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PART I

HIGHLIGHTS OF THIS ISSUE

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

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

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Title 3—The President

PROCLAMATION 4358

Cancer Control Month, 1975

By the President of the United States of America

A Proclamation

Our intensive effort against cancer, sustained by the constant dedication and determination of scientists, physicians, public officials and private citizens, continues to provide hope and assistance to ever-increasing numbers of Americans.

The National Cancer Act of 1971 was a landmark piece of legislation which authorized new Federal support for cancer research. The amendments of 1974 have added new emphasis to our National Cancer Program, especially in the dissemination of the latest scientific findings from the research laboratory and clinic to practicing physicians, cancer patients, and those in particular jeopardy of cancer.

Despite this progress, the conquest of cancer will not be easy or quick. Cancer statistics remain depressing. An estimated 665,000 new cases will be diagnosed in 1975. Although we shall ultimately achieve victory over these killer diseases, it requires our unwavering support of cancer research and control.

As a means of giving continued emphasis to the cancer problem, the Congress, by a joint resolution of March 28, 1938 (52 Stat. 148, 36 U.S.C. 150), requested the President to issue annually a proclamation setting aside the month of April as Cancer Control Month.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, do hereby proclaim the month of April, 1975, as Cancer Control Month, and I invite the Governors of the States and the Commonwealth of Puerto Rico, and the appropriate officials of all other areas under the United States flag, to issue similar proclamations.

To give renewed emphasis to this serious problem, and to encourage the determination of the American people to meet it, I also ask the medical and health professions, the communications media, and all other interested persons and groups to unite in public reaffirmation of our Nation's abiding commitment to control cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of March, in the year of our Lord nineteen hundred seventy-five, and of the Independence of the United States of America the one hundred ninety-ninth.

Gerald R. Ford

[FR Doc.75-8338 Filed 3-27-75;11:35 am]

rules and regulations

Title 50—Wildlife and Fisheries

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

PART 33—SPORT FISHING

Sand Lake National Wildlife Refuge, S. Dak.

The following special regulation is issued and is effective on March 28, 1975.

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

SOUTH DAKOTA

SAND LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Sand Lake National Wildlife Refuge, South Dakota is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 150 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225. Sport fishing shall be in accordance with all applicable State regulations subject to the following conditions:

(1) The open season for sport fishing on the refuge extends from May 1 through December 31, 1975, inclusive.

(2) The use of boats is not permitted.

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

WILLIAM C. BAIR,
Refuge Manager, Sand Lake National Refuge.

MARCH 20, 1975.

[FR Doc.75-8059 Filed 3-27-75;8:45 am]

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show that one position of Confidential Assistant (Interdepartmental Activities) to the Chairman, Presidential Clemency Board, is excepted under Schedule C.

Effective on March 28, 1975, § 213.3306 (a)(21) is added as set out below.

§ 213.3306 Department of Defense.

(a) *Office of the Secretary.* * * *

(21) One Confidential Assistant (Interdepartmental Activities) to the Chairman, Presidential Clemency Board.

* * * * *

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the the Commissioners.

[FR Doc.75-8137 Filed 3-27-75;8:45 am]

PART 213—EXCEPTED SERVICE

Securities and Exchange Commission

Section 213.3330 is amended to show that one position of Confidential Assistant to the Chairman is revoked and one position of Executive Aide to the Executive Assistant to the Chairman is excepted under Schedule C.

Effective on March 28, 1975, §§ 213.3330(d) is revised and (h) is added as set out below.

§ 213.3330 Securities and Exchange Commission.

* * * * *

(d) One Confidential Assistant to the Chairman and one Confidential Assistant to each of the other four Members of the Commission.

* * * * *

(h) One Executive Aide to the Executive Assistant to the Chairman.

(5 U.S.C. secs. 3301, 8302; E.O. 10577, 3 CFR 1954–58 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-8138 Filed 3-27-75;8:45 am]

Title 7—Agriculture

CHAPTER VII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (AGRICULTURAL ADJUSTMENT), DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 729—PEANUTS

Subpart—1975 Crop of Peanuts: Acreage Allotments and Marketing Quotas

VALENCIA SHORT SUPPLY DETERMINATION

Basis and purpose. The provisions of § 729.106 are issued under section 358(c)(2) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1358(c)(2)). The purpose of § 729.106 is to make a determination on the basis of the average yield per acre of Valencia type peanuts during the five year period 1970–74, adjusted for trends in yields and abnormal conditions of production affecting yields, that the supply of Valencia type peanuts for the 1975–76 marketing year will be insufficient to meet estimated demand for cleaning and shelling purposes at prices at which the commodity Credit Corporation may sell for such purposes peanuts owned or controlled by CCC. The State allotments for States producing Valencia type peanuts are increased in order to meet such demand. The latest available statistics of the Federal Government were used in making these determinations.

Notice of the proposed determination with respect to Valencia type peanuts under section 358(c)(2) of the act was published in accordance with 5 U.S.C. 553 (80 Stat. 383) in the FEDERAL REGISTER of February 10, 1975 (28 FR 6211). The recommendations received in response to such notice were considered and adopted to the extent permitted by the act. In order that peanut farmers may be notified as soon as possible of any increases of farm allotment for the 1975 crop, it is essential that § 729.106 be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with 30-day effective date requirement of 5 U.S.C. 553 is impracticable and contrary to the public interest and § 729.106 shall be effective upon filing of this document with the Director, Office of the Federal Register.

§ 729.106 Additional allotment for Valencia type peanuts of the 1975 crop.

(a) *Determination of short supply.* The term "Valencia type peanuts" means the type of peanuts as defined in § 729.7(c) of the Allotment and Marketing Quota Regulations for Peanuts of the 1972 and Subsequent Crops (37 FR 2645, 3629). It is hereby determined that the supply of Valencia type peanuts for the 1975–76 marketing year (August 1, 1975 through July 31, 1976) determined in accordance with section 358(c)(2) of the act will be insufficient to meet the estimated demand for Valencia type peanuts for cleaning and shelling purposes at prices at which the Commodity Credit Corporation may sell for such purposes peanuts owned or controlled by it.

(b) *State allotment increases for 1975 crop.* The State allotment for peanuts of the 1975 crop for States which produced Valencia type peanuts during any one or more of the years 1972, 1973, and 1974 shall be increased in the aggregate by 3,529 acres which is determined to be the additional acreage required to meet the estimated demand for Valencia type peanuts for cleaning and shelling

purposes at the price at which CCC may sell for such purposes peanuts owned or controlled by it.

(c) *Apportionment of allotment increase to States for 1975 crop.* The aggregate of State allotment increases in the amount of 3,529 acres established under paragraph (b) of this section is hereby apportioned to States on the basis of the average acreage of Valencia type peanuts in each State in 1972, 1973 and 1974. The apportionment of additional allotment under this paragraph does not increase the State allotment for any State above the 1947 harvested acreage of peanuts for such State. The following table sets forth the apportionment to States.

State	1947 Harvested acreage of peanuts	1972–74 Average harvested acreage of Valencia peanuts [1]	1975 Increase in basic State allotment for Valencia type peanuts	1975 Previous State allotment	1975 Revised State allotment
			Acres		
Alabama	468,000	23	13	216,714	216,727
Arizona				761	761
Arkansas	5,000			4,238	4,238
California				930	930
Florida	105,000	2	1	55,528	55,529
Georgia	1,124,000			529,855	529,855
Louisiana	4,000			1,945	1,945
Mississippi	13,000	48	27	7,492	7,519
Missouri				247	247
New Mexico	14,000	5,448	3,215	5,787	9,002
North Carolina	292,000	9	5	167,878	167,883
Oklahoma	325,000			138,348	138,348
South Carolina	26,000	3	2	13,891	13,893
Tennessee	5,000		0	3,552	3,552
Texas	836,000	452	266	358,005	358,271
Virginia	162,000			104,829	104,829
U.S. Total	3,377,000	5,985	3,529	1,610,000	1,613,529

[1] Less increase in State allotment for Valencia short supply.

(d) *No credit for future allotments.* The additional allotment apportioned under this section is in addition to the national acreage allotment, the production from such acreage is in addition to the national marketing quota and such additional allotment shall not be considered in establishing future State, county, or farm acreage allotments.

(Secs. 358(c)(2), 375, 65 Stat. 29, 52 Stat. 66, as amended; 7 U.S.C. 1358(c)(2), 1375)

Effective date: March 27, 1975.

Signed at Washington, D.C., on March 24, 1975.

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

[FR Doc.75-8134 Filed 3-27-75;8:45 am]

Title 43—Public Lands: Interior

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5492; Arizona 7950]

ARIZONA

Amendment of Executive Order No. 8039; Transfer of Jurisdiction of the Kofa Game Range

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

Executive Order No. 8039 of January 25, 1939, which established the Kofa Game Range, and which is now under the joint administration of the U.S. Fish and Wildlife Service and the Bureau of Land Management, is hereby amended to transfer the subject game range to the sole jurisdiction of the Bureau of Land Management, insofar as it relates to the following described lands:

GILA AND SALT RIVER MERIDIAN

Tps. 1 and 2 N., Rs. 15 thru 18 W.
Tps. 1 thru 4 S., Rs. 15 thru 18 W.
T. 2 S., R. 19 W.,
Secs. 1 thru 3, 10 thru 15;
Secs. 22 thru 28, 32 thru 36.
T. 3 S., R. 19 W.,
Secs. 1 thru 5, 8 thru 17, 20 thru 28, 33 thru 36.
T. 4 S., R. 19 W.,
Secs. 1 thru 4, 9 thru 16, 21 thru 28, 33 thru 36.
T. 5 S., Rs. 17 and 18 W.
T. 5 S., R. 19 W.,
Secs. 1 thru 4, 9 thru 16, 21 thru 28, 33 thru 36.

This area includes approximately 660,000 acres of public and nonpublic lands in Yuma County.

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 21, 1975.

[FR Doc.75-8119 Filed 3-27-75;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[FCC 75-333]

PART 15—RADIO FREQUENCY DEVICES

Reorganization; Extension of Effective Date

In the matter of revision of Part 15 to conform it to Subpart J of Part 2 and to reorganize the rules therein.

1. On March 7, 1975, the Commission released a revision of Part 15.[1] This Order implemented the requirement [2] for bilateral certification [3] of low power communication devices by the Commission as a prerequisite for marketing of such devices to the public.[4]

2. The release of the revision of Part 15 has taken longer than anticipated due to unavoidable administrative procedural requirements. In view of the fact that the information the Commission will require to make the necessary determination has not been timely published and since manufacturers of such devices need sufficient time to apply for and obtain certification before the mandatory date, the Commission is compelled to stay the date for an additional period.

3. It is therefore ordered that the effective date for certification of low power communication devices be stayed for an additional period and shall become effective on June 1, 1975, and Part 15 is amended as follows:

In §§ 15.131, 15.132, 15.135, 15.136, 15.143, 15.163, 15.193, 15.347, the date "April 1, 1975" is deleted and the date "June 1, 1975" is inserted in lieu thereof.

Adopted: March 18, 1975.

Released: March 24, 1975.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082, sec. 302, 82 Stat., 290; 47 U.S.C. 154, 290, 303)

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.75-8108 Filed 3-27-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 75-NW-9-AD; Amdt. 39-2142]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 707/720/727/737/747 Series Airplanes

Amendment 39-2096 (40 FR 7899) AD 75-05-01 requires inspection and replacement of Arvan Inc./Tansey control

[1] Order in the Matter of Revision of Part 15 to conform it to Subpart J of Part 2 and to reorganize the rules. Adopted 11-12-74; Released 3-7-75, 40 FR 10673.

[2] Paragraph 51, Report & Order in Docket 19356 adopted 2-6-74, 39 FR 5912, specified that bilateral certification shall become effective on 9-1-74. This date was stayed for six months by further order of the Commission adopted 8-28-74, 39 FR 33226.

[3] Bilateral certification is a procedure under which an application requesting certification is filed with the Commission. In response to such an application, the Commission issues a Grant of Certification if it finds that the equipment can be expected to comply with its technical specifications and the operation of the equipment will be in the public interest.

[4] 47 CFR 2.803.

cable pulleys (color black only) on certain Boeing Model 707/720, 727, and 737 series airplanes. After issuing Amendment 39–2096, it was discovered that operators of other Boeing airplanes, including the Model 747, received affected pulleys as spares. Therefore, the AD is being amended to increase the scope of applicability of the AD to include all Boeing Model 707/720, 727, 737, and 747 series airplanes noted in Boeing Alert Service Bulletins 3204 (707), Revision 2; 727–27–155, Revision 1; 737–27–1073; Revision 1, 747–27–2133, and those airplanes which have had pulleys replaced with the affected pulleys after August 16, 1974. If the operator shows that his airplane has not had pulleys replaced since August 16, 1974, the AD is not applicable to his airplane.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697) § 39.13 of the Federal Aviation Regulations, Amendment 39-2096 (40 FR 7899), AD 75–05–01 is amended as follows:

1. By amending the applicability paragraph to read as follows:

BOEING: Applies to Boeing Models 707/720, 727, 737, and 747 series airplanes categorized as Groups I, II, III, IV and V below, certificated in all categories:

Group I. All Boeing Model 707/720, 727, and 737 series airplanes categorized as Group I in Boeing Alert Service Bulletins 3204 (707), Revision 2; 727–27–155, Revision 1; 737–27–1073, Revision 1, or later FAA approved revisions. Only compliance required is with Paragraphs A and B.

Group II. All Boeing Model 707/720 and 727 series airplanes categorized as Group II in Boeing Alert Service Bulletins 3204 (707), Revision 2, and 727–27–155, Revision 1, or later FAA approved revisions. Only compliance required is with Paragraphs A and B.

Group III. All Boeing Model 707/720 and 727 series airplanes categorized as Group III in Boeing Alert Service Bulletins 3204 (707), Revision 2, and 727–27–155, Revision 1, or later FAA approved revisions. Only compliance required is with Paragraph C.

Group IV. All Boeing Model 707/720, 727 and 737 series airplanes *not* categorized as Group I, II, or III, which have had pulleys replaced with Arvan Inc./Tansey pulleys MS 20220–3 or –4, or SMS 20220–3 or –4 (color black only) (BAC P30F8 or BAC P30F9). Only compliance required is with Paragraph D.

Group V. All Boeing Model 747 series airplanes categorized in Boeing Service Bulletin 747–27–2133 as having had control cable pulleys in the speed brake system replaced with Arvan Inc./Tansey pulleys BAC P30F8 (color black only). Only compliance required is with Paragraph D for BAC P30F8 pulleys.

2. By striking out the letters "AD" from Paragraphs A.1, B.1, and B.2 and inserting the words "amendment to Amendment 39–2096" in place thereof.

3. By adding new Paragraphs C, D, and E as follows:

C. Within 600 hours time in service from the effective date of this amendment to Amendment 39–2096, unless already accomplished, replace all Arvan Inc./Tansey control cable pulleys MS 20220–3 and –4 or SMS 20220–3 and –4 (color black only) in accordance with Boeing Alert Service Bulletin 3204 (707), Revision 2, and 727–27–155, Revision 1, or later FAA approved revisions.

D. Within 1800 hours time in service from the effective date of this amendment to Amendment 39–2096, unless already accomplished, replace all Arvan Inc./Tansey control cable pulleys MS 20220–3 and –4 or SMS 20220–3 and –4 (color black only) with a pulley of the same part number but a different color. New Arvan replacement pulleys are brown in color.

E. If it can be shown that a Group II, III, IV, or V airplane has not had any MS 20220–3 or –4, or SMS 20220–3 or –4, or BAC P30F8 or BAC P30F9 pulley replaced since August 16, 1974, then this AD is not applicable to that airplane.

4. By striking out the words "NOTE: The affected pulleys were not available from the manufacturer prior to August 1974."

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1).

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124. The documents may be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective April 7, 1975.

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

Issued in Seattle, Washington, on March 18, 1975.

J. H. TANNER,
Acting Director
Northwest Region.

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

[FR Doc.75–8038 Filed 3–27–75;8:45 am]

[Airworthiness Docket No. 75–WE–11–AD; Amdt. 39–2148]

PART 39—AIRWORTHINESS DIRECTIVES

McDonnell Douglas Models DC–10–10, DC–10–10F, DC–10–30, DC–10–30F and DC–10–40 Airplanes

The FAA has received information which reflects that certain DC–10 airplanes incorporate marginal electrical grounding of flight deck overhead and flight engineer's panels. In the event of an electrical short circuit to a panel, a potential shock hazard to personnel could exist. This potential shock hazard is corrected by the installation of electrical bonding jumpers in accordance with Douglas Service Bulletins 24–45 and 24–62.

Although there have been no reports of electrical shock as a result of this problem, the FAA believes the Douglas service bulletins should be made mandatory.

Since the condition exists or is likely to exist in airplanes of the same type design, an AD is being issued to require installation of bonding jumpers in accordance with the McDonnell Douglas Service Bulletins, or later FAA-approved revisions, or equivalent FAA-approved installations.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impractical, and good cause exists for making this amendment effective thirty days from the publication in the FEDERAL REGISTER.

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

MCDONNELL DOUGLAS. Applies to all McDonnell Douglas Models DC–10–10, DC–10–10F, DC–10–30, DC–10–30F and DC–10–40 Airplanes, certificated in all categories.

Compliance required within the next 300 hours' time in service, after the effective date of this AD, unless already accomplished.

To prevent the possibility of electrical shock resulting from electrical short circuits to insufficiently grounded overhead and engineer's panels in the flight deck, install bonding jumpers in accordance with McDonnell Douglas Service Bulletin 24–45, Revision 2, dated December 2, 1974, and 24–62, dated July 15, 1974, or later FAA-approved revisions, or equivalent modifications approved by the Chief, Aircraft Engineering Division, FAA Western Region.

An airplane may be flown to a base for the performance of the work required by this AD per FAR's 21.197 and 21.199.

This amendment becomes effective May 1, 1975.

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

Issued in Los Angeles, California, on March 18, 1975.

ROBERT H. STANTON,
Director, FAA Western Region.

[FR Doc.75–8040 Filed 3–27–75;8:45 am]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing 737 Series Airplanes

Amendment 39–1713 (38 FR 24641), AD 73–19–5, as amended by Amendment 39–1739 (38 FR 30255), AD 73–23–2, requires inspection, repair or replacement of cracked flap tracks of certain part numbers on all affected Boeing 737 series aircraft. After issuing Amendment 39–1739, the Agency determined the terminating action for this directive. Therefore, the AD is being superseded by a new AD which simplifies the format and specifies the terminating action for the inboard flap tracks of the outboard trailing edge flap installation of all affected Boeing 737 series aircraft.

Since this amendment provides terminating action 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 the Federal Aviation regulations is amended by adding the following new airworthiness directive:

BOEING: Applies to inboard flap tracks of the outboard trailing edge flap installation identified in Boeing Service Bulletin 737-57-1082, Revision 2, or later FAA approved revisions, of all Boeing 737 series aircraft certificated in all categories, including military type T-43.

Compliance required as indicated.

(a) To detect cracks in the aft portion of the webs and lower flanges of the pertinent inboard tracks of the outboard flap, conduct the penetrant inspections called for in paragraph III of Boeing Alert Service Bulletin 737-57-1082 or later FAA approved revisions, at the times specified in (b). If cracks are detected, repair or replace as specified in (c).

(b) Inspect pertinent tracks with 7,000 or more flights, within the next 400 flights, unless already accomplished within the last 800 flights, and at intervals thereafter not to exceed 1,200 flights from the last inspection.

(c) Repair in accordance with instructions contained in Boeing Customer Support Engineering letter 6-2710-1893, Revision A, dated October 9, 1973, or repair instructions provided in revisions to Boeing Alert Service Bulletin 737-57-1082 or in a manner approved by the Chief, Engineering and Manufacturing Branch, FAA, Northwest Region. Repaired tracks are to be reinspected using dye penetrant, or equivalent inspection method at intervals not to exceed:

(1) 1,200 flights—for tracks with repaired lower flange edges by blendout.

(2) 1,000 flights—for tracks with cracks stop drilled in thin small portion of flange.

(3) 1,000 flights—for tracks with one web cracked between two fastener holes.

(4) 500 flights—for tracks with cracks stop drilled and ending in one web only.

Tracks with cracks extending beyond the limits of these repair instructions must either be replaced with tracks of a like part number and re-enter the inspection program at the 7,000-flight threshold or be replaced with a new replacement track as specified in Table I of Boeing Service Bulletin 737-57-1082, Revision 2, or later FAA approved revisions, which constitutes terminating action.

(d) For the purpose of complying with the Airworthiness Directive, subject to acceptance by the assigned FAA maintenance inspector, the number of flights may be determined by dividing each airplane's hours' time in-service by the operator's fleet average time from takeoff to landing for the airplane type.

(e) Airplanes having cracked parts which require replacing under this AD, may be flown in accordance with FAR 21.197 and 21.199 with the concurrence of the Chief, Engineering and Manufacturing Branch, FAA, Northwest Region, to a base where the replacement of parts can be accomplished.

This supersedes Amendment 39-1713, AD 73-19-5, as amended by Amendment 39-1739, AD 73-22-2.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1).

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124. The documents may be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective on April 8, 1975.

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

Issued in Seattle, Washington, March 19, 1975.

J. H. TANNER,
Acting Director,
Northwest Region.

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

[FR Doc.75-8039 Filed 3-27-75;8:45 am]

Title 15—Commerce and Foreign Trade

SUBTITLE A—OFFICE OF THE SECRETARY OF COMMERCE

PART 4—PUBLIC INFORMATION

Notice of Materials Superseded

On Wednesday, March 12, 1975, Department of Commerce revised rules on "Public Information" appeared in the FEDERAL REGISTER, 40 FR 11551-11560.

Appendix A to these rules (Department Administrative Order 205-12), which appeared at 40 FR 11556, superseded a previous Department Administrative Order 205-12 and the amendments thereto. The superseded materials, which were referred to in Sec. 7 of Appendix A to Part 4, were as follows:

32 FR 9734 of July 4, 1967; 35 FR 6601 of April 24, 1970; 36 FR 19096 of September 28, 1971; 37 FR 9697 of May 16, 1972; 39 FR 39304 of November 6, 1974; and 39 FR 40879 of November 21, 1974.

Dated: March 24, 1975.

GUY W. CHAMBERLIN, JR.,
Acting Assistant Secretary
for Administration.

[FR Doc.75-8072 Filed 3-27-75;8:45 am]

Title 18—Conservation of Power and Water Resources

CHAPTER III—DELAWARE RIVER BASIN COMMISSION

PART 401—RULES OF PRACTICE AND PROCEDURE

Subpart F—Public Access to Records and Information

Subpart G—General Provisions

On February 26, 1975, the Delaware River Basin Commission amended its Administrative Manual, Part II—Rules of Practice and Procedure (18 CFR Part 401) by the addition thereto of a new Subpart F—*Public Access to Records and Information*. Existing Subpart F—*General Provisions*, was reclassified Subpart G and the sections therein renumbered accordingly. These changes became effective March 15, 1975. This action was taken pursuant to public notice given on January 16 (40 FR 2869) and a public hearing held on January 29, 1975, in Philadelphia, Pa.

The Commission's new regulations cover public access to its records and are consistent with the Freedom of Information Act as amended. Subsections of the regulations pertain to general policy, procedures, fees and exemptions.

Part 401 of 18 CFR Chapter III is amended by redesignating Subpart F (§§ 401.71—401.74) as Subpart G (§§ 401.91—401.94), and by adding a new Subpart F. These subparts read as follows:

Subpart F—Public Access to Records and Information

AUTHORITY: Pub. L. 93-502, as amended.

Subpart G—General Provisions

AUTHORITY: Sec. 14.2, Delaware River Basin Compact, Pub. L. 87-328, 75 Stat. 706.

Subpart F—Public Access to Records and Information

§ 401.71 Policy on disclosure of Commission records.

The Commission will make the fullest possible disclosure of records to the public, consistent with the rights of individuals to privacy, the property rights of persons in trade secrets and confidential commercial or financial information, and the need for the Commission to promote frank internal policy deliberations and to pursue its regulatory activities without disruption.

§ 401.72 Partial disclosure of records.

If a record contains both disclosable and nondisclosable information, the nondisclosable information will be deleted and the remaining record will be disclosed unless the two are so inextricably intertwined that it is not feasible to separate them or release of the disclosable information would compromise

or impinge upon the nondisclosable portion of the record.

§ 401.73 Request for existing records.

(a) Any written request to the Commission for existing records not prepared for routine distribution to the public shall be deemed to be a request for records pursuant to the Freedom of Information Act, whether or not the Freedom of Information Act is mentioned in the request, and shall be governed by the provisions of this part.

(b) Records or documents prepared by the Commission for routine public distribution, e.g., pamphlets, speeches, public information and educational materials, shall be furnished free of charge upon request as long as the supply lasts. The provisions of this part shall not be applicable to such requests.

(c) All existing Commission records are subject to routine destruction according to standard record retention schedules.

§ 401.74 Preparation of new records.

The Freedom of Information Act and the provisions of this Part apply only to existing records that are reasonably described in a request filed with the Commission pursuant to the procedures herein established. The Commission shall not be required to prepare new records in order to respond to a request for information.

§ 401.75 Indexes of certain records.

(a) Indexes shall be maintained, and revised at least quarterly, for the following Commission records:

(1) Final opinions and orders made in the adjudication of cases.

(2) Statements of policy and interpretation adopted by the Commission and still in force and not published in the FEDERAL REGISTER or official minutes of Commission meetings.

(3) Administrative staff manuals and instructions to staff that affect members of the public.

(b) A copy of each such index is available at cost of duplication from the FOIA Officer.

§ 401.76 FOIA Officer.

The Executive Director shall designate a Commission employee as the FOIA Officer. The FOIA Officer shall be responsible for Commission compliance with the Freedom of Information Act and these regulations. All requests for agency records shall be sent in writing to:

FOIA Officer
Delaware River Basin Commission
P.O. Box 360
Trenton, N.J. 08603

§ 401.77 Permanent file of requests for Commission records.

The Commission shall maintain a permanent file of all requests for Commission records and all responses thereto, incuding a list of all records furnished in response to a request. This file is available for public review during working hours.

§ 401.78 Filing a request for records.

(a) All requests for Commission records shall be filed in writing delivered to the FOIA Officer, or by mailing it to the Commission. The Commission will supply forms for written requests.

(b) A request for Commission records shall reasonably describe the records being sought, in a way that they can be identified and located. A request should include all pertinent details that will help identify the records sought. A person requesting disclosure of records shall be permitted an opportunity to review them without the necessity for copying them where the records involved contain only disclosable data and information.

(1) If the description is insufficient to locate the records requested, the FOIA Officer will so notify the person making the request and indicate the additional information needed to identify the records requested.

(2) Every reasonable effort shall be made by the staff to assist in the identification and location of the records sought.

(3) In any situation in which it is determined that a request for voluminous records would unduly burden and interfere with the operations of the Commission, the person making the request will be asked to be more specific and to narrow the request, and to agree on an orderly procedure for the production of the requested records.

(c) Upon receipt of a request for records, the FOIA Officer shall enter it in a public log (which entry may consist of a copy of the request). The log shall state the date and time received, the name and address of the person making the request, the nature of the records requested, the action taken on the request, the date of the determination letter sent pursuant to § 401.79(b), the date(s) any records are subsequently furnished, the number of staff-hours and grade levels of persons who spent time responding to the request, and the payment requested and received.

(d) A denial of a request for rcords, in whole or in part, shall be signed by the FOIA Officer. The name and title or position of each person who participated in the denial of a request for records shall be set forth in a letter denying the request. This requirement may be met by attaching a list of such individuals to the letter.

§ 401.79 Time limitations.

(a) All time limitations established pursuant to this section shall begin as of the time at which a request for records is logged in by the FOIA Officer pursuant to § 401.78(c). An oral request for records shall not begin any time requirement. A written request for records sent elsewhere within the Commission shall not begin any time requirement until it is redirected to the FOIA Officer and is logged in accordance with § 401.78(c). A request that is expected to involve fees in excess of $50 will not be deemed received until the requester is promptly notified and agrees to bear the cost or has so indicated on his request.

(b) Within ten (10) working days (excepting Saturdays, Sundays, and legal public holidays) after a request for records is logged by the FOIA Officer, the record shall be furnished or a letter shall be sent to the person making the request determining whether, or the extent to which, the Commission will comply with the request, and, if any records are denied, the reasons therefor.

(1) If all of the records requested have been located and a final determination has been made with respect to disclosure of all of the records requested, the letter shall so state.

(2) If all of the records have not been located or a final determination has not yet been made with respect to disclosure of all of the records requested, the letter shall state the extent to which the records involved shall be disclosed pursuant to the rules established in this part.

(3) In the following unusual circumstances, the time for sending this letter may be extended by the Executive Director for up to an additional ten (10) working days by written notice to the person making the request setting forth the reasons for such extension and the time within which a determination is expected to be dispatched:

(i) The need to search for and collect the requested records from field facilities or other establishments that are separate from the Commission's Headquarters.

(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 practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the Commission having substantial subject-matter interest therein.

(c) If any record is denied, the letter shall state the right of the person requesting such records to appeal any adverse determination to the Executive Director of the Commission. Such an appeal shall be filed within thirty (30) days from receipt of the FOIA Officer's determination denying the requested information (where the entire request has been denied), or from the receipt of any information made available pursuant to the request (where the request has been denied in part). Within twenty (20) working days (excepting Saturdays, Sundays, and legal public holidays) after receipt of any appeal, or any authorized extension, the Executive Director or his designee shall make a determination and notify the appellant of his determination. If the appeal is decided in favor of the appellant the requested information shall be promptly supplied as provided in this part. If on appeal the denial of the request for records is upheld in whole or in part, the appellant shall be entitled to appeal to the Commission at its next

regular meeting. In the event that the Commission confirms the Executive Director's denial the appellant shall be notified of the provisions for judicial review.

(d) If the request for records will result in a fee of more than $25, determination letter under § 401.79 shall specify or estimate the fee involved and may require prepayment, as well as payment of any amount not yet received as a result of any previous request, before the records are made available. If the fee is less than $25, prepayment shall not be required unless payment has not yet been received for records disclosed as a result of a previous request.

(e) Whenever possible, the determination letter required under § 401.79(b), relating to a request for records that involves a fee of less than $25.00, shall be accompanied by the requested records. Where this is not possible, the records shall be forwarded as soon as possible thereafter. For requests for records involving a fee of more than $25.00, the records shall be forwarded as soon as possible after receipt of payment.

§ 401.80 Fees.

(a) Unless waived in accordance with the provisions of § 401.81, the following fees shall be imposed for disclosure of any record pursuant to this part.

(1) *Copying of records.* Fifteen cents per copy of each page.

(2) *Clerical searches.* $1 for each one-quarter hour spent by clerical personnel searching for and producing a requested record, including time spent copying any record.

(3) *Nonclerical searches.* $1.80 for each one-quarter hour spent by professional or managerial personnel searching for and producing a requested record, including time spent copying any record.

(4) *Forwarding material to destination.* Postage, insurance, and special fees will be charged on an actual cost basis.

(b) No charge shall be made for the time spent in resolving legal or policy issues or in examining records for the purpose of deleting nondisclosable portions thereof.

(c) Payment shall be made by check or money order payable to "Delaware River Basin Commission" and shall be sent to the FOIA Officer.

§ 401.81 Waiver of fees.

(a) No fee shall be charged for disclosure of records pursuant to this part where:

(1) The records are requested by a congressional committee or subcommittee or the General Accounting Office.

(2) The records are requested by an agency of a signatory party.

(3) The records are requested by a court of competent jurisdiction.

(4) The records are requested by a state or local government having jurisdiction thereof.

(b) No fee shall be charged if a record requested is not found or for any record that is totally exempt from disclosure.

§ 401.82 Exempt information.

The following materials and information covered by this part shall be exempt from disclosure; that is, information that is:

(a) Related solely to the internal personnel matters of the Commission.

(b) Specifically exempted from disclosure by statute;

(c) Trade secrets and commercial or financial information obtained from a person and privileged or confidential. (For purposes of this section a trade secret may consist of any formula, pattern, device, or compilation of information which is used in one's business and which gives him an opportunity to obtain an advantage over competitors who do not know or use it. Commercial or financial information that is privileged or confidential means valuable data or information which is used in one's business and is of a type customarily held in strict confidence or regarded as privileged and not disclosed to any member of the public by the person to whom it belongs.)

(d) Inter-agency or intra-agency memorandums or letters other than purely factual compilations, which would not be available by law to a party other than an agency in litigation with the Commission;

(e) Personnel and medical files and similar files and disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(f) 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, (5) disclose investigative techniques and procedures, or (6) endanger the life or physical safety of law enforcement personnel.

§ 401.83 Segregable materials.

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 Part, except as provided in § 401.72.

§ 401.84 Data and information previously disclosed to the public.

Any Commission record that is otherwise exempt from public disclosure pursuant to this part is available for public disclosure to the extent that it contains data or information that have previously been disclosed in a lawful manner to any member of the public, other than an employee or consultant or pursuant to other commercial arrangements with appropriate safeguards for secrecy.

§ 401.85 Discretionary disclosure by the Executive Director.

(a) The Executive Director may, in his discretion, disclose part or all of any Commission record that is otherwise exempt from disclosure pursuant to this part. The Executive Director shall exercise his discretion to disclose such records whenever he determines that such disclosure is in the public interest, will promote the objectives of the Commission, and is consistent with the rights of individuals to privacy, the property rights of persons in trade secrets, and the need for the Commission to promote frank internal policy deliberations and to pursue its regulatory activities without disruption.

(b) Discretionary disclosure of a record pursuant to this section shall invoke the requirement that the record shall be disclosed to any person who requests it pursuant to § 401.78, but shall not set a precedent for discretionary disclosure of any similar or related record and shall not obligate the Executive Director to exercise his discretion to disclose any other record that is exempt from disclosure.

§ 401.86 Disclosure to consultants, advisory committees, State and local government officials, and other special government employees.

Data and information otherwise exempt from public disclosure may be disclosed to Commission consultants, advisory committees, state and local government officials, and other special government employees for use only in their work in cooperation with the Commission. Such persons are thereafter subject to the same restrictions with respect to the disclosure of such data and information as any other Commission employee.

§ 401.87 Disclosure to other Federal government departments and agencies.

Any Commission record otherwise exempt from public disclosure may be disclosed to other Federal Government departments and agencies, except that trade secrets may be disclosed only to a department or agency that has concurrent jurisdiction over the matter and separate legal authority to obtain the specific information involved. Any disclosure under this section shall be pursuant to an agreement that the record shall not be further disclosed by the other department or agency except with the written permission of the Commission.

§ 401.88 Disclosure in administrative or court proceedings.

Data and information otherwise exempt from public disclosure may be revealed in Commission administrative or court proceedings where the data or information are relevant. The Commission will request that the data or information be held in camera and that any other appropriate measures be taken to reduce disclosure to the minimum necessary under the circumstances.

§ 401.89 Disclosure to Congress.

All records of the Commission shall be disclosed to Congress upon an authorized request.

Subpart G—General Provisions

§ 401.91 Definitions.

For the purposes of this part, except as the context may otherwise require:

(a) All words and phrases which are defined by section 1.2 of the Compact shall have the same meaning herein.

(b) Words and phrases which are defined by Part I of the Administrative Manual (Section 1–3) shall have the same meaning for the purposes of this Part 401.

(c) "Application" shall mean a request for action by the Commission in any written form, including without limitation thereto, a letter, referral by any agency of a signatory party, or an official form prescribed by the Commission; provided that whenever an official form of application has been duly required, an application shall not be deemed to be pending before the Commission until such time as such form, together with the information required thereby, has been completed and filed.

(d) "Applicant" shall mean any sponsor or other person who has submitted an application to the Commission.

(e) "Sponsor" shall mean any person authorized to initiate, construct or administer a project.

§ 401.92 Supplementary details.

Forms, procedures and supplementary information, to effectuate these regulations, may be provided or required by the Executive Director as to any hearing, project or class of projects.

§ 401.93 Waiver of rules.

The Commission may, for good cause shown, waive rules or require additional information in any case.

§ 401.94 Construction.

This part is promulgated pursuant to section 14.2 of the Compact and shall be construed and applied subject to all of the terms and conditions of the Compact and of the provisions of section 15.1 of Pub. L. 87–328, 75 Stat. 688.

This part shall take effect on March 27, 1975.

W. BRINTON WHITALL,
Secretary.

[FR Doc.75–8147 Filed 3–27–75;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Recodification Editorial and Technical Amendments

The Food and Drug Administration is in the process of recodifying all of Chapter I of Title 21 of the Code of Federal Regulations for the purposes of providing orderly development of such regulations, furnishing ample room for expansion in the years ahead, and providing the public and affected industries with regulations that are easy to find, read and understand.

The tenth in a series of recodification documents, which transferred and reorganized regulations on tolerances for pesticides in food and animal feeds administered by the Environmental Protection Agency, is published elsewhere in this issue of the FEDERAL REGISTER.[1]

To provide uniformity and continuity during the recodification, the Commissioner concludes that the references to the recodified material should be amended at this time.

Therefore, Part 121 is amended as follows:

Section 121.2573 is amended by changing the references to "§§ 121.289 and 121.290" and "§§ 121.1074 and 121.1075" to read "§§ 561.310 and 561.340 of this chapter" and "§§ 123.360 and 123.390 of this chapter".

The changes being made are nonsubstantive in nature and for this reason notice and public procedure are not prerequisites to this promulgation.

Dated: March 11, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75–7534 Filed 3–27–75;8:45 am]

Title 24—Housing and Urban Development

SUBTITLE A—OFFICE OF THE SECRETARY, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R–75–216]

PART O—STANDARDS OF CONDUCT

Appendix—List of Positions Subject To Subpart D

This amendment to Part O of Subtitle A of Title 24 is made to update the "Appendix—List of Positions Subject to Subpart D", so as to reflect the current organization of the Department.

Since this amendment relates to Department management and personnel, notice and public procedure and a deferred effective date are unnecessary.

The appendix is revised to read as follows:

APPENDIX—LIST OF POSITIONS SUBJECT TO SUBPART D

Officers and employees in the following positions are subject to the provisions of Subpart D of this part:

OFFICE OF THE SECRETARY

Executive Assistant to the Secretary.
Special Assistants to the Secretary.
Assistant Secretary for Public Affairs.
Assistant to the Secretary, Programs for the Elderly and the Handicapped.
Special Assistant to the Secretary (International Liaison).
Assistant to the Secretary for Labor Relations.
Administrative Officer, Office of the Secretary.
Chairman, HUD Board of Contract Appeals.

OFFICE OF THE UNDER SECRETARY

Under Secretary.
Deputy Under Secretary for Field Operations.
Deputy Under Secretary for Management.
Executive Assistant to the Under Secretary.
Special Assistants to the Under Secretary.

OFFICE OF THE GENERAL COUNSEL

General Counsel.
Deputy General Counsel.
Associate Deputy General Counsel.
Special Assistants to the General Counsel.
Associate General Counsels.
Assistant General Counsels.
Regional Counsels.
Area Counsels.

ASSISTANT SECRETARY FOR POLICY DEVELOPMENT AND RESEARCH

Assistant Secretary.
Executive Assistant.
Special Assistants.
Director, Office of Program Development, Review and Administration.
Director, Division of Program Development and Control.
Director, Division of Budget and Contracts.
Director, Division of Product Dissemination and Transfer.
Director, Division of Administration.
Deputy Assistant Secretary, Office of Research and Demonstration.
Director, Division of Community Management, Technology and Environmental Research.
Director, Division of Housing Research.
Director, Equal Opportunity—Fair Housing Staff.
Director, Community Design Staff.
Director, Division of Community Development and Growth Research.
Director, Division of Building Technology and Safety Research.
Chairman, USAC.
Director, Innovative Financing Research Staff.
Deputy Assistant Secretary, Office of Policy Development.
Deputy Assistant Secretary, Office of Economic Affairs.
Assistant to Deputy Assistant Secretary and Director of Economic Affairs.
Director, Division of Economic Policy.
Director, Division of Housing and Community Analysis.
Director, Division of Housing Finance Analysis.
Director, Division of Housing Assistance Research.
Director, Office of Program Analysis and Evaluation.
Director, Division of Special Studies.
Director, Division of Program Impact Analysis.

ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT AND FEDERAL HOUSING COMMISSIONER

Assistant Secretary.
Deputy Assistant Secretary.
Executive Assistant Commissioner.
Special Assistants to the Assistant Secretary.
Director, Office of Field Support.
Director, Office of Policy and Program Analysis and Development.
Director, Office of Management Systems.
Director, Participant Control and Supervision Division.
Director, Division of Publicly Financed Housing.
Director, Division of Property Improvement and Mobile Homes.
Director, Office of Underwriting Standards.
Deputy Director, Office of Underwriting Standards.
Director, Single Family Underwriting Division.

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[1] See FR Doc. 75–7535, Part II of this issue, *infra*.

Director, Multifamily Underwriting Division.
Director, Architecture and Engineering Division.
Supervisory Appraisers.[1]
Appraisers.[1 2]

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

President.
Executive Vice President.
Vice President—Fiscal Management.
Secretary-Treasurer.
Controller.

ASSISTANT SECRETARY FOR HOUSING MANAGEMENT

Assistant Secretary.
Deputy Assistant Secretary.
Counselor to the Assistant Secretary.
Special Assistants to the Assistant Secretary.
Director, Project Financing Staff.
Director, Emergency Preparedness Staff.
Director, Office of Management Information and Field Support.
Director, Office of Housing Programs.
Director, Office of Loan Management.
Director, Office of Property Disposition.
Director, Office of Administrative and Program Services.
Director, Housing Consumer Services Division, Office of Administrative and Program Services.
Director, Local Agency Services Division, Office of Administrative and Program Services.
Director, Budget Division, Office of Administrative and Program Services.
Director, Management Services Division, Office of Administrative and Program Services.
Program Advisors, Local Agency Services Division, Office of Administrative and Program Services.
Director, Programs Services Division, Office of Housing Programs.
Chief, Maintenance and Utilities Branch, Programs Services Division, Office of Housing Programs.
Supervisory Supply Management Officer, Maintenance and Utilities Branch, Office of Housing Programs.
Director, Reconditioning and Contracting Division, Office of Property Disposition.
Contracting Officers, Reconditioning and Contracting Division, Office of Property Disposition.

ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT

Assistant Secretary.
Deputy Assistant Secretary.
Executive Assistant.
Special Assistants to the Assistant Secretary.
Citizen Participation Advisor.
Director, Office of Management.
Deputy Director, Office of Management.
Director, Budget Division.
Director, Data Systems and Statistics Division.
Director, Administrative Management Division.
Director, Urban Program Coordination Staff.
Director, Office of Environmental Quality.
Deputy Director, Office of Environmental Quality.
Director, Environmental Management and Engineering Division.
Director, Environmental Planning Division.
Director, Office of Planning and Management Assistance.
Deputy Director, Office of Planning and Management Assistance.
Director, Program Management Division.
Director, Program Regulations Division.
Director, Office of Policy Planning.
Deputy Director, Office of Policy Planning.
Director, Policy Planning Division.
Director, Governmental Assistance Division.
Director, Office of Field Support.
Deputy Director, Office of Field Support.
Director, Office of CD Programs.
Deputy Director, Office of CD Programs.
Director, Financial Management Division.
Director, Program Standards Division.
Director, Relocation and Development Services Division.
Director, Office of Evaluation.
Deputy Director, Office of Evaluation.
Director, Program Evaluation Division.
Director, Urban Studies Division.

ASSISTANT SECRETARY FOR EQUAL OPPORTUNITY

Assistant Secretary.
Deputy Assistant Secretary for Equal Opportunity.
Executive Assistant to Assistant Secretary.
Director, Office of Voluntary Compliance.
Director, Housing and Community Development Division.
Director, Manpower and Business Opportunities Division.
Director, Office of Civil Rights Compliance and Enforcement.
Director, Compliance Procedures Division.
Director, Field Assistance Division.
Director, Hearings Division.
Director, Office of Program Standards and Data Analysis.
Director, Program Standards Division.
Director, Data Analysis Division.
Director, Office of Management and Field Coordination.
Director, Budget and Management Division.
Director, Field Coordination and Equal Opportunity Operations Evaluation Division.

OFFICE OF LEGISLATIVE AFFAIRS

Assistant Secretary.
Deputy Assistant Secretary.
Director, Senate Liaison.
Director, House Liaison.

ASSISTANT SECRETARY FOR ADMINISTRATION

Assistant Secretary.
Deputy Assistant Secretary.
Special Assistants to the Assistant Secretary.
Director, Office of Budget.
Deputy Director, Office of Budget.
Director, Office of General Services.
Deputy Director, Office of General Services.
Director, Office of Finance & Accounting.
Director, Office of Organization and Management Information.
Director, Office of ADP Systems Development.
Deputy Director, Office of ADP Systems Development.
Director, Office of ADP Operations.
Deputy Director, Office of ADP Operations.
Director, Office of Personnel.
Deputy Director, Office of Personnel.
Director, Office of Procurement and Contracts.

FEDERAL INSURANCE ADMINISTRATION

Federal Insurance Administrator.
Special Assistant to the Administrator.
Assistant Administrator for Finance and Administrative management.
Assistant Administrator (Flood Insurance).
Assistant Administartor (Crime Insurance).
Assistant Administrator (Urban Property Insurance).
Chief Actuary.
Director, Flood Plain Management Division.
Director, Enginering and Hydrology Division.
Director, Review and Compliance Division.
Director, Riot Reinsurance Division.
Director, Flood Insurance Operations Division.

OFFICE OF INTERSTATE LAND SALES REGISTRATION

Administrator.
Deputy Administrator.
Assistant Deputy Administrator.
Director, Examination Division.
Director, Policy Development and Control Division.
Director, Land Sales Enforcement Division.

NEW COMMUNITIES ADMINISTRATION

Administrator.
Special Assistant.
Assistant Administrator, Office of Program and Policy Evaluation.
Assistant Administrator, Office of Finance.
Assistant Administrator, Office of Technical Analysis.
Assistant Administrator, Office of Policy Development.

COMMUNITY DEVELOPMENT CORPORATION

General Manager.
Executive Assistant to the General Manager.

OFFICE OF INSPECTOR GENERAL

Inspector General.
Assistant Inspector General for Audit.
Deputy Assistant Inspector General for Audit.
Assistant Directors of Audit Operations.
Regional Inspectors General for Audit.
Assistant Inspector General for Investigation.
Deputy Assistant Inspector General for Investigation.
Senior Inspector.
Regional Inspectors General for Investigation.
Assistant Inspector General for Security.
Assistant Inspector General for Administration.
Assistant Inspector General for Washington Operations and Special Projects.
Auditors (GS–13 and above).
Investigators (GS–13 and above).
Security Specialists (GS–13 and above).

FEDERAL DISASTER ASSISTANCE ADMINISTRATION

Administrator.
Deputy Administrator.
Assistant Administrator for Management.
Chief, Financial Management Staff.
Regional Director, I.
Regional Director, II.
Regional Director, III.
Regional Director, IV.
Regional Director, V.
Regional Director, VI.
Regional Director, VII.
Regional Director, VIII.
Regional Director, IX.
Regional Director, X.
Deputy Regional Director, II.
Deputy Regional Director, III.
Disaster Program Officer, III.
Disaster Program Officer, VII.
Deputy Regional Director, VIII.
Disaster Program Officers, IX.
Disaster Program Officer, X.

REGIONAL OFFICES

Regional Administrator.
Deputy Regional Administrator.
Director, Program Planning Staff.
Assistant Regional Administrator for Community Planning and Development.
Assistant Regional Administrator for Housing Production and Mortgage Credit.
Production Coordinator.
Assistant Regional Administrator for Housing Management.
Loan and Contract Servicing Officer.
Director, General Services Division.
Assistant Regional Administrator for Equal Opportunity.

[1] See § 0.735–401(d).
[2] All personnel performing appraisal functions to be included.

Director, Equal Opportunity Compliance Division.
Director, Equal Opportunity Evaluation and Support Division.
Supervisory Appraisers.[1]
Appraisers.[1 2]

AREA OFFICES

Area Director.
Deputy Area Director.
Director, Housing Production and Mortgage Credit Division.
Deputy Director, Housing Production and Mortgage Credit Division.
Chief, Valuation Branch.
Chief, Mortgage Credit Branch.
Chief, Architectural Branch.
Chief, Cost Branch.
Chief, Multifamily Branch.
Chief, Single Family Branch.
Director, Community Planning and Development Division.
Deputy Director, Community Planning and Development Division.
Program Managers.
Director, Housing Management Division.
Director, Housing Programs Management Branch.
Director, Loan Management and Property Disposition Branch.
Director, Equal Opportunity Division.
Area Economist.
Environmental Officer.
Director, Administrative Division (GS–13 and above).
Supervisory Appraisers.[1]
Appraisers.[1 2]

INSURING OFFICES

Director.
Deputy Director.
Assistant to Director.
Chief Underwriter.
Director, Housing Management Division.
Chief, Management and Mortgage Servicing Section.
Chief, Property Disposition Section.
Supervisory Appraisers.[1]
Appraisers.[1 2]

(18 U.S.C. 201; E.O. 11222 of May 8, 1965, 30 FR 6469; 5 CFR 735.104)

This amendement was approved by the Civil Service Commission on December 16, 1974.

Effective date. The amendment is effective March 28, 1975.

CARLA L. HILLS,
Secretary of Housing and Urban Development.

[FR Doc.75–8085 Filed 3–27–75;8:45 am]

CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT—FEDERAL HOUSING COMMISSIONER [FEDERAL HOUSING ADMINISTRATION]

[Docket No. R–75–267]

PART 275—LOW RENT PUBLIC HOUSING

Interim Rule; Prototype Cost Limits; Tenn.

In the FEDERAL REGISTER issued May 17, 1974, (39 FR 17678), prototype per unit cost schedules were published pursuant to section 15(5) of the United States Housing Act of 1937. Consideration of subsequent factual project cost data and other information received from the Knoxville Area Office indicates that certain prototype costs for Chattanooga, Tennessee published May 17, 1974, should be revised.

Written data, views, or statements may be filed with the appropriate HUD Area Office. The offices were listed in our publication of May 17, 1974. Accordingly, 24 CFR Part 275 is amended to read as follows:

1. On page 17704 delete the existing prototype costs for Chattanooga and substitute in lieu thereof the revised prototype per unit costs shown on the table set forth hereinafter, entitled Prototype Per Unit Cost Schedule.

(Sec. 7(d) of Dept. of HUD Act, U.S.C. 3535 (d)).

Effective date. This amendment is effective March 28, 1975.

SANFORD A. WITKOWSKI,
Acting Assistant Secretary-Commissioner.

Prototype per unit cost schedule—Region IV

	Number of bedrooms						
	0	1	2	3	4	5	6
Chattanooga, Tenn:							
Detached and semidetached	9,050	10,900	13,400	16,050	19,450	21,400	22,450
Row dwellings	9,450	11,350	14,050	16,750	20,100	22,350	23,400
Walk-up							
Elevator-structure							

[FR Doc.75–8083 Filed 3–27–75;8:45 am]

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI 521]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 39 FR 26186–93). A list of servicing companies is also available from the Federal Insurance Administration, HUD, 451 Seventh Street SW., Washington, D.C. 20410.

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

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program and flood insurance has been purchased.

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

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

§ 1914.4 List of Eligible Communities.

* * * * *

[1] See § 0.735–401(d).
[2] All personnel performing appraisal functions to be included.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
•	•	•	•	•	•	•
Arkansas	Crawford	Alma, city of	Mar. 25, 1975, emergency	June 21, 1974		
Illinois	Cook	Evanston, city of	do	do		
Indiana	White	Monticello, city of	do	May 17, 1974		
Mississippi	Union	New Albany, city of	do	Feb. 1, 1974		
Missouri	New Madrid	Morehouse, city of	do	Mar. 15, 1974		
Nebraska	Otoe	Syracuse, city of	do	Dec. 7, 1973		
New Jersey	Camden	Berlin, township of	do	June 7, 1974		
Do	Cumberland	Upper Deerfield, township of	do	Aug. 2, 1974		
New York	Wyoming	Genesee Falls	do	Aug. 9, 1974		
Do	Wayne	Newark, village of	do	May 31, 1974		
Do	Broome	Port Dickinson, village of	do	Feb. 1, 1974		
North Carolina	Swain	Bryson City, town of	do	June 14, 1974		
Do	Catawba	Newton, city of	do	June 28, 1974		
Ohio	Washington	Beverly, village of	do	Apr. 5, 1974		
Oregon	Marion and Linn	Idanha, city of	do	Aug. 30, 1974		
Do	Marion	Jefferson, city of	do	Feb. 1, 1974		
Do	Union	Summerville, city of	do			
Utah	Wasatch	Heber City, city of	do	June 21, 1974		
Do	Weber	Unincorporated areas	do			
Vermont	Addison	Vergennes, city of	do	June 28, 1974		
Virginia	Mecklenberg	Clarksville, town of	do	Nov. 1, 1974		
West Virginia	Clay	Clay, town of	do	Dec. 20, 1974		
Wisconsin	Dane	Monona, city of	do	Nov. 30, 1973		
Do	Oneida	Rhinelander, city of	do	Dec. 17, 1973		
Wyoming	Laramie	Pine Bluffs, town of	do	Apr. 12, 1974		

(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) as amended 39 FR 2787, Jan. 24, 1974.

Issued: March 18, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-7826 Filed 3-27-75;8:45 am]

[Docket No. FI 523]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 39 FR 26186–93). A list of servicing companies is also available from the Federal Insurance Administration, HUD, 451 Seventh Street SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special hazards that is located within any community currently participating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program and flood insurance has been purchased.

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

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

§ 1914.4 List of Eligibile Communities.

• • • • •

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
•	•	•	•	•	•	
California	Riverside	Perris, city of	Mar. 21, 1975, emergency	Sept. 6, 1974		
Idaho	Clearwater	Orofino, city of	do	Nov. 23, 1973		
Illinois	Lake	Kildeer, village of	do	May 17, 1974		
Do	LaSalle	Peru, city of	do	Apr. 5, 1974		
Indiana	Spencer	Rockport, city of	do	Dec. 7, 1973		
Iowa	Cerro Gordo	Mason, city of	do	Mar. 1, 1974		
Louisiana	Jefferson Davis Parish.	Lake Arthur, town of	do	Jan. 9, 1974		
Maryland	Washington	Keedyville, town of	do	July 26, 1974		
Massachusetts	Middlesex	Wayland, town of	do	do		
Missouri	Jefferson	De Soto, city of	Mar. 18, 1974, suspension withdrawn.	Apr. 28, 1972		
Nebraska	Burt	Lyons, city of	Mar. 21, 1975, emergency	Jan. 9, 1974		
New Jersey	Middlesex	Plainsboro, township of	do	May 31, 1974		
Do	Camden	Stratford borough of	do	Mar. 22, 1974		
New York	Putnam	Brewester village of	do	do		
Do	do	Carmel, town of	do	Sept. 13, 1974		
Do	Cayuga	Cato, town of	do	Aug. 2, 1974		
Do	Yates	Jerusalem, town of	do	May 31, 1974		
Do	Putnam	Kent, town of	do	Apr. 12, 1974		
Do	Chenango	Oxford, town of	do	Dec. 20, 1974		
Do	Putnam	Patterson, town of	do	Apr. 12, 1974		
Do	do	Philipstown, town of	do	May 3, 1974		
North Carolina	Granville	Creedmore, city of	do	June 28, 1974		
Do	Macon	Franklin, town of	Mar. 13, 1975, suspension withdrawn.	Feb. 23, 1971		
Do	Wilson	Wilson, city of	Mar. 21, 1975, emergency	Nov. 29, 1974		
North Dakota	Trail	Mayville, city of	do	Jan. 9, 1974		
Ohio	Crawford	Bucyrus, city of	do	Nov. 16, 1973		
Do	Marion	LaRue, village of	do			
Do	Franklin	Minerva Park, village of	do			
Pennsylvania	Lycoming	Picture Rocks, borough of	do	June 28, 1974		
Texas	Terry	Brownfield, city of	do	do		
Do	Brooks	Falfurrias, city of	do	Jan. 23, 1974		
Utah	Emery	Emery, town of	do	Feb. 7, 1975		
Virginia	Loudoun	Leesburg, town of	do	Aug. 30, 1974		
Washington	Okanogan	Conconully, town of	do			
Do	Adams	Lind, town of	do	June 8, 1928		
West Virginia	Braxton	Gassaway, town of	do	Jan. 10, 1975		
Wisconsin	Burnett	Unincorporated areas	do	Dec. 6, 1974		
Do	Racine	Rochester, village of	do	Jan. 9, 1974		

(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) as amended 39 FR 2787, Jan. 24, 1974.

Issued: March 17, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-7827 Filed 3-27-75;8:45 am]

[Docket No. FI 524]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 39 FR 26186–93). A list of servicing companies is also available from the Federal Insurance Administration, HUD, 451 Seventh Street SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special hazards that is located within any community currently participating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no sucl. financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program and flood insurance has been purchased.

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

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

§ 1914.4 List of Eligible Communities.

• • • • •

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
•	•	•	•	•	•	•
Arizona	Maricopa	Glendale, city of	Mar. 20, 1975, emergency	July 26, 1974		
Arkansas	Ouachita	East Camden, city of	do	May 24, 1974		
Delaware	Kent	Wyoming, town of	do	do		
Florida	Jackson	Marianna, city of	do	June 28, 1974		
Illinois	Cook	Justice, village of	do	Mar. 22, 1974		
Indiana	Laporte	Michigan City, city of	do	July 19, 1974		
Kansas	McPherson	McPherson, city of	do	Mar. 15, 1974		
Kentucky	Carroll	Carrollton, city of	do	June 14, 1974		
Massachusetts	Berkshire	North Adams, city of	do	Mar. 8, 1974		
Do	Hampshire	Belchertown, town of	do	June 21, 1974		
Minnesota	Clay	Georgetown, village of	do	Nov. 23, 1973		
Mississippi	Jones	Unincorporated area	do	Nov. 29, 1974		
Missouri	Franklin	Washington, city of	do	Jan. 9, 1974		
Do	Pemiscot	Hayti Heights, city of	do			
Ohio	Belmont	Brookside, village of	do	Feb. 8, 1974		
Oregon	Lane	Veneta, city of	do	Mar. 22, 1974		
Pennsylvania	Washington	Roscoe, borough of	do	June 7, 1974		
West Virginia	Brooke	Weirton, city of	do	Feb. 1, 1974		
Wisconsin	Chippewa	Bloomer, city of	do	May 24, 1974		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended (secs. 408–410, Pub. L. 91–152, Dec. 24, 1969), 42 U.S.C. 4001–4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.

Issued: March 14, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75–7828 Filed 3–27–75;8:45 am]

[Docket No. FI 525]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 39 FR 26186–93). A list of servicing companies is also available from the Federal Insurance Administration, HUD, 451 Seventh Street SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special hazards that is located within any community currently participating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program and flood insurance has been purchased.

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

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

§ 1914.4 List of Eligible Communities.

• • • • •

State	County	Location	Effective date of authorization of sale of flood insurande for area	Hazard area identified	State map repository	Local map repository
•	•	•	•	•	•	
Arkansas	Lee	Marianna, city of	Mar. 18, 1975, emergency	Oct. 26, 1973		
Colorado	El Paso	Green Mountain Falls, town of.	do	Aug. 30, 1974		
Delaware	Kent	Camden, town of	do†	May 24, 1974		
Florida	Palm Beach	Pahokee, city of	do			
Indiana	Harrison	Crandall, town of	do			
Massachusetts	Berkshire	Lenox, town of	do	June 14, 1974		
Mississippi	Marion	Unincorporated areas	do			
Do	Jefferson Davis	Prentiss, town of	do†	June 7, 1974		
Nebraska	Sherman	Loup City, city of	do	Apr. 5, 1974		
Ohio	Logan	Bellefontaine, city of	do	June 7, 1974		
Oklahoma	Kiowa	Snyder, city of	do	Jan. 9, 1974		
Pennsylvania	Tioga	Osceola, township of	do	Sept. 20, 1974		
Do	Washington	East Bethlehem, township of.	do			
Virginia	Fauquier	Unincorporated areas	do	Dec. 13, 1974		
Do	do	Warrenton, town of	do	May 31, 1974		
Washington	Snohomish	Mountlake Terrace, city of	do			
Wisconsin	Racine	Wind Point, village of	do	June 28, 1974		
Do	Green	Albany, village of	do	Jan. 9, 1974		

(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) as amended 39 FR 2787, Jan. 24, 1974.

Issued: March 12, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-7829 Filed 3-27-75;8:45 am]

[Docket No. FI 526]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 39 FR 26186–93). A list of servicing companies is also available from the Federal Insurance Administration, HUD, 451 Seventh Street SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special hazards that is located within any community currently participating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program and flood insurance has been purchased.

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

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

§ 1914.4 List of Eligible Communities.

• • • • •

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Alabama	Hale	Greensboro, city of	Mar. 19, 1975, emergency			
Indiana	Madison	Elwood, city of	do	Dec. 28, 1973		
Do	Dearborn	Greendale, town of	do	Jan. 16, 1974		
Do	Harrison	Unincorporated areas	do	Dec. 13, 1974		
Do	Gibson	Princeton, city of	do	May 31, 1974		
Iowa	Crawford	Denison, city of	do	May 10, 1974		
Kansas	Decatur	Oberlin, city of	do	Jan. 9, 1974		
Kentucky	Boyd	Ashland, city of	do	June 14, 1974		
Maine	(See attached sheets.)					
Minnesota	Morrison	Randall, city of	do	June 7, 1974		
Do	Sibley	Henderson, city of	do	May 24, 1974		
Mississippi	Calhoun	Calhoun City, city of	do	June 7, 1974		
Do	Calhoun	Pittsboro, town of	do			
Montana	Yellowstone	Laurel, city of	do	Mar. 29, 1974		
New Jersey	Salem	Upper Pittsgrove, township of.	do	July 19, 1974		
New York	Onondaga	Marcellus, town of	do	May 3, 1974		
Do	Chautauqua	Silver Creek, village of	do	Feb. 22, 1974		
Ohio	Stark	Navarre, village of	do	Jan. 10, 1974		
Pennsylvania	Chester	West Fallowfield, township of.	do	Jan. 3, 1975		
Do	Schuylkill	Tremont, township of	do	Nov. 15, 1974		
Do	do	Walker, township of	do	Nov. 29, 1974		
Do	Erie	Wesleyville, borough of	do	May 31, 1974		
Do	Westmoreland	Penn, borough of	do	Apr. 12, 1974		
Texas	Liberty	Dayton, city of	do	June 28, 1974		
Utah	Iron	Cedar City, city of	do	Jan. 23, 1974		
Virginia	Southampton	Courtland, town of	do	Mar. 15, 1974		
Do	Prince William	Quantico, town of	do	Nov. 1, 1974		
West Virginia	Braxton	Burnsville, town of	do	Feb. 1, 1974		
Do	Summers	Unincorporated areas	do	Jan. 3, 1975		

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Maine		Land Use Regulation Commission includes:	do			
Do	Aroostook	Allagash, plantation of	do	Feb. 14, 1975		
Do	Penobscot	Argyle, township of	do	Feb. 21, 1975		
Do	Washington	Baring, plantation of	do	Jan. 31, 1975		
Do	Oxford	Batcheldors Grant, township of.	do			
Do	Washington	Brookton, township of	do	Feb. 21, 1975		
Do	Penobscot	Carroll, plantation of	do	Feb. 14, 1975		
Do	Aroostook	Cary, plantation of	do	Feb. 7, 1975		
Do	do	Caswell, plantation of	do			
Do	Penobscot	Mt. Chase, plantation of	do	Feb. 14, 1975		
Do	Somerset	Concord, township of	do	do		
Do	Aroostook	Connor, township of	do	Feb. 21, 1975		
Do	do	Cyr, plantation of	do	Feb. 14, 1975		
Do	Franklin	Dallas, plantation of	do	do		
Do	Washington	Edmunds, township of	do	do		
Do	Franklin	Freeman, township of	do			
Do	Aroostook	Garfield, plantation of	do	Feb. 7, 1975		
Do	Washington	Grand Lake Stream, plantation of.	do	Feb. 14, 1975		
Do	Aroostook	Hamlin, plantation of	do	do		
Do	Penobscot	Kingman, township of	do	Jan. 24, 1975		
Do	Washington	Lambert Lake T01 R03 TS, township of.	do	Feb. 21, 1975		
Do	Aroostook	Macwahoc, plantation of	do	Feb. 14, 1975		
Do	Oxford	Milton, township of	do	Feb. 21, 1975		
Do	Aroostook	New Canada, plantation of	do	Feb. 7, 1975		
Do	Piscataquis	Orneville, township of	do	Feb. 14, 1975		
Do	Penobscot	Prentiss, plantation of	do	Jan. 31, 1975		
Do	Somerset	Rockwood Strip T01 R01 NBKP, township of.	do	Feb. 7, 1975		
Do	Aroostook	St. John, plantation of	do	do		
Do	do	Silver Ridge, township of	do	Feb. 21, 1975		
Do	Hancock	T08 SD, township of	do	Feb. 7, 1975		
Do	Aroostook	T17 R4 Wels, township of	do	do		
Do	do	T17 R5 Wels, township of	do	do		
Do	Washington	Trescott, township of	do	Jan. 24, 1975		
Do	Aroostook	Wallagrass, plantation of	do	Feb. 7, 1975		
Do	do	Winterville, plantation of	do	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) as amended 39 FR 2787, Jan. 24, 1974.

Issued: March 13, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75-7830 Filed 3-27-75;8:45 am]

[Docket No. FI 527]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 39 FR 26186–93). A list of servicing companies is also available from the Federal Insurance Administration, HUD, 451 Seventh Street SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special hazards that is located within any community currently participating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program and flood insurance has been purchased.

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

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

§ 1914.4 List of Eligible Communities.

* * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
*	*	*	*	*	*	*
Georgia	Walton	Monroe, city of	Mar. 26, 1975, emergency	June 28, 1974		
Idaho	Idaho	Grangeville, city of	do	May 17, 1974		
Do	Boaner	Sandpoint, city of	do	June 21, 1974		
Indiana	Kociusko	Warsaw, city of	do	May 10, 1974		
Do	Davies	Elnora, town of	do	Dec. 7, 1973		
Kansas	Johnson	Prairie Village, city of	do	June 14, 1974		
Do	Rush	La Cross, city of	do	Feb. 22, 1974		
Kentucky	Campbell	Newport, city of	do	Feb. 1, 1974		
Maine	Cumberland	Gorham, town of	do	Nov. 15, 1974		
Massachusetts	Middlesex	Natick, town of	do	July 26, 1974		
Minnesota	Pine	Pine City, city of	do	Jan. 9, 1974		
Missouri	Stoddard	Bernie, city of	do	Mar. 29, 1974		
Do	Ray	Unincorporated area	do			
Nebraska	Washington	Kennard, village of	do	Sept. 13, 1974		
Do	Dakota	Homer, village of	do	Sept. 6, 1974		
New Hampshire	Hillsborough	Manchester, city of	do	Nov. 1, 1974		
Ohio	Clark	Springfield, city of	do	Apr. 12, 1974		
Wisconsin	Juneau	Lyndon Station, village of	do	May 24, 1974		

(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) as amended 39 FR 2787, Jan. 24, 1974.

Issued: March 19, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75–7831 Filed 3–27–75;8:45 am]

[Docket No. FI–528]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

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

Insurance policies can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association servicing company for the state (addresses are published at 39 FR 26186–93). A list of servicing companies is also available from the Federal Insurance Administration, HUD, 451 Seventh Street SW., Washington, D.C. 20410.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special hazards that is located within any community currently participating in the National Flood Insurance Program.

Until July 1, 1975, the statutory requirement for the purchase of flood insurance does not apply until and unless the community enters the program and the special flood hazards have been identified. However, on July 1, 1975, or one year after the identification of the community as flood prone, whichever is later, the requirement will apply to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition or construction in these areas unless the community has entered the program and flood insurance has been purchased.

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

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

§ 1914.4 List of Eligible Communities.

* * * * *

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
•	•	•	•	•	•	•
Illinois	Cook	North Riverside, Village of	Mar. 24, 1975, emergency	Feb. 1, 1974		
Do	Bureau	Princeton, city of	do	June 7, 1974		
Do	Lake	Vernon Hills, village of	do	Mar. 29, 1974		
Indiana	Putnam	Bainbridge, town of	do	July 19, 1974		
Do	Perry	Cannelton, city of	do	{Nov. 30, 1973 {Oct. 18, 1974		
Do	Montgomery	Crawfordsville, city of	do	Jan. 23, 1974		
Do	Hamilton	Cicero, town of	do	Feb. 1, 1974		
Do	Jasper	Demotte, town of	do	Feb. 15, 1974		
Do	Madison	Ingalls, town of	do	May 17, 1974		
Do	Noble	Kendallville, city of	do	June 14, 1974		
Do	Wabash	North Manchester, town of	do	Dec. 28, 1973		
Do	Porter	Valparaiso, city of	do	Jan. 9, 1974		
Do	Wayne	Unincorporated areas	do	Dec. 6, 1974		
Michigan	Ingham	East Lansing, city of	do	May 24, 1974		
Missouri	Saline	Marshall, city of	do	May 3, 1974		
Do	Pemiscot	Wardell, city of	do			
New York	Dutchess	Millbrook, village of	Do	May 31, 1974		
Pennsylvania	Westmoreland	Youngwood, borough of	do	June 21, 1974		
Tennessee	Lincoln	Petersburg, town of	do	Feb. 15, 1974		
Texas	Burnet	Burnet, city of	do	May 17, 1974		
Do	Rusk	Henderson, city of	do	Mar. 8, 1974		
Utah	Cache	Nibley, town of	do			
West Virginia	Kanawha	Charleston, city of		{May 10, 1974 {Jan. 24, 1975		
Do	Marion	Farmington, town of	do	May 31, 1974		
Do	do	Fairview, town of	do	do		
Wisconsin	Milwaukee	Brown Deer, village of	do	{Dec. 17, 1973 {Nov. 22, 1974		
Do	Grant	Lancaster, city of	do	May 31, 1974		
Do	Marathon	Stratford, village of	do	Dec. 17, 1973		
Do	Price	Phillips, city of	do	Jan. 9, 1974		
Do	Waukesha	Pewaukee, village of	do			
Do	Polk	Frederic, village of	do	May 31, 1974		
Do	Rock	Footville, village of	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) as amended 39 FR 2787, Jan. 24, 1974.

Issued: March 18, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

[FR Doc.75–7832 Filed 3–27–75;8:45 am]

Title 38—Pensions, Bonuses, and Veterans' Relief

CHAPTER I—VETERANS ADMINISTRATION

PART 0—STANDARDS OF ETHICAL CONDUCT AND RELATED RESPONSIBILITIES

Statement of Employment and Financial Interests

As provided in § 735.104, Civil Service rules and regulations (5 CFR § 735.104), there follows an amended list of positions in the Veterans Administration requiring filing of statement of employment and financial interest. Also amended is a section showing statements of employment and financial interest which must be submitted to the Administrator.

Compliance with the provisions of § 1.12 of this chapter, as to notice of proposed regulatory development and delayed effective date, is unnecessary since the amendments are merely internal procedure and practice.

1. In § 0–735–73, paragraph (e) is revised to read as follows:

§ 0.735–73 Employees required to submit statements.

• • • • •

(e) The following positions, which are classified at GS–13 or above except as otherwise indicated, are considered to meet the criteria of paragraph (a), (b), (c) or (d) of this section and have not been excluded under § 0.735–74; all appointees to these positions must file statements of employment and financial interests, except where an individual position in an included category may be exempted under § 0.735–74(a):

LIST OF POSITIONS REQUIRING FILING OF STATEMENT OF EMPLOYMENT AND FINANCIAL INTERESTS

Deputy Administrator.
Associate Deputy Administrator.
Assistant Deputy Administrator.
Chief Medical Director.
Chief Benefits Director.
Chief Data Management Director.
General Counsel.
Manager, Administrative Services.
Controller.
Assistant Administrator for Construction.
Chairman and Members, Contract Appeals Board.
Assistant Manager, Administrative Services, Central Office.
Director, Central Office Building and Supply Service.
Assistant Director, Central Office Building and Supply Service.
Director, Central Office Publications Service.
Assistant Director, Central Office Publications Service.
Deputy Assistant Administrator for Construction.
Director, Program Control and Analysis Staff (Construction).
Area Projects Directors (Construction).
Director of Architecture and Engineering.
Director of Planning and Development (Construction).
Utilities Contracting Officer.
Director, Research Staff (Construction).
All Service Directors in Office of Construction.
Resident Engineers (Construction) with authority to issue change orders, GS–11 and above.
Deputy Chief Data Management Director.
Director, Field Operations Service (Department of Data Management).
Chief, Equipment Planning and Evaluation Division (Department of Data Management).
Center Directors, Department of Data Management.
Deputy Chief Medical Director.
Assistant Chief Medical Director for Policy and Planning.
Associate Deputy Chief Medical Director for Operations.
Executive Assistant to Chief Medical Director.
Directors, Field Operations.
Assistant Chief Medical Director for Professional Services.
Deputy Assistant Chief Medical Director for Clinical Services.
Deputy Assistant Chief Medical Director for Clinical Support Services.
Director, Dietetic Service.
Deputy Assistant Chief Medical Director for Ambulatory Care.
Director, Medical Service.
Director, Nuclear Medicine Service.
Director, Nursing Service.
Director, Pathology Service.
Director, Pharmacy Service.
Director, Rehabilitation Medicine Service.
Director, Mental Health and Behavioral Sciences Service.
Deputy Director (Prosthetics Division), Surgical Service.
Director, Radiology Service.
Director, Surgical Service.
Assistant Chief Medical Director for Administration.
Director, Spinal Cord Injury Service.
Director, Building Management Service.
Director, Engineering Service.
Director, Manpower Grants Service.

Assistant Chief Medical Director for Academic Affairs.
Assistant Chief Medical Director for Dentistry.
Assistant Chief Medical Director for Research and Development.
Director, Veterans Canteen Service.
Deputy Director, Veterans Canteen Service.
Field Directors, Veterans Canteen Service.
Supervisory Buyers, Merchandising Division, Veterans Canteen Service.
Director, Supply Service.
Supply Management Officers (Class Title) GS–13 and up.
Supply Management Representatives (Class Title) GS–13 and up.
Contract Specialists (Class Title) GS–13 and up.
Chiefs, Supply Services, All Field Stations, GS–11 and above.
Chiefs, Business Services Division, Department of Medicine and Surgery Field Stations, GS–10 and above.
Directors of Field Stations, Department of Medicine and Surgery.
Assistant Directors of Field Stations, Department of Medicine and Surgery.
Chiefs of Staff, Department of Medicine and Surgery Field Stations.
Deputy Chief Benefits Director.
Director, Education and Rehabilitation Service.
Director, Compensation and Pension Service.
Director, Loan Guaranty Service.
Deputy Director, Loan Guaranty Service.
Field Directors, Area Field Office.
Directors, Department of Veterans Benefits Field Stations.
Assistant Director for Insurance, VA Center, Philadelphia.
Assistant Directors, Department of Veterans Benefits Centers.
Loan Guaranty Officers, Field Stations.
Assistant Loan Guaranty Officers, Field Stations.
Chiefs, Construction and Valuation Sections (Field Stations), GS–11 and above.
Chiefs, Loan Processing Sections (Field Stations), GS–11 and above.
Chiefs, Property Management Sections (Field Stations), GS–11 and above.
Director, National Cemetery System.
Executive Assistant to the Director, National Cemetery System.
Deputy Director, National Cemetery System.
Director, Headstone Service.
Director, Cemetery Service.
Chief, Fiscal Audit Division (Planning and Evaluation).
Assistant Chief, Fiscal Audit Division (Planning and Evaluation).
Director, Contract Compliance Service.
Deputy Director, Contract Compliance Service.
Supervisory Equal Opportunity Specialists (Contract Compliance).
Equal Opportunity Specialists (Contract Compliance).

2. In § 0.735–75, the introductory portion preceding paragraph (a) is revised to read as follows:

§ 0.735–75 Time and place for submission of employees' statements; reviewing officials.

An employee required to submit a statement of employment and financial interests under this part shall submit that statement to the Reviewing Official: Station head for field positions; department, staff office, or National Cemetery System head, as appropriate, for all other positions (including station heads); Administrator for the heads of departments, staff offices, and National Cemetery System, and all positions in the Office of the Administrator. The statement shall be submitted not later than:

* * * * *

(E.O. 11222 of May 8, 1965, 30 F.R. 6469, 3 CFR, 1965 Supp.; 5 CFR 735.104)

These amendments were approved by the Civil Service Commission on February 25, 1975, and are effective on March 28, 1975.

Approved: March 24, 1975.

By direction of the Administrator.

[SEAL] ODELL W. VAUGHN,
Deputy Administrator.

[FR Doc.75–8132 Filed 3–27–75;8:45 am]

Title 39—Postal Service

CHAPTER I—UNITED STATES POSTAL SERVICE

PART 601—PROCUREMENT OF PROPERTY AND SERVICES

Notices of Amendments to the Postal Contracting Manual

The Postal Contracting Manual, which has been incorporated by reference in the FEDERAL REGISTER (see 39 CFR 601.100), is amended from time to time through the issuance of Transmittal Letters, and notice of these amendments is published in the FEDERAL REGISTER (see 39 CFR 601.105). Counting Transmittal Letter 1, which accompanied the basic manual, the Postal Service has, up to the present time, issued 18 Transmittal Letters, all of which have been duly noticed in the FEDERAL REGISTER in accordance with § 601.105.

Beginning with Transmittal Letter 17, notice of amendments to the Postal Contracting Manual has appeared in the Rules and Regulations section of the FEDERAL REGISTER, changes have been briefly described, and the number, date, and volume and page of publication in the FEDERAL REGISTER have been added as amendments to § 601.105. Previously, except for Transmittal Letter 10, the notices of amendments were published in the Notices section of the FEDERAL REGISTER, without description and with no amendment to § 601.105.

This document, the purpose of which is to aid researchers, will conform, in part, past practice with that of the present by putting in one place, as amendments to § 601.105 all previous notices of the issuance of Postal Contracting Manual transmittal letters, with the letter number, date, and volume and page of publication in the FEDERAL REGISTER.

In consideration of the foregoing 39 CFR 601.105 is amended by adding the following:

§ 601.105 Amendments to the Postal Contracting Manual.

* * * * *

Amendments to postal contracting manual

Transmittal letter	Dated	FR publication
1	Oct. 8, 1971	36 FR 23216
2	Sept. 8, 1972	37 FR 25967
3	Oct. 16, 1972	37 FR 25967
4	Oct. 18, 1972	37 FR 25967
5	Dec. 5, 1972	37 FR 25967
6	Dec. 12, 1972	38 FR 2496
7	Dec. 28, 1972	38 FR 2496
8	Jan. 1, 1973	38 FR 2496
9	Jan. 8, 1973	38 FR 2496
10	Mar. 1, 1973	38 FR 14375
11	Apr. 27, 1973	38 FR 17886
12	June 29, 1973	38 FR 26238
13	July 10, 1973	38 FR 26238
14	Oct. 26, 1973	38 FR 34515
15	Feb. 15, 1974	39 FR 12936
16	June 14, 1974	39 FR 26206

This amendment to § 601.105 is effective immediately.

(5 U.S.C. 552(a), 39 USC 401, 404, 410, 411, 2008.)

ROGER P. CRAIG,
Deputy General Counsel.

[FR Doc.75–8015 Filed 3–27–75;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

[FRL 340–9]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

California: Approval and Disapproval of Compliance Schedules

On December 23, 1974, there was published in the FEDERAL REGISTER (39 FR 44237) a notice of proposed rulemaking which proposed to approve 29 compliance schedules for air pollution sources in California and to disapprove 2 such schedules. The schedules were submitted pursuant to 40 CFR 51.6 by the Governor of California, through his designee, as revisions to the compliance schedule portion of the California plan for implementation of the National Ambient Air Quality Standards. EPA received no comments from the public on the proposed rulemaking.

Each revision establishes a new date by which the individual air pollution source must comply with the applicable air pollution control regulations specified in the table below. This date is indicated in the table under the heading "Final Compliance Date." The schedules include incremental steps towards compliance with the specified regulations. While the table below does not include these interim dates, the actual compliance schedule does. The increments of progress, as well as the final compliance date, are legally enforceable by the Administrator pursuant to section 113 of the Clean Air Act, as amended (42 U.S.C. § 1857c–8).

The heading "Effective Date" in the table below refers to the date the compliance schedule becomes effective for purposes of federal enforcement. The entry "Immediately" under that heading indicates that the schedule will be federally-enforceable when the final

promulgation of the schedule becomes effective.

A copy of the complete California State Implementation Plan, including these schedules, is available for public inspection at the addresses listed below:

California State Air Resources Board
1709—11th Street
Sacramento CA 95814

Environmental Protection Agency, Region IX
Enforcement Division
100 California Street
San Francisco CA 94111

Environmental Protection Agency
Division of Stationary Source Enforcement
Room 3202, Waterside Mall
401 "M" Street, SW
Washington DC 20460

An evaluation report setting forth EPA's position on each of the schedules is also available at the office of EPA, Region IX.

Of the total of 29 compliance schedules proposed on December 23, 1974, 16 have since expired and the affected sources are now required to be in compliance with applicable air pollution control regulations. The Administrator has determined that the compliance schedules for the remaining 13 sources listed below are consistent with the requirements of section 110 of the Clean Air Act and 40 CFR Part 51. The schedules are therefore approved, pursuant to section 110 of the Act and 40 CFR 51.8, as revisions to the State compliance schedule portion of the approved California State Implementation Plan. The schedules for two Sources, Monolith Portland Cement Company and Simpson Lee Paper Company are disapproved because the final compliance date in each schedule extends beyond the allowable attainment date as specified in 40 CFR 52.238 and the State has not demonstrated that such revisions will not prevent the attainment and maintenance of a national standard. In the December 23, 1974 FEDERAL REGISTER publication it was proposed to amend 40 CFR 52.240 by adding these compliance schedules to paragraph (g) of that section. Paragraph (f) of that section, containing State compliance schedules, has since been promulgated. Therefore, these schedules will be promulgated in paragraph (f), rather than in paragraph (g) as proposed.

Accordingly, with that exception, the amendments proposed in the FEDERAL REGISTER on December 23, 1974, are hereby adopted without change and are set forth below.

EPA finds that good cause exists to make this rulemaking immediately effective because the schedules are already in effect in California under State law, each affected source is necessarily aware of the existence of the applicable schedule and of its increments, and EPA's approval of the schedules imposes no additional regulatory burdens. Therefore, for the reasons stated, this rulemaking is effective on March 28, 1975.

This rulemaking is promulgated under the authority of section 110 of the Clean Air Act, as amended (42 U.S.C. § 1857c–8).

Dated: March 20, 1975.

JOHN QUARLES,
Acting Administrator.

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

Subpart F—California

1. In § 52.220, paragraph (c) is amended as follows:

§ 52.220 **Identification of plan.**

* * * * *

(c) * * *

(8) Supplemental information (compliance schedules) was submitted by the California Air Resources Board on December 27, 1973, February 19, April 22, June 7 and 19, September 4 and 19, and October 18, 1974.

2. In § 52.240, paragraph (g) is amended by adding the following schedules to the table in subparagraph (1):

§ 52.240 **Compliance schedules.**

* * * * *

(f) * * *

(1) * * *

Source	Location (county)	Rule or regulation involved	Date of adoption	Effective date	Final compliance date
* * * *					
General Motors Corp., General Motors Assembly Division (order No. 1504–2).	Los Angeles	66(c)	June 25, 1974	do	July 1, 1975
U.S. Air Force—Norwalk facility	do	61	June 20, 1974	do	May 31, 1975
USAF, Castle Air Force Base (classified waste incinerator).	Merced	417	Apr. 25, 1974	do	May 31, 1975
Texaco, Inc. (order No. 66)	Monterey	415	Jan. 24, 1974	do	July 1, 1975
USAF, March Air Force Base (order No. 6–74).	Riverside	61	Mar. 19, 1974	do	July 31, 1975
Diamond Walnut Growers, Inc. (order No. 74–17).	San Joaquin	401, 404	May 16, 1974	do	June 15, 1975
Port of Stockton (order No. 73–8)	do	401, 404	Apr. 18, 1974	do	May 1, 1975
Johns-Manville Products Corp. (order No. 7).	Santa Barbara	16	Mar. 11, 1974	do	July 31, 1975
East-West Dairymen's Association (order No. 12).	Stanislaus	405, 406	July 24, 1974	do	July 24, 1975
Farmers Warehouse (order No. 7)	do	405, 406	Apr. 17, 1974	do	Mar. 13, 1975
Foremost-McKesson, Inc. (order No. 8).	do	405, 406	do	do	Apr. 4, 1975
Knudsen Corp., (order No. 9)	do	405, 406	do	do	Apr. 17, 1975
Pacific International Rice Mills, Inc. (order No. 74–603).	Yolo	2.19	Apr. 17, 1974	do	Apr. 17, 1975

3. In § 52.240, paragraph (g) is amended by adding a new subparagraph (2) as follows:

§ 52.240 **Compliance schedules.**

* * * * *

(f) * * *

(2) The compliance schedules for the sources identified below are disapproved as not meeting the requirements of § 51.15 of this chapter. All regulations cited are air pollution control regulations of the county in which the source is located, unless otherwise indicated.

Source	Location (county)	Rule or regulation involved	Date of adoption	Effective date	Final compliance date
Simpson Lee Paper Co. (order No. 72–V–7).	Shasta	3.2	Oct. 31, 1973	Immediately	Jan. 15, 1976
Monolith Portland Cement Co. (order No. 73–6 as amended Mar. 11, 1974).	Kern	401(b), 404. 1, 406	Dec. 31, 1973	do	July 1, 1976

[FR Doc.75–7893 Filed 3–27–75;8:45 am]

[FRL 339–3]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Kentucky: Approval of Compliance Schedules

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

On February 15, 1974, the Commonwealth of Kentucky submitted to EPA, pursuant to the above requirements, a number of compliance schedules. The compliance schedules were reviewed by the Agency to verify adherence to the requirements of 40 CFR Part 51 pertaining to public hearings, notice of hearings, plan revisions, and compliance schedules, as well as consistency with the control strategies of the Kentucky implementation plan. The schedules which met these

criteria were published in the FEDERAL REGISTER as proposed rulemaking on November 21, 1974 (39 FR 40867). Copies were made available for public inspection at the Agency's Region IV office in Atlanta, at the office of the Kentucky Division of Air Pollution in Frankfort, and at the Agency's Freedom of Information Center in Washington, D.C.; all interested parties were invited to submit written comments on the proposed compliance schedules.

No comments were received from the general public or from the affected sources. The Kentucky Division of Air Pollution and the Jefferson County Air Pollution Control District provided information on a number of schedules which had been changed since the Administrator's proposal of November 21, 1974. Those for which final compliance dates had been extended have been deleted from the listing given below. Also, one schedule has been deleted because it is subject to 40 CFR Part 60 (New Source Performance Standards).

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

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

Division of Air Pollution
Department for Natural Resources & Environmental Protection
311 East Main Street
Frankfort, Kentucky 40601

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

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

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

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

(Section 110(a) of the Clean Air Act (42 U.S.C. 1857-c5(a))).

Dated: March 20, 1975.

JOHN QUARLES,
Acting Administrator.

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

Subpart S—Kentucky

1. Section 52.920 is amended by inserting the date "February 15" [1974] in proper chronological order in paragraph (c)(2).

2. Section 52.927 is amended by inserting new lines in the tables of paragraph (c) as follows:

§ 52.927 Compliance schedules.

* * * * * *

(c) * * *

COMMONWEALTH OF KENTUCKY

Source and location	Regulation involved	Date of adoption	Effective	Final compliance date
Kentucky Electric Steel Co., Boyd County:				
Electric arc furnace	AP-3	Dec. 28, 1973	Immediately	Nov. 19, 1973
Do	AP-3	do	do	July 1, 1974
Do	AP-3	do	do	Oct. 4, 1974
Tundish and ladle lancing	AP-3	do	do	Sept. 27, 1974
Electric arc furnace	AP-3	do	do	Oct. 25, 1974
American Olean Tile Co., Hancock County:				
02 Calcine furnace	AP-9	do	do	Oct. 1, 1974
03 Allied tunnel kiln	AP-9	do	do	Do.
04 Allied tunnel kiln	AP-9	do	do	Do.
08 Allied tunnel kiln	AP-9	do	do	Do.
09 Allied tunnel kiln	AP-9	do	do	Do.
American Olean Tile Co., Breckinridge County:				
02 Allied tunnel kiln	AP-9	do	do	Do.
03 Allied tunnel kiln	AP-9	do	do	Do.
Parker Seal Co., Fayette County:				
Post cure oven vent	AP-3	Dec. 5, 1973	do	Apr. 1, 1975
Hard chrome operation exhaust	AP-3	do	do	Do.
Dr. Scholl Shoe Co., Pendleton County: Spray booth	AP-3	Nov. 26, 1973	do	Dec. 1, 1973
Kentucky Utilities Co. Ghent Facility, Carroll County: Unit No. 1.	AP-3	Nov. 15, 1973	do	June 1, 1974
	AP-4	do	do	Jan. 31, 1977
	AP-7	do	do	June 1, 1974
O. J. Thomas & Sons, Inc., Lewis County: Sawdust blowpipe system.	AP-3	Oct. 28, 1973	do	Nov. 1, 1973
Consolidated Ready Mix, Rowan County:				
02 Cement silo	AP-3	June 15, 1973	do	Dec. 30, 1973
Phelps Dodge Magnet Wire Co., Christian County:				
Magnet wire manufacturing	AP-3	Oct. 31, 1973	do	Apr. 1, 1975
Do	AP-9	do	do	Apr. 1, 1978
Burkesville Ready Mix, Cumberland County: 05 Truck loading.	AP-3	Oct. 5, 1973	do	Dec. 31, 1973
Reliable Wood Service, Inc., Edmonson County:				
Exhaust pipe	AP-3	Nov. 15, 1973	do	Jan. 31, 1974
Yard area and haul road	AP-3	do	do	Aug. 1, 1973
Buckhorn Hazard Coal Co., Perry County: 02 Stacker/conveyor.	AP-3	Nov. 21, 1973	do	Mar. 1, 1974
Clarence Maggard Coal Co., Leslie County: Mine car dump.	AP-3	Nov. 20, 1973	do	Dec. 15, 1973
Ecco Coal Mining Co., Perry County:				
Truck dump	AP-3	do	do	July 1, 1974
Conveyor	AP-3	do	do	Do.
Screens, crushers and car loading	AP-3	do	do	Do.
Henry Clay Mining Co., Pike County:				
01 Haul roads	AP-3	Nov. 19, 1973	do	Sept. 21, 1973
03 Crusher	AP-3	do	do	May 1, 1974
Indian Head Processing Co., Perry County:				
01 Truck dump	AP-3	Nov. 20, 1973	do	Mar. 1, 1974
04 Car loading	AP-3	do	do	Do.
North-East Coal Co., Johnson County: Truck dump area.	AP-3	Nov. 23, 1973	do	Apr. 30, 1974
Wade Hacker Sawmill, Clay County:				
Sawdust discharger	AP-3	Nov. 15, 1973	do	Dec. 15, 1973
Planer discharge	AP-3	do	do	Aug. 15, 1978
Haul roads	AP-3	do	do	July 15, 1973
Waste burning	AP-3	do	do	Aug. 31, 1973
Anderson & Spilman Milling Co., Boyle County: Cyclone exit.	AP-3	Nov. 23, 1973	do	Sept. 30, 1974
Duncan & McFarland Farm Service, Inc., Anderson County: Cyclone exit.	AP-3	Nov. 19, 1973	do	Do.
Farmers Feed Mill, Inc., Fayette County: Cyclone collector.	AP-3	do	do	Mar. 1, 1974
Lawrenceburg Supply Co., Anderson County:				
01 Silo	AP-3	Nov. 15, 1973	do	Jan. 1, 1974
02 Aggregate handling	AP-3	do	do	Do.
04 Haul roads	AP-3	do	do	Do.
Morgan Concrete Company, Inc., Jessamine County:				
Silo vent	AP-3	Nov. 21, 1973	do	Apr. 1, 1974
Truck loading	AP-3	do	do	Do.
National Casket Co., Garrard County:				
03 Cyclone collector for sanding	AP-3	Nov. 15, 1973	do	June 1, 1974
26 Adhesive spray booth	AP-3	do	do	Feb. 1, 1974
Shely Construction Co., Fayette County: Cement silo vent.	AP-3	Nov. 19, 1973	do	Dec. 1, 1973
Teater & Cassity Farm Service, Inc., Jessamine County: Cyclone exit.	AP-3	Nov. 23, 1973	do	Sept. 30, 1974
Ideal Supplies, Inc., Kenton County: Cement silo vent.	AP-3	Nov. 19, 1973	do	Feb. 20, 1975
Lingo Manufacturing Co., Inc., Boone County:				
Spray booth 4, 5, 6	AP-5	Dec. 20, 1973	do	Jan. 15, 1975
Baking oven 7, 8	AP-5	do	do	Do.
Wadsworth Electric Manufacturing Co., Kenton County: 04 Baking oven.	AP-5	Nov. 29, 1973	do	Sept. 23, 1974
William Booth Memorial Hospital, Kenton County: Incinerator.	AP-3	Nov. 15, 1973	do	Mar. 15, 1974

Source and location	Regulation involved	Date of adoption	Effective	Final compliance date
Nestaway-Coated Metallic Products, Inc., Ohio County:				
Stripper	AP-3	Dec. 28, 1973	do	Sept. 15, 1974
Fusion oven	AP-3	do	do	Feb. 1, 1975
Everman Lumber Co., Lewis County:				
Drag chain	AP-3	Nov. 15, 1973	do	Sept. 1, 1973
Yard storage area	AP-3	do	do	Do.
Chipper	AP-3	do	do	Nov. 30, 1973
Mullins & Sexton Pallets & Lumber, Carter County: Pallet shop.	AP-3	do	do	Dec. 30, 1973
Todd's Farm Supply, Bracken County: Corn grinding	AP-3	Nov. 19, 1973	do	June 1, 1974
Barber Cabinet, Inc., Washington County: Spray painting booth.	AP-3	Nov. 15, 1973	do	Jan. 31, 1974
Elizabethtown Ice Cream Co., Hardin County: Incinerator.	AP-3	do	do	Do.
Ennis Milling Co., Larue County:				
Haul roads	AP-3	Nov. 21, 1973	do	Sept. 1, 1973
Unloading area	AP-3	do	do	Mar. 1, 1974
Cyclone	AP-3	do	do	Do.
Goodman Bros. Co., Inc., Shelby County:				
Haul roads	AP-3	do	do	Sept. 15, 1973
J. B.'s Cabinet Shop, Hardin County: Spray paint booth.	AP-3	Nov. 15, 1973	do	Nov. 1, 1973
Jenkins-Essex Co., Inc., Hardin County:				
Sawdust collection	AP-3	do	do	Sept. 19, 1974
Cyclone exhaust	AP-3	do	do	Jan. 31, 1974
McAnelly Feed Mill, Marion County:				
Haul roads	AP-3	Nov. 21, 1973	do	Sept. 1, 1973
Unloading area	AP-3	do	do	June 1, 1974
Cyclone	AP-3	do	do	Do.
Reichmuth Sawmill & Lumber Co., Bullit County:				
01 Yard area	AP-3	Nov. 15, 1973	do	Jan. 1, 1974
02 Sawdust blowpipe	AP-3	do	do	Do.
Thompson's Heading & Stave Mill, Inc., Larue County:				
Debarker	AP-3	do	do	Do.
Heading mill	AP-3	do	do	Do.
Stavemill	AP-3	do	do	Do.
Chipper	AP-3	do	do	Do.
Associated Pallet, Inc., Muhlenberg County:				
02, 03 Debarker	AP-3	Dec. 20, 1973	do	June 1, 1974
04, 06 Sawdust blowpipe system	AP-3	do	do	Do.
05 Chipper and truck load	AP-3	do	do	Do.
01 Yard and roads	AP-3	do	do	Do.
07 Pallet mill blow system discharge	AP-3	do	do	Do.
Day Lumber Co., Muhlenberg County:				
Sawdust blowpipe	AP-3	Nov. 15, 1973	do	May 1, 1974
Road and yard	AP-3	do	do	Do.
Gelbel Lumber Co., Muhlenberg County:				
Debarker	AP-3	do	do	Dec. 31, 1973
Head saw and edger	AP-3	do	do	Oct. 1, 1974
Dimension mill	AP-3	do	do	Do.
Haul roads/yard	AP-3	do	do	Dec. 15, 1973
McIntosh Lumber Co., Todd County:				
Debarker	AP-3	Nov. 14, 1973	do	Mar. 1, 1974
Sawdust	AP-3	do	do	Do.
Chip van	AP-3	do	do	Do.
Roads and yard	AP-3	do	do	Do.
Pleasant View Greenhouses, Hopkins County: Coal-fired boilers Nos. 8177 and 7345.	AP-3	do	do	Apr. 1, 1975
Anderson Forest Products, Inc., Hart County:				
01 Sawdust blowpipe	AP-3	Dec. 21, 1973	do	Dec. 31, 1973
03 Sawmill	AP-3	do	do	Do.
04 Chipper, chip blower pipe	AP-3	do	do	Do.
05 Pallet mill	AP-3	do	do	Do.
Cumberland Stave Co., Inc., Lincoln County:				
Chipper	AP-3	Nov. 15, 1973	do	Jan. 1, 1974
Sawdust loading	AP-3	do	do	Do.
Farm Service, Inc., Barren County: Cyclone collector	AP-3	Nov. 21, 1973	do	Feb. 1, 1974
Gamble Brothers, Inc., Allen County:				
Teepee burner	AP-3	Dec. 7, 1973	do	Nov. 1, 1974
Cyclone	AP-3	do	do	Do.
Chipping and truck loading	AP-3	do	do	Nov. 1, 1973
Roads and yard	AP-3	do	do	Do.
Kern P. Kellar, Inc., Russell County: 02 Exhaust for planer.	AP-3	Nov. 15, 1973	do	May 1, 1974
Pulaski Block & Tile, Pulaski County: Cement silo vent.	AP-3	Nov. 20, 1973	do	Feb. 15, 1974
Tarter Gate Co., Inc., Casey County: Sawmill shaving, glowing.	AP-3	Nov. 15, 1973	do	June 1, 1974
Tompkinsville Block Co., Inc., Monroe County: Cement silo vent.	AP-3	Nov. 20, 1973	do	Jan. 15, 1974
Watson Lumber Co., Casey County: Sawdust handling.	AP-3	Nov. 13, 1973	do	Apr. 30, 1974
Deby Cola Co., Clay County:				
Coal storage dump	AP-3	Dec. 28, 1973	do	Feb. 1, 1974
Conveyor	AP-3	do	do	Do.
Screening and crushing	AP-3	do	do	Do.
Coal loading	AP-3	do	do	Do.
Haul roads	AP-3	do	do	July 1, 1973
Hammons Feed Mill, Laurel County: Hammermill cyclone.	AP-3	Dec. 27, 1973	do	July 1, 1974
Laminated Timbers, Inc., Laurel County:				
Sawdust blower	AP-3	Dec. 19, 1973	do	May 1, 1974
Open burning	AP-3	do	do	Nov. 15, 1973
Hale Lumber Co., Clay County:				
Debarker	AP-3	do	do	May 1, 1973
Blower	AP-3	do	do	Apr. 1, 1974
Haul roads	AP-3	do	do	May 1, 1973
Blower on stavemill	AP-3	do	do	Apr. 1, 1974
Faulkner-Fain Co., Inc., Jessamine County: Spray painting booth.	AP-3	Dec. 20, 1973	do	May 1, 1974
Karst Robbins Coal Co., Inc., Harlan County:				
Belt transfer	AP-3	Dec. 28, 1973	do	Do.
Conveyor transfer to stockpile	AP-3	do	do	Do.
Hawkins Building Supply, Lincoln County: Planing mill exhaust.	AP-3	Dec. 20, 1973	do	Apr. 15, 1974
Mallard Pen & Pencil Co., Inc., Scott County: 01, 02, 03 Paint spray booths (3).	AP-3	Dec. 27, 1973	do	Jan. 31, 1974

Source and location	Regulation involved	Date of adoption	Effective	Final compliance date
Tenacrest Division, Safegard Corp., Garrard County: Excelsior picking.	AP-3	Dec. 28, 1973	do	Dec. 31, 1973
Hardy Bros. Mill, Pendleton County: Cyclone separator.	AP-3	Dec. 21, 1973	do	Aug. 1, 1974
Signode Corp., Kenton County:				
Triclene-phosphatizing unit	AP-5	Dec. 28, 1973	do	Oct. 30, 1974
Degreaser	AP-5	do	do	Do.
Daviess County Sand & Gravel, Daviess County:				
Nos. 1 and 2 cement silo	AP-3	Dec. 27, 1973	do	Feb. 15, 1974
No. 3 truck loadout	AP-3	do	do	Do.
Herbert Woosley Batmill & Sawmill, Ohio County;				
Sawmill	AP-3	Dec. 20, 1973	do	Dec. 31, 1973
Yard area	AP-3	do	do	Oct. 15, 1973
Batmill	AP-3	do	do	Dec. 31, 1973
J. S. Coltrell & Co., Daviess County:				
Sawdust blowpipe discharge	AP-3	Dec. 21, 1973	do	Nov. 15, 1973
Open burning	AP-3	do	do	Oct. 11, 1973
Yard and roads	AP-3	do	do	Nov. 1, 1973
PB & S Chemical Co., Henderson County:				
03, 04, 05 Spray paint Booths	AP-3	Dec. 28, 1973	do	Aug. 30, 1974
07, 08, 09 Container filling	AP-3	do	do	Apr. 2, 1975
Tank vent, trailer vent	AP-9	do	do	Do.
17 Dry chemical blending	AP-3	do	do	Mar. 25, 1975
Sacra Lumber Co., Daviess County:				
Yard area and haul roads	AP-3	Dec. 20, 1973	do	Dec. 31, 1973
Debarker and sawmill	AP-3	do	do	Do.
Chipper	AP-3	do	do	Do.
Clarkson Feed Store, Grayson County: Cyclone collector.	AP-3	Dec. 27, 1973	do	May 1, 1974
Hedden-Reed Co., Shelby County:				
Stockpile	AP-3	Nov. 13, 1973	do	Mar. 1, 1974
Haul roads	AP-3	do	do	Do.
Small & Son, Grayson County:				
Circle saw	AP-3	Dec. 20, 1973	do	Dec. 31, 1973
Cutoff saw and sawdust blowpipe	AP-3	do	do	Do.
T & H Feed Service, Inc., Marion County: Cyclone exit.	AP-3	Dec. 28, 1973	do	Oct. 30, 1974
Community Feed Mill, Muhlenberg County: Cyclone exit.	AP-3	Dec. 21, 1973	do	Do.
Kevil Feed & Grain Co., Ballard County:				
Hammermill cyclone	AP-3	Dec. 18, 1973	do	Oct. 6, 1973
Receiving pit	AP-3	do	do	May 15, 1974
Car loading	AP-3	do	do	Dec. 15, 1973
Illinois Central Gulf R.R., McCracken County:				
Locomotive spray paint operation	AP-3	Dec. 28, 1973	do	Oct. 15, 1974
Sand blast	AP-3	do	do	Do.
James Enlow Sawmill, McCracken County:				
Pallet shop dust discharger	AP-3	Dec. 20, 1973	do	Mar. 15, 1974
Yard and roads	AP-3	do	do	Do.
James T. Mathis & Sons Lumber Co., Hickman County:				
Haul roads	AP-3	do	do	June 15, 1974
Sawmill blowpipe discharger	AP-3	do	do	Do.
Debarker	AP-3	do	do	Do.
Chipper	AP-3	do	do	Do.
Lilly Brothers Seed Co., Inc., Christian County: Hammermill cyclone exit.	AP-3	Dec. 24, 1973	do	Oct. 1, 1974
Long Silo Co., Caldwell County: Cement silo	AP-3	Dec. 28, 1973	do	Jan. 1, 1974
Lyles Concrete Co., Graves County: Cement silo vent.	AP-3	Dec. 27, 1973	do	Apr. 30, 1974
Moorman Wood Products, Inc., Muhlenberg County:				
Saw	AP-3	Dec. 20, 1973	do	Aug. 15, 1974
Planer	AP-3	do	do	Do.
Gang saw	AP-3	do	do	Do.
Haul roads	AP-3	do	do	Do.
Moss-American, Inc., Trigg County:				
Sawdust blowpipe discharge	AP-3	do	do	July 1, 1974
Chipper	AP-3	do	do	Do.
Haul road	AP-3	do	do	Do.
Debarker	AP-3	do	do	Do.
Chip loading at railroad car	AP-3	do	do	Do.
Reynolds & Doyle, McCracken County: Spray paint room.	AP-5	do	do	Mar. 30, 1974
Southern States Co-op., Inc., Caldwell County: Cyclone collector.	AP-3	Dec. 27, 1973	do	June 1, 1974
Tri-State Stave Co., Caldwell County:				
01, 02, 03, 04, sawdust blowpipe discharger	AP-3	Dec. 20, 1973	do	Aug. 1, 1974
5 haul roads	AP-3	do	do	Jan. 31, 1974
Warren Elevator, Inc., Todd County:				
Cyclone collector	AP-3	Dec. 28, 1973	do	July 1, 1974
Receiving pit	AP-3	do	do	Do.
Bulkload out	AP-3	do	do	Do.
Grain dryer	AP-3	do	do	Apr. 1, 1975
H & R Lumber Co., Inc., Butler County: Circle saw, multiple rip saw, 3 blowpipe exhaust.	AP-3	Dec. 20, 1973	do	Jan. 31, 1974
Christian Wood Products, Inc., Wayne County:				
Teepee burner	AP-3	do	do	Jan. 15, 1974
Indirect heat exchanger	AP-3	do	do	Apr. 9, 1975
Cyclone collectors	AP-3	do	do	Oct. 1, 1974
Crane Co., Pulaski County:				
Spray booths	AP-3	do	do	Jan. 31, 1974
Railroad unloading for clays	AP-3	do	do	Jan. 1, 1975
Kilns	AP-9	do	do	Do.
Dale Freeman Timber Co., Taylor County: Blowing sawdust from dimensioning saw.	AP-3	do	do	May 1, 1974
Denney Lumber Co., Pulaski County:				
Debarker	AP-3	Dec. 21, 1973	do	Jan. 15, 1974
Sawdust loading area	AP-3	do	do	Do.
Franklin Lumber Co., Inc., Simpson County:				
Weigh hopper	AP-3	Dec. 20, 1973	do	Dec. 1, 1973
Aggregate conveyor	AP-3	do	do	Do.
Aggregate hopper	AP-3	do	do	Do.

Source	Location	Regulations involved	Date of adoption	Effective date	Final compliance date
Lonnie Hayes & Sons Stove Co., Inc., Casey County: Stave mill.		AP-3	do	do	Mar. 1, 1974
Rone & McGuyer, Inc., Butler County:					
Planer and circle saw blowpipe exhaust		AP-3	do	do	Dec. 1, 1973
Sawdust blowpipe, gang saw		AP-3	do	do	Do.
Headsaw sawdust blowpipe		AP-3	do	do	Do.
Sewell C. Harlin Lumber Co., Barren County:					
1 and 2 blowpipe exhaust headsaw and edger		AP-3	do	do	July 1, 1974
03 Storage bin for planer		AP-3	do	do	Nov. 1, 1973
04 Debarker		AP-3	do	do	Do.
Somerset Wilbert Vault Co., Pulaski County:					
Cement storage silo		AP-3	Dec. 21, 1973	do	Apr. 1, 1974
Driveway		AP-3	do	do	Do.
Southland Manufacturing, Inc., Warren County:					
Sawdust collection cyclone exhaust		AP-3	Dec. 20, 1973	do	July 1, 1974
Yard area		AP-3	do	do	Nov. 11, 1973
Sprowl Lumber Co., Inc., Monroe County:					
Debarker		AP-3	Dec. 28, 1973	do	May 15, 1974
Headsaw		AP-3	do	do	Do.
Planer		AP-3	do	do	Do.
Haul roads		AP-3	do	do	Oct. 25, 1973
Stinson Lumber Co., Wayne County: Sawmill		AP-3	Dec. 20, 1973	do	Jan. 31, 1974
Watkins Lumber, Barren County: Sawmill		AP-3	Dec. 21, 1973	do	Do.
Withers Pallet Mill, Russell County: Sawdust blowing		AP-3	Dec. 20, 1973	do	June 1, 1974
Louisville Gas & Electric, Jefferson County:					
Cane Run, unit No. 4		[1] 4.0	Jan. 22, 1974	do	Mar. 1, 1976
Cane Run, unit No. 5		[1] 4.0	do	do	Nov. 1, 1976
Cane Run, unit No. 6		[1] 4.0	do	do	July 1, 1977

[1] These compliance schedules were adopted pursuant to regulation 4.0 of the Air Pollution Control Regulations of the Jefferson County Air Pollution Control District which requires the equivalent emission limitation as regulation AP-4 of the Kentucky Air Pollution Control Commission Regulations approved in the State implementation plan. These schedules are approved by the State of Kentucky Department for Natural Resources and Environmental Protection and submitted in satisfaction of the currently applicable State regulation. They are enforceable by the State agency pursuant to the provisions of KRS 224.450(4).

[FR Doc.75-7892 Filed 3-27-75;8:45 am]

[FRL 341-6]

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

North Carolina: Approval of Compliance Schedules

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

On November 2, 1973, pursuant to the above requirements, the State of North Carolina submitted for the Environmental Protection Agency's approval additional compliance schedules. These schedules were reviewed by the Agency to verify adherence to the requirements of 40 CFR Part 51 pertaining to public hearings, notice of hearings, plan revisions, and compliance schedules, as well as consistency with the control strategies of the North Carolina implementation plan. The schedules which met these criteria were published in the FEDERAL REGISTER as proposed rulemaking on March 20, 1974 (39 FR 10438). Copies were made available for public inspection at the Agency's Region IV office in Atlanta, at the office of the North Carolina Division of Environmental Management, and at the Agency's Freedom of Information Center in Washington, D.C.; all interested parties were invited to submit written comments on the proposed compliance schedules.

No comments were received from the general public or from the sources affected. The State, however, has informed the Agency that a number of sources for which schedules were proposed on March 20, 1974, have received a further extension of their deadline for attaining full compliance with the plan's requirements. Accordingly, these schedules have been deleted from the listing given below.

In his proposal of March 20, 1974, the Administrator set forth one group of schedules which were to be added to the tables established at 40 CFR 52.1774(a) on June 20, 1973 (38 FR 16144) as satisfying the requirements of 40 CFR 51.15 pertaining to compliance schedules; a second group was proposed as plan revisions: these were in effect revisions of schedules approved on June 20, 1973, the deadlines for final compliance having been subsequently extended by the State. It is now the Administrator's view, however, that it is more accurate to consider all compliance schedules submitted by North Carolina since the approval of its plan on May 31, 1972 (38 FR 10842) as plan revisions since all the State's emission limiting regulations (except the one for visible emissions, II-2) took effect on or before January 21, 1972. Therefore, the language of 40 CFR 52.1774 is revised to indicate that all the schedules contained in the table of paragraph (a) are plan revisions, and all the schedules listed in the present notice are incorporated in the tables of paragraph (a) as new lines or as revisions of existing lines.

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

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

North Carolina Division of Environmental Management
226 West Jones Street
Raleigh, North Carolina 27611

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

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

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

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

(Section 110(a), Clear Air Act (42 U.S.C. 1857-c5(a)))

Dated: March 21, 1975.

JOHN QUARLES,
Acting Administrator.

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

SUBPART II—NORTH CAROLINA

1. Section 52.1770 is amended by inserting in paragraph (c) in proper chronological order the date "November 2" [1973].

2. Section 52.1774 is amended by inserting the words "§ 51.6 and" before "§ 51.15" in the first sentence of paragraph (a) and by inserting new lines in the tables of paragraph (a) as follows:

North Carolina

Source	Location	Permit No.	Regulations involved	Date of adoption	Effective date	Final compliance date
Alamance County						
Alamance Knit Fabrics	Burlington	T-2222	II-2.2 IV-2.60	June 27, 1973	Immediately	Feb. 20, 1974
Cone Mills Corp.: Granite Plant.	Haw River	T-2235	II-2.2 IV-1.10 IV-2.40	do	do	Sept. 1, 1974
Tarbardrey Plant	do	T-2237	II-2.2 IV-1.10 IV-2.40	do	do	Do.
Dan River, Inc., Webco Knit Division.	Burlington	T-2248	II-2.2 II-5.2 IV-2.30	do	do	Feb. 28, 1974
Glen Raven Mills: Altamahaw Division.	Altamahaw	T-2234	II-2.2 IV-1.10	do	do	Oct. 22, 1973
Winn-Dixie Raleigh, Inc.:						
Store No. 874	Burlington	T-2364	IV-1.30	do	do	Dec. 15, 1973
Store No. 879	Graham	T-2370	IV-1.30	do	do	Do.
Anson County						
Burlington Industries: Ballet Hosiery Plant	Wadesboro	T-2344	II-1.3	June 29, 1973	Immediately	June 1, 1974
Wansona Manufacturing Corp.	Wadesboro	T-2299	II-2.2	do	do	Dec. 1, 1974
Beaufort County						
Cargill, Inc	Washington	T-2301	IV-2.30	July 27, 1973	Immediately	Aug. 1, 1974
Singer Furniture Division	do	T-2198	II-2.2 IV-1.10	June 27, 1973	do	Dec. 1, 1973
Bladen County						
Winn-Dixie Raleigh, Inc., No. 840.	Elizabethtown	T-2358	IV-1.30	June 29, 1973	Immediately	Nov. 1, 1973
Veeder-Root Co	do	T-2228	IV-2.60	June 27, 1973	do	Dec. 10, 1973
Brunswick County						
Royster Co	Navassa	T-2393	II-2.2 II-5.2 IV-1.50	July 27, 1973	Immediately	Oct. 1, 1974
Cabarrus County						
Folls, Inc	Harrisburg	T-2318	II-2.2 IV-2.30	June 28, 1973	Immediately	Jan. 30, 1974
Kerr Industries, Inc.: Plant 2:						
(a) Tenter frame	Concord	T-2324	II-2.2 IV-2.30	June 29, 1973	do	June 1, 1974
(b) Drum dryer	do	T-2324	II-2.2 IV-2.30	do	do	June 30, 1974
Oliver Martin Co., Inc	do	T-2321	II-2.2 IV-2.30	June 28, 1973	do	Dec. 31, 1973
Chatham County						
Evans Products Co	Moncure	T-2296	II-2.2 IV-2.40 IV-1.10	June 28, 1973	Immediately	Dec. 31, 1974
Cherokee County						
Bernhardt Industries, Inc., Mundy Lumber Co.	Marble	T-2275	II-2.2 IV-2.40 IV-1.10 IV-1.20	June 27, 1973	Immediately	Apr. 1, 1974
Chowan County						
Rose Brothers Paving Co., Inc.	Edenton	T-2206	II-2.2 II-5.2 IV-2.60 IV-1.40 IV-2.40	June 27, 1973	Immediately	Mar. 15, 1974
The United Piece & Dye Works.	do	T-2221	II-2.2 II-5.2 IV-1.10 IV-2.40 IV-2.60	do	do	Dec. 31, 1974

Columbus County						
Crown Knitwear, Inc.	Chadbourn	T-2196	II-1.3	June 27, 1973	Immediately	Dec. 31, 1973
Burrough's Tire Service	Whiteville	T-2219	II-1.3	do	do	Do.
Cumberland County						
Cobb Paving Co.	Fayetteville	T-1634	IV-1.40	May 8, 1972	Immediately	Dec. 31, 1973
Cumberland County Board of Education:						
(a) Beaver Dam School	Roseboro	T-1594	II-2.2 IV-1.10 IV-2.40	May 5, 1972	do	Oct. 1, 1973
(b) Lillian Black School	Springdale	T-1595	II-2.2 IV-1.10 IV-2.40	do	do	Do.
(c) Brentwood School	Fayetteville	T-1596	II-2.2 IV-1.10 IV-2.240	do	do	Do.
(d) Cashwell School	Hope Mills	T-1597	II-2.2 IV-1.10 IV-2.40	do	do	Do.
(e) Cedar Creek School	Fayettaville	T-1598	II-2.2 IV-1.10 IV-2.40	do	do	Do.
(f) College Lakes School	do	T-1599	II-2.2 IV-1.10 IV-2.40	do	do	Do.
(g) Cumberland Mills School.	do	T-1660	II-2.2 IV-1.10 IV-2.40	do	do	Do.
(h) District No. 7 School	Wade	T-1602	II-2.2 IV-1.10 IV-2.40	do	do	Do.
(i) Legion Road School	Hope Mills	T-1604	II-2.2 IV-1.10 IV-2.40	do	do	Do.
(j) Les Maxwell Administration Bldg.	Fayetteville	T-1621	II-2.2 IV-1.10 IV-2.40	do	do	Do.
(k) Oakdale School	do	T-1609	II-2.2 IV-1.10 IV-2.40	do	do	Do.
(l) Pine Fort School	do	T-1610	II-2.2 IV-1.10 IV-2.40	do	do	Do.
(m) Raleigh Road School	Linden	T-1611	II-2.2 IV-1.10 IV-2.40	do	do	Do.
(n) Reilly Road School	Fayetteville	T-1612	II-2.2 IV-1.10 IV-2.40	do	do	Do.
(o) Seabrook School	do	T-1613	II-2.2 IV-1.10 IV-2.40	do	do	Do.
(p) Stedman School	Stedman	T-1615	II-2.2 IV-1.10 IV-2.40	do	do	Do.
Winn-Dixie Raleigh, Inc.						
Store No. 877	Fayetteville	T-2353	IV-1.30	June 29, 1973	do	Nov. 1, 1973
Store No. 880	do	T-2355	IV-1.30	do	do	Do.
Store No. 895	do	T-2356	IV-1.30	do	do	Do.
Currituck County						
Beach Paving Co.	Spot	T-2220	II-2.2 II-5.2 IV-1.40 IV-2.40	June 27, 1973	Immediately	Nov. 30, 1973
Davidson County						
Burlington Industries, Inc.:						
Colony Craft Plant	Denton	T-2316	IV-2.60	June 28, 1973	Immediately	Dec. 31, 1973
Raleigh Road Plant	Lexington	T-2325	IV-2.60	June 29, 1973	do	Do.
Table Plant	do	T-2315	IV-2.60	June 28, 1973	do	Do.
United Plant:						
(a) Hydrocarbons	do	T-2322	IV-2.60	do	do	Do.
(b) Cyclones	do	T-2322	IV-2.60	do	do	July 1, 1974
Conner Carving Co., Inc.	Thomasville	T-2327	II-2.2 IV-2.30	June 29, 1973	do	April 1, 1974
Kepley-Frank Hardwood Co., Inc.	Lexington	T-2328	II-1.3	do	do	May 1, 1974
Masonite Corp.	Thomasville	T-2329	IV-2.60	do	do	Dec. 1, 1973
Thomasville Furniture Industries, Inc.:						
Plant A	do	T-2334	IV-2.60	do	do	Jan. 1, 1974
Plant B	do	T-2336	IV-2.60	do	do	Do.
Plant C	do	T-2335	IV-2.60	do	do	Do.
Plant D	do	T-2330	IV-2.60	do	do	Do.
Plant L	do	T-2331	IV-2.60	do	do	Do.
Plant T	do	T-2333	IV-2.60	do	do	Do.

Davie County						
Lowe's Food Store No. 17	Mocksville	T-2346	II-1.3	June 29, 1973	Immediately	Apr. 30, 1974
Edgecombe County						
Carolina Tire Co.	Rocky Mount	T-2247	II-2.2 II-5.2 IV-2.30	June 27, 1973	Immediately	Oct. 15, 1973
Edgecombe General Hospital	Tarboro	T-2296	IV-1.30	June 28, 1973	do	Nov. 6, 1973
Kaiser Agricultural Chemicals	Rocky Mount	T-2233	II-2.2 II-5.2 IV-1.50 IV-2.30	June 27, 1973	do	Dec. 1, 1973
Planters Oil Mill, Inc.:						
(a) Meal room operation	do	T-2379	II-2.2 II-5.2 IV-2.30	June 29, 1973	do	Oct. 1, 1973
(b) Lint handling operation	do	T-2379	II-2.2 II-5.2 IV-2.30	do	do	Oct. 1, 1974
F. S. Royster Merchantile Co., Inc.	Tarboro	T-2380	II-2.2 II-5.2 IV-1.50	do	do	Dec. 31, 1973
Winn-Dixie Raleigh, Inc., store No. 833.	do	T-2365	IV-1.30	do	do	Dec. 15, 1973
Franklin County						
Louisburg College	Louisburg	T-2289	II-2.2 IV-1.10 IV-2.40	June 28, 1973	Immediately	Oct. 1, 1973
Gaston County						
Gaston County schools:						
(a) Bessemer City Central Gym.	Bessemer City		II-2.2 IV-1.10	Apr. 10, 1973	Immediately	June 30, 1974
(b) Costner Elementary	Dallas		II-2.2 IV-1.10	do	do	Do.
(c) Cramerton School Gym	Cramerton		II-2.2 IV-1.10	do	do	Do.
(d) Lowell Elementary Gym.	Lowell		II-2.2 IV-1.10	do	do	Do.
(e) Lowell Elementary Bldg.	do		II-2.2 IV-1.10	do	do	Do.
(f) Lowell Elementary Office Bldg.	do		II-2.2 IV-1.10	do	do	Do.
(g) North Belmont Cafeteria.	North Belmont		II-2.2 IV-1.10	do	do	Do.
(h) North Belmont Office Bldg.	do		II-2.2 IV-1.10	do	do	Do.
(i) North Belmont Primary Bldg.	do		II-2.2 IV-1.10	do	do	Do.
(j) Mount Holly High Gym	Mount Holly		II-2.2 IV-1.10	do	do	Do.
(k) Mount Holly High Auditorium.	do		II-2.2 IV-1.10	do	do	Do.
(l) Mount Holly High School Old Bldg.	do		II-2.2 IV-1.10	do	do	Do.
(m) Pleasant Ridge	Gastonia		II-2.2 IV-1.10	do	do	Do.
(n) Robinson School	do		II-2.2 IV-1.10	do	do	Do.
(o) Springfield	Stanley		II-2.2 IV-1.10	do	do	Do.
Gates County						
Ashton Lewis Lumber Co.	Gatesville	T-742	II-1.3	Apr. 7, 1971	Immediately	Mar. 1, 1973
Graham County						
Bemis Hardwood Lumber Co.:						
(a) Open burning	Robbinsville	T-2279	II-1.3	June 28, 1973	Immediately	Sept. 1, 1973
(b) Fuel combustion	do	T-2279	II-2.2 IV-1.20	do	do	Dec. 31, 1973
Granville County						
Winn-Dixie Raleigh, Inc., store No. 848.	Oxford	T-2371	IV-1.30	June 29, 1973	Immediately	Dec. 15, 1973

Halifax County						
Uptegraff Southern, Inc.	Roanoke Rapids.	T-2249	IV-2.60	June 27, 1973	Immediately	Dec. 31, 1973
Winn-Dixie Raleigh, Inc., store No. 837.	do	T-2373	IV-1.30	June 29, 1973	do	Dec. 15, 1973
J. P. Stevens Co., Inc., Patterson Plant.	do	T-782	IV-1.10 IV-2.40	Apr. 15, 1971	do	July 15, 1973
Harnett County						
Alphin Brothers, Inc.	Dunn	T-2283	IV-1.30	June 28, 1973	Immediately	Oct. 31, 1973
Winn-Dixie Raleigh, Inc., store No. 897.	do	T-2340	IV-1.30	June 29, 1973	do	Nov. 1, 1973
Haywood County						
U.S. Plywood, Champion Papers, Inc.	Canton	T-792	II-2.2 IV-1.10 IV-2.40	Apr. 16, 1971	Immediately	June 30, 1973
Henderson County						
General Electric Co., Lighting Systems Division.	Hendersonville	T-2266	II-2.2 II-5.2 IV-2.60 IV-2.30	June 27, 1973	Immediately	Apr. 1, 1974
Hertford County						
Rose Brothers Paving Co., Inc.	Murfreesboro	T-2264	II-2.2 II-5.2 IV-1.40 IV-2.40 IV-2.60	June 27, 1973	Immediately	Mar. 15, 1974
Iredell County						
Bernhart Furniture Industries, plant No. 4.	Statesville	T-2332	IV-2.60	June 29, 1973	Immediately	Oct. 31, 1973
Lowe's Food Stores, Inc.:						
Store No. 7	do	T-2345	II-1.3	do	do	Apr. 30, 1974
Store No. 16	do	T-2347	II-1.3	do	do	Do.
Statesville Chair Co	do	T-2301	IV-2.60	June 28, 1973	do	Dec. 31, 1973
Superba Print Works	Mooresville	T-2306	IV-2.30	June 29, 1973	do	June 30, 1974
Troutman Chair Co.	Troutman	T-2339	II-2.2	do	do	Dec. 31, 1974
Jackson County						
Champion International Corp., Drexel Enterprises.	Whittier	T-2271	II-2.2 IV-1.10	June 27, 1973	Immediately	Nov. 30, 1973
Johnston County						
Gurley's Inc.	Selma	T-2385	IV-2.30	June 29, 1973	Immediately	June 30, 1974
T. E. Johnson Lumber Co.	Four Oaks	T-2230	II-1.3	June 27, 1973	do	Dec. 31, 1973
Ranch Redwood	Smithfield	T-2231	IV-2.60	do	do	Nov. 1, 1973
Winn-Dixie Raleigh Inc., No. 881.	do	T-2372	IV-1.30	June 29, 1973	do	Oct. 15, 1973
Lee County						
Carnes Corp.	Sanford	T-2239	IV-2.60	June 27, 1973	Immediately	Nov. 30, 1973
John W. Eshelman & Sons, Inc.	do	T-2236	IV-2.30	do	do	Nov. 1, 1973
Sanford City Board of Education, Sanford Central High School.	do	T-522	II-2.2 IV-1.10 IV-2.40	Mar. 8, 1971	do	Dec. 31, 1973
Lincoln County						
Leslie Fay, Inc.	Lincolnton	T-2309	II-2.2 IV-2.30	June 29, 1973	Immediately	Mar. 1, 1974
Lowe's Food Store No. 10	do	T-2348	II-1.3	do	do	Apr. 30, 1974

McDowell County						
International Musical Instruments.	Marion	T-2260	II-2.2 II-5.2 IV-2.60 IV-2.30	June 28, 1973	Immediately	Dec. 31, 1973
Marimont Furniture, Inc.	do	T-2273	II-2.2 II-5.2 IV-2.60 IV-2.30	do	do	Oct. 30, 1973
Marion Manufacturing Co.	do	T-2257	II-2.2 IV-1.10 IV-2.40	June 27, 1973	do	June 30, 1974
McDowell County Court House.	do	T-2261	II-2.2 IV-1.10 IV-2.40	do	do	May 15, 1974
Pine Valley Division of Ethan Allen, plant No. 1.	Old Fort	T-2264	II-2.2 II-5.2 IV-2.30 IV-2.60	do	do	Dec. 31, 1973
Macon County						
Zickgraf Hardwood Co.:						
(a) Woodworking plant	Franklin	T-1956	II-2.2 IV-2.30	Dec. 13, 1972	Immediately	June 30, 1973
(b) Woodwaste boilers	do	T-1956	II-2.2 IV-1.10	do	do	Aug. 1, 1973
Madison County						
Tri-County Concrete Co.	Mars Hill	T-2274	II-2.2 IV-2.30	June 27, 1973	Immediately	Dec. 31, 1973
Moore County						
Glendon Pyrophyllite, Inc.	Glendon	T-2242	IV-2.30	June 27, 1973	Immediately	Oct. 1, 1973
Fletcher Southern	Southern Pines	T-2238	IV-2.30	do	do	Dec. 31, 1973
Winn-Dixie Raleigh, Inc., store No. 855.	Raleigh	T-2354	IV-1.30	June 29, 1973	do	Dec. 15, 1973
Moore County						
Town of Vass	Vass	T-107	II-1.3	Oct. 30, 1970	Immediately	June 30, 1973
Nash County						
Whitakers Gin Co.	Whitakers	T-2118	II-2.2 IV-2.30	Mar. 2, 1973	Immediately	June 1, 1973
Nashville Building Supply Co.	Nashville	T-2094	II-2.2 IV-2.30	do	do	Dec. 30, 1973
Miller Manufacturing Co.	do	T-2290	II-2.2 IV-1.10 IV-2.40	June 28, 1973	do	Dec. 31, 1973
New Hanover County						
Sun Oil Co. of Pennsylvania	Wilmington	T-2210	IV-2.60	June 27, 1973	Immediately	Jan. 4, 1974
Northampton County						
Clary Lumber Co.	Gaston	T-2245	II-1.3	June 27, 1973	Immediately	Dec. 31, 1973
Vircar Plant Foods, Inc.	Severn	T-2250	II-2.2 IV-2.30	do	do	Do.
Orange County						
Cone Mills Corp., Eno Plant	Hillsborough	T-2253	II-2.2 IV-1.10 IV-2.40	June 27, 1973	Immediately	Sept. 1, 1974
Pasquotank County						
IXL Furniture Co.	Elizabeth City	T-2206	IV-2.60	June 27, 1973	Immediately	Dec. 31, 1973
Person County						
Roxboro Concrete Services, Inc.:						
Burch Ave. Plant	Roxboro	T-2240	II-2.2 IV-2.30	June 27, 1973	Immediately	Oct. 1, 1974
Depot St. Plant	do	T-2248	II-2.2 IV-2.30	do	do	July 1, 1974

Pitt County						
Fountain Milling Co	Fountain	T-2217	II-1.3	June 27, 1973	Immediately	Dec. 31, 1973
Garris-Evans Lumber Co	Greenville	T-2213	II-2.2 IV-1.10	do	do	Feb. 1, 1974
International Paper Co.:						
(a) Sander operation	Farmville	T-2202	II-2.2 IV-1.10 IV-2.00 IV-2.30	do	do	July 1, 1974
(b) Process steam boiler	do	T-2202	II-2.2 IV-1.10 IV-2.00 IV-2.30	do	do	Jan. 1, 1975
Union Carbide Corp	Greenville	T-2215	IV-2.60	do	do	July 15, 1974
Polk County						
Southern Mercerizing Co	Tryon	T-2282	II-2.2 IV-1.10 IV-2.40	June 28, 1973	Immediately	Dec. 31, 1973
Randolph County						
Carrick Turning Works, Inc	High Point	T-2308	IV-2.60	June 29, 1973	Immediately	Dec. 31, 1973
Gregson Manufacturing Co	Liberty	T-2305	II-2.2 IV-1.10 IV-2.40	June 28, 1973	do	Feb. 1, 1974
High Point Furniture Industries.	High Point	T-2314	IV-2.60	June 29, 1973	do	Dec. 31, 1973
Liberty Bi-Rite	Liberty	T-2342	II-1.3	do	do	Apr. 1, 1974
Liberty Chair Corp	do	T-2313	IV-2.60	do	do	Dec. 31, 1973
P & P Chair Co	Asheboro	T-2312	IV-2.60	do	do	Do.
Texfi Industries	Liberty	T-2388	II-2.2 IV-2.30	do	do	Oct. 1, 1974
Richmond County						
Southeastern Asphalt & Concrete Co., Inc.	Rockingham	T-2311	II-2.2 IV-1.40	June 29, 1973	Immediately	Apr. 1, 1974
Robeson County						
Texfi Textured Fibers	Lumberton	T-2386	II-2.2	June 29, 1973	Immediately	Oct. 31, 1974
Winn-Dixie Raleigh, Inc., Elm and Walnut Sts.	do	T-2357	IV-1.30	do	do	Nov. 1, 1973
Winn-Dixie Raleigh, Inc., 1000 Pine St.	do	T-2359	IV-1.30	do	do	Do.
Wakulla Gin Co	Wakulla	T-2001	II-2.2 IV-2.30	Dec. 15, 1972	do	June 1, 1973
Rutherford County						
Haynes Plant, Cone Mills Corp.	Henrietta	T-2255	II-2.2 IV-1.10 IV-2.40	June 27, 1973	Immediately	Sept. 1, 1970
The General Fireproofing Co.	Forest City	T-2262	II-2.2 II-5.2 IV-2.30 IV-2.60	do	do	Jan. 31, 1974
Rutherford Furniture Co., Inc.	Rutherfordton	T-2273	II-2.2 IV-1.10 IV-2.40	do	do	Oct. 15, 1973
Sampson County						
Fashion Farms, Inc	Clinton	T-2226	IV-2.60	June 29, 1973	Immediately	Dec. 31, 1973
McGill Brothers, Inc	Harrells	T-2227	II-1.3	June 27, 1973	do	Do.
Newton Grove Grain & Feed	Newton Grove	T-2284	IV-2.60	June 28, 1973	do	July 1, 1974
Salemburg Milling Co	Salemburg	T-2376	IV-2.30	June 29, 1973	do	Do.
Winn-Dixie Raleigh, Inc., store No. 838.	Clinton	T-2351	IV-1.30	do	do	Nov. 1, 1973
Scotland County						
Cox Furniture	Marion	T-2224	IV-2.60 IV-2.30	June 27, 1973	Immediately	Dec. 31, 1973
Winn-Dixie Raleigh Inc., store No. 823.	Laurinburg	T-2350	IV-1.30	June 29, 1973	do	Nov. 1, 1973
Waverly Mills, Inc	do	T-1996	II-2.2 IV-1.10 IV-2.40	Dec. 14, 1972	do	May 1, 1973
Stanly County						
Albemarle Scrap Metals	Albemarle	T-2310	II-2.2 IV-2.30	June 29, 1973	Immediately	Dec. 1, 1973

Surry County						
Surry County Board of Education, Westfield Elementary School:						
(1) Open burning	Westfield	T-1556	II-1.3	Apr. 28, 1972	Immediately	June 1, 1972
(2) Fuel combustion	do	T-1556	II-2.2 IV-1.10 II-5.2 IV-2.40	do	do	Sept. 1, 1973
Lowe's Food Stores, Inc., store No. 11.	Mount Airy	T-2343	II-1.3	June 28, 1973	do	Apr. 30, 1974
Oro Manufacturing Co	Monroe	T-2307	II-2.60	June 29, 1973	do	Dec. 31, 1973
Swain County						
Consolidated Furniture Industries.	Bryson City	T-2169	II-2.2 II-5.2 IV-2.60	Mar. 2, 1973	Immediately	Dec. 31, 1973
Vance County						
Vance County Board of Education, L. B. Yancey.	Henderson	T-1734	II-2.2 IV-1.10 IV-2.40	June 2, 1972	Immediately	Sept. 30, 1973
Wake County						
Beckanna Apartments	Raleigh	T-2287	IV-1.30	June 28, 1973	Immediately	Dec. 30, 1973
Carolina Culvert Manufacturing, Inc.	do	T-2294	II-2.2 II-5.2 IV-2.30 IV-2.60	do	do	Jan. 31, 1974
ESB, Inc., EMED	do	T-2381	II-2.2 II-5.2 IV-2.30 IV-2.40	June 29, 1973	do	Dec. 31, 1973
Raleigh Public Schools:						
(a) Barbee School	do	T-2252	II-2.2 IV-1.10 IV-2.40	June 27, 1973	do	Sept. 30, 1973
(b) Eliza Poole School	do	T-2251	II-2.2 IV-1.10 IV-2.40	do	do	Do.
North Carolina State Department of Correction, Central Prison:	do	T-2387	IV-2.60	June 29, 1973	do	June 1, 1974
(a) Paint manufacturing						
(b) License painting	do	T-2387	IV-2.60	do	do	Feb. 1, 1974
Rex Hospital	do	T-2291	IV-1.30	June 28, 1973	do	Dec. 31, 1973
Wake Memorial Hospital	do	T-2297	II-2.2 IV-1.30	do	do	June 1, 1974
Wake County Opportunities, Inc.	do	T-2288	II-2.2 IV-1.10 IV-2.40	do	do	Nov. 1, 1973
Weneo Furniture Co	Wendell	T-2292	II-2.2 IV-2.00	do	do	Aug. 31, 1974
Winn-Dixie Raleigh, Inc., store No. 846.	Zebulon	T-2369	IV-1.30	June 29, 1973	do	Oct. 15, 1973
Winn-Dixie Raleigh, Inc.:						
(a) Store No. 852	Raleigh	T-2363	IV-1.30	do	do	Do.
(b) Store No. 856	do	T-2362	IV-1.30	do	do	Do.
(c) Store No. 854	do	T-2361	IV-1.30	do	do	Do.
(d) Store No. 857	do	T-2360	IV-1.30	do	do	Do.
(e) Store No. 858	do	T-2368	IV-1.30	do	do	Do.
(f) Store No. 859	do	T-2367	IV-1.30	do	do	Do.
(g) Store No. 864	do	T-2366	IV-1.30	do	do	Do.
Panels, Inc	do	T-2100	II-2.2 IV-2.00	Mar. 2, 1973	do	June 1, 1973
Ward Transformer	do	T-2114	II-1.3	do	do	Do.
Westinghouse Electric Corp., Westinghouse Meter Division.	do	T-2153	II-5.2 IV-2.60	do	do	Sept. 1, 1973
Wayne County						
Boling Chair Co	Mount Olive	T-2214	IV-2.60	June 27, 1973	Immediately	Dec. 31, 1973
Wilson County						
Wilson City Board of Education:						
(a) Margaret Hearre School	Wilson	T-809	II-2.2 IV-1.10	Apr. 19, 1971	Immediately	Sept. 1, 1973
(b) Woodard School	do	T-810	II-2.2	do	do	Do.
Wilson County Board of Education:						
(a) Sims School	Sims	T-963	II-1.3	May 4, 1971	do	Dec. 31, 1972
		T-963	II-2.2 IV-1.10	do	do	Dec. 31, 1973
(b) Lamms School	Wilson	T-964	II-1.3	do	do	Dec. 31, 1972
		T-964	II-2.2 IV-1.10	do	do	Dec. 31, 1973
(c) Barkley Gin Co	Elm City	T-2009	II-2.2 IV-2.30	Mar. 2, 1973	do	Sept. 1, 1973
(d) Silver Lake Gin	do	T-2156	II-2.2 IV-2.30	do	do	Aug. 15, 1973
(e) Blue Bell, Inc	Wilson	T-2097	II-1.3	do	do	June 30, 1973
North Carolina Highway Commission, Asphalt Mix Plant.	do	T-1862	II-2.2 IV-1.40	Aug. 25, 1972	do	Dec. 31, 1972

Wilson County						
Wallace-Murry Corp., Fiberglass Division.	Wilson	T-2256	IV-2.60	June 28, 1973	Immediately	Mar. 31, 1974
Hardee's of Wilson, Herring Ave.	do	T-2286	II-2.2 II-5.2 IV-2.30	do	do	Jan. 15, 1974
Hardee's of Wilson, Tarboro St.	do	T-2285	II-2.2 II-5.2 IV-2.3	do	do	Do.
Winn-Dixie Raleigh, Inc., store No. 886.	do	T-2352	IV-1.30	June 29, 1973	do	Dec. 15, 1973
Kaiser Agriculture	do	T-1911	II-2.2 IV-2.30	Dec. 11, 1972	do	Sept. 1, 1973
Wilkes County						
Lowe's Food Store, Inc., store No. 5.	North Wilkesboro.	T-1949	II-1.3	Dec. 12, 1972	Immediately	Sept. 1, 1973
American Drew, Inc.:						
(a) Plant No. 1	do	T-2258	II-2.2 II-5.2 IV-2.30 IV-2.60	June 27, 1973	do	Dec. 31, 1973
(b) Plant No. 2	do	T-2259	II-2.2 II-5.2 IV-2.30 IV-2.60	do	do	Do.
Key City Furniture Co	do	T-2260	II-2.2 II-5.2 IV-2.30 IV-2.60	do	do	Do.
W. H. McElwee	do	T-2272	II-2.2 IV-1.10 IV-2.40	do	do	Jan. 31, 1974
Phillips Tire Service	do	T-2277	II-1.3 II-5.2 IV-2.30	June 28, 1973	do	Dec. 1, 1973
Yancey County						
Tri-County Concrete Co	Burnsville	T-2263	II-2.2 IV-2.30	June 27, 1973	Immediately	Dec. 31, 1973

3. Section 52.1774 is revised by changing the final compliance dates specified in the tables of paragraphs (a) for certain schedules approved on June 20, 1973 (38 FR 16144). As revised, the affected lines of paragraph (a) read as follows:

[Reprint following tables of 39 FR 10447–10448, making deletions indicated.]

North Carolina

Source	Location	Permit No.	Regulations involved	Date of adoption	Effective date	Final compliance date
Alamance County						
Alamance Ready-Mix Concrete Co., Inc.	Graham	T-1951	II-2.2 IV-1.90 IV-2.30	Dec. 13, 1972	Immediately	Oct. 31, 1973
Acme Feed Mills, Inc	Burlington	T-2035	II-2.2 IV-2.30	Jan. 5, 1973	do	Do.
Chatham County						
Lee Paving Co	Pittsboro	T-1974	II-2.2 IV-1.40	Dec. 13, 1972	Immediately	Sept. 15, 1973
Columbus County						
Town of Lake Waccamaw	Lake Waccamaw.	T-266	II-1.3	Jan. 8, 1971	Immediately	Jan. 1, 1974
Johnston County						
Overton Co	Kenly	T-1428	II-2.2 IV-1.10 IV-2.40	Oct. 15, 1971	Immediately	Nov. 1, 1973
Lincoln County						
Cochrane Furniture Co., Inc.	Lincolnton	T-2023	II-2.2 IV-1.10 IV-2.40	Jan. 5, 1973	Immediately	Oct. 30, 1973
New Hanover County						
Exxon Co. (Humble Oil)	Wilmington	T-2060	IV-2.60	Mar. 2, 1973	Immediately	Nov. 1, 1973

Pender County						
C. H. Clark & Son, Inc.	Rocky Point	T-265	II-1.3	Jan. 8, 1971	Immediately	Dec. 31, 1973
Pitt County						
Town of Farmville	Farmville	T-294	II-1.3	Jan. 19, 1971	Immediately	Mar. 31, 1974
Town of Grimesland	Grimesland	T-228	II-1.3	Dec. 28, 1970	do	Do.
Town of Fountain	Fountain	T-133	II-1.3	Nov. 10, 1970	do	Do.
Richmond County						
Standard Foundry & Manufacturing Co.	Rockingham	T-1841	II-2.2 II-5.2 IV-2.20 IV-2.30 IV-2.40	July 19, 1972	Immediately	Feb. 28, 1974
Rutherford County						
N. C. Display Fixture Co.	Forest City	T-2168	II-2.2 II-5.2 IV-2.60	Mar. 2, 1973	Immediately	May 31, 1974
Wright Veneer Co., Inc.	Spindale	T-1878	II-2.2 IV-1.10 IV-2.40	Apr. 11, 1972	do	Apr. 1, 1974
Wilkes County						
W. B. Sale & Sons, Inc.	Ronda	T-2091	II-2.2 IV-1.10 IV-2.40	Jan. 5, 1973	Immediately	Apr. 1, 1974

[FR Doc.75-7894 Filed 3-27-75;8:45 am]

SUBCHAPTER E—PESTICIDE PROGRAMS

[FRL 353-6; OPP-262819]

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

Methazole

On June 6, 1973, notice was given (38 FR 15103) that Velsicol Chemical Corp., 341 East Ohio St., Chicago IL 60611 had filed a petition (PP 3F1392) for a pesticide tolerance with the Environmental Protection Agency (EPA). This petition proposed establishment of a tolerance for combined negligible residues of the herbicide methazole (2-(3,4-dichlorophenyl)-4-methyl-1,2,4-oxadiazolidine-3,5-dione) and its metabolites 1-(3,4-dichlorophenyl)-3-methylurea and 3,4-dichlorophenylurea in or on the raw agricultural commodity cottonseed at 0.1 part per million.

The data submitted in the petition and other relevant material have been evaluated. The herbicide is considered useful for the purpose for which the tolerance is sought. There is no reasonable expectation of residues in eggs, meat, milk, or poultry, and § 180.6(a)(3) applies. It has been determined that a tolerance should also be established to cover the residues of the metabolites and § 180.3 is being amended accordingly. Tolerances established by this regulation and the amendment to Section 180.3 will protect the public health.

Any person adversely affected by this regulation may, on or before April 28, 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 provision for 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 28, 1975, Part 180, Subpart A, is amended by revising § 180.3(d) and Subpart C is amended by adding § 180.357.

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

Dated: March 26, 1975.

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

Part 180 is amended by adding the new subparagraph (9) to § 180.3(d), Subpart A, to read as follows.

§ 180.3 Tolerances for related pesticide chemicals.

* * * * * * *

(d) * * *

(9) Where a tolerance is established for more than one pesticide having the metabolites 1-(3,4-dichlorophenyl)-3-methylurea (DCPMU) and 3,4-dichlorophenylurea (DCPU) found in or on a raw agricultural commodity, the total amount of such residues shall not exceed the highest established tolerance for a pesticide having these metabolites.

* * * * * * *

Part 180 is further amended by adding § 180.357 to Subpart C to read as follows.

§ 180.357 Methazole, tolerances for residues.

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

[FR Doc.75-8304 Filed 3-27-75;11:24 am]

Title 41—Public Contracts and Property Management

CHAPTER 60—OFFICE OF FEDERAL CONTRACT COMPLIANCE, EQUAL EMPLOYMENT OPPORTUNITY, DEPARTMENT OF LABOR

PART 60-1—OBLIGATIONS OF CONTRACTORS AND SUBCONTRACTORS

State and Local Government Equal Employment Opportunity Requirements for Federally Assisted Construction Contracts; Rescission

The Secretary of Labor has been ordered to rescind 41 CFR 60-1.4(b)(2), published in the FEDERAL REGISTER on January 21, 1974 (39 FR 2365) because it was promulgated without proper notice, opportunity for public participation and delay in the effective date as required by the Administrative Procedure Act (5 U.S.C. 553). Therefore, he has found that notice and public procedure for the rescission of this subparagraph are unnecessary and are not in the public interest. The rescission will accordingly become effective on March 28, 1975.

Subparagraph (b)(2) of § 60-1.4, Chapter 6, Title 41 of the Code of Federal Regulations of the United States of America is hereby rescinded.

Dated: March 17, 1975.

RICHARD F. SHUBERT,
Acting Secretary of Labor.

BERNARD E. DELURY,
Assistant Secretary for Employment Standards.

PHILIP J. DAVIS,
Director, Office of Federal Contract Compliance.

[FR Doc.75-8117 Filed 3-27-75;8:45 am]

Title 9—Animals and Animal Products

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

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

PACKAGING, LABELING AND PRODUCTION REQUIREMENTS

Miscellaneous Amendments

On January 3, 1975, a notice of proposed amendments to Parts 112, 113, and

114, was published in the FEDERAL REGISTER at 40 FR 788.

On January 27, 1975 a notice of proposed amendments to Part 113 was published at 40 FR 4017.

These amendments add a new paragraph to Part 112 in which special label requirements for wart vaccine are codified. They include the recommended dosage and route of administration.

These amendments also add a new section in Part 113 which contains an administrative policy pertaining to serial to serial potency tests developed by a license applicant to support a license application. These amendments establish the degree of confidentiality of the details of the test submitted.

These amendments provide a new two stage potency test to simultaneously evaluate the Eastern and the Western fractions of Encephalomyelitis Vaccine. This new test replaces the two tests currently being used for this product.

These amendments clarify the test procedure to be followed in conducting tests for bacteria and fungi except in live vaccine. These amendments increase the consistency of results by specifying uniform procedures to be used.

These amendments clarify the regulation pertaining to the determination of expiration dates. § 114.13 is revised to specifically provide for the expiration date determination for live virus vaccines, live bacterial vaccines, inactivated biological products and antiserums. Storage of harvested material to be used in the preparation of a biological product is authorized.

Comments were received from four people on the proposal published January 3, 1975. All were generally favorable although changes were suggested by three, one of which was accepted.

One requested an exemption which was rejected as being unjustified. One suggested the inclusion of more details. This suggestion was rejected as being unnecessarily restrictive.

Comments were received from four people on the proposal published January 27, 1975. Three were very favorable but one suggested change which could not be scientifically justified and the suggestion was rejected. Another suggested change was accepted for clarification.

After due consideration of all relevant matters, including the proposals set forth in the aforesaid notice of rulemaking, and the constructive and helpful suggestions received from representatives of the biologics industry, revisions of the material proposed were made for clarification of the procedures to be followed and for scientific accuracy.

Pursuant to the authority contained in the Virus-Serum-Toxin Act of March 4, 1913 (U.S.C. 151–158), the amendments of Part 113, Subchapter E, Chapter 1, Title 9 of the Code of Federal Regulations, as contained in the aforesaid notice are hereby adopted and are set forth herein subject to the following noted modifications:

The words "in two or more sites" have been deleted from the label requirement in § 112.7(i) for wart vaccine. In § 113.126, "virus-bearing" has been hyphenated.

§ 113.127(b) (3) and (4) were corrected by deleting "Provided, That," and substituting "except, that,."

PART 112—PACKAGING AND LABELING

1. Section 112.7 is amended by adding a new paragraph (i) to read:

§ 112.7 Special additional requirements.

* * * * *

(i) In the case of wart vaccine, recommendations shall be limited to use in bovines. All labels shall include a dosage recommendation of at least 10 ml to be given subcutaneously and the dose repeated in 3 to 5 weeks.

PART 113—STANDARD REQUIREMENT

2. Part 113 is amended by adding a new § 113.9 to read:

§ 113.9 New potency test.

A potency test written into the filed Outline of Production for a product shall be considered confidential information by Veterinary Services until at least two additional product licenses are issued for the product or unless use of the test is authorized by the licensee, in which case, such potency test may be published as part of the Standard Requirement for the product.

(a) Until a potency test is published as part of the Standard Requirement for the product, reference to such a test shall be made in the filed Outline of Production and the test shall be conducted.

(b) When a potency test has been published as part of the Standard Requirement, such test shall be conducted unless the product is specifically exempted as provided in § 113.4.

3. Sections 113.26(b) (1) and (2) are revised to read:

§ 113.26 Detection of viable bacteria and fungi except in live vaccine.

* * * * *

(b) Test procedure:

(1) Ten test vessels shall be used for each of two media selected in accordance with paragraphs (a)(1), (a)(2), or (a)(3) of this section. Each test vessel shall contain sufficient medium to negate the bacteriostatic or fungistatic activity in the inoculum as determined in § 113.25(d).

(2) Inoculum:

(i) When completed product is tested, 10 final container samples from each serial and each subserial shall be tested. One ml from each sample shall be inoculated into a corresponding individual test vessel of culture medium; Provided, That, if each final container sample contains less than 2 ml, one-half of the contents shall be used as inoculum for each test vessel.

(ii) When cell lines, primary cells, or ingredients of animal origin are tested, at least a 20 ml test sample from each lot shall be tested. One ml shall be inoculated into each test vessel of medium.

* * * * *

4. Section 113.126 is revised to read:

§ 113.126 Wart Vaccine, Killed Virus.

Wart Vaccine, Killed Virus, shall be prepared from virus-bearing epidermal toumors (warts) obtained from a bovine. Each serial shall meet the requirements prescribed in this section and any serial found unsatisfactory by a prescribed test shall not be released.

(a) *Purity.* Final container samples of completed product shall meet the requirements for purity as prescribed in § 113.120(c) (1) and (3).

(b) *Safety.* Bulk or final container samples of completed product shall meet the requirements for safety as prescribed in § 113.33(b) and § 113.38.

(c) *Formaldehyde content.* Bulk or final container samples of completed product shall meet the requirements for formaldehyde content as prescribed in § 113.120(f).

(d) *Potency and efficacy.* The efficacy of wart vaccine has been demonstrated to the satisfaction of Veterinary Services as being a valuable biological product. The inherent nature of the product precludes the possible development of serial to serial potency tests and none is required; Provided, That,

(1) The vaccine shall be a tissue extract representing at least 10 percent weight to volume suspension of wart tissue; and

(2) The vaccine shall be limited to use in the prevention of warts in bovines. Dosage recommendations shall be in accordance with § 112.7(i).

5. Section 113.127 is amended by revising paragraph (b) to read:

§ 113.127 Encephalomyelitis Vaccine, Eastern and Western, Killed Virus.

* * * * *

(b) *Potency test.* Bulk or final container samples of completed product from each serial shall be tested for potency in accordance with the two stage test provided in this paragraph. The serological interpretations required in this test shall be made for the Eastern Type fraction and the Western Type fraction independent of each other except that a serial or subserial found unsatisfactory for either fraction shall not be released.

(1) For this test, a guinea pig dose shall be one-half the amount recommended on the label for a horse and shall be administered as recommended for a horse. Each of 10 healthy guinea pigs (vaccinates) shall be injected with two guinea pig doses with an interval of 14 to 21 days between doses. Two additional guinea pigs from the same source shall be held as controls.

(2) Fourteen to 21 days after the second injection, serum samples from each vacinate and each control shall be tested by the plaque reduction serum neutralization test.

(3) If the control serum samples show a titer greater than 1:2 for either or both fractions, the test is inconclusive for that fraction or fractions, as the case may be, and may be repeated; except that, if 4 or more of the vaccinate serum samples show a titer of less than 1:4 for the Eastern type fraction or less than

1:32 for the Western type fraction, the serial or subserial is unsatisfactory without further testing.

(4) If 2 or 3 of the vaccinate serum samples show a titer of less than 1:4 for the Eastern type fraction or less than 1:32 for the Western type fraction or both, the second stage may be used; except that, if 1 or less such samples meet the titer requirements for one fraction in the first stage, such fraction need not be retested. Otherwise, the second stage shall be conducted in a manner identical to the first stage.

(5) If the second stage is used and 4 or more of the vaccinate serum samples show a titer of less than 1:4 for the Eastern type fraction or less than 1:32 for the Western type fraction, the serial or subserial is unsatisfactory.

(6) The results shall be evaluated according to the following table:

	Cumulative totals		
Stage	Vaccinates	Failures for acceptance	Failures for rejection
1	10	1 or less	4 or more.
2	20	3 or less	Do.

PART 114—PRODUCTION REQUIREMENTS FOR BIOLOGICAL PRODUCTS

6. The introductory portion of § 114.13 (b) and paragraphs (b) (1) and (2), and the introductory portion of § 114.13(c) are revised; paragraphs (c) (1), (2), and (3) are deleted; and new paragraphs (d), (e) (1), and (2) and paragraph (f) are added to read:

§ 114.13 Expiration date determination.

* * * * *

(b) *Storage.* A licensee may store partially completed biological products or harvested material to be used in the preparation of a biological product for a period specified in the Outline of Production and the expiration date shall be determined from the date the material is removed from storage for preparation of final product; Provided, That,

(1) Data acceptable to Veterinary Services can be furnished to establish that the time or storage conditions shall not adversely affect the quality of the final product; and

(2) Each serial shall be tested for potency at the time of release by a suitable test such as, but not limited to, virus titrations, bacteria counts and antitoxin unit determinations.

(c) *Live Virus Vaccine.* To determine the expiration date of a live virus vaccine, each serial of vaccine shall be tested for virus content at release and at the approximate expiration date until a statistically acceptable stability record has been established. All estimations of virus content shall be based on valid 50 percent end-point titrations.

(d) *Live bacterial vaccines.* To determine the expiration dates for live bacterial vaccines, each serial of vaccine shall be tested for potency at release and at its approximate expiration date until a statistically acceptable stability record has been established.

(e) *Inactivated biological products.* The expiration dates for inactivated biological products shall be determined in accordance with the conditions prescribed in a Standard Requirement, a filed Outline of Production for the product and paragraphs (e) (1) and (2) of this section.

(1) The expiration date shall be based upon stability data designed to show adequate potency of the biological product on or after the dating requested and subsequently confirmed by potency tests on all prelicensing serials.

(2) Subsequent changes in the expiration date may be granted, based upon stability data confirmed by potency tests on five consecutive serials at least 6 months beyond the date requested by the licensee.

(f) *Antitoxins, antiserums, normal serums.* The expiration dates shall be calculated from the date of the latest satisfactory tests conducted in accordance with § 113.250 and prescribed in a Standard Requirement for the product or in a filed Outline of Production or both.

(37 Stat. 832–833; 21 U.S.C. 151–158)

Effective date: These amendments take effect April 28, 1975.

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

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

[FR Doc.75–8078 Filed 3–27–75;8:45 am]

PART 112—PACKAGING AND LABELING

Permits for Biological Products

Pursuant to the authority contained in the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151–158), Subchapter E, Chapter 1 of Title 9 of the Code of Federal Regulations is amended by making a reference change in the lead paragraph in § 112.9 to conform to the codification of regulations pertaining to permits for biological products in a new Part 104 (38 FR 32916, November 29, 1973).

The introductory paragraph of § 112.9 is revised to read:

§ 112.9 Biological products to be imported for research and evaluation.

A biological product imported into the United States for research and evaluation under a permit issued in accordance with Part 104 of this subchapter shall be labeled as provided in this section.

* * * * *

This amendment is administrative and the change is conformative in nature and makes no substantive changes in the affected regulations.

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

The foregoing amendments shall become effective upon issuance.

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

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

[FR Doc.75–8077 Filed 3–27–75;8:45 am]

Title 10—Energy

CHAPTER I—NUCLEAR REGULATORY COMMISSION

PART 31—GENERAL LICENSES FOR BYPRODUCT MATERIAL

PART 70—SPECIAL NUCLEAR MATERIAL

Organization and Procedural Changes; Correction

In FR Doc. 75–5205, appearing at page 8774, in the issue for March 3, 1975, the following changes should be made:

1. Paragraph 131, Part 31, on page 8785, second column, is corrected to read as follows:

§ 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" to "pursuant to Parts 30 and 36 of this chapter", 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 "persons holding a specific license pursuant to Parts 30 and 32 of this chapter or from an Agreement State".

2. Paragraph 218, Part 70, on page 8791, second column, is corrected to read as follows:

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 1974 are involved,[1] any prime contractor of the Administration 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 contractor, under his prime contract with the Administration receives title to, owns, acquires, delivers, receives,

[1] The Administration facilities identified in section 202 are:

possesses, uses, transfers, imports or exports special nuclear material for:

(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.

(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, 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 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.

3. Paragraph 219, Part 70, on page 8791, third column, is corrected to read as follows:

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 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.

Dated at Washington, D.C. this 25th day of March 1975.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc.75-8104 Filed 3-27-75;8:45 am]

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 213—OIL IMPORT REGULATIONS

Adjustment of Oil Import License Fee Payments

On March 13, 1975, the Federal Energy Administration (FEA) published proposed amendments to § 213.35 in order to implement Proclamation No. 4355, amending Proclamation No. 3279, as amended, pursuant to which FEA administers the Mandatory Oil Import Program (40 FR 12287, March 18, 1975). Section 2 of Proclamation No. 4355 authorizes the Administrator to determine at what point crude oil, unfinished oils, and finished products shipped into United States territories and foreign trade zones shall become subject to import license fees and supplemental fees. Section 3 of the Proclamation provides that the fees and supplemental license fees imposed with respect to imports into Puerto Rico, or imports into Districts I–V which are shipped to Puerto Rico, with or without further processing, shall be reduced by the amount of any excise tax or other levy imposed by the Government of Puerto Rico on such imports as are not shipped to Districts I–V.

In its notice of proposed rulemaking, FEA stated, with respect to the proposed amendments implementing sections 2 and 3:

> Since FEA's proposed amendments may result in recomputation of fee payments due March 31 for crude oil, unfinished oils, and finished products shipped from U.S. territories and foreign trade zones to U.S. customs territory, and imported into Puerto Rico, FEA will shortly issue a regulation postponing the due date of these payments until April 30.

Upon further study, however, FEA became aware that it was not authorized to issue such a deferral, in light of the requirement in section 3(a)(1)(vi) of Proclamation No. 3279, as amended, that "payment of the fees prescribed in paragraph 3(a)(1)(iii) (the supplemental fees) shall be made no later than the last day of the month following the month in which such imports were released from customs custody or entered or withdrawn from warehouse for consumption, whichever occurs first."

FEA recognizes that its inability to defer payments until final regulations implementing the Proclamation are issued and recomputations on the basis thereof are made, will cause some importers to incur fees that the Proclamation intends to remit. In view of these circumstances, FEA shall make every effort to alleviate any resulting difficulties to importers by refunding, on an expedited basis as soon as the implementing regulations are issued, any overpayments.

Issued in Washington, D.C. March 26, 1975.

ROBERT E. MONTGOMERY, Jr.,
General Counsel,
Federal Energy Administration.

[FR Doc.75-8298 Filed 3-27-75;9:13 am]

proposed rules

DEPARTMENT OF THE TREASURY

Customs Service

[19 CFR Part 6]

AIR COMMERCE REGULATIONS

Private Aircraft Arriving From Areas South of the United States

Notice is hereby given that under the authority of R.S. 251, as amended (19 U.S.C. 66), section 624, 46 Stat. 759 (19 U.S.C. 1624), and section 1109, 72 Stat. 799, as amended (49 U.S.C. 1509), it is proposed to amend Part 6 of the Customs Regulations (19 CFR Part 6) by amending paragraphs (a) and (b) of § 6.2 and by adding a new § 6.14 to set forth special reporting requirements and control procedures for private aircraft arriving from certain areas south of the United States.

The special requirements and procedures are deemed necessary because of the frequency with which private aircraft are identified in Customs records as the means used to transport contraband into the United States. Specifically, the proposed amendments would require commanders of private aircraft proceeding to the United States from a foreign place in the Western Hemisphere south of 33 degrees north latitude, and crossing into the United States over a point on the United States border between 95 and 120 degrees west longitude, to communicate to Customs, either directly or through the Federal Aviation Administration by radio or other means, their intention of landing and the intended point and time of border crossing. This information must be communicated by the aircraft commander not less than 15 minutes prior to crossing the border. This reporting system should enable Customs to more readily identify clandestine aircraft as they enter the United States within the zone described. The proposed amendments would require all such aircraft, unless exempted, to land at one of the 13 specially-designated airports in the immediate proximity of the border between the United States and Mexico. The number and location of the designated airports have been selected in order to minimize any possibe inconvenience to flyers.

In addition, the proposal assures affected pilots that 24-hour free Customs service will be available at the designated airports and that Customs overtime charges will only be assessed on Sundays and holidays.

The proposed amendments further provide for a procedure whereby the owner or aircraft commander of a private aircraft may on a one-time or term (annual) basis, request to be exempted from the requirement of landing at any of the specially-designated airports.

Accordingly, it is proposed to amend the second sentence of paragraph (a) and to revise paragraph (b) of § 6.2 of the Customs Regulations (19 CFR 6.2 (a)) to read as follows:

§ 6.2 Landing requirements.

(a) *Place of landing.* * * * The first landing shall be at an international airport unless permission to land elsewhere shall first be granted, except that such permission is not required for an emergency or forced landing or with respect to the procedure prescribed in paragraph (b) of this section, relating to private aircraft arriving from south of the United States. * * *

* * * * *

(b) *Advance notice of arrival*—(1) *Applicability.* All aircraft, except as provided in subparagraph (3) of this paragraph, before coming into any area from any place outside the United States, for security reasons, and in order to avoid the penalties provided for in § 6.11, shall furnish a timely notice of intended arrival, either by or at the request of the commander of the aircraft, through the Federal Aviation Administration flight notification procedures or directly to the district director or other Customs officer in charge at the nearest intended place of first landing in such area. That officer shall notify the officers in charge of the other Government services. In the case of private aircraft passing through the zone referred to in paragraph (a) of § 6.14 and crossing into the United States within that zone, advance notice shall be furnished in accordance with the procedure prescribed in § 6.14.

(2) *Furnishing advance notice.* When, by reason such as departure from a remote place, dependable facilities for giving notice are not available, a landing shall be made at a place where the necessary facilities do exist before coming into any area from any place outside the United States. However, radio equipment of the plane may be used if this will result in the giving of adequate and timely notice.

(3) *Exception for scheduled airline to the requirement of giving advance notice.* Advance notice shall not be required in the case of aircraft of a scheduled airline arriving in accordance with a regular schedule filed with the district director for the district in which the place of first landing is situated.

(4) *Contents of advance notice.* The advance notice of arrival shall specify the following:

(i) Type of aircraft and registration marks;

(ii) Name of aircraft commander;

(iii) Place of last departure;

(iv) International airport of intended landing or other place at which landing has been authorized by Customs;

(v) Number of alien passangers;

(vi) Number of citizen passengers; and

(vii) Estimated time of arrival.

(5) *Timeliness of advance notice.* The advance notice must be received by Customs in sufficient time to enable the officers designated to inspect the aircraft to reach the international airport or such other place of first landing prior to the arrival of the aircraft, except as provided in section 6.14.

(6) *Responsibility of aircraft commander upon landing.* If, upon landing in any area the aircraft commander finds that United States Government inspection officers have not arrived, the commander shall hold the aircraft and any merchandise, including baggage, thereon intact and keep the passengers and crewmembers in a segregated place until the inspection officers arrive.

* * * * *

It is also proposed to amend Part 6 of the Customs Regulations (19 CFR Part 6) by adding a new § 6.14 to read as follows:

§ 6.14 Private aircraft arriving from areas south of the United States.

(a) *Advance report of penetration of United States airspace.* All private aircraft arriving in the United States from a foreign place in the Western Hemisphere south of 33 degrees north latitude which cross into the United States over a point on the United States border between 95 and 120 degrees west longitude shall furnish a notice of intended arrival to the Customs Service, either by or at the request of the commander of the aircraft, not less than 15 minutes prior to crossing the border. The notice shall be furnished through the Federal Aviation Administration flight notification procedures or directly to the district director or other Customs officer at the nearest intended place of first landing in the United States. The notice shall include the following:

(1) Aircraft registration number;

(2) Name of aircraft commander;

(3) Number of United States citizen passengers;

(4) Number of alien passengers;

(5) Place of last departure;

(6) Estimated time and location of crossing United States border;

(7) Name of intended United States airport of first landing (one of the designated airports listed in paragraph (e)

of this section, unless an exception has been granted); and

(8) Estimated time of arrival.

(b) *Landing requirement.* Private aircraft required to furnish a notice of intended arrival in compliance with paragraph (a) of this section shall land for Customs processing at one of the airports listed in paragraph (e) of this section unless exempted from this requirement in accordance with paragraph (d) of this section.

(c) *Private aircraft defined.* For the purpose of this section, "private aircraft" means any aircraft other than an aircraft engaged in the transportation of passengers or cargo or both for hire.

(d) *Exemption from the landing requirement.* The owner or aircraft commander of a private aircraft required to furnish a notice of intended arrival in compliance with paragraph (a) of this section may request an exemption from the landing requirement specified in paragraph (b) of this section. The request shall be submitted to the Customs officer in charge of the airport of first landing at which Customs processing is desired and shall be submitted at least 30 days prior to the anticipated first arrival if the request is for an exemption covering a number of flights over a period of 1 year, or at least 15 days prior to the anticipated arrival if the request is for a single flight. The request shall include the following information:

(1) Aircraft registration number;

(2) Names and addresses of owners of the aircraft;

(3) Names and addresses of all crewmembers;

(4) Names of usual or potential passengers to the extent possible;

(5) Name of anticipated airport of first landing in the United States; and

(6) Place or places from which the flight(s) will originate.

(e) *Designated airports.*

Location:	*Name*
Brownsville, Texas	Brownsville International Airport.
Calexico, California	Calexico International Airport.
Del Rio, Texas	Del Rio International Airport.
Douglas, Arizona	Bisbee-Douglas International Airport.
Eagle Pass, Texas	Eagle Pass Airport.
El Paso, Texas	El Paso International Airport.
Laredo, Texas	Laredo International Airport.
McAllen, Texas	Miller International Airport.
Nogales, Arizona	Nogales International Airport.
San Diego, California	Brown Field.
San Diego, California	San Diego International Airport (Lindbergh Field).
Tucson, Arizona	Tucson International Airport.
Yuma, Arizona	Yuma International Airport.

Data, views or arguments with respect to the foregoing proposal may be addressed to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229. To ensure consideration of such communications, they must be received not later than April 28, 1975.

Written material or suggestions submitted will be available for public inspection in accordance with § 103.8(b) of the Customs Regulations (19 CFR § 103.8 (b)), at the Regulations Division, Headquarters, United States Customs Service, Washington, D.C., during regular business hours.

Approved: March 20, 1975.

[SEAL] VERNON D. ACREE,
Commissioner of Customs.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.75-8218 Filed 3-27-75;8:45 am]

[19 CFR Part 123]

CANADA AND MEXICO

Landing Certificate for the Exportation to a Contiguous Country of Certain Articles of Foreign Origin

Notice is hereby given that under the authority of R.S. 251, as amended (19 U.S.C. 66), and sections 622, 623, and 624, 46 Stat. 759, as amended (19 U.S.C. 1622, 1623, 1624), it is proposed to amend Part 123 of the Customs Regulations (19 CFR Part 123) to require a landing certificate for the exportation of articles of foreign origin to a contiguous country.

A study of Customs Service border operations has shown that certain articles which had been entered into the United States for warehousing or for transportation and exportation and were thereafter supposedly exported to a contiguous foreign country either did not enter that country or were subsequently returned to the United States without the payment of appropriate taxes or duties. Part 123 of the Customs Regulations, relating to Customs relations with Canada and Mexico, presently does not contain provisions to assure that articles exported to those countries have been entered into those countries. In order to provide proof of entry of such articles, it is proposed to amend Part 123 of the Customs Regulations by adding a new section, § 123.73, to require the exporters of articles of foreign origin to a contiguous country to produce, when requested by the district director of the port of exportation, a landing certificate indicating that the articles have been entered in the foreign country.

Accordingly, it is proposed to amend Part 123 of the Customs Regulations (19 CFR 123) by adding a new § 123.73 to read as follows:

§ 123.73 Foreign landing certificate.

(a) *When required.* Except as provided in paragraph (e) of this section, a foreign landing certificate may be required, at the discretion of the district director, for the exportation of articles of foreign origin to a contiguous foreign country which were previously entered for warehousing or for transportation and exportation under bond without payment of duties.

(b) *Content of landing certificate; time and place of filing.* Information supplied by the exporter or carrier on the landing certificate shall include the quantity and description of the exported merchandise, the marks and number of packages, and the entry number. The landing certificate must be signed by the appropriate Customs official of the contiguous country and must include the port and date of arrival in the contiguous country. The landing certificate shall be filed within 6 months from the date of exportation with the district director at the port where the exportation took place, and shall be filed by the party filing the exportation entry.

(c) *Bond requirement*—(1) *Time of filing of bond.* When a landing certificate is required, unless an export bond is on file at the port of export or elsewhere, such a bond must be filed with the district director at the port where the export entry is filed, at the time of the filing of the entry, to ensure the production of the landing certificate within the time specified in paragraph (b) of this section.

(2) *Type of bond.* If the exportation entry is filed by the importing carrier, Customs Form 7567, 7569, or 7605 may be used as the export bond required by paragraph (c)(1) of this section. If the articles for which the landing certificate is required were withdrawn from warehouse for exportation or for transportation and exportation, Customs Form 7555 or 7595 may be used as the required export bond. Otherwise, the export bond shall be executed on Customs Form 7557 or 7559.

(3) *Cancellation of bond.* The bond filed for the production of the landing certificate shall be cancelled only upon the filing of a landing certificate meeting the requirements set forth in paragraph (b) of this section.

(d) *Assessment of liquidated damages for failure to file landing certificate.* Liquidated damages shall be assessed pursuant to section 172.1 of this chapter against the principal on the bond charged pursuant to paragraph (c) of this section in the event a requierd landing certificate is not filed within the time and in the manner set forth in paragraph (b) of this section. Such damages shall be assessed by the district director at the port where the exportation took place.

(e) *Vessel or aircraft supplies.* A foreign landing certificate shall not be required for any articles of foreign origin withdrawn for exportation under section 309 of the Tariff Act of 1930, as amended (19 U.S.C. 1309), as supplies for vessels or aircraft. Such withdrawals are subject to the regulations set forth in §§ 10.59 through 10.65 of this chapter.

Prior to the adoption of the foregoing proposal, consideration will be given to any relevant data, views, or arguments which are submitted to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229, and received on or before April 28, 1975.

Written material or suggestions submitted will be available for public inspection in accordance with § 103.8(b) of the Customs Regulations (19 CFR 103.8(b)) at the Regulations Division, Headquarters, United States Customs Service, Washington, D.C., during regular business hours.

[SEAL] VERNON D. ACREE,
Commissioner of Customs.

Approved: March 7, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.75-8074 Filed 3-27-75;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[21 CFR Parts 1301, 1308]

SCHEDULE III THROUGH V CONTROLLED SUBSTANCES

Storage and Security

Proposal of change regarding the storage of Schedule III through V controlled substances by non-practitioners and the removal of excepted compounds from registration and security requirements.

Existing security regulations for Schedule III through V substances allow their storage in a secure building along with other merchandise provided that the controlled substances are segregated from all other merchandise and kept under constant surveillance during normal business hours.

(21 CFR 1301.72(b).)

A substantial number of non-practitioner registrants have recognized potential security problems and have voluntarily instituted the caging of controlled substances in Schedules III through V. The Drug Enforcement Administration has determined that cages of the type specified in this proposal have proven to be effective in safeguarding Schedule III through V controlled substances by limiting accessibility and by providing a barrier to unauthorized persons during business hours thus virtually eliminating the factor of human error where surveillance alone is provided.

The proposed regulations provide for approval of an existing cage or other substantially constructed enclosure for Schedule III through V controlled substances where the enclosure has either been previously approved by the Drug Enforcement Administration or where the existing enclosure is being modified and the Drug Enforcement Administration determines it to provide equivalent protection.

Consistent with programs initiated by registrants and with the need for continued emphasis upon security, these proposed security regulations for Schedule III, IV and V controlled substances recognize the need for more definitive standards for new construction, and for an affirmative evaluation of all factors relevant to controlled substance security.

In order to develop consistency with Chapter 1300 of Title 21 CFR, § 1308.32 (a) and (b) should be modified to remove excepted compounds from all security and registration requirements. The manufacturers of these compounds will continue to be required to register and maintain security for the handling of all bulk controlled substance material used in the manufacture of excepted compounds.

Therefore, under the authority vested in the Attorney General by sections 301 and 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970, the Administrator hereby proposes that §§ 1301.72 and 1308.32 of Title 21 of the Code of Federal Regulations be amended as follows:

Paragraph (b) of § 1301.72 is revised to read as follows:

§ 1301.72 Physical security controls for nonpractitioners: storage areas.

* * * * *

(b) *Schedule III, IV and V.* Raw materials, bulk materials awaiting processing and finished products which are controlled substances listed in Schedules III, IV and V shall be stored in one of the following secure storage areas:

NOTE.—These storage areas will contain only Schedule III through V controlled substances and no other material.

(1) A safe or steel cabinet as described in paragraph (a) (1) of this section.

(2) A vault as described in paragraph (a) (2) or (3) of this section equipped with an alarm system as described in paragraph (b) (4) (v) of this section.

(3) A building used solely for storage of Schedules III through V controlled substances with perimeter security which limits access during working hours and provides security after working hours and meets the following specifications:

(i) Has an electronic alarm system as described in paragraph (b) (4) (v) of this section.

(ii) Is equipped with self-closing, self-locking doors constructed of substantial material commensurate with the type of building construction. Hinges, where mounted on the outside shall be sealed, welded or otherwise constructed to inhibit removal. Locking devices shall be either of the multiple-position combination or key lock type and:

(*a*) Will be substantially constructed to resist picking, drilling and hard blows.

(*b*) In the case of key locks, will require key control which limits access to a limited number of employees or;

(*c*) In the case of combination locks, the combination will be limited to a minimum number of employees and can be changed upon termination of employment of an employee.

(4) A cage, located within a building on the premises, meeting the following specifications:

(i) Having walls constructed of #10 gauge steel fabric or heavier mounted on a minimum of one and one-half inch steel posts, set in concrete whenever possible (depending on facility construction) lock type and:

(*a*) Will be substantially constructed to resist picking, drilling, hard blows and cutting with instruments such as bolt cutters.

(*b*) In the case of key locks, will require key control which limits access to a limited number of employees or;

(*c*) In the case of combination locks, the combination will be limited to a minimum number of employees and can be changed upon termination of employment of an employee.

(v) Is equipped with an alarm system which upon any type of unauthorized entry, into either the building or storage area containing the Schedule III through V substances, shall transmit a signal directly to a central station protection agency or a local or state police agency that has a legal duty to respond; or to a 24 hour control station operated by the registrant; or to such other source of protection as the Administrator may approve.

(5) A substantial enclosure of masonry or other material approved by the Administrator, as providing security comparable to a cage.

(6) A building used solely for the storage of Schedule III through V controlled substances or a secure enclosure which contains only Schedule III through V controlled substances which has been previously inspected and approved by DEA or its predecessor agency, and provides protection equivalent to current standards.

(7) Such other secure storage area as may be approved by the Administrator considering the factors listed in § 1303.71 (b), 1 through 14.

* * * * * *

§ 1308.32 [Amended]

The Administrator also proposes that § 1308.32 (a) and (b) be amended to read as follows:

1. In § 1308.32(a), the final clause of the first sentence is revised as follows: "* * * the drugs set forth in paragraph (b) of this section have been excepted by the Administrator from application of sections 302, 303, 304, 305, 307, 308, 309, 1002, 1003 and 1004 of the Act (21 U.S.C. 822, 823, 825, 827–9, 952–4) and of §§ 1301.11, 1301.12, 1301.21 through 1301.24, 1301.31, 1301.32 and 1301.71 through 1301.76 of this chapter for administration purposes only. * * *"

2. In § 1308.32(b), the text beginning with the words "are excepted" is revised to read as follows: "* * * are excepted from the application of sections 302, 303, 304, 305, 307, 308, 309, 1002, 1003 and 1004 of the Act (21 U.S.C. 822, 823, 825, 827–9, 952–4) and of §§ 1301.11, 1301.12, 1301.21 through 1301.24, 1301.31, 1301.32 and 1301.71 through 1301.76 of this chapter:"

All interested persons are invited to submit their comments and objections in writing regarding this proposal. These comments or objections should state with particularity the issues concerning which the person desires to be heard. A person may object or comment on the proposals relating to any one or more of the above mentioned substances without filing comments or objections regarding the others.

Comments and objections should be submitted in quintuplicate to the Office of the Administrative Law Judge, Attention: Hearing Clerk, Drug Enforcement Administration, Department of Justice, 1405 Eye Street, NW., Washington, D.C. 20537, and must be received by April 29, 1975. If a person believes that one or more issues raised by him warrant a full adversary-type hearing, he should so state and summarize the reasons for his belief.

In the event that comments or objections to this proposal raise one or more issues which the Administrator finds, in his sole discretion, warrants a full adversary-type hearing, the Administrator shall order a public hearing in the Federal Register summarizing the issues to be heard and setting the time for the hearing (which shall not be less than 60 days after the date of publication).

Dated: March 20, 1975.

JOHN R. BARTELS, Jr.,
Administrator.

[FR Doc.75-8051 Filed 3-27-75;8:45 am]

Immigration and Naturalization Service

[8 CFR Part 211]

COMMUTERS

Notice of Proposed Rule Making

Pursuant to section 553 of Title 5 of the United States Code (80 Stat. 383), notice is hereby given of the proposed issuance of the following rules pertaining to commuters.

The regulation constituting a new section devoted exclusively to alien commuters, consists of the following parts: a restatement of basic criteria for validity of Form I-151 as an entry document when presented by a person claiming commuter status, derived from the Administrative Decisions under immigration and naturalization laws; a reaffirmation of the long-established interpretation that residence counting toward naturalization eligibility is not accumulated while one is a commuter; a new interpretative statement, inspired by comments in the dissenting opinion in Saxbe v. Bustos, United States Supreme Court, November 25, 1974, concerning the possibility that, contrary to the evident will of Congress, a commuter might be able to confer certain rights and privileges under the immigration laws on his relatives. A repositioning, for clarification, of the so-called anti-strikebreaker regulation.

In accordance with section 553 of Title 5 of the United States Code (80 Stat. 383), interested persons may submit to the Commissioner of Immigration and Naturalization, Room 7100-C, 425 Eye Street NW., Washington, D.C. 20536, written data, views or arguments, in duplicate, relative to the proposed rules. Such representatives may not be presented orally in any manner. All relevant material received before April 25, 1975, will be considered.

In light of the foregoing, in Part 211 it is proposed to amend § 211.1(b)(1) by deleting the last sentence thereof, and to add a new § 211.6.

1. Section 211.1(b)(1) would be revised as follows:

§ 211.1 Visas.

* * * * *

(b) *Aliens returning to an unrelinquished lawful permanent residence*—(1) *Form I-151, Alien Registration Receipt Card.* In lieu of an immigrant visa, an immigrant alien returning to an unrelinquished lawful permanent residence in the United States after a temporary absence abroad not exceeding one year may present Form I-151, Alien Registration Receipt Card, duly issued to him, provided that during such absence he did not travel to, in, or through any of the following places: Cuba and Communist portions of Korea or Viet-Nam, and, except for children who have not attained the age of 16 at the time they apply for admission into the United States, Albania, Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Outer Mongolia, People's Republic of China, Poland, Romania, the Soviet Zone of Germany ("German Democratic Republic"), the Union of Soviet Socialist Republics, or Yugoslavia. The foregoing restrictions shall not apply when the alien has passed in direct and continuous transit through the Soviet Zone of Germany to Berlin from West Germany by automobile, rail, or plane and returned to West Germany; or when the alien has passed in direct and continuous transit through Yugoslavia to or from Austria, Greece, or Italy. An alien regularly serving as a crewman in any capacity required for normal operations and services aboard an aircraft or vessel of American registry who is returning to an unrelinquished lawful permanent residence in the United States after a temporary absence abroad not exceeding one year may, in lieu of an immigrant visa, present Form I-151, duly issued to him, notwithstanding travel to, in, or through any of the restricted places named in this subparagraph pursuant to his employment as a crewman. An alien who proceeded abroad temporarily without a reentry permit and in whose case subsequent to his departure from the United States the Department of State has approved travel to, in, or through Cuba, or Communist portions of Korea or Viet-Nam, may, in lieu of an immigrant visa or reentry permit, present Form I-151 together with the letter from the Department of State approving his travel to, in, or through the place or places named in the letter, if he is returning to an unrelinquished lawful permanent residence in the United States after a temporary absence abroad not exceeding 1 year. An alien who proceeded abroad temporarily without a reentry permit and in whose case subsequent to his departure from and prior to his return to, in, or through any of the other place or places named in this subparagraph for which Form I-151 is not valid may, in lieu of an immigrant visa or reentry permit, present Form I-151 together with the letter from an officer of the Service approving his travel to, in, or through the place or places named in the letter, if he is returning to an unrelinquished lawful permanent residence in the United States after a temporary absence abroad not exceeding one year. When returning to an unrelinquished lawful permanent residence in the United States after a temporary absence abroad, a spouse or child of a member of the Armed Forces of the United States or of a civilian employee of the United States Government stationed foreign pursuant to official orders may, in lieu of an immigrant visa, present Form I-151, provided such spouse or child resided abroad while such member of the Armed Forces or such civilian employee was on overseas duty and is preceding or accompanying the member or employee, or is following to join the member or employee in the United States within 4 months of the member's or employee's return, and during the temporary absence did not travel to, in, or through any of the restricted places named in this subparagraph, except those named places concerning which the restrictions do not apply when an alien has passed in direct and continuous transit through such areas.

* * * * *

2. A new § 211.6 would be added to read as follows:

§ 211.6 Alien commuters.

(a) *General.* Notwithstanding any other provision of this part, an alien lawfully admitted for permanent residence may commence or continue to reside in foreign contiguous territory and commute as a special immigrant defined in section 101(a)(27)(B) of the Act to his place of employment in the United States to engage in daily or seasonal work which, on the whole, is regular and stable: *Provided,* That at the time of each reentry he presents a valid Form I-151 in lieu of an immigrant visa and passport. An alien commuter engaged in seasonal work would be presumed to have taken up residence in the United States if he is present in this country for more than six months, in the aggregate, during any continuous 12-month period. An alien commuter's address report under section 265 of the Act must show his actual residence address even though it is not in the United States.

(b) *Loss of commuter status.* An alien commuter who has been out of regular employment in the United States for a continuous period of six months shall be deemed to have lost his status as an alien lawfully admitted for permanent residence, notwithstanding temporary entries in the interim for other than employment purposes, unless his employment in the United States was interrupted for reasons beyond his control other than lack of a job opportunity. Upon loss of status, Form I-151 shall become invalid and shall be surrendered to an immigration officer.

(c) *Eligibility for benefits under the immigration and nationality laws.* Until he has taken up residence in the United States, an alien commuter cannot satisfy

the residence requirements of the naturalization laws and cannot qualify for any benefits under the immigration laws on his own behalf or on behalf of his relatives other than as specified in paragraph (a) of this section. When an alien commuter takes up residence in the United States, he shall no longer be regarded as a commuter. He may facilitate proof of having taken up such residence by notifying the Service as soon as possible, preferably at the time of his first reentry for that purpose. Application for issuance of a new alien registration receipt card to show that he has taken up residence in the United States shall be made on Form I–90.

(d) *Labor disputes.* When the Secretary of Labor determines and announces that a labor dispute involving a work stoppage or layoff of employees is in progress at a named place of employment, Form I–151 shall be invalid when presented in lieu of an immigrant visa or reentry permit by an alien commuter who has departed for and seeks reentry from any foreign place and who, prior to his departure or during his temporary absence abroad has in any manner entered into an arrangement to return to the United States for the primary purpose, or seeks reentry with the intention of accepting employment at the place where the Secretary of Labor has determined that a labor dispute exists, or of continuing employment which commenced at such place subsequent to the date of the Secretary of Labor's determination.

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

Dated: March 24, 1975.

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

[FR Doc.75–7988 Filed 3–27–75;8:45 am]

DEPARTMENT OF AGRICULTURE

Commodity Exchange Authority

[17 CFR Part 150]

[Hearing Docket CE–P 19]

LIVE SLAUGHTER CATTLE, LIVE HOGS AND FROZEN PORK BELLIES

Hearing on Limits on Position and Daily Trading for Future Delivery

On January 27, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 4017) to add §§ 150.12, 150.13 and 150.14 to the Orders of the Commodity Exchange Commission under section 4a of the Commodity Exchange Act (7 U.S.C. 6a). These respective orders relate to limits on speculative positions and speculative daily trading in live slaughter cattle, live hogs and frozen pork bellies for future delivery.

The proposed limits for both positions and daily trading are 120,000 cwt. in any one future and 240,000 cwt. in all futures combined for live slaughter cattle, 60,000 cwt. in any one future and 120,000 cwt. in all futures combined for live hogs, and 54,000 cwt. in any one future and 90,000 cwt. in all futures combined for frozen pork bellies. The proposed limits upon positions and upon daily trading would not apply to bona fide hedging transactions or positions, as provided in regulations issued pursuant to section 4a(3) of the Commodity Exchange Act (7 U.S.C. 6a(3)) and section 404 of Pub. L. 93–463.

The notice provided that if any interested person desired an oral hearing with reference to the proposed orders on limits on positions and daily trading in live slaughter cattle, live hogs, or frozen pork bellies, such person should make a request to that effect, stating the reasons therefor, to the Administrator of the Commodity Exchange Authority.

A hearing will be held beginning at 10 a.m. e.d.t., on April 10, 1975, in Room 3056 South Building, U.S. Department of Agriculture, Washington, D.C., on the matter of the proposed speculative limits on positions and daily trading in live slaughter cattle, live hogs, and frozen pork bellies for future delivery.

Written statements with reference to the subject matter of this hearing may be submitted by any interested person and may be in addition to or in lieu of testimony at such hearing. Such statements should be prepared in quintuplicate and mailed to the Presiding Officer, Hearing Docket CE–P 19, Commodity Exchange Authority, U.S. Department of Agriculture, Washington, D.C. 20250, prior to the time of hearing, or delivered to the Presiding Officer at the time of hearing.

All written statements submitted prior to, during, and after the hearing, the transcript of the record, and exhibits will be made available for public inspection in the Office of the Administrator, Commodity Exchange Authority, during regular business hours.

Issued: March 25, 1975.

ALEX C. CALDWELL,
Administrator, Commodity Exchange Authority.

[FR Doc.75–8136 Filed 3–27–75;8:45 am]

DEPARTMENT OF LABOR

Office of Federal Contract Compliance

[41 CFR Part 60–1]

OBLIGATIONS OF CONTRACTORS AND SUBCONTRACTORS

State and Local Government Equal Employment Opportunity Requirements for Federally Assisted Construction Contracts

On January 21, 1974, a document was published in the FEDERAL REGISTER (39 FR 2365) amending § 60–1.4(b) of Chapter 60, Title 41, Code of Federal Regulations. The amendment was issued pursuant to section 201, 207, 301, and 303 of Executive Order 11246, as amended, and was intended to clarify the extent to which the U.S. Department of Labor would deem State and local government equal employment requirements applicable to federally assisted construction contracts already subject to the equal employment requirements of Executive Order 11246, as amended, and implemented through Federal equal employment opportunity bid documents incorporating the requirements of negotiated or imposed plans (including Part II of the Federal EEO Bid Conditions) established pursuant to the Executive Order. On March 28, 1975, the section described herein was rescinded (see FR Doc. 75–8117, Title 41, in the rules and regulations section of this FEDERAL REGISTER).

It is proposed to publish a new amendment to § 60–1.4(b) of Chapter 60, Title 41, Code of Federal Regulations. At the time of issuance of the original document published on January 21, 1974, interested persons were invited to submit written comments, suggestions, data or arguments on the amendment. The substance of the comments received are incorporated in the amendment proposed herein.

Persons interested in the proposed amendment are hereby invited to submit written data, views, suggestions or arguments concerning it to Mr. Philip J. Davis, Director of the Office of Federal Contract Compliance, U.S. Department of Labor, Washington, D.C. 20210, on or before April 28, 1975.

It is proposed to amend the provisions of 41 CFR 60–1.4(b) to read as follows:

§ 60–1.4 Equal opportunity clause.

* * * * * *

(b) *Federally assisted construction contracts.* * * *

(2) State and local governments intending to impose affirmative action hiring and/or training requirements on federally assisted construction already subject to federal minority hiring and/or training plans established pursuant to the Order (including but not limited to negotiated plans, imposed plans and Part II of Federal EEO Bid Conditions incorporating negotiated plans) shall submit a copy of such requirements with supporting data to the Director prior to their inclusion in any federally assisted construction contracts.

(i) *Supporting Data.* The supporting data shall include at least the following: any official interpretive statements, bulletins, contracting documents and other written material concerning the nature and scope of the affirmative action requirements and their enforcement; statistics indicating the minority population in the area to be covered by the State or local requirements, the minority employment in the area construction industry, the availability of minorities for employment in the area construction industry, and the projected growth and attrition factors of the area construction industry in the near future; a copy of the enabling legislation establishing the authority of the State or local political entity to adopt affirmative action requirements covering public works; and notice of any pending litigation involving the legality of such State or local affimative actions requirements.

(ii) *OFCC Approval.* The State or local government affirmative action requirements shall not be included in federally assisted construction contracts until the Director has had an opportunity to determine whether such requirements are

inconsistent with the Order or incompatible with the effective implementation of the applicable federal minority hiring and/or training plans (including but not limited to negotiated, imposed and/or Part II of the Federal EEO Bid Conditions of the negotiated plan or plans) in the area.

(A) In order for the Director to approve State or local affirmative action requirements submitted under this subparagraph, he must find: (*1*) that the State or local affirmative action requirements include goals and timetables which reflect an analysis of the minority population in the area to be covered, the minority manpower utilization in the area construction industry, the availability of minorities for employment in the area construction industry and the projected growth and attrition factors of the area construction industry in the near future; (*2*) that the State or local affirmative action requirements include provisions affording contractors and/or subcontractors notice of findings of noncompliance and a meaningful opportunity to challenge any allegations of noncompliance to prove that they have made whatever efforts are required of them to comply; (*3*) that assurances are provided in the requirements that the State or local affirmative action requirements are not intended and shall not be used to discriminate against any qualified person on the basis of race, color, religion, sex or national origin; (*4*) that the State or local affirmative action requirements comply with the basic principles of Federal procurement law which go to the essence of competitive bidding; (*5*) that no broad conflict exists between the purposes and objectives of Executive Order 11246, as amended, and the State or local affirmative action requirements; and (*6*) that no actual conflict exists between the Federal plans in the area (including negotiated, imposed and Part II Federal EEO Bid Conditions or a combination of the aforementioned) and the State or local affirmative action requirements such that both cannot stand in the area; and (*7*) that the State or local affirmative action requirements do not conflict with any other federal statutes or regulations applicable to federal grants.

(B) The Director shall make his determination within 60 calendar days from the date of notice to the State or local government that its submission (including the State or local affirmative action requirements and supporting data listed in this subparagraph) is complete. State or local affirmative action requirements will be deemed applicable to federally assisted construction contracts and Federal agencies must permit the inclusion of such requirements therein upon approval by the Director, or if the Director fails to act within the 60 days provided. The Director's determination shall be communicated directly to the State or local official who submitted the State or local affirmative action requirements, by registered mail, return receipt requested, together, in the case of an adverse determination, with a notification of its right to appeal to the Assistant Secretary for Employment Standards or his designee. The Director's determination, or in the event that the Director fails to make a determination within the 60 days provided notification thereof, shall be announced in a FEDERAL REGISTER notice no later than 10 calendar days after the date of notification to the State or local governmental agency which submitted the plan.

(iii) *Right of Appeal to the Assistant Secretary.* The notice shall indicate that the State or local government, and any other persons or groups affected by the Director's determination, including construction trades contractors, labor organizations, associations or other organizations of construction trades contractors and/or labor organizations, and minority community groups, may appeal such determination to the Assistant Secretary by requesting a hearing by registered mail, return receipt requested and postmarked within 21 calendar days of the publication of the FEDERAL REGISTER notice. If an appeal is filed later than 21 calendar days, the Assistant Secretary shall have the discretion to waive the 21-day period upon a showing by the party appealing the Director's determination that there is no prejudice to the State or local governmental entity. Following this appeal period, if any requests for a hearing have been filed with the Assistant Secretary, the Department of Labor shall then designate an administrative law judge who shall conduct a hearing to make proposed finding and a recommended decision to the Assistant Secretary upon the basis of the record before him. The administrative law judge shall give reasonable notice of the opportunity to participate in such hearing by registered mail, return receipt requested, to those requesting the hearing and shall also give reasonable notice of such hearing in the FEDERAL REGISTER to inform all other persons, organizations and other entities affected by the Director's determination of their opportunity to participate in the hearing. Each participant shall have the right to counsel and a fair opportunity to present his case, including such questioning of witnesses presented by the other parties as the administrative law judge may deem appropriate in the circumstances. The Assistant Secretary shall make a final decision on the basis of the record before him, which shall consist of the record of hearing, the rulings and recommended decision of the administrative law judge, and the exceptions and briefs filed subsequent to the administrative law judge's decision. Where the Director has determined that the State or local affirmative action requirements are inconsistent with the Order or incompatible with the effective implementation of the federal minority hiring and/or training plan in the area, the Assistant Secretary, on appeal, shall make his final decision within 80 calendar days of the close of the appeal period for requesting a hearing. The Assistant Secretary's final decision shall be published in the FEDERAL REGISTER within 20 calendar days of the date of the decision and a copy thereof shall be sent by registered mail to all parties of record. State and local governments are encouraged: to participate in the formulation and implementation of federal minority hiring and/or training plans in areas currently without such plans; to enforce their fair employment practices laws with respect to acts of discrimination affecting federally assisted construction; and to assist the administering federal agency in monitoring the compliance of contractors and subcontractors on federally assisted projects.

* * * * *

Signed at Washington, D.C., this 17th day of March, 1975.

RICHARD F. SCHUBERT,
Acting Secretary of Labor.
BERNARD E. DELURY,
Assistant Secretary for Employment Standards.
PHILIP J. DAVIS,
Director, Office of Federal Contract Compliance.

[FR Doc.75-8118 Filed 3-27-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

[20 CFR Part 405]

[Regulations No. 5]

FEDERAL HEALTH INSURANCE FOR THE AGED

Payment for Services of Physicians in Teaching Hospitals, for Physicians' Costs to Hospitals and Medical Schools, and for Volunteer Services; Extension of Comment Period

This notice extends the period for comments provided in the notice published March 7, 1975 (40 FR 10687), in which comments were solicited on proposed amendments to Part 405 (Regulations No. 5) relating to payment for services of physicians in teaching hospitals and certain other related costs.

Comment on the proposed regulations was invited on or before April 7, 1975. The Association of American Medical Colleges, which represents a substantial number of schools of medicine and teaching hospitals, has requested an extension of time in order to submit comments. The time period for comment is hereby extended for 15 days to April 22, 1975.

Comments on the proposed regulations of the Social Security Administration (20 CFR Part 405) should be submitted in writing, in triplicate, to the Commissioner of Social Security, Department of Health, Education, and Welfare Building, Fourth and Independence Avenue SW., Washington, D.C. 20201, on or before April 22, 1975.

Copies of all comments received will be available for public inspection during regular business hours at the Washington Inquiries Section, Office of Public

Affairs, Social Security Administration, Department of Health, Education, and Welfare, Room 4146, 330 Independence Avenue SW., Washington, D.C. 20201.

(Catalogue of Federal Domestic Assistance Program Nos. 13.800, Health Insurance for the Aged—Hospital Insurance; and 13.801, Health Insurance for the Aged—Supplementary Medical Insurance.)

Dated: March 24, 1975.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: March 25, 1975.

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

[FR Doc.75-8247 Filed 3-27-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Parts 36, 91]

[Docket No. 10494; Notice No. 75-15]

CIVIL SUPERSONIC AIRPLANES

Noise Requirements Submitted to FAA by EPA

This notice of proposed rule making contains proposed regulations submitted by the Environmental Protection Agency (EPA) to the Federal Aviation Administration (FAA), pursuant to section 611(c)(1) of the Federal Aviation Act of 1958, as amended by the Noise Control Act of 1972 (Pub. L. 92-574). Section 611(c)(1) of the Federal Aviation Act of 1958 provides that EPA shall submit to the FAA proposed regulations to provide such control and abatement of aircraft noise and sonic boom as EPA determines is necessary to protect the public health and welfare. That section also provides that the FAA "shall consider such proposed regulations submitted by EPA under this paragraph and shall, within thirty days of its submission to the FAA, publish the proposed regulations in a notice of proposed rulemaking." This notice is published pursuant to this provision of law.

The EPA proposals contained herein would require civil supersonic airplanes for which an application for a type certificate is made after August 6, 1970 (except for current types, i.e., those airplane types with flight time before December 31, 1974), and those civil supersonic airplanes of current types upon which "substantive productive effort" was commenced after the date of this proposal, to comply with the noise level requirements of Part 36. The EPA proposal would amend Part 91 of the Federal Aviation Regulations to prohibit operation of a civil supersonic aircraft to or from an airport located in the United States, unless the aircraft complies with FAR Part 36 requirements. In addition, the EPA proposal would amend the Federal Aviation Regulations to control the noise impact on the community caused by the operation of current types of civil supersonic airplanes.

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 docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue SW., Washington, D.C. 20591. Comments on the overall environmental aspects of the proposed rules are specifically invited. All communications received by the FAA on or before May 30, 1975, will be considered by the FAA Administrator before taking action upon the proposed rules. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the FAA Rules Docket for examination by interested persons. EPA has also indicated that information copies of public comments may be sent to: Environmental Protection Agency, Office of Noise Control Programs, AW-571, Attention: Docket No. 74-6, 401 M Street, SW., Washington, D.C. 20460.

Pursuant to section 611(c) of the Federal Aviation Act of 1958, the FAA will hold one or more hearings with respect to the proposals contained in this notice. A separate notice of hearing will be published in the FEDERAL REGISTER in the near future. As required by section 611(c), these hearings will be held no later than 60 days after publication of this document in the FEDERAL REGISTER.

The following EPA opinions, conclusions, and proposed regulatory language are published verbatim as received by the FAA on February 27, 1975.

EPA PROPOSAL TO FAA

In accordance with a recommendation made by the Administrator of the Environmental Protection Agency (EPA), the Federal Aviation Administration (FAA) is considering an amendment to Part 36 of the Federal Aviation Regulations which would require civil supersonic airplanes for which an application for a type certificate is made after August 6, 1970 (except for current types, i.e., those airplane types that have been flown before December 31, 1974), and those civil supersonic airplanes of current type upon which substantive productive effort was commenced after the date of this proposal, to comply with the noise level requirements of that Part.

In addition, the Federal Aviation Administration is considering an amendment to the Federal Aviation Regulations which would control the noise impact on the community caused by the operation of current types of civil supersonic airplanes. Because of a variety of complicating factors in attempting to formulate a rule for current supersonic airplanes which is technologically practicable, economically reasonable, and appropriate to the type, the Federal Aviation Administration, in accordance with the recommendation made by the Administrator of the Environmental Protection Agency, intends to review carefully all comments submitted by the public in connection with the public hearings to be held on this regulatory matter before adopting the final form this prospective rule. Relative to this matter, the Federal Aviation Administration invites early public participation in the identification and selection of a course or alternate courses of action with respect to this particular rulemaking problem. To assist in the recognition of a number of the key issues involved, this notice includes a discussion of the various rulemaking options considered by the Environmental Protection Agency and the Federal Aviation Administration.

Under the requirements of section 7 (a) of the Noise Control Act of 1972 (Pub. L. 92-574, 86 Stat. 1234) the Administrator of the Environmental Protection Agency conducted a study of aircraft and airport noise and submitted a report thereon to the Congress. (Report on Aircraft/Airport Noise, Senate Committee on Public Works, Serial No. 93-8, Aug. 1973). Under section 611 of the Federal Aviation Act, as amended by the Noise Control Act of 1972, the Administrator of the EPA is also required, not earlier than the date of submission of his report to the Congress, to submit to the Federal Aviation Administration proposed regulations to provide such control and abatement of aircraft noise and sonic boom (including control and abatement of aircraft noise through the exercise of any of the FAA's regulatory authority over air commerce or transportation or over aircraft or airport operations) as the Administrator of the EPA determines is necessary to protect the public health and welfare. In accordance with the foregoing requirement, the EPA published in the FEDERAL REGISTER on February 19, 1974, (39 FR 6112) a "Notice of Public Comment Period" containing a synopsis of the proposed rules it is considering to achieve a satisfactory level of aircraft noise control and abatement for the protection of the public health and welfare.

The proposed rules and the type of control which each rule would implement are as follows:

FLIGHT PROCEDURES NOISE CONTROL

(1) Takeoff procedures.
(2) Approach procedures.
(3) Minimum altitudes.

SOURCE NOISE CONTROL

(4) Retrofit/fleet noise level.
(5) Supersonic civil aircraft noise.
(6) Modifications to Part 36 of the Federal Aviation Regulations.
(7) Propeller driven small airplanes.
(8) Short haul aircraft.

AIRPORT OPERATIONS NOISE CONTROL

(9) Airport goals, mechanisms and processes by which noise exposure of communities around airports can be limited to levels consistent with public health and welfare requirements.

This proposed rule, identified as Item (5), is one of the five whose purpose is to

implement engineering noise control at the source. As proposed herein, the rule would reduce the noise of future civil supersonic airplanes to the same levels as those applied to civil subsonic airplanes. The EPA believes that the achievement of these levels is economically reasonable, technologically practicable, and appropriate to that type of airplane.

A. REFERENCES

In the development of the proposed and prospective rules presented herein, the EPA conducted its own studies and evaluated several pertinent studies made by other Federal agencies and private contractors. Those studies are listed herein for the information of all interested persons and are available for examination at the FAA Rules Docket Office, GC-24, 800 Independence Avenue SW., Washington, D.C. 20590, or the EPA Office of Noise Control Programs, Crystal Mall No. 2, 1921 Jefferson Davis Highway, Arlington, Va. 20460. Copies of these studies prepared by Government Agencies are also for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

1. "Report on Aircraft/Airport Noise", Report of the Administrator of the Environmental Protection Agency in Compliance with Public Law 92-574; Senate Committee on Public Works, Serial No. 93-8, August 1973.

2. "Operations Analysis Including Monitoring, Enforcement, Safety, and Cost", Report of Task Group 2, EPA NTID 73.2, 27 July 1973.

3. "Impact Characterization of Noise Including Implications of Identifying and Achieving Levels of Cumulative Noise Exposure", Report of Task Group 3, EPA NTID 73.4, 27 July 1973.

4. "Noise Source Abatement Technology and Cost Analysis Including Retrofitting", Report of Task Group 4, EPA NTID 73.5, 27 July 1973.

5. "Review and Analysis of Present and Planned FAA Noise Regulatory Actions and their Consequences Regarding Aircraft and Airport Operation", Report of Task Group 5, EPA NTID 73.6, 17 July 1973.

6. "Military Aircraft and Airport Noise and Opportunities for Reduction without Inhibition of Military Missions", Report of Task Group 6, EPA NTID 73.7, 27 July 1973.

7. "Public Health and Welfare Criteria for Noise", EPA Technical Document 550/9-73-002, 27 July 1973.

8. "Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety", EPA Technical Document 550/9-74-004, March 1974.

9. "Concorde—Airport Noise and Silencing Programme", Report by the Concorde developers (BAC, SNECMA, SNIA, and RR) October 1972.

Annex 1, "Test Facilities", October 1972; Annex 2, "Manufacturers Further Studies at Noise Reduction", 20 February 1972; Annex 3, "The Economic Aspects of Silencing Concorde", February 1973.

10. "Concorde Noise: A Submission to the Environmental Protection Agency and Federal Aviation Administration", Report prepared by the British Aircraft Corporation for the British Government, May 1974.

11. "Concorde Noise Level Changes with Weight and Thrust", Letter from B. Brown (BAC) to W. C. Sperry (EPA), 27 November 1973.

12. "Noise Primer for the Supersonic Transport", Prepared for the Department of Transportation by Wyle Laboratories Research Staff, March 1971.

13. "Supersonic Transport Noise Reduction Technology Program", DOT/FAA Contract DOT-FA72WA-2893, Boeing Commercial Airplane Co., and DOT/FAA Contract DOT-FA72WA-2894 with General Electric Co.

14. "Aircraft Noise Reduction Technology", A Report by the National Aeronautics and Space Administration to the Environmental Protection Agency for the Aircraft/Airport Noise Study, 30 March 1973.

15. "The Generation and Radiation of Supersonic Jet Exhaust Noise: A Progress Report on Studies of Jet Noise Generation and Radiation, Turbulence Structure and Laser Velocimetry", Air Force Technical Report AFAPL-TR-74-24, June 1974.

16. "Noise Measurement of Concorde 02 Approach and Takeoff at Dallas-Ft. Worth and Dulles International Airports", EPA Report No. 550/9-74-013, August 1974.

17. "Noise Comparison of SST with Conventional Turbojet Type Aircraft", J. H. Wiggins Co. Report No. 1206 prepared for the Department of Transportation, 31 July 1974.

18. "Airport Activity Statistics of Certificated Route Air Carriers", Civil Aeronautics Board and Department of Transportation (FAA), 12 Months Ended 31 December 1972.

19. "Aircraft Noise Analysis for the Existing Air Carrier System", Bolt Beranek & Newman, Inc. Report No. 2218 prepared for the Aviation Advisory Commission, 1 September 1972.

20. "Effective Perceived Noise Level Versus Distance Curves for Civil Aircraft", Bolt Beranek & Newman, Inc., Report No. 2747, EPA Contract 68-01-2265, July 1974.

21. "Aircraft Retrofit—A Cost Effectiveness Analysis", Dept. of Transportation Technical Memorandum, 18 May 1973.

22. "23-Airport Cost-Effectiveness Analysis of Noise Abatement Alternatives", A Statement for the Subcommittee on Aeronautics and Space Technology, Committee on Science and Aeronautics, House of Representatives, by the Department of Transportation, 25 July 1974.

23. "Influence of Noise Constraints on Supersonic Transport Engine Design", AIAA Paper 73-1295, AIAA/SAE 9th Propulsion Conference, 5-7 November 1973.

24. "Aircraft Noise Certification Rule for Supersonic Civil Aircraft", EPA Project Report, 24 January 1975.

B. REGULATORY BACKGROUND

To date, the FAA has adopted three regulations which have a significant influence on aircraft noise and sonic boom.

(1) Part 36, "Noise standards: aircraft type certification", which became effective on December 1, 1969 34 FR 18355), prescribed noise measurement, noise evaluation, and noise levels for the type certification, and changes to those certificates, for subsonic transport category airplanes, and for subsonic turbojet powered airplanes regardless of category. There is no similar set of standards for supersonic airplanes although the FAA stated in the preamble to Part 36 that additional rule making would be proposed, at the earliest possible date, for the noise certification of supersonic airplanes.

(2) Part 91, "Air traffic and general operating rules" was amended on March 28, 1973 by adding a new § 91.55 prohibiting the operation of a civil aircraft in the U.S. at a true flight mach number greater than 1 except in compliance with conditions and limitations in an authorization issued by the Administrator under Appendix B of that Part. (Amdt. 91-112, 38 FR 8054).

(3) Part 36, "Noise Standards: aircraft type and airworthiness certification" was amended on October 26, 1973, to require new production turbojet and transport category subsonic airplanes to comply with the noise requirements of Part 36, regardless of the date of the type certification for those airplanes (Amdt. 36-2, 38 FR 29574). This amendment established the following dates by which new production airplanes of older type designs must comply with the noise requirements of Part 36:

(a) December 1, 1973, for airplanes with maximum weights greater than 75,000 pounds, except for airplanes that are powered by Pratt and Whitney JT3D series engines.

(b) December 31, 1974, for airplanes with maximum weights greater than 75,000 pounds which are powered by Pratt and Whitney JT3D series engines.

(c) December 31, 1974, for airplanes with maximum weights of 75,000 pounds and less.

In addition to the foregoing rules, advance notice of proposed rule making 70-33, "Civil Supersonic Aircraft Noise Type Certification Standards" was published on August 6, 1970 (35 FR 12555) proposing noise requirements for the type certification of supersonic aircraft. This proposal included a response to a petition by the Environmental Defense Fund (EDF) to promulgate such standards at the earliest possible date. In regard to the specific regulatory problems to be considered by that proposal the FAA stated, among other things, that it believed the basic three-point measurement concept (i.e., takeoff, approach, and sideline) in Part 36 could be extended to supersonic aircraft, but invited comments in regard to the kinds of changes, if any, that would be appropriate for supersonic aircraft. However, with the publication of that proposal, it restated its intention to insure that supersonic aircraft, like subsonic aircraft, are subject to type certification standards that require the full application of noise reduction technology, and insure that those standards establish ceilings beyond which noise will not be permitted. Comments received in response to the ANPRM indicated a unanimous agreement among industry and community interests that there was a need for an effective noise rule for civil supersonic aircraft to avoid an increase in the community noise exposure.

With respect to format the aircraft and aircraft engine manufacturers expressed a preference for a new part for the noise requirements applicable to supersonic aircraft. Other commentators expressed the opinion that all supersonic aircraft should conform to all of the requirements of the current Part 36 or with some appropriate modification that would reflect the unique operational characteristics of supersonic aircraft.

With respect to the proposed Part 36 noise levels and measurement points the comments received in response to the ANPRM may be briefly summarized as follows:

(1) *Noise Levels.* Most of the responses indicated that as proposed herein for future SSTs and later production current SSTs, supersonic aircraft noise levels should be no higher than those for subsonic aircraft as prescribed in Appendix C of Part 36. On the other hand, representatives of the aircraft and engine manufacturing industry suggested that it is premature to establish levels for supersonic airplanes since an adequate data base was not available. However, if a noise limit is established it should be established irrespective of gross weight and should consider the levels attained by the initial production version of the Concorde.

The EPA does not agree that the noise levels for future SSTs should remain at those levels attained by the initial production version of the Concorde. Moreover, as discussed herein, there appears to be adequate data available to establish a noise level requirement that is technologically practicable and economically reasonable.

(2) *Measurement Points.* The concept of three measurement points (sideline, takeoff, and approach) was universally acceptable. However, the location of these points was a subject of controversy. Most of the commentators recommended maintaining the same reference points as those identified for subsonic aircraft under Part 36. Others stated that consideration should be given to re-locating the reference measuring points, particularly sideline, to account for the characteristic differences between supersonic and subsonic aircraft.

The EPA recognizes the characteristic differences between supersonic and subsonic airplanes. However, there is no reason to believe that any other measurement points can be defined that will account for these differences significantly better than the present Part 36 points. Therefore, in order to maintain uniformity in the methodology for aircraft noise measurements, the three point system now universally accepted for subsonic airplanes should also be applied to supersonic airplanes.

(3) *Trade-Off allowance.* Some commentators recommended that a more liberal trade-off allowance be permitted. The subsonic aircraft noise requirements of Part 36 permit an exceedance of the noise limits that is no greater than 2 dB at any one position, with a maximum of 3 dB total that must be offset by equal reductions at the remaining positions (a ⅔ trade-off). For supersonic aircraft a trade-off of ⅜ (instead of ⅔) was recommended to permit greater flexibility in design and operational use.

As previously stated, the EPA supports the view that the standards of Part 36 should be equally applicable to future and later production current supersonic airplanes without any exceptions. The inclusion of the recommended change in trade-off allowance would dilute the effectiveness of the rule; consequently, the rule as proposed herein does not revise the trade-off allowance.

C. SIGNIFICANT NOISE RELATED DESIGN FEATURES OF SST AIRCRAFT

In the development of noise regulations for civil supersonic aircraft, the FAA has recognized and considered the characteristic differences in configuration and propulsion requirements between subsonic and supersonic aircraft. (See also References 16 and 17). Many of the differences between the configurations result from the phenomenon of the drag associated with the formation of shock waves. This fundamental difference in the mechanisms of air flow at subsonic and supersonic speeds places severe limitations on the choice of both airframe configuration and powerplant with consequent repercussions on the aircraft noise characteristics.

The air flowing past a body at subsonic speeds produces a drag force as a result of the friction between the air and the body's surface. In addition, a further pressure or "form" drag results from the disturbance of the airflow caused by the passage of the body. The greater the thickness relative to the length (or diameter/length or slenderness ratio) of the body, the greater this form drag. However, it is only a small addition to the skin friction drag, and only increases slowly with body thickness over the range of shapes of practical interest.

At supersonic speeds, however, the situation is very different. The skin friction drag is similar in magnitude to that for the subsonic case, but the form drag is largely shock-wave drag, and its magnitude increases very rapidly with slenderness ratio. As a result, practical supersonic shapes have to be more slender than their subsonic counterparts if the drag is to be kept down to a level which does not undermine the aircraft's economic performance at supersonic speed. This low slenderness ratio requirement is reflected in the type of powerplant that can be efficiently utilized for supersonic aircraft.

For subsonic aircraft, one of the principal developments in reducing jet engine noise at the source has been the introduction of the turbofan engine, in which only a fraction of the air entering the engine intake goes through the combustion chambers and turbine. The recent major reduction is noise in the new generation of engines for subsonic aircraft has been achieved largely by adopting bypass ratios in the region of (5 to 6)/1. At subsonic speeds, the increased engine weight is more than compensated for by the substantial reduction in specific fuel consumption which is characteristic of these engines. At supersonic flight speeds, however, the performance penalty associated with the significant increase in wave drag caused by the size of the engines needed to produce such speeds, precludes the use of high bypass fan engines as an efficient and practical propulsion system for supersonic aircraft.

The sensitivity to drag also influences the design of the supersonic aircraft's lifting surface. As a result, the wing span of a supersonic aircraft is generally smaller than that for a comparably sized subsonic aircraft. For example, the B707/DC8 airplane has a wing span of approximately 145 feet compared with about 85 feet for the Concorde or TU-144. This wing span reduction decreases the low speed lift/drag ratio of the aircraft, thereby requiring increased engine thrust capability at takeoff in order to provide adequate lift. The higher level of installed thrust is also required to accelerate the aircraft into the supersonic flight regime.

Another, and perhaps more important reason for not using a high bypass ratio turbofan engine supersonically is that its thrust lapse rate with Mach number is much greater than that of a comparable turbojet engine, owing to the lower exhaust velocity of the turbofan engine.

D. NOISE LEVELS OF CIVIL SST AIRCRAFT

At the present time, there are two SST airplanes with flight time that are targeted for air carrier service in the very near future, the Concorde and the Tupelov TU-144. An application for a type certificate for the Concorde has been filed with the FAA, but an application has not been received for the TU-144 at this time. Although a development program for a U.S. supersonic aircraft indicated progress in noise reduction technology for SST aircraft, funding for the continued development of that program was terminated in April 1971. As distinguished from other supersonic aircraft programs, the U.S. supersonic aircraft program was developed to conform to the subsonic noise requirements of Part 36. The development program for that airplane initially contained noise specifications in terms of Perceived Noise Level (PNL) in units of PNdB which does not include corrections for tones and duration as does EPNL. The specifications were later revised as follows to correspond to the measurement concepts, adopted in the noise requirements of Part 36, using effective perceived noise level (EPNL):

Sideline—120 EPNdB at 0.35 nm. from runway center line.
Takeoff—108 EPNdB at 3.5 nm. from brake release.
Approach—108 EPNdB at 1.0 nm. from runway threshold.

In early 1970, it appeared that the EPNL at the sideline was expected to be 122 EPNdB without the use of an exhaust noise suppressor. Although the programs for the U.S. SST were terminated it is important to note that the Supersonic Transport Community Noise Advisory Committee, after months of feasibility reviews, concluded that technology can be developed to design an economically practical commercial SST aircraft/engine configuration that would meet the Part 36 noise requirements for a subsonic aircraft having a gross weight of 500,000 pounds or more.

The Concorde airframe and engine developers conducted extensive noise testing and reported the results in References 16 and 17, above. The EPA and the FAA also conducted noise tests on the Concorde 02 during several demonstration flights in the United States at Dallas-Fort Worth, and Dulles International Airports. The results of those tests

reported in Reference 16, above, indicate that the noise levels measured and reported by the Concorde developers can be achieved provided that certain noise abatement takeoff procedures, which can be made standard operating procedures for that airplane, are fully utilized.

The test results in Reference 16 also show that the preponderance of the noise energy of the Concorde is concentrated in a lower frequency range than that of the subsonic airplanes. As a result, although the Concorde and B707/DC-8 noise levels may be approximately the same about 3.5 miles from an airport, the noise levels for the Concorde would be higher at greater distances from that airport because the low frequency sound energy of the Concorde is attenuated to a lesser extent by the atmosphere.

Reference 17 describes indoor and outdoor noise and vibration testing of the Concorde 02 during takeoffs and landings at the Fairbanks International Airport, Fairbanks, Alaska, in February 1974. The results indicate that the outdoor noise levels on the flight track of the Concorde were greater than those of the tested subsonic jets by nearly 6 dB on landing and nearly 9 dB on takeoff. The measured levels for all airplanes on the tests were normalized to 600 feet so the comparisons are valid for distance. However, since there is no information regarding the operational procedures used, such as thrust settings for the airplanes, the comparisons are not adequate. If the tests were obtained under well controlled operating conditions (such as the Part 36 requirements), the noise level differences probably would not be as large and perhaps the subsonic airplane levels would exceed those of the Concorde at a distance of 600 feet with maximum thrust settings.

Regarding the differences in indoor noise level, the results of those tests indicate that the indoor noise levels on the flight track of the Concorde were greater than those of the tested subsonic jets by more than 6 dB on landing and more than 11 dB on takeoff. This difference in noise levels occurred because the structures used in the tests filtered the high frequencies of the Concorde by about 0.5 dB for landing and about 2.5 dB for takeoff.

The target noise levels established for the TU-144 were similar to those of the Concorde, i.e., no greater than the noise of the 1965 fleet of long range subsonic civil jets. The noise levels reported for the TU-144 at the FAR Part 36 measuring points are slightly lower than those reported for the Concorde. This is probably due to the different design features of the TU-144 propulsion system, described below.

In contrast to the turbojet propulsion system of the Concorde, the TU-144, at least in the early versions, utilizes four low bypass ratio turbofan engines (BPR 1.1) in the 44,000 pound thrust range as its power source. In addition to the turbofan concept, several other design features were incorporated to minimize the noise impact of the aircraft. These include:

(1) Long intake ducts with sound absorption panels;

(2) Sonic inlets to reduce forward propagation of compressor and fan noise; and

(3) High lift devices to provide improved takeoff climb at reduced thrust settings, and reduced thrust approaches.

E. NOISE TECHNOLOGY FOR SUPERSONIC AIRPLANES

Notwithstanding the foregoing differences in configurations between the subsonic and supersonic airplanes, definite progress has been made and will continue to be made in the development of current, available and future technology for the reduction of noise generated by supersonic airplanes and their propulsion systems. As used herein, current technology includes "shelf item" hardware and commonly known techniques and procedures that have been used effectively by some manufacturers. Available technology represents the results of research and development that have not been put into common practice but are available for implementation. Some performance testing may still be necessary, but reliability and effectiveness has been demonstrated in the laboratory and on model and full scale tests. Future technology represents the results of research now in progress that have not been fully tested but the results to date indicate high potential to a reasonable degree of confidence.

Under a program directed to the investigation of the needs of supersonic component technology (see DOT/FAA Study, Ref. 13, above) it was demonstrated in model tests that an 18 dB noise reduction can be achieved under static thrust conditions for high jet exhaust velocities.

Preliminary results of the NASA and DOT studies in references 13 and 14, above, indicate that current and available technology (1973–1975) propulsion systems may be capable of meeting the present Part 36 noise levels. The aircraft weight, cost, and performance would be affected by the choice of the propulsion system utilized, but various options, including the following, are now technologically current and available:

(1) Non-afterburning turbojet with exhaust suppressor,

(2) Afterburning turbojet with exhaust suppressor,

(3) Afterburning turbofan with or without exhaust suppressor,

(4) Duct burning turbofan with or without exhaust suppressor.

Utilizing future technology in the form of engine and aircraft weight reductions plus improved suppressor technology, further reductions of approximately 5 EPNdB less than the Part 36 noise levels may be achieved for the foregoing engines. To achieve lower levels than that, however, will require the development and demonstration of new propulsion concepts such as dual-cycle engines and variable bypass engines as well as methods for controlling the aerodynamic airframe noise.

In the study regarding the influence of noise constraints on supersonic engine design conducted in Reference 23, above, similar conclusions were reached for the potential of supersonic aircraft noise technology. The report concluded in pertinent part that there are several potential propulsion systems capable of meeting the FAR noise goals. These systems include the nonafterburning turbojet engine utilizing a very high level of jet suppression, and some variable cycle engines, and the duct heating turbofan engine with a low level of jet suppression. The report also concluded that the performance and economic penalties associated with meeting noise levels that are below Part 36 can be appreciable and that in order to minimize these penalties, intensive research and development programs in the critical propulsion technology areas must be undertaken.

F. HEALTH, WELFARE AND ECONOMIC CONSIDERATIONS

The introduction of an SST at any of the major airports in the U.S. will expose those persons living in the vicinity of those airports to a noise level which is generally higher than that caused by subsonic aircraft, but which may sound different because of its lower frequency range. The control of the aircraft noise for the protection of the health and welfare of those people from the noise created by the SST airplanes can be accomplished to some extent by combinations of reducing the source noise emissions and/or the protection of noise-sensitive receivers on the ground.

The aircraft designs for the existing Concorde airplanes reflect the noise technology available in the early 60's. However, some reductions of source noise emissions can be accomplished with the existing Concorde and TU-144 airplanes by use of noise abatement takeoff and landing procedures and airport operational control such as preferential runways and night curfews. Protection of noise sensitive receivers can be accomplished primarily by the soundproofing of houses and other structures in the noise-sensitive areas, or by the relocation of the existing incompatible land uses.

The effects of the introduction of SST operations on noise exposure at a hypothetical airport with operations of a hypothetical fleet are discussed in Reference 24. The noise exposure is discussed in terms of both Noise Exposure Forecast (NEF), a widely used measure for noise exposure due to aircraft operations, and Day-Night Level (Ldn), the more broadly applicable measure of noise exposure recommended by EPA and discussed in Reference 6, above. While this does not represent any particular airport realistically, it does represent an approximate average picture of the Ldn for mixed subsonic and supersonic operations at the major U.S. air-carrier airports.

The analysis of Reference 24 gives the noise impact for various aircraft noise level situations and the increases in the impact resulting from the introduction

of 1, 4, and 8 SST takeoff and landing operations per day at the hypothetical airport. The results show that, as time passes and the source noise reduction options for the subsonic aircraft are implemented, (e.g., retrofit), the noise impact decreases. Conversely, however, the change in noise impact due to introduction of Concorde operations increases as the subsonic fleet becomes quieter. Consequently, operations of the supersonic airplanes at airports in the United States would represent a noise intrusion even though the total noise impact would decrease. It is to be noted that the supersonic airplanes will be flying at subsonic speeds in the United States, thus precluding sonic boom.

The EPA recommends and strongly supports the position that SST designs conform to reduced noise requirements that are economically reasonable and technologically practicable, if they are to be introduced into operation at existing and future airports within the U.S. To accomplish this, with a minimum burden, it is incumbent upon the FAA to identify these noise requirements without delay so that the industry may become aware of what is expected of these airplanes not only now, but in the years to come. As pointed out in Reference 5, there is an approximate 8–10-year lag between the identification of current and available technology and the operational application of that technology. As a result, new aircraft designs utilizing current and available technology would not be installed in aircraft used in operational service before at least 1982.

In order to establish noise levels for existing and future types of SST aircraft, that are economically reasonable and technologically practicable under current, available, and future technology, the EPA has recommended that the FAA issue two proposed rules for the public comment. The first, as proposed herein, would require an applicant for a type certificate for a civil supersonic airplane to show compliance with the noise requirements of Part 36 effective on the date of the application of a type certificate, or an amendment thereto, made after August 6, 1970 (except for existing airplanes). That date was selected because it corresponds with the date of the publication of ANPRM 70–33 in which the FAA informed interested persons that it was considering a rule to establish noise standards for the type certification of civil supersonic airplanes. In addition, the date is believed to be early enough to preclude the commitment of significant economic resources to the development programs for new SST airplanes which might otherwise be started without adequate consideration for the environmental noise effects of those airplanes.

This rule also would require that an applicant for the original issue of Standard Airworthiness Certificates for current type supersonic airplanes upon which substantive productive effort has been commenced after the date this regulation has been proposed, must show compliance with the noise requirements of Part 36, as effective on December 1, 1969.

In order to make the rule applicable to foreign as well as domestic air carriers, it is proposed to amend the general operating rules of Part 91 by adding a new § 91.57, following the sonic boom prohibition, which would prohibit operation of any civil supersonic airplane to or from an airport located in the United States unless that airplane meets the noise requirements of Part 36 of this Chapter for that type of airplane. By placing the prohibition in the general operating rules of Part 91, it would be made clear that the requirement to comply with Part 36 applies to all operators, including certificate holders under Part 121 and foreign air carriers conducting operations under Part 129.

The second rule would recognize the noise levels that can be achieved under current and available technology for the initial production run of the Concorde and TU–144. As indicated earlier, however, the EPA, having considered a number of options for such a regulation, has not been able to formulate a rule that it believes would represent a widely acceptable resolution of the conflicting criteria that must be met in promulgating aircraft noise regulations for current SST airplanes. Consequently, a detailed discussion follows concerning the various options, including the option preferred by EPA, reviewed to make the public aware of the key issues and factors involved and thus to encourage the desired public participation in the formulation of an acceptable rule.

G. REGULATION OPTIONS CONSIDERED FOR CURRENT SST'S

The options considered for regulation of the noise of current SSTs ranged in severity from an outright ban of current SSTs to a complete absence of regulation. They are discussed in the succeeding paragraphs with pros and cons summarized.

1. *Outright ban.* Conceptually, the simplest and most effective way to control current SST noise is to prohibit their operations in the United States. From the viewpoint of equity, however, the question arises as to whether this harsh restriction is warranted in the light of the possibly modest degree of benefit to be achieved by such restriction.

PRO

There is no doubt that such a rule would be completely protective of the environment, in terms of the possible effects of the SST.

The rule is simple, with no confusion and no uncertainty.

If it were promulgated promptly, the rule would provide early notice to prospective operators and the manufacturers of the current SSTs that there would be no market for such SST operations in the United States.

CON

Since the current SSTs are about as noisy as the current 707 and DC–8 subsonic airplanes without retrofit, and since it is presumed by many that relatively few current SSTs will be placed into operation, the restriction seems unduly harsh, and therefore unfair, when viewed against the degree of environmental hazard posed by the SST.

Promulgation of such a rule could have undesirable effects on the existing reciprocal aeronautical arrangements between the United States Government and the governments of France, England, and the Soviet Union.

The rule might be considered unfair particularly because the current SSTs might be able to operate at certain airports with negligible noise impact because of the absence of noise-sensitive areas in the general vicinity of takeoff and landing paths.

2. *Imposition of Part 36 Requirements.* Requiring that the SST conform to the source noise level requirements of Appendix C of Part 36 is conceptually a logical and sensible rule, since it would require of SSTs exactly what Part 36 requires of subsonic airplanes. The proposed rule for future SSTs as proposed in a separate rule making action indeed embodies this principle. However, such a rule for current SSTs would not be considered appropriate, as there is no known technology to permit current SSTs to comply with the noise level requirements of Part 36 in an economically reasonable manner.

PRO

The rule is simple in concept, consistent with existing rules (for subsonic aircraft) and easy to enforce.

It would protect the environment against SST noise to the same extent that Part 36 does against subsonic airplane noise.

CON

The rule is inappropriate to current SSTs since as stated above, there is no known current technology for these airplanes to enable them to meet Part 36 noise level requirements. It therefore would be tantamount to a ban on current SSTs, subject to similar objections as an outright ban.

3. *Allow SST Operation at Designated Airports with Restrictions.* This option, which has a number of different possible forms, essentially would designate certain U.S. airports at which the current SSTs would be allowed to operate, subject to certain restrictions designed to minimize its effects on the noise environment. These restrictions would include one or more of the following:

(a) Limited number of takeoffs and landings.

(b) Takeoffs and landings restricted to designated noise abatement runways to avoid noise-sensitive areas.

(c) Restrictions on the time of day in which operations are allowed—e.g., curfews.

(d) Use of special noise abatement procedures for both takeoff and landing, including procedures automatically programmed on the airplane in-flight computer, with pilot takeover occurring only for reasons of safety.

In view of the limited number of current SSTs that are expected to be in operation, the following restrictions were also considered in order to permit the operation of those airplanes in the United States without adversely affecting public health and welfare:

(a) Restricted number of daily SST operations country-wide;

(b) Restricted number of daily SST operations on an airport-by-airport basis;

(c) Restricted number of airports approved for SST operations. The above restrictions would provide assurance of a limited number of SST operations approved by the Federal government.

PRO

Adoption of a rule based on the foregoing principle would avoid an outright ban of the SST, allowing a limited number of operations.

It would limit the number of localities exposed to SST noise.

If properly implemented, it would also limit the noise impact in the communities neighboring to the designated airports.

CON

The availability of airports suitable for application of this rule has not been adequately substantiated; in particular, the designated airports not only must have the right arrangement of non-noise-sensitive areas under the runway flight paths, they also must be in locations that provide adequate and convenient access to the large metropolitan centers that would serve as the point of origin or destination for most SST passengers.

The selection of airports to be designated for SST operations may be considered arbitrary and unfair by some SST operators.

On the other hand, the residents exposed to the noise impact (actual or potential) in the vicinity of the designated airports may consider the selection discriminatory against them.

In spite of careful selection of designated airports and runways, there probably would be increased noise impact due to the SST operations, since very few airports are free of neighboring noise-sensitive areas. For this reason, and because the benefits of noise abatement procedures for takeoff and landing are limited in degree, adoption of this type of rule might allow inadequately controlled increases of SST noise impacts; hence, such a rule might be considered inadequately protective of the environment.

4. *Impose Restrictions on SST Operator at SST Airports.* This option, although similar to the previous one in many respects, differs conceptually from it in that there would be no attempt to designate the airports at which SSTs would be allowed to operate. Instead, it would allow the market forces to determine the airports at which SST operations would be introduced. However, once it was established that SST operations were to be conducted at an airport, then a rule restricting the noise impact would go into effect. In one form of such a rule the SST operator would be constrained to take the action necessary (which may include tradeoff of subsonic airplane operations) to limit the increase in noise impact caused by the SST operations to that which would be caused by an airplane that meets the noise level requirements of Appendix C of Part 36 of the Federal Aviation Regulations.

Even though the retrofit of current SST airplanes is not practicable at this time, control of the incremental effect of these airplanes on the cumulative noise exposure can be achieved to some extent by noise abatement takeoff and landing procedures, and exercising airport operational control such as preferential runways and night curfews. There is also another method of operational control that might be taken to permit the introduction of the current Concorde or TU-144 supersonic airplanes while at the same time controlling the noise impact for those airports. Under this method an operator would eliminate one or more flights of his noisier subsonic turbojet engine-powered airplanes at an airport to compensate for the increase in noise generated by each SST flight that he introduces at that airport. For example, in regard to the current subsonic fleet perhaps only one B707/DC8 flight would have to be eliminated at most airports by an operator to compensate for each Concorde flight he introduced. The operator would of course have to eliminate a larger number of B707/DC8 flights if Quiet Nacelles, Quiet Engine, or Refan retrofit were installed in his subsonic fleet operating into the airport at which the SST flights are introduced.

Because the SST produces higher sideline noise levels than comparably noisy subsonic aircraft, this "tradeoff" method of most United States airports includes at airports that have heavily populated sideline areas. Fortunately, the geometry of most United States airports includes sufficient land areas adjacent to their runways so as not to preclude tradeoff. On the other hand, if tradeoff were used, suitable regulatory constraints should be applied to avoid abuse. For example, if such a rule were in force, eliminating operations of subsonic airplanes to compensate for the introduction of SSTs and subsequently restoring those same operations would be considered as a circumvention of the rule and contrary to the tradeoff purpose. Similarly, the introduction of noisy subsonic operations in anticipation of the rule and the subsequent removal of those operations to effect a tradeoff, would also be considered a circumvention of the rule and contrary to the tradeoff purpose. Regulatory constraints to prevent such abuses would include the following provisions:

(1) A requirement that all subsonic airplane operations introduced after the introduction of SST operations must be with airplanes capable of compliance with the noise level requirements of Appendix C of Part 36.

(2) A requirement that all subsonic airplane operations proposed for tradeoff must have been in service at least six months prior to introduction of SST operations.

The foregoing constraints, intended to prevent circumvention of the noise control features of the tradeoff option, might be considered discriminatory against the SST operator, for the following reason. If the SST should create new traffic demand, or if the withdrawal of the subsonic operation should leave an unsatisfied subsonic traffic demand, the SST operator could reinstate the subsonic flight only with an airplane that meets the noise level requirements of Part 36. A non-SST operator who wished to institute a new operation could do so with an airplane that does not meet those requirements, if it is an existing airplane. Of course, any newly-produced subsonic airplane introduced into operation must meet the FAR 36 noise level requirements.

While it is true that the trade-off option with constraints as proposed herein would be discriminatory in the sense described above, such discrimination might be considered appropriate, as it would be based on the fact that the SST is a newly-produced airplane with noise levels substantially above the standards of Part 36, whereas all newly-produced subsonic aircraft are required to meet those standards. Since the SST noise cannot be controlled adequately at the source, this prospective rule would attempt to control the noise impact and to permit SST operations by allowing the alternative actions listed above.

A regulation for current SSTs as outlined in the foregoing, well may be controversial. On the one hand, it may be considered inadequately protective of the environment. On the other hand, it may be considered arbitrarily harsh and discriminatory with respect to the SST manufacturers and operators, in that it imposes penalties, in the form of restrictions, on SST operators, which are incommensurate with the degree of harm that may be imposed by the projected SST operations.

The reasons for this anomalous situation reside in the following factors (which also apply to all of the other options).

(1) The current SSTs are inherently noisy by virtue of their design features, as discussed in detail in Reference 24, and there is no known technology now available that will permit significant reduction of their noise without severely compromising their operational capabilities.

(2) As a result of several factors, there is considerable uncertainty as to the ability of the SST to operate successfully on a revenue-producing basis in competition with subsonic jet aircraft. This leads to the supposition that only a small number of current-design SSTs actually will be produced and be in service. In turn, this implies that SSTs are likely to represent a minor threat to the environment, in terms of the incremental cumulative noise imposed on airport neighboring communities.

(3) Because of the large investment in both dollars and prestige, made by the governments supporting development of the SSTs, the United States government is reluctant to take overt action that might be construed as being directly responsible for the failure of the current SST programs. The apparently modest benefits in environmental protection that might be gained by imposing onerous restrictions on the SST easily could be outweighed by the effect of such restrictions on our international relations. This would be especially true if the current SST programs fail and the failures were attributed to the restrictions imposed by the United States.

(4) Aside from the foregoing considerations, it should be recognized that the most reliable criteria available regarding human response to environmental

noise are those related to cumulative noise exposure, as outlined in references 5 and 6. Consequently, in considering the environmental impact of current SST operations, the government must turn to cumulative noise as the criterion by which to judge that impact.

Ideally, the best place to control noise is at the source; this principle is applied in the noise level requirements of FAR Part 36. It is also implicit in the Noise Certification requirements for supersonic airplanes now under consideration by the International Civil Aviation Organization and in the rule proposed herein for future and later production current supersonic airplanes. Since, however, it is not feasible to control the source noise of current early production SSTs to Part 36 levels, the method involved here is to adopt regulatory procedures that will control the cumulative noise caused by introduction of current SST operations.

It becomes clear, however, that although such rules may limit the additional noise exposure that may be caused by an SST operator, they would provide no control over added noise exposure that may result from noisy subsonic operations introduced by a non-SST operator to accommodate increased traffic. As a consequence, such rules may be criticized as offering no control over cumulative noise while still imposing restrictive limitations on SST operators.

In response to that criticism, it should be pointed out that such a rule is designed only to limit the increase in noise exposure, or impact, caused by introduction of current SST operations. Control of additional noise impact due to increased traffic represents a completely different problem, which would be resolved in the package of nine aircraft/airport noise regulatory actions currently being developed. In the absence of the other noise regulations, however, a workable SST noise rule could perform its intended function of controlling the increase in cumulative environmental noise caused by introduction of current SST operations.

The pro and con arguments implicit in the foregoing discussion are summarized below.

PRO

While avoiding a ban on current SSTs, this type of rule would protect the public health and welfare by providing a mechanism to limit the increase in noise impact due to current SST operations.

It would avoid arbitrary restrictions on the use of airports for SST operations, allowing market forces to establish which airports would be suitable for such operations.

CON

This type of rule does not attack the SST noise problem at the source, instead using an indirect measure (noise impact) as the criterion for control.

The rule may be considered discriminatory against SST operators, imposing restrictions on them which are not imposed on non-SST operators. For example, under some circumstances it could divert business from SST operators to other airlines using airplanes equivalent in noise emissions to those traded off.

It may have the effect of disproportionately penalizing operators of already quiet fleets by forcing them to drop a greater number of operations to compensate for the introduction of SST operations.

Because the rule only effectively controls the SST operator's contribution to the cumulative noise impact, the cumulative impact may, through the actions of other airlines, shift upward to the same level at which it would have been in the absence of the regulation.

This approach does not take into consideration the greater low frequency content of SST noise as compared to subsonic airplane noise.

5. *Impose Restrictions on All Operators at SST Airports.* A variation of this option which may overcome at least some of its objectionable features would be a rule, applying only to airports with SST operations, that would require all new flight operations at such airports to comply with the foregoing limitation on the noise impact increase.

PRO

Adoption of such a rule would avoid a ban of the SST, yet would control the noise impact that otherwise would be caused by introduction of SST operations.

By requiring new flights of all operators (not only SST operators) to control the noise impact to that of an airplane meeting Part 36 noise level limits, it would eliminate the objection that the rule was discriminatory against the SST operator.

Since the characteristics that make an airport a suitable candidate for SST operations are those likely to generate considerable subsonic airplane traffic as well, the SST airports would tend to have the largest noise-affected areas. Hence, the control of noise impact increase provided by such a rule would take place at the airports most in need of such control.

Because the rule would apply at relatively few airports—those suitable for SST operations—it probably would not have a severe economic impact on any airline. The noise impact requirement in many cases could be met by shifting quiet airplanes from some other route or airport assignments, rather than requiring retrofit of a noisy one. It will be recalled that Part 36 now requires that new subsonic airplanes, which may have to be purchased to meet the increased traffic demand, would have to meet the noise level requirements of Appendix C of that Part.

CON

One objection that may be raised to this type of rule is that it evades a direct attack on the "real" problem, which is SST noise exposure; thereby it penalizes airlines that operate only subsonic airplanes, as well as SST operators. Regarding the first point, it has already been stated that the cumulative noise exposure is the basis for the best criteria available on the effects of noise. As for the second point, the rule has no effect on a subsonic operator whose airplanes meet Part 36 noise levels. It may be considered discriminatory against those operators with noisy low-bypass, narrow-bodied jets; although the rule is aimed primarily at SST noise, the side effect of controlling noise due to unretrofitted 707 and DC-8 airplanes (by no means an imaginary problem) at the airports most in need of noise control would appear to be beneficial rather than otherwise. However, such operators may contend that the rule was capricious, in that it requires such an operator to take the prescribed action based on a circumstance beyond his control, namely, the introduction of SST operations by another operator.

Another possible objection is that this approach ostensibly does not take into consideration the greater low-frequency content of SST noise as compared to subsonic airplane noise. As indicated in the earlier discussion, it is not entirely clear that this characteristic of SST noise will necessarily make it more annoying. In any event, if scientific information becomes available that make it possible to quantify the efforts of such low-frequency noise in terms of noise impact, such criteria may be applied in implementation of the rule.

6. *Escalating Restrictions on SST Source Noise.* Another option considered would aim at minimizing the noise impact of supersonic transports without imposing operational restrictions upon their use. This option would require that the various current SST airplanes manufactured after the initial production meet the following successively lower noise standards:

(a) *First 20 airplanes.* Noise limits at currently projected levels, or best efforts;

(b) *Second 20 airplanes.* Noise limits 5 dB below first production;

(c) *Third 20 airplanes.* Noise limits 10 dB below first production; and

(d) *All subsequent airplanes.* Meet the noise level requirements of Appendix C of Part 36.

This approach provides one interesting aspect. If the conservative views regarding the economic success of the current SSTs turn out to be correct and no more than twenty such airplanes are placed into service, an automatic limit is placed on the environmental degradation without any restrictions being placed on the SST.

If, on the other hand, the current SSTs were to turn out more successful, economically, than many now envisage, a series of escalating restrictions on the noise output of the SST would help to limit the overall environmental impact.

PRO

This type of rule would avoid an outright ban or other arbitrary constraints on the SST.

It would provide the SST manufacturers with the incentive, and to some extent the time, to embark on an intensive research and development activity to advance the state of the art and develop new and improved techniques and hardware for reducing the noise emissions of current SST aircraft and propulsion systems.

As implied above, it would provide automatic triggering of new standards in an escalating series for the SST, reducing the allowable noise emissions if more than the limited number of twenty were to be placed into service.

CON

Even introduction of the first 20 SSTs into operation without restriction would impose increased noise on the environment, although admittedly the increase would be limited in extent. If additional SSTs were placed in operation, there would be additional increases of environmental noise beyond that which would occur with new subsonic airplanes, which must conform to Part 36 noise level requirements. Consequently, unacceptable increases in environmental noise could occur.

In the light of present knowledge of supersonic aircraft noise control, it appears unlikely that significant reduction of the noise

emissions of current SSTs could be accomplished without extensive, and expensive, redesign. Consequently, this type of rule might be considered as effectively imposing a limit of twenty on the number of SSTs produced.

7. *No Regulation.* There are a number of commentators, not necessarily advocates of the supersonic transport, who suggest that no regulatory action at all should be taken with respect to the noise of current supersonic airplanes, notwithstanding the noise impact that may result from their operations.

PRO

Airline operations of current supersonic transports may not be viable, in terms of economics or fuel consumption. Consequently, it is hypothesized, the number operating into U.S. airports may be so small as to be no significant hazard to the environment.

This approach would avoid adding an additional burden to an already endangered project.

CON

This approach is based on the conjecture that the SST program will be of such limited success that no more than twenty current SSTs ever will be in service. Although this may be the prevailing opinion, such a conjectural outcome is by no means assured. It would appear to be only prudent to recognize the possibility that many more than twenty current SSTs will operate, and to provide suitable regulations to protect the environment in the event of such a contingency.

In any event, even twenty or fewer current SSTs landing at and taking off from a small number of airports, or the same airport, can represent a significant noise impact in the environs of those airports. Therefore, suitable regulations are required to protect the public against the encroachment of such noise.

8. *Airport Noise Regulation.* The last option considered is to delay the adoption of a current SST regulation until an airport noise regulation has been adopted. Such a regulation would provide the ground rules and procedures for cooperative decisions and actions by local communities, employing land use controls, and airport management, with the collaborative support of the FAA with its powers of operational control, to establish mutually acceptable levels of noise impact and to control numbers, types and operations of the aircraft at each airport in order to achieve the designated acceptable levels of noise.

If such an airport regulation were adopted, restrictions similar to those listed in Option 3 could then be established, appropriate to each airport, applying to all aircraft operators, thus obviating any further need for the regulatory controls on noise impact, applying specifically to current SST operators, that are incorporated in the regulation proposed herein. Pending the development and promulgation of such a regulation, the EPA believes that some standard is needed for the protection of the public health and welfare from the noise of supersonic aircraft, and that some regulation embodying the concepts discussed herein, should be adopted.

It seems apparent, in the light of the foregoing discussion, that any rule of the type discussed herein, applicable to initial production versions of current SSTs, will stir active controversy, in that it will embody provisions which may be considered objectionable by persons living in the vicinity of airports, by some segments of the aviation industry, and/or others.

The EPA recognizes the imperfections of the regulatory options discussed above, applicable to initial production versions of current SSTs. It believes, however, that some regulation should be adopted which represents the best compromise between the extremes of no regulation, on the one hand, and a ban of the current SSTs, on the other hand. The EPA believes further, that a regulation based on Option 3 (Allow SST Operation at Designated Airports with Restrictions) has considerable merit in basic concept, even though it has undesirable aspects as well. One can envisage a two-step process that would be required to enable an operator to engage in SST landing and takeoff operations at a U.S. airport: first, under an Option 3 type of regulation, the FAA would designate that airport as being suitable for SST operations, using criteria developed in response to testimony and data presented at the hearings; second, the airport operator, exercising his proprietor's rights, and basing his decision on the local situation, would agree to accept the SST operations at that airport with certain specified operating restrictions. Thus, the FAA designation of an airport for SST use would be a necessary, but not a sufficient, condition for SST operation at that airport; the airport proprietor's decision allowing such operation, and defining the restrictions of operation would be necessary, and the two decisions would be sufficient.

The EPA favors a regulation similar to the one described here but, recognizing certain undesirable aspects of the regulation as described, believes that full discussion of all the options cited and the merits and negative aspects of this particular option should first be aired through the public hearing process. All interested persons therefore are urged to include the data, if any, supporting their opinions and comments submitted in response to this notice. It will be only by a thorough study of the various views on this subject that the FAA, in cooperation with the EPA, will be able to develop a rule that provides the maximum protection of the public health and welfare, consistent with the requirements of the Federal Aviation Act as amended by the Noise Control Act of 1972.

H. THE PROPOSED REGULATION FOR FUTURE TYPES AND LATER PRODUCTION VERSIONS OF CURRENT TYPES OF SSTS

In consideration of the foregoing, in order to implement the first noise proposal, concerning future types and later production versions of current types of SSTs, it is proposed to amend Part 36 of the Federal Aviation Regulations as follows:

§ 36.1 [Amended]

1. By changing the words "subsonic turbojet airplanes" as they appear in the applicability provisions of § 36.1 to read "supersonic and subsonic turbojet powered airplanes."

2. By adding a new paragraph (e) to § 36.1 to read as follows:

* * * * * *

(e) Each person who applies for the original issue of Standard Airworthiness Certificates under § 21.183, must, regardless of date of application, show compliance with the Part (including Appendix C), as effective on December 1, 1969, for any supersonic turbojet powered airplane upon which substantive productive effort was commenced after the date this regulation is proposed. For purposes of this regulation, "substantive productive effort commenced" means that parts have been fabricated or delivered or are on order (in a legally binding financial commitment) for the airplane in question equivalent in total value to 5 percent or more of the selling price of the airplane.

3. By revising paragraph (c)(2) of § 36.201 to read as follows:

§ 36.201 Noise Limits.

* * * * * *

(c) * * *

(2) Application was or is made on or after December 1, 1969, or August 6, 1970 for supersonic turbojet powered airplanes (except for those airplane types that have been flown before Dec. 31, 1974), it must be shown that the noise levels of the airplane are no greater than those prescribed in Appendix C of this Part.

* * * * * *

It is further proposed to amend Part 91 of this Chapter by adding a new § 91.57 immediately following § 91.55 to read as follows:

§ 91.57 Civil supersonic aircraft operation.

No person may operate a civil supersonic airplane to or from an airport located within the United States unless the airplane to be operated complies with the noise requirements for supersonic airplanes of Part 36 of this Chapter, taking into account the date on which substantive productive effort, as defined in paragraph 36.1(e), was commenced on that airplane.

These amendments are proposed under the authority of sections 307 (a) and (c), 313(a), 601, 603, and 641(c) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a), 1348(c), 1354(a), 1421, 1423, and 1431(c)); section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); Title I, National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and Executive Order 11514, March 5, 1970.

Issued in Washington, D.C., on March 25, 1975.

J. B. BARRIAGE,
Acting Director,
Office of Environmental Quality.

[FR Doc.75-8115 Filed 3-27-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 76]

[Docket No. 18891; FCC 75-303]

COMMUNITY ANTENNA TELEVISION SYSTEMS

First Report

In the matter of Amendment of Part 76 of the Commission's rules and regulations Relative to Diversification of Control of Community Antenna Television Systems; and Inquiry with Respect Thereto to Formulate Regulatory Policy and Rule Making and-or Legislative Proposals. See 39 FR 11117.

1. In December 1966, the Commission initiated an omnibus rule making proceeding to deal with numerous cable television issues, including diversification. Notice of proposed rule making and notice of inquiry in Docket No. 18397, FCC 68-1176, 15 FCC 2d 417 (1968). At paragraph 23, the Commission invited comments on "what consideration, if any, should be given to ownership of other local media, such as newspapers."

2. In June 1970, the Commission took two actions in the area of diversification of control of cable television. First, it adopted a rule (originally Section 74.1131 and now Section 76.501) prohibiting the ownership, operation, or control of cable television systems by national television networks, co-located television broadcast stations, or co-located television translator stations. Second report and order in Docket No. 18397, FCC 70-673, 23 FCC 2d 816, modified on reconsideration, FCC 73-80, 39 FCC 2d 377 (1973), appeal pending, Gill Cable, Inc., v. FCC, Case No. 73-1344 (9th Cir.). Second, the Commission began a new proceeding to deal with the diversification matters which were not disposed of in the Second Report and Order. Notice of proposed rule making and of Inquiry in Docket No. 18891, FCC, 70-674, 23 FCC 2d 833 (1970). In paragraph 4, the Commission stated that in view of the fact that the question of cross-ownership of newspapers and local broadcast stations is under study in Docket No. 18110, the newspaper-cable portion of Docket No. 18891 will be considered at approximately the same time as Docket No. 18110. On March 13, 1974, the Commission issued a Memorandum Opinion and Order, FCC 74-263, 45 FCC 2d 1050 (1974), requesting supplemental or new comments by all interested parties.

3. Comments have been received concerning the newspaper-cable cross-ownership aspects of this proceeding, and they have been analyzed. In addition, the Commission has given attention to this subject in connection with other proceedings (Docket 18110) and has considered all other relevant information that has come to its attention. An informal study of newspaper-cable ownership patterns based on information from cable television ownership reports (Form 325), has been completed.

4. The comments that have been filed thus far, responsive to our two separate requests for comment in this proceeding, along with a review of other available data, have not produced a record of abuse or trend of ownership or activity leading to a monopolization of viewpoints or which appears detrimental to the integration of the cable television industry into the national communication structure. Our review of the most recently filed cable ownership reports suggests that newspaper-cable ownership in the same market area represents only a very minor portion of the industry and that there is no definable pattern of growing newspaper involvement similar, for example, to that in the early stages of radio and television broadcasting. We have, accordingly, decided to issue no rules at this time prohibiting or restricting such cross-interests.

5. This is not to say, however, that we do not have real concerns with cross-interests that may tend to restrict media diversity or economic competition. Rather, what we are saying is that neither the information available to us at this time nor the state of our regulatory development provides us a sufficient base upon which to conclude that whatever theoretical benefits cross-ownership rules might have, outweigh the traditional values of open market entry or the possibility that cross-fertilization from one industry to the other will have a more positive than negative impact. On the basis of the information now before us, we believe it more appropriate to do no more than postpone any final determination on this matter until such time as we find abusive trends developing or have more conclusive information as to the potential harms that may be involved in such cross-interest relationships.

6. We are, of course, sensitive to the critical matter of timing in adopting or delaying the adoption of rules of the type under consideration in a proceeding such as this. If rules are to be adopted, it would be preferable they be adopted at an early date so that equities, later difficult to displace, do not develop but they should not be adopted so early that they cure a hypothetical rather than a real problem. For now, we believe this dictates a policy of watchful waiting while the trend of our regulation becomes clearer, the nature of the ownership and services the industry will provide more stable,[1] and the positive or negative aspects of the cross-ownership relationship are less obscure. Further, there are other aspects of cable ownership under consideration in this proceeding which need to be given consideration (cable-radio, cable-equipment manufacturers, cable-advertising agencies, cable-multiple ownership). When these matters are reviewed, we will have a further opportunity to consider the cable newspaper issue. For now, we have determined to adopt no regulations but to retain jurisdiction over this matter for such future consideration as developments in the industry or our own analysis suggest is necessary.

7. We are, as part of our program to gather more precise information about the development of the cable television industry, revising our cable television information reporting form (Form 325) and will be assisted in the analysis of this information by its computer processing. After the revision is complete, the forms distributed, and the replies received and studied, we hope to apply this greater knowledge as an did to resolving this important issue. In the meantime, we shall proceed to develop additional information not only about the newspaper portion of this proceeding but also about all of the other related aspects.

Adopted: March 12, 1975.

Released: March 24, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

[FR Doc.75-8109 Filed 3-27-75;8:45 am]

[1] In this regard, we note particularly the issue of program originations—will they develop on a commercial basis to obtain more subscribers, to attract an audience for the sale of advertising on a direct payment basis, or will they decline in relative importance as cable channels are used for other purposes or by individuals or groups other than system owners and operators.

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 270, 275]

[Release Nos. IA-439, IC-8690, File No. 4-149]

EXEMPTIVE RULES FOR VARIABLE LIFE INSURANCE

Withdrawal of Proposed Amendments and Proposed Rescission of Rules

Correction

In FR Doc. 75-6415 appearing at page 11613 of the issue for Wednesday, March 12, 1975 in the third line of the third paragraph the citation "80a-(c)(3)" should read "80a-3(c)(3)".

[17 CFR Parts 270, 275]

[Release Nos. IA-440, IC-8691, File No. S7-554]

SEPARATE ACCOUNTS OF LIFE INSURANCE COMPANIES FUNDING CERTAIN VARIABLE LIFE INSURANCE CONTRACTS

Notice of Intention to Propose Rule

Correction

In FR Doc. 75-6416 appearing at page 11614 of the issue for Wednesday, March 12, 1975, in the third column of page 11615 the last word of the 21st line of numbered paragraph 1, reading "may", should read "must"; and on page 11616 in the fifth line of the first column, "compromise" should read "comprise".

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF DEFENSE

Department of the Navy

NAVAL RESEARCH ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given that the Naval Research Advisory Committee will hold a closed meeting on April 17 and 18, 1975, at the Naval Undersea Center, San Diego, California. The agenda will consist of matters which are classified in the interest of national security, including various matters pertaining to the Committee's general mission to advise on whether research and development efforts being conducted by the Department of the Navy are adequate in relation to the problems to be solved. The Secretary of the Navy for that reason has determined in writing that this meeting of the Naval Research Advisory Committee should be closed to the public because it is concerned with matters listed in section 552(b)(1) of title 5, United States Code.

This notice corrects the notice previously published on March 4, 1975, at 40 FR 8970.

Dated: March 24, 1975.

WILLIAM O. MILLER,
Rear Admiral, JAGC, U.S. Navy,
Deputy Judge Advocate General.

[FR Doc.75-8061 Filed 3-27-75;8:45 am]

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 74-23]

JOHN LOUIS CARROLL, M.D.

Notice of Hearing

Notice is hereby given that on October 30, 1974, the Drug Enforcement Administration, Department of Justice, issued to John Louis Carroll, M.D., Sandusky, Ohio, an Order to Show Cause as to why the Drug Enforcement Administration registration No. AC2866056, issued to him pursuant to section 303 of the Controlled Substances Act (21 U.S.C. 823) should not be revoked.

Thirty days having elapsed since said order was received by Dr. Carroll, and written request for a hearing having been filed with the Drug Enforcement Administration, Notice is hereby given that a hearing in this matter will be held commencing at 10 a.m. on April 14, 1975, in Room 1210 of the Drug Enforcement Administration, 1405 I Street, N.W., Washington, D.C. 20537.

Dated: March 20, 1975.

JOHN R. BARTELS, Jr.,
Administrator,
Drug Enforcement Administration.

[FR Doc.75-8050 Filed 3-27-75;8:45 am]

KNOLL PHARMACEUTICAL CO.

Importer of Controlled Substances; Registration

By Notice dated January 21, 1975, and published in the FEDERAL REGISTER on January 27, 1975; (40 FR 4025-26) Knoll Pharmaceutical Company, 30 North Jefferson Road, Whippany, New Jersey 07981, made application to the Drug Enforcement Administration to be registered as an importer of Morphine, Hydrocodone, Codeine and Pethidine, basic class controlled substances listed in Schedule II.

No comments or objections having been received, and, pursuant to section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970, and in accordance with 21 CFR 1311.42, the above firm is granted registration as an importer of Morphine, Hydrocodone, Codeine and Pethidine.

Dated: March 19, 1975.

JOHN R. BARTELS, Jr.,
Administrator.

[FR Doc.75-8049 Filed 3-27-75;8:45 am]

UNITED STATES V. TOYOTA MOTOR SALES, U.S.A., INC. AND TOYOTA MOTOR DISTRIBUTORS, INC.

Consent Judgment and Competitive Impact Statement

The following is the text of the Consent Judgment and Competitive Impact Statement in this case which was inadvertently omitted from the Notice of Settlement published in the FEDERAL REGISTER on March 20, 1975 (40 FR 12687).

Dated: March 21, 1975.

THOMAS E. KAUPER,
Assistant Attorney General,
Antitrust Division.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

[Civil Action No. C 75 0473 SW]

Anthony E. Desmond, Gerald F. McLaughlin, John F. Young, Antitrust Division, Department of Justice, 450 Golden Gate Avenue, Box 36046, Room 16432, San Francisco, California 94102; telephone: (415) 556-6300. Attorneys for the United States.

United States of America, Plaintiff v. Toyota Motor Sales, U.S.A., Inc., Toyota Motor Distributors, Inc., Defendants.

STIPULATION

It is stipulated by and between the undersigned parties, plaintiff United States of America, and defendants Toyota Motor Sales, U.S.A., Inc., and Toyota Motor Distributors, Inc., by their respective attorneys, that:

1. The parties consent that a final judgment in the form hereto attached may be filed and entered by the Court, upon the motion of either party or upon the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Penalties Act [15 U.S.C. § 16] and without further notice to any party or other proceedings, provided that plaintiff has not withdrawn its consent which it may do at any time before the entry of the proposed final judgment by serving notice thereof on defendants and by filing that notice with the Court.

2. In the event plaintiff withdraws its consent or if the proposed Final Judgment is not entered pursuant to this Stipulation, this Stipulation shall be of no effect whatever and the making of this Stipulation shall be without prejudice to plaintiff and defendants in this or any other proceeding.

Dated: March 12, 1975.

FOR THE PLAINTIFF

Thomas E. Kauper, *Assistant Attorney General;* Baddia J. Rashid, Charles F. B. McAleer, Anthony E. Desmond, Gerald F. McLaughlin, Barry J. Kaplan, John F. Young, *Attorneys, Department of Justice.*

FOR THE DEFENDANTS

Gore, Cladouhos & Brashares, 1750 New York Avenue, N.W., Washington, D.C. 20006; Harry W. Cladouhos, *Attorneys for Defendants.*

FINAL JUDGMENT

Plaintiff, United States of America, having filed its complaint herein on March 12, 1975; defendants having appeared by their respective counsel; and plaintiff and defendants, by their respective attorneys, having consented to the entry of this Final Judgment without trial or adjudication of any issue of fact or law, and without admission by any party with respect to any such issue;

Now, Therefore, without trial or adjudication of any issue of fact or law, and upon consent of the parties hereto, it is hereby

Ordered, adjudged, and decreed as follows:

I. This Court has jurisdiction of the subject matter hereof and the parties hereto. The complaint states a claim upon which relief may be granted against the defendants under section 1 of the Act of Congress of July 2, 1890, as amended, 15 U.S.C. § 1, commonly known as the Sherman Act.

II. As used in this Final Judgment:

(a) "Person" shall mean any individual, partnership, firm, association, corporation or other business or legal entity;

(b) "Manufacturer" shall mean Toyota Motor Company, Limited, a corporation organized and existing under the laws of Japan, a manufacturer of motor vehicles, and of optional equipment, parts and accessories therefor;

(c) "Toyota products" shall mean motor vehicles, optional equipment, parts and accessories sold by or through any of the defendants under any trade name used by Manufacturer or its subsidiaries, including, but not limited to, the name "Toyota"; and

(d) "Toyota dealer" shall mean any person who has entered into a dealer sales agreement, for the resale of Toyota products to consumers.

III. The provisions of this Final Judgment applicable to the defendants shall also apply to each of their officers, directors, agents, employees, subsidiaries, successors and assigns, and to all persons in active concert or participation with the defendants who receive actual notice of this Final Judgment by personal service or otherwise. The provisions of this Final Judgment shall not apply to acts or transactions of any of the defendants outside the United States, its territories and possessions, except as such acts or transactions affect the sale of Toyota products within or from the United States, its territories and possessions, or the sale of Toyota products to agencies of the United States, wherever located.

IV. The defendants are enjoined and restrained from entering into, adhering to, maintaining, enforcing or claiming directly or indirectly, any rights under any contract, agreement, combination, understanding, plan or program with any person to:

(a) Fix, establish, maintain or adhere to prices or discounts at which Toyota products are sold, offered for sale or advertised by any Toyota dealer;

(b) Fix, establish, maintain or adhere to trade-in allowances for used motor vehicles received by consumers as part payment on the purchase of Toyota products from any Toyota dealer;

(c) Limit or restrict any Toyota dealer from offering or advertising free accessories, optional equipment, fuel or other merchandise, or services in connection with the sale of Toyota products; nothing in this provision shall prevent defendants from taking appropriate action to ensure that all dealer advertising is in full compliance with all federal and state laws and regulations;

(d) Limit or restrict the geographic areas within which, or the persons or classes of persons to whom any Toyota dealer may sell, offer to sell or advertise Toyota products; and

(e) Require, as a condition attached to any dealer sales agreement with any Toyota dealer, that said Toyota dealer shall advertise Toyota products only as specified by its distributors or by any other person, or that said Toyota dealer shall obtain approval of any advertising materials prior to its use of such advertising materials except to ensure the accuracy and legality of such advertising; nothing in this provision shall prevent defendants from taking appropriate action to ensure that all dealer advertising is in full compliance with all federal and state laws and regulations.

V. Defendants are enjoined and restrained from:

(a) Suggesting, urging, compelling or requiring any Toyota dealer to establish, adopt, advertise or adhere to any fixed, suggested or specified price, discount, trade-in allowance, mark-up or margin of profit on the sale of any motor vehicles, parts and accessories, including but not limited to Toyota products;

(b) Encouraging the report of, or taking action in response to, any complaint by any Toyota dealer regarding the pricing, discounting, or price-related advertising of any other Toyota dealer; however, nothing in this provision shall prohibit defendants from taking appropriate action to ensure that advertising of prices by dealers is in complete compliance with all federal and state laws and regulations.

(c) Suggesting, urging, compelling or requiring any Toyota dealer to establish, adopt, adhere to or enforce adherence to any limit on the persons or classes of persons to whom, or the areas in which such dealer may sell, offer to sell or advertise Toyota products.

(d) Terminating, threatening to terminate or refusing to renew the dealer sales agreement of any Toyota dealer because of the prices at which, the persons or classes of persons to whom or the areas in which such dealer has sold, offered to sell or advertised Toyota products; and

(e) Discontinuing, curtailing or limiting the sale of Toyota products, or otherwise penalizing any Toyota dealer because of the prices at which, the persons or classes of persons to whom or the areas in which such dealer has sold, offered to sell, or advertised Toyota products.

VI. Nothing in this Final Judgment shall prohibit the defendants from:

(a) Affixing to each Toyota motor vehicle a label which states, among other things, the retail price of such motor vehicle suggested by Manufacturer, as required by the Automobile Information Disclosure Act, 72 Stat. 326, 15 U.S.C. §§ 1231–1233;

(b) Filing information, including the retail price for each model of Toyota motor vehicles suggested by Manufacturer, where required, and in the manner required, by the laws of any State; and

(c) Unilaterally suggesting retail prices, mark-ups or margins of profit to its dealers for the sale of Toyota products; provided, however, that any such suggestion shall include a statement that each dealer is free to sell at whatever prices, mark-ups or margins of profit he may choose.

VII. (a) Defendants are ordered and directed to refrain from compliance with or the enforcement of any portion of their distributor agreements and dealer sales agreements which are inconsistent with any provision of this Final Judgment.

(b) Defendant Toyota Motor Sales, U.S.A., Inc., is ordered and directed, within ninety (90) days after the date of entry of this Final Judgment, to mail to each Toyota dealer served by its distributors a copy of this Final Judgment and to notify each such Toyota dealer in writing, in a form acceptable to plaintiff, that he may sell, offer to sell or advertise Toyota products at such prices, to such persons, and in such areas as he wishes, in his sole discretion.

(c) Defendant Toyota Motor Sales, U.S.A., Inc., is ordered and directed, for a period of ten (10) years after the date of entry of this Final Judgment to deliver to each new Toyota dealer served by its distributors a copy of this Final Judgment, together with a notice in the same form as that approved for use pursuant to subparagraph VII(b) above, within ninety (90) days after such new dealer is appointed.

(d) Defendant Toyota Motor Sales, U.S.A., Inc., is ordered and directed, within ninety (90) days after the date of entry of this Final Judgment, to mail to each Toyota distributor to whom it supplies Toyota products a copy of this Final Judgment, and to notify each such distributor of Toyota products in writing, in a form acceptable to plaintiff, that Toyota dealers to whom they distribute Toyota products may sell, offer to sell or advertise Toyota products at such prices, to such persons, and in such areas as such dealers may determine, in their sole discretion.

(e) Defendant Toyota Motor Sales, U.S.A., Inc., is ordered and directed, for a period of ten (10) years after the date of entry of this Final Judgment, to deliver to each new Toyota distributor with whom it commences regular business relations, within ninety (90) days after commencing such business relations a copy of this Final Judgment, together with a notice to such new distributor in the same form as that approved for use pursuant to subsection VII(d) above.

(f) Defendants are ordered and directed, within ninety (90) days after the date of entry of this Final Judgment, to serve a copy of this Final Judgment on each of their respective officers, directors, and each of their respective employees or representatives who have direct responsibility for the sale or distribution of Toyota products, including, but not by way of limitation, any advertising agency or similar enterprise with whom defendants, or each of the defendants, have, or may have, business relations with respect to the promotion, sale or advertising of Toyota products.

(g) Defendants are ordered and directed, for a period of ten (10) years after the date of entry of this Final Judgment, to serve a copy of this Final Judgment upon each successor to those officers, directors, employees and representatives described in subparagraph VII(f) above within ninety (90) days after such successor is employed by or becomes associated with defendants or any of the defendants; and

(h) Defendants are ordered and directed, within one hundred and twenty (120) days after the entry of this Final Judgment, to serve upon plaintiff affidavits concerning the fact of, and the manner of, their compliance with the provisions of subparagraphs (a), (b), (d) and (f) of this section VII.

VIII. For a period of ten (10) years after the date of the entry of this Final Judgment, each of the defendants is ordered and directed to file with the plaintiff at its San Francisco office (unless otherwise directed), on each anniversary date of such entry, a report setting forth the steps which each such defendant has taken during the prior year to advise their appropriate officers, directors, and employees of their obligations under this Final Judgment. Such reports shall further contain the name and address of any dealer whose dealership was terminated or not renewed and shall state the reasons for such termination or non-renewal.

IX. For the purpose of securing or determining compliance with this Final Judgment, duly authorized representatives of the Department of Justice shall, on written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to each or either of the defendants, made to their respective principal offices, be permitted, subject to any legally recognized privilege:

(a) Access, during regular office hours of each or either of such defendants, to all books, records, ledgers, accounts, correspondence, memoranda and other records and documents in the possession of or under the control of each or either of such defendants, relating to any matters contained in this Final Judgment.

(b) Subject to the reasonable convenience of each or either of the defendants, and without restraint or interference from such defendants, to interview their officers or employees, who may have counsel present, regarding any matters contained in this Final Judgment.

Upon written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, made to their respective principal offices, defendants shall submit such additional reports in writing with respect to the matters contained in this Final Judgment as may from time to time be requested.

No information obtained by the means permitted in this section IX shall be divulged

by any representatives of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the plaintiff, except in the course of legal proceedings to which the United States is a party for the purpose of securing compliance with this Final Judgment, or as otherwise required by law.

X. Jurisdiction is retained by this Court for the purpose of enabling any party to this Final Judgment to apply to this Court at any time for such further orders and directions as may be necessary or appropriate for the construction of or the carrying out of this Final Judgment, for the modification of any of its provisions, for the enforcement of compliance therewith, and for the punishment for violations thereof.

Entry of the Final Judgment is in the public interest.

———— ————,
U.S. District Judge.

Dated: ----------.

COMPETITIVE IMPACT STATEMENT

Pursuant to section 2(b) of the Antitrust Procedures and Penalties Act [15 U.S.C. 16 (b)] the United States hereby submits this Competitive Impact Statement relating to the proposed consent judgment submitted for entry in this civil antitrust proceeding.

I. Nature of the Proceeding. On March 12, 1975, the United States filed a civil complaint under section 4 of the Sherman Act (15 U.S.C. § 4), alleging that defendants Toyota Motor Sales, U.S.A., Inc., and Toyota Motor Distributors, Inc., violated section 1 of the Sherman Act (15 U.S.C. § 1). The complaint alleges that defendants and various co-conspirators engaged in a combination and conspiracy in unreasonable restraint of interstate and foreign commerce, the substantial terms of which are that (a) Toyota dealers will sell Toyota motor vehicles at prices fixed by defendants; (b) Toyota retail dealers will refrain from advertising Toyota motor vehicles at discounted prices; and (c) Toyota dealers will refrain from selling or advertising Toyota motor vehicles outside assigned market areas.

Entry by the Court of the proposed consent judgment will terminate the action, except that the Court will retain jurisdiction over the matter for possible further proceedings which might be required to interpret, modify or enforce the judgment, or to punish alleged violations of any of the provisions of the judgment.

II. *Description of Practices Involved in the Alleged Violation.* Toyota automobiles are manufactured in Japan by Toyota Motor Company, Ltd., (Manufacturer) and are distributed worldwide by Toyota Motor Sales Company, Ltd., a Japanese subsidiary of Manufacturer. Defendant Toyota Motor Sales, U.S.A., Inc., (TMS–USA), also a subsidiary of Manufacturer, is the sole countinental United States importer of Toyota automobiles. Its principal offices are located in Torrance, California. TMS–USA utilizes a network of regional distributors to distribute its products to franchised Toyota retail dealers throughout the continental United States.

Defendant Toyota Motor Distributors, Inc., of Torrance, California, is a wholly-owned subsidiary of TMS–USA, and is the regional Toyota distributor in 14 states. Other, independent regional Toyota distributors named as co-conspirators in the Complaint are: Mid-Atlantic Toyota Distributors, Inc., of Columbia, Maryland; New England Toyota Distributors, Inc., of Woburn, Massachusetts; Southeast Toyota Distributors, Inc., of Pompano Beach, Florida; Amco Industries, Inc., of Franklin Park, Illinois; and Servco Pacific, Inc., of Honolulu, Hawaii. Servco Pacific, Inc., receives its automobiles directly from the Japanese distributor, Toyota Motor Sales Company, Ltd., which is also named as a co-conspirator in the Complaint. One U.S. Toyota distributor, Gulf States Toyota, Inc., of Houston, Texas, was not named in the suit, either as a defendant or as a co-conspirator.

The Complaint alleges that the defendants and co-conspirators engaged in a conspiracy to maintain the retail selling prices of Toyota automobiles at artificially high levels. The alleged conspiracy was carried out in several ways, including (a) the obtaining of informal agreements from franchised Toyota retail dealers to sell Toyota automobiles at the prices suggested by the Importer (TMS–USA); (b) the obtaining of agreements from dealers not to offer discounts or over-allowances on trade-ins on Toyota automobiles; (c) the restriction, in both content and geographic area, of dealer advertising; and (d) the restriction of the territories in which franchised Toyota dealers may sell or offer to sell Toyota automobiles.

According to the Complaint, the alleged conspiracy had the following effects: (a) that Toyota dealer prices have been fixed and maintained at artificially high levels; (b) that price competition among Toyota dealers has been suppressed; (c) that consumers have been deprived of the opportunity to buy Toyota products at competitive prices; and (d) that Toyota dealers have been prevented from competing with one another.

III. *Explanation of the proposed consent judgment.* Prior to filing the complaint, the United States and the defendants have agreed that the consent judgment, in a form negotiated by the parties, may be entered by the Court at any time after compliance with the Antitrust Procedures and Penalties Act. The stipulation provides that there has been no admission by either party with respect to any issue of fact or law. Under the provisions of section 2(e) of the Antitrust Proceduers and Penalties Act, entry of said judgment by the Court is conditioned upon a determination by the Court that the proposed judgment is in the public interest.

A. *Prohibited Conduct.* The proposed consent judgment will prohibit the defendants from entering into or adhering to any agreements or arrangements with any person to fix or maintain the retail prices at which Toyota products are sold by franchised Toyota dealers or to fix or maintain any particular levels of trade-in allowances offered by dealers to induce customers to buy Toyota automobiles. Also prohibited is any agreement or understanding to restrict any dealer from offering such "hidden discounts" as free accessories, options or merchandise or services to induce consumers to buy Toyota automobiles. The judgment will also prohibit defendants from limiting or restricting the areas in which Toyota dealers may sell or advertise Toyota automobiles. The defendants will further be prohibited from requiring dealers to agree to advertise Toyota products only as specified by their distributors or any other persons [section IV].

The consent judgment will further eliminate the use of any coercive or suggestive tactics in obtaining dealer adherence to fixed, suggested or specified prices, discounts, trade-in allowances or margins of profit by the defendants. Also prohibited is any encouragement or compulsion of dealers, by defendants, to keep dealers' selling activities limited to any specified geographic areas or territories. Moreover, defendants will be restrained from either terminating, or threatening to terminate, or refusing to renew the franchise of any Toyota dealer because of the prices at which, or the areas in which, or the persons to whom such dealers either sell, offer to sell or advertise Toyota automobiles. The judgment also prohibits any restriction in the number of automobiles supplied by the defendants to any Toyota dealer in retaliation for the pricing policies of such dealer [section V].

The judgment will permit the defendants to suggest retail prices or mark-ups to its dealers, and to place the "manufacturer's suggested retail price" sticker on each car. The latter is required by the Automobile Information Disclosure Act (15 U.S.C. §§ 1231–1233). However, any price "suggestions" must be suggestions, and nothing more. To ensure that dealers understand the noncompulsory nature of any such communications, defendants must accompany any suggestions regarding prices, or discounts or the like, with the statement that the dealer is free to sell Toyota products at whatever prices he desires [section VI].

The judgment will immediately prevent the defendants from enforcing any provision in existing distributor or dealer franchise agreements, if such provision would require or permit activity which is prohibited by any provision in the judgment. The judgment requires defendant TMS–USA to serve copies of the judgment on all its distributors and their dealers, as well as a broad range of officers, directors and employees, to notify such persons that the decree has been entered, and to provide such persons with sufficient warning that they may not engage in any of the prohibited acts.

B. *Scope of the Proposed Judgment.* (1) Persons Bound by the Decree. The consent judgment will expressly provide maximum coverage permitted by law, and require its personal service by defendant TMS–USA upon all Toyota distributors and dealers in the continental United States, upon all officers and directors of the defendant corporations and upon all the defendants' employees or representatives who have direct responsibility for the sale or distribution of Toyota Products. Included in this last group are such entities as advertising agencies and similar enterprises, which, although not employees of defendants, might perform certain promotional functions on behalf of the defendants. TMS–USA's obligation to serve copies of the judgment will be a continuing one; for 10 years after the date of entry of the judgment, the company will be required to serve a copy of the judgment upon new distributors, dealers, officers, directors, employees and representatives within its scope of operations. Such extensive service of the decree will effectively ensure that all persons or entities who are in a position to act with the defendants in any future conduct prohibited by the judgment can be punished for violations of the decree [section III].

(2) Geographic Coverage of the Decree. The prohibitions of the proposed judgment apply to all acts or transactions within the United States, its territories and possessions. They do not apply to such acts or transactions outside the United States except to the extent that such acts or transactions may affect the sale of Toyota products within or from the United States or the sale of Toyota products to agencies of the United States wherever located.

(3) Duration of the Judgment. By its terms, the consent judgment perpetually restrains the prohibited conduct; i.e., unless the Court either modifies or vacates all or part of the judgment, the defendants are forever bound by its prohibitions.

C. *Effect of the Proposed Judgment on Competition.* The relief encompassed in the proposed consent judgment is aimed at preventing any recurrence of the activities alleged in the Complaint. Such alleged activities interfere with the normal interplay of competitive forces in the marketplace, and

accordingly result in artificially-determined price levels. The prohibitory language of the judgment will ensure that individual Toyota dealers are the sole judges of their pricing policies and the geographic scope of their selling activities. The judgment requires defendants to submit annual reports, for the next ten years, outlining the steps they have taken to comply with the provisions of the decree [section VIII], and the Government is given access, upon reasonable notice, to the records of the defendants to monitor the defendants' compliance with the provisions of the Judgment [section IX].

Accordingly, it is the opinion of the Department of Justice that the proposed consent judgment is fully adequate in terms of its prohibitory provisions as well as its enforcement provisions, to ensure that Toyota retail prices are determined in a free and competitive atmosphere. It is also the opinion of the Department that disposition of the matter without further litigation is appropriate in view of the fact that the proposed consent decree includes the form and scope of relief equal to that which might be obtained after a full airing of the issues at trial.

IV. *Remedies Available to Potential Private Litigants.* Section 4 of the Clayton Act (15 U.S.C. § 15) provides that any person who has been injured as a result of conduct prohibited by the antitrust laws may bring suit in federal court to recover three times the damages such person has suffered, as well as costs and reasonable attorney fees. Entry of the proposed consent judgment in this proceeding will neither impair nor assist the bringing of any such private antitrust actions. Under the provisions of section 5(a) of the Clayton Act (15 U.S.C. § 16(a)), this consent judgment has no prima facie effect in any subsequent private lawsuits which may be brought against these defendants.

V. *Procedures Available for Modification of the Proposed Judgment.* As provided by the Antitrust Procedures and Penalties Act, any person believing that the proposed consent judgment should be modified may submit written comments to Anthony E. Desmond, Department of Justice, Antitrust Division, San Francisco, Calif. 94102, within the 60-day period provided by the act. These comments and the responses to them will be filed with the Court and published in the FEDERAL REGISTER. All comments will be given due consideration by the Department of Justice which remains free to withdraw its consent to the proposed consent judgment at any time prior to its entry if it should determine that some modification of it is necessary. The proposed judgment provides that the Court retains jurisdiction over this action and the parties may apply to the Court for such orders as may be necessary or appropriate for modification of it [section X].

VI. *Alternatives to the Proposed Consent Judgment.* This case does not involve any unusual of novel issues of fact or law which might make litigation a more desirable alternative than entry of this consent decree. The Department considers the substantive language in the judgment to be of sufficient scope and effectiveness to make litigation on relief unnecessary as the judgment provides all the relief which was requested in the Complaint.

VII. *Other Materials.* No materials and documents of the type described in Section (b) of the Antitrust Procedures and Penalties Act [15 U.S.C. § 16(b)] were considered in formulating this proposed judgment.

Dated: March 12, 1975.

GERALD F. MCLAUGHLIN,
JOHN F. YOUNG,
Attorneys, Department of Justice.

[FR Doc.75-8122 Filed 3-27-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[INT DES 75-17]

UTE MOUNTAIN UTE URANIUM PROJECT

Availability of Draft Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act, the Department of the Interior has prepared a Draft Environmental Statement for the Ute Mountain Ute Uranium Project Lease, Exploration and Mining Proposal, Ute Mountain Ute Reservation, Montezuma County, Colorado.

The Environmental Statement considers human and physical environmental effects associated with the approval of a proposed exploration and mining plan submitted by Mobile Oil Corporation for the underground mining of possible uranium deposits beneath approximately 162,000 acres belonging to the Ute Mountain Ute Tribe of Indians.

Written comments are invited before May 14, 1975. Copies are available for inspection at the following locations:

Office of Communications
Room 7200 Interior Building
Washington, D.C. 20240
Telephone: (202) 343-3171

Albuquerque Area Office
Bureau of Indian Affairs
First National Bank Bldg.-East
5301 Central Avenue, NE.
Albuquerque, New Mexico 87108

Ute Mountain Ute Agency
Bureau of Indian Affairs
Towaoc, Colorado 81334
Telephone: (303) 565-8471

Colorado State Division of Planning
524 State Social Services Building
1575 Sherman Street
Denver, Colorado 80203
Telephone: (303) 892-2178

Single copies of the Draft Environmental Statement may be obtained from the Albuquerque Area Office, Bureau of Indian Affairs, First National Bank Bldg.-East, 5301 Central Avenue, NE., Albuquerque, New Mexico 87108.

Dated: March 26, 1975.

STANLEY D. DOREMUS,
Deputy Assistant Secretary of the Interior.

[FR Doc.75-8282 Filed 3-27-75;8:45 am]

Geological Survey

WILLISTON-AVOCA, N. DAK.

Known Leasing Area (Coal)

Pursuant to authority contained in the Act of March 3, 1879 (43 U.S.C. 31), as supplemented by Reorganization Plan No. 3 of 1950 (43 U.S.C. 1451, note), and 203 Departmental Manual No. 1, and Secretary's Order No. 2948, Federal lands within the State of North Dakota have been classified as subject to the competitive coal leasing provisions of the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 201). The name of the area, effective date, and total acreage involved are as follows:

(34) NORTH DAKOTA

Williston-Avoca (North Dakota) Known Leasing Area (Coal); November 1, 1974; 65,304 acres.

A diagram showing the boundaries of the area classified for competitive leasing has been filed with the appropriate land office of the Bureau of Land Management. Copies of the diagram and the land description may be obtained from the Regional Conservation Manager, U.S. Geological Survey, Building 25, Denver Federal Center, Denver, Colorado 80225.

Dated: March 14, 1975.

W. A. RADLINSKI,
Acting Director.

[FR Doc.75-8120 Filed 3-27-75;8:45 am]

National Park Service

SECRETARY'S ADVISORY BOARD ON NATIONAL PARKS, HISTORIC SITES, BUILDINGS AND MONUMENTS

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that meetings of the Advisory Board on National Parks, Historic Sites, Buildings and Monuments will be held on April 21, 22 and 23 at the Department of the Interior, 18th and C Streets, NW., Washington, D.C., and April 24 and 25 at Gateway National Recreation Area, New York and New Jersey.

The purpose of the Advisory Board is to advise the Secretary of the Interior on matters relating to the National Park System and the administration of the Historic Sites Act of 1935.

The members of the Advisory Board are as follows:

Mr. Peter C. Murphy, Jr. (Chairman) Springfield, Oregon
Mr. Steven Rose (Vice Chairman) La Canada, California
Dr. William G. Shade (Secretary) Bethlehem, Pa.
Hon. E. Y. Berry, Rapid City, South Dakota
Mr. Laurence W. Lane, Jr., Menlo Park, California
Dr. A. Starker Leopold, Berkeley, California
Mr. Linden C. Pettys, Ludington, Michigan
Mrs. Paul T. Rennell, Greenwich, Connecticut
Capt. Walter M. Schirra, Jr., Englewood, Colorado
Dr. Douglas W. Schwartz, Santa Fe, New Mexico
Dr. Edgar A. Toppin, Petersburg, Virginia

Meetings will be held in different locations as follows: April 21, 9 a.m., Room 5160. The Advisory Board will meet in

general session in regard to administrative matters pertaining to the Board and to hear reports on several topics, including the Land and Water Conservation Fund, policies for nontraditional park recreation use, Yosemite master plan activities, land acquisition progress, carrying capacity study, Bicentennial in the National Parks, and Easements on National Historic Landmarks.

April 22, 8:30 a.m., Room 5160, the History Areas Committee will meet to consider reports on two proposed new areas and to hear reports on varicus studies, including subthemes or portions of subthemes on "Political and Military Affairs, 1865–1914," "Science and Invention," "Architecture;" studies of sites associated with Blacks within the themes of Political and Military Affairs, Westward Expansion 1763–1898, and America at Work; and special studies of the United States Mint, New Orleans, La., The Governor's Mansion, Jackson, Mississippi, and 19th Century Suspension Bridges.

At 8:30 a.m., Room 8068, North Penthouse, the Natural Areas Committee will meet to hear reports on environmental protection of the National Parks, Nature Conservancy Study on the Preservation of Natural Diversity, natural history theme studies, and shall consider 25 natural areas as potential additions to the National Registry of Natural Landmarks.

At 8:30 a.m., Room 3119, the Recreation Areas Committee and Ad Hoc Oversight Committee will meet to consider reports on urban recreation areas, physical security & crime prevention, budget hearings, advisory committee management, and National Park Service policies and priorities.

April 23, 10 a.m., Room 5160, the Advisory Board will meet to receive reports from the committee meetings, and to formulate its comments and recommendations.

April 24 and 25 the Advisory Board will meet at Gateway National Recreation Area to inspect various management and operational functions at the Sandy Hook Unit, Staten Island Unit, Jamaica Bay Unit, and Breezy Point Unit.

The meetings will be open to the public, but the facilities and space to accommodate members of the public are limited and it is expected that not more than 25 people will be able to attend. In regard to the Gateway National Recreation Area inspection, members of the public wishing to participate must provide their own transportation.

Any member of the public may file with the Advisory Board a statement in writing concerning any of the matters to be discussed. Persons desiring further information concerning this meeting or who wish to file written statements may contact Miss Shirley Luikens, National Park Service, Washington, D.C., at 202–343–2012.

Minutes of the meeting will be available for public inspection 8 to 10 weeks after the meeting in Room 3123, Interior Building, Washington, D.C.

Dated: March 19, 1975.

ROBERT M. LANDAU,
Liaison Officer, Advisory Commissions, National Park Service.

[FR Doc.75–8102 Filed 3–27–75;8:45 am]

DEPARTMENT OF AGRICULTURE

Commodity Exchange Authority

FUTURES FOR LIVE SLAUGHTER CATTLE, LIVE HOGS, AND FROZEN PORK BELLIES

Information on Proposed Speculative Limits

On January 27, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 4017) to add §§ 150.12, 150.13, and 150.14 to the orders of the Commodity Exchange Commission under section 4a of the Commodity Exchange Act (7 U.S.C. 6a). These respective orders would establish limits on speculative positions and speculative daily trading in live slaughter cattle, live hogs, and frozen pork bellies for future delivery.

The Administrator of the Commodity Exchange Authority, in response to a request from the Chicago Mercantile Exchange, is submitting to that exchange information from the study which led to these proposed limits on speculative positions and speculative daily trading. The same information will also be made available to the public.

Such material does not reveal the identity of any individual trader, but does describe the size distribution of larger speculative positions and daily trading on the Chicago Mercantile Exchange in the markets for live cattle, live hogs, and frozen pork bellies. The data on positions relates to traders in reporting status (holding a position of 25 contracts or more in any one future) on individual monthly dates during the period January 31, 1972 to August 30, 1974. The data on trades relates to the size of daily trading of individuals for each trading day during the period October 8, 1974 to December 13, 1974.

The information will be made available for inspection and copying to anyone upon request at the Commodity Exchange Authority office in Washington, D.C. or its Regional Office in Chicago. In accordance with the Department of Agriculture fee schedule, copies of the material will be furnished at a charge of ten cents for each copy of each page.

Issued: March 25, 1975.

ALEX C. CALDWELL,
Administrator, Commodity Exchange Authority.

[FR Doc.75–8135 Filed 3–27–75;8:45 am]

Forest Service

SHAFER BUTTE PLANNING UNIT

Availability of Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Shafer Butte Planning Unit, Boise National Forest, Idaho. The Forest Service report number is USDA–FS–DES (Adm) R4–75–15.

The environmental statement identifies and evaluates the probable effects of the land use plan for the Shafer Butte Planning Unit on the Boise National Forest, Idaho. The purpose of the plan is to allocate the 49,000 acres of National Forest lands within the unit to specific resource uses and activities; establish management objectives; document management direction, management decisions, and necessary coordination between resource uses and activities; and provide for the protection, use, and development of the various resources within the planning unit. The plan provides for minimization of adverse effects and maximization of desirable effects.

This draft environmental statement was transmitted to CEQ on March 20, 1975.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Room 3230
12th St. and Independence Ave., S.W.
Washington, D.C. 20250

Regional Planning Office

USDA, Forest Service
Federal Building, Room 4403
324–25th Street
Ogden, Utah 84401

Forest Supervisor
Boise National Forest
1075 Park Boulevard
Boise, Idaho 83706

District Forest Ranger
Boise Ranger District
1075 Park Boulevard
Boise, Idaho 83706

A limited number of single copies are available upon request from Forest Supervisor Edward C. Maw, Boise National Forest, 1075 Park Boulevard, Boise, Idaho 83706.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ Guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Edward C. Maw, Boise National Forest, 1075 Park Boulevard, Boise, Idaho 83706. Comments must be received by May 19, 1975, in order to be considered in the preparation of the final environmental statement.

Dated: March 20, 1975.

M. C. GALBRAITH,
Regional Forester.

[FR Doc.75–8058 Filed 3–27–75;8:45 am]

Rural Electrification Administration

ALLIED TELEPHONE COMPANY OF OKLAHOMA, INC.

Proposed Loan Guarantee

Under the authority of Pub. L. 93–32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in REA Bulletin 320–22, "Guarantee of Loans for Telephone Facilities," dated February 4, 1975, published in proposed form in the FEDERAL REGISTER, September 16, 1974, (Vol. 39 No. 180, pages 33228–33229) notice is hereby given that the Administrator of REA will consider providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of $2,744,000 to Allied Telephone Company of Oklahoma, Inc., Roosevelt, Oklahoma. The loan funds will be used to finance the construction of facilities to extend telephone service to new subscribers, and improve telephone service for existing subscribers.

Legally organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information and details of the proposed project from Mr. H. R. Wilbourn, Jr., President, Allied Telephone Company of Oklahoma, Inc., P.O. Box 2177, Little Rock, Arkansas 72203.

To assure consideration, proposals must be submitted (within 30 days of the date of this notice) to Mr. H. R. Wilbourn, Jr. The right is reserved to give such consideration and make such evaluation or other disposition of all proposals received, as Allied Telephone Company of Oklahoma, Inc., and REA deem appropriate. Prospective lenders are advised that it is anticipated that financing for this project will be available from the Federal Financing Bank under a standing loan commitment agreement with the Rural Electrification Administration.

Copies of REA Bulletin 320–22 are available from the Director, Information Services Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C., this 21st day of March, 1975.

DAVID A. HAMIL,
Administrator, Rural Electrification Administration.

[FR Doc.75–8080 Filed 3–27–75;8:45 am]

CALHOUN CITY TELEPHONE COMPANY, INC.

Proposed Loan Guarantee

Under the authority of Pub. L. 93–32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in REA Bulletin 320–22, "Guarantee of Loans for Telephone Facilities," dated February 4, 1975, published in proposed form in the FEDERAL REGISTER, September 16, 1974, (Vol. 39 No. 180, pages 33228–33229) notice is hereby given that the Administrator of REA will consider providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of $1,955,000 to Calhoun City Telephone Company, Inc., Calhoun City, Mississippi. The loan funds will be used to finance the construction of facilities to extend telephone service to new subscribers, and improve telephone service for existing subscribers.

Legally organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information and details of the proposed project from Mrs. Nora L. Creekmore, Calhoun City Telephone Company, Inc., P.O. Box 578, Calhoun City, Mississippi 38916.

To assure consideration, proposals must be submitted (within 30 days of the date of this notice) to Mrs. Nora L. Creekmore. The right is reserved to give such consideration and make such evaluation or other disposition of all proposals received, as the Calhoun City Telephone Company, Inc., and REA deem appropriate. Prospective lenders are advised that financing for this project is available from the Federal Financing Bank under a standing loan commitment agreement with the Rural Electrification Administration.

Copies of REA Bulletin 320–22 are available from the Director, Information Services Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C., this 21 day of March, 1975.

DAVID A. HAMIL,
Administrator, Rural Electrification Administration.

[FR Doc.75–8079 Filed 3–27–75;8:45 am]

DEPARTMENT OF COMMERCE

Office of the Secretary

APPLIANCE EFFICIENCY

Voluntary Program; Extension of Time for Filing Comments

On March 3, 1975, there was published in the FEDERAL REGISTER (40 FR 8846) a notice of a proposed Voluntary Program for Appliance Efficiency.

Interested persons were afforded 30 days from the date of publication within which to submit written comments or suggestions to the Assistant Secretary for Science and Technology relative to the proposed program.

Following publication of the above notice, several requests for an extension of the time for filing comments were received. These requests were made because of the complexity of the subject area, which bears strongly on both the technical and economic aspects of appliance manufacture.

As the Department of Commerce is concerned that it receive appropriate responses representing the considered views and recommendations of interested persons, the period of time for filing comments or suggestions in the instant proceedings is hereby extended until April 20, 1975.

BETSY ANCKER-JOHNSON,
Assistant Secretary for Science and Technology.

[FR Doc.75–8071 Filed 3–27–75;8:45 am]

COASTAL PLAINS ECONOMIC DEVELOPMENT REGION

Modification of Boundaries

Pursuant to the provisions of section 501(a) of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. 3181(a)), and having examined pertinent data, I have determined that the Coastal Plains Economic Development Region, composed of parts of the States of North Carolina, South Carolina, and Georgia, meets requirements for enlargement to include certain counties in the States of Florida and Virginia. Accordingly, in response to a unanimous request from the State Members of the Coastal Plains Regional Commission and the Governors of Florida and Virginia, I have today, March 19, 1975, modified the boundaries of the Coastal Plains Economic Development Region so that it now includes the following counties in the five States:

VIRGINIA

COUNTIES

Accomack	King George
Amelia	King William
Brunswick	Lancaster
Buckingham	Mathews
Caroline	Mecklenburg
Charles City	Middlesex
Charlotte	New Kent
Chesterfield	Northampton
Cumberland	Northumberland
Dinwiddie	Nottoway
Essex	Powhatan
Gloucester	Prince Edward
Goochland	Prince George
Greensville	Richmond
Halifax	Southampton
Hanover	Spotsylvania
Henrico	Stafford
Isle of Wight	Surry
Lunenburg	Sussex
James City	Westmoreland
King and Queen	York

INDEPENDENT CITIES

Chesapeake	Norfolk
Colonial Heights	Petersburg
Emporia	Portsmouth
Franklin	Richmond
Fredericksburg	South Boston
Hampton	Suffolk
Hopewell	Virginia Beach
Newport News	Williamsburg

NORTH CAROLINA

Beaufort	Franklin
Bertie	Gates
Bladen	Greene
Brunswick	Halifax
Camden	Harnett
Carteret	Hertford
Chowan	Hoke
Columbus	Hyde
Craven	Johnson
Cumberland	Jones
Currituck	Lenoir
Dare	Martin
Duplin	Nash
Edgecombe	New Hanover

Northampton	Scotland
Onslow	Tyrrell
Pamlico	Vance
Pasquotank	Wake
Pender	Warren
Perquimans	Washington
Pitt	Wayne
Robeson	Wilson
Sampson	

SOUTH CAROLINA

Aiken	Florence
Allendale	Georgetown
Bamberg	Hampton
Barnwell	Horry
Beaufort	Jasper
Berkeley	Kershaw
Calhoun	Lee
Charleston	Lexington
Chesterfield	Marion
Clarendon	Marlboro
Colleton	Orangeburg
Darlington	Richland
Dillon	Sumter
Dorchester	Williamsburg

GEORGIA

Appling	Johnson
Atkinson	Lanier
Bacon	Laurens
Baker	Lee
Ben Hill	Liberty
Berrien	Long
Bibb	Lowndes
Bleckley	McIntosh
Brantley	Macon
Brooks	Marion
Bryan	Miller
Bulloch	Mitchell
Burke	Montgomery
Calhoun	Muscogee
Camden	Peach
Candler	Pierce
Charlton	Pulaski
Chatham	Quitman
Chattahoochee	Randolph
Clay	Richmond
Clinch	Schley
Coffee	Screven
Colquitt	Seminole
Cook	Stewart
Crawford	Sumter
Crisp	Tattnall
Decatur	Taylor
Dodge	Telfair
Dooley	Terrell
Dougherty	Thomas
Early	Tift
Echols	Toombs
Effingham	Treutlen
Emanuel	Turner
Evans	Twiggs
Glascock	Ware
Glynn	Washington
Grady	Wayne
Houston	Webster
Irwin	Wheeler
Jeff Davis	Wilcox
Jefferson	Wilkinson
Jenkins	Worth

FLORIDA

Alachua	Gulf
Baker	Hamilton
Bay	Hernando
Bradford	Holmes
Calhoun	Jackson
Citrus	Jefferson
Clay	Lafayette
Columbia	Leon
Dixie	Levy
Duval	Liberty
Escambia	Madison
Flagler	Marion
Franklin	Nassau
Gadsden	Okaloosa
Gilchrist	Putnam
St. Johns	Union
Santa Rosa	Wakulla
Sumter	Walton
Suwannee	Washington
Taylor	

Inquiries relating to this modification should be addressed to the Special Assistant to the Secretary for Regional Economic Coordination, Room 2092, Main Commerce Building, Washington, D.C. 20230.

FREDERICK B. DENT,
Secretary of Commerce.

[FR Doc.75-8073 Filed 3-27-75;8:45 am]

Social and Economic Statistics Administration

CENSUS ADVISORY COMMITTEE OF THE AMERICAN MARKETING ASSOCIATION

Notice of Public Meeting

The Census Advisory Committee of the American Marketing Association will convene on May 6, 1975 at 9 a.m. The Committee will meet in Room 2113, Federal Building 3, at the Bureau of the Census in Suitland, Maryland.

The Census Advisory Committee of the American Marketing Association was established in 1946 to advise the Director, Bureau of the Census, regarding the statistics that will help in marketing the Nation's products and services and on ways to make the statistics the most useful to users.

The Committee is composed of 14 members appointed by the President of the American Marketing Association.

The agenda for the meeting is (1) A general review of current Census Bureau topics including staff changes, budget program developments, status of the Census Black and Spanish Advisory Committees, National Academy of Sciences studies on confidentiality, year 2000 planning program, and Census Bureau work for other government agencies; (2) The statistical system planning process, including 1975 program planning for 1977 and interagency task forces on technical problems in statistics; (3) Status of 1980 Census planning; (4) Economic Census Program-current status, planning for 1977 Economic Censuses, and considerations for rebenchmarking and redesign of the Retail Trade Sample Survey; (5) Program plans for FY 1976 and future years; (6) Report of the Subcommittee on Retail Trade Statistics; and (7) Other subcommittee plans and comments—economic census, 1980 Decennial Census, measures of marketing productivity, and uses of Census Bureau statistics.

A limited number of seats—approximately 15—will be available to the public. A brief period will be set aside for public comment and questions. Extensive questions or statements must be submitted in writing to the Committee Control Officer at least three days prior to the meeting.

Persons wishing to submit questions or statements, planning to attend the meeting, or wishing additional information should contact, Mr. John R. Wikoff, Acting Chief, Business Division, Bureau of the Census, Room 2633, Federal Building 3, Suitland, Maryland. (Mail address: Washington, D.C. 20233). Telephone (301) 763-7564.

Dated: March 25, 1975.

VINCENT P. BARABBA,
Director, Bureau of the Census.

[FR Doc.75-8116 Filed 3-27-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration

NATIONAL ADVISORY COUNCIL ON HEALTH PROFESSIONS EDUCATION

Meeting

Pursuant to the Federal Advisory Committee Act (5 U.S.C. Appendix I), the Administrator, Health Resources Administration, announces the meeting dates and other required information for the following National Advisory body scheduled to assemble during the month of April 1975:

National Advisory Council on Health Professions Education

April 14-15, 1975, 8:30 a.m., Conference Room #6, Building 31, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland

Open on April 14, 8:30 a.m. to 10:30 a.m.
Closed remainder of meeting

Purpose. The Council advises the Secretary with respect to the administration of programs of financial assistance for the health professions and makes recommendations based on their review of applications requesting such assistance.

Agenda. During the open portion of the meeting, agenda items include administrative matters and reports. During the closed session, the committee will be performing the final review of applications requesting funds for Dental Health Training in Expanded Auxiliary Management, and Dental Health Education. The applications contain detailed information, and are accompanied by evaluations involving solely the internal views and judgments of committee members on individual grant applications, containing program designs and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications and proposals. Therefore, that portion of the meeting will not be open to the public, in accordance with the provisions set forth in section 552(b) (5) and (6), Title 5, U.S. Code and the Determination by the Administrator, Health Resources Administration, pursuant to Public Law 92-463, section 10(d).

Anyone wishing to attend, obtain a roster of members or other relevant information, should contact Mrs. Lynn Stevens, Room 4C-06, Building 31, 9000 Rockville Pike, Bethesda, Maryland, Telephone (301) 496-5353.

Agenda items are subject to change as priorities dictate.

That portion of the meeting so indicated is open to the public for observation and participation.

Dated: March 24, 1975.

DANIEL F. WHITESIDE,
Associate Administrator for Operations and Management, Health Resources Administration.

[FR Doc.75-8084 Filed 3-27-75;8:45 am]

Office of Education

BILINGUAL EDUCATION

Closing Date for Receipt of Requests for Participation in Fellowship Program

Pursuant to the authority contained in the Bilingual Education Act as amended (Title VII of the Elementary and Secondary Education Act of 1965, as amended by Section 105 of the Education Amendments of 1974, Pub. L. 93–380, 84 Stat. 151, 20 U.S.C. 880b), the Commissioner of Education hereby gives notice that requests for participation in the program of fellowships for trainers of bilingual education teachers are being accepted from institutions of higher education, after consultation with, or jointly with, one or more local educational agencies. This notice covers requests for participation during the current fiscal year in the program of award of fellowships to persons preparing to become trainers of bilingual education teachers. A notice of proposed rule making proposing amendments to the regulations in Part 123 of Title 45 CFR to govern this program was published March 12, 1975. As finally published, these regulations will apply to the fellowship program covered by this notice. (See § 123.12–1 of such proposed rule.)

A separate notice for submission of applications for assistance under the Bilingual Education Act was published in the FEDERAL REGISTER on March 12, 1975.

Requests for participation from institutions of higher education must be received by the U.S. Office of Education Application Control Center on or before

A. *Requests for participation.* A request for participation sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue S.W., Washington, D.C. 20202, Attention: 13.403. A request for participation sent by mail will be considered to be received on time by the Application Control Center if:

(1) The request for participation was sent by registered or certified mail not later than April 25, 1975, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The request for participation is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education).

B. *Hand delivered requests for participation.* A request for participation to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand delivered requests for participation will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Requests for participation will not be accepted after 4 p.m. on the closing date.

C. *Program information and forms.* Information may be obtained from the Division of Bilingual Education, Bureau of School Systems, Office of Education, Room 3600, 7th and D Streets, S.W., Washington, D.C. 20202. No standard form or format is specified or required.

Pub. L. 93–380 (the Education Amendments of 1974) enacted August 21, 1974, amended the Bilingual Education Act (title VII of the Elementary and Secondary Education Act of 1965) to authorize the Commissioner of Education to award fellowships for study in the field of bilingual education teacher training (20 U.S.C. 880b–9(a)(2)). To ensure that such training activities are designed to fulfill the purposes of the Act the Commissioner intends to award fellowships solely for study in institutions of higher education which have submitted requests for participation in response to this notice and which have had such requests approved by the Commissioner in accord with applicable law and regulations. (Proposed 45 CFR 123.12–1 (b) (c) (d))

In accord with the Notice of Proposed Rule Making printed in the FEDERAL REGISTER on March 12, 1975, requests for participation should contain information as to the nature of the graduate or other program to be carried out and of the capacity of the institution and of such program to fulfill the purposes of the Act.

It is anticipated that each institution of higher education which submits a request for participation will be notified by approximately May 15 whether such request has been approved. Thereafter, it is anticipated that the award of 100 or more fellowships will be completed prior to June 30, 1975.

Although submission of specific items of information is not required, respondents are informed that in the approval of requests for participation in the Bilingual Education Fellowship Program, consideration will be given to the nature of the graduate or other program to be carried out and of the capacity of the institution and of such program to fulfill the purposes of the Act (Proposed 45 CFR 123.12–1(b)(c)). For this reason, in their requests for participation, respondents to this notice may wish to:

1. Estimate the number of fellows to be served.

2. Describe any interdisciplinary aspects of the program.

3. Describe the relevant qualifications of existing or prospective staff members including teaching experience, language ability, and cultural/ethnic heritage with which they are most closely associated.

4. Describe the design, structure, and organizational location of the program. Institutions may wish to suggest how these and related factors, including facilities and equipment, are expected to contribute to the institutional stability of the proposed program in terms of effectiveness, efficiency, and permanency of its role in achieving the purposes of the Act, including institutionalization of the advanced degree program being proposed. (Under most circumstances, it is anticipated that the fellowship program would be based in the graduate section of a school or college of education or the institutional equivalent of such placement.)

5. Discuss the nature, extent, and current or prospective stability of any clinical or field based aspects of the proposed program's general orientation and operation.

6. Consider the selection criteria or other basis which may be used in selecting nominees for Bilingual Education Fellowships.

7. Indicate the pedagogical nature of the proposed program, with particular reference to both the program's own pedagogy and to the pedagogy it seeks to impart to participating fellows and to have them, in turn, impart to teachers or prospective teachers to be trained by them. (It is anticipated that the most desirable and effective programs will be established pedagogically as bilingual programs.)

8. Discuss the theoretical, conceptual, and operational framework and setting of the proposed program, including the comprehensiveness and bilinguality of instruction and curriculum, faculty competencies and experience with respect to bilingual education, and the adequacies of facilities and equipment available for use in implementing and operating the program.

9. Describe the extent and nature of any consultation or coordination, either accomplished or planned, involving culturally, ethnically, linguistically, and professionally appropriate local educational agencies, or community, constituent, and target group representatives in the planning, development, implementation, operation, and evaluation of the proposed programs.

10. Explain how the proposed program will contribute to the establishment and maintenance of bilingual education teacher training programs which fulfill the relative need for teachers, for programs of bilingual education, of various groups of individuals with limited English-speaking ability.

11. Describe how, why, and in what ways the proposed program will serve to improve and enhance the capacity of institutions of higher education (including the proposing institution) and of local or State education agencies (including any directly or indirectly associated with the proposed program) to provide the training activities contemplated by proposed amendments to Part 123 of Title 45 CFR, particularly those discussed in §§ 123.12, 123.12–1, and 123.14 of the proposed amendments published March 12, 1975.

12. Outline the linguistic, cultural, and ethnic orientation of the proposed program.

13. Provide the name, title, position, and address of an individual having primary responsibility for the proposed program, including any administrative requirements which might devolve on the institution of higher education in the event an approved Bilingual Education

Fellowship Program is activated within the institution through award of fellowships for participation.

14. Discuss the competencies which it is anticipated will be possessed by individuals completing the fellowship program. (It is anticipated that these may include: (1) the ability relevant to teaching subject matter in at least two languages, one being English; (2) understanding of the cultural heritage(s) of the target group(s) to be served; (3) experiences in field-based bilingual education programs; (4) demonstrable commitment to the precepts and practices of the bilingual education process; (5) mastery of the knowledge, skills, and techniques, of bilingual education methods; (6) knowledge of and ability to use community and cultural resources in the bilingual teacher training and bilingual education process; and (7) fulfillment of state certification standards and the teaching staff standards of the training institution).

D. *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Part 100a). Amendments to the regulations for Bilingual Education Programs (45 CFR Part 123), were published as a notice of proposed rule making in the FEDERAL REGISTER on March 12, 1975. Substantial changes in the current regulations in Part 123 with respect to conditions regarding awards of assistance, activities which may be assisted, priorities and criteria governing award decisions, post award requirements, and other relevant matters are proposed in such notice. Part 123, as altered by such amendments as republished in final form, will govern the operation of the program.

(20 U.S.C. 880b)

(Catalog of Federal Domestic Assistance Number 13.403; Bilingual Education)

Dated: March 25, 1975.

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.75-8297 Filed 3-27-75;8:45 am]

Social and Rehabilitation Service

STATEMENT OF ORGANIZATION, FUNCTIONS, AND DELEGATIONS OF AUTHORITY

Rehabilitation Services Administration; Deletion

Part 5 of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare, Social and Rehabilitation Service (34 FR 1279, January 25, 1969, as amended) is hereby further amended to delete the Rehabilitation Services Administration, pursuant to the Rehabilitation Act Amendments of 1974, establishing the Rehabilitation Services Administration in the Office of the Secretary.

Under 5.10. Mission, delete the word "rehabilitation," from the mission statement.

Under 5.20. Organization and Functions, in the first paragraph change, "four major central office program organizations" to "three major central office program organizations".

Under 5.20–K, delete the paragraph under Office of Research and Demonstrations (fK12), and insert in lieu thereof the following:

Advises the Associate Administrator for Planning, Research, and Evaluation (OPRE) on all domestic and international R&D activities. Establishes SRS policy regarding domestic and international R&D management, review, and planning. Establishes priorities, plans, and implements the domestic and international R&D program authorized by those portions of the Social Security Act administered by SRS, dealing with income maintenance, medical assistance, and social services. Assesses the priorities, plans and objectives of, and reviews and evaluates the overall R&D program. Provides for the development of policies and guidelines concerning R&D operations throughout SRS. Insures appropriate input of R&D results into program policy, the planning process, and the development of improved service delivery at the State level. Responsible for coordinating SRS participation in international research and exchange activities and for insuring conformance to U.S. foreign policy.

Under 5.20–5S, Office of the Associate Administrator for Information Systems, delete the last two sentences from the paragraph under the Division of Human Services Systems and insert in lieu of the following:

"Develops service delivery management systems which support social services requirements. Develops and maintains classification systems that serve as standards for problems, services, client characteristics, service units, and needs, in support of social service requirements."

Under 5.20, Social and Rehabilitation Service Program Bureaus, delete from the first paragraph the words "the Rehabilitation Services Administration."

Under 5.20, Organization and Functions, delete the entire statement for 5.20–55, Rehabilitation Services Administration.

Under 5.40, Delegations of Authority, delete the following authorities relating to functions of the Rehabilitation Services Administration:

(9) Functions vested in the Secretary by the Vocational Rehabilitation Act, as amended (29 U.S.C. ch. 4).

(10) Functions of the Secretary as Chairman of the National Advisory Council on Correctional Manpower and Training; functions of the Secretary as Chairman of the National Policy and Performance Council; functions of the Secretary as Chairman of the National Advisory Council on Vocational Rehabilitation.

(12) Functions transferred by Reorganization Plan No. 2 of 1946 and Reorganization Plan No. 1 of 1953, to the Secretary from the Office of Education and Commissioner of Education under the Act of June 20, 1936, 49 Stat. 1559 (Randolph-Sheppard Act, 20 U.S.C. ch. 6A).

(14) Authority vested in the Secretary under sections 602(f) and 605(b) of the Public Health Service Act, as amended, to approve applications and requests relating to rehabilitation facilities.

(16) The functions under title XVII of the Social Security Act, as amended (42 U.S.C. 1391 et seq.), relating to grants to States for planning comprehensive action to combat mental retardation.

(17) The functions under parts B, C, and D of title I and the functions relating to grants for the construction of facilities for the mentally retarded of title IV of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, as amended (42 U.S.C. 2661 et seq.).

(18) Such of the authority under the Public Health Service Act, as amended, as is necessary to carry out the functions exercised, as of August 1, 1967, by the Division of Mental Retardation, more particularly for the following purposes under the following sections of that act:

(a) Section 301, 42 U.S.C. 241, to make grants for research or research training projects in the field of mental retardation recommended by the National Advisory Health Council; and

(b) Section 303(a), 42 U.S.C. 242a, to make hospital improvement project grants, including institutional improvement project grants to hospitals or other institutions for the mentally retarded (such grants to be made only upon recommendation of the National Advisory Mental Health Council and to be paid in advance or by way of reimbursement as may be determined by, and on such conditions as found necessary by, the Administrator, Social and Rehabilitation Service).

Under 5.40, Delegations of Authority, delete under paragraph (b) Continuation of other delegations, the words, "the Commissioner of Vocational Rehabilitation.".

Under 5.40, Delegations of Authority, delete under paragraph (c) Advisory functions., the words "the Vocational Rehabilitation Administration,".

Under 5.50, Limitations on authority, delete from paragraph (a) the words "the National Advisory Council on Vocational Rehabilitation, the National Policy and Performance Council, the National Advisory Council on Correctional Manpower and Training.".

Under 5.50, Limitations on authority, delete paragraph (c). "An application for designation as a State licensing agency under the Act of June 30, 1936, as amended (Randolph-Sheppard Act, 20 U.S.C. ch. 6A), shall not be disapproved, nor shall a designation made pursuant to that Act be revoked, without prior consultation and discussion by the Administrator with the Secretary."

Under 5.70, Continuation of regulations, delete the words "the former Vocational Rehabilitation Administration, and the Division of Mental Retardation".

The effective date of this amendment is February 5, 1975.

Dated: March 21, 1975.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.75-8075 Filed 3-27-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. EX 75-11; Notice 2]

DIAMOND REO TRUCKS, INC.

Petition for Temporary Exemption From Federal Motor Vehicle Safety Standard

The National Highway Traffic Safety Administration has decided to grant Diamond Reo Trucks, Inc. a temporary exemption from compliance with Motor Vehicle Safety Standard No. 121, *Air Brake Systems*, 49 CFR 571.121, until June 1, 1975.

Notice of petition for the exemption was published in the FEDERAL REGISTER on February 28, 1975 (40 FR 8585) and an opportunity afforded for comment.

Diamond Reo assembled 4,620 commercial vehicles and 4,321 military vehicles in 1974. On December 6, 1974, the company filed for reorganization under Chapter XI of the Federal Bankruptcy Act. One factor in the company's problems was its loss, exceeding $10,000,000, sustained in its military truck contract with the Department of the Army. The company has resumed production at a "greatly reduced volume" but finds that it has in inventory, or is committed to purchase, "an excess of $3,342,000 worth of axles, brakes and wheel equipment, drives, and other related equipment which cannot be used on trucks designed to meet the 121 Standard." Diamond Reo estimates that it can exhaust the inventory by March 1, 1976, by using it in the production of approximately 1,500 trucks. The remainder of Diamond Reo's estimated production for 1975, 3,000 trucks, will conform with Standard No. 121 as of March 1, 1975. If the exemption is denied Diamond Reo, to amortize costs on a one-year basis, would increase vehicle costs by $900 a truck, creating "a unit price which would be non-competitive resulting in a severe curtailment of sales."

One comment was received in response to the petition, submitted by Oshkosh Truck Corporation, which recommended a denial, citing factors of both safety and competition. Oshkosh opposes allowing 1,500 trucks on the public highways that do not comply with Standard No. 121, and the creation of a "non-competitive condition which would require Diamond Reo's competitors to comply with Standard No. 121 and market their trucks at a vehicle cost, unit-price disadvantage in considerable excess of $900."

The filing of a petition in bankruptcy may be viewed as establishing a prima facie case of economic hardship. However, the Administrator must also determine that a temporary exemption is in the public interest and consistent with the objectives of the National Traffic and Motor Vehicle Safety Act of 1966. Diamond Reo, in spite of its economic difficulties, produced 8,941 trucks in 1974. Its substantial inventory is not surprising in view of its production capacity. The inventory may be used in the replacement market and in present production of trucks for the export market. The most expensive item in the inventory is 617 axle assemblies with a value of $1,452,900, representing over 40 percent of total inventory value. An exemption for a period less than the 12 months requested should allow Diamond Reo to significantly reduce the inventory of the most expensive equipment item while, at the same time, allowing a much smaller number of non-complying trucks on the road than would otherwise be the case. The NHTSA thus believes that an exemption until June 1, 1975, rather than March 1, 1976, would both alleviate Diamond Reo's hardship and meet the need for motor vehicle safety.

For the reasons discussed above the Administrator finds that a temporary exemption would be consistent with the public interest and the objectives of the Act. Diamond Reo Trucks, Inc. is hereby granted NHTSA Exemption No. 75-11 from Motor Vehicle Safety Standard No. 121 *Air Brake Systems*, 49 CFR 571.121, expiring June 1, 1975.

(Sec. 3 Pub. L. 92-548, 86 Stat. 1159 (15 U.S.C. 1410); delegation of authority at 49 CFR 1.51)

Issued on March 24, 1975.

JAMES B. GREGORY,
Administrator.

[FR Doc.75-8158 Filed 3-27-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Order 75-3-82; Docket No. 27436]

AIR NEW ENGLAND, INC.

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 21st day of March, 1975.

Petition of Air New England, Inc., for establishment of subsidy mail rates pursuant to section 406 of the Federal Aviation Act of 1958, as amended.

The recently concluded *New England Service Investigation* awarded Air New England, Inc., a commuter air carrier under Part 298 of the Board's Economic Regulations, a certificate of public convenience and necessity to provide passenger, property, and mail services over a regional New England route.[1] After several postponements of the effective date of the certificate pending issuance to Air New England of appropriate operating authority from the Federal Aviation Administration, the certificate was made effective by the Board as of January 24, 1975.[2] By a petition filed January 24, 1975, Air New England requests establishment of a final subsidy rate of $3,753,970 for the transportation of mail over its system for successive annual periods commencing January 1, 1975. In addition, the petition requests expedited temporary rate relief adequate to provide for Air New England's cash flow needs pending determination of the final rate.

Answers in support of the petitions were filed by the State of Maine, the State of Vermont, the Lebanon Regional Airport Authority, and the Commonwealth of Massachusetts, respectively, on February 12, 1975, February 10, 1975, January 30, 1975, and March 10, 1975. These will be received as nonevidentiary memoranda under § 302.302 of the Board's rules of practice even though only the Lebanon answer was timely filed. In addition, on February 12, 1975, the State of Maine petitioned to intervene in the proceeding. For reasons fully developed in previous subsidy proceedings, we will deny Maine's petition.[3]

As a newly certificated carrier, Air New England understandably faces singular problems in attempting to justify its subsidy need for 1975 and for subsequent periods. As the petition makes clear, the costs associated with Air New England's expanded operations and responsibilities as a certificated regional carrier cannot be based entirely on experience. Some of the carrier's estimates and projections may be subject to disallowances in the determination of a final rate. Indeed, we have found it necessary to make certain adjustments in arriving at the temporary subsidy rate described below. Nevertheless, under all the circumstances here present, we find that Air New England's petition meets the procedural requirements of Rule 303 of the rules of practice.[4]

[1] Order 74-7-70, issued July 17, 1974. The designated Route 172 authorizes service between New York and Boston, on the one hand, and points in Maine, New Hampshire, Vermont and Massachusetts, on the other, subject to certain conditions and limitations including a subsidy-ineligible restriction on nonstop flights between Portland and Boston, Portland and New York/Newark, and Burlington and Boston.

[2] Order 74-10-69, October 11, 1974; Order 74-12-81, December 20, 1974; Order 75-1-91, January 23, 1975.

[3] *Helicopters, Consolidated Mail Rate Proceeding*, 37 C.A.B. 753 (1962); *Local-Service Class Subsidy Rate*, 38 C.A.B. 1044 (1963); *Northeast Airline, Inc., Mail Rate*, 39 C.A.B. 743 (1963). We consider it well established that, although public bodies may have an economic interest in their air service, and such service might depend on the availability of subsidy support, this does not constitute the direct interest necessary to support intervention in a subsidy rate case. Such persons may, of course, file memoranda in support of, or in opposition to, orders to show cause under Rules 302 and 305(c).

[4] In this connection, however, we note that the petition requests that the fair and reasonable subsidy mail rate determined by the Board be based upon the carrier's projection of its operations for calendar year 1975. The carrier claims that, although its certificate was not yet effective on January 1, 1975, its operations and the costs thereof were the same as if it were certificated. However, in its interpretation of section 406(a) of the Federal Aviation Act, the Board has consistently held that subsidy is payable only to carriers holding certificates under Section 401 of the Act authorizing the transporta-

In support of its request for temporary rate relief, Air New England contends that in the months prior to certification it experienced substantial increases in operating expenses. These, it alleges, were caused primarily by costs incurred in meeting the requirements of certificated operations. Additional expenses cited by the carrier include those stemming from compliance with Form 41 reporting requirements, payments for security personnel and equipment, interline arrangements with other certificated carriers, purchase of FH–227 aircraft for use in its higher-density markets, high interest costs and increased personnel requirements. In addition, the carrier states that increased fuel costs, inflation, and the general state of the economy have adversely affected its costs and revenues. Air New England claims that these factors, together with the seasonal nature of its traffic flows, have resulted in a serious depletion of its working capital. According to the carrier, immediate temporary subsidy relief is required if it is to continue the services for which it has been certificated.

As set forth in the Board's Statement of General Policy, 14 CFR 399.30, it is the policy of the Board to fix temporary subsidy rates only when emergency action is required—at levels designed to provide such revenues as are deemed necessary for continuation of operations—prior to the establishment of a final subsidy rate. Furthermore, temporary subsidy is granted only to an extent that minimizes the likelihood of overpayment. We have reviewed Air New England's supporting data and find that, based on this data and other relevant material, it is in the public interest, and in accordance with established Board mail-rate policy, to provide the carrier with temporary subsidy relief. Further, we tentatively find that the appropriate temporary rate is that proposed herein.

As also indicated in 14 CFR 399.30, it is the Board's policy to base temporary subsidy rates on the carrier's break-even need for eligible operations, plus its interest charges on long-term debt. In the case of Air New England, it is clear that past operations as a Part 298 commuter carrier do not entirely reflect the expenses which it must bear as a certificated carrier. Accordingly, and for the reasons outlined below, we have calculated a temporary rate based partly on Air New England's recent cost experience as a commuter carrier, partly on the carrier's forecast for certificate operations, and partly on the experience of other carriers in areas in which Air New England has had no experience, such as in the operation of FH–227 aircraft.[6]

Air New England is a small carrier compared to the established local service carriers. The bulk of its operations have been, and will continue to be, performed with small aircraft types not generally used by the locals.[8]

The carrier has had considerable experience as a commuter carrier. Its small-aircraft operations during the fourth quarter of 1974 were on much the same scale as it will experience as a certificated carrier. Therefore, the Board believes that the recent cost experience of Air New England as a commuter carrier provides a reasonable basis for estimating operating costs for its small aircraft operations projected for 1975.[7] For the portion of Air New England's forecast operations which will use FH–227 equipment, the costs experienced by Ozark and Piedmont for the year ended September 30, 1974 provide the best available data on which to base a temporary rate.[8] A detailed explanation of the methods used to estimate operating expenses is set forth in Appendix A to this order.[8a]

Air New England's petition does not provide a reasonable basis for estimating other operating expenses needed to compute a temporary subsidy rate. For example, no systematic attempt was made to relate forecast operating expenses to recent experience, in spite of the fact that the carrier's operations and route systems were not changed dramatically as a result of certification. Absent the detailed information needed to substantiate the relatively high-cost forecasts made by Air New England, the Board has relied on recent experience to the extent practicable.[9]

In determining the amount of operating break-even need, we have tentatively accepted Air New England's projection of operating revenues for subsidy-eligible services. The Board notes, however, that Air New England's forecast revenues are based to some extent on fares that are below the coach-fare formula prescribed in Phase 9 of the *Domestic Passenger-Fare Investigation* (DPFI).[10] The carrier should be aware that we will carefully scrutinize its fares and revenues and final subsidy rates for either future or past periods may be adjusted accordingly.

We also have tentatively accepted the carrier's estimate of security costs for temporary rate purposes because of the relatively thorough documentation of these projected expenses supplied by Air New England and by various owners and/or managers of airports that the carrier serves. We are not, however, passing on the acceptability of such costs for the purpose of determining a final rate, and we will expect the carrier to justify their reasonableness. We also intend to explore the propriety of fully underwriting net security costs with subsidy. The Board has tentatively stated that the local service carriers should be able to recoup security costs through the fare flexibility allowed them in the final decision in Phase 9 of the DPFI.[11]

Air New England's forecasts of interest expense have been accepted and included in the temporary rate, subject to the following adjustments. First, several of Air New England's loans stipulate that the rate of interest be tied to the level of the prime rate.[12] Because the prime rate has declined from its peak reached in late 1974, the Board has adjusted the carrier's projected interest expense for three loans to reflect the lower prime rate. In addition, the Board is of the opinion that the interest on future working capital loans to be provided by Delta Air Lines and New England Merchants National Bank should not be recognized in this temporary subsidy rate. Although approved by the Board, the loan agreement with Delta is contingent upon additional debt and equity financing.[13] The carrier has not yet obtained a firm commitment from New England Merchants National Bank. Moreover, there is no certainty as to when, or in what amounts, these loans may be drawn upon or the interest rates they will bear. Similarly, loans for the Hyannis hangar have not been recognized because they have not yet been drawn upon and the projected interest expenses are uncertain.

In light of the foregoing adjustments, the tentative estimated operating break-even need for Air New England, including forecast security costs of $550,567 and anticipated security surcharge revenues, would amount to $1,558,984 for the annual period commencing January 24,

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tion of mail on a subsidy-eligible basis. Accordingly, Air New England's eligibility for subsidy will commence on the effective date of its certificate, January 24, 1975.

[5] Although the Board has already determined in Docket 22973 that, for certain purposes, Air New England shall be treated as a local-service carrier (see Orders 74–10–101, 74–10–102, and 75–1–118), we tentatively agree with Air New England's position that the local-service class subsidy rate is not sufficiently indicative of its seasonal, small aircraft operations to serve as the basis for the temporary relief proposed herein.

[6] About 73 percent of Air New England's forecast aircraft miles for subsidy-eligible services will use DC–3, Beech 99, and DHC–6 aircraft. The remaining 27 percent of its subsidy eligible operations are forecast to be performed with FH–227 equipment in 1975. (As indicated above, certain of Air New England's service between Boston, New York/Newark, Portland and Burlington are subsidy-ineligible, as stated in its certificate.)

[7] Normally, we would base future estimates on annual data. However, in this case, we believe the fourth quarter is more indicative of the costs Air New England is likely to experience. During this period, Air New England was transforming its operations from a commuter to a certificated carrier and thereby was experiencing expense levels which appear more representative of certificated operations.

[8] While some of Piedmont's and Ozark's FH–227 operating costs, such as fuel costs, are lower than those projected by Air New England, other costs, such as maintenance expense and pilots salaries are undoubtedly higher. Thus, the average operating cost should approximate what Air New England will experience. Air New England proposes to operate these aircraft over an average stage length of about 90 miles. Although this is some 10–15 miles shorter than the combined length of hop experienced by Piedmont and Ozark, the differences will not materially affect cost estimates.

[8a] Appendix A is filed as part of the original document.

[9] The carrier supplied monthly cost data for 1974 in the form it used for corporate purposes. However, as a Part 298 carrier, Air New England did not maintain its accounts in the detail required for a certificated carrier and such data was not sufficient to evaluate Air New England's forecast unit costs.

[10] Order 74–12–109, December 27, 1974.

[11] Order 74–3–82, March 18, 1974 and Order 74–9–82, September 23, 1974.

[12] New England Merchants Consolidated, Norfolk County Trust, and Delta Equipment.

[13] See joint application of Air New England and Delta in Docket 27426. Also Order 75–3–27, March 10, 1975.

1975. For the same period we tentatively forecast an adjusted interest expense of $377,679. Based on such estimated operating break-even need and interest expense, we find it reasonable to provide Air New England, on and after January 24, 1975, with annual temporary subsidy compensation of $1,936,663.[14]

Air New England requests that its subsidy payments reflect the seasonal nature of its traffic. The Board will grant the carrier's request.[15] We will pay 60 percent of Air New England's annual subsidy in the winter months (November through April, inclusive), 30 percent in the shoulder months (May, June, September, and October), and 10 percent in the peak summer months (July and August). The payout schedule is shown below. The determinations of the base miles and the seasonal rates are shown in Appendix A, Tables III and IV.[15a]

On the basis of the foregoing, we tentatively find and conclude that the fair and reasonable temporary rate of compensation to be paid to Air New England, Inc., for the transportation of mail by aircraft, the facilities used and useful therefor, and the subsidy-eligible services connected therewith between the points which the carrier has been, is presently, or hereafter may be authorized to transport mail by its certificate of public convenience and necessity, is the sum of (a) the service mail rates as heretofore and hereafter established for the carrier by orders of the Board,[16] and (b) subsidy as follows:

For each calendar month on and after January 24, 1975, in which miles designated by the Postmaster General for the transportation of mail are flown, an amount determined by multiplying the appropriate rates stated below by the scheduled subsidy-eligible miles flown during the month, or the appropriate base mileage times the number of days in the month, whichever is lower:

Period of operations	Rate per mile	Daily base mileage [1]
Jan. 24, 1975, through Apr. 30, 1975	$0.7196	8,922
May 1, 1975, through June 30, 1975 [2]	.4333	10,991
July 1, 1975, through Aug. 31, 1975 [2]	.1768	17,666
Sept. 1, 1975, through Aug. 31, 1975 [2]	.4333	10,991
Nov. 1, 1975, through Apr. 30, 1976 [2]	.7196	8,922

[1] Pending the final determination in this proceeding of the number of Air New England's schedules required under honest, economical, and efficient management, in the interest of commerce, the Postal Service, and the national defense, the daily base mileage for subsidy-eligible service set forth below is deemed reasonable for the purpose of establishing a temporary rate.

[2] And similar periods in succeeding years.

The scheduled revenue plane-miles flown shall be computed on the direct airport-to-airport mileage [17] between the points actually served on each revenue trip operated over Air New England's authorized subsidy-eligible routes pursuant to its flight schedules filed with the Board including all revenue trips operated as extra sections thereto.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, particularly sections 102, 204, 406, and 1002 (b) thereof, and the regulations promulgated in 14 CFR 302,

It is ordered, That: 1. Air New England, Inc. is directed to show cause why the Board should not fix, determine, and publish the aforesaid rate as the fair and reasonable temporary rate of compensation to be paid Air New England for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith over that part of the carrier's system which is eligible for subsidy pending the fixing of a final subsidy rate in the instant proceeding.

2. Further procedures with respect to the temporary rate proposed herein shall be in accordance with the Board's rules of practice, particularly Rule 302, *et seq.*, and, if there is any objection to the rate specified herein, notice thereof must be filed within eight days, and, if notice is filed, written answer and supporting documents must be filed within 15 days after the date of service of this order.

3. If notice of objection is not filed within eight days, or if notice is filed and answer is not filed within 15 days after service of this order, or, if an answer timely filed raises no material issue of fact, all parties shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order fixing the temporary subsidy rate specified herein.

4. If notice of objection and answer are filed presenting issues for hearing, issues going to the establishment of the fair and reasonable rates herein shall be limited to those specifically raised by such answers except as otherwise provided in 14 CFR, § 302.307.

5. This proceeding shall remain open pending entry herein of an order fixing final rates retroactive to such date as the Board may determine, which final rates may be lower or higher than the temporary rates fixed herein.

6. The petition to intervene in this proceeding, filed by The State of Maine on February 12, 1975, is hereby denied.

7. This order shall be served upon all parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-8022 Filed 3-27-75;8:45 am]

[14] For a full explanation of the calculations used by the Board in arriving at the proposed temporary rate see Appendix A attached to this order.

[15] Seasonal subsidy payments for the Alaskan carriers have been Board policy for several years.

[15a] Filed as part of the original document.

[16] See Order 75-1-118, January 29, 1975.

[17] 14 CFR 247.1.

[Docket No. 23080-2]

PRIORITY AND NONPRIORITY DOMESTIC SERVICE MAIL RATES INVESTIGATION

Postponement of Hearing

Notice is hereby given that the hearing heretofore scheduled for March 25, 1975 (40 FR 7127, February 19, 1975) in the above-entitled proceeding has been postponed to June 24, 1975, at 10 a.m. (local time), in Room 726, Universal Building, 1825 Connecticut Avenue, N.W., Washington, D.C.

Dated at Washington, D.C., March 25, 1975.

[SEAL] THOMAS P. SHEEHAN,
Administrative Law Judge.

[FR Doc.75-8124 Filed 3-27-75;8:45 am]

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PROCUREMENT LIST

Notice of Proposed Additions

Notice is hereby given pursuant to section 2(a)(2) of Pub. Law 92-28; 85 Stat. 79, of the proposed additions of the following commodities to Procurement List 1975, November 12, 1974 (39 FR 39964).

CLASS 8020

Roller, Paint w/Cover
8020-00-753-4914
8020-00-753-4915
Cover, Roller, Paint
8020-00-682-6489
8020-00-682-6490
8020-00-682-6491
8020-00-682-6492

Comments and views regarding these proposed additions may be filed with the Committee not later than 30 days after the date of this Federal Register. Communications should be addressed to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.75-8086 Filed 3-27-75;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

List of Statements Received

Environmental impact statements received by the Council on Environmental Quality from March 17 through March 21, 1975. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the *minimum* period for public review and comment on draft environmental impact statements is forty-five (45) days from this FEDERAL REGISTER notice of availability. (May 12, 1975.) The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies will also be available at cost from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: David Ward, Acting Coordinator, Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 331-E, Administration Building, Washington, D.C. 20250, 202-447-3853.

FOREST SERVICE

Draft

Communication Sites, Chugach and Tongass National Forests, Alaska, March 20: The statement is a supplement to a final EIS filed with CEQ 7 September 1973. Proposed is the construction of antenna towers and support facilities to provide RCA micro-wave links from Angoon to Ketchikan, Lena Point to Cape Spencer, and Meyers Chuck to Thorne Bay-Hydaburg. No road construction is involved, but the structures will detract from the natural beauty of the areas. (ELR Order No. 50388.)

Santa Catalina Planning Unit, Colorado National Forest, Pima and Pinal Counties, Ariz., March 20: The statement presents a number of land-use alternatives for the management of Santa Catalina Unit, Cornado National Forest. The alternatives include further development of recreation facilities to provide for the increasing population of the area as well as preservation of scenic quality. (ELR Order No. 50381.)

Apalachicola National Forest Timber Plan, several counties in Florida, March 19: Proposed is the implementation of a revised 10-year Timber Management Plan for Apalachicola National Forest. Estimated annual yield from approximately 4,600 acres of regeneration cuts will be 11.1 million board feet of sawtimber and 45 thousand cords of small roundwood. Adverse effects include temporary loss of pleasing forest scenery from timber cutting, other silvicultural treatments, and road construction. (ELR Order No. 50377.)

Osceola National Forest Timber Plan, Baker and Columbia Counties, Fla., March 19: The proposed action is the implementation of the revised 10-year Timber Management Plan for Osceola National Forest. Estimated annual yield from approximately 1,800 acres of regeneration cuts and 3,300 acres of intermediate cuts will be 6.3 million board feet and 36 thousand cords of small roundwood. Adverse impacts include degradation of forest scenery and road construction. (ELR Order No. 50379.)

Landmark Planning Unit, Boise National Forest, Valley County, Idaho, March 19: The statement concerns the land use plan for Landmark Planning Unit, Boise National Forest. The unit's 155,830 acres will be divided into management areas for protection use, and development. Recreation opportunities will receive minor modification, with dispersed opportunities restricted somewhat and opportunities at developed sites enhanced (45 pages). (ELR Order No. 50376.)

Tchoutacabouffa Unit, DeSoto National Forest, Harrison and Stone Counties Miss., March 17: The statement concerns the management plan for Tchoutacabouffa Unit, DeSoto National Forest. Environmental impacts will result from timber harvesting and other timber management activities, road reconstruction, grazing, off-road vehicle use, prescribed burning, and use of pesticides on the 40,163-acre unit (130 pages). (ELR Order No. 50358.)

Deschutes, Fremont, Ochoco, and Winema National Forests, several counties in Oregon, March 20: The statement concerns the use of amitrole, atrazine, dalapon, dicamba, 2,4,5-T, 2,4-D, silvex, and picloram on the following National Forests: Deschutes, Fremont, Ochoco, and Winema. The use of these chemicals will put herbicide residues into the environment in varying amounts, depending upon the chemical used. The killing of some non-target species and the hazard of an altered habitat to wildlife are among the adverse impacts of vegetation management. (ELR ORDER No. 50385.)

RURAL ELECTRIFICATION ADMINISTRATION

Draft

Alma Unit 6 and Transmission Lines (2), several counties in Wisconsin, March 17: The statement, a revised draft, refers to Dairyland Power Cooperative's request for $91,800,000 in loan funds for the construction of Alma Generating Unit No. 6 and 79 miles of 161 kV transmission lines. The addition of the unit will require the acquisition of 105 acres of land. Adverse impacts include emissions from the coal burning unit and visual intrusion upon the landscape (62 pages). (ELR Order No. 50353.)

SOIL CONSERVATION SERVICE

Draft

Jordan Creek Watershed, Warren County, Ind., March 19: The statement concerns a project for watershed protection, flood prevention, and drainage for nearly 27,500 acres of the Jordan Creek Watershed. Twenty-three acres of wooded habitat will be destroyed as a result of 27.5 miles of channel reconstruction, and noise, pollution, and destruction of benthos will result from dredging. (ELR Order No. 50378.)

Duralde-des Cannes Watershed, Acadia and Evangeline Counties, La., March 17: The statement concerns a project for watershed protection and flood prevention on 36,440 acres of cropland and pastureland in Acadia and Evangeline Parishes, Louisiana. An estimated 209 miles of channel work and installation of five structures for water control are included. The five weirs will permanently inundate 21 acres of land. Approximately 327 additional acres of land will be committed to new channels, berms, and spoil. (ELR Order No. 50366.)

DEPARTMENT OF COMMERCE

Contact: Dr. Sidney R. Galler, Deputy Assistant Secretary for Environmental Affairs, Department of Commerce, Washington, D.C. 20230, 202-967-4335.

Draft

Maine Coastal Zone Management Program, Maine, March 21: The statement concerns the application for the Coastal Zone Management Program for the mid-coast segment of Maine. Approval and implementation of the program will restrict or prohibit land and water uses in certain parts of the Maine coast while promoting and encouraging development in other parts. This may affect property values, property tax revenues, and resource extraction or exploration. (ELR Order No. 50394.)

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn: DAEN-PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314, 202-693-6861.

Draft

White River Channel Maintenance, several counties in Arkansas, March 19: Proposed is the maintenance dredging of a 188-mile navigation channel from mile 9.8 to Newport, Arkansas. The channel provides a transportation route for agricultural goods. Adverse impacts include disruption of benthic habitat, and alteration of the river's natural appearance. (ELR Order No. 50374.)

Calumet Harbor and River, Dredging and Disposal, Illinois and Indiana, March 20: The statement concerns the periodic maintenance dredging of Calumet Harbor and River and disposal of spoil in an existing disposal site in Lake Calumet. The project is located on the southwest shore of Lake Michigan within the Chicago city limits. Adverse impacts include the disturbance of bottom sediments and the removal of pollution-tolerant organisms and the possibility of pollutants entering the Calumet River as the disposal site reaches capacity. (Chicago District.) (ELR Order No. 50387.)

Rathbun Dam and Lake, Operation and Maintenance, several counties in Iowa, March 20: The statement concerns the continued operation and maintenance of Rathbun Lake, located in portions of Appanoose, Wayne, Lucas, and Monroe Counties, Iowa. The plan consists of water control regulation, operation and maintenance of recreation areas, and management of project land and water resources. Shoreline erosions, disruption of recreation use, and damage to project roads and recreation areas result from the fluctuations related to flood control operations. (Kansas City District.) (ELR Order No. 50383.)

Obion Creek Project, several counties in Kentucky, March 17: Proposed is a flood control project for Graves, Hickman, Carlisle and Fulton Counties, Kentucky, which provides for about 34 miles of channel enlargement, about 8 miles of new channel construction and 3 miles of channel improvement of Hurricane Creek. The dredged material will be placed on a closed spoil bank along 8 miles of the new channel work. Adverse impacts include disruption of the benthic habitat, temporary increases in stream turbidity, noise, solid wastes, air pollution, and reduction in wildlife availability and fishery values. (Memphis District.) (ELR Order No. 50362.)

Muskegon Harbor, Mitigation of Shore Damage, Muskegon County, Mich., March 17: This project entails the establishment and maintenance of seven beach nourishment supply sites to provide immediate and continued relief to damaged shore areas in the vicinity of Muskegon Harbor, Michigan. Approximately 70,000 cubic yards of sediment will be dredged from the harbor mouth and deposited in seven selected sites. Benthos at the nourishment sites will be smothered and operations would cause temporary migration of fish due to turbidity, small losses of benthic life at the dredging site, and temporary construction disruption. (Detroit District.) (ELR Order No. 50361.)

Wears Creek and Jefferson Creek, Cole County, Mo., March 19: Proposed is the construction of a flood protection project consisting of enclosing the lower reaches of Wears Creek in a covered conduit and filling the surrounding area with hydrolic fill dredged from the Missouri River. The project will displace 135 residences and 70 businesses, and will result in the loss of recreational potential of the natural Wears Creek setting, relocation of five historic buildings, and removal and relocation of some railway transportation facilities which serve area industry. (Kansas City District.) (ELR Order No. 50380.)

Elmsford-Greenburg Flood Control (2), Westchester County, N.Y., March 20: The statement is a revised draft concerning the flood control project for the Village of Elmsford and the Town of Greenburg on the Saw Mill River. The plan consists of channel modifications, approximately 5,300 feet of levees and floodwalls, ponding areas, a pumping station, and associated interior drainage facilities. The structures would alter the aesthetic value, vegetation, and fish and wildlife habitat of the streams and land. (ELR Order No. 50384.)

Dunkirk Harbor Maintenance, Chatauqua County, N.Y., March 20: Proposed is the periodic dredging of about 20,000 cubic yards of sediment from Dunkirk Harbor navigation

channels. Spoil will be deposited in a confined disposal facility at Buffalo. Also planned is the periodic maintenance of the existing pier and breakwater. Adverse impacts include resuspension of toxic chemical materials, disturbance of existing fish populations, turbidity and changes in water color, and generation of noise and dust during the placement of structural materials. (Buffalo District.) (ELR Order No. 50386.)

Scuppernong River Flood Control, Washington County, N.C., March 17: Proposed is the construction of a flood control and drainage project on Scuppernong River and Mauls Creek, consisting of about 4.1 miles of channel modification. Adverse impacts include the conversion of swamp forest and old disposal areas to grasses, loss of about 12 acres of swamp forest, and slight damages to fishery resources. (Wilmington District.) (ELR Order No. 50359.)

Ashtabula Harbor, Operations and Maintenance, Ashtabula County, Ohio, March 17: Proposed is the maintenance dredging of Ashtabula Harbor of approximately 140,000 cubic yards of sediment annually, which will be deposited in a designated area of Lake Erie. Adverse impacts include the disturbance of the benthic habitat and the further chemical and biological degradation of Lake Erie caused by open-lake dumping. (Buffalo District.) (ELR Order No. 50357.)

Lower Snake River Fish and Wildlife Compensation, Washington and Idaho, March 17: Statement concerns a report proposing compensatory measures to offset the fish and wildlife losses due to construction on the Lower Snake River. The report recommends the construction of hatcheries, the acquisition of streambank access on tributaries for fishing, and acquisition of easements for hunters. A total cost estimate is $47,972,319. Construction of hatcheries will result in disturbance of the landscape. (ELR Order No. 50365.)

Final

Savannah Harbor, Sediment Basin Project, March 18: The proposed project is the construction of a sediment basin and tide-gate structure in Back River, Savannah Harbor, and construction of a fresh-water diversion system for the Savannah National Wildlife Refuge and adjacent areas. Adverse impacts stemming from the project are lowering of water quality, upstream advancement of the salt water wedge in Middle and Back Rivers, and the use of the use of abandoned rice fields as spoil areas. Comments made by: EPA, DOC, HEW, DOI, and State and local agencies. (ELR Order No. 50372.)

NAVY

Draft

Naval Petroleum Reserve No. 4, Zone A, Alaska, March 17: The statement concerns a 3- year project to locate producible oil and natural gas on the 37,000 square mile Naval Petroleum Reserve No. 4 on the North Slope of Alaska. Adverse impacts include: increases in animal mortality rate, irreparable vegetation damage, extensive permafrost damage, serious alterations in drainage patterns, ecological repercussions to endangered species and ecosystems, and reduction in the wilderness qualities of the area (84 pages). (ELR Order No. 50354.)

Military Housing, Fort Story, Virginia Beach, Va., March 20: Proposed is the construction of 600 units of military housing by the United States Navy. These 576 four-bedroom and 24 five-bedroom units will be located on approximately 81 acres of Ft. Story, Virginia Beach, Virginia. Construction will result in removal of existing vegetation and relocation of wildlife. (ELR Order No. 50393.)

The following notice should have appeared in the FEDERAL REGISTER of March 13, 1975 instead of the notice for Highway N2, Lincoln Urban Arterial.

N–71, Scotts Bluff County, Nebr., March 6: The project involves the improvement of N–71 so as to provide a high capacity roadway facility which will meet the service requirements of an area located in and near the urban limits of Gering, Terrytown and Scottsbluff. The improvement of N–71 will be for a length of approximately 8 miles and will consist of intersections, drainage structures, and a possible new bridge over the North Platte River. Adverse impacts include increases in the levels of air, water, and noise pollution during construction, and some loss of wildlife. Figures involving the amount of acreage needed, and the number of families who must be relocated vary depending on the alternate chosen. (ELR Order No. 50320.)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. Sheldon Meyers, Director, Office of Federal Activities, Room 3630, Waterside Mall, Washington, D.C. 20460, 202–755–0940.

Draft

Southeast Regional Reclamation Authority, Orange County, Calif., March 20: The statement concerns the Southeast Regional Reclamation Authority's project to provide a method of disposal for the existing regional wastewater treatment system. The current method, an ocean outfall, is overloaded and unreliable. Two alternatives land discharge for reclamation and ocean discharge for disposal receive the major focus. All projects will include construction and associated disruptions. (ELR Order No. 50391.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Acting Director, Office of Environmental Quality, Room 7206, 451, 7th Street SW., Washington, D.C. 20410, 202–755–6295.

Draft

Neighborhood Development, Denver (Supplement), Denver County, Colo., March 20: The statement is a supplement to a final eis filed with CEQ 9 January 1973. The current proposal of the Neighborhood Development Plan includes the acquisition of eleven parcels of land and the demolition of twelve structures. The land will be cleared for 80 units of medium-density high-rise apartments and 60 units of medium-density garden apartments. (ELR Order No. 50390.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, 202–343–3891.

Draft

Sherwood Uranium Project, Stevens County, Wash., March 18: The proposed action involves approval of a lease allowing development of a uranium mine and processing facilities near the town of Wellpinit on the Spokane Indian Reservation. The proposal, which includes an open pit mine for the extraction of an estimated 7,922,000 tons of uranium ore, would affect 580 acres of brushland and forestland. The landscape will have a changed physical appearance and general access to the area will be restricted. (ELR Order No. 50373.)

NATIONAL PARK SERVICE

Draft

Kaloko Honokohau National Cultural Park, Hawaii County, Hawaii, March 17: Proposed is the establishment of a Kaloko, Honokohau National Cultural Park on the North Kona coast of Hawaii County. The Park will contain 750 acres of land and 550 acres of adjacent offshore water area and will be managed so as to preserve Hawaiian culture. There will be an impact on current landowners in that plans for a resort-recreation complex will not be realized. (ELR Order No. 50355.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, 400 7th Street SW., Washington, D.C. 20590, 202–426–4357.

FEDERAL AVIATION ADMINISTRATION

Draft

Isbell Field, Fort Payne, DeKalb County, Ala., March 18: The statement concerns the improvement of Isbell Field in Fort Payne, Alabama. The plan includes lengthening the runway, constructing a new terminal area and access road, and relocating a county road. One family will be displaced. (ELR Order No. 50371.)

Weir Cook Municipal Airport, Indianapolis, Marion County, Ind., March 17: The statement concerns a three-stage plan to improve Weir-Cook Municipal Airport in Indianapolis over a period of 17 years. The plan includes construction of a new taxiway, parking facilities, terminal building, runways, and Instrument Landing System. Implemention of the project will result in the loss of approximately 2,118 acres to other uses, displacement of 91 families, and increased noise and air pollution (165 pages). (ELR Order No. 50368.)

FEDERAL HIGHWAY ADMINISTRATION

Draft

Crosstown Transportation Corridor, Santa Barbara, Santa Barbara County, Calif., March 17: Proposed is the construction of a 2.6-mile, 4-lane freeway and railroad transportation corridor extending from Salinas Street to Carrillo Street, following the alignment of Route 101. From 275 to 1,150 persons will be displaced, depending upon the alternative route chosen, and some residential areas will experience increased noise levels. (ELR Order No. 50352.)

17th Street, Idaho Falls, Bonneville County, Idaho, March 17: Proposed is the improvement of a 0.6 mile section of 17th Street between South Boulevard and Yellowstone Avenue in Idaho Falls. The street would be widened from two to four lanes of traffic. The existing two-lane railroad underpass structure would be retained for two lanes of westbound traffic and a new railroad underpass constructed for east-bound vehicles. The project will require the cutting of trees and encroachment upon private property for right-of-way (ELR Order No. 50367.)

I–10, Eden Isles Drive Interchange, St. Tamany County, La., March 17: Proposed is the construction of a standard rural diamond interchange linking I–10 and Eden Isles Drive. The project will be funded by Leisure, Inc. to provide a more convenient access to I–10 for residents of Eden Isles Subdivision. Thirty-five acres of land and four acres of Spartina marsh will be committed to the project. (ELR Order No. 50360.)

STH 20, I–94 to Oakes Road, Racine County, Wis., March 20: Proposed is the improvement of a 4.3 mile section of STH 20 from I–94 to Oakes Road in the Town of Mt. Pleasant, Wisconsin. The project consists of the construction of an additional 2-lane roadway parallel to the existing STH 20, separated by a grass median. The right-of-way has already been purchased. About 70 mature trees would be removed (220 pages). (ELR Order No. 50382.)

Final

State Road 84, Broward Co., Broward County, Fla., March 17: Proposed is the reconstruction from two to six lanes, of six miles of S.R. 84 between I–75 and S.R. 817.

Adverse impact will include the taking of 242 acres of land for right of way, and the displacement of 21 families, 8 businesses, and one farm. Comments made by: EPA, DOI, HEW, USDA, and State and local agencies. (ELR Order No. 50351.)

95th St. Improvement, Overland Park, Johnson County, Kans., March 17: The project involves the improvement of 95th St. between the east frontage road of I-35 in Lenexa to the Bluejacket Drive intersection in Overland Park. Adverse impacts are the use of additional land for right-of-way, increased noise levels, and temporary, construction-related increases in air pollution (42 pages). Comments made by: USDA, COE, HEW, EPA, USCG, HUD, DOC, and State and local agencies. (ELR Order No. 50356.)

Kansas Rte. 6, Kansas City, Wyandotte County, Kans., March 19: The statement refers to the proposed construction of 0.948 mile of Kansas Rte. 6 from I-635 to the Fairfax Industrial District, all in Kansas City, Kansas. Included will be right of way acquisition, grading, bridges, fencing, seeding and high type pavement. Adverse impacts include, the relocation of some residents, increased noise levels, and inconveniences normally associated with construction (132 pages). Comments made by: HEW, HUD, DOI, USDA, COE, USCG, OEO, DOC, and one State agency. (ELR Order No. 50375.)

U.S. 54 and K-96, Butler County, Kans., March 20: The project involves the improvement of 13 miles of U.S.-54 and K-96; to meet freeway standards. The facility will be a 4-lane highway with controlled access. Depending upon the alternate chosen, the project will require from 338 to 622 acres of land for right-of-way and displace 0 to 42 homes, 0 to 5 farms, 0 to 10 businesses and 1 nonprofit organization. Four to 14 land severances will occur. Adverse impacts are: loss of agricultural land, loss of wildlife, alterations or destruction of terraces, waterways and ponds resulting in erosion, and water pollution. Increases in noise pollution levels will occur. Comments made by: USDA, HEW, USCG, COE, EPA, DOT, HUD, OEO, DOI, and State agencies. (ELR Order No. 50389.)

(71 pages), Blue Earth County, Minn., March 17: Proposed is a 4.5 mile bypass of the City of Mankato. The highway will require 264 acres for right-of-way, including 95 acres of good agricultural land; 16 families and 2 businesses will be displaced (39 pages). Comments made by: DOI, EPA, HEW, DOT, USDA, COE, DOC, and State agencies. (ELR Order No. 50368.)

I-10, Jackson County, Miss., March 17: Proposed is the construction of an 18.9 mile segment of I-10 from S.R. 57 to the Mississippi-Alabama State line. The segment would complete I-10 across the Mississippi Gulf Coast. Approximately 98% of the right-of-way land has been acquired, displacing 30 families and 7 businesses. The highway will also bisect the nesting area of the Mississippi Sandhill Crane, an endangered species. A bridge will be constructed on the Pascagoula River Marsh and will center primarily on the dredging of the work canal. Comments made by: EPA, USCG, DOI, USDA, HUD, and State and local agencies. (ELR Order No. 50364.)

I-79, Kanawha Co., W. Va., March 20: The statement refers to the construction of a 14 mile segment of I-74. The 4-lane, limited access highway connects Big Chimney and the Roane County Line. Adverse impacts are increased air and noise pollution, and the displacement of families and businesses. Comments made by: FPC, COE, EPA, DOI, USDA, and State and local agencies. (ELR Order No. 50392.)

VETERANS ADMINISTRATION

Contact: (For Medical Facilities): Mr. Arthur W. Farmer, Assistant Chief, Medical Director for Administration and Facilities, Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420. (For Housing): Mr. R. C. Coon, Director, Loan Guarantee Service, Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420, 202-389-2332.

Draft

VA Hospital, 420-Bed Replacement, Augusta, Richmond County Ga., March 18: Proposed is the construction of a 420-Bed Replacement Veterans Hospital within the Urban Renewal Medical Center complex of Augusta. Adverse impacts include construction disruption and increased traffic in the area. (ELR Order No. 50370.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.75-8053 Filed 3-27-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 351-8]

AIR POLLUTION CHEMISTRY AND PHYSICS ADVISORY COMMITTEE

Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given that a meeting of the Air Pollution Chemistry and Physics Advisory Committee will be held at 9 a.m., April 17 and 18, 1975, in Conference Room A, Crystal Mall Building 2, 1921 Jefferson Davis Highway, Arlington, Virginia 20460.

This is the regular spring meeting of this committee. The agenda will include (a) ambient sulfates, (b) atmospheric fine particulate matter, (c) Freon problem, (d) oxidant measurement calibration, and (e) energy-related air pollution research.

The meeting will be open to the public. Any member of the public wishing to participate or present a paper should contact Dr. Alfred H. Ellison, Deputy Director, Chemistry and Physics Laboratory, Environmental Protection Agency, National Environmental Research Center, Research Triangle Park, North Carolina (919-549-8411, extension 2191).

JOHN BUCKLY,
Acting Assistant Administrator for Research and Development.

MARCH 21, 1975.

[FR Doc.75-8046 Filed 3-27-75;8:45 am]

[(FRL 352-7) OPP-261002]

AMCHEM PRODUCTS, INC.

Withdrawal of Pesticide and Food Additive Petitions

On August 15, 1974, the Environmental Protection Agency gave notice (39 FR 29417) that Amchem Products, Inc., Brookside Ave., Ambler PA 19002, had filed a petition (FAP 5H5056) with the Agency. This petition proposed the establishment of a food additive tolerance for residues of the plant regulator ethephon ((2-chloroethyl) phosphonic acid) in or on raisins at 10 parts per million resulting from application of the plant regulator to growing grapes.

Amchem Products, Inc., has withdrawn this petition without prejudice in accordance with the regulations (21 CFR 121, § 121.52) pertaining to section 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348).

Dated: March 24, 1975.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.75-8128 Filed 3-27-75;8:45 am]

[FRL 352-3]

NORTH DAKOTA NAVIGABLE WATERS

Public Hearing and Request for Approval of State Program

A public hearing to consider the request of the State of North Dakota for state program approval to participate in the National Pollutant Discharge Elimination System (NPDES) permit program for the control and abatement of discharges into waters of the State in compliance with the 1972 amendments to the Federal Water Pollution Control Act, 33 U.S.C.A. sections 1251-1376 (Supp. 1973), (hereinafter, the Act) will be held on Tuesday, May 6, 1975, at 10 a.m. in the Large Hearing Room, State Capitol Building, Bismarck, North Dakota.

Section 402(b) of the Act provides that the Governor of the State desiring to administer the NDPES permit program to control discharges into navigable waters within its jurisdiction may submit to the Administrator of the United States Environmental Protection Agency (EPA) a full and complete description of the program the State intends to administer, including a statement from the State Attorney General that the laws of the State provide adequate authority to carry out the described program. The Administrator is required to approve each such submitted program unless the program does not meet the requirements of section 402(b) and EPA's guidelines. Among other authorities, the State must have: (1) adequate authority to issue permits which comply with all pertinent requirements of the Act; (2) adequate authority, including civil and criminal penalties, to abate violations of permits or the permit program; and (3) authority to ensure that the Administrator, the public, or any other affected State, and other affected agencies, are given notice of each application and are given the opportunity for a public hearing before acting on each permit application. Also, the State must have, and commit itself to use, manpower and resources sufficient to act on all outstanding permit applications in a timely manner and consistent with the periods prescribed by the Act. EPA's guidelines establishing State Program Elements Necessary for Participation in the NPDES were published in Volume 37 of the FEDERAL REGISTER, December 22, 1972 (40 CFR 124), beginning at page 28390.

The State of North Dakota has submitted a full and complete Request for State Program Approval and proposes that the North Dakota State Department of Health, State Capitol Building, Bismarck, North Dakota 58501 operate the NPDES program.

Governor Link's request and the program description are available for inspection at the following locations:

(1) U.S. Environmental Protection Agency, Enforcement Division, Suite 900, 1860 Lincoln Street, Denver, Colorado 80203.
(2) North Dakota State Department of Health, State Capitol Building, Bismarck, North Dakota 58501.
(3) Clerk of District Court, First Jurisdictional District, Cass County Court, Box 2806, Fargo, North Dakota 58102.
(4) Clerk of District Court, Sixth Jurisdictional District, Stark County Court House, Dickinson, North Dakota 58601.
(5) Clerk of District Court, First Jurisdictional District, Grand Forks County Court House, Third Floor, Box 387, Grand Forks, North Dakota 58201.
(6) Clerk of District Court, Fifth Jurisdictional District, Ward County Court House, Minot, North Dakota 58701.
(7) Clerk of District Court, Fifth Jurisdictional District, Williams County Court House, Williston, North Dakota 58801.

The public hearing panel will consist of the Administrator, or his representative, who will serve as the Presiding Officer, the Director of the North Dakota State Department of Health, or his representative, and the Regional Administrator, Region VIII, or his representative.

All interested persons wishing to attend, to comment upon, or to object to this State request are invited to attend the public hearing. Written comments may be presented at the hearing or submitted by May 13, 1975, either in person or by mail to the Regional Office of the U.S. Environmental Protection Agency, Enforcement Division, Suite 900, 1860 Lincoln Street, Denver, Colorado 80203, attention: John Kapsner.

Oral statements will be received and considered, but for accuracy of the record, all testimony should be submitted in writing. Statements should summarize extensive written material so that there will be time for all interested persons to be heard. Persons submitting written statements are encouraged to bring additional copies for the use of the hearing panel and other interested persons. The presiding officer may, at his discretion, exclude oral testimony if it is overly repetitious of previous testimony heard or if it is not relevant to the decision to approve or require revision to the State program as submitted.

All comments or objections received by March 13, 1975, or presented at the public hearing will be considered by EPA before taking final action on the North Dakota request for State Program Approval.

Please bring the foregoing to the attention of persons whom you know would be interested.

RICHARD H. JOHNSON,
Acting Assistant Administrator for Enforcement.

MARCH 24, 1975.

[FR Doc.75-8131 Filed 3-27-75;8:45 am]

[(FRL 352-8) OPP-260102]

PESTICIDE AND FOOD ADDITIVE PETITIONS

Notice of Filing

Petitions proposing the establishment of pesticide tolerances in or on certain raw agricultural commodities and the establishment of tolerances relating to food additives have been filed with the Environmental Protection Agency (EPA). Notice is given pursuant to the provisions of sections 408(d) (1) and 409(b)(5) of the Federal Food, Drug, and Cosmetic Act. The petitions and proposals are:

PP 5F1591. Chevron Chemical Co., Ortho Div., 940 Hensley St., Richmond CA 94804. Proposes the establishment of tolerances for residues of the desiccant paraquat (1, 1'-dimethyl-4,4'-bipyridinium ion) derived from the application of either the bis-(methyl sulfate) or dichloride salt (calculated as the cation) in or on the raw agricultural commodities sorghum fodder at 40 parts per million (ppm); alfalfa and clover at 30 ppm; sorghum grain at 5 ppm; kidney of cattle at 0.30 ppm; gizzard of poultry, at 0.20 ppm; and meat, fat, and meat byproducts (except gizzard) of poultry, the meat, fat, and meat byproducts of hogs, and eggs at 0.05 ppm. Proposed analytical method for determining residues is one in which the sample is refluxed with sulfuric acid to free the paraquat cation, and after cleanup and reduction with sodium dithionite, the paraquat is determined spectrophotometrically. PM25

PP 5F1598. Chevron Chemical Co., Ortho Div. Proposed establishment of a tolerance for residues of the desiccant paraquat (1,1'-dimethyl-1-4,4'-bipyridinium ion) derived from the application of either the bis (methyl sulfate) or dichloride salt calculated as the cation) in or on the raw agricultural commodity sunflower seeds at 2 ppm. Proposed analytical method same as above. PM25

FAP 5H5078. Chevron Chemical Co., Ortho Div. Proposes establishment of food additive tolerance for residues of the desiccant paraquat (1,1'-dimethyl-4,4'-bipyridinium ion) in sunflower meal and sunflower seed hulls at 30 ppm from application of the pesticide to growing sunflowers. PM25

PP 5F1599. Shell Chemical Co., Suite 200, 1025 Connecticut Ave., NW, Washington DC 20036. Proposes establishment of a tolerance for negligible residues of the herbicide 2-[[4-chloro-6-(ethylamino)-*s*-triazin-2-yl] amino]-2-methylpropionitrile in or on the raw agricultural commodity cottonseed at 0.05 ppm. Proposed analytical method for determining residues is a gas-liquid chromatographic procedure using an alkali flame ionization detector. PM25

PP 5F1592. Zoecon Corp., 975 California Ave., Palo Alto CA 94304. Proposes establishment of tolerances for residues of the insect growth regulator Methoprene (isopropyl (E,E)-11-methoxy-3,7,11-trimethyl-2,4-deodecadienoate) in the raw agricultural commodities meat, meat byproducts and fat of cattle at 0.1 ppm and in milk at 0.01 ppm. Proposed analytical method for determining residues is a gas liquid chromatographic procedure using a flame ionization detector. PM17

Dated: March 24, 1975.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.75-8129 Filed 3-27-75;8:45 am]

[(FRL 352-5) OPP-261003]

SHELL CHEMICAL CO.

Filing of Food Additive Petition

Shell Chemical Company, 1025 Connecticut Ave., NW, Washington, D.C. 20036, has filed a petition (FAP 5H5077) proposing establishment of a food additive tolerance for residues of the insecticide dimethyl phosphate of 3-hydroxy-*N*-methyl-*cis*-crotonamide in tomato puree, tomato paste and catsup from the application of the insecticide to the raw agricultural commodity tomatoes. Notice of this filing is given pursuant to the provisions of section 409(b) of the Federal Food, Drug, and Cosmetic Act.

Dated: March 24, 1975.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.75-8127 Filed 3-27-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Dockets Nos. 20386, 20387; Files Nos. BMPCT-7336; BMPCT-7374]

CHICAGO FEDERATION OF LABOR AND INDUSTRIAL UNION COUNCIL AND UHF BROADCASTING CO.

Applications for Oral Argument

In re applications of Chicago Federation of Labor and Industrial Union Council (WCFL-TV), Chicago, Illinois, Docket No. 20386, File No. BMPCT-7336; UHF Broadcasting Company (WUHF-TV), Baltimore, Maryland, Docket No. 20387, File No. BMPCT-7374; for extension of time to complete construction.

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has before it for consideration the applications of Chicago Federation of Labor and Industrial Union Council (BMPCT-7336) and UHF Broadcasting Company (BMPCT-7374) for extensions of time in which to complete construction of television broadcast stations WCFL-TV, channel 38, Chicago, Illinois, and WUHF-TV, channel 54, Baltimore, Maryland, respectively. Also before the Commission are letters of the Chief, Broadcast Bureau, to the permittees, dated November 18, 1974, and November 21, 1974, respectively, dismissing the above applications, cancelling the construction permits and deleting the call letters therefor, and the letter requests of WCFL-TV, dated February 14, 1975, and WUHF-TV, dated December 12, 1974, requesting reinstatement of their applications and recision of the action cancelling the construction permits.

2. *Accordingly, it is ordered,* That the request of Chicago Federation of Labor and Industrial Union Council for reinstatement of the extension application, construction permit and call sign for WCFL–TV, Chicago, Illinois, and the request of UHF Broadcasting Company for reinstatement of the extension application, construction permit and call sign for WUHF–TV, Baltimore, Maryland, are granted.

3. *It is further ordered,* That, the above-captioned applications of Chicago Federation of Labor and Industrial Union Council and UHF Broadcasting Company are designated for oral argument Before the Review Board in Washington, D.C., at a time and date to be specified in a subsequent order, upon the following issues: (1) To determine, pursuant to section 319(b) of the Communications Act of 1934, as amended, and § 1.534(a) of the Commission's rules:

(a) Whether the failure to construct stations WCFL–TV and WUHF–TV has been due to causes not under the control of the respective permittees.

(b) Whether there are other matters sufficient to justify a further extension of time to construct the said stations.

(2) To determine, in the light of the facts adduced pursuant to the above issues, whether a grant of the applications would serve the public interest, convenience and necessity.

4. *It is further ordered,* That to avail itself of the opportunity to be heard, the applicant, in person, or by attorney shall, within ten (10) days, of the mailing of this Order, file with the Commission an original and twelve (12) copies of a written appearance stating an intention to appear on the date fixed for the oral argument and present arguments on the issue specified in this order.

Adopted March 12, 1975.

Released March 17, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.75-8113 Filed 3-27-75;8:45 am]

[Dockets Nos. 20262, 20263; Files Nos. 6970-C2-P-(2)-70, 1915-C2-P-70 FCC 75 R-112]

HOUSTON BROADCASTING SERVICE AND SOUTHWESTERN BELL TELEPHONE CO.

Order Enlarging Issues

In re applications of Roy M. Teel d/b/a Houston Radiophone Service, Houston, Texas, Docket No. 20262, File No. 6970-C2-P-(2)-70; Southwestern Bell Telephone Company, Houston, Texas, Docket No. 20263, File No. 1915-C2-P-70; For construction permits to establish new air-ground facilities in the Domestic Public Land Mobile Radio Service.

1. The above-capitioned mutually exclusive applications for construction permits to establish new air-ground facilities in the Domestic Public Land Mobile Radio Service (DPLRMS) in Houston, Texas, were designated for hearing by Commission Memorandum Opinion and Order, 39 FR 43583, published on December 26, 1974, on the following issues: 1. To determine on a comparative basis the nature and extent of services proposed by each applicant. 2. To determine, in light of the evidence adduced pursuant to the foregoing issues, which, if either, of the above-captioned applicants would better serve the public interest, convenience and necessity.

Now before the Review Board is a motion to clarify and enlarge issues,[1] filed December 26, 1974, by Roy M. Teel d/b/a Houston Radiophone Service (Houston) seeking clarification of the above-designated issues and addition of the following issues: a. To determine the manner in which each applicant proposes to provide for management arrangement at the local level and the effect of such management on the efficiency of the proposed service.

b. To determine the plans of each applicant for the establishment of procedures necessary to permit local aircraft operators to obtain access to the system and its plans to promote an efficient, high quality service to the area.

c. To determine, in light of the Government's antitrust action against American Telephone and Telegraph Company and its subsidiaries and the Commission's decision in *Chastain et al.* v. *AT&T,* 43 FCC 2d 1079, 28 RR 2d 1343 (1973), *recon. den.,* 49 FCC 2d 749, 31 RR 2d 1487 (1974), whether Southwestern Bell should be disqualified from being the licensee of its proposed station.

2. Houston, in support of the requested issues, essentially relies on the same allegations as are contained in a recent series of motions to clarify and enlarge issues involving Bell System operating company stations[2] and non-Bell stations in proceedings for construction permits to establish new air-ground DPLMRS facilities.[3] Since we have already considered and ruled on almost identical requests for issues predicated on the same allegations and arguments in a Memorandum Opinion and Order, *James D. and Lawrence D. Garvey, d/b/a Radiofone,* FCC 75R-*111,* adopted this same date, no useful purpose would be served by reiterating our disposition here.

3. *Accordingly, it is ordered,* That the motion to clarify and enlarge issues, filed December 26, 1974, by Roy M. Teel d/b/a Houston Radiophone Service is granted to the extent indicated herein, and is denied in all other respects; and

4. *It is further ordered,* That the issues in this proceeding are enlarged by the addition of the following issue:

To determine the effect of the Commission's decision in *Chastain et al.* v. *AT&T,* 43 FCC 2d 1079, 28 RR 2d 1343, (1973), *recon. den.,* 49 FCC 2d 749, 31 RR 2d 1487 (1974), on the basic and/or comparative qualifications of the Southwestern Bell Telephone Company to be a Commission licensee.

5. *It is further ordered,* That the burden of proceeding with the introduction of evidence under the issue added herein SHALL BE upon Roy M. Teel d/b/a Houston Radiophone Service and the burden of proof SHALL BE upon Southwestern Bell Telephone Company.

6. *It is further ordered,* That if favorable action is taken on the application of Southwestern Bell Telephone Company for construction of an air-ground station in Houston, Texas, any such grant will be made subject to the following condition:

This grant is without prejudice to whatever action, if any, the Commission may deem appropriate as a result of the pending civil action entitled *United States* v. *American Telephone and Telegraph Company, Western Electric Company, Inc., and Bell Telephone Laboratories, Inc.,* (Civil No. 74-1698), filed November 20, 1974, in the United States District Court for the District of Columbia.

Adopted March 17, 1975.

Released March 21, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.75-8110 Filed 3-27-75;8:45 am]

[Dockets Nos. 20252, 20253; File Nos. BP-19550, BP-19595; FCC 75R-134]

JULIE P. MINER AND ALBERT L. CRAIN

Order Enlarging Issues

In re applications of Julie P. Miner (KDXU), St. George, Utah, Docket No. 20252, File No. BP-19550; Albert L. Crain, St. George, Utah, Docket No. 20253; File No. BP-19595; for construction permits.

1. The mutually exclusive applications of Julie P. Miner (Miner) and Albert L. Crain (Crain) for a new standard broadcast station at St. George, Utah, were designated for hearing by the Chief of the Broadcast Bureau, acting pursuant to delegated authority, Mimeo No. B 34142, released December 13, 1974, 39 FR 45075, published December 30, 1974.[1] Now be-

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[1] Also before the Review Board are the following related pleadings: (a) opposition, filed January 8, 1975, by Southwestern Bell; (b) opposition, filed January 8, 1975, by the Common Carrier Bureau; and (c) reply, filed January 20, 1975, by Houston.

[2] Southwestern Bell is a wholly-owned subsidiary of the American Telephone and Telegraph Company.

[3] See Memorandum Opinion and Orders designating: (1) the air-ground applications of James D. and Lawrence D. Garvey, d/b/a Radiofone and South Central Bell Telephone Company, 39 FR 42025, published December 4, 1974; (2) the air-ground applications of Answerphone, Inc. and the Mountain States Telephone and Telegraph Company, 39 FR 43245, published December 11, 1974; and (3) the air-ground applications of Roy M. Teel d/b/a Houston Radiophone Service and Southwestern Bell Telephone Company, 39 FR 43583, published December 26, 1974.

[1] Although the instant petition should have been filed on or before January 14, 1975 (fifteen days after the publication of the designation Order) Miner has demonstrated good cause for its delay, as required by § 1.229(b), and the Board will therefore consider its request on the merits.

fore the Review Board is a petition to enlarge issues, filed January 23, 1975, by Miner, requesting the addition of a § 1.526 issue against Crain.[2]

2. According to the uncontroverted affidavit of Julie P. Miner, on January 7, 1975, Crain's public file did not contain eight of the thirteen amendments to the Crain application then on file with the Commission. While the Bureau maintains that at least seven of the eight omissions appear to be minor in nature and Crain contends that no member of the general public has been inconvenienced since only persons associated with Miner have asked to inspect the file, the Board cannot excuse Crain on either of these grounds, particularly in view of the large number of missing documents involved. At the same time, however, the conduct cited by petitioner appears to represent a single, isolated incident caused by inadvertence on Crain's part, rather than by an intent to conceal the missing information. Consequently, while we will add the requested § 1.526 issue we will do so on a comparative basis only. See *Community Broadcasting, Inc.* 33 FCC 2d 714, 23 RR 2d 723 (1972); *Edward G. Atsinger, III*, 29 FCC 2d 443, 21 RR 2d 1039 (1971).

3. *Accordingly, it is ordered*, That the petition to accept late filed pleading, filed February 20, 1975 by Albert L. Crain, IS granted; and

4. *It is further ordered*, That the petition to enlarge issues, filed January 23, 1975, by Julie P. Miner, is granted; and

5. *It is further ordered*, That the issues in this proceeding are enlarged to include the following issue: To determine whether Albert L. Crain has made available for public inspection a complete copy of its application pursuant to § 1.526 of the rules, and if not, the effect thereof on the applicant's comparative qualifications to be a Commission licensee.

Adopted March 24, 1975.

Released March 25, 1975.

FEDERAL COMMUNICATIONS COMMISSION,[1]
VINCENT J. MULLINS,
Secretary.

[FR Doc.75-8111 Filed 3-27-75;8:45 am]

[Dockets Nos. 20378, 20379; File No. BPH 8922, BPH-8943]

TALLAHATCHIE BROADCASTING AND PANOLA BROADCASTING CO.

Applications for Consolidated Hearing

In re applications of E. W. and Shera H. Bie, d/b as Tallahatchie Broadcasting, Sardis, Mississippi, Docket No. 20378, File No. BPH-8922, Requests: 95.9 MHz, Channel No. 240; 3 kW(H&V); 233 feet; Harold B. McCarley, tr/as Panola Broadcasting Company, Batesville, Mississippi, Docket No. 20379, File No. BPH-8943, Requests: 95.9 MHz, Channel No. 240; 3 kW(H&V); 153 feet; for construction permits.

1. The Commission, by the Chief of the Broadcast Bureau, acting pursuant to delegated authority, has under consideration the above-captioned applications which are mutually exclusive in that they seek the same channel in nearby communities.

2. The respective proposals, although for different communities, would serve substantial areas in common. Consequently, in addition to determining, pursuant to section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient and equitable distribution of radio service, a contingent comparative issue will also be specified.

3. E. W. and Shera H. Bie, d/b as Tallahatchie Broadcasting [Tallahatchie] will require a total of $36,165 to construct and operate the proposed facility for a period of one year, without revenue, itemized as follows:

Lease payments on equipment	$7,560
Land	499
Building	6,500
Miscellaneous	2,200
Working capital	19,406
Total	36,165

To meet this requirement Tallahatchie relies on $33,195 from cash on hand or in banks, and $25,000 from profits from existing operations. Tallahatchie has likewise failed to set aside specific funds for the cost of a comparative hearing. However, in light of the fact that Tallahatchie has $22,030 in excess of the cost estimated for construction, it appears that they are financially qualified.

4. Because of the failure of Tallahatchie to indicate the date of its community leader and its general public survey, the Commission is unable to determine whether its ascertainment efforts were conducted within six months of the filing of the application. Additionally, since Tallahatchie failed to indicate the number of people contacted in the general public survey, the Commission is unable to determine whether a random sample was achieved. In light of the requirements of questions and answers 13 (b) of the Commission's *Primer on the Ascertainment of Community Problems by Broadcast Applicants*, 27 FCC 2d 650 (1971), an appropriate issue will be added.

5. Harold B. McCarley, tr/as Panola Broadcasting Company [Panola] will require a total of $54,885 to construct and operate the proposed facility for a period of one year, without revenue, itemized as follows:

Equipment	$21,985
Building	10,000
Miscellaneous	2,000
Loan Repayment with interest	2,900
Working capital (first-year)	18,000
Total	54,885

To meet this requirement, Panola relies on $39,000 from liquid assets and $20,000 from a bank loan. The letter evidencing the bank loan fails to state the collateral involved. Thus, the loan as documented is unacceptable. As a result, Panola's financial data shows $39,000 available to meet a $54,885 requirement. Additionally, Panola has declined to set aside or estimate the cost of the forthcoming comparative hearing. Accordingly, a financial issue will be specified.

6. Because of the failure of Panola to indicate the date of its community leader and general public survey, the Commission is unable to determine whether its ascertainment efforts were conducted within six months of the filing of the application. In addition, since Panola failed to indicate the number of people contacted in the general public survey or the method by which they were selected, the Commission is unable to determine whether a random sample of the general public was achieved. In light of the requirements of questions and answers 15 and 13(b) of the Commission's *Primer on the Ascertainment of Community Problems by Broadcast Applicants*, 27 FCC 2d 650 (1971), an appropriate issue will be added.

7. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

8. *Accordingly, it is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues: 1. To determine the efforts made by Tallahatchie Broadcasting to ascertain the community problems of the area to be served and the means by which the applicant proposes to meet those problems.

2. To determine with respect to the application of Panola Broadcasting Company: (a) Whether the bank loan relied on by the applicant includes any collateral arrangements, and, if so, what the nature of those arrangements is; (b) Whether sufficient additional funds are available to defray the applicant's legal expenses for this proceeding; and (c) Whether, in light of the evidence adduced in (a) and (b), above, the applicant is financially qualified to construct and operate as proposed.

3. To determine the efforts made by Panola Broadcasting Company, to ascertain the community problems of the area to be served and the means by which the applicant proposes to meet those problems.

4. To determine the areas and populations which would receive primary service from the proposals and the availability of other primary aural service (1 mV/m or greater in the case of FM) service to such areas and populations.

5. To determine, in light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals

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[2] Also before the Board are: comments, filed February 5, 1975, by the Broadcast Bureau; and opposition and a petition to accept late filed pleading, both filed February 20, 1975, by Crain; and a reply, filed March 3, 1975, by Miner. Crain's petition to accept late filed pleading is unopposed and since Crain has demonstrated good cause for its one day delay, its petition will be granted.

[1] By the Review Board: Board Member Berkemeyer absent.

would better provide a fair, efficient and equitable distribution of radio service.

6. To determine, in the event it is concluded that a choice between the applicants should not be based solely on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would, on a comparative basis, better serve the public interest.

7. To determine, in light of the evidence adduced pursuant to the foregoing issues which, if either, of the applications should be granted.

9. *It is further ordered,* That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

10. *It is further ordered,* That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: March 17, 1975.

Released: March 25, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.75-8112 Filed 3-27-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

OLD OIL ALLOCATION PROGRAM

Entitlement Notice for January 1975

Correction

In FR Doc. 75-7025 appearing at page 12466 in the issue for Tuesday March 18, 1975, the following corrections are made in the table:

The "required to sell" column is corrected for the following reporting firms:

1. Apex, the figure reading "5" is changed to "0".

2. Arco, the figure reading "262,835" is changed to "262,830".

3. Ashland, the figure reading "415,439" is changed to "415,435".

4. Augsbury, the figure reading "2" is changed to "0".

5. Bay, the figure reading "83,210" is changed to "83,218".

6. Bayou, the figure reading "10,746" is changed to read "10,742".

7. Belcher, the figure reading "162,040" is changed to read "162,046".

8. Blue-Ridge, the figure reading "32,560" is changed to read "32,562".

9. Central, the figure reading "22,966" is changed to read "22,962".

10. Champlin, the figure reading "2" is changed to read "0".

11. Cirillo, the figure reading "26,26", is changed to "26,266".

12. Citgo, the figure reading "20" is changed to "0".

FEDERAL MARITIME COMMISSION

F. H. FENDERSON, INC.

Petition for the Removal of Portwide Exemption

Notice is hereby given that F. H. Fenderson, Inc. (FMC License No. 1469), located at 12 Main Street, Calais, Maine 04619, filed a petition for the removal of portwide exemptions granted by the Commission to the Ports of Searsport and Portland, Maine, pursuant to § 510.22(a) of Federal Maritime Commission General Order 4 (46 CFR 510.22(a)).

Section 510.22(a) of General Order 4 prohibits a licensed independent ocean freight forwarder from collecting compenastion if its requests the carrier or its agent to perform any of the forwarding services. This section further provides for an exemption from this prohibition to licensee/agents in the port of loading upon application therefor and upon a finding by the Commission that an adequate supply of forwarding services is not being held out by nonagent licensees domiciled at the port of loading. On May 2, 1965, the Commission granted the Ports of Searsport and Portland, Maine a portwide exemption.

F. H. Fenderson, Inc., alleges that an adequate supply of forwarding services is now being held out by nonagent licensees at Searsport and Portland, Maine and that the present exemptions are no longer justified on this basis.

Interested parties may inspect and obtain a copy of the petition at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10105. Comments with reference to the petition including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before April 17, 1975. A copy of any such statement or request for a hearing should also be forwarded to the petitioner (as indicated herein), and the comments should indicate that this has been done.

By order of the Commission.

Dated: March 25, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-8133 Filed 3-27-75;8:45 am]

FEDERAL RESERVE SYSTEM

NORTHWESTERN FINANCIAL CORP.

Order Approving Acquisition of Northwestern Finance Company

Northwestern Financial Corporation, North Wilkesboro, North Carolina, a bank holding company within the meaning of the Bank Holding Company Act ("Act"), has applied for the Board's approval, under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to acquire all of the voting shares of Northwestern Finance Company, North Wilkesboro, North Carolina ("Finance"), a company that engages in the activity of making commercial loans for its own account. Such activity has been determined by the Board to be closely related to banking (12 CFR 225.4(a)(1)). In addition, Finance is engaged in the activities of holding title to and leasing offices to The Northwestern Bank, North Wilkesboro, North Carolina ("Bank"), Applicant's sole banking subsidiary; and investing in marketable securities; and has, on one occasion, entered into an indemnity agreement, as an accommodation for Bank, with an insurance company on a construction performance bond. Upon approval by the Board of the acquisition, Applicant will liquidate the loans, refrain from entering into future indemnity agreements, and dispose of the marketable securities presently held by Finance.[1] Thereafter, Finance will engage solely in the activity of holding title to and leasing offices to Bank. Performance of this nonbanking activity does not require prior Board approval (12 U.S.C. 1843(c)(1)(A)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (39 FR 37544 (1974)). The time for filing comments and views has expired, and the Board has considered all comments received in the light of the public interest factors set forth in section 4(c)(8) of the Act (12 U.S.C. 1843(c)(8)).

Applicant is the fourth largest banking organization in North Carolina. Through Bank (deposits of $864 million), Applicant controls approximately 7.7 per cent of the total deposits held by commercial banks in the State.[2] In addition, Applicant has wholly-owned subsidiaries that are engaged in the activities of mortgage banking and servicing, providing financial and investment advice to a real estate investment trust, making loans, factoring, full payout leasing, and acting as agent for the sale of insurance in a community of less than 5,000 people.

Finance (total assets of $8 million) is primarily engaged in holding title to and leasing offices to Bank. In addition, Finance holds a small amount of real estate loans which it has originated and certain marketable securities, and is a party to one indemnification agreement. Finance, which owns 12.5 per cent of Applicant's total outstanding shares, is not an affiliate of Applicant but has some common share ownership and management with Applicant. Thus, the present proposal merely represents a consolidation in Applicant of the ownership of its banking offices. Inasmuch as Finance appears to be a relatively minor competitive factor in the commercial lending market that it serves, acquisition of Finance by Applicant would not result in the elimination of any significant actual or potential competition. On the basis of these and other facts of record, it appears to the Board that competitive considerations lend weight toward approval of the application. There is no evidence in the record indicating that consummation of the proposed transaction would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices, or other adverse effects on the public interest. To the contrary, approval of the acquisition would eliminate potential "conflicts of interests" between Applicant and Finance. Further, upon consummation, there will accrue some increase in operating efficiencies in the holding company structure.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Richmond, pursuant to authority delegated hereby.

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[1] In addition, prior to consummation of this proposal, Finance will divest itself of an approximately 12 per cent interest in a small business investment company in which Bank has a 46 per cent interest, and of other securities such that, at the time of consummation, Finance will not hold more than 5 per cent of the shares of any company other than wholly-owned subsidiaries engaged in leasing premises to Bank.

[2] All banking data are as of June 30, 1974, unless otherwise indicated.

By order of the Board of Governors,[5] effective March 19, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-8060 Filed 3-27-75;8:45 am]

REPUBLIC OF TEXAS CORP.

Order Approving Merger of Bank Holding Companies

Republic of Texas Corporation, Dallas, Texas ("Applicant"), a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(5) of the Act (12 U.S.C. 1842(a)(5)) to merge with Houston National Company, Houston, Texas ("Company"), a bank holding company, and thereby acquire 100 percent of the voting shares (less directors' qualifying shares) of Houston National Bank, Houston, Texas ("Bank"). Inasmuch as Company's principal operating asset is Bank, the proposed merger of Applicant with Company is treated herein as the proposed acquisition of Bank.

Notice of receipt of the application, affording an opportunity for interested persons to submit comments and views, has been given in accordance with section 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received in light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Applicant controls two banks[1] with aggregate deposits of approximately $2,000 million,[2] representing approximately 5 per cent of the total deposits in commercial banks in Texas, and ranks thereby as the fourth largest multi-bank holding company in the State.[3] Bank holds total deposits of $402 million, representing approximately 1 per cent of total deposits in the State, and is the twelfth largest banking organization in Texas. Consummation of the proposal would increase Applicant's share of the deposits in the State to about 6 per cent and the resulting organization would become the State's third largest bank holding company.

As noted above, Applicant presently has two banking subsidiaries—Republic National Bank of Dallas ($1,905 million in domestic deposits) and Oak Cliff National Bank ($96 million in deposits). Both these subsidiaries are located in the Dallas banking market, wherein Applicant ranks as the largest banking organization with 5.1 per cent of the market's deposits.

The subject proposal would represent Applicant's initial entry into the Houston market, the second largest market in terms of deposits in the State. Applicant is the only multi-bank holding company in the State with deposits over $1 billion that is not represented in Houston and it undoubtedly regards entry into this market as having a high priority in its future plans.

The Houston market is attractive for de novo entry, and several banks smaller than Bank are available in the market that might serve as a foothold acquisition for Applicant. However, in view of the fact that there are 169 banks in the Houston market, including representatives from the State's largest bank holding companies, and the generally competitive nature of the market, the negative effects of the proposal on present and future competition are minimal. Bank does not apear to have a significant competitive position within the market despite its $402 million total deposits. Although relatively large in absolute terms, Bank ranks a distant fifth in the market with less than one-fourth of the deposits of the market's largest banking organization and less than one-half of the deposits of the third largest banking organization in the market. Moreover, Bank is the only banking organization of the seven largest in the market that is not now part of a multi-bank holding company. Affiliation with Applicant would improve Bank's competitive position in the market. Accordingly, the Board concludes that, on balance, the overall competitive considerations lend weight to approval of the application.

In acting on Applicant's proposal in 1973 to become a bank holding company, the Board noted at that time that Applicant's commitments to add additional capital to Republic National Bank and to dispose of certain impermissible, nonbanking interests within the period prescribed in section 4(a)(2) of the Act were factors weighing in favor of approval of that application (38 FR 30580).[4] Since the formation of the holding company in May 1974, improvement has occurred in the capital position, internal operations, and credit condition of Republic National Bank of Dallas; and Applicant has initiated efforts towards the disposal of its impermissible activities. In connection with the present proposal, Applicant has indicated that the capital of Republic would be augmented by $126 million during the period from December 1974 to December 1977. In addition, Applicant proposes to increase the capital of Bank by $6.5 million during 1975. Applicant is embarking on a program of acquisition which will presumably afford it entry to the major banking markets of the State. To accomplish this, the divestment of the Howard interests should be substantially consummated on schedule and the proceeds used at least in part to provide the additional capital funds contemplated. On the basis of its judgment that the above objectives are likely to be achieved, the Board finds that considerations relating to the financial and managerial resources could be considered reasonably satisfactory and the overall prospects of Applicant and its subsidiary banks favorable and consistent with approval.

Considerations relating to the convenience and needs of the community served by Bank are consistent with, and lend weight toward, approval of the application in light of the fact that Applicant should be able in a short period of time to provide a strong competitive alternative in the Houston market. It is the Board's judgment that consummation of the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record,[6] the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Dallas pursuant to delegated authority.

By order of the Board of Governors,[5] effective March 18, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-8061 Filed 3-27-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-237]

COMMONWEALTH EDISON CO.

Issuance of Facility License Amendment

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 4 to Facility Operating License No. DPR-19 to the Commonwealth Edison Company which revised Technical Specifications for operation of the Dresden Nuclear Power Station Unit 2 located in Grundy County, Illinois. The amendment is effective as of its date of issuance.

The amendment permits replacement of one reactor coolant system electromatic relief valve with a combination safety/relief valve and other related changes.

[5] Voting for this action: Governors Sheehan, Bucher, Holland, Wallich and Coldwell. Absent and not voting: Chairman Burns and Governor Mitchell.

[1] In addition, Applicant indirectly controls interests of more than 5 per cent but less than 25 per cent in 21 banks.

[2] This figure does not include foreign deposits which amounted to $1,183 million as of June 30, 1974.

[3] All banking data are as of June 30, 1974, and reflect holding company formations and acquisitions approved through January 31, 1975.

[4] For a description of the nonbanking interests which Applicant is required to divest, see the Board's determination of September 10, 1973, regarding the "grandfather" privileges of The Republic National Bank of Dallas with respect to The Howard Corporation, Dallas, Texas ("Howard") (1973 *Federal Reserve Bulletin* 768).

[6] Voting for this action: Chairman Burns and Governors Mitchell, Sheehan, Bucher, and Coldwell. Voting against this action: Governors Holland and Wallich. Dissenting Statement of Governors Holland and Wallich filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Dallas.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to these actions, see (1) the application for amendment dated October 11, 1974, (2) Amendment No. 4 to License No. DPR–19 with Change No. 30, and (3) the Commission's concurrently issued related Safety Evaluation and the Safety Evaluation dated May 24, 1974, in Docket 50–249 on the same subject. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Morris Public Library at 604 Liberty Street in Morris, Illinois 60451.

A single copy of items (2) and (3) may be obtained upon request addressed to the Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 20th day of March 1975.

For the Nuclear Regulatory Commission.

DENNIS L. ZIEMANN,
Chief, Operating Reactors Branch No. 2, Division of Reactor Licensing.

[FR Doc.75–8106 Filed 3–27–75;8:45 am]

[Dockets Nos. 50–450; 50–451]

DELMARVA POWER & LIGHT CO., AND PHILADELPHIA ELECTRIC CO., (SUMMIT POWER STATION, UNITS 1 & 2)

Resumption of Hearing

Please take notice that the public hearing being held before an Atomic Safety and Licensing Board (the Board), to consider the application of the DelMarVa Power and Light Company and the Philadelphia Electric Company (the applicants) for construction permits to build two high temperature gas-cooled reactors to be designated the Summit Power Station, will resume on April 22, 1975 at the following location:

U.S. District Court
844 King Street
Wilmington, Delaware 19801

The hearing on this matter has been in recess since August 22, 1974, awaiting the completion of certain further studies. As mentioned in the original Notice of Hearing, these proposed facilities would be located in New Castle County, Delaware, near the Chesapeake and Delaware Canal, about 15 miles southwest of Wilmington. Each of these two units is designated for initial operation at approximately 2,000 megawatts thermal MW(t) with a net electrical output of approximately 785 megawatts MW(e).

The issues being considered at this hearing are those environmental and "NEPA"[1] issues set forth in the Commission's "Notice of Hearing on Application for Construction Permits" issued August 24, 1973 (38 FR 23547, Aug. 31, 1973), as well as the issue of site suitability as prescribed in the Commission's regulations regarding preconstruction permit activities. (See, particularly, 10 CFR 50.10 (e) (1) and (e) (2) (ii).) The radiological health and safety issues will be considered at a separate session to be scheduled later.

The hearing will be conducted from 9:30 a.m. to 5 p.m. each day, and continued day-to-day until completed. Interested members of the public are invited to attend.

It is so ordered.

Issued at Bethesda, Maryland, this 24th day of March, 1975.

For the Atomic Safety and Licensing Board.

THOMAS W. REILLY,
Chairman.

[FR Doc.75–8063 Filed 3–27–75;8:45 am]

[Dockets Nos. STN 50–498, STN 50–499]

HOUSTON LIGHTING AND POWER CO. (SOUTH TEXAS PROJECT, UNITS 1 AND 2)

Availability of Final Environmental Statement

Pursuant to the National Environmental Policy Act of 1969 and the U.S. Nuclear Regulatory Commission's regulations in 10 CFR Part 51, notice is hereby given that a Final Environmental Statement prepared by the Commission's Division of Reactor Licensing related to the proposed South Texas Project, Units 1 and 2, to be constructed by the Houston Lighting and Power Company in Matagorda County, Texas, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street NW., Washington, D.C., and at the Matagorda County Courthouse, 1700 Seventh Street, Bay City, Texas 77414. The Final Environmental Statement is also being made available at the Division of Planning Coordination, Office of the Governor, P.O. Box 12428, Capitol Station, Austin, Texas 78711.

The notice of availability of the Draft Environmental Statement for the South Texas Project, Units 1 and 2 and request for comments from interested persons was published in the FEDERAL REGISTER on November 29, 1974 (39 FR 41575). The comments received from Federal, State and local officials and interested members of the public have been included as an appendix to the Final Environmental Statement.

Copies of the Final Environmental Statement (Document No. 747 NUREG–75/019) may be purchased, at current rates, from the National Technical Information Service, Springfield, Va. 22161.

[1] National Environmental Policy Act of 1969, Pub. L. 91–190, 42 U.S.C. 4321 et seq., 83 Stat. 852 et seq.

Dated at Rockville, Maryland, this 24th day of March, 1975.

For the Nuclear Regulatory Commission.

B. J. YOUNGBLOOD,
Chief, Environmental Projects Branch No. 3, Division of Reactor Licensing.

[FR Doc.75–8105 Filed 3–27–75;8:45 am]

[Docket No. 50–219]

JERSEY CENTRAL POWER & LIGHT CO.

Proposed Issuance of Amendment to Facility Operating License

The Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Provisional Operating License No. DPR–16 issued to Jersey Central Power & Light Company (the licensee), for operation of the Oyster Creek Nuclear Generating Station located in Ocean County, New Jersey.

The amendment would revise the provisions in the Technical Specifications: (1) to permit operation of the facility using a partial loading of 8 x 8 fuel assemblies, (2) to reduce the maximum allowable in-sequence control rod reactivity worth, and (3) to require a greater degree of operability of the rod worth minimizer and to change related procedural controls during reactor startup. These changes would revise the provisions in the Technical Specifications in accordance with the licensee's applications for amendment dated May 31, 1974, January 30, 1975, and January 31, 1975.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations.

By April 28, 1975, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to G. F. Trowbridge, Esquire, Shaw, Pittman, Potts, Trowbridge & Madden, Bar Building, 910 17th Street NW.,

Washington, D.C. 20006, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the applications for amendment dated May 31, 1974, January 30, 1975, and January 31, 1975, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Ocean County Library, 15 Hooper Avenue, Toms River, New Jersey 08753. The license amendment and Safety Evaluation, when issued, may be inspected at the above locations and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 24th day of March, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Reactor Licensing.

[FR Doc.75-8107 Filed 3-27-75;8:45 am]

[Docket No. 50-305]

KEWAUNEE NUCLEAR POWER PLANT

Negative Declaration

The U.S. Nuclear Regulatory Commission (the Commission) has considered the issuance of a change to the Environmental Technical Specifications, Appendix B, of Facility Operating License No. DPR-43. These changes would authorize the Wisconsin Public Service Corporation, Wisconsin Power and Light Company, and Madison Gas and Electric Company to reduce the frequency of counting and recording the species of fish collected in the circulating cooling water trash basket from a daily basis to a minimum of twice per week during circulating water pump operation.

The Commission's Division of Reactor Licensing has prepared an environmental impact appraisal for the proposed change to the Environmental Technical Specifications, Appendix B, of Facility Operating License No. DPR-43, Kewaunee Nuclear Power Plant, described above. On the basis of this appraisal, we have concluded that an environmental impact statement for this proposed action is not warranted because there will be no significant environmental impact attributable to the proposed action. The environmental impact appraisal is available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C. 20555 and at the Kewaunee Public Library, 314 Milwaukee Street, Kewaunee, Wisconsin 54216.

Dated at Bethesda, Maryland this 20th day of March 1975.

For the Nuclear Regulatory Commission.

GEORGE W. KNIGHTON,
Chief, Environmental Projects Branch No. 1, Division of Reactor Licensing.

[FR Doc.75-8064 Filed 3-27-75;8:45 am]

[Docket No. 50-305]

KEWAUNEE NUCLEAR POWER PLANT, 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-43, issued to Wisconsin Public Service Corporation, Wisconsin Power and Light Company, and Madison Gas and Electric Company, which revised Technical Specifications for operation of the Kewaunee Nuclear Power Plant, located in Kewaunee County, Wisconsin. The amendment is effective as of its date of issuance.

The amendment permits the licensee to reduce the frequency of counting and recording the species of fish collected in the circulating cooling water trash basket from a daily basis to a minimum of twice per week during circulating water pump operation.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment is not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see: (1) the application for the amendment dated November 20, and December 2, 1974, (2) Amendment No. 6 to License No. DPR-43 with Change No. 8 and (3) the Commission's related Negative Declaration with supporting Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555 and at the Kewaunee Public Library, Kewaunee, Wisconsin 54216.

A copy of items (2) and (3) may be obtained upon request addressed to the United States Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 20th day of March 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.75-8065 Filed 3-27-75;8:45 am]

[Docket Nos. 50-443; 50-444]

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, ET AL. (SEABROOK STATION, UNITS 1 AND 2)

Order Setting Fifth Prehearing Conference

Please take notice that the Atomic Safety and Licensing Board (the Board) will hold the Fifth Prehearing Conference in the above-captioned proceeding on Wednesday, April 16, 1975 at 10 a.m. local time in the Superior Courtroom, 2d Floor, Hillsboro County Courthouse, 19 Temple Street, Nashua, New Hampshire. This Prehearing Conference shall deal with the following matters:

1. Pending motions including Applicants' motion for summary disposition;
2. The status of the hearing before the Environmental Protection Agency relating to the cooling water system;
3. The status of discovery;
4. A schedule for further action including proposed dates for the evidentiary hearing on health and safety issues; and
5. Such other matters which may aid in the orderly disposition of the proceeding.

Issued at Bethesda, Maryland, this 24th day of March 1975.

By order of the Atomic Safety and Licensing Board.

DANIEL M. HEAD,
Chairman.

[FR Doc.75-8068 Filed 3-27-75;8:45 am]

REGULATORY GUIDE

Issuance and Availability

The Nuclear Regulatory Commission has issued a new guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 8.13, "Instruction Concerning Prenatal Radiation Exposure," describes the instruction that should be provided to employees of NRC licensees concerning biological risks to embryos or fetuses that are exposed to radiation.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed (listed below) or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guide 8.13 will, however, be particularly useful in evaluating the need for an early revision if received by May 30, 1975.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section.

Regulatory Guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides should be made in writing to the Director, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone requests cannot be accommodated. Regulatory Guides are not copyrighted and Commission approval is not required to reproduce them.

Other Division 8 Regulatory Guides currently being developed include the following:

Surface Contamination Limits.
Dosimetry for Criticality Accidents.
Performance Specification for Reactor Emergency Monitoring Instrumentation.
Personal Neutron Dosimeters.
Acceptable Programs for Respiratory Protection.
Bioassay for Plutonium.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 21st day of March, 1975.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Acting Director, Office of Standards Development.

[FR Doc.75-8066 Filed 3-27-75;8:45 am]

[Docket No. 50-244]

ROCHESTER GAS AND ELECTRIC CORP.

Proposed Issuance of Amendment to Provisional Operating License

The Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Provisional Operating License No. DPR-18 issued to Rochester Gas and Electric Corporation (the licensee), for operation of the R. E. Ginna Nuclear Power Plant located in Wayne County, New York, and currently authorized for operation at power levels up to 1520 MWt.

The license amendment would revise the Technical Specifications for the facility to incorporate an updated inservice inspection program for the primary coolant system and other safety related components. Included in this revised inservice inspection program are the surveillance requirements for the high energy fluid piping outside containment. This surveillance is intended to reduce the probability of ruptures in the main steam and main feedwater piping outside containment. Modifications to the facility have also been proposed to provide added assurance that the facility will withstand the consequences of postulated ruptures in the high energy fluid piping outside containment without loss of capability to achieve and maintain safe shutdown of the facility as required by the Commission's regulations.

Prior to issuance of the proposed license amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

By April 28, 1975 the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Arvin E. Upton, Esquire, LeBoeuf, Lamb, Leiby & MacRae, 1757 N Street NW., Washington, D.C. 20036, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the Commission's letter to the licensee dated December 18, 1972, and the licensee's report on postulated pipe breaks outside of containment dated November 1, 1973, supplements to the report dated May 24, 1974, and November 1, 1974, and the proposed inservice inspection program dated October 31, 1974. All of these documents are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the Lyons Public Library, 67 Canal Street, Lyons, New York 14489 and at the Rochester Public Library, 115 South Avenue, Rochester, New York 14627. Safety Evaluation Reports will be prepared by the Office of Nuclear Reactor Regulation for the license amendment and for the proposed facility modifications. The Safety Evaluation Reports and the license amendment, when issued, may be inspected at the above locations, and a copy may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Maryland, this 25th day of March 1975.

For the Nuclear Regulatory Commission.

ROBERT A. PURPLE,
Chief, Operating Reactors Branch No. 1, Division of Reactor Licensing.

[FR Doc.75-8237 Filed 3-27-75;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 March 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

VETERANS ADMINISTRATION

Water-Plumbing Systems Inspection Report (Mobile Home), 26–8731A, on occasion, inspectors, Lowry, R. L., 395–3772.

Electrical Systems Inspection Report (Mobile Home), 26–8731B, on occasion, inspectors, Lowry, R. L., 395–3772.

Fuel and Heating Systems Inspection Report (Mobile Home), 26–8731C, on occasion, inspectors, Lowry, R. L., 395–3772.

DEPARTMENT OF COMMERCE

Bureau of Domestic Commerce:

Employers Workers Compensation Program Survey, DIB 987, single-time, sample of employers with workers compensation programs, Strasser, A., 395–3880.

Carrier's Workers Compensation Program Survey, DIB 988, single-time, insurance carriers handling workers compensation insurance, Strasser, A., 395–3880.

REVISIONS

VETERANS ADMINISTRATION

Mobile Home Appraisal Report, 26–8712, single-time, appraisers, Lowry, R. L., 395–3772.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration, APT Station Questionnaire, annually, educational institutions, amateur operators, Lowry, R. L., 395–3772.

DEPARTMENT OF THE INTERIOR

Geological Survey:

Request for Well Maximum Production Rate, 9–1867, on occasion, oil production industry, Lowry, R. L., 395–3772.

Report of Operations—Outer Continental Shelf (Oil and Gas), 9–152, monthly, business firms, Lowry, R. L., 395–3772.

Request for Reservoir Mer, 9–1866, on occasion, business firms, Lowry, R. L., 395–3772.

PHILIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75–8171 Filed 3–27–75;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on March 24, 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

VETERANS ADMINISTRATION

Request for Determination of Reasonable Value (Mobile Home), 26–8728, on occasion, lenders, Caywood, D. P., 395–3443.

ENVIRONMENTAL PROTECTION AGENCY

Evaluation of Alternative Pest Management Implementation Strategies for Growers, single-time, cotton and citrus growers in California, Weiner, N., 395–4890.

DEPARTMENT OF AGRICULTURE

Farmer Cooperative Service, Survey of Tennessee Craft Organizations and Organization Members, single-time, craft association leaders and members, Lowry, R. L., 395–3772.

Animal and Plant Health Inspection Service, Application for Import Permit for Birds, VS–17–20, on occasion, bird importers, Lowry, R. L., 395–3772.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education, Accessibility of Institutions of Higher Education to Physically Handicapped, OE–9045, OE–9045–1, single-time, all colleges and universities in the United States, 09, 395–3898.

Public Health Service:

Veterinary Medical Manpower & Educational Needs, Reg. 10 6303, single-time, veterinarians residing in Alaska, Idaho, Oregon, and Washington, Collins, L., 395–3756.

Practice Location & Dental Career Study, Dental Career Study: Identify Predictors of Shortage Area Dental Practice, Reg. 30120, single-time, practicing dentists in Maryland, Collins, L., 395–3756.

Analysis of Group Practice Efficiency, Physician Questionnaire & Screening Questionnaire, HRABHSR1125, single-time, physicians, Collins, L., 395–3756.

DEPARTMENT OF LABOR

Manpower Administration, Interview Instruments for Evaluation of Federally Assisted Special Apprentice Training Programs, MT–1065, single-time, participants in special apprenticeship training programs, Strasser, A., 395–3880.

REVISIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education, Consolidated Institutional Report(s) for Federal Student Financial Aid Program, OE1152–1, annually, Lowry, R. L., 395–3772.

Office of the Secretary, National Day Care Consumer Survey—Field Survey Instrument, OS–16–75, single-time, households with children 13 years and under, Reese, B. F., 395–5630.

DEPARTMENT OF JUSTICE

Departmental and other, Law Enforcement Education Program Change in Student Status Card, LEEP/10, on occasion, students in LEEP participating universities and colleges, Lowry, R. L., 395–3772.

DEPARTMENT OF THE INTERIOR

Geological Survey, Well Potential Test Report, 9–1868, on occasion, oil producing industry, Evinger, S. K., 395–3648.

EXTENSIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Resources Administration:

Report on Marriages, Divorces & Annulments, HSM 112, monthly, Evinger, S. K., 395–3648.

Monthly Vital Statistics Report, PHS–1383, monthly, Evinger, S. K., 395–3648.

Annual Marriage & Divorce Statistical Report Forms, HSM 113–3, annually, Evinger, S. K., 395–3648.

Monthly Marriage and Divorce Statistical Report Forms, HSM 110, monthly, Evinger, S. K., 395–3648.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75–8172 Filed 3–27–75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[812–3681]

AETNA VARIABLE ANNUITY LIFE INSURANCE CO., ET AL.

Filing of Application

MARCH 21, 1975.

In the matter of Aetna Variable Annuity Life Insurance Company, Variable Annuity Account B of Aetna Variable Annuity Life Insurance Company, Variable Annuity Account C of Aetna Variable Life Insurance Company, and Aetna Variable Fund, Inc., 151 Farmington Avenue, Hartford, Connecticut 06115; (812–3681).

Notice is hereby given that AEtna Variable Annuity Life Insurance Company ("AEtna Variable"), which was formerly named Participating Annuity Life Insurance Company, and which is a stock life insurance company organized under the laws of Arkansas and registered under the Investment Company Act of 1940 (the "Act") as an open-end diversified management investment company, Variable Annuity Account B of AEtna Variable ("Non-Tax Sheltered Account"), and Variable Annuity Account C of AEtna Variable ("Tax Sheltered Account") (together the "Registered Annuity Accounts"), both separate accounts registered under the Act as unit investment trusts, and AEtna Variable Fund, Inc. ("Fund"), registered under the Act as an open-end diversified management investment company, ("Applicants") filed an application on August 16, 1974 and amendments thereto on January 20, 1975, February 26, 1975, and February 28, 1975, for an order (1) pursuant to section 17(b) of the Act to exempt from section 17(a) of the Act a series of proposed transactions, (2) pursuant to section 11(a) to permit certain offers of exchange and (3) pursuant to section 6(c) of the Act exempting all or some of the Applicants, to the extent noted below, from the provisions of sections 10(a), 10(b)(2), 14(a), 15(a), 15(b), 15(c), 16(a), 32(a)(1) and 32(a)(2) of the Act, all in connection with a proposed realignment of AEtna Variable's variable annuity and variable life insurance operations (the "realignment program").

AEtna Variable, a wholly owned subsidiary of AEtna Life and Casualty Company ("AEtna Life"), is principally engaged in the business of selling variable annuity contracts and is registered under the Act in order to conduct these variable annuity operations. In order to sell the registered variable contracts, AEtna Variable is also registered as a broker-dealer under the Securities Exchange Act of 1934 (the "1934 Act"). At the present time, AEtna Variable has two variable annuity separate accounts, Variable Annuity Account A ("Account A") and Variable Annuity Account B ("Account B"), and two variable life insurance separate accounts, Variable Life Account A ("Life A") and Variable Life Account B ("Life B"), which were established for the purpose of segregating all assets attributable to variable contracts from the general assets of AEtna Variable which are held in its general account. The variable annuity separate accounts invest their assets in a portfolio of securities, primarily equity investments such as common stock. As an internally managed investment company, AEtna Variable performs all investment functions for its variable annuity separate accounts.

Account B, the most significant separate account, has been used for substantially all variable annuity contracts issued by AEtna Variable since December 1, 1964. As of December 31, 1974, the reserves for such contracts aggregated approximately $240 million, and during 1974 purchase payments amounted to approximately $96 million.

Applicants represent that AEtna Variable's unitary approach to registration, i.e., where the insurance company itself is registered under the Act as an investment company, as opposed to the approach whereby a life insurance company's separate account is the entity registered under the Act, has been a source of many problems in that insurance activities have remained subject to regulation that was designed primarily for investment operations of companies in the securities business. Applicants state that, as AEtna Variable expands its insurance activities regulation under the Act becomes increasingly burdensome and impedes AEtna Variable's ability to perform its administrative and investment functions smoothly and efficiently. Applicant is the last life insurance company which is itself registered as an investment company.

It is further stated by Applicants that, under the unitary form of registration under the Act, AEtna Variable has been required to extend voting rights to its variable annuity contract owners. Presently, AEtna Variable's voting arrangements are such that AEtna Life, as the common stockholder, and the variable annuity contract owners are entitled to vote on all matters submitted to security holders. As a result, AEtna Life is entitled to vote on matters relating to separate account operations, and variable annuity contract owners are entitled to vote on matters not relating to separate account operations.

Applicants propose a realignment program of AEtna Variable's present operations and mode of registration under the Act so as to conform with other life insurance companies engaged in variable annuity operations. This principally entails the substitution of separate accounts of AEtna Variable as the entities registered under the Act instead of AEtna Variable, the insurance company, itself. In this way, Applicants expect to be able to avoid the difficulties posed by the regulation of non-investment company business and the complex voting arrangements. With the deregistration of AEtna Variable, following the registration of its separate accounts, non-investment company activities will no longer be subject to regulation under the Act. Furthermore, at that time it will no longer be mandatory for AEtna Variable to extend voting rights to its variable annuity contract owners with respect to all matters upon which stockholders of AEtna Variable are entitled to vote.

Under the realignment program AEtna Variable: (1) has established three new separate accounts, two of which, the Registered Annuity Accounts, were established on July 16, 1974 pursuant to the laws of Arkansas, and are registered under the Act as unit investment trusts; (2) has caused the incorporation of the Fund in Maryland on July 16, 1974, and registered it under the Act as an open-end diversified management investment company. The Fund is a no-load fund.

The Registered Annuity Accounts will succeed to the operations of Account B. This will be achieved by transferring the assets of Account B to the Fund in exchange for Fund shares, issued without sales charge, which Fund shares will be transferred to the Registered Annuity Accounts, unit investment trusts, in direct proportion to the value of the contracts funded in such accounts. These Registered Annuity Accounts will at implementation and initially thereafter invest solely in shares of the Fund although at some future time an additional mutual fund may be available and contract owners would then be able to elect whether to have their investments accumulated in Fund shares, in shares of the other funding medium, or in a combination of both.

The Fund was organized by AEtna Variable for purposes of the realignment program. No shares of the Fund are presently outstanding, and no shares will be issued prior to implementation of the realignment program. At present, shares of the Fund may be sold only to AEtna Variable for allocation to its separate accounts. The Fund has investment objectives, policies and restrictions which are substantially the same as those now applicable to Account B.

AEtna Variable will act as investment adviser to the Fund and for this purpose will register under the Investment Advisers Act of 1940. Under a management agreement between AEtna Variable and the Fund, AEtna Variable will receive an investment advisory fee from the Fund deducted from the Fund's daily net asset value at a rate equivalent to approximately .44% on an annual basis. At present, variable annuity contracts provide for deductions from the current value of the respective contract for investment expenses, mortality risks, expense risks and income taxes expenses. The total deduction varies with the type of contract involved, but the investment expenses account for .44%, an amount equal to the investment advisory fee to be paid by the Fund to AEtna Variable. Applicants state that should the investment advisory fee change AEtna Variable will adjust the component charges of the deduction from the current value of variable annuity contracts, to the extent necessary, so that regardless of the amount paid by the Fund for investment advisory services, the total respective deduction mentioned above will remain unchanged.

After the realignment program goes into effect, AEtna Variable will request to be deregistered under the Act but will continue to be regulated under state insurance laws as a life insurance company.

All expenses attributable to the realignment program will be borne by the general account of AEtna Variable or by AEtna Life.

The realignment program has been approved by the board of directors of AEtna Variable. Likewise, on August 16, 1974, the realignment program was approved by the voting security holders of AEtna Variable. At that time the security holders also approved an amendment to AEtna Variable's charter which (a) limits voting rights in AEtna Variable to the stockholders, effective upon the filing of the deregistration order with the Arkansas Insurance Commissioner, and (b) authorizes the grant to participants in any separate account of AEtna Variable registered with the Commission as a unit investment trust the right to instruct AEtna Variable as to the voting of shares of any management investment company held in such account.

To effectuate the realignment program discussed above, Applicants request exemptions from the following provisions of the Act to the extent noted below:

Section 17(a). Pursuant to section 17 (b) of the Act, Applicants request an exemption from section 17(a) of the Act to permit, in connection with the realignment program, the transactions whereby AEtna Variable will sell the assets of Account B to the Fund, the Fund will purchase the assets of Account B from AEtna Variable, the Fund will sell its own shares to AEtna Variable, AEtna Variable may be deemed to be selling Fund shares to the Registered Annuity Accounts, and the Registered Annuity Accounts may be deemed to be purchasing Fund shares from AEtna Variable.

Applicants submit that the terms of the proposed transactions, 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. It is stated by Applicants that the purposes, and results of the proposed transactions are and will be essentially changes in form to permit AEtna Variable to alter its pattern of registration under the Act.

Section 11. Applicants state that the change in entities through which variable annuity contracts are funded whereby the Registered Annuity Accounts will succeed to the operations of present Account B, may involve the exchange, at net asset value, of securities of registered unit investment trusts, contracts funded in the Registered Annuity Accounts, for the securities of another investment company, contracts funded in AEtna Variable's Account B, and, accordingly, come within the provisions of section 11(c) of the Act. Applicants, therefore, request approval of the terms of the offer of exchange pursuant to section 11(a). It is repeated by Applicants, that the exchange involved is one essentially of form, not substance, and will effect only a change in the manner the assets ultimately supporting the variable annuity contracts are held.

Section 14(a). The Fund and the Registered Annuity Accounts each will have assets substantially in excess of $100,000 when the realignment program is implemented. The Fund and the Registered Annuity Accounts will have no assets prior to that date. Though no shares of the Fund and no contracts issued by the Registered Annuity Accounts will be sold prior to implementation, the process of implementation, whereby the Fund will issue its shares in return for assets and liabilities of Account B and the Registered Annuity Accounts will fund variable annuity contracts in return for Fund shares received, may not satisfy the provisions of section 14(a) of the Act.

Applicants seek an exemption from section 14(a) to permit the implementation of the realignment program whereby the Fund will issue its own shares and the Registered Annuity Accounts will fund variable annuity contracts without either company having $100,000 paid in by 25 or fewer persons. Applicants state that the exemption is appropriate here because the Fund and the Registered Annuity Accounts are merely a substitution for the existing Account B and are being utilized to achieve a change in the pattern of registration of the variable annuity operations of AEtna Variable.

Section 15(b). The by-laws of the Fund presently provide that Fund shares may be sold only to AEtna Variable for allocation to its separate accounts. To the extent that AEtna Variable may be deemed an underwriter of Fund shares, the Fund and AEtna Variable request an exemption from section 15(b) so that AEtna Variable need not enter into a written underwriting contract with the Fund. The sales of Fund shares will be made at net asset value. There is no present intention of offering the shares of the Fund directly to the public.

Section 10(a), 10(b)(2). The original board of directors of the Fund, named by the incorporator of the Fund, consisted of the ten persons who presently constitute the board of directors of AEtna Variable. The present board of directors of the Fund contains five persons, all of whom were former members of the Fund's board and are members of the board of directors of AEtna Variable, and therefore are all interested persons of the Fund as well as AEtna Variable, to the extent it is deemed to be a principal underwriter of shares of the Fund. Of the five, three are not interested persons of AEtna Variable, as an investment company. Applicants represent that when AEtna Variable receives a deregistration order, which is expected to occur within one year after the implementation date, these three persons will resign as directors of AEtna Variable but will retain their positions as directors of the Fund. At that point, a majority of the board of directors of the Fund will be persons who are not interested persons of the Fund or of AEtna Variable, to the extent it is deemed to be a principal underwriter of shares of the Fund.

The Fund requests an exemption from the provisions of section 10(a) and 10(b)(2) of the Act to permit it to have a board of directors all of the members of which are interested persons of the Fund or AEtna Variable, to the extent it is deemed to be a principal underwriter of shares of the Fund, from the date the Fund was registered until the date of the order of deregistration of AEtna Variable. It is stated by the Fund that the board of directors to be exempted is necessary to provide continuity in the management of assets funding the variable annuity contracts issued by AEtna Variable and to permit the Fund and the Registered Annuity Accounts to operate in a manner that conforms substantially to the present operation of Account B.

Section 15(c), 32(a)(1). Applicants state that the original ten member board of directors of the Fund approved an investment advisory agreement with AEtna Variable and selected Peat, Marwick, Mitchell & Co., which is the independent public accountant for AEtna Variable including its separate accounts, as the independent public accountant for the Fund. All members of that board and of the present five member board, as directors also of AEtna Variable, were and are interested persons of AEtna Variable, as an investment adviser to the Fund, and the Fund. Applicants state that at the date of the order of deregistration of AEtna Variable three of the present directors will resign as directors of AEtna Variable. Thereafter a majority of the board of directors of the Fund will be persons who are not interested persons of AEtna Variable, as an investment adviser to the Fund, or the Fund itself. Subsequent to that time and prior to the first meeting of stockholders of the Fund, which shall take place within one year after the implementation date, the directors of the Fund who are not interested persons will take the action called for by sections 15(c) and 32(a)(1) of the Act with respect to the approval of the investment advisory agreement and the selection of the independent public accountant.

The Fund requests an exemption from these provisions to permit AEtna Variable to act as investment adviser to the Fund and to permit the independent public accountant to act as such from the date the Fund was registered under the Act until the time the Fund complies with section 15(c) and 32(a)(1), as described above. Again, the Fund states the exemption is necessary to permit the Fund and the Registered Annuity Accounts to operate in a manner that conforms substantially to the present operation of Account B.

Section 15(a), 16(a), and 32(a)(2). Since there will be no shares of the Fund outstanding prior to the date the realignment program is implemented, there will be no opportunity for stockholder approval of the investment advisory agreement, the election of directors or ratification of the selection of an independent public accountant. The Fund and AEtna Variable request an exemption from section 15(a), and the Fund requests an exemption from 16(a) and 32(a)(2) to permit AEtna Variable to act as investment adviser to the Fund and to permit the Fund's directors and independent public accountant to act as such from the date the Fund was registered under the Act until the first meeting of stockholders of the Fund after the date the realignment program is implemented, which meeting shall take place within one year after such implementation date, unless extended by Commission order. The exemption is necessary to allow the Fund to operate normally until shareholder voting can be held.

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 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 April 15, 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 April 15, 1975, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75–8087 Filed 3–27–75;8:45 am]

[812–3737]

ALPEX COMPUTER CORP.

Filing of Application

MARCH 24, 1975.

In the matter of Alpex Computer Corp., 37 Executive Drive, Danbury, Connecticut, 06810; (812–3737).

Notice is hereby given that Alpex Computer Corp. ("Applicant"), a closed-end, non-diversified management investment company registered under the Investment Company Act of 1940 ("Act"), filed an application on December 13, 1974, and an amendment thereto on March 5, 1975, pursuant to section 6(c) of the Act for an order of the Commission exempting Applicant from the provisions of sections 30 (a), (b) and (d) of the Act and the rules and regulations thereunder for the period ending December 31, 1975. 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.

Applicant states that, from its organization through March, 1970, it was directly engaged, and from April, 1970, until July, 1973, it was engaged through Pitney Bowes-Alpex, Inc. ("PBA"), a 50% owned subsidiary, in the business of developing, manufacturing and selling Sales Point Information Computing Equipment ("SPICE"). Applicant states that such equipment, which was developed by its President, Norman Alpert, was designed to provide retail stores with computerized systems for recording and updating sales credit and inventory information. Applicant further states that in July, 1973, Pitney-Bowes, Inc. ("PB"), Applicant's joint venturer in PBA, exercised a stock option which resulted in a reduction of Applicant's stock ownership in PBA from 50% to approximately 36%. Prior to July, 1973, Applicant's officers served as President or Chairman of the Board and Chief Executive Officer, Vice Presidents, Treasurer and Secretary of PBA; and at least 50% of PBA's Board of Directors were Applicant's nominees. After July, 1973, as a consequence of PB obtaining a majority equity interest in PBA, only two of PBA's nine directors were Applicant's nominees. Applicant also states that, on November 12, 1973, the Board of Directors of PBA voted, over the objections of Applicant's representatives, to wind up the operations of PBA.

Applicant additionally states that, on September 30, 1974, it completed an exchange offer involving approximately $3,700,000 principal amount of its 7½% Debentures, which require semi-annual interest payments, for new 9% Debentures, which permit the accrual and deferral of interest for a period up to five years. A primary purpose of the exchange offer was to permit Applicant to devote its limited financial resources to other corporate purposes, including, but not limited to, the further development of a line of products for use primarily in the leisure field.

Section 30(a) of the Act requires every registered investment company to file annually with the Commission such information, documents, and reports as investment companies having securities registered on a national securities exchange are required to file annually pursuant to section 13(a) of the Securities Exchange Act of 1934 ("Exchange Act") and the rules and regulations thereunder. Section 30(b) of the Act requires every registered investment company to file with the Commission (1) such information and documents, other than financial statements, as the Commission may require, on a semi-annual or quarterly basis, to keep reasonably current the information and documents contained in the registration statement of such company, and (2) copies of every periodic or interim report or similar communication containing financial statements and transmitted to any class of such company's security holders, not later than 10 days after such transmission. Section 30(d) of the Act requires every registered investment company to transmit to its stockholders, at least semi-annually, certain financial reports as of a reasonably current date, as prescribed by the Commission.

Applicant states that since its initial offering of securities in 1968 it has been subject to, complied with and continues to comply with the financial reporting and proxy rules promulgated under the Exchange Act, and that all significant developments concerning Applicant have been made available to the public through press releases.

Applicant estimates that it would cost approximately $10,000 to $15,000 to comply with the financial reporting provisions of the Act during its fiscal year ending December 31, 1975. Applicant also states that its assets and income will be devoted to general corporate purposes and to the development of a line of products described above. Applicant further states that, since this product line presently being developed should be completed within its current fiscal year ending December 31, 1975, at which time Applicant would not be deemed to be an investment company under the Act, it is limiting its request for exemption from the financial reporting requirements of sections 30 (a), (b) and (d) of the Act and the rules and regulations thereunder to the period ending December 31, 1975. In support of its request for exemption, Applicant has agreed to hold only "government securities" as that term is defined in section 2(a)(16) of the Act and has agreed not to invest, reinvest or trade in "investment securities" as that term is defined in section 3(a)(3) of the Act.

Applicant submits that the requested exemption from the provisions of sections 30 (a), (b) and (d) of the Act and the rules and regulations thereunder is appropriate in the public interest and consistent with the protection of investors and the purposes of the Act.

Section 6(c) of the Act provides that the Commission may, by order upon application, conditionally or unconditionally, exempt any person from any provisions of the Act or of any rules or regulations promulgated thereunder if such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policies and provisions of the Act.

Notice is further given that any interested person may, not later than April 17, 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 Exhange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75–8088 Filed 3–27–75;8:45 am]

[File No. 500-1]

AMERICAN AGRONOMICS CORP.

Suspension of Trading

MARCH 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 March 24, 1975 through April 2, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-8095 Filed 3-27-75;8:45 am]

[70-5651]

APPALACHIAN POWER CO.

Proposed Issuance and Sale of First Mortgage Bonds at Competitive Bidding

MARCH 21, 1975.

In the matter of Appalachian Power Company, 40 Franklin Road, Roanoke, Virginia, 24009; (70-5651).

Notice is hereby given that Appalachian Power Company ("Appalachian"), an electric utility subsidiary company of American Electric Power Company, Inc. ("AEP"), a registered holding company, has filed an application 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 transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

Appalachian proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, up to $40,000,000 principal amount of First Mortgage Bonds, to mature in not less than 5 and not more than 30 years. The interest rate (which will be expressed in a multiple of ⅛ of 1%) and the price to be paid to Appalachian for the Bonds (which shall not be less than 100% unless Appalachian shall authorize a lower percentage not less than 99%, and shall not exceed 102.75%) will be determined by competitive bidding. The terms of the Bonds preclude Appalachian from redeeming any such Bonds prior to May 1, 1980, if such redemption is for the purpose of refunding such Bonds with proceeds of funds borrowed at a lower effective interest cost. The Bonds will be issued under and secured by the Mortgage and Deed of Trust, dated as of December 1, 1940, to Bankers Trust Company and G. E. Maier ("Trustees"), and a new Indenture Supplemental thereto which will be dated as of the first day of the month in which the Bonds are to be issued.

The proceeds realized from the sale of the Bonds are proposed to be used to retire short-term debt incurred for various corporate purposes including the financing of part of the cost of the Company's construction program for the year 1975. The presently estimated cost of Appalachian's construction program for 1975 is approximately $140,000,000. At March 4, 1975, commercial paper in the amount of $73,165,000 and notes to banks in the amount of $45,360,000 were outstanding, and it is anticipated that at the time of the issuance and delivery of the Bonds, an aggregate amount of commercial paper and notes to banks estimated at approximately $145,000,000 will be outstanding.

Expenses of Appalachian in connection with the proposed transaction will be filed by amendment. The proposed transaction is subject to the jurisdiction of the State Corporation Commission of Virginia and the Public Service Commission of Tennessee, and 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 April 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 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 filed or as it may be 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.75-8089 Filed 3-27-75;8:45 am]

[File No. 500-1]

BBI, INC.

Suspension of Trading

MARCH 24, 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 March 25, 1975 through April 3, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-8096 Filed 3-27-75;8:45 am]

[File No. 500-1]

CONTINENTAL VENDING MACHINE CORP.

Suspension of Trading

MARCH 20, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Vending Machine Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from March 21, 1975 through March 30, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-8097 Filed 3-27-75;8:45 am]

[70-5639]

MICHIGAN CONSOLIDATED GAS CO.

Proposed Issue and Sale of First Mortgage Bonds at Competitive Bidding

MARCH 21, 1975.

In the matter of Michigan Consolidated Gas Company, One Woodward Avenue, Detroit, Michigan 48226; (70-5639).

Notice is hereby given that Michigan Consolidated Gas Company ("Michigan Consolidated"), a gas utility subsidiary company of American Natural Gas Company, a registered holding company, has

filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and Rule 50 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.

Michigan Consolidated proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, $40,000,000 principal amount of First Mortgage Bonds, __% Series due 1995. The interest rate (which will be a multiple of ⅛th of 1%) and the price, exclusive of accrued interest, (which will not be less than 98½% nor more than 101½% of the principal amount), will be determined by competitive bidding. The bonds will be issued under an Indenture of Mortgage and Deed of Trust dated as of March 1, 1944 as heretofore supplemented by twenty-two supplemental indentures and as to be further supplemented by a Twenty-third Supplemental Indenture, to be dated as of April 15, 1975, between Michigan Consolidated and First National City Bank, as Trustee, and including a prohibition, until May 1, 1980, against refunding the issue through borrowings having an interest cost to Michigan Consolidated lower than the interest cost of the bonds.

Michigan Consolidated states that there is a possibility that changing market conditions may necessitate reducing the maturity of the bonds to between five and ten years. If Michigan Consolidated determines, after discussions with each of the potential underwriters, that bonds of this shorter maturity should be offered for bidding, it will promptly notify the Commission and amend its application. The terms of the bonds of this shorter maturity would differ from the proposed bonds only to the extent that the bonds of shorter maturity would contain no sinking fund provision.

It is stated that the net proceeds from the sale of the bonds will be used to pay, in part, 1975 construction and improvement of facilities costs, estimated at $95,000,000. The additional funds required to finance 1975 construction are to be obtained from operations and from short-term borrowings which will be the subject of a future application to the Commission.

The fees and expenses to be paid in connection with the proposed transaction are estimated at $211,000, including counsel fees of $35,500 and accounting fee of $15,000. The fee of counsel for the purchasers of the bonds is estimated at $19,000 and is to be paid by the successful bidders. It is stated that the issuance and sale of the bonds require authorization by the Michigan Public Service Commission 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 April 16, 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 the case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be 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.75-8090 Filed 3-27-75;8:45 am]

[70-5647]

MIDDLE SOUTH UTILITIES, INC. AND MIDDLE SOUTH ENERGY, INC.

Proposed Issue and Sale of Common Stock By Subsidiary Company to Holding Company

MARCH 21, 1975.

In the matter of Middle South Utilities, Inc., Middle South Energy, Inc., 225 Baronne Street, New Orleans, Louisiana, 70112; (70-5647).

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), a registered holding company, and Middle South Energy, Inc. ("MSEI"), a subsidiary company of Middle South, have filed an application-declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, 9(a), 10, and 12(f) of the Act and Rules 43 and 50(a)(3) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

MSEI proposes to issue and sell to Middle South (the holder of all of the issued and outstanding shares of MSEI's common stock no par value per share), and Middle South proposes to acquire, 20,000 additional shares of MSEI's common stock, for an aggregate purchase price of $20,000,000 in cash. Middle South and MSEI believe it preferable for the additional common stock to be sold at times coinciding with MSEI's cash needs, which are primarily determined by the nature and pace of the construction work on its Grand Gulf Nuclear Electric Station near Vicksburg, Mississippi. Accordingly, the applicants-declarants request authority to consummate the proposed transactions at various times through August 1, 1975.

It is stated that no State commission, and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. It is further stated that no special or separate expenses are anticipated in connection with the issuance and sale of the common stock.

Notice is further given that any interested person may, not later than April 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 application-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 applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-8091 Filed 3-27-75;8:45 am]

[File No. 500-1]

NJB PRIME INVESTORS

Suspension of Trading

MARCH 20, 1975.

The shares of beneficial interest, the 6¾% convertible subordinated debentures due 1991 and the 7% subordinated debentures due 1980 of NJB Prime Investors being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of NJB Prime

Investors 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 9:45 a.m. (e.d.t.) on March 20, 1975 through midnight (e.d.t.) on March 29, 1975.

By the Commission.

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

[FR Doc.75-8098 Filed 3-27-75;8:45 am]

[54-251]

PENN FUEL SYSTEM, INC., ET AL.

Order for Hearing on Plan Filed

MARCH 19, 1975.

In the matter of Penn Fuel System, Inc., Penn Fuel Gas, Inc., John H. Ware, 55 South Third Street, Oxford, Pennsylvania, 19363; and North Penn Gas Company, 76-80 Mill Street, Port Allegany, Pennsylvania, 16743; (54-251).

Notice is hereby given that Penn Fuel Gas, Inc. ("Penn Fuel") and John H. Ware ("Ware"), an affiliate of Penn Fuel, have filed an amendment to their application-declaration, as previously amended, with this Commission, submitting a plan under section 11(e) of the Public Utility Holding Company Act of 1935 ("Act") ("plan") and a request for an exemption under section 3(a)(1) of the Act for Penn Fuel System, Inc. ("System"), a company to be organized under the laws of Pennsylvania. All interested persons are referred to the plan, which is summarized below, for a complete statement of the proposed transactions.

Penn Fuel, a Pennsylvania corporation, is an exempt holding company pursuant to section 3(a)(1) of the Act, Holding Company Act Release No. 10646 (June 29, 1951). Ware, the president and a director of Penn Fuel, owns or controls, directly or indirectly, approximately 93% of its outstanding common stock. Penn Fuel has twenty-five wholly-owned subsidiary gas utility companies, of which twenty-four are incorporated in Pennsylvania and doing business solely within its boundaries and one is incorporated in Maryland and does business in both Maryland and Pennsylvania. The utility subsidiary companies are presently supplying natural gas at retail to about 29,000 customers. Penn Fuel also engages through other subsidiaries in the sale of liquified propane gas in containers to customers in Pennsylvania, New Jersey, Delaware and Maryland, and engages in the sale of gas appliances in connection with its overall business. As of December 31, 1974, Penn Fuel reported consolidated net assets of $26,519,564. For the 12 months ended December 31, 1974, it had gross revenues of $24,628,866 and net income of $860,777.

North Penn Gas Company ("North Penn") is a gas utility company incorporated in Pennsylvania and engaged in supplying gas at retail to approximately 28,000 customers in eight counties in northern Pennsylvania. North Penn sells gas at wholesale to other gas utility companies operating in Pennsylvania and New York, and also sells gas appliances to its retail customers. On December 31, 1974, North Penn reported net assets of $31,613,487. It had gross revenues of $25,822,785 and net income for the twelve months ended December 31, 1974, of $1,342,372.

On March 20, 1969, the Commission pursuant to sections 9(a)(2) and 10 approved an application of Ware, members of his family and others whose stock ownership might be attributed to him ("associates") to acquire majority control of the common stock of North Penn (Holding Company Act Release No. 16319). Ware, currently chairman of North Penn's board of directors, and his associates acquired approximately 62% of North Penn's 450,000 shares of common stock. The remaining shares are held by investors and an employees' thrift plan.

In his original application to acquire the North Penn stock, Ware represented that within two years after the date of such purchase, appropriate steps would be taken to eliminate the minority interest in North Penn's common stock. Performance of this undertaking has been delayed by intervening events.

On March 26, 1974, the Commission ordered a hearing on terms of a proposed acquisition of the North Penn stock by Penn Fuel (Holding Company Act Release No. 18344). Objections to the proposed exchange offer were filed and the hearing, originally scheduled for June 3, 1974, has been postponed from time to time to permit the parties to negotiate a settlement. The plan reflects the results of these negotiations.

Under the plan, System, the new holding company, will acquire all of the outstanding common stock of North Penn and the stock of Penn Fuel held by Ware and his associates. System will register under section 5(a) of the Act for the sole purpose of eliminating the minority stock interest in North Penn in accordance with the standards of section 11(b)(2) and Ware's commitment.

The plan provides that System will acquire 207,000 shares of the outstanding North Penn common stock by issuing to Ware and certain of his associates common stock of System on the basis of 1.1 shares of System stock for each share of North Penn stock. The remaining stockholders of North Penn stock will receive, in exchange for each share of North Penn, $3.10 in cash and $15.40 principal amount of 10% serial installment notes of System. The notes will be secured by all of the North Penn common stock to be owned by System and the last installment of the notes will be payable December 31, 1979. The Penn Fuel stock will be acquired by System on a share for share basis.

The Division of Corporate Regulation has advised the Commission that based on its preliminary examination of the plan, the following matters and questions are presented for consideration in lieu of those issues noticed in the Commission's order for hearing of March 26, 1974, but without prejudice to the presentation of additional matters and questions upon further examination:

1. Whether the terms of the proposed acquisition of control of Penn Fuel and North Penn by System is consistent with Section 10 of the Act.

2. Whether the proposed transactions satisfy the previous undertakings by Ware and section 10(b) of the Act.

3. Whether the proposed acquisition of the publicly-held minority common stock of North Penn System is fair and equitable to the persons affected thereby and necessary to comply with section 11(b)(2).

4. Generally, whether the proposed transactions are in all other respects compatible with the provisions and standards of the Act and the rules promulgated thereunder.

It is hereby ordered That a hearing be held in respect to the plan and that the hearing commence on April 23, 1975, or such later date as may be designated by the hearing officer, at 10 a.m. at the office of the Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549 in such room as may be designated by the hearing room clerk.

It is further ordered That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered That jurisdiction be, and it hereby is, reserved to separate in whole or in part, either for hearing or for disposition, any issues or questions which may arise in this proceeding and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

It is further ordered That the Administrative Law Judge previously designated shall preside at said hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18(c) of the Act and to a hearing officer under the Commission's Rules of Practice.

It is further ordered That any person, other than those who have already entered an appearance in File 70-4709, desiring to be heard in this proceeding or proposing to intervene therein shall file with the Secretary of the Commission, on or before April 21, 1975, a written request relative thereto as provided in Rule 9 of the Commission's rules of practice. 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 counsel for the companies and Ware: John N. Schaeffer, Jr., Esquire,

Morgan, Lewis & Bockius, 123 South Broad Street, Philadelphia, Pennsylvania 19109, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Persons filing an application to participate or be heard will receive notice of any adjournment of the hearing as well as other official actions involving the subject matter of this proceeding.

It is further ordered That the Secretary of the Commission shall give notice of the aforesaid by mailing copies of this Notice and Order for Hearing by certified mail to the Pennsylvania Public Utility Commission and the Federal Power Commission; that Penn Fuel and North Penn shall each mail copies of this Notice and Order for Hearing not later than 21 days prior to the date set for hearing to their stockholders of record and that notice to all other interested persons shall be given by a general release of the Commission and by publication of this Notice and Order for Hearing in the FEDERAL REGISTER.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-8092 Filed 3-27-75;8:45 am]

[31-749]

PROVIDENCE GAS CO.

Filing of Application for Exemption

MARCH 21, 1975.

In the matter of The Providence Gas Company, 100 Weybosset Street, Providence, Rhode Island, 02901; (31-749).

Notice is hereby given that The Providence Gas Company ("Providence"), a gas utility company and a holding company, has filed an application, and an amendment thereto, for an exemption under sections 3(a)(1) or 3(a)(2) of the Public Utility Holding Company Act of 1935 ("Act"). All interested persons are referred to the amended application, which is summarized below, for a complete statement of the proposed transaction.

Providence, a Rhode Island corporation, is engaged in the business of selling natural gas to retail customers for residential, commercial and industrial use. Providence purchases its gas under a long-term contract with Algonquin Gas Transmission Company and distributes it to approximately 104,000 customers in sixteen cities and towns within the State of Rhode Island. In 1974, Providence sold 16,670,000 MCF of gas to customers within Rhode Island. No sales were made to customers outside of Rhode Island. Providence's executive offices, distribution and maintenance facilities and storage facilities are all located within Rhode Island.

On December 31, 1974, Providence acquired substantially all of the assets of The Newport Gas Light Company ("Newport"), a Rhode Island corporation, and now carries on Newport's business in its Newport Division. During 1974, the Newport Division distributed 1,089,792 MCF of gas to approximately 4,700 customers, all of whom are located within Rhode Island. The executive offices and utility assets of the Newport Division are all located within Rhode Island.

Providence is a holding company, as defined in section 2(a)(7) of the Act, by virtue of its ownership of 45% of the outstanding capital stock of Tiverton Gas Company ("Tiverton"), a gas utility company organized under the laws of Rhode Island which, in 1974, distributed 37,100 MCF of gas to approximately 500 customers in Tiverton, Rhode Island. Providence acquired Tiverton's stock as a part of its acquisition of Newport's assets. All of Tiverton's offices and distribution facilities are located in Rhode Island, and no gas sales are made without Rhode Island. It is stated that Providence has no meaningful role in Tiverton's management and does not participate in its operations.

Providence also owns all of the issued and outstanding stock of three nonutility subsidiaries, Bay Front Real Estate Company, Prudence Corporation and Arrowhead Propane Corporation, all of which are Rhode Island companies.

Providence proposes that it be exempted from the obligations of a holding company under the Act under either section 3(a)(1) or section 3(a)(2). Under section 3(a)(1), a holding company is exempted if it and its utility subsidiaries are incorporated in a single state and their utility operations are predominently intrastate in character. Section 3(a)(2) exempts holding companies which are predominently public-utility companies. The applicant states that it is entitled to exemption under either action.

The fees and expenses to be paid or incurred in connection with the proposed transaction will not exceed $500. 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 April 15, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application, as amended, or as it may be further amended, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the 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.75-8093 Filed 3-27-75;8:45 am]

[File No. 500-1]

ROYAL PROPERTIES INC.

Suspension of Trading

MARCH 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 March 24, 1975 through April 2, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-8099 Filed 3-27-75;8:45 am]

[File No. 500-1]

SOUTHWESTERN RESEARCH CORP.

Suspension of Trading

MARCH 20, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Southwestern Research Corp. 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 9:45 a.m. (e.d.t.) on March 20, 1975 through midnight (e.d.t.) on March 29, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-8100 Filed 3-27-75;8:45 am]

[File No. 81-176]

VENTURA INTERNATIONAL INC.

Application and Opportunity for Hearing

MARCH 20, 1975.

Notice is hereby given that Ventura International Inc. ("Applicant") has

filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended (the "1934 Act") that Applicant be granted an exemption from the provisions of section 13 and 15(d) of the 1934 Act.

Section 12(g) of the Act requires the registration of the equity securities of every issuer which is engaged in, or in a business affecting, interstate commerce, or whose securities are traded by use of the mails or any means or instrumentality of interstate commerce, and on the last day of its fiscal year has total assets exceeding $1 million and a class of equity securities held of record by 500 or more persons.

Section 13 and 15(d) of the 1934 Act require that issuers of securities registered pursuant to section 12 or that have filed a registration statement that has become effective pursuant to the Securities Act of 1933 must file certain periodic reports with the Commission for the protection of investors and to insure fair dealing in the security.

Section 12(h) of the 1934 Act empowers the Commission to exempt, in whole, or in part, any issuer or class of issuers from the registration or periodic reporting provisions under sections 13 and 15(d), if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, income or assets of the issuer or otherwise, that such exemption is not inconsistent with the public interest or the protection of investors.

The Applicant states, in part:

(1) Applicant is a Nevada corporation formed in 1961 which has over its life engaged in various business activities. At the end of 1973, Applicant's principal business was conducted through its wholly owned subsidiary, the Smith Agency, Inc. ("Smith"), a general insurance consulting and agency organization.

(2) On December 27, 1973 the Applicant's shareholders approved a plan of complete liquidation under the Nevada Corporation Statutes and on January 4, 1974 the Applicant sold all of the stock of Smith. Since such time of sale, the Applicant has not engaged in any business and has substantially liquidated its assets and distributed the major part of the proceeds to its shareholders pursuant to the Plan.

(3) Applicant has 213,066 outstanding shares of Common Stock 91,955 of which are held by Allegheny Airlines and its associates and 102,366 of which are held by the former stockholders of Smith and their associates.

(4) The Applicant's common stock is not registered on any registered stock exchange and there is no active market for the shares.

(5) Applicant's sole assets currently consist of a fund to be utilized to meet expenses incurred in preparing Applicant's 1974 Annual Report on Form 10–K and an escrow fund of $250,000 established under the Plan of Liquidation to meet claims or damages that may result from breach of any representation or warranty of the Applicant or Smith in the Agreement effecting the sale of Smith's stock. The escrow fund will continue in existence for a term based generally upon Applicant's and Smith's term of liability upon their federal and state tax returns. Upon termination and after expenses and possible set-offs, the fund will be distributed to Applicant's shareholders. Income on the fund will be remitted to Applicant's shareholders annually.

In the absence of an exemption, Applicant is required to file certain periodic reports with the Commission pursuant to section 13 or 15(d) of the 1934 Act because its common stock is registered with the Securities and Exchange Commission.

The Applicant argues that the inactive status of the Company, the nature of its assets with its attendant income and the composition of the Applicant's stockholdings effectively foreclose the possibility of price manipulation of the Common Stock and obviate the need for periodic reporting.

For a more detailed statement of the information presented, all persons are referred to the application and amendments which are on file in the offices of the Commission at 500 North Capitol Street NW., Washington, D.C. 20549.

Notice is further given that any person not later than April 14, 1975 may submit to the Commission in writing his views or any substantial facts bearing on the application or the desirability of a hearing thereon. Any such communication or request should be addressed to: Secretary, Securities and Exchange Commission, 500 North Capitol Street, NW., Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing, the reason for such request, and the issues of fact and law raised by the application which he desires to controvert. 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. At any time after said date, an order granting the application may be issued upon request or upon the Commission's own motion.

By the Commission.

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

[FR Doc.75–8094 Filed 3–27–75;8:45 am]

[File No. 500–1]

WINNER INDUSTRIES, INC.

Suspension of Trading

MARCH 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 March 24, 1975 through April 2, 1975.

By the Commission.

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

[FR Doc.75–8101 Filed 3–27–75;8:45 am]

SMALL BUSINESS ADMINISTRATION

[Authority Delegation 30; Revision 15]

FIELD OFFICES

Delegations of Authority To Conduct Program Activities

Correction

In FR Doc.75–6304 appearing on page 11657 in the issue for Wednesday, March 12, 1975, the headings should read as set forth above.

On page 11658, column two, in the third line of paragraph 3 (b)(1), "...—bursement loans)" should read "...—bursed loans)".

In paragraph 4(1) of column two on page 11658, "Regional" should read "Regional Director".

On page 11659 at the top of column two, the paragraph after 2(2) numbered (5) reading "Assistant Director for F&I Administration" should be numbered (3) and should read as follows: "Assistant Regional Director for Administration."

DEPARTMENT OF LABOR

Manpower Administration

EMPLOYMENT TRANSFER AND BUSINESS COMPETITION DETERMINATIONS UNDER THE RURAL DEVELOPMENT ACT

Notice of Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods,

materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75, published January 29, 1975 (40 FR 4393). In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.

4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice to: Deputy Assistant Secretary for Manpower, 601 D Street NW., Washington, D.C. 20213.

Signed at Washington, D.C., this 24th day of March, 1975.

BEN BURDETSKY,
Deputy Assistant Secretary for Manpower.

Applications received during the week ending March 21, 1975

Name of applicant	Location of enterprise	Principal product or activity
Potvin Lumber Co.	Stamford, Vt.	Manufacture of lumber.
Cantera Tono Torres	Guanica, P.R.	Crushing 1" stone into artificial ASTM specification sand.
Hartsville Industrial Development Board (Lessor to Lamsteel Corp.).	Hartsville, Tenn.	Manufacturing of industrial sewing machine table tops and steel stands for garment and shoe industry.
Broad River Marine, Inc.	Beaufort County, S.C.	Sales of marine products; boats, Mercury motors, trailers, Honda products, and motorcycles.
Weakley County Supply Co.	Dresden, Tenn.	Increased supply and variety of building, electrical, plumbing supplies, and additional employment.
Wentworth Manufacturing Co.	Lake City, S.C.	Manufacture of women's dresses.
Vergil Haddix	Richmond, Ky.	Single and multifamily residential lots.
Rainducker, Inc.	Chisholm, Minn.	Manufactures women's and children's outerwear.
Boyce Ranson Ford, Inc.	Spartanburg, S.C.	Automobile sales.
Newellton Development Corp.	Newellton, La.	Nursing home.
The Boggs Avenue Co.	Grand Island, Nebr.	Do.
Ruby Mountains Manor, Inc.	Elko, Nev.	Do.
Minchs Wholesale Meats	Red Bluff, Calif.	Slaughtering and further processing of cattle.

[FR Doc.75-8055 Filed 3-27-75;8:45 am]

Office of the Secretary

JOSEPH WEISS & SONS, INC.

Certification of Eligibility To Workers To Apply for Adjustment Assistance

Under date of February 18, 1975, the U.S. International Trade Commission made a report of the results of its investigation (TEA-W-258) under section 301(c)(2) of the Trade Expansion Act of 1962 (76 Stat. 884) in response to a petition for determination of eligibility to apply for adjustment assistance on behalf of the workers and former workers of Joseph Weiss & Sons, Inc., Brooklyn, New York. In this report, the Commission found that articles like or directly competitive with manufactured granite produced by Joseph Weiss & Sons, Inc. are, as a result in major part of concessions granted under trade agreements, being imported into the United States in such increased quantities as to cause unemployment or underemployment of a significant number or proportion of the workers of such firm engaged in the production and installation of manufactured granite.

Upon receipt of the U.S. International Trade Commission's affirmative finding, the Department, through the Office of Foreign Economic Policy, Bureau of International Labor Affairs, instituted an investigation (Notice of Delegation of Authority and Notice of Investigation 34 FR 18342; 37 FR 2472; 40 FR 8609, 29 CFR Part 90).

Following this, the Director made a recommendation to me relating to the matter of certification. In the recommendation, she noted that concession generated imports like or directly competitive with manufactured granite produced by Joseph Weiss & Sons, Inc., more than tripled from 1967 to 1973. Despite efforts to compete effectively in the domestic granite market, Joseph Weiss & Sons, Inc., was not able to overcome the price advantage gained by foreign manufactured granite producers as a result of tariff reductions. Company production began a downward trend in 1972 when work of major contracts neared completion and the company was unable, due to increased import competition, to secure significant additional contracts. Most recently, the company lost a major contract to a supplier of imported manufactured granite in 1974. Labor force reductions at Joseph Weiss & Sons, Inc., caused in major part by increased import competition began in January 1974 and continues to date.

Lincoln Stone Setters, Inc., the installation operation of Joseph Weiss & Sons, Inc., expects to layoff installers of manufactured granite beginning in March 1975. The imminent layoff of installers is a direct result of granite contracts lost by Joseph Weiss & Sons, Inc., to suppliers of imported granite. After due consideration I make the following certifications:

All hourly and salaried employees of Joseph Weiss & Sons, Inc., Brooklyn, New York, who became or will become unemployed or underemployed after January 19, 1974, are eligible to apply for adjustment assistance under Title III, Chapter 3, of the Trade Expansion Act of 1962.

All workers engaged in the installation of manufactured granite, at Lincoln Stone Setters, Inc., Brooklyn, New York, a wholly-owned subsidiary of Joseph Weiss & Sons, Inc., who became or will become unemployed or underemployed after February 28, 1975, are eligible to apply for adjustment assistance under Title III, Chapter 3, of the Trade Expansion Act of 1962.

Signed at Washington, D.C., this 14th day of March, 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary, Trade and Adjustment Policy.

[FR Doc.75-8127 Filed 3-27-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 731]

ASSIGNMENT OF HEARINGS

MARCH 25, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 42011 Sub 14, D. Q. Wise and Co., Inc., now being assigned June 3, 1975 (1 day), at Dallas, Texas; in a hearing room to be designated later.

MC 111401 Sub 430, Groendyke Transport, Inc., now being assigned June 4, 1975 (3 days), at Dallas, Texas; in a hearing roon to be designated later.

MC 128932 Sub 7, Robert L. Torrans, d.b.a. Commercial Storage & Distribution Co., now being assigned June 9, 1975 (1 week), at Dallas, Texas; in a hearing room to be designated later.

MC 114273 Sub 211, Cedar Rapids Steel Transportation, Inc., now being assigned June 9, 1975, at Chicago, Ill., in a hearing room to be later designated.

MC 114457 Sub 202, Dart Transit Company, now being assigned June 3, 1975, at Chicago, Ill., in a hearing room to be later designated.

MC 139499 Sub 3, U.S. Transport, Inc., now being assigned June 9, 1975 (1 day), at San Francisco, Ca., in a hearing room to be designated later.

MC 116763 Sub 297, Carl Subler Trucking, Inc., now being assigned June 10, 1975 (1 day), at San Francisco, Ca., in a hearing room to be designated later.

MC 125433 Sub 54, F-B Truck Line Company, now being assigned June 11, 1975 (1 day), at San Francisco, Ca., in a hearing room to be designated later.

MC 134922 Sub 95, B. J. McAdams, Inc., now being assigned June 12, 1975 (1 day), at San Francisco, Ca., in a hearing room to be designated later.

MC 106644 Sub 192, Superior Trucking Company, Inc., now being assigned June 13, 1975 (1 day), at San Francisco, Ca., in a hearing room to be designated later.

MC 124964 Sub 20, Joseph M. Booth, d.b.a. J. M. Booth Trucking, now being assigned June 16, 1975 (2 days), at San Francisco, Ca., in a hearing room to be designated later.

MC-F-12360, Tri-State Motor Transit Co.—Purchase (Portion)—National Carriers, Inc., and MC 109397 Sub 307, Tri-State Transit Co., now being assigned June 18, 1975 (3 days), at San Francisco, Ca., in a hearing room to be designated later.

MC 113855 Sub 292, International Transport, Inc., now being assigned June 23, 1975 (1 week), at San Francisco, Ca., in a hearing room to be designated later.

MC 114004 Sub 127, Chandler Trailer Convoy, Inc., Extension—Buildings, now being assigned June 17, 1975 (4 days), at Nashville, Tennessee; in a hearing room to be designated later.

MC 111170 Sub 217, Wheeling Pipe Line, Inc., now being assigned June 23, 1975 (1 day), at Memphis, Tennessee; in a hearing room to be designated later.

MC 133655 Sub 79, Trans-National Truck, Inc., now being assigned June 24, 1975 (2 days), at Memphis, Tennessee; in a hearing room to be designated later.

MC 134922 Sub 75, B. J. McAdams, Inc., now being assigned June 26, 1975 (2 days), at Memphis, Tennessee; in a hearing room to be designated later.

MC 114334 Sub 27, Builders Transportation Co., now assigned April 23, 1975 at Jackson, Mississippi; will be held in the Jackson Hilton Hotel, 750 N. State Street.

MC 30844 Sub 516, Kroblin Refrigerated Express, Inc., now being assigned June 5, 1975 (2 days), at Chicago, Ill. in a hearing room to be later designated.

MC 113434 Sub 62 Gra-Bell Truck Line, Inc., now being assigned June 11, 1975 (3 days), at Chicago, Ill., in a hearing room to be later designated.

MC 139614, Erin Tours, Inc., now being assigned continued hearing on April 29, 1975; at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC-F-12190, National Freight, Inc.—Purchase—Northeastern Trucking Company, now assigned April 15, 1975, at Washington, D.C., is postponed to May 20, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 138730 Sub 2, Caravan Tours, Inc., d.b.a. Caraven Towne Cars, now assigned June 9, 1975, at Newark, N.J., is cancelled and reassigned June 9, 1975 (2 weeks), at the Holiday Inn, 707 Route 46, Parsippany, N.J.

MC 113678 Sub 546, Curtis, Inc., now assigned April 7, 1975, at Omaha, Nebr., is cancelled and the application is dismissed.

MC 53965 Sub 107, Graves Truck Line, Inc., MC 110563 Sub 151, Coldway Food Express, Inc., MC 111231 Sub 191, Jones Truck Lines, Inc., MC 113678 Sub 584, Curtis, Inc., MC 114273 Sub 231, CRST, Inc., MC 114284 Sub 65, Fox Smythe Transportation Co., Inc., MC 114569 Sub 115, Shaffer Trucking, Inc., MC 118142, Sub 77, M. Bruenger & Co., Inc., MC 119741 Sub 51, Green Field Transport Company, Inc., MC 123004 Sub 6, The Luper Transportation Company, MC 127042 Sub 153, Hagen, Inc., and MC 134323 Sub 69, Jay Lines, Inc., now assigned April 7, 1975, at Wichita, Kans., postponed indefinitely.

MC-F-12321, Akers Motor Lines, Inc.—Control—Central Motor Lines, Inc., now assigned April 9, 1975, at Washington, D.C., has been postponed to May 7, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 117574 Sub 254, Daily Express, Inc., now being assigned June 17, 1975, at Chicago, Ill., in a hearing room to be later designated.

MC 128270 Sub 8, Redlehs Interstate, Inc., now being assigned June 18, 1975 (3 days), at Chicago, Ill., in a hearing room to be later designated.

MC 108207 Sub 409, Frozen Food Express, Inc., now being assigned June 23, 1975 (1 week), at Chicago, Ill., in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-8141 Filed 3-27-75;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

MARCH 25, 1975.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed on or before April 14, 1975.

FSA No. 42961—*Rice from Houston, Texas.* Filed by Southwestern Freight Bureau, Agent (No. B-522), for interested rail carriers. Rates on cracked or broken rice (brewers' rice) or milled rice, in bulk, in covered hopper cars, as described in the application, from Houston, Texas, to Newark, N.J.

Grounds for relief—Water competition.

Tariff—Supplement 16 to Southwestern Freight Bureau, Agent, tariff 326-C, ICC No. 5155. Rates are published to become effective on April 24, 1975.

AGGREGATE-OF-INTERMEDIATES

FSA No. 42962—*Rice from Houston, Texas.* Filed by Southwestern Freight Bureau, Agent (No. B-523), for interested rail carriers. Rates on cracked or broken rice (brewers' rice) or milled rice, in bulk in covered hopper cars, as described in the application, from Houston, Texas, to Newark, N.J.

Grounds for relief—Maintenance of depressed rates published to meet water competition without use of such rates as factors in constructing combination rates.

Tariff—Supplement 16 to Southwestern Freight Bureau, Agent, tariff 326-C, ICC No. 5155. Rates are published to become effective on April 24, 1975.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-8142 Filed 3-27-75;8:45 am]

[Notice 255]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

MARCH 28, 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 April 17, 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-35464. By order of March 6, 1975, the Motor Carrier Board approved the lease to K. C. Matthews, doing business as Matthews Trucking Co., Beaumont, Texas, of Certificate of Registration No. MC-121587 issued November 30, 1966, to Gulf Coast Transportation, Inc., Winnie, Texas, evidencing a right to engage in transportation in interstate commerce as described in Certificate of Convenience and Necessity No. 5217 dated December 3, 1973, issued by the Railroad Commission of Texas, William D. Lynch, P.O. Box 912, Austin, Texas 78767, attorney for applicants.

No. MC-FC-75618. By order of March 14, 1975, the Motor Carrier Board approved the transfer to Benjamin Blatt, doing business as Ben Blatt, Pittsburgh, Pa., of the operating rights in Permit No. MC-135028 issued September 14, 1971, to Sterling Wilson Perkins, Pittsburgh, Pa., authorizing the transportation of electrical appliances, lighting fixtures and electrical supplies from the storage facilities of the Allied Electrical Supply Company at Pittsburgh, Pa., to points in Ohio, West Virginia, and named counties in Pennsylvania. Gerald S. Lesher, 1018 Frick Bldg., Pittsburgh, Pa., 15219, attorney for applicants.

No. MC-FC-75704. By order entered March 7, 1975, the Motor Carrier Board approved the transfer to Eastside Enterprises, Inc., Springfield, Oreg., of the operating rights set forth in Certificate No. MC-136595 (Sub-No. 1), issued by the Commission, April 19, 1973, to Frank J. Williams, doing business as Eastside Mobile Home Transporting, Springfield,

Oreg., authorizing the transportation of prefabricated buildings, sectionalized, from Eugene, Oreg., to points in Washington. Lawrence V. Smart, Jr., 419 N.W. 23d Ave., Portland, Oreg. 97210, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-8140 Filed 3-27-75;8:45 am]

[Notice 32]

TEMPORARY AUTHORITY TERMINATION

The temporary authorities granted in the dockets listed below have expired as a result of final action either granting or denying the issuance of a Certificate or Permit in a corresponding application for permanent authority, on the date indicated below:

Temporary authority application	Final action or certificate or permit	Date of action
Schwerman Trucking Co.:		
MC-124078 Sub-531	MC-124078 Sub-541	July 19, 1974
MC-124078 Sub-542	MC-124078 Sub-544	Do.
Chemical Express Carriers, Inc., MC-124236 Sub-58	MC-124236 Sub-60	July 26, 1974
Hiner Transport, Inc., MC-124344 Sub-4	MC-124344 Sub-5	July 31, 1974
Karl Arthur Weber, MC-128196 Sub-6	MC-128196 Sub-7	July 19, 1974
Larson Transfer & Storage Co., Inc., MC-128652 Sub-8	MC-128652 Sub-9	July 31, 1974
DBA, ABC Cartage, MC-129802 Sub-6	MC-129802 Sub-5	July 19, 1974
DBA, Angelo Trucking Co., MC-134233 Sub-3	MC-134233 Sub-4	Do.
Interstate Contract Carrier Corp., MC-134599 Sub-67	MC-134599 Sub-79	July 17, 1974
Transportes Hispanos, Inc., MC-134784	MC-134784 Sub-1	Dec. 22, 1972
Coyote Truck Line, Inc., MC-136318 Sub-4, 7	MC-136318 Sub-5	July 19, 1974
Concord Trucking Co., Inc., MC-136371 Sub-13	MC-136371 Sub-10	July 17, 1974
DBA, Box Trucking, MC-136989 Sub-4	MC-136989 Sub-5	July 22, 1974
DBA, Rentz Farm Supply, MC-138176	MC-138176 Sub-1	July 19, 1974
TMI Transport Corp., MC-138367 Sub-1	MC-138367 Sub-2	July 29, 1974
S & S Transport Co., MC-138441 Sub-1	MC-138441 Sub-2	July 22, 1974
Gulf Shores Charter Services, Inc., MC-138717 Sub-1	MC-138717 Sub-2	July 19, 1974
DBA, GVS, MC-138769	MC-138769 Sub-1	July 25, 1974

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-8143 Filed 3-27-75;8:45 am]