQ SEG 6B MIO.....	S	3,654	1		X
<b>GRAND ISLE BLK 43:</b>					
6,000 OO SEG 2-A MIO.....	N	805	3		X
6,100 OR SEG 2-A MIO.....	N	1,087	3		X
7,325 IH SEG 2-A MIO.....	N	5,210	3		X
7,325 IH SEG 6 MIO.....	N	9,265	6		X
8,000 JG SEG 6 MIO.....	A	3,422	4		X
8,100 JH SEG 5 MIO.....	N	1,015	3		X
8,100 JH SEG 6 MIO.....	N	19,389	3		X
8,800 KA LOWER SEG 5 MIO.....	N	1,233	6		X
8,800 KA LOWER SEG 7-B MIO.....	N	836	1	X	
9,000 KG SEG 5 MIO.....	N	2,090	6		X
9,330 KK SEG 7-B MIO.....	N	2,426	1	X	
9,330 KK SEG 7-C MIO.....	N	6,165	1	X	
9,800 KS SEG 6A MIO.....	N	7,018	1		X
9,800 KS SEG 7-C MIO.....	N	1,548	4		X
9,800 KS SEG 9-C MIO.....	N	3,831	1	X	
10,000 LA SEG 1-D MIO.....	A	2,485	4		X
10,000 LA SEG 7-A MIO.....	N	2,082	1	X	
10,350 LH SEG 7-A MIO.....	N	1,193	1	X	
10,400 LN SEG 1 MIO.....	N	5,822	1		X
10,600 MD SEG 1-B MIO.....	N	1,125	1		X
11,650 NT MIO.....	N	6,455	7		X
11,710 OF SEG 8-E MIO.....	N	2,125	6		X
11,720 OG SEG 8-E MIO.....	A	2,007	4		X
12,160 OP UPPER SEG 2 MIO.....	N	5,225	1		X
12,160 OP UPPER SEG 9 MIO.....	N	19,142	1		X
12,250 OT SEG 1-D MIO.....	N	6,060	1		X
<b>GRAND ISLE BLK 45:</b>					
12,250 OT SEG 9 MIO.....	N	17,726	1		X
12,275 PE SEG 1-D MIO.....	N	1,655	1		X
12,600 FM SEG 9 MIO.....	N	4,837	1		X
13,000 PN SEG 1-E MIO.....	N	1,518	1		X
13,000 PN SEG 8-C MIO.....	N	4,893	1	X	
13,000 PN SEG 8-E MIO.....	N	1,796	3		X
13,200 PQ SEG 8-C MIO.....	N	18,941	1	X	
13,200 PQ SEG 8-E MIO.....	N	184	7		X
13,250 QA SEG 8-C MIO.....	N	1,062	3	X	
13,250 QA SEG 8-F MIO.....	N	115	7		X
13,275 QH SEG 9 MIO.....	N	72,169	5	X	
13,290 QJ SEG 1 MIO.....	N	6,914	5		X
13,600 RE SEG 8-E MIO.....	N	6,345	3	X	
13,650 RF SEG 8-E MIO.....	N	4,772	3	X	
<b>GRAND ISLE BLK 47:</b>					
6,600 ON SEG 4 MIO.....	N	1,872	3		X
8,700 IQ SEG 1 MIO.....	N	4,561	1		X
8,750 IT SEG 3 MIO.....	N	588	1		X
8,850 JA SEG 5 MIO.....	N	285	1		X
9,900 JB SEG 2-A MIO.....	N	493	1		X
9,300 JP SEG 1-B MIO.....	N	2,023	1	X	
1,000 KM SEG 1 MIO.....	N	2,402	3		X
10,800 LH SEG 4 MIO.....	N	7,178	2		X
10,800 LH SEG 9 MIO.....	N	1,899	1		X
11,700 MM SEG 1-B MIO.....	N	969	3		X
12,250 MS SEG 3 MIO.....	N	1,492	3		X
12,250 MS SEG 4 MIO.....	N	2,721	6		X
12,300 NE SEG 2 MIO.....	N	2,559	1		X
12,375 NJ SEG 2 MIO.....	N	694	1		X
12,400 NK SEG 11 MIO.....	N	2,395	6		X
12,900 NB SEG 1-C MIO.....	N	625	6		X
12,900 NB SEG 2 MIO.....	N	1,459	1	X	
13,000 OE SEG 2 MIO.....	N	6,019	1	X	
13,500 OP SEG 2 MIO.....	N	8,936	1	X	
13,800 PD SEG 2 MIO.....	N	6,287	1		X
<b>GRAND ISLE BLK 72:</b>					
10,400 KS SAND MIO.....	N	1,383	1		X
10,700 LE SAND MIO.....	N	1,536	1		X
10,750 LH SAND MIO.....	N	12,800	1	X	
11,350 MN SAND MIO.....	N	1,747	1		X
<b>SHIP SHOAL BLK 154:</b>					
5,400 G-1 PLIO.....	N	3,516	3		X
5,500 H-1 SEG B PLIO.....	N	3,572	3		X
8,800 J-2 SEG 2 MIO.....	N	1,175	1	X	
11,000 K-1 SEG 4 MIO.....	N	1,260	1	X	
<b>SHIP SHOAL BLK 169:</b>					
7,730 D-2 SEG 8-7 PLIO.....	N	391	5	X	
<b>SHIP SHOAL BLK 176:</b>					
4,900 FA MIO.....	N	3,305	1		X
5,070 FC MIO.....	N	26,004	5	X	
5,210 FE MIO.....	N	37,515	5	X	

NOTICES

Tennessee Gas Pipeline Company, 1975—Gulf of Mexico Nonproducing Reservoirs Reported in Form 15—Continued

[All volumes in MMcf at 14.73 Psa and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>SHIP SHOAL BLK 176:</b>					
4,600 FO MIO.....	N	5,252	5	-----	X
5,850 FS MIO.....	N	5,649	5	X	
7,660 LOWER HO SEG 1 MIO.....	N	8,011	5	X	
7,970 IA SEG 1 MIO.....	N	9,242	5	X	
8,230 IO SEG 1 MIO.....	N	10,201	5	X	
8,280 LOWER IE SEG 1 MIO.....	N	11,061	1	-----	X
8,280 LOWER IE SEG 5 MIO.....	N	1,699	1	-----	X
8,290 IG SEG 1 MIO.....	N	3,428	5	X	
8,310 IM SEG 3 MIO.....	N	1,296	5	X	
8,740 IQ SEG 1 MIO.....	N	18,163	5	X	
8,830 IS SEG 1 MIO.....	N	5,664	5	X	
9,250 UPPER JF SEG 1 MIO.....	N	8,394	5	-----	X
9,330 MIDDLE JF SEG 1 MIO.....	N	5,325	1	-----	X
9,375 LOWER JF SEG 1 MIO.....	N	9,932	1	-----	X
9,380 JI SEG 1 MIO.....	N	8,729	5	X	
9,380 JI SEG 4 MIO.....	N	1,130	3	X	
9,500 JK SEG 3 MIO.....	N	2,826	1	-----	X
9,500 JK SEG 4 MIO.....	N	1,695	5	X	
9,560 JL SEG 5 MIO.....	N	2,813	1	-----	X
9,640 UPPER JN SEG 1 MIO.....	N	11,556	1	-----	X
9,995 KC SEG 1 MIO.....	N	6,913	1	-----	X
10,550 KM SEG 1-A MIO.....	N	2,242	1	-----	X
10,550 KM SEG 5 MIO.....	N	2,565	1	-----	X
<b>SOUTH MARSH ISLAND BLK 66:</b>					
6,650 SEG 1-A PLIO.....	N	2,013	5	-----	X
9,600 BA SEG 1 PLIO.....	N	1,689	5	-----	X
9,600 BA SEG 15 PLIO.....	N	5,905	5	X	
9,700 SEG 1 PLIO.....	N	13,802	5	X	
10,300 B-3 SEG 15 PLIO.....	N	11,565	5	X	
10,400 SEG 1 PLIO.....	N	6,579	5	-----	X
10,400 B-4 SEG 15 PLIO.....	N	16,910	5	X	
10,650 C-1 SEG 15 PLIO.....	N	22,453	5	X	
11,300 SEG 1 PLIO.....	N	45	5	-----	X
11,300 SEG 2 PLIO.....	N	1,306	5	X	
11,300 C-5 SEG 3 PLIO.....	N	2,632	5	-----	X
11,300 C-3 SEG 2 PLIO.....	N	33,371	5	X	
13,000 C-12 SEG 15 PLIO.....	N	8,100	5	X	
13,100 C-12A PLIO.....	N	16,714	5	X	
<b>SOUTH MARSH ISLAND BLK 79:</b>					
6,300 SEG 1 PLIO.....	N	3,296	1	X	
10,400 C PLIO.....	N	36,713	1	X	
<b>SOUTH TIMBALIER BLK 54:</b>					
4,000 D-3 SEG A MIO.....	N	1,194	1	-----	X
6,000 D-3 SEG A-1 MIO.....	N	898	6	-----	X
11,000 F-8 SEG A MIO.....	N	1,623	6	-----	X
11,000 F-8 SEG B MIO.....	N	42,350	2	-----	X
11,600 G-2A SEG B MIO.....	N	22,438	2	-----	X
11,650 G-5 SEG R MIO.....	N	4,299	7	-----	X
11,700 G-8 SEG II MIO.....	N	12,778	1	X	
11,800 G-8B SEG II MIO.....	N	5,947	1	X	
11,800 G-4B SEG J MIO.....	N	1,271	1	-----	X
12,000 G-7 SEG II MIO.....	N	9,643	1	X	
12,200 G-8 SEG II MIO.....	N	2,294	1	X	
12,750 H-3 SEG F MIO.....	N	761	5	-----	X
13,200 H-7 SEG A MIO.....	N	4,953	6	X	
14,200 H-11 SEG F MIO.....	N	3,797	5	-----	X
<b>VERMILION BLK 39:</b>					
6,700 MIO.....	N	32,363	2	X	
8,100 B2 MIO.....	N	3,025	1	X	
9,700 E SEG 1 MIO.....	N	1,022	7	-----	X
<b>VERMILION BLK 191:</b>					
8,300 D-1 SEG 6 PLIO.....	N	4,200	7	X	
11,160 H SEG 3 PLIO.....	N	24,940	7	X	
11,900 I-A SEG 1 PLIO.....	N	1	7	X	
<b>VERMILION BLK 218:</b>					
5,700 A-12 PLIO.....	N	678	1	X	
6,500 A-15 PLIO.....	N	2,053	1	X	
7,500 B-1 PLIO.....	N	5,401	1	X	
9,000 C-2 SEG 2 PLIO.....	N	10,150	1	X	
10,200 C-10 PLIO.....	N	747	1	X	
10,400 D-1 SEG 1 PLIO.....	N	12,521	1	X	
<b>VERMILION BLK 245:</b>					
5,500 PLIO.....	A	5,048	6	X	
6,700 A-1 SEG 4 PLIO.....	N	4,764	1	X	
7,760 C-1 SEG 2 PLIO.....	N	9,018	1	X	
7,750 C-1 SEG 4 PLIO.....	N	9,659	1	X	
7,760 C-1 SEG 9 PLIO.....	A	11,276	6	X	
8,000 C-2 SEG 40A PLIO.....	A	15,301	6	X	
8,400 C-2B SEG 9 PLIO.....	N	8,473	1	X	
9,000 D SEG 9 PLIO.....	N	11,086	1	X	
10,000 E SEG 1 PLIO.....	N	10,909	5	-----	X
10,000 E SEG 6 PLIO.....	N	29,406	1	X	
10,250 G SEG 1 PLIO.....	N	36,664	5	X	
11,500 M SEG II PLIO.....	N	1,183	1	X	
11,700 N SEG II PLIO.....	N	1,150	6	X	
<b>VERMILION BLK 250:</b>					
4,000 PLIO.....	N	4,137	1	-----	X
7,500 PLIO.....	N	1,907	1	-----	X
8,300 PLIO.....	N	3,914	1	-----	X
9,500 PLIO.....	N	6,274	1	-----	X
9,750 SEG 1 PLIO.....	N	5,434	1	-----	X
9,750 SEG 2 PLIO.....	N	6,723	1	-----	X
12,200 SEG PLIO.....	N	8,579	1	-----	X
12,250 SEG 3 PLIO.....	N	2,571	1	-----	X
12,350 SEG 3 PLIO.....	N	12,746	1	-----	X
16,100 SEG 3 PLIO.....	N	10,653	1	X	

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Tennessee Gas Pipeline Company, 1975—Gulf of Mexico Nonproducing Reservoirs Reported in Form 15—Continued

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>WEST CAMERON BLK 08:</b>					
14,000 MIO.....	N	13,856	5	.....	X
14,250 MIO.....	N	13,090	5	.....	X
15,425 MIO.....	N	13,219	5	.....	X
<b>WEST CAMERON BLK 180:</b>					
4,050 A-1 SEG 1 MIO.....	N	920	1	X	
5,000 A-8 SEG 1 MIO.....	N	17,112	1	X	
7,400 F-1 SEG 2 MIO.....	N	6,712	1	X	
7,400 F-1 SEG 4 MIO.....	N	4,178	1	X	
7,500 F-2 SEG 5 MIO.....	N	10,524	1	.....	X
7,500 F-2 SEG 18 MIO.....	N	4,485	1	.....	X
7,600 F-3 SEG 3 MIO.....	N	2,232	1	.....	X
7,600 F-3 SEG 10 MIO.....	N	5,151	1	.....	X
7,600 F-3 SEG 11 MIO.....	N	8,533	1	X	
9,000 I-1 SEG 15 MIO.....	N	10,868	1	.....	X
<b>WEST CAMERON BLK 180:</b>					
9,250 I-2 SEG 7 MIO.....	N	2,059	1	X	
9,700 K-1 SEG 12 MIO.....	N	20,018	1	X	
10,000 K-2 SEG 13 MIO.....	N	2,067	3	X	
10,000 K-2 SEG 14 MIO.....	N	17,861	1	X	
<b>WEST CAMERON BLK 192:</b>					
5,800 EQ MIO.....	N	13,965	1	X	
6,000 K-6 MIO.....	N	1,810	1	X	
8,100 IB SEG 7 MIO.....	N	2,100	6	X	
8,250 IE SEG 1 MIO.....	N	13,043	3	X	
8,250 IE SEG 2 MIO.....	N	28,447	2	.....	X
8,250 IE SEG 7 MIO.....	N	3,649	6	X	
8,800 IP LOWER STNGR MIO.....	N	5,046	6	X	
8,900 IS MIO.....	N	4,284	3	X	
11,700 KJ SEG 3 MIO.....	N	9,565	1	X	
11,800 KM SEG 1 MIO.....	N	17,458	1	X	
11,900 KP SEG 1 MIO.....	N	12,067	1	.....	X
11,900 KP SEG 2 MIO.....	N	8,416	1	.....	X
<b>WEST DELTA BLK 30:</b>					
2,170 SEG 6 PLEIST.....	N	2,069	7	.....	X
6,350 BF-1C SEG 8-A MIO.....	N	885	6	X	
6,400 BF-2 SEG 12 MIO.....	N	1,798	1	X	
6,650 BF-4 SEG 10 MIO.....	N	1,883	6	.....	X
6,750 BF-4A SEG 10B MIO.....	N	580	6	.....	X
7,400 B-4 SEG 6 MIO.....	N	1,768	6	.....	X
8,300 D-1 SEG 9 MIO.....	N	6,302	1	X	
8,800 SEG H-7D MIO.....	N	295	7	.....	X
9,000 D-1A SEG 8-A MIO.....	N	1,576	5	X	
9,000 D-1A SEG 9 MIO.....	N	5,530	6	.....	X
9,300 D-2 SEG 9 MIO.....	N	12,028	3	.....	X
9,700 D-3 SEG Y MIO.....	N	405	1	X	
9,750 D-3A SEG 13 MIO.....	N	3,102	1	X	
9,800 D-3C SEG 8-C MIO.....	N	2,184	6	.....	X
9,800 D-3C SEG 13 MIO.....	N	2,307	1	X	
10,300 D-5 SEG B-1 MIO.....	N	2,296	1	X	
10,300 D-5 SEG 13 MIO.....	N	1,782	7	X	
10,300 D-5 SEG Y MIO.....	N	5,541	1	X	
10,450 D-6 SEG 10 MIO.....	N	3,600	5	X	
11,600 D-18 SEG B-1 MIO.....	N	893	1	X	
12,500 K-1 SEG B-1 MIO.....	N	4,931	1	X	
<b>WEST DELTA BLK 35:</b>					
10,400 ROB 15 SAND.....	N	321	7	.....	X
12,200 O SD SEG 5 CIB-K.....	A	1,613	1	X	

Texas Eastern Transmission Corporation, 1975—Gulf of Mexico Nonproducing Reservoirs Reported in Form 15

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>BRAZOS BLK A1:</b>					
6,700 SAND.....	N	855	1	.....	X
8,400 SAND.....	N	1,406	1	.....	X
<b>EAST CAMERON BLK 14:</b>					
AMP B1.....	N	3,875	1	.....	X
DISC B4.....	N	1,177	1	.....	X
MARG 2A.....	N	1,653	1	.....	X
MARG 2B.....	N	1,160	1	.....	X
MARG 3.....	N	989	7	X	
MARG 7.....	N	1,970	1	.....	X
MARG 10 SEG 1.....	N	1,336	1	.....	X
MARG 10 SEG 2.....	N	387	7	.....	X
MARG 11.....	N	2,200	1	.....	X
MARG 11 SEG 2.....	N	539	7	.....	X
<b>EAST CAMERON BLK 100:</b>					
4,500.....	N	8,414	1	.....	X
5,700.....	N	2,780	1	.....	X
5,800.....	N	2,968	1	.....	X
6,000.....	N	6,023	1	.....	X
6,100.....	N	5,118	1	.....	X
6,160.....	N	2,406	1	.....	X
6,300.....	N	3,755	7	.....	X
6,450.....	N	9,260	1	.....	X
6,700.....	N	1,896	1	.....	X
6,900.....	N	6,861	1	.....	X
7,200.....	N	1,836	1	.....	X
7,900.....	N	15,740	1	.....	X
8,500.....	N	2,759	7	X	
9,000.....	N	7,889	7	X	
9,500.....	N	10,680	1	X	
12,100.....	N	2,438	7	.....	X



## NOTICES

Texas Eastern Transmission Corporation, 1975—Gulf of Mexico Nonproducing Reservoirs Reported in Form 16—Con.

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>EAST CAMERON BLK 257:</b>					
6,300 SAND SEG 1	N	1,713	1	X	
8,200 SAND SEG 1	NN	1,534	1		X
8,300 SAND SEG 2	NN	1,764	1		X
8,300 SAND SEG 3	N	597	1		X
<b>EAST CAMERON SA BLK 286:</b>					
ANG E 35	N	761	1		X
<b>MAIN PASS BLK 6:</b>					
3,500	N	7,838	1		X
3,880	NN	4,121	1		X
4,430	N	29,846	1	X	
5,890	A	7,215	4	X	
6,455	NN	15,191	1	X	
6,700	NN	2,130	1		X
6,765	NN	8,257	1	X	
8,350	N	4,569	7	X	
<b>MAIN PASS BLK 95:</b>					
5,100	N	1,728	7	X	
5,800	NN	2,106	7		X
7,100	N	1,395	7	X	
<b>MAIN PASS BLK 103:</b>					
6,800	N	13,434	7	X	
<b>VERMILION SA BLK 265:</b>					
A 40 SEG B	N	3,194	7		X
A 60 SEG B	NN	2,642	1	X	
A 80 SEG C	NN	6,634	1		X
C 5 SEG A	NN	14,507	1		X
C 5 SEG C	NN	7,325	1		X
C 40 SEG A	S	847	3	X	
C 40 SEG C	S	676	1		X
C 50 SEG C	NN	2,181	1	X	
C 50 SEG D	NN	952	1		X
E 10 SEG F	NN	15,907	1		X
E 10 SEG F	S	2,663	1		X
<b>WEST CAMERON BLK 192:</b>					
V 2	N	4,381	1	X	
<b>WEST CAMERON BLK 280:</b>					
B	N	3,851	2		X
D	NN	1,327	2		X
E	NN	1,917	2		X
F	NN	1,901	2		X
G	N	4,117	2		X

Texas Gas Transmission Corporation, 1975—Gulf of Mexico Nonproducing Reservoirs Reported in Form 16

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>EAST CAMERON BLK 14:</b>					
AMP B-1	N	3,129	1	X	
AMP B-3 SEG I	NN	5,001	1	X	
DISC B-1 SEG II	NN	7,009	1	X	
DISC B-1 SEG III	NN	792	1	X	
DISC B-4 SEG II	NN	547	3		X
DISC B-5 SEG I	NN	557	3		X
DISC B-5 SEG II	NN	337	3		X
MARG 11 #4	NN	5,963	1	X	
MARG 11 #4 AREA II	NN	862	1	X	
MARG 11 #7 SEG III	NN	1,690	1		X
MARG 11 #10 SEG I	NN	574	7	X	
MARG 11 #10 SEG II	NN	1,293	1		X
MARG 11 #11 SEG I	NN	893	7		X
MARG 11 #11 SEG II	N	1,698	1		X
<b>EUGENE ISLAND SA BLK 273:</b>					
AG SAND	N	3,909	5		X
BG SAND	N	1,773	5		X
BG SAND	N	2,453	5		X
<b>EUGENE ISLAND SA BLK 276:</b>					
ANG B SEQ B	N	376	1		X
ANG B-1 SEG B	NN	2,249	1		X
BUL 1-3 SEG G	NN	1,667	1		X
BUL 1-4 SEG G	NN	1,356	1		X
TEX P-1 SEG G	NN	1,001	1		X
TEX P-1 SEG K	NN	1,843	1		X
TEX P-1 SEG L	N	3,503	1		X
<b>EUGENE ISLAND SA BLK 292:</b>					
7,300 FT SAND AREA III	N	290	1	X	
BB-2 SAND AREA IV	NN	241	5		X
CF SAND SEG II	NN	220	5		X
CI SAND AREA III	NN	597	5		X
DB SAND SEG I AREA II	NN	1,177	5		X
DB II SAND SEG I AREA II	NN	2,005	5		X
DB SAND AREA III	NN	2,238	5		X
DE SAND SEG I AREA II	NN	1,725	5		X
DF SAND SEG I AREA II	NN	1,177	5		X
EA SAND SEG I	NN	8,254	5		X
EB SAND SEG II	NN	2,154	5		X
EB AREA III SEG I	NN	501	5		X
EC SAND SEG I AREA II	NN	5,611	5		X
ED A SAND	NN	8,490	5		X
EE SAND SEG I AREA II	NN	5,108	5		X
EE SAND AREA III	NN	1,956	5		X
EG SAND SEG II	NN	1,929	5		X
EII SAND SEG I AREA II	NN	1,703	5		X
FC SAND SEG II	N	471	5		X

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Texas Gas Transmission Corporation, Gulf of Mexico Nonproducing Reservoirs Reported in Form 15—Continued

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
SHIP SHOAL BLK 40:					
12,650 FT SAND SEG II.....	N	2,178		X	
SOUTH MARSH ISLAND BLK 11:					
98 SERIES SEG I.....	N	4,016		1 X	
ROB E-1 SEG I.....	N	5,569		1	X
ROB E-5 SEG I.....	N	4,201		3 X	
ROB E-5 SEG V.....	N	3,299		1 X	
G-19 SEG I.....	N	7,244		1 X	
TIGER SHOAL:					
Q SAND SEG III.....	N	42,648		1	X
Q-1 SAND SEG I.....	N	2,995		6 X	
U SAND SEG I.....	N	32,394		1 X	
WEST CAMERON BLK 33:					
13,400 FT SAND.....	N	106		3 X	

Transcontinental Gas Pipeline Corporation, 1973—Gulf of Mexico Nonproducing Reservoirs Reported in Form 15

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
BRAZOS BLK A1:					
6,950.....	N	3,434		5 X	
BIG 2 1.....	N	2,638		1 X	
M2.....	A	3,194		1	X
M8.....	N	3,297		1	X
M5.....	N	2,605		1 X	
M6.....	N	1,098		1 X	
EAST CAMERON BLOCK 88:					
BIG 2-1.....	N	4,635		1 X	
BIG 2 3A.....	N	3,040		1 X	
BUL 7A.....	N	3,577		1 X	
CM 1C.....	N	1,534		1 X	X
DISC 2C.....	A	3,602		1 X	
ROB 2.....	N	3,191		1 X	
ROB 15-4.....	N	1,092		1	X
EUGENE ISLAND BLOCK 100:					
12,050.....	S	150		1 X	
10.....	N	212		1 X	
16V.....	N	823		1 X	
23V.....	A	1,323		1 X	
23V.....	A	568		1 X	
24.....	N	355		1 X	
29.....	N	352		1 X	
G-2.....	A	3,567		3	X
O-2.....	N	364		1 X	
R-1.....	C	789		1 X	
S II.....	A	1,818		3	X
T I.....	N	3,550		1	X
T2 11A.....	N	3,003		1	X
U2.....	N	2,835		1	X
U3.....	N	2,028		1	X
V 8.....	N	1,242		1 X	
Y.....	N	950		1 X	
EUGENE ISLAND BLOCK 120:					
8,000.....	N	271		1 X	
8,300.....	C	332		1 X	
10,300.....	N	233		1 X	
10,400.....	N	637		1 X	
EUGENE ISLAND BLOCK 126:					
10,650.....	N	5,058		3	X
10,700.....	N	533		1 X	
10,800 A.....	N	3,279		1 X	
10,900.....	N	1,127		1 X	
11,200.....	N	3,041		1 X	
1 I L.....	S	303		1	X
1 II.....	C	193		3 X	
1 II A.....	A	1,433		1	X
1 IV A.....	N	1,658		1 X	
1 VIII.....	N	281		1 X	
1 XII.....	S	341		1 X	
2 B1 IVA.....	N	1,200		1	X
2C IIB.....	N	1,430		1 X	
3AB IIA.....	N	991		3	X
3 I A.....	S	483		1	X
3BC I6.....	S	239		3	X
4 X.....	S	167		6	X
4 X I.....	S	185		6	X
A1 II.....	N	167		1 X	
CYCL A 1.....	S	201		1	X
C 13 II.....	S	211		6	X
D-3.....	S	69		6	X
D 3 4.....	S	122		1 X	
E 1 I.....	S	760		6	X
EUGENE ISLAND BLOCK 128:					
B III.....	N	785		1	X
C III.....	N	317		1	X
C1 III.....	N	320		1	X
DDO.....	S	142		6 X	
NN.....	N	2,270		1 X	
UP 5 V.....	N	400		1 X	
W 1 VIII.....	S	49		6	X
EUGENE ISLAND BLOCK 184:					
15,130.....	N	412		1	X
L.....	N	484		1	X
M.....	N	881		1	X

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Transcontinental Gas Pipeline Corporation, 1975—Gulf of Mexico Nonproducing Reservoirs Reported in Form 15—Con.

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>EUGENE ISLAND BLOCK 205:</b>					
S 2-I	N	9,411	1	-----	X
S 2-II	N	4,555	1	-----	X
S 2-VII	N	810	1	-----	X
S 3-I	N	8,849	1	-----	X
S 3-IV	N	375	3	X	
<b>EUGENE ISLAND BLOCK 205:</b>					
S4-I	N	10,125	1	-----	X
S6-I	N	2,088	1	-----	X
S6-IV	N	966	1	X	
<b>EUGENE ISLAND BLOCK 208:</b>					
9,720	N	1,178	6	X	
10,660	N	361	1	X	
13,650	S	160	1	X	
A2 II	N	445	1	-----	X
B3 I	N	2,983	3	-----	X
B5 I	N	3,084	5	X	
P1 I	A	1,147	6	-----	X
P2 I	A	2,185	5	X	
P3 I	N	14,971	5	X	
P4 II	N	1,452	6	-----	X
P5 II	N	963	1	X	
<b>HIGH ISLAND BLOCK 52:</b>					
M-35	N	912	1	-----	X
M-38	N	731	1	-----	X
M-48 IV	A	3,756	4	-----	X
M-49 IV	A	1,257	4	-----	X
M-50 I	N	3,392	1	-----	X
M-54 I	N	1,099	1	-----	X
M-56 I	S	239	6	-----	X
<b>SHIP SHOAL BLOCK 28:</b>					
7,600	N	10,099	1	-----	X
8,500	N	5,921	1	X	
8,550	N	6,056	1	X	
8,600	N	13,331	3	-----	X
9,000	S	2,000	7	X	
9,200	N	1,852	3	-----	X
9,500	N	8,637	6	-----	X
9,700	N	6,401	1	-----	X
9,750	N	1,137	1	-----	X
10,950 I	N	12,472	1	X	
11,050 I	A	13,383	3	-----	X
12,400 I	N	2,537	3	-----	X
12,850 I	N	5,087	1	-----	X
12,950 I	N	858	1	-----	X
14,200 A	N	8,403	1	-----	X
14,200 I	N	3,064	3	-----	X
<b>SHIP SHOAL BLOCK 28:</b>					
14200 II	N	1,832	3	-----	X
14400 I	N	4,962	3	-----	X
14400 II	N	6,131	1	-----	X
14400 3	N	2,840	1	-----	X
14500 A	N	2,438	1	-----	X
14500 I	N	7,564	3	-----	X
14650 3	N	2,695	1	-----	X
14900 3	N	1,613	1	X	
15050 2	N	2,054	1	X	
15050 3	N	6,449	1	X	
15120 A	N	3,523	6	-----	X
15200 3	N	7,588	6	-----	X
15400 A	N	14,125	3	-----	X
Y-2	N	21,630	1	X	
Y-2A	N	10,791	1	-----	X
Y-4	N	24,698	1	X	
Y-5	N	6,099	1	-----	X
Y-6	N	8,403	1	-----	X
Y-7	N	19,720	1	-----	X
Y-8	N	8,276	1	-----	X
<b>SHIP SHOAL BLOCK 32:</b>					
AMP E2 I	N	1,204	7	-----	X
BIG A5 3	N	876	1	-----	X
BIG A7 I	N	2,879	1	-----	X
BIG A7 3	N	2,431	3	-----	X
CR E3 I	N	3,856	1	-----	X
CR E3 3	N	1,554	1	-----	X
CR E5 3	N	2,367	1	X	
ROB E1 I	N	197	1	-----	X
ROB E1 3	N	2,978	1	-----	X
ROB E6 3	N	4,201	1	X	
<b>SHIP SHOAL BLOCK 107:</b>					
8,400	S	266	6	-----	X
11,850	N	2,079	1	X	
<b>SHIP SHOAL BLOCK 113:</b>					
7,900	N	5,360	1	X	
8,000	A	583	1	X	
8,100	N	2,866	1	X	
C 10 W	N	3,610	1	X	
C 5 W	N	2,997	1	X	
C 9 I	N	2,208	1	-----	X



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Transcontinental Gas Pipeline Corporation, 1975—Gulf of Mexico Nonproducing Reservoirs Reported in Form 15—Con:

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>SHIP SHOAL BLOCK 169:</b>					
CS A	N	1,288	1	X	
CS B	N	308	1	X	
<b>SHIP SHOAL BLOCK 186:</b>					
4,200	N	2,683	1	X	
<b>SHIP SHOAL BLOCK 208:</b>					
12,180 V	N	609	1		X
14,200 6	S	1,441	1		X
B1 8 6	S	36,201	1	X	
B1 5 VI	S	358	6		X
B1 6 14	S	281	1	X	
B1 6A 9	S	4,057	1		X
B1 6B 6	N	4,822	1		X
B1 7 V	N	600	1		X
B1 7 VI	N	5,075	1	X	
B1 7B 14	S	2,261	7	X	
B1 8 V	N	11,068	1	X	
B1 8 14	S	649	1	X	
B1 9B 6	N	2,853	1	X	
B1 10 6	S	489	6		X
B1 12 6	N	8,687	1		X
CS 7 V	N	4,729	1		X
CS 7A 2	N	1,102	1		X
CS 7A 11	N	1,592	1		X
CS 8 6	S	699	1		X
CS 8 7	S	315	1		X
CS 8 11	N	978	1		X
CS 8A 10	N	1,155	1		X
CS 9 6	S	189	1		X
CS 9 7	S	679	1		X
CS 9 10	N	700	1		X
CS 9 XV	C	1,644	1		X
TP 1 10	N	7,119	1		X
TP 1 11	N	15,980	1		X
TP 1 12	N	1,882	1		X
TP 1 13	N	2,974	1		X
TP 1 XV	N	1,689	1		X
TP 2 6	N	1,468	1		X
TP 2 11	N	1,989	6		X
TP 3 7	N	1,908	6		X
TP 3A V	N	2,260	1	X	
TP 4 2	N	1,557	1		X
TP 4 XV	A	1,481	1	X	
<b>SHIP SHOAL BLOCK 208:</b>					
TP 5 8	N	656	1		X
TP 6 H	A	5,596	1		X
TP 6 V	N	4,586	6		X
TP 6 11	S	827	1		X
TP 6 XV	S	375	1	X	
TP 7 8	S	112	1		X
TP 8 I	S	354	1	X	
TP 8 XV	S	859	1		X
TP 9 7	N	2,408	1		X
TP 9 8	N	5,192	1		X
TP 9 XV	S	460	1		X
TP 9A I	S	675	6		X
TP 9A 8	S	343	1		X
TP 9A X	N	1,240	1		X
TP 10 XV	S	108	1		X
TP 10A I	N	264	1		X
TP 10A 7	S	961	1	X	
TP 10A 9A	N	1,810	6		X
TP 10A 12	S	165	1		X
TP 10A 13	S	164	1		X
TP 10B 2	S	95	7		X
TP 10B 7	S	655	1		X
TP 10C I	S	134	1		X
TP 10C 2	C	2,012	1		X
TP 10C 7	S	4,618	1		X
TP 10C XV	S	250	1	X	
TP 10D 7	S	176	1		X
TP 11A 8A	S	127	7	X	
TP 11B V	N	601	1		X
TP 13 V	S	3,513	6		X
TP 14 VI	S	477	1		X
TP 14 10	N	1,810	1		X
TP 15 VA	S	74	6		X
TP 15 9A	N	1,720	1		X
TP 15 13	S	294	5		X
TP 16	S	239	1		X
TP 16A V	S	445	1		X
TP 17	S	282	1		X
<b>SHIP SHOAL BLOCK 222:</b>					
9,400	N	10,666	5		X
9,950	S	816	5		X
10,660	N	15,896	5	X	
11,460	N	7,720	5		X

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Transcontinental Gas Pipeline Corporation, 1975—Gulf of Mexico Nonproducing Reservoirs Reported in Form 16—Con.  
 [All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>SHIP SHOAL BLOCK 222:</b>					
DA B	N	23,206	1	X	
DA C	N	1,510	1	X	
DA G1	N	1,013	1	X	
DH A	N	6,560	1	X	
DH B	A	22,398	1	X	
DJ A	N	6,561	1	X	
DM A	N	1,649	1		X
DM B	N	8,040	1	X	
DU A	A	1,076	1		X
DU E	C	3,903	5		X
DY A	N	1,122	1	X	
DY C	N	15,643	1	X	
ED A	N	707	1	X	
ED C	S	237	1	X	
EP	N	9,389	1	X	
FB	N	7,037	1		X
<b>SHIP SHOAL BLOCK 230:</b>					
6,800	N	5,105	5		X
6,950	N	4,176	5		X
7,600	N	13,155	1	X	
8,000	N	2,726	1		X
8,530	N	4,156	1		X
8,800	N	2,585	1	X	
TP 11	N	5,377	6		X
TP 12	N	4,826	3		X
<b>SHIP SHOAL BLOCK 239:</b>					
12,900	S	473	1	X	
15,530	N	11,251	1		X
15,890	N	28,257	1		X
L4	N	7,375	1		X
L4 A	N	3,820	1	X	
L6	N	2,070	6		X
<b>SHIP SHOAL BLOCK 266:</b>					
C 1A III	N	2,865	1	X	
CR 1 I	A	1,946	1	X	
CR 1 III	A	1,182	1		X
CR 1 IV	A	697	6		X
CR 1A V	S	273	1	X	
CR 1A VI	S	278	1	X	
CR 2 I	N	2,057	1	X	
CR 2 V	A	208	1	X	
<b>SHIP SHOAL BLOCK 266:</b>					
CR 3 IV	N	870	1	X	
CR 3A	N	325	7		X
CR 4 III	C	802	1	X	
CR 4 IV	N	925	1	X	
CR 6 II	S	49	7		X
CR 7	N	1,899	6		X
LP 10	A	478	7		X
LP 10	S	203	7		X
LP 18	S	523	7		X
LP 20	N	9,671	6		X
TP 1 I	N	16,566	1	X	
TP 1 II	S	410	1	X	
<b>SHIP SHOAL BLOCK 274:</b>					
A4	N	791	1		X
A6	N	1,233	1		X
A8	N	2,254	1		X
AN D1 1	N	2,110	1		X
AN B1 2	N	4,093	1		X
ANG B2	A	2,859	1	X	
B6	N	2,920	1	X	
B7	N	2,506	1	X	
CS 2 5	N	16,507	1	X	
CS 2 6	N	979	1	X	
TRIM A1	N	907	1		X
TRIM A2	N	553	1		X
TRIM A3	N	4,485	1	X	
VARIOUS	S	730	1	X	
<b>SOUTH MARSH ISLAND BLK 23:</b>					
C1 B	N	33,831	1		X
C2 I	N	5,052	1	X	
C2 B	N	4,027	1	X	
D2 IC	N	2,362	1	X	
D2 H	N	972	1		X
E2 H	N	17,687	6		X
E 2A IB	N	5,467	1		X
E 2A IC	N	2,106	1		X
F1 I	N	2,401	1		X
F1 B	N	3,736	1	X	
F1 IC	N	1,379	1		X
F1 II	N	13,148	1	X	
F2 B	N	7,398	6		X
F3 I	N	6,118	1		X
F3 IC	N	639	1		X
<b>SOUTH MARSH ISLAND BLK 23:</b>					
F3 H	N	1,535	1	X	
F 4A IA	N	2,638	1	X	
G 2A IC	N	6,758	1	X	
H1 ID	N	17,024	1	X	
<b>SOUTH MARSH ISLAND BLK 38:</b>					
BIG A1	N	650	1	X	
SIG P1	N	314	1		X
SIG P2	N	347	1		X
TEX U1	N	637	1		X
TEX U2	N	319	1		X
TEX U3	N	320	1		X
TEX U4	N	322	1		X
TEX U5	N	291	1		X
TEX U7	N	294	1		X
TEX U9	N	721	1		X

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Transcontinental Gas Pipeline Corporation, 1973—Gulf of Mexico Nonproducing Reservoirs Reported in Form 15—Cont

(All volumes in MMcf at 14.73 Pps and 60° F)

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>SOUTH MARSH ISLAND BLK 48:</b>					
8,510.....	NNN	966	1	X	
9,790.....	NNN	594	1	X	
10,100 2.....	NNN	907	1		XX
10,100 3.....	NNN	737	1		XX
10,400 2.....	NNN	143	6		XX
10,400 4.....	NNN	414	1		XX
10,700 4.....	NNN	958	6	X	XX
11,000 2.....	NNN	331	6		XX
B1 I.....	NNN	1,184	1		XX
B1 IB.....	NNN	1,087	1	X	
B3 IB.....	NNN	2,319	1	X	
B4 I.....	NNN	4,078	1	X	
B4 IB.....	NNN	2,800	1	X	
B4 IC.....	NNN	1,952	1	X	
B5 I.....	NNN	12,173	1	X	
B5 II.....	NNN	7,204	1	X	
B5 IIA.....	NNN	3,768	1	X	
B5 XI II.....	NNN	1,716	1	X	
B5 E3.....	NNN	1,815	1		XX
B6 IIC.....	NNN	11,404	1		XX
B6 IID.....	NNN	9,096	1		XX
B6 IIE.....	NNN	4,588	1		XX
B6 III.....	NNN	17,892	1		XX
B7 8.....	NNN	1,425	1	X	
<b>SOUTH MARSH ISLAND BLK 48:</b>					
B8 II.....	NNN	2,441	1	X	
B8 IIC.....	NNN	3,112	1		XX
B8 IID.....	NNN	1,861	7		XX
B8 III.....	NNN	1,115	1	X	
B8 E3.....	NNN	1,006	1		XX
B9 III.....	NNN	13,346	1	X	
B9 XI.....	NNN	7,124	1		XX
B10 III.....	NNN	12,058	1	X	
B11 II.....	NNN	8,733	1	X	
B12 III.....	NNN	17,245	1	X	
B12 8.....	NNN	8,175	1	X	
B13-IV.....	NNN	7,681	1		XX
B13 V.....	NNN	10,282	1	X	
B13 10.....	NNN	13,324	1	X	
B13 E2.....	NNN	6,773	1		XX
B14 II.....	NNN	30,088	1		XX
B14 III.....	NNN	3,175	1	X	
B15 IIA.....	NNN	29,575	6		XX
B15 III.....	NNN	7,634	3		XX
B15 9.....	NNN	1,679	1	X	
B16 IIA.....	NNN	7,411	1		XX
B16 E4.....	NNN	5,061	1		XX
B17 II.....	NNN	37,293	1	X	
B17 E4.....	NNN	2,209	1		XX
B17 E5.....	NNN	1,386	1		XX
B 17A E5.....	NNN	1,391	1		XX
B 17B III.....	NNN	2,628	1	X	
B18 II.....	NNN	4,372	6		XX
B18 IIA.....	NNN	72,032	1		XX
B18 III.....	NNN	3,994	1		XX
B18 C1.....	NNN	20,296	1		XX
B18 E2.....	NNN	8,460	1		XX
B18 E4.....	NNN	8,827	1		XX
B 18A E6.....	NNN	12,177	1		XX
B 18B E6.....	NNN	4,442	1		XX
B19 IIB.....	NNN	10,446	1		XX
B19 IIE.....	NNN	5,349	1		XX
B19 E2.....	NNN	10,367	1		XX
B19 E5.....	NNN	3,795	1		XX
B20 E2.....	NNN	1,810	1		XX
B20 E4.....	NNN	3,895	1	X	
B20 E6.....	NNN	2,324	1	X	
B22 I.....	NNN	1,281	1		XX
B22 IIE.....	NNN	11,732	1	X	
B22 3.....	NNN	3,253	1		XX
<b>SOUTH MARSH ISLAND BLK 48:</b>					
B22 E2.....	NNN	10,848	1		XX
B22 E5.....	NNN	16,527	1	X	
B22 E6.....	NNN	3,269	1		XX
D2.....	NNN	7,038	6		XX
F9.....	NNN	279	6		XX
F10.....	NNN	4,128	6		XX
<b>SOUTH MARSH ISLAND BLK 48:</b>					
F11.....	NNN	4,136	6		XX
<b>SOUTH MARSH ISLAND BLK 66:</b>					
C7 II.....	NNN	1,318	1		XX
C7 III.....	NNN	531	1		XX
C7 IV.....	NNN	1,990	1		XX
D1 III.....	NNN	989	1		XX
D2 III.....	NNN	1,029	1		XX
D2 IV.....	NNN	1,264	1		XX
D2 VIII.....	NNN	2,644	1		XX
D3 II.....	NNN	2,177	1		XX
D3 VI.....	NNN	3,304	7	X	
D6 IV.....	NNN	275	1		XX
D6 III.....	NNN	2,690	1		XX
D6 IV.....	NNN	1,516	1		XX
D7 III.....	NNN	1,895	1		XX
D7 III A.....	NNN	651	1		XX
D-8 III A.....	NNN	589	1		XX



NOTICES

Transcontinental Gas Pipeline Corporation, 1975—Gulf of Mexico Nonproducing Reservoirs Reported in Form 16—Cont.

[All volumes in MMcf at 14.73 Psa and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>SOUTH PELTO BLOCK 20:</b>					
7,700 112	A	3,100	1		X
7,782	N	647	1	X	
8,308	N	2,020	7		X
8,500 112	N	2,726	1		X
8,648	N	358	7		X
9,000 112	N	8,717	1	X	
LM 3	N	276	1	X	
M-2	N	173	1	X	
M-3U	N	1,046	1		X
<b>VERMILION BLK 16:</b>					
13,800	N	1,448	1		X
14,450	N	3,697	1	X	
14,885	N	4,091	1		X
<b>VERMILION BLK 16:</b>					
15,250	N	13,062	1	X	
AM B A1	N	6,668	1	X	
CIB 38	N	2,946	3		X
CB 38A II	N	1,110	3		X
CB 38A V	N	1,412	1	X	
CO E1 I	N	9,079	1	X	
LF A4 IV	N	1,802	1	X	
LF C III	N	19,664	6		X
LF D I	N	3,704	3		X
LF D VI	N	1,106	1	X	
LF E I	N	3,403	3		X
LF E1 I	N	1,017	3		X
LF E1 VI	N	2,260	1		X
LF F1 I	N	3,220	3		X
RB 54A I	N	4,625	3		X
RB 54A II	N	5,965	1	X	
R 54B I	N	6,167	1	X	
R 54B V	N	2,496	3		X
ROB 54C	N	3,541	1		X
ROB 54D	N	1,627	1	X	
ROB 54D I	N	2,113	1	X	
ROB 54F	N	5,258	1	X	
<b>VERMILION BLK 46:</b>					
BIG 21 I	N	3,939	6		X
CRIS 11	N	3,170	1	X	
CRIS 12	N	4,492	1	X	
TEX W2	N	1,491	1		X
TEX W6	N	1,488	1	X	
<b>VERMILION BLOCK 71:</b>					
10 II	N	2,575	1		X
18 III	N	1,744	1	X	
27 V	N	2,827	1		X
28 V	N	4,429	1	X	
36 I	N	2,151	3		X
37 I	N	1,219	1		X
J I	N	3,611	1	X	
M 10 I	N	10,534	3		X
<b>VERMILION BLOCK 76:</b>					
AMP E2 I	N	16,957	1		X
AMP E2 II	N	2,452	1	X	
<b>VERMILION BLOCK 76:</b>					
AMP B3 I	N	26,343	1	X	
DI 12 2 I	N	7,110	1		X
DIS 12 8	N	11,046	1		X
PLIO 15	N	2,496	1		X
TEX L 2	N	4,247	1		X
<b>VERMILION BLK 101:</b>					
DI 12B	N	2,493	1	X	
<b>VERMILION BLK 103:</b>					
6,500	N	24,546	1	X	
<b>VERMILION BLOCK 104:</b>					
0007750	N	5,615	6		X
<b>VERMILION BLK 131:</b>					
6A III	N	2,413	1		X
6B 2	N	2,540	1	X	
8A III	N	5,769	6		X
9A	N	1,336	1	X	
10 II	N	902	1	X	
11 II	N	971	3		X
11 IV	N	24,418	3		X
12 II	N	3,651	1	X	
12B VI	N	7,077	3		X
12C I	N	2,440	3		X
14 I	N	10,766	3		X
14A I	N	1,834	1	X	
16 I	N	14,543	1	X	
A7	N	1,492	1		X
A9	N	1,889	1		X
B1	N	2,874	1		X
B6	N	1,221	1		X
C3	N	1,546	1		X
C8	N	1,354	1		X
C9	N	1,443	1		X
<b>VERMILION BLK 215:</b>					
BI A41	N	16,607	1	X	
BI 2 IV	N	3,733	1		X
HY B1	N	3,448	1		X
HY B2	N	4,532	1		X
LCN 1	S	253	1	X	
LCN 2	O	441	1		X
LCN 5	N	1,357	1		X

NOTICES

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Transcontinental Gas Pipeline Corporation, 1973—Gulf of Mexico Nonproducing Reservoirs Reported in Form 15—Con:

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>VERMILION BLOCK 215:</b>					
LCN 7	N	2,472	1	-----	X
LCN 11	N	2,689	1	-----	X
LCN 12	N	1,012	1	-----	X
<b>WEST CAMERON BLOCK 040:</b>					
1 and 3	N	9,679	6	-----	X
4	N	5,276	1	X	
5	N	4,075	1	X	
<b>WEST CAMERON BLOCK 045:</b>					
5,850 8	N	7,120	1	X	
7,850	N	976	1	X	
7,850 A10	N	2,645	1	X	
8,000 I	N	2,121	3	-----	X
8,000 II	N	511	1	X	
AMP II 2 3	N	858	1	X	
A12 A10	N	2,070	1	X	
BA II	N	2,844	1	X	
NO 1-3	N	2,859	1	X	
P1	N	2,677	1	X	
P 3B	N	1,291	1	X	
P 5A I	N	5,043	1	X	
P6 III	N	1,687	3	-----	X
P6 IV	N	1,196	1	-----	X
P8 I	N	1,077	1	X	
P10 IV	N	3,078	3	-----	X
P11	N	3,535	1	-----	X
<b>WEST CAMERON BLOCK 110:</b>					
F18 I	N	3,497	3	X	
F 7 BLK I	A	7,435	6	-----	X
F 7 BLK II	N	1,453	6	-----	X
F8 BLK II	N	4,362	1	-----	X
F9 BLK I	N	1,777	1	-----	X
G7	N	612	1	-----	X
H4 BLK I	N	2,234	1	X	
H5 BLK I	N	8,898	1	X	
H IIA	N	956	1	-----	X
H BLK IV	N	1,133	6	-----	X
H 5	N	1,691	1	X	
I2 5	N	658	1	-----	X
I2 BLK V	N	1,056	1	-----	X
I2 BLK VI	N	35	6	-----	X
I2 B6	N	2,367	1	X	
I3 A G	N	933	6	-----	X
I3 BLK II	N	2,120	1	X	
<b>WEST CAMERON BLOCK 110:</b>					
I3 BLK 3	N	4,546	1	-----	X
I3 7	C	886	1	-----	X
I5 5	S	146	1	-----	X
I5 6	S	331	1	X	
I5 BLK VI	N	417	6	-----	X
I5 7	S	220	1	-----	X
I7	N	4,106	1	-----	X
I7 III	N	1,664	6	-----	X
I7 5	S	252	1	-----	X
J 1	N	5,149	1	-----	X
J1 8	N	1,471	1	-----	X
L1	N	4,884	1	X	
L4 IV	N	9,746	1	X	

Trunkline Gas Company, 1973—Gulf of Mexico Nonproducing Reservoirs Reported in Form 15

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>GRAND ISLE BLK 77:</b>					
BB	N	760	1	X	
BD-3	S	1,905	1	-----	X
BR	N	701	1	X	
G-7	N	704	1	-----	X
H-2	N	442	1	X	
H-3	N	1,032	1	-----	X
LOWER H-3	N	621	1	-----	X
H-4	N	1,655	1	-----	X
H-5	N	2,851	1	-----	X
H-5	S	384	1	-----	X
H-9	S	588	1	-----	X
J-5	N	1,286	1	-----	X
PL-9	N	2,290	1	X	
<b>SHIP SHOAL BLK 274:</b>					
F SAND	N	6,066	1	-----	X
I SAND	N	925	1	-----	X
J SAND	N	7,010	1	-----	X
<b>SOUTH TIMBALIER BLK 86:</b>					
10,700 SAND	N	8,191	1	-----	X
10,900 SAND	N	1,284	1	-----	X
11,200 SAND	N	4,490	1	-----	X
12,800 SAND	N	5,584	1	-----	X
12,800 B SAND	N	4,188	1	-----	X
13,100 SAND	N	10,803	1	-----	X
13,300 SAND	N	4,421	1	-----	X
13,400 SAND	N	5,639	1	X	
14,100 SAND	N	21,037	3	X	
14,200 SAND	N	4,330	1	-----	X
14,300 SAND	N	1,544	3	X	
15,000 SAND	N	29,158	3	X	

Trunkline Gas Company, 1975—Gulf of Mexico Nonproducing Reservoirs Reported in Form 15—Con.

[All volumes in MMcf at 14.73 Psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>SOUTH TIMBALIER BLK 148:</b>					
KG.....	N	1,808	1	-----	X
LO (SFB).....	N	227	1	-----	X
LR.....	N	888	1	-----	X
MJ (NFB).....	N	6,055	1	-----	X
MJ (SFB).....	N	662	1	-----	X
MP (NFB).....	N	16,181	1	X	-----
MP (SFB).....	N	3,421	1	-----	X
<b>SOUTH TIMBALIER BLK 172:</b>					
A-65 SEG A.....	N	5,976	1	X	-----
A-65 SEG A.....	N	21,663	3	X	-----
A-75 SEG A.....	N	3,093	1	X	-----
A-75 SEG A.....	N	5,392	1	X	-----
A-78 SEG A.....	N	4,137	3	X	-----
A-80 SEG A.....	N	25,953	1	X	-----
A-80 SEG A.....	N	3,041	1	X	-----
A-80 SEG C.....	N	4,550	1	-----	X
B-10 SEG C.....	N	16,077	1	X	-----
B-15 SEG D.....	N	26,621	1	X	-----
B-20 SEG A.....	N	73,625	1	X	-----
B-20 SEG B.....	N	1,949	1	-----	X
B-20 SEG D.....	N	32,862	1	X	-----
B-25 SEG A.....	N	2,576	1	X	-----
<b>SOUTH TIMBALIER BLK 176:</b>					
7,500 SAND.....	N	4,122	1	-----	X
8,100 SAND.....	N	5,520	1	-----	X
8,650 SAND.....	N	8,184	1	X	-----
9,400 SAND.....	N	1,555	1	X	-----
12,125 SAND.....	N	1,554	1	-----	X
12,900 SAND.....	N	57	7	X	-----
13,300 SAND.....	N	2,338	1	-----	X
H SAND RES B.....	N	10,428	1	-----	X
I-2 SAND RES A.....	N	4,515	1	-----	X
I-3 SAND RES B.....	N	2,461	1	-----	X
J SAND RES A.....	N	5,528	1	-----	X
K SAND RES A.....	N	1,490	1	-----	X
K SAND RES B.....	N	6,704	1	-----	X
<b>SOUTH TIMBALIER BLK 196:</b>					
8,850.....	N	3,618	7	X	-----
9,650.....	N	3,824	7	X	-----
12,600.....	N	17,206	7	X	-----

United Gas Pipe Line Corporation, 1975—Gulf of Mexico nonproducing Reservoirs Reported in Form 15

[All volumes in MMcf at 14.73 psia and 60° F]

Field and reservoir	Type	Dedicated reserves	Status	Proven by	
				FT	NFT
<b>EUGENE ISLAND BLK 32:</b>					
8,600 SAND.....	N	11,048	1	X	-----
10,100 SAND.....	N	5,378	1	-----	X
<b>EUGENE ISLAND BLK 95-110:</b>					
7,900 SAND.....	S	194	5	X	-----
8,100 SAND.....	S	156	5	X	-----
9,500 SAND.....	S	136	5	-----	X
9,800 SAND.....	S	262	5	X	-----
10,400 SAND.....	N	2,282	5	X	-----
10,550 SAND.....	N	2,928	5	X	-----
10,625 SAND.....	N	1,553	5	-----	X
10,780 SAND.....	N	1,126	5	X	-----
12,100 SAND.....	N	92	5	X	-----

APPENDIX D

API definition of proved reserves, American Petroleum Institute, technical report No. 1 Standard Definitions for Petroleum Statistics, July 1, 1969.

**Natural Gas—Proved Reserves:** Proved reserves of natural gas as of December 31 of any given year are the estimated quantities of natural gas which geological and engineering data demonstrate with reasonable certainty to be recoverable in the future from known natural oil and gas reservoirs under existing economic and operating conditions.

Reservoirs are considered provide if economic producibility is supported by either actual production or conclusive formation tests. The area of a reservoir considered proved includes: (1) that portion delineated by drilling and defined by gas-oil, gas-water, or oil-water contacts; and (2) the adjoining portions not yet drilled but which can be reasonably judged as economically productive on the basis of available geological and engineering data. In the absence of information on fluid contacts, the lowest known structural occurrence of hydrocar-

bons controls the lower proved limit of the reservoir.

FORM 15 DEFINITION OF PROVED RESERVES

**Recoverable—Proved Reserves:** the proved reserves of natural gas as of Dec. 31st of any given year are the estimated quantities of Certificated natural gas which geological and engineering data demonstrates with reasonable certainty to be recoverable in the future from known natural oil and gas reservoirs under existing economic and operating conditions.

[FR Doc.75-5237 Filed 2-28-75; 8:45 am]

[Docket No. CI75-284]

**CINCO EXPLORATION CO. ET AL.  
Order Granting Intervention, Setting Hearing Date and Prescribing Procedure**

FEBRUARY 14, 1975.

On December 9, 1974, Cinco Exploration Company (Operator), et al. (Cinco), filed in Docket No. CI75-284 an applica-

tion pursuant to Section 7(c) of the Natural Gas Act for a limited-term certificate of public convenience and necessity with pregranted abandonment authorizing the sale for resale and delivery of natural gas in interstate commerce to United Gas Pipe Line Company (United) from the Cinco-Bolton Nos. 1, 2 and 3 wells,<sup>1</sup> located in Trinity County, Texas, as more fully set forth in the application in this proceeding.

Cinco made a 60-day emergency sale of natural gas to United commencing on October 29, 1974, and terminating on December 28, 1974, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29). Cinco proposed to continue said sale for one year 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). Cinco would sell approximately 12,000 Mcf of gas per month at a base rate of 70.0 cents per Mcf at 14.65 psia subject to upward and downward Btu adjustment from a base of 1,000 Btu per cubic foot. Cinco estimates that the adjusted price would be 71.34 cents per Mcf at 14.65 psia for gas containing 1019 Btu per cubic foot.

In Opinion No. 699-B (52 FPC —), which reinstated the limited-term certificate provisions of § 2.70(b)(3) of the regulations, the Commission stated that applicants for limited-term certificates "will have the burden of demonstrating by substantial evidence that the price for which certification is sought is the lowest price at which that particular supply of gas may be obtained for the interstate market and that the supply of gas is available only for the limited period for which certification is sought" (Mimeo, p. 6).

In support of the price it would charge, Cinco maintains that it has incurred and will continue to incur higher than normal expenditures for recovery of the subject gas and that the national rate is not sufficient to justify such expenditures. Presuming the sale of gas at the requested price, Cinco has determined that it would realize a return on investment of 9.5 percent, compounded annually, over the 10-year life of the lease. Cinco concludes that the subject wells will be commercially productive and the gas can be produced without economic hardship only if the requested price is approved by the Commission.

In support of the limited duration of the proposed sale, Cinco advises that, based upon its experience, it entered into a one-year contract to ascertain the production potential of the field and to determine whether further development is justified. It cannot be deemed established by Cinco's application that the gas is available only for the term sought. To the contrary, in Exhibit "D" to its application, Cinco indicates that the subject wells are expected to produce 144,000 Mcf of gas per year from 1975 through 1983 and 120,000 Mcf in 1984.

<sup>1</sup> The subject wells are owned one-half by Cinco Exploration Company and one-half by Venture Oil Company of Texas. Cinco's filing includes Venture's interest.



In a proceeding similar to the one at hand, the Commission rejected an application by Wayne J. Spears for a limited-term certificate to sell gas at 80 cents per Mcf.<sup>2</sup> The Commission noted that Spears' application, as supplemented, demonstrated that he had made no disposition of his supply of gas at the end of the limited term, and that he declined to commit for a longer term in order to take advantage of an increase in price which will be afforded by the intrastate market.<sup>3</sup> Therefore, it was evident from the face of the application that, contrary to the standard of Opinion No. 699-B, the unavailability of gas supply at the end of the term did not underlie Spears' selection of the limited-term certification procedure. Accordingly, the Commission determined that the application was deficient and further proceedings would be useless.

The instant application does not demonstrate on its face that the proposed limited-term sale is justified. However, unlike Spears, Cinco alleges that the production potential of his gas reserves is as yet unascertained and it must undertake short-term sales to determine whether further development is justified. The Commission understands that the nature and extent of gas supplies might bear a relationship to the price and/or duration of a gas sale. Therefore, the instant case is distinguished from Spears in that Cinco's purpose in seeking limited-term certification may be other than to retain the option to have competing markets bid up the price of the gas, and may be for the legitimate object of obtaining further information about its gas reserves before making long-term sales of the gas.

The justification for the rate and term, as well as other public interest issues, should be presented in a full evidentiary record. Accordingly, we will set this matter for a formal, expeditious hearing.

After due notice of the application in the FEDERAL REGISTER on November 25, 1974 (39 FR 41303), United timely filed a petition to intervene in support of the application by Cinco. United States, in essence, that although the subject gas sale would not eliminate United's present need to curtail deliveries, the sale would have a direct relationship to the amount of gas United would have available for delivery to its customers. United further states that it would receive the subject gas through existing facilities and that it would not reimburse Cinco for any expenses incurred in delivering the gas to United. No further petitions to intervene, notices of intervention or protests to the granting of the application have been filed.

*The Commission finds.* (1) The intervention of United in this proceeding may be in the public interest.

<sup>2</sup> Order Denying Authorization for Extension of Emergency Sale, Denying Limited Term Certificate of Public Convenience and Necessity, and Granting Petition to Intervene, *Wayne J. Spears*, in Docket No. CI75-218, issued December 20, 1974.

<sup>3</sup> *Ibid.*, at page 3, Mimeo.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the issues in this proceeding be scheduled for hearing in accordance with the procedures set forth below.

*The Commission orders.* (A) United is hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission; *Provided, however,* That the participation of such intervenor shall be limited to matters affecting asserted rights and interests as specifically set forth in said petition for leave to intervene; and, *Provided, further,* That the admission of said intervenor shall not be construed as recognition by the Commission that it might be aggrieved by any order or orders of the Commission entered in this proceeding.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act, a public hearing shall be held on April 1, 1975 at 10:00 a.m. (e.s.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, concerning the issue of whether a certificate of public convenience and necessity should be granted as requested by Cinco in the application filed December 9, 1974.

(C) On or before March 18, 1975, Cinco and any supporting party shall file with the Commission and serve upon all parties, including Commission Staff, their testimony and exhibits in support of their positions.

(D) An Administrative Law Judge to be designated by the Chief Administrative Law Judge—See Delegation of Authority, 18 CFR 3.5(d)—shall preside at, and control this proceeding in accordance with the policies expressed in the Commission's rules of practice and procedure and the purposes expressed in this order.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5428 Filed 2-28-75;8:45 am]

[Docket No. RP72-142, PGA-4]

CITIES SERVICE GAS CO.

Proposed Changes in FPC Gas Tariff

FEBRUARY 24, 1975.

Take notice that Cities Service Gas Company (Cities Service) on February 18, 1975, tendered for filing proposed changes in its FPC Gas Tariff, Second Revised Volume No. 1. Cities Service states that pursuant to the Purchased Gas Cost Rate Adjustment provision in Article 21 of its FPC Gas Tariff and Ordering Paragraph (D) of the Commission's Opinion No. 699-H, issued December 4, 1974, it proposes to increase its rates effective February 23, 1975, to reflect increased purchase gas costs. Cities Service states that such increased rates are reflected on the two Ninth Revised

Sheets PGA-1, as hereinafter described.

One of the two tariff sheets is Sixth Alternate Substitute Ninth Revised Sheet PGA-1 (Issued February 13, 1975) which reflects a current adjustment of 0.94¢ per Mcf and a cumulative adjustment of 11.87¢ per Mcf. Such adjustments reflect small producer and emergency purchases at rates in excess of the National Area Rate in Opinion No. 699-H, issued December 4, 1974, as well as other purchased gas costs. Should the Commission suspend the effectiveness of Sixth Alternate Substitute Ninth Revised Sheet PGA-1 for one day to February 24, 1975, subject to refund, Cities Service has filed Fifth Alternate Substitute Ninth Revised Sheet PGA-1 (Issued February 13, 1975) to be effective on February 23, 1975. Such Fifth Alternate Sheet reflects elimination of the small producer and emergency purchases at rates in excess of the rates set in Opinion No. 699-H and reflects a 0.20¢ per Mcf current adjustment and a 11.13¢ per Mcf cumulative adjustment.

Cities Service states that copies of its filing were served on all jurisdictional customers, interested state commissions and all parties to the proceedings in Docket Nos. RP72-142 and RP74-4.

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 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5429 Filed 2-28-75;8:45 am]

[Docket No. E-9273]

CONNECTICUT LIGHT & POWER CO.

Notice of Amendment to Emergency Power Transmission Agreement

FEBRUARY 24, 1975.

Take notice that on February 18, 1975 the Connecticut Light & Power Company (CL&P) tendered for filing an Amendment to Emergency Power Transmission Agreement (Amendment) dated as of July 1, 1974. The Amendment was between CL&P, the City of Norwich, the Town of Wallingford, the Second Taxing District and the City of Norwalk, Connecticut.

CL&P states that the proposed Amendment clarifies the metering procedure, and extends the term of the Emergency Power Transmission Agreement to July 1, 1975.

CL&P requests that § 35.11 of the Commission's Regulations with respect to the

notice requirement be waived and that the rate schedule filed in this docket become effective as of July 1, 1974.

CL&P states that copies of the Amendment have been mailed or delivered to the following: CL&P, the City of Norwich, the Town of Wallingford and the Board of Election Commissioners, South Norwalk Election Works, Second Taxing District, City of Norwalk.

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 14, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5430 Filed 2-28-75;8:45 am]

[Docket No. E-9267]

**ELECTRIC ENERGY, INC.**

**Tariff Changes**

FEBRUARY 24, 1975.

Take notice that on February 18, 1975, Electric Energy, Incorporated (EEInc) tendered for filing Contract No. AT-(40-1)-1312, Modification No. 11 effective April 1, 1975, between EEInc and the Energy Research and Development Administration (ERDA). Said Modification No. 11 will replace in its entirety the original Contract No. AT-(40-1)-1312 as heretofore amended which is designated as EEInc's Rate Schedule FPC No. 3.

EEInc requests that the Commission permit an effective date of April 1, 1975, and states that copies of Modification No. 11 were sent to ERDA, the Illinois Commerce Commission, the Kentucky Public Service Commission, and the Missouri Public Service Commission.

Take notice that also on February 18, 1975, EEInc tendered for filing the Interim, Supplemental and Surplus Power Agreement, Amendment No. 5, effective April 1, 1975, between EEInc and Central Illinois Public Service Company, Illinois Power Company, Kentucky Utilities Company, and Union Electric Company. Said Amendment No. 5 will replace in its entirety the original Interim, Supplemental and Surplus Power Agreement as heretofore amended which is designated as EEInc's Rate Schedule FPC No. 4.

EEInc requests that the Commission permit an effective date of April 1, 1975, and states that copies of Amendment No. 5 were sent to the Energy Research and Development Administration, Central Illinois Public Service Company, Illinois

Power Company, Kentucky Utilities Company, Union Electric Company, the Illinois Commerce Commission, the Kentucky Public Service Commission, and the Missouri Public Service Commission.

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 13, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5431 Filed 2-28-75;8:45 am]

[Docket No. CP75-109]

**FLORIDA GAS TRANSMISSION CO. AND  
TRANSCONTINENTAL GAS PIPE LINE  
CORP.**

**Withdrawal and Cancellation of Hearing**

FEBRUARY 13, 1975.

On February 7, 1975, Florida Gas Transmission Co. and Transcontinental Gas Pipe Line Corporation filed a withdrawal of their joint application filed September 30, 1974, in the above-designated matter which was set for hearing by order issued January 27, 1975.

Notice is hereby given that pursuant to § 1.11(d) of the Commission's rules of practice and procedure the withdrawal of the above application shall become effective March 10, 1975. The hearing schedule for February 20, 1975 is cancelled.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5432 Filed 2-28-75;8:45 am]

[Docket No. CI75-240]

**LUCIUS C. GEER AND ARTHUR G.  
MURPHY**

**Notice of Withdrawal**

FEBRUARY 24, 1975.

On February 14, 1975, Lucius C. Geer, and on February 21, 1975, Arthur G. Murphy filed withdrawals of their application for limited term certificate in the above-designated matter.

Notice is hereby given that pursuant to § 1.11(d) of the Commission's rules of practice and procedure the withdrawal of the above application shall become effective March 23, 1975.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5433 Filed 2-28-75;8:45 am]

[Docket No. E-9257]

**GULF STATES UTILITIES CO.**

**Filing of Agreement for Wholesale Electric  
Service**

FEBRUARY 21, 1975.

Take notice that on February 6, 1975, Gulf States Utilities Company tendered for filing an Agreement for Wholesale Electric Service with the City of Kaplan, Louisiana. This contract is for a three year period to continue thereafter on a year to year basis. The rate schedules included in that agreement are the schedules currently being considered in FPC Docket No. E-8121 and thus subject to be changed as a result of such proceeding. Gulf States Utilities Company states that the new contract contains the same language as the agreement with Kirbyville Light & Power Company (FPC Schedule No. 110) which was accepted for filing by letter dated July 1, 1974, under Docket No. E-8817.

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 3, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5434 Filed 2-28-75;8:45 am]

[Docket No. CI75-470]

**HONDO PRODUCTION CO., ET AL.**

**Notice of Application**

FEBRUARY 21, 1975.

Take notice that on February 7, 1975, Hondo Production Company (Hondo), San Ora Production Company (San Ora), and Lilly Oil Company (Lilly) with a common address with respect to the instant filing c/o Jerry F. Lyons, Esquire, P.O. Box 9158, Amarillo, Texas 79105, filed in Docket No. CI75-470 a joint application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon their sales<sup>1</sup> of natural

<sup>1</sup> Kerr-McGee's sale, authorized in Docket No. G-2758, commenced pursuant to a contract dated April 15, 1954, and currently is subject to contract dated March 21, 1973, which contracts are on file as part of Kerr-McGee Corporation (Operator) FPC Gas Rate Schedule No. 2.

gas in interstate commerce to Kerr-McGee Corporation (Kerr-McGee) made under percentage-type contracts from various wells located in Carson County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that it is being made jointly by Hondo, San Ora and Lilly because of common ownership and because the same set of circumstances is applicable to all three companies. Each Applicant now sells gas to Kerr-McGee under similar contracts, pursuant to which Kerr-McGee processes the gas produced from various wells dedicated to such contracts in Kerr-McGee's Pampa, Texas, gasoline plant and resells the residue gas to Northern Natural Gas Company (Northern).<sup>1</sup> Kerr-McGee pays Applicants 75 percent of its resale price to Northern of 21.5 cents per Mcf plus 2.5 cents per Mcf gathering allowance.

Applicants propose to abandon such gas sales to Kerr-McGee in order to make them directly to Northern.<sup>2</sup> The application indicates that both Kerr-McGee and Northern approve of such an arrangement.

The application states that each Applicant is entering into a processing agreement with Kerr-McGee pursuant to which Kerr-McGee will transport the gas to its Pampa plant, process the gas, and deliver the residue gas to Northern. The application also states that each Applicant is entering into a contract with Northern pursuant to which Northern will purchase the residue gas from Applicants under the same terms and conditions that exist in the present contract under which Kerr-McGee sells the residue gas to Northern.

The application states that the following sales to Kerr-McGee are proposed to be abandoned:

Seller	Date of contract	Location of sale	Number of wells/production
Hondo.....	Aug. 1, 1961, as amended Dec. 17, 1964.	SW/4 and W/2 of SE/4, of section 4, 24, block 4, I&GN Survey, Carson County, Tex.	8 wells producing approximately 650 Mcf per day.
San Ora.....	Oct. 10, 1961, as amended Dec. 17, 1964.	E/2 of SE/4 of section 24, and SW/4 of section 23, block 4, I&GN Survey, Carson County, Tex.	9 wells producing approximately 510 Mcf per day.
Lilly.....	Mar. 17, 1964 and Mar. 1, 1960.	North 200 acres of section 21, and S/2 of NW/4 of section 24, block 4, I&GN Survey, Carson County, Tex.	5 wells producing approximately 675 Mcf per day.

Applicants state that all the contracts between Applicants and Kerr-McGee have terminated except one which terminates March 1, 1975, and that Applicants' only obligation to sell gas to Kerr-McGee is the non-contractual obligation imposed by the Natural Gas Act until abandonment is permitted. The application indicates that the Federal Power Commission previously denied such permission to abandon to Hondo in Docket No. CI74-262 and San Ora in Docket No. CI74-263 because Kerr-McGee and Northern objected and no processing arrangements with Kerr-McGee or sales arrangements with Northern.<sup>3</sup> Applicant

alleges that such arrangements have now been completed and that Kerr-McGee and Northern approve of and consent to the abandonment proposed in this application. The application asserts that such abandonment will not change, reduce or interfere with any gas being supplied to Northern for interstate commerce.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 7, 1975, file with the Federal Power Commission, Washington, D.C. 20416, 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.

gathering system, together with the resulting discontinuance of service to some 229 producing wells, would manifestly disserve the public interest.

<sup>1</sup> Hondo and San Ora have small producer certificates in Docket Nos. CS73-106 and CS73-107, respectively. The application indicates Lilly has filed an application for a small producer certificate in Docket No. CS75-277 which is now pending.

<sup>2</sup> On November 23, 1973, Northern filed petitions to intervene in opposition to the proposed abandonments in Docket Nos. CI74-262 and CI74-263 in support of its petitions to intervene in opposition. Northern stated that it had an existing gas supply emergency on its system and that its gas supply deficiency is intensifying. Northern added that its ability to meet its market requirements is predicated upon maximizing pipeline operations from all sources, including underground storage, and that it presently had no excess deliverability on its system, with the real possibility existing that contract demand requirements cannot be met under sustained peak conditions. Thus, Northern contended that any reduction in available gas by reason of abandonment, as in said proceedings, would aggravate an already existing emergency. On November 26, 1973, Kerr-McGee filed petitions to intervene in opposition to said proposed abandonments. In its petitions, Kerr-McGee stated that the granting of the subject applications would cause an immediate loss to the Pampa Plant of 1,154 Mcf of gas per day resulting in a substantial reduction in its economic life. Kerr-McGee added that such loss would impair the economic viability of the plant, causing its premature shutdown, and that premature closing of the plant and its

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 petitioner for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5435 Filed 2-28-75;8:45 am]

[Docket No. E-9266]

IOWA POWER AND LIGHT CO.

Notice of Application

FEBRUARY 21, 1975.

Take notice that on February 14, 1975, Iowa Power and Light Company (Applicant), filed an application with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, seeking an order authorizing the issuance of 600,000 shares of Common Stock, par value \$10 per share. Applicant also seeks exemption from the competitive bidding requirements of § 34.1a (b) and (c) based upon findings as referred to in § 34.1a (a) (4) of the Commission's rules of practice and procedure.

Applicant is incorporated under the laws of the State of Iowa with its principal business office at Des Moines, Iowa, and is engaged in the electric and gas utility businesses within the State of Iowa.

Holders of the additional Common Stock, along with holders of outstanding shares of such stock, will exclusively possess full voting power for the election of directors and for all other purposes, except as by statute otherwise mandatorily provided. The proceeds to the Applicant from the sale of the Common Stock will exceed \$1 million.

The proceeds from the sale of the additional Common Stock will be used for refunding of certain obligations consisting of a portion of short-term borrowings aggregating \$31,600,000 as of December 31, 1974, and expected to aggregate approximately \$40,000,000 at the time of this issuance.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 14, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure



(18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 75-5438 Filed 2-28-75; 8:45 am]

[Docket No. E-9260]

#### KANSAS GAS AND ELECTRIC CO.

##### Notice of Filing of Tariff Sheets

FEBRUARY 21, 1975.

Take notice that Kansas Gas and Electric Company, (KG & E) on February 10, 1975 tendered for filing proposed changes in its FPC Electric Service Tariff REC-173, Service to Non-Profit Rural Electric Cooperative Associations (FPC Rate Schedule Nos. 45, 46, 47, 48, 49, 72, 74 and 127). KG & E states that the proposed change would increase revenues from jurisdictional sales and service by \$778,284 based on the twelve-month period ending September 30, 1974. In addition, KG & E is filing a fuel adjustment clause rider applicable to the above FPC rate schedules conforming to Docket No. R-479, Order No. 517, which amends § 35.14 of the regulations under the Federal Power Act.

According to KG & E, its present revenues are inadequate to provide, by any reasonable test, a fair return on its investment, and its earnings must be increased to assure continued confidence in the financial integrity of the business which will enable it to maintain its credit and attract the necessary additional capital on reasonable terms to finance its approximate \$545 million construction program through 1979. KG & E states that this program must be completed in order to provide a continuous supply of electricity, now and in the future, to its customers including the growing resale requirements.

KG & E further states that copies of the filing were served upon the managers of each Rural Electric Cooperative and the Kansas Corporation Commission.

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 4, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this

Application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 75-5437 Filed 2-28-75; 8:45 am]

[Docket Nos. RP70-6, et al.]

#### LAWRENCEBURG GAS TRANSMISSION CORP.

##### Notice of Report of Refunds

FEBRUARY 13, 1975.

Take notice that Lawrenceburg Gas Transmission Corporation, (LGT) on January 2, 1975, filed a Report of Refunds pursuant to Article VI of its Stipulation and Agreement, approved by Commission order issued August 25, 1972. LGT states that on December 30, 1974, it made gas refunds to its two jurisdictional wholesale customers, Lawrenceburg Gas Company, in the amount of \$5,514.15, and The Cincinnati Gas & Electric Company, in the amount of \$4,661.58, for a total refund of \$10,175.73, applicable to the period January 10, 1971 through March 31, 1972. LGT states that these refunds constitute the flow-through of refunds it received from its sole supplier, Texas Gas Transmission Corporation in the amount of, \$10,175.73 on November 27, 1974, related to its supplier's rate proceedings in Docket Nos. RP71-75, RP69-41, et al, which has remained undistributed pending court review.

LGT states that a copy of its refund report has been mailed to its two jurisdictional customers and to the two interested State commissions for the States of Ohio and Indiana.

Any person desiring to be heard or to protest said filing should file a petition to intervene (unless such intervention has previously been granted) 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 February 27, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 75-5438 Filed 2-28-75; 8:45 am]

[Docket Nos. CI75-343, CI75-344, CI75-345]

#### O. B. MOBLEY

##### Order Granting Intervention, Setting Hearing Date and Prescribing Procedure

FEBRUARY 14, 1975.

On November 25, 1974, O. B. Mobley (Applicant) filed in Docket Nos. CI75-343, CI75-344 and CI75-345 applications

pursuant to section 7(c) of the Natural Gas Act for certificates of public convenience and necessity authorizing the sales for resale and delivery of natural gas in interstate commerce to United Gas Pipe Line Company (United) from the Elm Grove Field, Bossier Parish, Louisiana, as more fully set forth in the applications in this proceeding.

Applicant commenced the sales of natural gas from each of three wells, subjects of the applications in above captioned dockets, on November 13, 1974, within the contemplation of § 157.29 of the regulations under the Natural Gas Act (18 CFR 157.29) and proposes to continue each of said sales for a period of one year from the end of the emergency periods (January 12, 1975) within the contemplation of § 2.70 of the Commission's General Policy and Interpretations (18 CFR 2.70). Applicant proposes to sell to United approximately 135,000 Mcf of gas per month from three wells all located in the Elm Grove Field<sup>1</sup> at 80 cents per Mcf at 15.025 psia plus 100 percent of all taxes attributable to such gas.

In Opinion No. 699-B (52 FPC —), which reinstated the limited-term certificate provisions of § 2.70(b)(3) of the Commission's General Policy and Interpretations, the Commission stated that applicants for limited-term certificates "will have the burden of demonstrating by substantial evidence that the price for which certification is sought is the lowest price at which that particular supply of gas may be obtained for the interstate market and that the supply of gas is available only for the limited period for which certification is sought." (Mimeo p. 6.)

Presumably in support of the limited duration of the proposed sales, Applicant indicates that he is currently engaged in an extensive and expensive development program in the Elm Grove Field which he intends to complete prior to making any commitment of his gas reserves other than on an emergency basis or for sale under limited-term certificates with pregranted abandonment authorization. By Commission letter dated December 16, 1974, Applicant was requested to submit evidence as to why the proposed price was the lowest rate at which this particular supply of gas is available to the interstate market. Applicant's response, filed December 23, 1974, essentially states that intrastate markets are available at prices in excess of the price proposed herein. Applicant concludes that "(a) a lesser price is not economically feasible and (b) intrastate competition is such that he could not justify a one year commitment to United's system at a lesser rate than that specified in the contracts."

<sup>1</sup> Applicant proposes in Docket No. CI75-343 to sell to United approximately 60,000 Mcf of gas per month from the Elm Grove Plantation No. 1-A Well, in Docket No. CI75-344 to sell to United approximately 15,000 Mcf of gas per month from the H. L. Tompkins No. 1 Well, and in Docket No. CI75-345 to sell to United approximately 60,000 Mcf of gas per month from the Grigsby No. 1 Well.

In a proceeding similar to the one at hand, the Commission denied a request by Wayne J. Spears for a limited-term certificate to sell gas at 80 cents per Mcf.<sup>3</sup> The Commission noted that Spears' application, as supplemented, demonstrated that he had made no disposition of his supply of gas at the end of the limited term and that he declined to commit for a longer term in order to take advantage of an increase in price which will be afforded by the intrastate market.<sup>4</sup> Therefore, it was evident from the face of the application that, contrary to the standard of Opinion No. 699-B, unavailability of gas supply at the end of the term did not underlie Spears' request for a limited-term certificate. Accordingly, the Commission determined that the application was deficient and further proceedings would be useless.

It cannot be deemed established by the instant applications that the proposed limited-term sales are justified. However, unlike Spears, Applicant alleges that his gas reserves are still under development and that further development is necessary before reasonable and intelligent long-term gas commitments can be made. The Commission understands that the nature and extent of gas supplies might bear a relationship to the price and/or duration of a gas sale. Therefore, the instant case is distinguished from Spears in that Applicant's purpose in seeking limited-term certification may not be simply to retain the option to have competing markets bid up the price of the gas, but may be for the legitimate object of obtaining further information about his gas reserves before making long-term sales of the gas.

The justification for the rate and term, as well as other public interest issues, should be presented in a full evidentiary record. Accordingly, we will set these matters for a formal, expeditious hearing.

After due notice of the applications in the FEDERAL REGISTER on December 16, 1974 (39 FR 43590), United timely filed a petition to intervene in support of the applications by Applicant. United states, in essence, that although the subject gas sales would not eliminate United's present need to curtail deliveries, the sales would have a direct relationship to the amount of gas United would have available for delivery to its customers. United further states that any gas delivered pursuant to authorization granted in Docket Nos. CI75-343 and CI75-344 would be delivered through existing facilities and that the installation of a tap and meter station would be required in order for United to receive into its system gas to be purchased pursuant to any authorization issued in Docket No. CI75-345. Except for the price per Mcf for gas actually delivered, United

would not reimburse Applicant for any expenses it would incur in order to deliver this gas to United. No further petitions to intervene, notices of intervention or protest to the granting of the applications have been filed.

*The Commission finds.* (1) The intervention of United in this proceeding may be in the public interest.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the issues in this proceeding be scheduled for hearing in accordance with the procedures set forth below.

*The Commission orders.* (A) United is hereby permitted to intervene in this proceeding, subject to the Rules and Regulations of the Commission; *Provided, however,* That the participation of such intervener shall be limited to matters affecting asserted rights and interests as specifically set forth in said petition for leave to intervene; *And Provided, further,* That the admission of said intervener shall not be construed as recognition by the Commission that it might be aggrieved by any order of orders of the Commission entered in this proceeding.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the Regulations under the Natural Gas Act, a public hearing shall be held on April 8, 1975, in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, concerning the issue of whether a certificate of public convenience and necessity should be granted as requested by O. B. Mobley in the applications filed November 25, 1974.

(C) On or before March 25, 1975, O. B. Mobley and any supporting party shall file with the Commission and serve upon all parties, including Commission Staff, their testimony and exhibits in support of their positions.

(D) An Administrative Law Judge to be designated by the Chief Administrative Law Judge—See Delegation of Authority, 18 CFR 3.5(d)—shall preside at, and control this proceeding in accordance with the policies expressed in the Commission's Rules of Practice and Procedure and the purposes expressed in this order.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.  
[FR Doc. 75-5439 Filed 2-28-75; 8:45 am]

[Docket No. CP75-224 and CP75-226]

**NATURAL GAS PIPELINE CO. OF AMERICA AND MISSISSIPPI RIVER TRANSMISSION CORP.**

**Notice of Applications**

FEBRUARY 24, 1975.

Take notice that on February 6, 1974, Natural Gas Pipeline Company of America (Natural), 122 South Michigan Avenue, Chicago, Illinois 60603, and on February 10, 1975, Mississippi River

Transmission Corporation (MRT), 9900 Clayton Road, St. Louis, Missouri 63124, filed in Docket Nos. CP75-224 and CP75-226, respectively, applications pursuant to Section 7(c) of the Natural Gas Act for certificates of public convenience and necessity authorizing the two companies to perform the operations necessary to attach to their respective systems quantities of natural gas available in the Mills Ranch Field, Wheeler County, Texas, all as more fully set forth in the applications, which are on file with the Commission and open to public inspection.

MRT states that it has been able to purchase all the natural gas production from the Mills Ranch Field and has engaged in programs to obtain the rights to purchase the gas of one or more of the other participants in the exploration venture in the area. As a result, according to MRT, approximately 90 percent of the gas reserves from the subject field will be available to MRT. MRT desires to attach these reserves through Natural's facilities, which are located near the Mills Ranch Field. For this reason MRT has entered into a contract dated December 23, 1974, with Natural to provide for exchange and sale of the subject gas for an initial term of 20 years.

MRT currently delivers to Natural up to 90,000 Mcf per day at a point in Wheeler County pursuant to authorization in Docket Nos. CP74-29 and CP74-41, which expires on January 11, 1976. Natural purchases a portion of these volumes and redelivers the major portion to MRT at points in Clinton County, Illinois, and Randolph County, Arkansas. The instant applications indicate that Natural and MRT have filed in Docket Nos. CP74-29 and CP74-41 to amend the limited-term authorization to provide for delivery of up to 150,000 Mcf per day. Deliveries under the December 23, 1974, agreement are expected to commence upon expiration of the limited-term authorization.

The December 23, 1974, agreement provides:

(1) MRT shall deliver to Natural in Wheeler County, and Natural shall be initially obligated to receive, 200,000 Mcf of gas per day from MRT's interests in the Mills Ranch Field;

(2) Natural shall construct facilities necessary to accommodate such volumes;

(3) If MRT desires to deliver volumes of gas that may be available in addition to 200,000 Mcf per day, MRT shall reimburse Natural for the cost of any facilities necessary to accommodate such additional volumes;

(4) If no additional facilities are needed to accommodate volumes greater than the initial 200,000 Mcf per day Natural will receive such additional volumes;

(5) Natural shall redeliver to MRT at the points in Clinton County, Illinois, and Randolph County, Arkansas, 89 percent of the volumes delivered by MRT to Natural during the six months commencing April 1 and shall redeliver 43 percent of the volumes delivered by MRT during the six months commencing October 1, provided that on an annual basis Natural

<sup>3</sup> Order Denying Authorization for Extension of Emergency Sale, Denying Limited-Term Certificate of Public Convenience and Necessity, and Granting Petition to Intervene, *Wayne J. Spears*, Docket No. CI75-318, issued December 20, 1974.

<sup>4</sup> *Ibid.*, at page 3, Mimeo.



redelivers 66 percent of the total volumes delivered to Natural from MRT;

(6) MRT is not required to pay Natural for such transportation service and may increase the percentages of volumes to be redelivered if changes are assessed by Natural;

(7) For the volumes not redelivered Natural shall pay MRT 85 percent of the average price per Mcf paid by MRT during any given month to producers for gas produced from those reserves from which gas is being delivered hereunder;

(8) Imbalances in volumes delivered will be adjusted as soon as practicable during the following year.

In order to accommodate the volumes of gas up to 200,000 Mcf per day, Natural intends to enlarge its existing Wheeler County measuring facilities by constructing an additional dual 10-inch measuring facility and an additional tap on its 20-inch main transmission pipeline and to rebuild the existing Randolph County redelivery point and increase the size of the measuring facilities from 8-inch to 12-inch. The estimated cost of these facilities is \$272,000, which will be financed from funds on hand.

MRT requests that certification in the instant proceeding not be limited to the 200,000 Mcf per day provided as initial volumes in the December 23, 1974, contract, since it expects greater volumes of gas from the Mills Ranch Field to be available in the future. MRT estimates its average cost per Mcf of gas in the Mills Ranch Field at 57 cents for purposes of determining the price to be charged to Natural for the gas purchased by Natural. MRT further requests that it be authorized to continue to operate the facilities constructed in the Mills Ranch Field for the purpose of delivering the subject gas to Natural pursuant to the limited-term authorization.

Neither Natural nor MRT proposes any new sales or changes in existing sales contracts as a result of obtaining the additional supplies of gas described herein.

MRT states that in view of the decreasing deliveries from its historical suppliers, it is imperative that the deliveries from the Mills Ranch Field not stop at the expiration of the limited-term authorization previously granted.

Natural states that the gas retained for purchase under the terms of the December 23, 1974, agreement will provide additional gas to augment Natural's overall gas reserves.

Any person desiring to be heard or to make any protest with reference to said applications should on or before March 6, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) 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, hearings will be held without further notice before the Commission on these applications if no petitions to intervene is filed within the time required herein, if the Commission on its own review of the matters finds that grants of the certificates 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 formal hearings are required, further notice of such hearings will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Natural or MRT to appear or be represented at the hearings.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5440 Filed 2-28-75; 8:45 am]

[Project No. 184]

**PACIFIC GAS AND ELECTRIC CO.**

**Notice of Issuance of Annual License**

FEBRUARY 21, 1975.

On February 27, 1970, Pacific Gas and Electric Company, Licensee for El Dorado Project No. 184, located in El Dorado, Alpine, and Amador Counties, California on the South Fork of the American River partially within the boundaries of El Dorado National Forest, filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (§§ 16.1-16.6). Licensee also made supplemental filings on June 22, 1970, and January 22, 1971.

The license for Project No. 184 was issued effective February 23, 1922, for a period ending February 22, 1972. Since the original date of expiration, the Project has been under annual license. In order to authorize the continued operation and maintenance of the Project pursuant to Section 15 of the Act, pending completion of Licensee's application and Commission action thereon, it is appropriate and in the public interest to issue an annual license to Pacific Gas and Electric Company for continued operation and maintenance of Project No. 184.

Take notice that an annual license is issued to Pacific Gas and Electric Company (Licensee) under section 15 of the Federal Power Act for the period February 23, 1975, to February 22, 1976, or until Federal takeover, or the issuance of a new license for the project, whichever comes first, for the continued operation and maintenance of the El Dorado

Project No. 184, subject to the terms and conditions of its present license.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5441 Filed 2-28-75; 8:45 am]

[Docket No. E-9271]

**PACIFIC POWER & LIGHT CO.**

**Initial Rate Filing**

FEBRUARY 24, 1975.

Take notice that Pacific Power & Light Company (Pacific) on February 18, 1975, tendered for filing, in accordance with § 35.12 of the Commission's regulations, a new rate schedule for energy and capacity exchange with the Bonneville Power Administration (Bonneville).

The proposed rate schedule provides for the annual exchange of 2,571 kilowatt-hours of off-peak energy delivered by Pacific for each kilowatt of peaking capacity received from Bonneville. Pacific states that it needs this additional peaking capacity during the period of the contract and can supply the exchange energy required.

Pacific requests the rate schedule to become effective July 1, 1975.

Copies of the filing will be supplied to the regulatory commissions in the States of Oregon, Washington, California, Montana, and Wyoming.

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 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5442 Filed 2-28-75; 8:45 am]

[Docket Nos. RP71-119, RP74-31-26]

**PANHANDLE EASTERN PIPE LINE CO.  
ET AL**

**Order Granting Temporary Extraordinary Relief Consolidating Proceedings, Setting Matters for Hearing, Granting Interventions and Prescribing Procedures**

FEBRUARY 24, 1975.

By order issued November 6, 1973, in Docket No. RP71-119, we accepted and made effective as of November 1, 1973, revised tariff sheets tendered by Panhandle Eastern Pipe Line Company (Panhandle). Those revised tariff sheets set forth Panhandle's interim curtailment plan which conforms to the curtailment procedures contained in the Com-



mission's Statement of Policy issued in Docket No. R-469, Order No. 467-B.

On January 24, 1975, Brockway Glass Company, Inc. (Brockway) filed a petition for extraordinary relief pursuant to § 1.7(b) of the Commission's rules of practice and procedure requesting both temporary and permanent relief from the curtailment proposed by Panhandle relative to the latter company's Lapel, Indiana plant.

Brockway asserts in its petition that relief is necessary because it requires natural gas for certain of its manufacturing operations. It is presently burning oil in all manufacturing processes at the Lapel plant where it is possible. However, it contends that the feeders, the annealing lehrs, and the mold heating ovens at this plant require gas as a fuel. In view of the increasing levels of curtailment on the Panhandle system, Brockway has decided to install the necessary facilities to utilize propane when there is not sufficient natural gas available due to curtailment to meet those essential process requirements that cannot use oil as an alternate fuel. Brockway is, therefore, requesting extraordinary relief in the amount of 644 Mcf on an average daily basis and 725 Mcf on a peak day basis during the period of time between March 1, 1975, and June 30, 1975. It will during this period install the aforementioned propane facilities.

Brockway further requests in its petition for extraordinary relief that it be provided with the aforementioned volumes of natural gas at such time after the installation of the propane facilities when it, despite its best efforts, is unable to secure and utilize a supply of propane, which with its natural gas entitlement from Panhandle is equivalent to the 644 Mcf of gas needed for essential process operations. Brockway only requests those volumes of natural gas needed to supplement any available propane it may have to provide it with an equivalent of 644 Mcf of natural gas per average day.

Brockway purchases gas for use in the manufacture of glass containers at its Lapel plant. It employs some 475 persons at this plant and it has an annual payroll of \$4,000,000. It contends that this plant plays a significant factor in the economy of Lapel, Indiana which has a population of about 1,400.

Brockway asserts that without relief the plant will have to shut down, at least in part, and there will be irreparable damage to Brockway and a significant loss in employment in the town of Lapel. Additionally, the unavailability of glass containers needed on a dependable basis by the food processing industry could result in food spoilage. Brockway notes that with 644 Mcf on an average day that it can run all of its production lines if alternate fuels are available.

If it is unable to obtain the relief it requests, it will be required to shut down one production line for approximately each 65 Mcf per day of curtailment it is required to sustain below the 644 Mcf

per day it requests. Approximately 48 employees work directly on each production line and they would be directly affected as a result of such a gas supply deficiency.

Brockway further indicated that to the extent that relief is granted to it for its Lapel, Indiana plant that it would be willing to make repayment of such relief gas out of the subsequent volumes in excess of 644 Mcf per day deliverable to it under its curtailment entitlement during certain times of the year.

Several petitions to intervene in the matter relating to Brockway's petition for extraordinary relief in Docket No. RP74-31-26 have been filed with the Commission.<sup>1</sup> The petitioners seeking intervention in the latter docket have already been permitted to intervene in the proceeding relating to a permanent curtailment plan for Panhandle in Docket No. RP71-119. Since many of the parties in the latter docket may also wish to participate herein, they shall also be deemed parties in Docket No. RP74-31-26 with all the attendant rights attached thereto. However, in order to maintain an orderly procedure any intervener desiring to record objections and protests to the requested relief must file a formal protest to the notice of petition stating with particularity the nature of its objections.

Central Indiana Gas Company, Inc., and the City of Indianapolis and Michigan Gas Utilities Company voice opposition to this petition without a showing that extraordinary circumstances exist justifying the exemptions to the curtailment plan that Brockway seeks in its petition. Columbia Gas Transmission Corporation in its petition to intervene contends that formal hearing is necessary in this proceeding to determine whether the requested extraordinary relief is in the public interest. General Motors Corporation and Michigan Consolidated Gas Company request that the Commission issue an order granting them leave to intervene and the right to fully participate at all hearings that may subsequently be held in connection with this matter.

In order to fully assess all aspects of Brockway's petition, the Commission feels constrained to set it down for formal hearing in order to determine whether or not the relief it requests is in the public interest. At this hearing it shall be incumbent upon Brockway to fully demonstrate its ability to pay-back any volumes taken by it under the temporary grant of relief that will be provided for it from the issuance date of this order until June 30, 1975.

In view of the allegations set forth in Brockway's petition for extraordinary relief, the Commission feels compelled to exempt those volumes it alleges it requires to maintain certain process opera-

<sup>1</sup> Petitions to intervene in this proceeding have been filed by Central Indiana Gas Company, Inc., Columbia Gas Transmission Corporation, the City of Indianapolis, General Motors Corporation, Michigan Consolidated Gas Company, and Michigan Gas Utilities Company.

tions on a temporary basis until June 30, 1975.

Accordingly, the relief granted herein will be conditioned upon a payback provision being included in the event that the evidentiary record reflects that Brockway should pay back any volumes taken under this grant. In addition the Commission is not moved to fully grant Brockway the exemption it requests and is of the opinion that the relief volumes afforded to it herein, on a temporary basis, should be considered as Category 2 usage for all purposes. This order shall be without prejudice to any filing that Brockway may make subsequent to June 30, 1975, in the event that it finds that it is unable to obtain the supplies of propane it requires to operate its Lapel, Indiana plant.

*The Commission orders.* (A) The petition for extraordinary relief filed by Brockway is granted to the extent indicated above, on a temporary basis, pending notice and hearing.

(B) The grant of the temporary relief in Ordering paragraph (A) above is specifically conditioned as follows:

(1) That the Commission may require Brockway to repay all or part of the volumes of gas taken under this grant if such action is deemed appropriate on the basis of the record in this proceeding.

(2) Brockway's usage shall be considered as Category 2 and shall be subject to curtailment along with other Category 2 requirements.

(3) This grant shall be effective only until June 30, 1975.

(C) Pursuant to the authority contained in and subject to the authority conferred upon the Federal Power Commission by the Natural Gas Act, particularly Sections 4, 5, 15, and 16 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act, a public hearing shall be held commencing on April 1, 1975, at 10:00 a.m. (d.s.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, concerning the application for interim and permanent extraordinary relief filed in this proceeding by Brockway Glass Company, Inc.

(D) An Administrative Law Judge to be designated by the Chief Administrative Law Judge for that purpose [see Delegation of Authority, 18 CFR § 3.4 (d)] shall preside at the hearings in this consolidated proceeding and shall prescribe relevant procedural matters not herein provided.

(E) All parties including interveners and staff will file and serve on all other parties their direct evidence and testimony on or before March 21, 1975.

(F) Cross-examination shall commence on April 1, 1975.

(G) Petitioners seeking permission to intervene in the proceeding entitled Panhandle Eastern Pipeline Company in Docket No. RP74-31-26 along with all other parties previously granted intervention in the proceeding entitled Panhandle Eastern Pipeline Company in Docket No. RP71-119 are permitted to

## NOTICES

intervene in and participate in the above-styled proceeding relating to the petition for extraordinary relief filed by Brockway Glass Company, Inc. in Docket No. RP74-31-26 subject to the Rules and Regulations of the Commission: *Provided, however*, That the participation of such interveners shall be limited to matters affecting rights and interests specifically set forth in their petitions to intervene: *Provided, further*, That the admission of such interveners shall not be construed as recognition by the Commission that subject intervener might be aggrieved, because of any order or orders issued by the Commission in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5443 Filed 2-28-75;8:45 am]

[Docket Nos. E-7718 and E-8435]

**PENNSYLVANIA ELECTRIC CO.**

**Filing of Revised Fuel Clause**

FEBRUARY 21, 1975.

Take notice that on February 12, 1975, Pennsylvania Electric Company (Penelec) tendered for filing a revised fuel cost adjustment clause in purported compliance with Order No. 517 for service to the Allegheny Electric Cooperative, Inc. (Allegheny). The filing is further described in Penelec's transmittal letter as follows:

Penelec asks that the revised fuel adjustment clause be permitted to become effective on March 20, 1975, the normal meter reading date for Allegheny. Penelec proposes, with the concurrence of Staff and Allegheny, that the question of the lawfulness of the presently effective fuel clause that is the sole remaining issue in this proceeding under the Commission's orders of September 3, 1974 and November 11, 1974 be resolved as follows: After the revised fuel adjustment clause is accepted for filing, Penelec will furnish the Commission with revenue comparisons based on actual data for the period since November 10, 1973 when the present fuel clause was in effect subject to refund showing fuel clause revenues collected under the present clause and the revenues that would have been collected under the revised clause accepted for filing. If any excess revenues are indicated by such revenue comparisons, Penelec will refund such amounts, with interest, to Allegheny. In its letter submitting the revenue comparisons, Penelec intends to ask for termination of this proceeding.

Penelec also states that the filing contains a supplemental agreement with Allegheny to waive the moratorium provision so as to permit the proposed March 20, 1975, effective date for the revised fuel clause. Penelec further states that copies of the filing were mailed to Allegheny and to the Pennsylvania Public Utilities 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 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 10, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5444 Filed 2-28-75;8:45 am]

[Docket Nos. E-8850, E-8893, E-8894]

**PUGET SOUND POWER & LIGHT CO.**

**Notice of Further Extension of Procedural Dates**

FEBRUARY 24, 1975.

On February 20, 1975, Staff Counsel filed a motion to suspend the procedural dates fixed by order issued November 15, 1974, as most recently modified by notice issued December 6, 1974, in the above-designated matter.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff's Testimony—March 27, 1975.

Service of Intervenor's Testimony—April 10, 1975.

Service of Company Rebuttal—April 24, 1975.

Hearing—April 29, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5445 Filed 2-28-75;8:45 am]

[Docket Nos. E-8850, E-8893 and E-8994]

**PUGET SOUND POWER AND LIGHT CO.**

**Motion for Commission Approval of Settlement Agreement**

FEBRUARY 24, 1975.

Take notice that on February 13, 1975, Puget Sound Power and Light Company (Puget) filed a motion requesting Commission approval of an attached Settlement Agreement relating to the above referenced dockets. Puget requested that the settlement rates reflected in the agreement become effective as of August 23, 1974, as to Docket No. E-8550 and as of September 1, 1974, as to Docket Nos. E-8993 and E-8994. The motion recites that there were no intervenors to the proceeding.

The proposed settlement recites that in Docket No. E-8550, Puget applied for rate increase of \$146,761 which will be reduced to \$97,545.00. There will also be revisions to the agreements that are the subject of Docket Nos. E-8993 and E-8994 to reflect the same rate revisions, terms and conditions as apply in the lead docket.

Any person wishing to file comments or protests regarding the proposed settlement should file such response with the

Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before March 7, 1975.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5446 Filed 2-28-75;8:45 am]

[Docket No. RP73-02, PGA75-2]

**RATON NATURAL GAS CO.**

**Notice of Change in Rates**

FEBRUARY 24, 1975.

Take notice that Raton Natural Gas Company (Raton) on February 13, 1975 tendered for filing proposed changes in its FPC Gas Tariff, Volume No. 1, consisting of Fifth Revised Sheet No. 3a. The change in rates is for jurisdictional gas service.

Raton states that the instant notice of change in rates is occasioned solely by, and will compensate Raton only for, increases in the cost of gas purchased from Colorado Interstate Gas Company (CIG).

The tracking of CIG gas cost increase of 4.65 cents together with surcharge to recover deferred gas purchase cost of 6.52 cents results in increased commodity rate from 44.34 cents to 57.09 cents.

The annual revenue increase by reason of the tracking increased rate amounts to \$51,596.

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 10, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5447 Filed 2-28-75;8:45 am]

[Docket Nos. CI75-125, CI75-126]

**ROOSTH AND GENECOV PRODUCTION COMPANY, ET AL.**

**Order Providing for Hearing Consolidating Proceedings and Granting Interventions**

FEBRUARY 24, 1975.

On August 21, 1974, Roosth and Genecov Production Company, et al. (Roosth), filed applications in Docket Nos. CI75-125 and CI75-126 for authorization to abandon sales of gas to Texas Gas Transmission Corporation (Texas Gas) and Tennessee Gas Pipeline Company (Tennessee) from the South Hallsville Gas Field, Panola County, Texas, which sales are covered by contracts dated April 8, 1957 and September 16, 1955, respectively.

Roosth has asserted that abandonment should be granted because gas production from the wells involved in both applications is such that continued production therefrom does not justify the expenditures necessary to salvage additional gas. The subject gas is casinghead gas which is currently being flared at a volume of 100 Mcf per day from each of the three affected wells. The presently effective rate under the Texas Gas contract is 14.0 cents per Mcf while under the Tennessee contract it is 14.4248 cents. These rates are below the applicable area rate for the Other Southwest Area where the sales are made. That rate, prescribed in Opinion No. 607, is 19.1 cents per Mcf base rate. Neither contract herein has reached its expiration date.

On November 7, 1974, Tennessee filed a petition to intervene in Docket No. CI75-126 requesting formal hearing, and stated that since the subject reserves are dedicated to it, they should remain so but Tennessee also indicated that it has offered to pay Roosth whatever price is found by this Commission to be just and reasonable with respect to the instant gas should Roosth seek such higher price. Tennessee has asserted sufficient interest in this proceeding by virtue of its status as purchaser of gas from Roosth to be permitted intervention.

By letter filed October 21, 1974, in Docket No. CI75-125, Texas Gas indicated that it opposes abandonment unless it is shown that there is no economic justification for continuance of service. However, Texas Gas asserted that if the recoverable reserves justify the additional costs necessary to continue deliveries, it might be willing to renegotiate the pricing provisions of its contract subject to approval by this Commission.

Because there are factual and legal issues common to both applications herein which require resolution in an evidentiary proceeding, we will order a consolidated hearing thereon.

**The Commission finds.** (1) Good cause exists to consolidate and set for hearing and disposition the matters involved in the proceedings in Docket Nos. CI75-125 and CI75-126 because of common issues of law and fact.

(2) Good cause exists to grant the intervention of Tennessee since their participation herein may be in the public interest.

**The Commission orders.** (A) Pursuant to the authority of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chapter 1), a public hearing shall be held commencing April 30, 1975 in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C., 20426, concerning the propriety of permitting the abandonment requests by Roosth in the instant dockets. In addition, the applicable dockets (Docket Nos. CI75-125 and CI75-126) shall be consolidated for hearing and subsequent disposition.

(B) On or before March 19, 1975, Roosth shall file and serve its testimony and exhibits comprising its case-in-chief upon all parties to this proceeding including Commission Staff.

(C) An Administrative Law Judge, to be designated by the Chief Administrative Law Judge for that purpose—see Delegation of Authority, 18 CFR 3.5(d)—shall preside at the hearings in this proceeding and shall prescribe relevant procedural matters not herein provided.

(D) The petitioner hereinabove set forth is permitted to intervene in this proceeding subject to the Rules and Regulations of the Commission; *Provided, however,* That the participation of such intervenor shall be limited to matters affecting asserted rights and interests specifically set forth in the petition to intervene; *And, Provided, further,* That the admission of said intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order of the Commission entered in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5448 Filed 2-28-75; 8:45 am]

[Docket No. E-8833]

#### SOUTH CAROLINA ELECTRIC AND GAS CO.

##### Notice of Postponement of Hearing Date

FEBRUARY 21, 1975.

On February 20, 1975, South Carolina Electric & Gas Company filed a motion to indefinitely suspend the hearing date fixed by order issued August 2, 1974, as most recently modified by notice issued January 23, 1975, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the hearing date in the above matter is postponed until May 27, 1975, at 10 a.m. (e.d.t.).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5449 Filed 2-28-75; 8:45 am]

[Docket No. RP75-33]

#### SOUTHERN NATURAL GAS CO.

##### Proposed Changes in FPC Gas Tariff

FEBRUARY 24, 1975.

Take notice that Southern Natural Gas Company on February 13, 1975 tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 3. The proposed changes would increase revenues from a field sale to Sea Robin Pipeline Company under Southern's Rate Schedule F-12 by an additional \$14,300 based on an estimated sales volume for the twelve month period succeeding the proposed effective date of June 21, 1974.

This substitute filing is being made to reflect the gathering allowance increase

pursuant to § 2.56a(d) of the Federal Power Commission's General Policy and Interpretations.

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 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5450 Filed 2-28-75; 8:45 am]

[Docket No. RP75-58]

#### SOUTHERN NATURAL GAS CO.

##### Proposed Changes in FPC Gas Tariff

FEBRUARY 24, 1975.

Take notice that Southern Natural Gas Company on February 13, 1975 tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 3. The proposed changes would increase revenues from a field sale to Sea Robin Pipeline Company under Southern's Rate Schedule F-9 by an additional \$12,000 based on an estimated sales volume for the twelve-month period succeeding the proposed effective date of June 21, 1974.

This substitute filing is being made to reflect the gathering allowance increase pursuant to § 2.56a(d) of the Federal Power Commission's general policy and interpretations.

Any persons 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 12, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5451 Filed 2-28-75; 8:45 am]

[Docket No. RP72-121]

#### SOUTHWEST GAS CORP.

##### Notice of Gas Tariff

FEBRUARY 21, 1975.

Take notice that on February 7, 1975, Southwest Gas Corporation (SGC) ten-



dered for filing revisions<sup>1</sup> in its FPC Gas Tariff, Original Volume No. 1. SGC requests an effective date of March 7, 1975, or thirty days' notice.

SGC states the purpose of this filing is to revise the Purchased Gas Adjustment Clause and to state on the Original PGA-1 sheet the cost of gas included in the Base Tariff Rate and the Rate After Current Adjustment.

SGC states the reason for this change is that by the order issued October 17, 1974, in Docket Nos. CP517-18 and CP75-74, the Commission approved (1) service agreement for service under Rate Schedule ODL-1 dated May 22, 1974, which cancels and terminates service agreements for service under Rate Schedules PL-4 and PL-5 and (2) service agreement for service under Rate Schedule SGS-1 dated August 22, 1974, both between Southwest and Northwest Pipeline Corporation. Rate Schedule ODL-1 contains a demand component which creates amounts that must be allocated to jurisdictional customers. Therefore, provisions have been added to clarify how the demand charge and demand charge adjustment will be allocated.

SGC further states that section 9, "PURCHASED GAS ADJUSTMENT CLAUSE," subsections 9.6 and 9.7 have been revised to take into consideration how the demand charge and the demand charge adjustment will be allocated to the jurisdictional customers in the calculation to determine the annualized cost of gas and in the entry that might be made to the unrecovered purchased gas account.

SGC states that copies are being posted in accordance with § 154.16 of the Commission's rules and regulations.

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 5, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH L. PLUMB,  
Secretary.

[FR Doc.75-5452 Filed 2-28-75; 8:45 am]

[Docket No. RP72-121]

#### SOUTHWEST GAS CORP.

##### Notice of Flow Through of Refunds

FEBRUARY 24, 1975.

Take notice that on December 2, 1974 Southwest Gas Corporation (Southwest) tendered for filing with the Commission a report of refunds flowed through to its jurisdictional customers of refunds

received from El Paso Natural Gas Company (El Paso). Southwest states that it was refunded \$746,649.17 principal and \$89,292.30 interest by El Paso. Southwest further states that it refunded \$161,402.41 to its two jurisdictional customers.

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 13, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5453 Filed 2-28-75; 8:45 am]

[Docket Nos. RP74-91-15, et al.]

#### TENNESSEE GAS PIPELINE COMPANY, A DIVISION OF TENNECO, INC.

##### Order Granting Continuation of Interim Relief

FEBRUARY 21, 1975.

By the Commission's January 17, 1975, order in Docket Nos. RP75-91-16, et al., as modified by the Commission's orders of January 24, 1975, and February 7, 1975, interim relief *pendente lite*, was granted to several customers of Tennessee Gas Pipeline Company, a Division of Tenneco, Inc., (Tennessee), (Kerr-McGee Chemical Corporation, et al.) and several customers of East Tennessee Natural Gas Company (East Tennessee). Tennessee is the sole supplier of natural gas to East Tennessee. The Commission's January 17 order, *inter alia*, limited interim relief to 30 days from the date of the order, and directed the Presiding Administrative Law Judge to issue his initial decision within the same 30 day period. The initial decision was issued on February 18, 1975. Briefs on exceptions and briefs in support of the initial decision are to be filed seven days after the issuance of the initial decision.

Colonial Natural Gas Company (Colonial), and the Energy Research and Development Administration (ERDA; formerly the Atomic Energy Commission), both customers of East Tennessee, have filed petitions with the Commission requesting continuation of interim relief pending final Commission decision in this matter. We shall grant ERDA's and Colonial's petitions for continuation of interim relief and also authorize and direct Tennessee to deliver to East Tennessee the volumes of natural gas necessary to continue the relief of Colonial and ERDA as granted in our January 17, 1975 order.

*The Commission finds.* (1) Good cause exists to grant Colonial's and ERDA's petitions for continuation of interim relief pending final Commission decision on their petitions for extraordinary relief filed pursuant to Order No. 467-C.

(2) That Tennessee should be authorized and directed to deliver to East Tennessee for redelivery to Colonial and ERDA those volumes granted to the aforementioned customers by the Commission's January 17, 1975 order.

*The Commission orders.* (A) Colonial's and ERDA's petition for continuation of interim relief pending final Commission decision on their respective petitions for extraordinary relief filed pursuant to Order No. 467-C are hereby granted.

(B) Tennessee is hereby authorized and directed to deliver to East Tennessee for redelivery to Colonial and ERDA those volumes granted to Colonial and ERDA by the Commission's January 17, 1975, order in the instant docket, pending final Commission decision on their petitions for extraordinary relief.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5454 Filed 2-28-75; 8:45 am]

[Docket Nos. RP71-57 and RP72-51]

#### TENNESSEE GAS PIPELINE CO.

##### Report of Refunds by Tennessee Gas Pipeline Company

FEBRUARY 24, 1975.

Take notice that on November 4, 1974, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee) filed a report of refunds totalling \$14,099,865, including principal and interest, made to its jurisdictional customers in Docket Nos. RP71-57 and RP72-51. Tennessee states that the refunds were made by means of a credit to invoices mailed to its customers on October 15, 1974.

Tennessee states that since January 10, 1971, it has been collecting rates in Docket No. RP71-57 which are based on rates of its producer-suppliers above the level established for the Southern Louisiana area by the Commission's order of December 24, 1970. Tennessee also states that since November 14, 1971, it has been collecting rates in Docket No. RP72-51 which were based in part on rates of its producer-suppliers which were in excess of the level established for the Southern Louisiana area by the Commission's Opinion Nos. 598 and 598-A.

Tennessee states that Article III of the Settlement Agreement approved by the Commission's Opinion No. 619 provided that Tennessee was obligated to make refunds for gas purchases at above-ceiling rates reflected in its rates in excess of the lawful rate finally determined. Such refunds, if any, were deferred by Article III of the Settlement Agreement pending completion of judicial review of the Commission's decisions on rates in the Southern Louisiana area. The Supreme Court's decision in *Mobil Oil Corp. v. F.P.C.*, 94 S.Ct. 2328 (1974), affirming the Commis-

sion's Opinion Nos. 598 and 598-A, resolved the last outstanding appeal of those Commission decisions.

Tennessee states that it is, therefore, making the appropriate refunds for the period January 10, 1971, through July 15, 1973, at this time. Any refunds due for amounts collected during the period beginning July 16, 1973, will be made by means of a credit to the deferred account under Tennessee's PGA clause, which became effective that date in Docket No. RP73-114.

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 14, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene; provided, however, that any person who has previously filed a petition to intervene in this proceeding is not required to file a further petition. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5455 Filed 2-28-75; 8:45 am]

[Docket No. RP74-41, PGA 75-5]

**TEXAS EASTERN TRANSMISSION CORP.**  
**Proposed Changes in FPC Gas Tariff**

FEBRUARY 24, 1975.

Take notice that Texas Eastern Transmission Corporation (TETCO) on February 14, 1975 tendered for filing proposed changes in its FPC Gas Tariff, Fourth Revised Volume No. 1, the following sheets:

Eighth Revised Sheet No. 14  
Eighth Revised Sheet No. 14A  
Eighth Revised Sheet No. 14B  
Eighth Revised Sheet No. 14C  
Eighth Revised Sheet No. 14D

TETCO states that these sheets are issued pursuant to the purchased gas cost adjustment provision contained in Section 23 of the General Terms and Conditions of TETCO's FPC Gas Tariff, Fourth Revised Volume No. 1, and that the change in TETCO rates proposed by this filing reflects a change in the cost of gas purchased from one of TETCO's pipeline suppliers, Texas Gas Transmission Corporation. The proposed effective date of the above tariff sheets is April 1, 1975.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or be-

fore March 18, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5456 Filed 2-28-75; 8:45 am]

[Docket No. RP74-98]

**TIDAL TRANSMISSION CO.**

**Order Accepting for Filing and Approving Research and Development Rate Adjustment Clause and Permitting Intervention**

FEBRUARY 21, 1975.

On June 12, 1974, Tidal Transmission Company (Tidal) tendered for filing proposed tariff sheets<sup>1</sup> containing a Research and Development Rate Adjustment Clause to be included in its FPC Gas Tariff, Original Volume No. 1. On October 18, 1974, Tidal tendered for filing a revised sheet<sup>2</sup> to supersede one sheet filed on June 12, 1974. In its original filing, Tidal stated that the proposed R&D Adjustment Clause was filed to permit it to recover sums expended on R&D pursuant to § 154.38(d) (5) of the Commission's regulations. In its October 18, 1974, filing, Tidal stated that the revisions contained therein are in compliance with Commission orders issued in other proceedings with regard to Commission policy on the tax effect of R&D expenses in computing adjustments pursuant to R&D Rate Adjustment Clause.<sup>3</sup>

Notice of the June 12, 1974 filing was issued on June 25, 1974, with protests due on or before July 5, 1974. Notice of the October 18, 1974 filing was issued on January 7, 1975, with protests or petitions to intervene due on or before January 30, 1975. Natural Gas Pipeline Company of America filed a petition to intervene on January 15, 1975, but did not request a hearing.

Our review of Tidal's filing indicates that the proposed R&D Rate Adjustment provision conforms to the requirements of § 154.38(d) (5) of the Commission's regulations. Tidal has requested waiver of the notice requirements of the Commission's Regulations to permit these tariff sheets to become effective November 1, 1974. Section 154.38(d) (5) (ii) of the Commission's regulations provides that no such adjustment provision shall become effective until authorized by the Commission. No useful purpose would be served by permitting these rate schedules to become effective on November 1, 1974.

We shall therefore accept Tidal's proposed tariff sheets for filing and permit

<sup>1</sup> Second Revised Sheet No. 17; Original Sheet Nos. 17A, 17B, 17C, 17D, and 17E.

<sup>2</sup> First Revised Sheet No. 17C.

<sup>3</sup> Michigan-Wisconsin Pipe Line Company, Docket No. RP73-102, issued June 26, 1974; Tennessee Gas Pipeline Company, Docket No. RP74-43, issued July 9, 1974.

them to become effective the date of the issuance of this order. We reserve the right, however to reject any rate adjustments filed pursuant this provision to track expenditures which clearly do not meet the definition of Research and Development as contained in 18 CFR Part 201, Definition 28.B, or which track expenditures which the Commission has disallowed in other cases after hearing and decision,<sup>4</sup> or which do not otherwise comply with the objectives of Order No. 483.<sup>5</sup>

*The Commission finds.* (1) Good cause exists to accept for filing Tidal's proposed R&D Rate Adjustment provision, and to permit it to become effective the date of the issuance of this order; *Provided, however,* That the Commission reserves the right to reject any R&D rate adjustment filing which tracks expenditures of the type which do not meet the definition of R&D as set out in Part 201, Definition 28.B of the Commission's Regulations or which the Commission has previously disallowed in other cases, or which otherwise does not comply with the objectives of Order No. 483.

(2) Good cause exists to permit Natural Gas Pipeline Company to intervene in this proceeding.

*The Commission orders.* (A) Tidal's proposed tariff sheets, Second Revised Sheet No. 17, Original Sheet Nos. 17A, 17B, 17D, and 17E and First Revised Sheet No. 17C are hereby accepted for filing and permitted to become effective on the date of the issuance of this order; *Provided, however,* That the Commission reserves the right to reject any R&D rate adjustment filings which track expenditures of the type that do not meet the definition of R&D as set out in Part 201, Definition 28.B of the Commission's regulations, or which the Commission has previously disallowed in other cases, or which otherwise does not comply with the objectives of Order No. 483.

(B) Natural Gas Pipeline Company of America is hereby permitted to intervene in this proceeding, subject to the Rules and Regulations of the Commission; *Provided, however,* That the participation of such intervenors shall be limited to matters affecting the rights and interests specifically set forth in its petition to intervene; *And Provided, further,* That the admission of such intervenor shall not be construed as recognition that it might be aggrieved because of any order or orders issued by the Commission in this proceeding.

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

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5457 Filed 2-28-75; 8:45 am]

<sup>4</sup> See: Michigan-Wisconsin and Tennessee, supra n. 3; Consolidated Gas Supply Corporation, Docket No. RP75-5, issued September 24, 1975; and Southern Natural Gas Company, Docket No. RP74-76, issued October 29, 1974.

<sup>5</sup> Issued April 30, 1973.

[Docket No. RP73-3]

**TRANSCONTINENTAL GAS PIPE LINE CORP.****Purchased Gas Cost Adjustment to Rates and Charges**

FEBRUARY 24, 1975.

Take notice that Transcontinental Gas Pipe Line Corporation (Transco) on February 14, 1975, tendered for filing certain revised tariff sheets to its FPC Gas Tariff, First Revised Volume No. 1 to become effective April 1, 1975. Transco states that pursuant to the Purchased Gas Adjustment Clause (PGA Clause) contained in its Tariff, and the provisions of Opinion No. 699-G issued November 29, 1974, it proposes to increase its rates effective April 1, 1975 to reflect the effect of an increase in both the current purchased gas cost and the deferred adjustment.

According to Transco, Thirteenth Revised Sheet No. 5 and Ninth Revised Sheet No. 6 included in Appendix A of the filing reflect a net rate increase of 9.6¢ per Mcf which is the result of a 4.1¢ per Mcf gas cost increase and a deferred adjustment increase of 5.5¢ per Mcf. Transco states that the deferred adjustment is designed to reflect the balance in the Company's Unrecovered Purchase Gas Cost account as of December 31, 1974 (excluding emergency purchases in excess of rates established in Opinion No. 699-H) plus a "special sur-charge" to reflect the estimated accumulation for the months of January, February, and March, 1975, calculated in accordance with Opinion No. 699-G.

Transco further states that copies of the filing have been mailed to each of its jurisdictional customers and interested State Commissions.

Any persons 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 7, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**KENNETH F. PLUMBS,**  
Secretary.

[FR Doc.75-5458 Filed 2-28-75; 8:45 am]

[Docket Nos. CP68-93 and CI68-497]

**TRANSWESTERN PIPELINE COMPANY AND CABOT CORP. (SW)****Order Setting Matter for Hearing, and Establishing Procedures**

FEBRUARY 21, 1975.

On August 7, 1974, Transwestern Pipeline Company (Transwestern) filed in Docket No. CP68-93 a petition to amend

the Commission's order issued in said docket on December 19, 1967 (38 FPC 1197), pursuant to section 7(c) of the Natural Gas Act, by authorizing the construction and operation of facilities for a new delivery point and the continued transportation and exchange of natural gas with Cabot Corporation (SW) (Cabot). On June 27, 1974, Cabot filed in Docket No. CI68-497 a related petition to amend the order of December 19, 1967, issued in said docket pursuant to section 7(c) of the Natural Gas Act, to reflect the above-described change in delivery point.

The original order of December 19, 1967, issued in these dockets authorized an exchange of natural gas between Petitioners in which Transwestern would receive gas from Cabot's No. 1 Kellin well at a point on Transwestern's 12-inch line in Roberts County, Texas, and deliver a like amount of gas to Cabot at a point in Gray County, Texas pursuant to an exchange agreement dated August 15, 1967. The exchange agreement provides that Cabot is entitled to have the delivery facilities relocated to an alternate point in Carson County, Texas. At present, Cabot intends to replace its existing line receiving gas from Transwestern in Gray County with a new 8-inch line which will cross Transwestern's 24-inch line in Carson County. Petitioners, pursuant to the original exchange agreement, have by an amendatory letter agreement dated June 11, 1974, agreed to relocate the delivery point from Gray County to Carson County.

Petitioners request that the order of December 19, 1967, be amended to reflect this change. Petitioners contend that the proposed new delivery point in Carson County will enable Cabot to continue to obtain volumes of gas equivalent to those produced from the No. 1 Kellin well without incurring the expense of installing a pipeline from that well to the proposed delivery point.

Transwestern proposes to install at the new delivery point a 2-inch tap and valve assembly at an estimated cost of \$3,800. Cabot has agreed to reimburse Transwestern for this cost.

Due notice of the filing of the petitions to amend and opportunity for hearing thereon has been given by publication in the Federal Register on August 7 and 22, 1974 (39 FR 28462, 30383). No petition to intervene, notice of intervention, or protest to the granting of the petitions has been filed in these dockets.

With respect to the end use of the gas to be received, Cabot intends the following:

(1) Approximately 900 Mcf per day is used in a Celanese plant of which 65 per cent is used to generate steam for electric power, 25 per cent is used for feed stock, and 10 per cent for space heating.

(2) Approximately 600 Mcf per day is used by Cabot in two of its own divisions, 83 per cent is used in the Machinery Division and 17 per cent in the Research and Development Division.

(a) The Machinery Division used 10 per cent of the gas for space heating and 90 per cent to generate steam that is used in (1) a vacuum degassing process and (2) to operate forging presses,

the end product of which is "gun tubes" manufactured for the U.S. Government.

(b) The R&D Division uses 10 per cent for space heating, 20 per cent to heat furnaces and/or keep furnaces hot, 10 per cent generates steam used to heat oil tanks and feed stock, and the remaining 60 per cent is used as feed stock in the research of new carbon black manufacturing processes.

In view of the factual and legal issues regarding the proposed exchange of natural gas by Petitioners, and the proposed end use by Cabot, we conclude that an evidentiary hearing should be held. Specifically, Cabot should present evidence justifying the proposed end use of the flow of natural gas resulting from the exchange by Cabot on behalf of one of its customers (for use in part as boiler fuel to generate steam for electric power) and itself (for the generation of steam in one of its manufacturing processes) pursuant to § 2.78 of the Commission's regulation. Furthermore, Petitioners should present all other evidence necessary to show that the proposed amendments to the original authorization are required by the present or future public convenience and necessity.

*The Commission finds.* Good cause exists to set for formal hearing the matters raised by Petitioner's request to amend the Commission's order in the above captioned dockets for a grant of permanent authorization for an exchange of natural gas between the two petitioners and the facilities necessary therefore.

*The Commission orders.* (A) Pursuant to the provisions of the Natural Gas Act, particularly sections 7 and 15 thereof, the Commission's rules of practice and procedure, and Regulations under the Natural Gas Act (18 CFR Chapter I), a public hearing shall be held commencing on March 31, 1975, at 10 a.m. (e.s.t.) in a hearing room of the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426. The Presiding Administrative Law Judge to be designated by the Chief Administrative Law Judge for the purpose—see Delegation of Authority (18 CFR 3.5(d))—shall preside at the hearing in this proceeding and shall prescribe relevant procedural matters not herein provided.

(B) Cabot and Transwestern shall file their testimony in support of their proposed amendment to the Commission's order of December 19, 1967, on or before March 10, 1975.

By the Commission.

[SEAL] **KENNETH F. PLUMBS,**  
Secretary.

[FR Doc.75-5459 Filed 2-28-75; 8:45 am]

[Docket Nos. RP73-35, PGA75-1a]

**TRUNKLINE GAS CO.****Notice of Change in Tariff**

FEBRUARY 24, 1975.

Take notice that on February 14, 1975, Trunkline Gas Company (Trunkline) tendered for filing Substitute Alternate



Eleventh Revised Sheet No. 3-A to its F.P.C. Gas Tariff, Original Volume No. 1. An effective date of February 1, 1975 is proposed, to be in effect one day only.

The company states that this tariff sheet is being filed in accordance with paragraph (B) of the Commission's order issued January 31, 1975 in the above referenced proceeding, and revises Trunkline's filing of December 13, 1974 to reflect increased costs other than those increased costs associated with that portion of small producer and emergency purchases which are in excess of the rate levels prescribed in Opinion No. 699-H.

Trunkline states that copies of its filing have been served on all jurisdictional customers and applicable state regulatory agencies.

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 10, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5460 Filed 2-28-75; 8:45 am]

[Docket No. CI75-474]

**UNION OIL COMPANY OF CALIFORNIA**  
Notice of Application

FEBRUARY 21, 1975.

Take notice that on February 7, 1975, Union Oil Company of California (Applicant), P.O. Box 7600, Los Angeles, California 90051, filed in Docket No. CI75-474 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 Texas Eastern Transmission Corporation (Texas Eastern) from Block 222, East Cameron Area, offshore Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell to Texas Eastern approximately 600,000 Mcf of gas per month from quantities of gas produced from the Block 222 Field, East Cameron Area, offshore Louisiana, at a price of 80.51 cents per Mcf at 15.025, subject to upward and downward Btu adjustment from a base of 1,000 Btu per cubic foot. Applicant indicates, however,

that it will accept a certificate of public convenience and necessity at the national rate set forth in § 2.56a of the Commission's General Policy and Interpretations (18 CFR 2.56a). The application states that Applicant has entered into a gas purchase agreement with Texas Eastern dated January 6, 1975, covering the proposed sale and that Applicant has excepted for said contract up to 20 percent of the gas production from its interest in the Block 222 Field for its own use or disposition.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 7, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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 the grant of a certificate of public convenience and necessity is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5461 Filed 2-28-75; 8:45 am]

[Docket No. CI75-468]

**UNION OIL COMPANY OF CALIFORNIA**  
Notice of Application

FEBRUARY 24, 1975.

Take notice that on February 7, 1975, Union Oil Company of California (Applicant), P.O. Box 7600, Los Angeles, California 90051, filed in Docket No. CI75-468 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 com-

merce to Texas Eastern Transmission Corporation (Texas Eastern) from Block 513, West Cameron Area, offshore Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell to Texas Eastern approximately 900,000 Mcf of gas per month from quantities of gas produced from the Block 513 Field, West Cameron Area, offshore Louisiana, at a price of 80.51 cents per Mcf at 15.025, subject to upward and downward Btu adjustment from a base of 1,000 Btu per cubic foot. Applicant indicates, however, that it will accept a certificate of public convenience and necessity at the national rate set forth in § 2.56a of the Commission's general policy and interpretations (18 CFR 2.56a). The application states that Applicant has entered into a gas purchase agreement with Texas Eastern dated January 6, 1975, covering the proposed sale and that Applicant has excepted from said contract up to 20 percent of the gas production from its interest in the Block 513 Field for its own use or disposition.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 13, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). 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 the grant of a certificate of public convenience and necessity is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.75-5462 Filed 2-28-75; 8:45 am]

[Projects Nos. 400 and 733]

**WESTERN COLORADO POWER CO.**  
**Notice of Application for Transfer of License**

FEBRUARY 24, 1975.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. sections 791a-825r) by The Western Colorado Power Company (Licensee) and the following transferees:

(1) Utah Power & Light Company (Transferee) (correspondence to Signey G. Baucom and Thomas Forsgren, Attorneys of Utah Power & Light Company, P.O. Box 899, Salt Lake City, Utah 84110);

(2) Colorado-Ute Electric Association, Inc. (Transferee) (correspondence to: Girts Krums, Director of Legal Services, Colorado-Ute Electric Association, Inc., P.O. Box 1149, Montrose, Colorado 81401);

(3) La Plata Electric Association, Inc. (Transferee) (correspondence to Frank E. Maynes, Attorney at Law, P.O. Box 497, Durango, Colorado 81301);

(4) San Miguel Power Association, Inc. (Transferee) (correspondence to Robert E. Wilson, Attorney at Law, 200 West Main, Cortez, Colorado 81321) for transfer of major license of the Tacoma-Ames Project No. 400 and minor license of the Ouray Project No. 733.

The Tacoma-Ames Project, with an installed capacity of 11,600 kW, is comprised of two (2) hydroelectric developments (the Tacoma Development and the Ames Development) located in the Counties of La Plata, San Juan and San Miguel, Colorado, on the Animas River and on the Lake Fork and Howard's Fork of the San Miguel River, and affecting lands of the United States within the Uncompahgre and San Juan National Forests. The Tacoma Development consists of: five dams; 32,000 feet of conduits, penstocks, and flumes diverting water from Cascade Creek and Cascade Reservoir to a powerhouse on the Animas River having a generating capacity of 8,000 kW; and two 46 kV transmission lines. The Ames Development consists of: three dams; 23,000 feet of conduits, penstocks and tunnel diverting water from Howard's Fork and Lake Fork of the San Miguel River having a generating capacity of 3600 kW; and one 46 kV and three 12.5 kV and three 12.5 kV transmission lines.

The Ouray Project, located in Ouray County, Colorado, on the Uncompahgre River and affecting lands of the United States within the Uncompahgre National Forest, has an installed capacity of 432 kW and consists of a diversion dam, 6100 feet of pipeline and penstock, and a

powerhouse containing a 432 kW generating unit.

In its application, The Western Colorado Power Company seeks Commission approval to transfer the Major License of Project No. 400 and Minor License of Project No. 733 to Utah Power & Light Company which would then acquire all the assets together with franchises, rights-of-way, licenses and certificates of public convenience and necessity held and owned by its wholly-owned subsidiary, The Western Colorado Power Company. Utah Power & Light Company then seeks Commission approval to transfer these licenses and the assets, franchises, and rights-of-way covered by these licenses to the other transferees as follows:

(a) Ouray Project No. 733 to Colorado-Ute Electric Association, Inc.,

(b) Tacoma-Ames Project No. 400 to joint licensees, Colorado-Ute Electric Association Inc., La Plata Electric Association, Inc., and San Miguel Power Association, Inc. as follows:

(1) The project works, except transmission lines, to Colorado-Ute Electric Association, Inc.

(2) The 46 kV transmission line from the Tacoma Plant extending southwesterly to the Durango Steam Plant, to La Plata Electric Association, Inc.

(3) That portion of the 46 kV transmission line from the Tacoma Plant extending northeasterly to the Silverton substation located between the Tacoma Plant and the North line of Section 6, Township 39 North, Range 8 West of the N.M.P.N. in San Juan County, Colorado, to La Plata Electric Association, Inc.

(4) That portion of the 46 kV transmission line from the Tacoma Plant extending northeasterly to the Silverton Substation located between the North line of Section 6, Township 39 North, Range 8 West of the N.M.P.N. in San Juan County, Colorado, and the Silverton Substation, to San Miguel Power Association, Inc.

(5) The 46 kV transmission line extending from the Ames Plant in an easterly direction to Burro Bridge Switch-rack, to San Miguel Power Association, Inc.

(6) The three 12.5 kV transmission lines extending from the Ames Plant to Ilum, from the Ames Plant to Telluride and from Ilum to Telluride, to San Miguel Power Association, Inc.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 21, 1975, file with the Federal Power Com-

mission, 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. The application is on file with the Commission and is available for public inspection.

**KENNETH F. PLUMB,**  
*Secretary.*

[FR Doc.75-5463 Filed 2-28-75; 8:45 am]

[Docket No. RP74-85 (PGA 75-1)]

**WESTERN GAS INTERSTATE CO.**

**Proposed PGA Rate Adjustment**

FEBRUARY 24, 1975.

Take notice that on February 14, 1975, Western Gas Interstate Company filed herein First Revised Sheet No. 3A to its FPC Gas Tariff, Original Volume No. 1. Said tariff sheet is proposed to become effective on April 1, 1975.

Western states the proposed increase in rates is being filed in accordance with its tariff PGA clause, which permits the recovery of increases in the cost of gas and of unrecovered purchased gas costs. Western further states the unrecovered purchased gas cost portion of the rate adjustment covers the period June 16, 1974 through October 24, 1974.

Any person desiring to be heard and to make any protest with reference to 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 the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All such petitions or protests should be filed on or before March 14, 1975. Protests will be considered by the Commission 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 must file a petition to intervene. Western's filing is on file with the Commission and available for public inspection.

**KENNETH F. PLUMB,**  
*Secretary.*

[FR Doc.75-5464 Filed 2-28-75; 8:45 am]

**OFFICE OF MANAGEMENT AND BUDGET**

**CLEARANCE OF REPORTS**

**List of Requests**

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on February 25, 1975 (44 U.S.C. 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

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), or from the reviewer listed.

**NEW FORMS**

**TENNESSEE VALLEY AUTHORITY**

Questionnaire for Off-Road Vehicle (ORV) Monitoring, none, single-time, visitors to Turkey Bay off-road vehicle riding area, Planchon, P., 395-3898.

**DEPARTMENT OF DEFENSE**

Department of the Navy, Weight and Balance Control Systems for Aircraft, MIL-W-25140A, MIL-STD ----1374, on occasion, Naval aerospace contractors, National Security Division, 395-4734.

**DEPARTMENT OF LABOR**

Bureau of Labor Statistics, Survey of Occupational Training in Industry, BLS-3050, single-time, private establishments in selected metal-working industries, Strasser, A., 395-3880.

**REVISIONS**

**ACTION**

Program for Local Service, A-292, on occasion, Lowry, R. L., 395-3772.

**DEPARTMENT OF AGRICULTURE**

Statistical Reporting Service: Cransberry Objective Yield Survey-Wisconsin, other (see SF-63), Lowry, R. L., 395-3772.

Tree Nut Shellers and Processors Inquiries, annually, Lowry, R. L., 395-3772.

Telephone, Electric and L.P. Gas Service, none, annually, Caywood, D. P., 395-3443.

Multi-Frame Potato Acreage Survey (June), annually, Lowry, R. L., 395-3772.

**DEPARTMENT OF DEFENSE**

Department of the Navy, Availability and desirability of Civilian Alternatives to Navy Recreation Facilities, single-time, Planchon, P., 395-3898.

**DEPARTMENT OF HEALTH, EDUCATION AND WELFARE**

Social Security Administration, Factors in Recurring Dependency, SSA 9745, single-time, Caywood, D. P., 395-3443.

**EXTENSIONS**

**IMMIGRATION AND NATURALIZATION SERVICE**

Nonimmigrant Checkout Letter, G-146, on occasion, Evinger, S. K., 395-3648.

Child's Personal Description Form For Certificate of Citizenship, N-604, on occasions, Evinger, S. K., 395-3648.

Application for Information From or Copies of Immigration and Naturalization records, N-585, on occasion, Evinger, S. K., 395-3648.

Request That Applicant Appear With Witnesses (For Naturalization Purposes), N-430, on occasion, Evinger, S. K., 395-3648.

Assurance by a U.S. Sponsor in Behalf of an Applicant for Conditional Entry, I-591, on occasion, Evinger, S. K., 395-3648.

Application for Classification as a Refugee Under the Immigration and Naturalization Act, I-590-A, on occasion, Evinger, S. K., 395-3648.

Application To Pay Off or Discharge Alien Crewman, I-408, on occasion, Evinger, S. K., 395-3648.

Certification as to Alien Becoming a Public Charge or Becoming Institutionalized at Public Expense, I-234, on occasion, Evinger, S. K., 395-3648.

Petition To Classify Status of Alien Fiancee or Fiance, I-129F, on occasion, Evinger, S. K., 395-3648.

Aircraft—Vessel Report, I-92, on occasion, Evinger, S. K., 395-3648.

Request For Fingerprints and/or Information, G-155, on occasion, Evinger, S. K., 395-3648.

**PHILLIP D. LARSEN,**  
*Budget and Management Officer.*

[FR Doc.75-5709 Filed 2-28-75;8:45 am]

**PENNSYLVANIA AVENUE DEVELOPMENT CORP.**

**COMMUNITY ADVISORY GROUP**

**Notice of Meeting**

Pursuant to the provisions of section 10 of Pub. L. 92-463, effective January 5, 1973, notice is hereby given that a meeting of the Community Advisory Group will be held on Tuesday, March 18, 1975, at 4 p.m.

The meeting will be held in the conference room of the Pennsylvania Avenue Development Corporation, Suite 1148, at the Pennsylvania Building, 425 13th Street NW., Washington, D.C.

The purpose of the meeting will be to discuss the Congressional review of the Pennsylvania Avenue Plan.

The meeting will be open to the public to the extent that space and facilities will permit.

For further information call Ms. Katharine Gresham, Urban Planner, Pennsylvania Avenue Development Corporation, Washington, D.C. Area code 202-343-9423.

**DAVID W. BRIGGS,**  
*Legal Assistant to the General Counsel.*

[FR Doc.75-5627 Filed 2-28-75;8:45 am]

**SECURITIES AND EXCHANGE COMMISSION**

[File No. 500-1]

**AMERICAN AGRONOMICS CORP.**

**Notice of Suspension of Trading**

FEBRUARY 21, 1975.

The common stock of American Agronomics Corp. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of American Agronomics Corp. 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 22, 1975 through March 3, 1975.

By the Commission.

[SEAL] **SHIRLEY E. HOLLIS,**  
*Assistant Secretary.*

[FR Doc.75-5516 Filed 2-28-75;8:45 am]

[File No. 500-1]

**BBI, INC.**

**Notice of Suspension of Trading**

FEBRUARY 21, 1975.

The common stock of BBI, Inc., being traded on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of BBI, Inc. 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 exchanges 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 23, 1975 through March 4, 1975.

By the Commission.

**SHIRLEY E. HOLLIS,**  
*Assistant Secretary.*

[FR Doc.75-5517 Filed 2-28-75;8:48 am]



[812-3698]

**EMPIRE FUND, INC. AND PACIFIC  
STANDARD FUND, INC.**

**Notice of Application**

**FEBRUARY 21, 1975.**

Notice is hereby given that Empire Fund, Inc. ("Empire") and Pacific Standard Fund, Inc. ("Pacific Standard"), 421 Seventh Avenue, Pittsburgh, Pennsylvania, 15219, both registered as open-end, diversified management investment companies under the Investment Company Act of 1940 ("Act") (herein referred to collectively as "Applicants"), have filed an application on September 19, 1974, and amendments on October 23, 1974, January 28, 1975, and February 3, 1975, pursuant to section 17(b) of the Act for an order of the Commission exempting from the provisions of section 17(a) of the Act the proposed transaction described below. 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.

Applicants, Maryland corporations which were created under substantially similar governing instruments as "exchange or swap" funds, that is, funds which issue their shares for shares of other companies, have entered into an Agreement and Plan of Reorganization ("Plan") which provides for the sale of substantially all of the assets of Pacific Standard to Empire in exchange for shares of capital stock of Empire, the distribution of Empire shares so obtained to the shareholders of Pacific Standard, and the corporate dissolution of Pacific Standard. Pursuant to a ruling by the Internal Revenue Service, the merger will constitute a tax free reorganization.

If the Plan is approved by Pacific Standard's shareholders, a closing of the transaction ("Closing Date") will take place no later than April 30, 1975. At the closing, upon the transfer by Pacific Standard of all of its assets (excluding certain amounts described below), Empire shall issue shares of its voting stock to the shareholders of Pacific Standard of record at the close of business on the day before the closing date. The number of Empire shares to be distributed shall be determined as follows: The net asset values of a share of Empire's and of Pacific Standard's capital stock will be determined as of the close of business on the day before the Closing Date in the manner prescribed in their respective Charters. Based on the net asset value of a share of Pacific Standard's stock so determined, the aggregate net asset value of all shares of Pacific Standard's stock held by each shareholder as of the close of business on such day shall be computed. The net asset value of a share of Empire's stock determined as aforesaid shall then be divided into each of such aggregate values. The numbers of times that such net asset value of a share of Empire stock goes evenly into each of such aggregate values shall

determine the number of shares of Empire's stock that are to be issued. No fractional shares shall be issued and Empire will pay cash to Pacific Standard shareholders in lieu of fractional shares.

Pacific Standard will retain cash in an amount sufficient to (a) pay its liquidation expenses and satisfy its known liabilities; (b) satisfy the rights of objecting shareholders, and (c) pay its shareholders of record on the day immediately preceding the closing date a dividend of its then undistributed long-term and short-term capital gains, if any. The retained cash will be subtracted from the net asset value of Pacific Standard in computing the number of shares of Empire's capital stock to be issued pursuant to the terms of the exchange.

No adjustment in the net asset values of Applicants will be made to compensate for any potential Federal income tax impact on the shareholders of Applicants which may result from differences between the Applicants in the percentage of each Applicant's net unrealized capital appreciation to its net asset value. Applicants assert that such potential tax consequences to shareholders cannot practically be determined and that there is, therefore, no way in which such potential consequences can be offset in an equitable manner. Applicants contend, moreover, that, in any case, such consequences will be minor.

On April 30, 1970, agreements were made between Pacific Standard Life Company and Federated Investors, Inc. ("Investors") pursuant to which Pacific Standard Life Company acquired from Investors 100 percent of the capital stock of an investment adviser to a fund in exchange for 39,375 shares of common stock of Pacific Standard Life Company. The adviser's name was changed to Pacific Standard Fund Management Corporation ("P.S.M."), and the fund changed its name to Pacific Standard Fund, Inc.

P.S.M. has continued as the investment adviser of Pacific Standard while Federated Research Corp. ("Research"), a wholly owned subsidiary of Investors has acted as sub-investment adviser to Pacific Standard. Research is also sub-investment advisers to Empire whose adviser is P.S.M.F.E.F. Research Corp. ("F.E.F."), also a wholly owned subsidiary of Investors.

In connection with the aforementioned Agreements of April 30, 1970, Pacific Standard Life Company and Investors provided for an acquisition by Investors of an interest in P.S.M. If the sub-investment advisory agreement between its subsidiary, Research, and Pacific Standard, was ever terminated by P.S.M. or Pacific Standard.

In connection with the Plan to sell Pacific Standard's assets to Empire and liquidate Pacific Standard, Pacific Standard Life Company and its wholly owned subsidiaries, P.S.M. and Pacific Standard Equities Company (Pacific Standard's distributor) each entered into an agreement with Investors and

its wholly owned subsidiaries, Research, Federated Investment Counseling, Inc. ("Counseling") and Federated Properties Corp. ("Properties"). This Agreement provides that for a period of three years, commencing on the Closing Date of the Plan, P.S.M. will act as a consultant to Counseling (which is engaged in the private investment counseling business) and Properties (which is engaged in certain real estate developments). P.S.M. will supply such investment advice, statistical and research information as Counseling and Properties may request, for an annual retainer of \$12,000 to be paid by Investors. Applicants state that both Counseling and Properties desire such an arrangement because of Pacific Standard Life Company's experience and expertise in real estate financing, industrial loans and other financial services. The obligations of the parties under this agreement are contingent on the approval of the Plan by a majority of the outstanding shares of capital stock of Pacific Standard. If the shareholders approve the Plan, Pacific Standard Life Company and Investors will terminate their prior agreement dealing with possible future termination of the sub-advisory agreement between P.S.M. and Research.

Seven of Empire's nine directors are included among the nine members of the Board of Directors of Pacific Standard. The officers of Empire all hold equivalent positions as officers of Pacific Standard and the investment objectives of both Empire and Pacific Standard may be characterized as long-term growth of capital and of income.

Because of the highly interlocking nature of the Boards of Directors of Applicants and because both Applicants have the same sub-investment adviser, Applicants are presumed to be under common control and are therefore affiliated persons under section 2(a)(3) of the Act.

Section 17(a) of the act, in pertinent part, provides that it is unlawful for any affiliated person of a registered investment company or any affiliated person of such affiliated person, to sell to, or purchase from, such investment company any security or property unless the Commission upon application pursuant to section 17(b) of the act grants an exemption from the provisions of section 17(a) after finding that the terms of the proposed transaction are fair and reasonable and do not involve any overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned, and that the proposed transaction is consistent with the general purposes of the act.

Applicants represent that the transaction is consistent with the general purposes of the act and would not involve any practices which section 17(a) or any other provision of the act is designed to prevent. Applicants assert that the transaction is particularly appropriate for each of the applicants in view of the

similarity of their investment objectives and policies. Applicants assert that their shareholders will benefit by the elimination of certain presently duplicated expenses. In addition, greater flexibility with respect to portfolio transactions and redemption procedures is expected.

The aggregate expenses of consummating the transaction, including legal, accounting, printing, transfer agent and other miscellaneous expenses are estimated at \$15,000. All expenses will be allocated to each Applicant in proportion to their respective net asset values.

Notice is further given that any interested person may, not later than March 18, 1975, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, and the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing), upon Applicants at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following March 18, 1975, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] SHIRLEY E. HOLLIS,  
Assistant Secretary.

[FR Doc. 75-5521 Filed 2-28-75; 8:45 am]

[70-5622]

#### METROPOLITAN EDISON CO.

##### Notice of Proposed Issue and Sale of First Mortgage Bonds at Competitive Bidding

FEBRUARY 21, 1975.

Notice is hereby given that Metropolitan Edison Company ("Met-Ed"), 2800 Pottsville Pike, Muhlenberg Township, Berks County, Pennsylvania 19605, an electric utility subsidiary company of General Public Utilities Corporation, a registered holding company, has filed an application and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the act and rule 50 promulgated thereunder as applicable to the proposed

transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

Met-Ed proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, up to \$50,000,000 principal amount of First Mortgage Bonds, due not later than April 1, 2005 ("Bonds"). The interest rate (which will be a multiple of  $\frac{1}{8}$  percent of 1 percent) and the price (which will be not less than 100 percent and not more than 102.75 percent of the principal amount of the bonds, plus accrued interest from April 1, 1975, to the date of delivery) will be determined by competitive bidding. The bonds will be issued under the Indenture, dated as of November 1, 1944 between Met-Ed and Guaranty Trust Company of New York (now Morgan Guaranty Trust Company of New York), Trustee, as heretofore supplemented and amended, and as to be further supplemented and amended by a Supplemental Indenture to be dated as of March 20, 1975. None of the bonds may be redeemed at the option of Met-Ed prior to April 1, 1980, if the funds for such redemption are obtained at an interest cost lower than the yield of the bonds, except under certain circumstances.

The entire proceeds (exclusive of premium and accrued interest) from the sale of the Bonds, will be applied to reimburse Met-Ed's treasury for funds previously expended therefrom for construction purposes or to pay a portion of Met-Ed's short-term bank loans outstanding at the date of sale of the Bonds. At February 7, 1975, Met-Ed had short-term bank loans outstanding of \$49,650,000.

Premium resulting from the sale of the Bonds will be used for financing the business of Met-Ed including the payment of the expenses of issuing and selling the Bonds. The estimated cost of Met-Ed's 1975 construction program is approximately \$65,000,000 (including allowance for funds used during construction).

The fees and expenses to be incurred in connection with the proposed transaction will be supplied by amendment. It is stated that the Pennsylvania Public Utility Commission has jurisdiction over the proposed issue and sale of the Bonds and that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than March 18, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application 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 applicant 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 application, as amended or as it may be further amended, may be granted as provided in rule 23 of the general rules and regulations promulgated under the act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc. 75-5522 Filed 2-28-75; 8:45 am]

[812-3694]

#### NEUWIRTH FUND, INC., ET AL

##### Notice of Filing of Application for Exemption

FEBRUARY 21, 1975.

Notice is hereby given that Neuwirth Fund, Inc. ("Neuwirth"), an open-end, diversified management investment company registered under the Investment Company Act of 1940 ("Act"), Neuwirth Century Fund, Inc. ("Century"), an open-end, non-diversified management investment company registered under the Act, (collectively the "Funds"), and Wood, Struthers & Winthrop Management Corp. ("Wood, Struthers"), 20 Exchange Place, New York, New York 10005 an investment adviser, as defined by the Investment Advisers Act of 1940, (collectively the "Applicants"), filed an application on September 10, 1974 and amendments thereto on November 14, 1974, January 21, 1975, and February 5, 1975, pursuant to Section 6(c) of the Act, for an order of the Commission exempting the Applicants from the provisions of section 15(a) of the act to permit (1) Wood, Struthers to provide portfolio management and administrative services to the Funds on a lower of cost or fee basis from August 15, 1974, to the date of the Funds' respective meetings of stockholders, expected to be held on or before March 31, 1975, at which the stockholders will approve or disapprove investment advisory contracts with Wood, Struthers and (2) retroactive payments of advisory fees, less previously reimbursed costs and expenses, by the Funds to Wood, Struthers for services as an interim investment adviser for the period August 15, 1974, to the date of the respective meetings of stockholders. 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.



On June 21, 1974, Clark, Dodge & Co., Incorporated ("Clark Dodge") which was acting as investment adviser to the Funds under contracts dated February 26, 1974 ("Old Contracts") sold substantially all of its business and assets to Kidder Peabody & Co., Incorporated, but remained the investment adviser to the Funds until August 15, 1974, when its contracts with the Funds were terminated by mutual agreement.

On the day previous to the sale of Clark Dodge's assets to Kidder Peabody, the Fund's Directors, who had been giving consideration to the selection of a new adviser since the public announcement on May 24, 1974, that Clark Dodge was giving consideration to a sale of its assets to Kidder Peabody, voted, in principle, to recommend to stockholders of each of the Funds that Wood, Struthers be retained as investment adviser to the Funds, and on July 23, 1974, the Directors voted, subject to approval by the vote of the majority of the outstanding voting securities of the respective Funds, to enter into new advisory contracts (the "New Contracts") with Wood, Struthers.

The New Contracts differ from the Old Contracts in the following respects: (1) no provision is made for the furnishing by Wood, Struthers of research and statistical services to the Funds. Instead, Wood, Struthers will, in providing advisory services to the Funds, rely on research and statistical services obtained in exchange for Fund brokerage given to various broker-dealers, including Wood, Struthers & Winthrop, Inc.; (2) investment advisory fees under the New Contracts will be payable quarterly based on the Funds' respective net asset values on the last business day of such quarter rather than monthly based on the Funds' respective net asset values; (3) the respective break points under the New Contracts lowering the investment advisory fees from  $\frac{1}{2}$  percent to  $\frac{3}{8}$  percent annually will be \$125,000,000 rather than \$50,000,000 and (4) should a proposed merger between Neuwirth and Century not be consummated, the New Contract between Century and Wood, Struthers would not provide for a  $1\frac{1}{2}$  percent expense limitation. Under the Old Contract, Clark, Dodge guaranteed that the total expenses of Century in any fiscal year would not exceed, and undertook to reimburse any amount by which such expenses did exceed, on an annual basis,  $1\frac{1}{2}$  percent of the first \$30,000,000 of the average daily net assets of Century, plus 1 percent of average daily net assets in excess of \$30,000,000.

On August 15, 1974, each of the Funds executed a letter agreement with Wood, Struthers (the "Agreements"), pursuant to which Wood, Struthers undertook to perform portfolio management and administrative services for the Funds on the same general terms, except for the fees payable, as provided for under the New Contracts, and Neuwirth and Century agreed to reimburse Wood, Struthers either monthly or upon the meetings of stockholders, at Wood, Struthers discretion, for their allocable share of Wood, Struthers costs and ex-

penses in so managing the Funds, except that in no event could such reimbursed costs and expenses exceed the advisory fees which would have been payable to Wood, Struthers had the New Contracts been in effect.

The Funds also agreed that each would use its best efforts to call a stockholders meeting as soon as reasonably possible for the purpose of a vote being taken on, (a) approval or disapproval of the respective New Contracts, and (b) approval or disapproval of the payment to Wood, Struthers by the respective Funds of the advisory fees provided for under the New Contracts for the period between the time, Wood, Struthers commenced to render such services and the time when the shareholders might ratify the retroactive payment of such fee (the "Interim Period") less the amount of any costs and expenses of Wood, Struthers previously reimbursed by the Funds during such period. (A condition to Wood, Struthers' obligation to enter into a New Contract with each fund is that the stockholders of such fund approve the retroactive payment of advisory fees as discussed above.)

The Directors of the Funds determined that to avoid unnecessary expense to the Funds, it would be best to present the issues of the new investment advisory contracts and the retroactive payment of investment adviser fees to the shareholders, along with the proposal to merge the Funds and other ordinary business, at the annual meeting of the Funds expected to be held prior to December 31, 1974. Applicants submit that they were unable to call and hold those meetings during 1974 because time did not permit the Funds to obtain the necessary orders of exemption from the Act or to prepare and solicit proxy material for such meetings. Applicants further state that in order to hold such annual meetings in 1975, they are required by proxy rules under the Securities Exchange Act of 1934 (the "1934 Act") to include in their proxy material financial statements for fiscal year 1974. In view of the above, the Funds decided to delay proxy solicitation until certified financial statements for 1974 were available, which was expected to be by late January 1975.

Wood, Struthers has agreed to pay those costs and expenses of the Funds incurred in connection with their entering into the respective New Contracts and the proposed merger which combined, are in excess of \$15,000 but are not over \$70,000, provided that the stockholders of the Funds approve the respective New Contracts. Should the shareholders of one fund approve, while the shareholders of the other fund disapprove, a respective investment advisory contract, Wood, Struthers will pay that part of those expenses of the fund whose shareholders approved the investment advisory contract which are equal to an amount which bears the same ratio to the total expenses of the Funds' annual meetings in excess of \$15,000 and less than \$70,000 as the expenses allocable to such fund bears to the total expenses of both Funds.

Section 15(a) of the act prohibits any person from serving or acting as investment adviser of a registered investment company except pursuant to a written contract which has been approved by the vote of a majority of the outstanding voting securities of such registered investment company. Section 2(a) (20) of the act, in pertinent part, defines the term "investment adviser" of an investment company to include any person who, pursuant to contract, regularly furnishes advice to an investment company with respect to the desirability of investing in, purchasing or selling securities, or is empowered to determine what securities shall be purchased or sold, but specifically excludes therefrom persons furnishing such advice through uniform publications, persons furnishing only statistical information, companies furnishing such services at cost to one or more investment companies, insurance companies, or other financial institutions, persons whose compensation must be approved by a court, and such other persons as the Commission may by rules and regulations or order determine not to be within the intent of the definition.

Applicants submit that Wood, Struthers may be deemed to be an investment adviser under the Act and they, therefore, request exemption from section 15(a) of the Act to the extent necessary to permit Wood, Struthers to provide investment advisory services prior to shareholder approval or disapproval of investment advisory contracts.

Applicants also request an exemption from section 15(a) of the Act to permit retroactive payments to Wood, Struthers by the Funds of amounts equal to the fees that would have been paid by the Fund under the New Contracts if they had been in effect when Wood, Struthers commenced rendering advisory services, less any previous payments to Wood, Struthers for its costs and expenses, conditioned on approval of such retroactive payment by the shareholders of the respective fund concerned.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person or transaction from any provision of the act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and the purposes fairly intended by the policy and provisions of the Act.

Applicants contend that the granting of exemptions from Section 15(a) as requested above is necessary and 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.

Notice is further given that any interested person may, not later than March 18, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission



shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the Application will be issued as of course following March 18, 1975, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] SHIRLEY E. HOLLIS,  
Assistant Secretary.

[FR Doc. 75-5523 Filed 2-28-75; 8:45 am]

[812-3722]

**NEUWIRTH FUND, INC. AND  
NEUWIRTH CENTURY FUND, INC.**

**Notice of Filing of Application**

FEBRUARY 21, 1975.

Notice is hereby given that Neuwirth Fund, Inc. ("Neuwirth"), an open-end, diversified management investment company registered under the Investment Company Act of 1940 ("Act"), and Neuwirth Century Fund, Inc. ("Century"), an open-end, non-diversified management investment company registered under the Act, (collectively the "applicants"), 20 Exchange Place, New York, New York, 10005, filed an application on November 14, 1974 and an amendment thereto on January 24, 1975, pursuant to section 17(b) of the Act for an order of the Commission exempting from the provisions of section 17(a) of the act the proposed merger of Century and Neuwirth. 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.

Wood, Struthers & Winthrop Management Corp. ("Wood, Struthers"), a registered investment adviser and a wholly owned subsidiary of Wood, Struthers & Winthrop, Inc., ("Wood, Struthers—Parent") is presently furnishing Neuwirth and Century with portfolio management and administrative services pursuant to agreements that have been approved by the Boards of Directors of each fund. Investment advisory agreements between Wood, Struthers and each of the funds are to be submitted to shareholders of the funds for their respective approvals at the same meetings at which shareholders will vote on the proposed

merger. An officer and director of Wood, Struthers is one of the three persons who serve as the directors of Neuwirth and Century and all the persons who serve as the officers of Neuwirth and Century are employees of Wood, Struthers. Accordingly, each of the applicants may be deemed to be affiliated persons of each other within the meaning of section 2(a)(3) of the Act.

The proposed Agreement of Merger between the Funds provides for the merger of Century with and into Neuwirth which will be the surviving fund. The corporate existence of Century will cease on the effective date of the merger. The proposed merger is contingent upon the approval by the affirmative vote of the holders of a majority of outstanding shares of the common stock of each of the Funds and the receipt by the Funds of an opinion of counsel to the effect that the proposed transaction will constitute a tax-free reorganization and that no gain or loss will be recognized by either of the Funds or their shareholders as a result of the transaction. The merger is further conditioned on the respecting groups of shareholders of the Funds either both approving or both disapproving the respective investment advisory contract with Wood, Struthers.

Each fund intends to declare and pay to its respective stockholders dividends and distributions substantially equal to the amount of its respective net investment income and realized capital gain, if any, prior to the effective date of the merger, which is to be the first business day following the day of meetings of the stockholders of each of the Funds at which approval of the merger is obtained. Upon the effective date, each outstanding share of Century's common stock will be converted into shares of common stock of Neuwirth having the same aggregate net asset value as a share of Century common stock determined at the close of business on the day of the meetings of stockholders of the Funds at which the merger was approved.

As of September 30, 1974, Century and Neuwirth had, respectively, net assets of \$4,016,397 and \$12,578,922. The Agreement of Merger will not provide for any adjustment of net assets of either Century or Neuwirth to compensate shareholders for any potential Federal income tax impact which may result from differences between the Applicants in realized or unrealized capital gains or losses. As of September 30, 1974, Century and Neuwirth had, respectively, net realized capital losses of \$1,115,694 and \$4,827,877 and net unrealized capital losses of \$1,432,148 and \$8,253,550. As of December 31, 1973, Neuwirth had a net capital loss carry-forward of approximately \$19,800,000 of which \$16,500,000 expires in 1975, and \$3,300,000 expires in 1978. This capital loss carry-forward is substantially larger than the capital loss carry-forward available to Century. Applicants state that the managements of the Funds are of the opinion that the terms of the Agreement, in not providing for any adjustments with respect to these items, are equitable.

Section 17(a) of the act, in pertinent part, provides that it shall be unlawful for any affiliated person of a registered investment company, or any affiliated person of such a person, acting as principal, knowingly to sell to or purchase from such registered investment company any security or other property. Section 17(b) of the act provides that the Commission, upon application, may exempt a proposed transaction from the provisions of section 17(a) if evidence establishes that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned and that the proposed transaction is consistent with the policy of each registered investment company concerned and with the general purposes of the act.

Applicants submit that the terms of the proposed transaction are fair and reasonable since Neuwirth will be issuing its shares in exchange for property at a price not less than the net asset value thereof and Century stockholders will be receiving Neuwirth common stock equal in value to Century's net assets. Applicants also assert that because of the larger asset base of the combined fund and the elimination of certain costs, such as legal, accounting and administrative fees, presently borne separately by Neuwirth and Century, the consummation of the proposed transaction may promote a reduction in per share expenses.

The investment objective of Neuwirth is to seek possible growth of capital and the investment objective of Century is to seek capital appreciation. Applicants state that the proposed transaction is consistent with their respective policies because the stockholders of Century will receive shares of an open-end management company with similar investment objectives and substantially identical fundamental policies and investment restrictions. The respective policies and restrictions of each fund and any differences therein will be fully disclosed in the proxy materials to be submitted to stockholders of each fund in connection with the meeting of stockholders at which the merger will be voted upon. Applicants represent that the portfolio securities of Century to be acquired by the surviving fund, Neuwirth, are compatible with the objectives and policies of Neuwirth, and that the merger will not entail the sale of any of such securities by the surviving fund.

The aggregate expenses of the stockholders meetings of Neuwirth and Century, at which, among other business, the merger proposal will be raised, are estimated at \$80,300, and those allocable to the proposed merger are approximately \$39,100. Approximately \$51,100 of the total expenses will be allocable to Neuwirth and approximately \$29,200 to Century. However, Wood, Struthers has agreed to bear all expenses in connection with the stockholders meetings of Applicants in excess of an aggregate of \$15,000 and less than \$70,000, provided that the stockholders of both Neuwirth

and Century approve the proposed investment advisory contracts between the respective Funds and Wood, Struthers. Should the shareholders of one fund approve, while the shareholders of the other fund disapprove, a respective investment advisory contract, Wood, Struthers will pay that part of those expenses of the fund whose shareholders approved the investment advisory contract which are equal to an amount which bears the same ratio to the total expenses of the Funds' annual meetings in excess of \$15,000 and less than \$70,000 as the expenses allocable to such fund bears to the total expenses of both Funds. If both Funds enter into advisory contracts with Wood, Struthers, it is expected that of the total expenses for the stockholder meetings, including those attributable to the merger proposal, approximately \$16,000 will be borne by Neuwirth and \$9,200 will be borne by Century.

Notice is further given that any interested person may, not later than March 18, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by rule 0-5 of the rules and regulations promulgated under the act, an order disposing of the application will be issued as of course following March 18, 1975, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] SHIRLEY E. HOLLIS,  
Assistant Secretary.

[FR Doc.75-5524 Filed 2-28-75; 8:45 am]

[70-5612]

#### NORTHEAST UTILITIES ET AL.

**Notice of Proposed Issue and Sale of Short-Term Notes to Banks and/or Commercial Paper to Dealers, Exception From Competitive Bidding, and Capital Contributions**

FEBRUARY 21, 1975.

Notice is hereby given that Northeast Utilities ("NU"), 174 Brush Hill Avenue,

West Springfield, Massachusetts, 01089, a registered holding company, The Connecticut Light and Power Company ("CL&P"), Selden Street, Berlin, Connecticut, 06037, The Hartford Electric Light Company ("HELCO"), 176 Cumberland Avenue, Wethersfield, Connecticut, 06109, and Western Massachusetts Electric Company ("WMECO"), 174 Brush Hill Avenue, West Springfield, Massachusetts, 01089, each a wholly-owned electric utility subsidiary company of NU, have filed a declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act"), designating sections 6, 7, and 12(b) of the act and rules 45 and 50(a) (5) promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Declarants each propose to issue, from time to time until March 31, 1976, short-term notes to banks (to be named) and commercial paper to dealers in commercial paper. It is also stated that declarants contemplate the possible establishment of credit lines with insurance companies for short-term borrowings which, if formalized, will be the subject of an amendment to the declaration. The aggregate amount of all such short-term indebtedness at any time outstanding, whether issued to banks, to a dealer in commercial paper, or otherwise, will not exceed \$175,000,000 in the case of NU, and in the cases of CL&P, HELCO, and WMECO aggregate amounts of \$168,000,000, \$106,000,000, and \$63,000,000, respectively. By order dated December 11, 1973 (HCAR No. 18213), the Commission authorized and preferred shareholders subsequently approved CL&P, HELCO, and WMECO to continue, for a 5-year period, their existing authorizations to incur short-term indebtedness in an amount up to but not exceeding 20% of their respective capitalizations.

Declarants propose to renew and extend any notes so issued or to refund them with other similar notes issued to banks or to dealers in commercial paper and to issue and sell additional short-term notes (and to renew such notes) from time to time to meet portions of their capital requirements; provided, however, that the aggregate amount of all such notes of each declarant at any one time outstanding, including notes issued both before and after March 31, 1975, will at no time exceed the amount set forth above for each declarant.

The notes to be issued to banks will each be dated as of the date of issue (no later than March 31, 1976), will have maximum maturity dates of nine months with right of renewal, will bear interest at a rate per annum not in excess of the prime rate or the prime rate plus a fraction thereof, and will be subject to prepayment at any time at each company's option without premium.

The declarants have credit lines with forty-nine banks subject in most cases to commitment fees and/or compensating balance requirements. Generally,

compensating balances ranging from 10 percent to 20 percent of credit lines are required. Based upon a 9 percent prime interest rate, a 10 percent to 20 percent compensating balance will result in an effective cost of borrowing of 10.00-11.25 percent per annum.

Commercial paper will be issued and sold by each declarant in the form of short-term promissory notes in varying denominations of not less than \$50,000 and not more than \$1,000,000, bearing varying maturities of not more than 270 days after date of issue and not subject to repayment prior to maturity. The commercial paper will be sold directly to dealers in commercial paper (Lehman Commercial Paper, Incorporated, in the case of NU and WMECO, and A. G. Becker & Co., Incorporated, in the case of CL&P and HELCO) at the discount rate per annum prevailing at the date of issuance for commercial paper of comparable quality and like maturity sold by public-utility issuers to commercial paper dealers. No commercial paper shall be issued having a maturity of more than 90 days at an effective interest cost to the declarants which exceeds the prime commercial bank rate at which they could borrow from banks. No commission or fee will be payable in connection with the issuance and sale of the commercial paper. The purchasing dealer, as principal, will reoffer the commercial paper to institutional investors at a discount not to exceed  $\frac{1}{2}$  of 1 percent per annum less than the prevailing discount rate available to declarants in such manner as not to constitute a public offering. The commercial paper will be reoffered to not more than 200 identified and designated commercial and institutional customers in a nonpublic list prepared for each declarant in advance by the purchasing dealer, and furnished to the Commission either by each declarant or the commercial paper dealer. No additions will be made to this customer list. It is anticipated that the commercial paper will be held by customers to maturity, but, if such customers desire to regill prior to maturity, the purchasing dealer, pursuant to a verbal repurchase agreement, will repurchase the commercial paper and reoffer the same only to others on the list.

The funds to be derived by NU from the issuance and sale of the bank notes and the commercial paper will be applied (i) to make capital contributions and/or open account advances during the period from April 1, 1975, to March 31, 1976, to CL&P, HELCO, WMECO, and Northeast Nuclear Energy Company ("NNEC"), formerly The Millstone Point Company, all of which are electric utility subsidiaries of NU, in amounts not to exceed \$55,000,000, \$35,000,000, \$30,000,000, and \$10,000,000, respectively, (ii) to make open account advances during 1975 and up to March 31, 1976, to The Quinnetuk Company and to Holyoke Water Power Company, both wholly-owned subsidiaries of NU, in amounts not to exceed \$1,000,000 and \$4,000,000, respectively, and (iii) to supply funds as needed to other subsidiary companies as heretofore



or hereafter authorized by the Commission. All capital contributions to subsidiaries will be credited to their capital surplus accounts. CL&P, HELCO, and WMECO will apply such contributions, together with other funds available to them, to finance their 1975 construction programs. The total estimated construction expenditures of CL&P, HELCO, and WMECO for 1975 are \$148,000,000, \$64,900,000, and \$48,100,000, respectively. NNEC will apply such contribution, together with other funds available to it, for nuclear fuel financing during 1975. Total expenditures for nuclear fuel in 1975 are estimated to be \$48,000,000. The funds to be derived by CL&P, HELCO, and WMECO from the issuance and sale of the bank notes and commercial paper will also be applied, together with other funds available to these companies, to finance their respective construction expenditures in 1975 and 1976.

It is stated that NU will not necessarily apply all or any part of the proceeds of any sale of its common shares prior to March 31, 1976, to the reduction of its outstanding short-term borrowings and that CL&P, HELCO, and WMECO will not necessarily apply all or any part of the net proceeds of any long-term financing to the repayment or reduction of their short-term notes. Any bank notes or commercial paper of NU, CL&P, HELCO, and WMECO outstanding at March 31, 1976, will be repaid from internal cash resources or from the proceeds of long-term debt or equity financing.

Declarants requests exception from the competitive bidding requirements of rule 50 for the proposed issue and sale of the commercial paper pursuant to paragraph (a) (5) thereof on the grounds that it is not practicable to invite competitive bids for commercial paper and that current rates for commercial paper for prime borrowers such as the declarants are published daily in financial publications. Declarants also request authority to file certificates of notification under rule 24 with respect to the issue and sale of commercial paper within 30 days after the end of each calendar quarter.

It is stated that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions. There are no fees or expenses to be incurred in connection with the proposed transactions, except incidental services estimated at \$500 in the case of each declarant to be performed at cost by Northeast Utilities Service Company, an affiliated service company.

Notice is further given that any interested person may, not later than March 17, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such

request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as amended or as it may be further amended may be permitted to become effective as provided in rule 23 of the general rules and regulations promulgated under the act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] SHIRLEY E. HOLLIS,  
Assistant Secretary.

[FR Doc.75-5525 Filed 2-28-75;8:45 am]

[70-5618]

#### OHIO POWER CO.

##### Notice Regarding Sale of Utility Assets

FEBRUARY 21, 1975.

Notice is hereby given that Ohio Power Company ("Ohio"), 301 Cleveland Avenue SW, Canton Ohio 44702 an electric utility subsidiary company of American Electric Power Company, Inc., ("AEP"), a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 12(d) of the act and rule 44 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.

Ohio proposes to sell to Stone Container Corporation ("Stone"), which is not affiliated with either Ohio or AEP a certain transformer and related equipment and facilities located in place on Stone's property in the city of Coshocton, Ohio. These facilities were constructed by Ohio for the sole purpose of serving Stone. Stone desires to purchase these facilities in order to take advantage of a lower rate schedule for an anticipated increase in electric consumption.

The sale involves a 12/16/20 MVA, 69/12/4KV 3 phase transformer and pertinent structures, fencing switches, lightning arrester, and related equipment and facilities. The selling price will be \$110,755. The original installed cost of these facilities was \$117,862, and the original cost less book depreciation is \$95,645.

The fees and expenses to be incurred by Ohio or AEP in connection with the proposed transaction are estimated at

\$2,300. It is stated that no state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than March 14, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration 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 any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] SHIRLEY E. HOLLIS,  
Assistant Secretary.

[FR Doc.75-5526 Filed 2-28-75;8:45 am]

[File No. 500-1]

#### POLARIS MINING CO.

##### Notice of Suspension of Trading

FEBRUARY 21, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Polaris Mining 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 1:30 p.m. (e.s.t.) on February 21, 1975 through midnight (e.s.t.) on March 2, 1975.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,  
Assistant Secretary.

[FR Doc.75-5518 Filed 2-28-75;8:45 am]



[File No. 500-1]

**ROYAL PROPERTIES INC.****Notice of Suspension of Trading**

FEBRUARY 21, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Royal Properties Incorporated 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 22, 1975 through March 3, 1975.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,  
Assistant Secretary.

[FR Doc.75-5519 Filed 2-28-75; 8:45 am]

[File No. 500-1]

**WINNER INDUSTRIES, INC.****Notice of Suspending of Trading**

FEBRUARY 21, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Winner 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 February 22, 1975 through March 3, 1975.

By the Commission.

[SEAL] SHIRLEY E. HOLLIS,  
Assistant Secretary.

[FR Doc.75-5520 Filed 2-28-75; 8:45 am]

**VETERANS ADMINISTRATION  
GERIATRIC RESEARCH AND CLINICAL  
CENTERS ADVISORY COMMITTEE****Establishment**

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), the Veterans Administration has determined that the establishment of the above committee is in the public interest in connection with the performance of duties imposed on the Veterans Administration by law.

The objective of the Geriatric Research and Clinical Centers Advisory Committee is to provide assistance to the VA Deputy Assistant Chief Medical Director for Clinical Services, who also is Director of the Geriatric Research and Clinical Centers Program.

The purpose of the Geriatric Research and Clinical Centers is to improve the quality of VA care to our older American

veterans through the development of Geriatric Centers which incorporate three principal components. They are: (1) a clinical service function, (2) a research function, and (3) an educational function.

To accomplish the above purpose requires the expertise of several kinds of highly specialized health care individuals such as those that make up the Geriatric Research and Clinical Centers Advisory Committee. The committee members will review station geriatric clinical program proposals, geriatric research proposals, and educational proposals, with regard to the objectives of the programs, merit of the activities, and appropriateness of the program for the station proposing. The committee will also provide a judgment on the priority of the recommended proposals. The committee will review new, supplemental, and renewal proposals. Members of the committee will participate as members of site visit teams and will provide guidance on policy matters and on identification of areas of the Geriatric Research and Clinical Centers program warranting special study or support.

Signed at Washington, D.C. this 24th day of February 1975.

[SEAL] RICHARD L. ROUBEUSH,  
Administrator.

[FR Doc.75-5528 Filed 2-28-75; 8:45 am]

**VETERANS ADMINISTRATION HOSPITAL  
AUGUSTA, GEORGIA****Availability of Draft Environmental Impact  
Statement; 420-Bed Replacement and  
Relocation**

Notice is hereby given that a document entitled "Draft Environmental Statement for a 420-Bed Replacement and Relocation Veterans Administration Hospital, Augusta, Georgia", dated December 1974, has been prepared as required by the National Environmental Policy Act of 1969.

The proposed 420-Bed Replacement Veterans Administration Hospital is to be located on a 20-acre parcel of land within the Urban Renewal Medical Center complex of Augusta, Georgia. This proposed new construction will replace an inadequate and outmoded physical facility presently existing at the Veterans Administration Hospital, Forest Hills in Augusta. It will serve as the principal medical facility for veterans from Georgia and nearby states.

This draft statement discusses the environmental impact of the 420-Bed Veterans Administration Hospital. The document is being placed for public examination in the Veterans Administration office in Washington, D.C. Persons wishing to examine a copy of the document may do so at the following office:

Mr. Jack S. Westall, Assistant Chief Medical Director for Administration (13), Room 600, Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C. 20420.

Single copies of the draft statement may be obtained on request to the above office.

Dated: February 24, 1975.

[SEAL] R. L. ROUBEUSH,  
Administrator.

[FR Doc.75-5529 Filed 2-26-75; 8:45 am]

**INTERSTATE COMMERCE  
COMMISSION**

[Notice No. 709]

**ASSIGNMENT OF HEARINGS**

FEBRUARY 26, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after March 3, 1975.

MC 20783 Sub 108, Tompkins Motor Lines, Inc., now assigned February 27, 1975, at Atlanta, Georgia, is cancelled and application is dismissed.

MC 18302 Sub 2, State Moving & Storage, Inc., now assigned March 17, 1975, at New York, N.Y., will be held in Court Room 4, Customs Court, 1 Federal Plaza, instead of in Courtroom E-2222, 26 Federal Plaza.

MC 3647 Sub 452, Transport of New Jersey, now assigned March 4, 1975, at Newark, N.J., will be held in Court Room 3, Post Office Building, Federal Square.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-5546 Filed 2-28-75; 8:45 am]

[Notice No. 710]

**ASSIGNMENT OF HEARINGS****Correction**

FEBRUARY 26, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested. No amendments will be entertained after March 3, 1975.

## Correction

MC-F-12368, Harry Schreiber, Schreiber Freight Carriers, Inc., Schreiber Freight Lines, Inc., W-P Truck Lines, Inc., and Gerald S. Leshar—Investigation of Control—Dorothy H. Loughman, DBA Waynesburg-Pittsburgh Local Express, now being assigned May 13, 1975, at the Offices of the Interstate Commerce Commission, instead of now being assigned May 3, 1975.

[SEAL] ROBERT L. OSWALD,  
Secretary.  
[FR Doc.75-5547 Filed 2-28-75;8:45 am]

[Section 5a Application No. 105; Amdt. 1]  
**ALASKA RAIL-WATER ASSOCIATION  
Agreement**

FEBRUARY 26, 1975.

The Commission is in receipt of an application in the above-entitled proceeding for approval of amendments to the agreement therein approved.

Filed December 18, 1974 by: W. R. Watson, Alaska Rail-Water Association, 315 Union Station, Seattle, WA 98104, attorney-in-fact.

The amendments involve: Change the quorum requirements to provide for representation of at least one, in lieu of two, water carrier members as two of the three water carrier members are under common control (Article IV, Section 1); and change the name of Alaska Trainship Corporation to Alaska Rail Express, Division of Alaska Trainship Corporation by reason of adoption.

The complete application may be inspected at the Office of the Commission, in Washington, D.C.

Any interested person desiring to protest and participate in this proceeding shall notify the Commission in writing on or before March 24, 1975. As provided by the general rules of practice of the Commission, persons other than applicants should fully disclose their interest, and the position they intend to take with respect to the application. Otherwise, the Commission, in its discretion, may proceed to investigate and determine the matters involved without public hearing.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-5543 Filed 2-28-75;8:45 am]

**IRREGULAR-ROUTE MOTOR COMMON  
CARRIERS OF PROPERTY**

**Elimination of Gateway Letter Notices**

FEBRUARY 20, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination rules (49 CFR 1065(a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed

with the Interstate Commerce Commission on or before March 13, 1975. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 31462 (Sub-No. E402), filed May 11, 1974. Applicant: PARAMOUNT MOVERS, INC., P.O. Box 309, Lancaster, Texas 75146. Applicant's representative: R. L. Rork (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Tennessee, on the one hand, and, on the other, points in that part of South Dakota on and north of a line beginning at the South Dakota-Minnesota State line extending along U.S. Highway 16 to junction U.S. Highway 18, thence along U.S. Highway 18 to junction U.S. Highway 281, thence along U.S. Highway 281 to the South Dakota-Nebraska State line.

The purpose of this filing is to eliminate the gateway of (1) Cairo, Illinois and points within 25 miles thereof, and (2) any points which is both within 35 miles of Alden, Minnesota, and within that part of Minnesota or Iowa on and south of a line beginning at the Mississippi River, thence along U.S. Highway 16 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Mississippi River.

No. MC 106509 (Sub-No. E29), filed May 26, 1974. Applicant: YOUNGER TRANSPORTATION, INC., P.O. Box 01466, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Earth drilling machinery, and equipment, and machinery, equipment, materials, supplies, and pipe incidental to, used in, in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites and (d) the injection or removal of commodities into or from holes or wells, between points in Alabama, on the one hand, and, on the other, points in Montana, Utah, Wyoming, and Colorado.* The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC 106509 (Sub-No. E30), filed May 26, 1974. Applicant: YOUNGER TRANSPORTATION, INC., P.O. Box 14066, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Earth*

*drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites and (d) the injection or removal of commodities into or from holes or wells, between points in Florida, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, Montana, and South Dakota.* The purpose of this filing is to eliminate the gateway of points in Iowa.

No. MC 106509 (Sub-No. E31), filed May 26, 1974. Applicant: YOUNGER TRANSPORTATION, INC., P.O. Box 14066, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites and (d) the injection or removal of commodities into or from holes or wells, between points in Georgia, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Montana.* The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC 106674 (Sub-No. E2), filed June 2, 1974. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate fertilizer, urea fertilizer and urea feed grade, dry in bags, from Louisville, Ky., Jeffersonville and New Albany, Ind., and Seymour, Ind., to points in Arkansas, Missouri and points in that part of Tennessee on and west of a line beginning at the Tennessee-Kentucky State line extending along U.S. Highway 641 to junction Tennessee Highway 69, thence along Tennessee Highway 69 to junction Tennessee Highway 77, thence along Tennessee Highway 77 to junction Tennessee Highway 22, thence along Tennessee Highway 22 to the Tennessee-Mississippi State line.* The purpose of this filing is to eliminate the gateway of West Henderson, Ky.

No. MC 106674 (Sub-No. E3), filed June 4, 1974. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: William P. Jackson, Jr., 919

Eighteenth Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic foam and plastic foam insulation panels* used or useful in the construction of roofs minimum 20,000 pounds, from Lockport, Chicago and Clearing, Ill., to points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, points in Ohio on and south of U.S. Highway 40 and points in Pennsylvania on and south of U.S. Highway 22 starting at the Ohio-Pennsylvania State line extending along to junction U.S. Highway 22 to its junction with U.S. Highway 522, thence along U.S. Highway 522 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction Interstate Highway 81, thence along Interstate Highway 81 to the Pennsylvania-New York State line. The purpose of this filing is to eliminate the gateway of the plant site and facilities of the Elliot Company located at Indianapolis, Ind.

No. MC 106674 (Sub-No. E4), filed June 4, 1974. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, Ind. 47977. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate fertilizer*, dry, in bags, from Streator, Ill., to points in Alabama, Kentucky and Tennessee. The purpose of this filing is to eliminate the gateway of the plant site of Central Nitrogen, Inc., approximately 4.5 miles north of the city limits of Terre Haute, Ind., and West Henderson, Ky.

No. MC 106920 (Sub-No. E19) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER, February 4, 1975. Applicant: RIGGS FOOD EXPRESS, INC., P.O. Box 26, New Bremen, Ohio 45869. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Milk, cream, and buttermilk*, in bulk, in tank vehicles, from points in Minnesota to points in Florida and Georgia. The purpose of this filing is to eliminate the gateways of Darke, Mercer, and Auglaize Counties, Ohio. The purpose of this correction is to correct the destination origin.

No. MC 106920 (Sub-No. E20) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER, February 4, 1975. Applicant: RIGGS FOOD EXPRESS, INC., P.O. Box 26, New Bremen, Ohio 45869. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to oper-

ate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Milk, cream, and buttermilk*, in bulk, in tank vehicles, from points in Minnesota north and east of a line beginning at the United States-Canada International Boundary line and extending along U.S. Highway 75 to junction Minnesota Highway 11, thence along Minnesota Highway 11 to junction Minnesota Highway 220, thence along Minnesota Highway 220 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction U.S. Highway 75, thence along U.S. Highway 75 to junction Minnesota Highway 7, thence along Minnesota Highway 7 to junction Minnesota Highway 22, thence along Minnesota Highway 22 to junction Minnesota Highway 5, thence along Minnesota Highway 5 to junction Minnesota Highway 25, thence along Minnesota Highway 25 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction Minnesota Highway 19, thence along Minnesota Highway 19 to junction Minnesota Highway 21, thence along Minnesota Highway 21 to junction Minnesota Highway 60, thence along Minnesota Highway 60 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Minnesota Highway 247, thence along Minnesota Highway 247 to junction Minnesota Highway 74, thence along Minnesota Highway 74 to junction Minnesota Highway 248, thence along Minnesota Highway 248 to the Wisconsin-Minnesota State line to points in Alabama. The purpose of this filing is to eliminate the gateways of Darke, Mercer, and Auglaize Counties, Ohio. The purpose of this correction is to include the destination territory.

No. MC 106920 (Sub-No. E22) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER, February 4, 1975. Applicant: RIGGS FOOD EXPRESS, INC., P.O. Box 26, New Bremen, Ohio 45869. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Milk, cream, and buttermilk*, in bulk, in tank vehicles, from points in Minnesota to points in Kentucky east of a line beginning at the Kentucky-Tennessee State line and extending along Interstate Highway 65 to the Kentucky-Indiana State line. The purpose of this filing is to eliminate the gateways of Darke, Mercer, and Auglaize Counties, Ohio. The purpose of this correction is to include destination points.

No. MC 106920 (Sub-No. E33) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER, February 6, 1975. Applicant: RIGGS FOOD EXPRESS, INC., P.O. Box 26, New Bremen, Ohio 45869. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Milk, cream, and buttermilk* (except concentrated whole milk and concen-

trated skim milk, in bulk, in tank vehicles, from points in Minnesota north of a line beginning at the North Dakota-Minnesota State line and extending along Minnesota Highway 1 to junction Minnesota Highway 38, thence along Minnesota Highway 38 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction Minnesota Highway 1, thence along Minnesota Highway 1 to Lake Superior, to points in Tennessee east of a line beginning at the Mississippi-Tennessee State line and extending along Tennessee Highway 22 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction Tennessee Highway 13, thence along Tennessee Highway 13 to junction U.S. Highway 79, thence along U.S. Highway 79 to the Kentucky-Tennessee State line, and west of a line beginning at the Alabama-Tennessee State line and extending along Interstate Highway 65 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateways of Darke, Mercer, and Auglaize Counties, Ohio. The purpose of this correction is to clarify the territorial description.

No. MC 106920 (Sub-No. E51) (Correction), filed June 3, 1974, published in the FEDERAL REGISTER, February 6, 1975. Applicant: RIGGS FOOD EXPRESS, INC., P.O. Box 26, New Bremen, Ohio 45869. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities classified as dairy products*, under B in the Appendix to the report in *Modification of Permits of Motor Contract Carriers of Packing House Products*, 48 M.C.C. 628, from points in Texas west of a line beginning at the United States-Mexico International Boundary line and extending along U.S. Highway 67 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction Texas Highway 18, thence along Texas Highway 18 to junction Interstate Highway 20, thence along Interstate Highway 20 to junction Texas Highway 349, thence along Texas Highway 349 to junction U.S. Highway 87, thence along U.S. Highway 87 to junction U.S. Highway 380, thence along U.S. Highway 380 to junction Texas Highway 207, thence along Texas Highway 207 to junction U.S. Highway 62, thence along U.S. Highway 62 to the Texas-Oklahoma State line to points in Virginia. The purpose of this filing is to eliminate the gateways of Darke, Mercer, and Auglaize Counties, Ohio. The purpose of this correction is to correct the destination origin.

No. MC 106920 (Sub-No. E57) (Correction), filed June 3, 1974, published in the FEDERAL REGISTER, February 10, 1975. Applicant: RIGGS FOOD EXPRESS, INC., P.O. Box 26, New Bremen, Ohio 45869. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor



vehicle, over irregular routes, transporting: *Commodities classified as dairy products* under B in the appendix to the report in *Modification of Permits of Motor Contract Carriers of Packing House Products*, 48 M.C.C. 628, from points in Texas on and west of a line beginning at the Texas-Mexico International Boundary line and extending along U.S. Highway 80 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction Interstate Highway 27, thence along Interstate Highway 27 to junction U.S. Highway 287, thence along U.S. Highway 287 to the Texas-Oklahoma State line, to points in Kentucky east of a line beginning at the Kentucky-Indiana State line and extending along Interstate Highway 64 to junction U.S. Highway 127, thence along U.S. Highway 127 to junction U.S. Highway 150, thence along U.S. Highway 150 to junction Interstate Highway 75, thence along Interstate Highway 75 to junction U.S. Highway 25E, thence along U.S. Highway 25E to the Kentucky-Tennessee State line and on the west by a line beginning at the Ohio-Kentucky State line and extending along U.S. Highway 27 to junction Kentucky Highway 617, thence along Kentucky 617 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction Kentucky Highway 165, thence along Kentucky Highway 165 to junction Kentucky Highway 32, thence along Kentucky Highway 32 to junction Kentucky Highway 201, thence along Kentucky Highway 201 to junction U.S. Highway 460, thence along U.S. Highway 460 to the Kentucky-Virginia State line. The purpose of this filing is to eliminate the gateway of Darke, Mercer, and Auglaize Counties, Ohio. The purpose of this correction is to correct the territorial description.

No. MC 107295 (Sub-No. E11), filed May 5, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrought steel pipe and conduit*, from Baltimore, Md., to points in Arizona, California, Nevada, New Mexico, Utah, and points in Colorado west of a line formed by the western boundary of Baca, Bent, Otero, Crowley, El Paso, Douglas, Boulder, and Larimer Counties, restricted to the transportation of traffic originating at the plant site and storage facilities of Clifton Conduit Company, a division of General Cable Corporation, at Baltimore, Md. The purpose of this filing is to eliminate the gateway of Pine Bluff, Ark.

No. MC 107295 (Sub-No. E12), filed May 5, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ventilators and ventilator systems, and parts and equip-*

*ment* therefor, (1) from the plant site and storage facilities of Penn Ventilator Company, Inc., at Junction City, Ky., to points in Arizona and California; (2) from the plant site and storage facilities of Penn Ventilator Company, Inc., at Junction City, Ky., to points in Colorado, Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, Montana, Nevada, New Hampshire, New Mexico, Rhode Island, Utah, Vermont, Washington, Wyoming, and to points in that part of Virginia on and east of the western border of Mechenburg, Lunenburg, Prince Edward, Buckingham, Fluvanna, Orange, Culpeper, Rappahannock, Warren, and Frederick Counties. The purpose of this filing is to eliminate the gateways of (1) Kokomo, Ind., and Batavia, Ohio.

No. MC 107295 (Sub-No. E14), filed May 5, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Uncreted aluminum windows, aluminum storm windows, and aluminum storm doors*, (1) from Rocky Point, Long Island, N.Y., to points in Arkansas, Colorado, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, the Upper Peninsula of Michigan, Minnesota, Missouri, Montana, New Mexico, North Dakota, South Carolina, Tennessee, Wisconsin, Wyoming, and to points in that part of Indiana in and south of Wayne, Henry, Hancock, Marion, Hendricks, Putnam, Parke, and Vermillion Counties, and to points in that part of Ohio in and south of Darke, Miami, Clark, Madison, Pickaway, Ross, Jackson, and Gallia Counties; and (2) from Rocky Point, Long Island, N.Y., to points in Arizona, Nevada, Oregon, Utah, and Washington. The purpose of this filing is to eliminate the gateways of (1) Harrisonburg, Va., and (2) Harrisonburg, Va., and Litchfield, Ill.

No. MC 107295 (Sub-No. E28), filed May 13, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building board*, from the plant site and warehouse facilities of the Jpson Co., at Bristol, Ind.; (1) to points in Arizona, California, Mississippi, and New Mexico; (2) to points in Colorado, North Dakota, South Dakota, and to points in that part of Kansas in, north, and west of Chautauqua, Elk, Woodson, Coffey, Osage, Douglas, and Leavenworth Counties; (3) to points in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New York, North Carolina, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia; (4) to points in Louisiana, Texas, and to points in that part of Oklahoma in, west, and south of Harper, Woodward, Dewey, Blaine, Kingfisher, Logan, Lincoln, Pottawatomie,

Pontotoc, Coal, Atoka, and Choctaw Counties; and (5) to points in Minnesota and Montana.

No. MC 107295 (Sub-No. E29), filed May 14, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings*, complete, knocked down, or in sections, and when transported in connection with the transportation of such buildings, *component parts* thereof and *equipment and materials* incidental to the erection and completion of such buildings, from Georgia; (1) to points in Arizona, California, Colorado, Idaho, Kansas, Minnesota, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington, and Wyoming; (2) to points in Indiana, Iowa, and Michigan; (3) to points in that part of Ohio in and north of Darke, Shelby, Logan, Hardin, Marion, Morrow, Richland, Ashland, Wayne, Summit, Portage, and Trumbull Counties; (4) to points in Missouri; (5) to points in Montana and South Dakota; and (6) to points in that part of Tennessee in and west of Henry, Carroll, Henderson, Chester, and McNairy Counties. The purpose of this filing is to eliminate the gateways of (1) Pine Bluff, Ark.; (2), (3), and (4) points in Illinois; (5) points in Illinois, and Wapello County, Iowa; and (6) points in Arkansas.

No. MC 107295 (Sub-No. E32), filed May 15, 1974. Applicant: PRE-FAB TRANSIT CO., P.O. Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Prefabricated and precut buildings or houses*, complete, knocked down or in sections and *all component parts* necessary to the construction, erection, or completion of such building or houses, when shipped with same, from points in Virginia (1) to points in Arizona and California; (2) to points in Arkansas; (3) to points in Colorado, New Mexico and Utah; (4) to points in Connecticut, Maine, New Hampshire, Rhode Island and Vermont; (B) *buildings*, complete, knocked down, or in sections, including all component parts, materials, supplies and fixtures, and when shipped with such buildings, accessories used in the erection, construction, and completion thereof, from points in Virginia (1) to points in Idaho, Montana, Nevada, North Dakota, South Dakota and Wyoming; (2) to points in Iowa and Nebraska; (3) to points in Kansas; (4) to points in Louisiana; (5) to points in Minnesota; (6) to points in Missouri; (7) to points in Oklahoma; (8) to points in Oregon and Washington. The purpose of this filing is to eliminate the gateways of (A) (1) Pine Bluff, Ark., (2) points in Tennessee, (3) Washington Court House, Ohio, (4) Baltimore, Md., (B) (1) Wapello County, Iowa, (2) points in Illinois, (3) points in Illinois,

(4) points in Tennessee and Arkansas, (5) points in Illinois, (6) points in Illinois, (7) points in Illinois, (8) points in Tennessee and Pine Bluff, Ark.

No. MC 107403 (Sub-No. E383) (Correction), filed May 29, 1974, published in the FEDERAL REGISTER, January 29, 1975. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Non-inflammable liquids*, in bulk, in tank trucks (except petroleum and petroleum products other than medicinal petroleum products and liquid wax, and except wine, cider, vinegar, milk, road oil, coal tar, and coal tar products), from points in Ohio within 150 miles of Mcnongahela, Pa., to points in Connecticut, Massachusetts, Pennsylvania (except those points within 150 miles of Monongahela, Pa.), New Jersey, and Rhode Island. The purpose of this filing is to eliminate the gateway of those points in Pennsylvania within 150 miles of Monongahela, Pa. The purpose of this correction is to correct the territorial descriptions.

No. MC 109124 (Sub-No. E1), filed April 28, 1974. Applicant: SENTLE TRUCKING CORPORATION, P.O. Box 6538, Toledo, Ohio 43612. Applicant's representative: Marc Gilmore (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel dies, and coil steel*, from Chicago, Ill., to Detroit, Mich. (Toledo, Ohio)\*; (2) *Gypsum and gypsum products, composition boards, insulating materials, urethane and urethane products, and materials, supplies, and accessories* used in the installation of the above products, except in bulk, from the facilities of The Celotex Corporation at Port Clinton, Ohio, to points in Allegheny and Beaver Counties, Pa. (points in Mercer County, Pa.)\*; (3) *Hot rolled steel products, cold finished steel products, coil steel, and iron or steel plates and sheets*, from those points in Pennsylvania on and west of U.S. Highway 219 to points in Indiana, and those points in Illinois in the Chicago, Ill., commercial zone, points in the Lower Peninsula of Michigan, Ohio (except from those Pennsylvania points on and north of U.S. Highway 62 to those points in Ohio north of U.S. Highway 30 and U.S. Highway 30S), Illinois (except those Pennsylvania points on and north of a line beginning at the Ohio-Pennsylvania State line and extending along Pennsylvania Highway 208 to junction Pennsylvania Highway 8, thence along Pennsylvania Highway 8 to junction U.S. Highway 62, thence along U.S. Highway 62 to the New York-Pennsylvania State line to those points in Illinois south and east of a line beginning at the Illinois-Ohio State line and extending along Illinois Highway 17 to junction Interstate Highway 57, thence along Interstate Highway 57 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Illinois-Indiana State

line (Alquippa and Pittsburgh, Pa.))\*; and (4) *Iron or steel sheets, reinforcing iron or steel, and iron and steel mesh*, from Beechbottom, Weirton, and Wheeling, W. Va., and Steubenville, and Yorkville, Ohio, to points in Illinois except those points in Illinois south and east of a line beginning at the Illinois-Ohio State line and extending along Illinois Highway 17 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Mississippi River (Portage, Ind.)\*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 109124 (Sub-No. E2), filed May 13, 1974. Applicant: SENTLE TRUCKING CORPORATION, 210 Alexis Rd., P.O. Box 6538, Toledo, Ohio 43612. Applicant's representative: Marc Gilmore (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron or steel dies and coil steel*, from Ashland, Ky., to Detroit, Mich. The purpose of this filing is to eliminate the gateway of Toledo, Ohio.

No. MC 109124 (Sub-No. E3), filed May 13, 1974. Applicant: SENTLE TRUCKING CORPORATION, 210 Alexis Rd., P.O. Box 6538, Toledo, Ohio 43612. Applicant's representative: Marc Gilmore (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Hot rolled steel products, cold finished steel products, coil steel, and iron or steel plates and sheets*, from points in Allegheny, Beaver, Cambria, Westmoreland, Indiana, Lawrence, Armstrong, Butler, and Mercer Counties, Pa., to points in Illinois, except those points east and south of a line beginning at the Illinois-Indiana State line and extending along Interstate Highway 70 to the junction of Interstate Highway 57, thence along Interstate Highway 57 to the Mississippi River. The purpose of this filing is to eliminate the gateways of Aliquippa, Pa., and Portage, Ind.

No. MC 113624 (Sub-No. E1), (Correction), filed May 15, 1974, published in the FEDERAL REGISTER, October 21, 1974. Applicant: WARD TRANSPORT, INC., P.O. Box 735, Pueblo, Colo. 81002. Applicant's representative: Marion Jones, Suite 1600, 1660 Lincoln St., Denver, Colo. 80203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (except crude oil in its natural state), from points in Wyoming, to points in Kansas on and north of a line beginning at the Kansas-Missouri State line and extending along U.S. Highway 40 to Topeka, Kans., thence north along U.S. Highway 75 (formerly portion U.S. Highway 40), to junction U.S. Highway 24 (formerly portion U.S. Highway 40), thence along U.S. Highway 24 via Silver Lake, Rossville, and St. Marys, Kans., to Manhattan, Kans., thence along Kansas Highway

18 (formerly portion U.S. Highway 40), via Ogden and Fort Riley, Kans., to Junction City, Kans., thence along Kansas Highway 206 (formerly portion U.S. Highway 40), via Chapman, Detroit, Abilene, Solomon, and New Cambria, Kans., to Salina, Kans., thence along U.S. Highway 40 via Russell and Hays, Kans., to junction unnumbered highway (formerly portion U.S. Highway 40), near WaKeeney, Kans., thence along unnumbered highway via WaKeeney, Collyer, Quinter, and Park, Kans., to Grainfield, Kans., thence along U.S. Highway 40, via Oakley and McAllister, Kans., to the Kansas-Colorado State line. The purpose of this filing is to eliminate the gateways of Sidney or North Platte, Nebr., and Casper or Cheyenne, Wyo. The purpose of this correction is to expand the gateway.

No. MC 113624 (Sub-No. E7) (Correction), filed May 15, 1974, published in the FEDERAL REGISTER, October 21, 1974. Applicant: WARD TRANSPORT, INC., P.O. Box 735, Pueblo, Colo. 81002. Applicant's representative: Marion Jones, Suite 1600, 1660 Lincoln St., Denver, Colo. 80203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products*, from Enid, Ponca City, Barnsdall, Bartlesville, Tulsa, Okmulgee, and Cushing, Okla., to points in that part of Utah south of a line beginning at the Colorado-Utah State line and extending in a westerly direction through Drager-ton, Nephi, and Trout Creek, Utah, to the Utah-Nevada State line, and north of a line beginning at the Colorado-Utah State line and extending in a westerly direction through Blanding and Cedar City, Utah, to the Utah-Nevada State line (except Grand and San Juan Counties). The purpose of this filing is to eliminate the gateways of Denver, Colo., and Sinclair, Wyo. The purpose of this correction is to include the gateways.

No. MC 113624 (Sub-No. E10), filed May 15, 1974. Applicant: WARD TRANSPORT, INC., P.O. Box 735, Pueblo, Colo. 81002. Applicant's representative: Marion Jones, Suite 1600, 1660 Lincoln St., Denver, Colo. 80203. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum products*, from McPherson, Russell, Potwin, Wichita, Hutchinson, Great Bend, and Coffeyville, Kans., to points in that part of Utah south of a line beginning at the Colorado-Utah State line and extending in a westerly direction through Drager-ton, Nephi, and Trout Creek, Utah, to the Utah-Nevada State line, and north of a line beginning at the Colorado-Utah State line, and extending in a westerly direction through Blanding and Cedar City, Utah, to the Utah-Nevada State line (except Grand and San Juan Counties). The purpose of this filing is to eliminate the gateways of Denver, Colo., and Sinclair, Wyo.

No. MC 113624 (Sub-No. E14) (Correction), filed May 15, 1974, published in the FEDERAL REGISTER, October 21, 1974. Applicant: WARD TRANSPORT, INC., P.O. Box 735, Pueblo, Colo. 81002.



Applicant's representative: Marion Jones, Suite 1600, 1660 Lincoln St., Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, from Enid, Ponca City, Barnsdall, Bartlesville, Tulsa, and Cushing, Okla., to points in that part of New Mexico on and north of U.S. Highway 66. The purpose of this filing is to eliminate the gateway of points in Colorado on or south of U.S. Highway 40 from the Colorado-Kansas State line to Denver, Colo., and on or south of U.S. Highway 6 from Denver, Colo., to the Colorado-Utah State line. The purpose of this correction is to correct the "E" number, previously published as E16.

No. MC 113624 (Sub-No. E16) (Correction), filed May 15, 1974, published in the *FEDERAL REGISTER*, October 21, 1974. Applicant: WARD TRANSPORT, INC., P.O. Box 735, Pueblo, Colo. 81002. Applicant's representative: Marion Jones, Suite 1600, 1660 Lincoln St., Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, other than crude oil in its natural state, from Enid, Ponca City, Barnsdall, Bartlesville, Tulsa, Okmulgee, and Cushing, Okla., to points in Wyoming. The purpose of this filing is to eliminate the gateway of points in Colorado on or south of U.S. Highway 40 from the Colorado-Kansas State line to Denver, Colo., and on or south of U.S. Highway 6 to the Colorado-Utah State line. The purpose of this correction is to complete the gateway.

No. MC 113624 (Sub-No. E24) (Correction), filed May 15, 1974, published in the *FEDERAL REGISTER*, October 21, 1974. Applicant: WARD TRANSPORT, INC., P.O. Box 735, Pueblo, Colo. 81002. Applicant's representative: Marion Jones, Suite 1600, 1660 Lincoln St., Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, other than crude oil in its natural state, from Salt Lake City, Utah and points within ten miles of Salt Lake City, to points in Colorado (except Mesa, Delta, Montrose, San Miguel, Ourey, Delores, San Juan, Montezuma, and La Plata Counties). The purpose of this filing is to eliminate the gateway of points in Carbon and Laramie Counties, Wyo., and points in that part of Wyoming on and west of a line beginning at the Colorado-Wyoming State line and extending along Wyoming Highway 789 to junction U.S. Highway 30, thence along U.S. Highway 30 to Rawlins, Wyo., thence along U.S. Highway 287 to Lander, Wyo., thence along Wyoming Highway 789 to Shoshoni, Wyo., thence along U.S. Highway 20 to Greybull, Wyo., and thence along U.S. Highway 310 to the Wyoming-Montana State line. The purpose of this correction is to expand the gateway.

No. MC 113624 (Sub-No. E40), filed May 20, 1974. Applicant: WARD TRANSPORT, INC., P.O. Box 735, Pueblo, Colo. 81002. Applicant's representative:

Marion Jones, Suite 1600, 1660 Lincoln St., Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, other than crude oil in its natural state, from points in that part of Nebraska in and east of Knox, Antelope, Wheeler, Greeley, Howard, Hall, Kearney, and Franklin Counties, Nebr., to points in Lincoln, Sublette, Utah, Sweetwater, and Carbon Counties, Wyo. The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC 113624 (Sub-No. E42), filed May 20, 1974. Applicant: WARD TRANSPORT, INC., P.O. Box 735, Pueblo, Colo. 81002. Applicant's representative: Marion Jones, Suite 1600, 1660 Lincoln St., Denver, Colo. 80203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, other than crude oil in its natural state, from points in Wyoming (except Crook, Weston, Campbell, Converse, Niobrara, Platte, and Goshen Counties and Laramie County east of Interstate Highway 20), to points in that part of Nebraska on and west of U.S. Highway 183. The purpose of this filing is to eliminate the gateways of Cheyenne and Casper, Wyo.

No. MC 114019 (Sub-No. E285), filed May 24, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles*, from the facilities of Jones and Laughlin Steel Corporation in Putnam County, Ill., to points in New York, and those in Connecticut and Bergen, Monmouth, Morris, and Somerset Counties, N.J., within 20 miles of New York, N.Y., and points in Hudson, Essex, Union, Passaic, Middlesex, Mercer, and Hunterdon Counties, N.J., to the facilities of Jones and Laughlin Steel Corporation in Putnam County, Ill. The purpose of this filing is to eliminate the gateway of Gary, Ind.

No. MC 114019 (Sub-No. E287), filed May 24, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printing paper*, from Glen Falls, N.Y., to points in Anderson, Boyle, Bourbon, Bullitt, Carroll, Casey, Clark, Estill, Fayette, Franklin, Gallatin, Garrard, Grant, Hardin, Harrison, Henry, Jefferson, Jessamine, Larue, Lincoln, Madison, Marion, Meade, Mercer, Montgomery, Nelson, Nicholas, Oldham, Owen, Powell, Pulaski, Scott, Shelby, Spencer, Taylor, Trimble, Washington, and Woodford Counties, Ky., which are within 134 miles of Louisville, Ky. Restriction: Restricted to shipments moving from, to, or between warehouses or other facilities of retail food

and household supply and furnishing business houses, in peddle service. The purpose of this filing is to eliminate the gateways of York, Pa., and Jeffersonville, Ind.

No. MC 114019 (Sub-No. E319), filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared foods*, other than frozen, from Rochester, N.Y., to Denver, Colo., and points in that part of Kansas on and east of U.S. Highway 281, and points in Missouri on and west of U.S. Highway 65. The purpose of this filing is to eliminate the gateways of Milan and Morrison, Ill.

No. MC 114019 (Sub-No. E332), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Paper cartons*, from Monroe, Mich., to points in Minnesota, Iowa, North Dakota, South Dakota, Nebraska, Montana, Wyoming, and Colorado; and (B) *Materials, supplies, and equipment* (except equipment which because of size and weight requires the use of special equipment), used in the manufacture of the commodities described in Section (A) hereof, from the above-described destination territory to Monroe, Mich. The purpose of this filing is to eliminate the gateway of Gurnee, Ill.

No. MC 114019 (Sub-No. E333), filed May 25, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic plastics*, dry, in containers, from Delaware City, Del., to points in Colorado, Iowa, Kansas, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, Wyoming, and Peoria, Ill. The purpose of this filing is to eliminate the gateway of Utica, Ill.

No. MC 114019 (Sub-No. E334), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish and seafoods*, fresh or frozen, from points in that part of Massachusetts on and east of a line beginning at the New Hampshire-Massachusetts State line and extending along Massachusetts Highway 3 to the Barnstable-Plymouth County line, points in Barnstable County, and those on, east, or south of a line beginning at the Massachusetts-Rhode Island State line and extending along U.S. Highway 6 to Buzzards Bay, and points in that part of Rhode Island, on, east, or south of U.S. Highway 1 to points



in North Dakota, South Dakota, and Wisconsin. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 114019 (Sub-No. E335), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish and seafoods*, frozen, from points in that part of Massachusetts on and east of Massachusetts Highway 1A and Massachusetts Highway 3, points in Barnstable County, and those on, east, or south of U.S. Highway 6, and points in that part of Rhode Island, on, east, or south of U.S. Highway 1 to Bismarck, N. Dak., Salt Lake City, Utah, and points in Washington and Oregon. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio.

No. MC 114019 (Sub-No. E336), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from the facilities of Iowa Beef Packers, Inc., at or near Emporia, Kans., to those points in Wisconsin on and east of a line beginning at the Wisconsin-Michigan State line and extending along U.S. Highway 51 to junction Wisconsin Highway 26, thence along Wisconsin Highway 26 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Wisconsin-Michigan State line. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 114019 (Sub-No. E337), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prepared dough*, in vehicles equipped with mechanical refrigeration, from New Albany, Ind., to points in Minnesota. The purpose of this filing is to eliminate the gateway of Muscatine, Iowa.

No. MC 114019 (Sub-No. E338), filed May 22, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Structural, architectural and ornamental iron, steel, and metal work*, from Milwaukee, Wis., to points in that part of Indiana on and south of a line beginning at the Illinois-Indiana State line,

and extending along Indiana Highway 64 to junction U.S. Highway 41, thence along U.S. Highway 46 to junction Indiana Highway 56, thence along Indiana Highway 56 to junction Indiana Highway 164, thence along Indiana Highway 164 to junction Indiana Highway 66, thence along Indiana Highway 66 to Leavenworth, Ind.

No. MC 114019 (Sub-No. E339), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Heavy industrial chemicals*, not including drugs, medicine, and toilet preparations, in containers, from Joliet, Ill., to Sparrows Point and Baltimore, Md., New York, N.Y., and points within 30 miles thereof, points in those parts of New Jersey, Delaware, and Maryland, which are located within 30 miles of Philadelphia, Pa., points in that part of New York on and west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 36 to junction New York Highway 21, thence along New York Highway 21 to junction New York Highway 17, thence along New York Highway 17 to the New York-Pennsylvania State line, and points in West Virginia and Pennsylvania; and (B) *Such materials, supplies, chemicals, and machinery*, as are used in the manufacture and distribution of heavy industrial chemicals (not including drugs, medicine, and toilet preparations), from the above-named destination territory to Joliet, Ill. The purpose of this filing is to eliminate the gateway of points in Ohio.

No. MC 114019 (Sub-No. E340), filed May 22, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, desserts, and confectionary, and candy, dessert, and confectionary ingredients*, in vehicles equipped with mechanical refrigeration, from Boston and Mansfield, Mass., to points in Wisconsin, Iowa, and Illinois, those points in Nebraska on and east of a line beginning at the Kansas-Nebraska State line and extending along U.S. Highway 83 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Missouri River, points in that part of Kansas on and east of U.S. Highway 281, St. Louis, Mo., and points in Missouri on and west of U.S. Highway 65, points in Indiana on and west of a line beginning at the Michigan-Indiana State line and extending along Indiana Highway 15 to junction Indiana Highway 9, thence along Indiana Highway 9 to junction Indiana Highway 46, thence along Indiana Highway 46 to

junction Indiana Highway 135, thence along Indiana Highway 135 to the Indiana-Kentucky State line. The purpose of this filing is to eliminate the gateway of Gary, Ind.

No. MC 114019 (Sub-No. E341), filed May 22, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty containers and pallets*, from Medford, Mass., to points in Iowa and Wisconsin, Carbondale and Peoria, Ill., St. Louis, Mo., Evansville and Indianapolis, Ind., Grand Rapids, St. Joseph, Benton Harbor, Niles, Buchanan, Sturgis, and Three Rivers, Mich. The purpose of this filing is to eliminate the gateway of Gary, Ind.

No. MC 114019 (Sub-No. E342), filed May 22, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes; transporting: *The commodities classified as meat, meat products, and meat by-products in the appendix to the report in Modification of Permits-Packinghouse Products*, 46 M.C.C. 23, from Fort Dodge, and Estherville, Iowa and Prairie du Chien and Madison, Wis., to points in Maine, New Hampshire, Vermont, Delaware (except Wilmington), Maryland (except Baltimore and points on and west of U.S. Highway 15), and points in Virginia on and east of a line beginning at the West Virginia-Virginia State line and extending along U.S. Highway 460 to junction Virginia Highway 8, thence along Virginia Highway 8 to the Virginia-North Carolina State line. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

No. MC 114019 (Sub-No. E343), filed May 22, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware, glass containers, and closures thereof, and accessories therefor, and paper cartons* used in the packaging and shipping of glass articles, from Richmond, Ind., to points in Montana, Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Minnesota, and Wisconsin. The purpose of this filing is to eliminate the gateway of Gurnee, Ill.

No. MC 114019 (Sub-No. E344), filed May 22, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Frozen, prepared foods* in vehicles equipped with mechanical refrigeration, from Eagle Grove, Iowa, to points in Maine and those in West Virginia on and east of a line beginning at the Ohio-West Virginia State line and extending along West Virginia Highway 14 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction West Virginia Highway 16, thence along West Virginia Highway 16 to the West Virginia-Virginia State line. The purpose of this filing is to eliminate the gateway of Pittsburgh, Pa.

No. MC 114019 (Sub-No. E345), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish and seafoods*, fresh or frozen, from points in that part of Massachusetts on and east of a line beginning at the New Hampshire-Massachusetts State line and extending along Massachusetts Highway 1A to junction Massachusetts Highway 3, thence along Massachusetts Highway 3 to junction with the Barnstable-Plymouth County line, points in Barnstable County, and those on, east, or south of U.S. Highway 6, points in that part of Rhode Island on, east, or south of U.S. Highway 1 to points in Michigan. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio.

No. MC 114019 (Sub-No. E346), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials, equipment, and supplies* used in the manufacture and processing of iron and steel articles, from Sparrows Point and Baltimore, Md., New York, N.Y., and points within 30 miles thereof, points in those parts of New Jersey, Delaware, and Maryland, which are located within 30 miles of Philadelphia, Pa., points in that part of New York on and west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 36, thence along New York Highway 36 to junction New York Highway 21, thence along New York Highway 21 to junction New York Highway 17, thence along New York Highway 17 to the New York-Pennsylvania State line and points in West Virginia and Pennsylvania to the facilities of Jones & Laughlin Steel Corporation located in Putnam County, Ill. The purpose of this filing is to eliminate the gateways of points in Ohio.

No. MC 114019 (Sub-No. E347), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik

(same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lanterns, lamp burners, metal tubes, bottle caps, iron and steel articles, rolling mills rolls, rolling mills machinery, and boat davits*, from Sparrows Point and Baltimore, Md., New York, N.Y., and points within 30 miles of New York, N.Y., points in those parts of New Jersey, Delaware, and Maryland, which are located within 30 miles of Philadelphia, Pa., points in West Virginia on and north of U.S. Highway 50, and those in Pennsylvania on and south of Interstate Highway 80 to points in that part of Illinois on and south of U.S. Highway 40. The purpose of this filing is to eliminate the gateways of Steubenville, Ohio, and Jeffersonville, Ind.

No. MC 114019 (Sub-No. E348), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fish and seafoods*, fresh or frozen, from points in that part of Massachusetts on and east of a line beginning at the New Hampshire-Massachusetts State line and extending along Massachusetts Highway 1A to junction Massachusetts Highway 3, thence along Massachusetts Highway 3 to junction with the Barnstable-Plymouth County line, points in Barnstable County, and those on, east, or south of U.S. Highway 6, points in that part of Rhode Island on, east, or south of U.S. Highway 1 to points in Michigan. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio.

No. MC 114019 (Sub-No. E353), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper cartons*, from Hamilton, Ohio, to points in Minnesota, North Dakota, South Dakota, Montana, Wyoming, Colorado, Nebraska, and those points in Iowa on and north of Interstate Highway 80; and (2) *Materials and supplies* used in the manufacture of paper cartons, from points in the destination territory described in (1) to Hamilton, Ohio. The purpose of this filing is to eliminate the gateway of Gurnee, Ill.

No. MC 114019 (Sub-No. E354), filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt, wallboard, fiberboard, pulpboard, strawboard, tin roofing caps, roofing cement, metal clamps, roof coating, creosote, metal fasteners, building and roofing felts, asbestos and felt paper*

*insulating material, nails, asphaltum and coal tar paint, roofing or sheathing building paper, roofing pitch, roofing, asphalt siding, shingles, sheathing, tin straps and roofing tar*, from Florence, Ky., to points in Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine. The purpose of this filing is to eliminate the gateway of Sunbury, Pa.

No. MC 114019 (Sub-No. E355), filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, household goods, as defined by the Commission, classes A and B explosives, livestock, commodities in bulk, and commodities requiring special equipment, between points in that part of New York, on and west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to junction New York Highway 245, then New York Highway 245 to junction New York Highway 36, New York Highway 36 to junction New York Highway 21, then New York Highway 21 to Andover, N.Y., then New York Highway 17 to the New York-Pennsylvania State line, on the one hand, and, on the other, points in Pennsylvania on and south of U.S. Highway 22, then U.S. Highway 22 to junction Pennsylvania Highway 51, then Pennsylvania Highway 51 to junction U.S. Highway 119, then U.S. Highway 119 to Pennsylvania-West Virginia State line. The purpose of this filing is to eliminate the gateway of East Liverpool, Ohio.

No. MC 114019 (Sub-No. E356), filed May 16, 1974. Applicant: MIDWEST EMERY SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, and foods not frozen* when transported in the same vehicles with frozen foods, in vehicles equipped with mechanical refrigeration, from Louisville, Ky., to points in North Dakota, South Dakota, Nebraska, and those in Iowa on and west of a line beginning at the Missouri-Iowa State line and extending along Interstate Highway 35 to its junction with U.S. Highway 34, thence along U.S. Highway 34 to the Iowa-Illinois State line (except Burlington). The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 114019 (Sub-No. E357), filed May 16, 1974. Applicant: MIDWEST EMERY SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asbestos scrap, asphalt, automobile body panels, asphalt flooring blocks, fiberboard and*



*pulpboard* (impregnated with asphalt), *asbestos wall boards*, *bituminized burlap*, *tin roofing caps*, *carpet lining*, *cement* (in packages), *metal clamps*, *metal clips*, *cotton cloth* (saturated with asbestos), *roof coating* (with asbestos, pitch tar, or rosin base), *conduits*, *creosote* in packages, *eave filler strips*, *roofing felt*, *asphalt composition flashing blocks*, *asbestos or felt paper insulating material*, *asbestos millboard*, *mineral wool*, *high temperature bonding mortar or cement* (in packages), *nails*, *asbestos packing*, *asphaltum*, *coal tar*, *asbestos*, and *coal tar paint*, *roofing paper*, *paving joints*, *cement pipe* containing asbestos fiber, *roofing pitch*, *asphalt paving planks*, *asbestos ridge rolls*, *roofing*, *asbestos sheathing*, *shingles*, *sheathings*, *shorts*, *asbestos* and *asphalt siding*, *concrete slabs*, *tin straps*, *roofing tar*, *asphalt floor tile*, *wood preservatives*, from Sparrows Point and Baltimore, Md., New York, N.Y., and points within 30 miles thereof, points in those parts of New Jersey, Delaware, and Maryland, which are within 30 miles of Philadelphia, Pa., points in that part of New York on and west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction New York Highway 21, thence along New York Highway 21 to junction New York Highway 17, thence along New York Highway 17 to the New York-Pennsylvania State line, points in Pennsylvania, and those points in West Virginia in and east of Wetzel, Harrison, Upshur, Randolph, and Pocahontas Counties, to points in Colorado, Iowa, Kansas, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and Kansas City, Mo. The purpose of this filing is to eliminate the gateways of Akron, Ohio and North Judson, Ind.

No. MC 114019 (Sub-No. E359), filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, roofing, and insulating materials*, and *perlite products*, from Florence, Ky., to points in West Virginia. The purpose of this filing is to eliminate the gateway of Cincinnati, Ohio.

No. MC 114019 (Sub-No. E360), filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products*, and *articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides), mechanically refrigerated vehicles, from the facilities of Wilson and Co., Ind., at or near Cherokee,

Iowa, to Louisville, Ky., Bowling Green, Ky., and Nashville, Tenn., and those points in Kentucky on and east of a line beginning at the Indiana-Kentucky State line and extending along U.S. Highway 431 to junction U.S. Highway 62, thence U.S. Highway 62 to junction U.S. Highway 41, U.S. Highway 41 to junction Alternate U.S. Highway 41, then Alternate U.S. Highway 41 to the Kentucky-Tennessee State line. The purpose of this filing is to eliminate the gateway Evansville, and Jeffersonville, Ind. and Union City, Ohio.

No. MC 114019 (Sub-No. E361) filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soap stock*, *liquid soap*, and *fatty acids* in mechanically refrigerated vehicles, from the facilities of Armor Grocery Products Company near Aurora, Illinois to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, New Hampshire, Rhode Island, Vermont, Virginia, West Virginia, the District of Columbia and those points in Kentucky on and east of U.S. Highway 127. The purpose of this filing is to eliminate the gateway of Union City, Ohio.

No. MC 114019 (Sub-No. E362) filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Muscatine, Iowa to points in Indiana, Ohio, Pennsylvania, New York, West Virginia, the lower peninsula of Michigan, those in Wisconsin on and south of Wisconsin Highway 64, those in Connecticut which are within 30 miles of New York, those in New Jersey which are within 40 miles of City Hall New York, points in New Jersey, Delaware and Maryland which are within 30 miles of Philadelphia, Pennsylvania, Sparrows Point and Baltimore, Maryland, and Louisville, Bellevue and Covington, Kentucky. The purpose of this filing is to eliminate the gateway of Rock Island, Illinois, Greenville, Ohio, and Newark, New Jersey.

No. MC 114019 (Sub-No. E363) filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asbestos*, *scrap*, *asphalt*, *automobile body panels*, *asphalt flooring blocks*, *fireboard* and *pulpboard* (impregnated with asphalt), *asbestos wall boards*, *bituminized burlap*, *tin roofing caps*, *carpet lining*, *cement* (in packages), *metal clamps*, *metal clips*,

*cotton cloth* (saturated with asbestos), *roof coating* (with asbestos, pitch tar, or rosin base), *conduits*, *creosote* in packages, *eave filler strips*, *roofing felt*, *asphalt composition flashing blocks*, *asbestos or felt paper insulating material*, *asbestos millboard*, *mineral wool*, *high temperature bonding mortar or cement* (in packages), *nails*, *asbestos packing*, *asphaltum*, *coal tar*, *asbestos*, and *coal tar paint*, *roofing paper*, *paving joints*, *cement pipe* containing asbestos fiber, *roofing pitch*, *asphalt paving planks*, *asbestos ridge rolls*, *roofing*, *asbestos sheathing*, *shingles*, *sheathings*, *shorts*, *asbestos* and *asphalt siding*, *concrete slabs*, *tin straps*, *roofing tar*, *asphalt floor tile*, *wood preservatives*, restricted against the transportation of the above commodities in bulk, from Florence, Kentucky to points in Michigan. The purpose of this filing is to eliminate the gateway of Lockland, Ohio.

No. MC 114019 (Sub-No. E364), filed May 24, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drugs*, *medicine*, *toilet preparations*, *surgical dressings*, *swabs and absorbent cotton*, from Jefferson City, Mo., to points in New York City and New Jersey within 40 miles of City Hall, New York, N.Y. The purpose of this filing is to eliminate the gateway of Perth Amboy, N.J.

No. MC 114019 (Sub-No. E365), filed May 24, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: The commodities classified in (1) as meats, meat products, and meat by-products and (2) articles distributed by meat packinghouses in the Appendix to the report in *Modification of Permits of Motor Contract Carriers of Packinghouse Products*, 46 M.C.C. 23, from points in New York, New Jersey, Rhode Island, Connecticut, Massachusetts, to points in Elkhart, Lake La Porte, Marshall, Porter, and St. Joseph Counties, Ind., and Berrien, Cass, and St. Joseph Counties, Mich., which are within 60 miles of South Bend, Ind. Restriction: Restricted to shipments moving from, to, or between warehouses or other facilities of retail food and household supply and furnishings business houses, in peddle service. The purpose of this filing is to eliminate the gateway of Mishawaka, Ind.

No. MC 114019 (Sub-No. E366), filed May 24, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from the plantsite of Jones and Laughlin Steel Corporation located in Putnam County,



Ill., to Lancaster, Reading, York, Harrisburg, Steelton, Altoona, and Tyrone, Pa., Hagerstown and Frederick, Md., Washington, D.C., and Dunbar, W. Va. The purpose of this filing is to eliminate the gateway of Bridgeport, Ohio.

No. MC 114019 (Sub-No. E367), filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid dextrose*, in bulk, in tank vehicles, from Decatur, Ill., to points in that part of Nebraska on and east of a line beginning at the Kansas-Nebraska State line and extending along U.S. Highway 83 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Missouri River, and points in that part of Kansas on and east of U.S. Highway 281. The purpose of this filing is to eliminate the gateways of Washington or Effingham, Ill.

No. MC 114019 (Sub-No. E368), filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Road, Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (other than frozen), *bird and fish foods* (pet foods), *pet supplies*, *pressed wood pulp*, *impregnated* (fire starters), and *brass and silver polishes*, *liquid*, in cans, from Rochester, N.Y., to points in Wisconsin on and west of a line beginning at the Wisconsin-Illinois State line and extending along Wisconsin Highway 13, thence along Wisconsin Highway 13 to the Wisconsin-Michigan State line (except in bulk, in tank vehicles). The purpose of this filing is to eliminate the gateway of Muscatine, Iowa.

No. MC 114019 (Sub-No. E370), filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt*, *fbreboard*, *pulpboard*, *wallboard*, and *strawboard*, *tin roofing caps*, *roofing cement*, *metal clamps*, *roof coating*, *creosote*, *metal fasteners*, *building or roofing felts*, *asbestos or felt paper insulating material*, *nails*, *asphaltum*, and *coal tar paint*, *roofing and building paper*, *roofing pitch*, *composition or prepared roofing*, *asphalt siding*, *shingles*, *sheathing*, *tin straps*, and *roofing tar*, (a) from Joliet, Ill., to points in Pennsylvania, West Virginia, and that part of New York on and west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 36, thence along New York Highway 36 to junction New York Highway 21, thence along New York Highway

21 to junction New York Highway 17, thence along New York Highway 17 to the New York-Pennsylvania State line; (b) from Joliet, Ill., to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, points in that part of New York on and east of a line beginning at the Pennsylvania-New York State line, and extending along U.S. Highway 15 to junction New York Highway 414, thence along New York Highway 414 to junction New York Highway 14, thence along New York Highway 14 to junction U.S. Highway 90, thence along U.S. Highway 90 to junction New York Highway 38, thence along New York Highway 38 to junction New York Highway 104A, thence along New York Highway 104A to Lake Ontario, points in those parts of Maryland, Virginia, and North Carolina on and east of a line beginning at the Pennsylvania-Maryland State line and extending along U.S. Highway 81 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 15, thence along U.S. Highway 15 to junction U.S. Highway 211, thence along U.S. Highway 211 to junction Virginia Highway 229, thence along Virginia Highway 229 to junction U.S. Highway 522, thence along U.S. Highway 522 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 95, thence along U.S. Highway 95 to junction U.S. Highway 70, thence along U.S. Highway 70 to Onslow Bay. The purpose of this filing is to eliminate the gateway of Sunbury, Pa.

No. MC 114019 (Sub-No. E371), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asbestos*, *asphalt*, *automobile body panels*, *asphalt flooring blocks*, *fbreboard and pulpboard* (impregnated with asphalt), *asbestos wall boards*, *bituminized burlap*, *tin roofing caps*, *carpet lining*, *cement* (in packages), *metal clamps*, *metal clips*, *cotton cloth* (saturated with asbestos), *roofing coating* (with asbestos, pitch tar, or rosin base), *conduits*, *creosote* in packages, *eave filler strips*, *roofing felt*, *asphalt composition flashing blocks*, *asbestos or felt paper insulating material*, *asbestos millboard*, *mineral wool*, *high temperature bonding mortar or cement* (in packages), *nails*, *asbestos packing*, *asphaltum*, *coal tar*, *asbestos*, and *coal tar paint*, *roofing paper*, *paving joints*, *cement pipe containing asbestos fiber*, *roofing pitch*, *asphalt paving planks*, *asbestos ridge rolls*, *roofing*, *asbestos sheathing*, *shingles*, *sheathings*, *shorts*, *asbestos and asphalt siding*, *concrete slabs*, *tin straps*, *roofing tar*, *asphalt floor tile*, and *wood preservatives*, restricted against the transportation of the above-named commodities, in bulk, from Lockland, Ohio, to points in Minnesota, South Dakota, North Dakota, Nebraska, Colorado, those points in Kansas on and west of Interstate High-

way 35, and points in Milwaukee, Racine, and Kenosha Counties, Wis. The purpose of this filing is to eliminate the gateway of North Judson, Ind.

No. MC 114019 (Sub-No. E372), filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asbestos*, *asphalt*, *automobile body panels*, *asphalt flooring blocks*, *fbreboard and pulpboard* (impregnated with asphalt), *asbestos wall boards*, *bituminized burlap*, *tin roofing caps*, *carpet lining*, *cement* (in packages), *metal clamps*, *metal clips*, *cotton cloth* (saturated with asbestos), *roof coating* (with asbestos, pitch tar, or rosin base), *conduits*, *creosote* in packages, *eave filler strips*, *roofing felt*, *asphalt composition flashing blocks*, *asbestos or felt paper insulating material*, *asbestos millboard*, *mineral wool*, *high temperature bonding mortar or cement* (in packages), *nails*, *asbestos packing*, *asphaltum*, *coal tar*, *asbestos*, and *coal tar paint*, *roofing paper*, *paving joints*, *cement pipe containing asbestos fiber*, *roofing pitch*, *asphalt paving planks*, *asbestos ridge rolls*, *roofing*, *asbestos sheathing*, *shingles*, *sheathings*, *shorts*, *asbestos and asphalt siding*, *concrete slabs*, *tin straps*, *roofing tar*, *asphalt floor tile*, and *wood preservatives*, restricted against the transportation of the above-named commodities, in bulk, from Florence, Ky., to points in Colorado, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and that part of Kansas on, and west of a line beginning at the Missouri-Kansas State line and extending along Interstate Highway 35 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction Kansas Highway 39, thence along Kansas Highway 39 to junction Kansas Highway 96, thence along Kansas Highway 96 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Kansas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of North Judson, Ill.

No. MC 114019 (Sub-No. E373), filed June 3, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats*, *animal oils*, and *vegetable oils*, including products and blends of said commodities, in bulk, in tank vehicles, from Bradley, Ill., to points in Maryland, West Virginia, Virginia, and North Carolina. The purpose of this filing is to eliminate the gateway of Campaign, Ill.

No. MC 114019 (Sub-No. E415), filed May 19, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Omaha, Nebr., to points in Maine, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateways of points in Erie County, Pa.

No. MC 114019 (Sub-No. E416), filed May 19, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 S. Pulaski Rd., Chicago, Ill. 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asbestos, scrap asphalt, automobile body panels, asphalt flooring blocks, fibreboard and pulpboard* (impregnated with asphalt), *asbestos wall boards, bituminized burlap, tin roofing caps, carpet lining, cement* (in packages), *metal clamps, metal clips, cotton cloth* (saturated with asbestos), *roof coating* (with asbestos, pitch tar, or rosin base), *conduits, creosote*, in packages, *eave filler strips, roofing felt, asphalt composition flashing blocks, asbestos or felt paper insulating material, asbestos millboard, mineral wool, high temperature bonding mortar or cement* (in packages), *nails, asbestos packing, asphaltum, coal tar, asbestos, and coal tar paint, roofing paper, paving joints, cement pipe* containing asbestos fiber, *roofing pitch, asphalt paving planks, asbestos ridge rolls, roofing, asbestos sheathing, shingles, sheathings, shorts, asbestos and asphalt siding, concrete slabs, tin straps, roofing tar, asphalt floor tile, and wood preservatives*, restricted against the transportation of the above-named commodities in bulk, from Chicago Heights, Ill., to Sparrows Point and Baltimore, Md., New York, N.Y., and points within 30 miles thereof; points in those parts of New Jersey, Delaware, and Maryland, which are within 30 miles of Philadelphia, Pa., points in that part of New York on and west of a line beginning at Lake Ontario and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 36, thence along New York Highway 36 to junction New York Highway 21, thence along New York Highway 21 to junction New York Highway 17, thence along New York Highway 17 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateways of Gary, Ind., and points in Ohio.

No. MC 114211 (Sub-No. E690), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pressure pipes and fittings and accessories therefor*, when moving with such pipe, from Swan, Tex., to points in Montana, North Dakota, South Dakota, Upper Peninsula of Michigan, and to points in that part of Wyoming on and north of a line beginning at the

Nebraska-Wyoming State line extending along Interstate Highway 80 to the Wyoming-Utah State line; to points in that part of Nebraska on and north of a line beginning at the Iowa-Illinois State line extending along Illinois Highway 92 to junction Illinois Highway 2, thence along Illinois Highway 2 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Wisconsin-Illinois State line; and to points in that part of Michigan on and north of a line beginning at Tawas City, Mich., extending along Michigan Highway 55 to junction Michigan Highway 33, thence along Michigan Highway 33 to junction Michigan Highway 72, thence along Michigan Highway 72 to Empire, Mich. The purpose of this filing is to eliminate the gateway of the plant site of Griffin Pipe Products Co., located at or near Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E691), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pressure pipe and fittings and accessories therefor* when moving with pressure pipe, from Hillsboro, Tex., to points in Montana, North Dakota, South Dakota, and to points in that part of Michigan on and north of a line beginning at Tawas City, Mich., extending along Michigan Highway 55 to junction Michigan Highway 33, thence along Michigan Highway 33 to junction Michigan Highway 72, thence along Michigan Highway 72 to Empire, Mich.; to points in that part of Wyoming on and north of a line beginning at the Montana-Wyoming State line extending along U.S. Highway 20 to junction Wyoming Highway 120, thence along Wyoming Highway 120 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Wyoming-Nebraska State line; to points in that part of Nebraska on and north of a line beginning at the Wyoming-Nebraska State line extending along U.S. Highway 20 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to the Iowa-Nebraska State line; and to points in that part of Illinois on and north of a line beginning at the Iowa-Illinois State line extending along U.S. Highway 34 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Illinois-Indiana State line. The purpose of this filing is to eliminate the gateway of the plant site of Griffin Pipe Products Co., located at or near Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E715), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except those with vehicle beds, bed

frames and fifth wheels), *equipment* designed for use in conjunction with tractors, *parts thereof*, from Mitchell, S. Dak., to points in that part of North Dakota on and east of a line beginning at the United States-Canada International Boundary line extending along North Dakota Highway 1 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction North Dakota Highway 32, thence along North Dakota Highway 32 to junction North Dakota Highway 200, thence along North Dakota Highway 200 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 10, thence along U.S. Highway 10 to the North Dakota-Minnesota State line; and to points in that part of Minnesota on and north of a line beginning at the Minnesota-North Dakota State line extending U.S. Highway 10 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to junction Minnesota Highway 33, thence along Minnesota Highway 33 to junction U.S. Highway 53, thence along U.S. Highway 53 to junction Minnesota Highway 49, thence along Minnesota Highway 49 to junction Minnesota Highway 4, thence along Minnesota Highway 4 to junction Minnesota Highway 44, thence along Minnesota Highway 44 to junction Minnesota Highway 42, thence along Minnesota Highway 42 to junction U.S. Highway 61, thence along U.S. Highway 61 to the United States-Canada International Boundary line. The purpose of this filing is to eliminate the gateway of that part of Fargo, N. Dak., commercial zone located in Moorhead, Minn.

No. MC 114211 (Sub-No. E716), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements and parts thereof*, from Valley, Nebr., to points in Texas, and to points in that part of the Upper Peninsula of Michigan on and northeast of a line beginning at Lake Superior extending along Michigan Highway 203 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Michigan Highway 35, thence along Michigan Highway 35, to Escanaba, Mich.; to points in that part of Michigan on, east, and north of a line beginning at the Ohio-Michigan State line extending along U.S. Highway 23 to junction Interstate Highway 94, thence along Interstate Highway 94 to junction U.S. Highway 127, thence along U.S. Highway 127 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction U.S. Highway 10, thence along U.S. Highway 10 to Ludington, Mich.; to points in that part of Ohio on and south of a line beginning at the Indiana-Ohio State line extending along U.S. Highway 24 to junction U.S. Highway 223, thence along U.S. Highway 223 to junction U.S. Highway 23, thence along U.S. Highway 23 to the Ohio-Michigan State line; to points in



that part of Indiana on and south of a line beginning at the Illinois-Indiana State line extending along U.S. Highway 24 to the Indiana-Ohio State line; to points in that part of Illinois on and south of a line beginning at the Missouri-Illinois State line extending along U.S. Highway 36 to junction Illinois Highway 104, thence along Illinois Highway 104 to junction Illinois Highway 29, thence along Illinois Highway 29 to junction Illinois Highway 48, thence along Illinois Highway 48 to junction Illinois Highway 47, thence along Illinois Highway 47 to junction U.S. Highway 150, thence along U.S. Highway 150 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Illinois-Indiana State line; and to points in that part of Missouri on and south of a line beginning at the Kansas-Missouri State line extending along Missouri Highway 116 to junction Missouri Highway 13, thence along Missouri Highway 13, to junction U.S. Highway 36, thence along U.S. Highway 36 to the Missouri-Illinois State line, restricted against the transportation of commodities the transportation of which because of size or weight, requires the use of special equipment or special handling and restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-5549 Filed 2-28-75; 8:45 am]

[Notice No. 242]

#### MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

MARCH 3, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before March 24, 1975. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-35461. By order entered February 19, 1975 the Motor Carrier Board approved the lease to A. P. Ferrare and Edward M. Boartfield Sr., doing business as R & C Transport, Bradshaw, Md.

of the operating rights set forth in Certificates Nos. MC 118182 and MC 118182 (Sub-No. 3), issued by the Commission January 13, 1966, and December 2, 1970, respectively, to Edward Miller, Philadelphia, Pa., authorizing the transportation of bananas, from Baltimore, Md., New York, N.Y., Norfolk, Va., Philadelphia, Pa., and Weehawken, N.J., to named points in Virginia, Pennsylvania, Maryland, New Jersey, New York, and the District of Columbia; and from Wilmington, Del., and Port Newark, N.J., to points in Delaware, New York, New Jersey, described parts of Maryland and Pennsylvania, and the District of Columbia. A. P. Ferrare 12115 Pulaski Highway, Bradshaw, Md. 21021, for transferee and Edward Miller, 5417 Vine St., Philadelphia, Pa. 19139, transferor.

No. MC-FC-75609. By order of February 19, 1975, the Motor Carrier Board approved the transfer to Shirley Ann Cagno, doing business as Cagno Horse Transportation, Bedford, Ohio, of the operating rights in Certificates Nos. MC 51322 (Sub-No. 1) and MC 51322 (Sub-No. 4) issued February 5, 1964, and August 25, 1967, respectively to Jack Dane Cagno, doing business as Cagno Horse Transportation, Bedford, Ohio, authorizing the transportation of horses other than ordinary and in the same vehicle therewith equipment and supplies incidental to the care, transportation, racing, and exhibition of such horses (1) between points in Ohio, Illinois, Kentucky, and West Virginia, and (2) between points in Ohio, on the one hand, and, on the other, points in the Lower Peninsula of Michigan, except ports of entry on the United States-Canada Boundary Line Building Avenue, 653 Broadway Avenue, Bedford, Ohio 44146, attorney for applicants.

No. MC-FC-75619. By order of February 19, 1975, the Motor Carrier Board approved the transfer to Topeka Transfer and Storage, Inc., Topeka, Kans., of the operating rights in Certificates Nos. MC 8803 and MC 8803 (Sub-No. 1) issued August 23, 1966, and September 26, 1941, to The Topeka Transfer & Storage Company, a corporation, Topeka, Kans., authorizing the transportation of general commodities, with the usual exceptions, from Topeka, Kans., to points in Kansas and Nebraska within 100 miles of Topeka, including Topeka; office furniture and fixtures, from Topeka, Kans., to points in Nebraska and Oklahoma within 200 miles of Topeka, including Topeka; household goods as defined by the Commission, between Topeka, Kans., and points within 100 miles of Topeka, on the one hand, and, on the other, points in Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Tennessee, Wisconsin, and that part of West Virginia on and north of U.S. Highway 40. Erle W. Francis, Suite 719, 700 Kansas Avenue, Topeka, Kans. 66603, attorney for applicants.

No. MC-FC-75622. By order of February 19, 1975, the Motor Carrier Board approved the transfer to Hutsell Transfer, Incorporated, Boise, Idaho, of the Certificate of Registration in No. MC 120259 (Sub-No. 1) issued July 8, 1965, to Dale B. Leatham, doing business as Hutsell Transfer, Boise, Idaho, evidencing a right of the holder to engage in transportation in interstate or foreign commerce corresponding in scope to the grant of authority in PUC Permit No. 1527, Third Amended, dated April 10, 1959, issued by the Idaho Public Utilities Commission. Berne K. Jensen, Box 454, Boise, Idaho 83701, attorney for applicants.

No. MC-FC-75663. By order of February 19, 1975, the Motor Carrier Board approved the transfer to Prime, Inc., Urbana, Mo., of a portion of the operating rights in Certificate No. MC 125996 (Sub-No. 30) issued May 23, 1974 to Road Runner Trucking, Inc., Omaha, Nebr., authorizing the transportation of frozen processed vegetables from the plant site and storage facilities of Delicious Foods Co. at or near Grand Island and York, Nebr. to points in Arizona, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and the District of Columbia. Arnold L. Burke, 127 N. Dearborn St., Chicago, Ill., 60602, attorney for applicants.

No. MC-FC-75674. By order of February 19, 1975, the Motor Carrier Board approved the transfer to Big Rig Refrigeration, Inc., Omaha, Nebr., of the operating rights in Certificates No. MC-134724 (Sub-No. 3) and MC-134724 (Sub-No. 4) issued September 14, 1972 and April 18, 1972 respectively to Teddy D. Clark, doing business as Big Rig Refrigeration, Centerville, Iowa, authorizing the transportation of various commodities from Council Bluffs and Ottumwa, Iowa and Omaha, Nebr. to points in Maryland, New Jersey, New York, Pennsylvania, Massachusetts, Ohio, Rhode Island, Virginia, West Virginia and the District of Columbia. Donald L. Stern, 7100 West Center Road, Omaha, Nebr., 68106, attorney for applicants.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.75-5542 Filed 2-28-75; 8:45 am]

[Ex Parte No. 241; Rule 19, Exemption No. 90; Amdt. No. 1]

#### EXEMPTION UNDER MANDATORY CAR SERVICE RULES

##### All Railroads

Upon further consideration of Exemption No. 90 issued November 27, 1974.

It is ordered, That, under authority vested in me by Car Service Rule 19, Exemption No. 90 to the Mandatory Car Service Rules ordered in Ex Parte No.



## NOTICES

241 be, and it is hereby amended to expire March 15, 1975.

This amendment shall become effective February 15, 1975.

Issued at Washington, D.C., February 14, 1975.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
*Agent.*

[SEAL]

[FR Doc.75-5548 Filed 2-28-75; 8:45 am]

[Exception No. 1 to 2nd Rev. S.O. No. 1193]

**PENN CENTRAL TRANSPORTATION CO.**

**Notice of Authorization**

FEBRUARY 18, 1975.

To: Maine Central Railroad Co., Penn Central Transportation Co., Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees.

Pursuant to the authority vested in me by section (a), paragraph (6) of Second Revised Service Order No. 1193, the Penn Central Transportation Company, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees, is hereby authorized to accept from shipper at Rochester, New York, for transportation to destination, MEC 8409 and MEC 8427,

regardless of the provisions of Second Revised Service Order No. 1193.

Effective: February 18, 1975.

Expires: February 20, 1975.

Issued at Washington, D.C., February 18, 1975.

INTERSTATE COMMERCE  
COMMISSION,  
R. D. PFAHLER,  
*Chairman,  
Railroad Service Board.*

[SEAL]

[FR Doc.75-5544 Filed 2-28-75; 8:45 am]

[Ex Parte MC 93]

**OPERATIONS AND PRACTICES OF PASSENGER BROKERS AFFILIATED WITH MOTOR CARRIERS**

FEBRUARY 25, 1975.

At the request of James E. Wilson, representative for National Trailways Bus System, et al., the time for filing initial statements has been extended from March 17, 1975, to April 21, 1975 and reply statements extended from April 16, 1975, to May 21, 1975.

[SEAL]

ROBERT L. OSWALD,  
*Secretary.*

[FR Doc.75-5545 Filed 2-28-75; 8:45 am]