

federal register

September 25, 1974—Pages 34393-34510

WEDNESDAY, SEPTEMBER 25, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 187

Pages 34393-34510



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Weekly List of Public Laws

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

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rules and regulations

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

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

Title 7—Agriculture

CHAPTER I—AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTIONS, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

United States Standards for Grades of Processed Raisins; Corrections

In FR Doc. 74-20308, published at page 32004 in the issue for Wednesday, September 4, 1974, make the following changes:

1. On page 32004, the third column, § 52.1842(a) which reads "Type I—Seedless" should read "Type I—Thompson Seedless."

2. On page 32008, in Table II, the allowance heading that states "Maximum count (percent by weight)" should read "Maximum (percent by weight)".

Dated: September 19, 1974.

E. L. PETERSON,
Administrator,
Agricultural Marketing Service.

[FR Doc. 74-22280 Filed 9-24-74; 8:45 am]

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

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This amendment of the rules and regulations under the amended marketing agreement and Order No. 910 requires handlers to submit to the Lemon Administrative Committee amended reports reflecting any shipment declared for export and diverted into other channels, and any fruit reported as destined for processing which is not shipped during the week such fruit is reported to the committee. Such reports are essential to the committee for the computation of prorate base and granting of allotment and for the equitable apportionment of prorate base and allotment among all of the handlers of lemons.

Notice was published in the FEDERAL REGISTER on August 29, 1974, (39 FR 31532), that the Department was giving consideration to proposed amendment of § 910.170 of the rules and regulations (Subpart—Rules and Regulations; 7 CFR 910.100 et seq.) currently in effect pursuant to the applicable provisions of

the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), which regulate the handling of fresh lemons grown in Arizona and designated part of California, hereinafter referred to collectively as the "order." This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The amendment of said rules and regulations was unanimously recommended by the Lemon Administrative Committee, established under said order as the agency to administer the terms and provisions thereof. Said notice allowed interested persons until September 16, 1974, to submit written data, views, or arguments for consideration in connection with the proposed amendment. None were received.

After consideration of all relevant matter presented, including that in the notice, it is hereby found that amendment of said rules and regulations as hereinafter set forth is in accordance with the amended order and will tend to effectuate the declared policy of the act.

Currently, handlers are required to submit to the committee a weekly report showing the total shipments of fresh lemons subject to allotments, volume exported other than to Canada, volume handled for conversion into byproducts, and certain other information concerning receipt and disposition of lemons. The amendment adds a new subparagraph (3) in § 910.170(d) Weekly Report (LAC Form 8) which requires handlers to submit an amended weekly report to the committee whenever necessary to reflect: (1) any shipments declared for export and diverted into other channels and (2) any fruit destined for processing which is not shipped during the week such fruit is documented and reported to the committee.

Handlers submit the information concerning exports upon shipment from the packinghouse and this corresponds to the volume reported on the accompanying Weekly Report. At times export shipments are refused at dockside by reason of condition. These are diverted into other channels or returned to the packinghouse. If the shipments are returned to the packinghouse and repacked, the salvageable fruit may be reshipped into export or domestic channels, or diverted to juice. Handlers' prompt advice to the committee of rejections is particularly important in cases of shipments made on Friday or Saturday prior to an official storage inventory by the committee's field staff, since preliminary inventory completed by the field representative would reflect such shipments. For ex-

ample, when a shipment is rejected and returned to the packinghouse after the preliminary inventory is completed, prompt advice of such return is necessary for the committee to increase the storage inventory figures in the amount of the volume returned in order to compute an accurate field box conversion factor. Each official storage inventory is used to compute a conversion factor which is applied to the picks for the weeks back to the preceding inventory date and is used as a preliminary factor until the next storage inventory date.

Amended reports reflecting shipments declared for export and diverted into other channels and any fruit destined for processing which was not shipped during the week such fruit is reported are essential for the computation of handlers' prorate bases and allotments.

Order. The provisions of paragraph (d) of § 910.170 are hereby revised by adding a new subparagraph (3) to read as follows:

§ 910.170 Reports.

(d) *Weekly Report (LAC Form 8).*

(1) * * *

(3) An amended Weekly Report Form (LAC Form 8) shall be promptly filed by the handler whenever necessary to reflect:

(i) Any shipment declared for export and diverted into other channels; and

(ii) Any fruit destined for processing which is not shipped during the week such fruit is documented and reported to the committee.

It is hereby found that good causes exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) the handling of lemons is now in progress subject to regulated weekly allotment provisions of the order and to be of maximum benefit the provisions of this amendment should become operative at the time specified herein, (2) the information required by this amendment is necessary to enable the committee to compute prorate bases and allotments on an equitable basis, and (3) the effective time hereof will not require of handlers any preparation that cannot be completed prior thereto.

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

Dated, September 19, 1974, to become effective September 26, 1974.

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

[FR Doc. 74-22213 Filed 9-24-74; 8:45 am]

CHAPTER X—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; MILK) DEPARTMENT OF AGRICULTURE

[Milk Order No. 30]

PART 1030—MILK IN THE CHICAGO REGIONAL MARKETING AREA

Temporary Revision of Shipping Percentage

This temporary revision is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the provisions of § 1039.7(b)(6) of the order regulating the handling of milk in the Chicago Regional marketing area.

Notice of proposed rule making was published in the FEDERAL REGISTER (39 FR 32753) concerning a proposed decrease in the supply plant shipping percentages for the month of September 1974. Interested persons were afforded an opportunity to file written data, views, and arguments thereon.

After consideration of all relevant material, including the proposal set forth in the aforesaid notice, data, views, and arguments filed thereon, and other available information, it is hereby found and determined that for the month of September 1974 the supply plant shipping percentage of 40 percent set forth in § 1030.7(b)(4) shall be decreased to 30 percent and in § 1030.7(b)(7)(iii) the shipping requirement of 20 percent applicable to each plant in a unit of two or more plants shall be decreased to 15 percent.

Pursuant to the provisions of § 1030.7(b)(6) the supply plant shipping percentages set forth in § 1030.7(b)(4) and § 1030.7(b)(7)(iii) shall be increased or decreased by up to 10 percentage points during the months of August-March, if necessary to obtain needed shipments or to prevent uneconomic shipments.

Twelve cooperative associations, which represent most of the producers supplying the Chicago Regional market, and two proprietary handlers state that the supply plant shipping percentage should be decreased for September 1974 to prevent uneconomic shipments of milk. These cooperatives and plant operators urge that the amount of such decrease should be 10 percentage points for the basic 40 percent shipping requirement and 5 percentage points with respect to the 20 percent shipping requirement for any plant that is part of a supply plant unit.

In support of this temporary change, these cooperatives state that producer milk receipts are up and Class I sales are down, so that a smaller than normal percentage of the market's milk supply is needed at distributing plants to fulfill fluid milk requirements.

To fulfill their fluid milk requirements, distributing plants obtain a major portion of their milk supplies from supply plants, since about 80 percent of the market's milk supply is assembled at supply plants. In recent months, however, Class I sales have been significantly below a year ago. In August, for instance,

Class I sales were down more than 7 million pounds compared to August 1974. In contrast, producer milk on the market increased by nearly 50 million pounds in August 1974 compared to August 1973.

This recent development of lower Class I sales and higher receipts of producer milk indicates that a significantly lower proportion of supply plant milk will need to be shipped to distributing plants this September than in such month of prior years.

A reduction in the required shipments of supply plant milk during the month of September will allow greater flexibility in obtaining milk as among supply plants in the market and may prevent uneconomic movements of milk merely for purposes of pool plant qualification.

It is concluded that it is necessary to reduce the pool supply plant shipping percentages as specified hereinbefore for the month of September 1974 to prevent uneconomic shipments.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This temporary revision is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area in that during September 1974 it will prevent uneconomic shipments to pool distributing plants;

(b) This temporary revision does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Notice of proposed rule making was given interested parties and they were afforded opportunity to file written data, views or arguments concerning this temporary revision.

Therefore, good cause exists for making this temporary revision effective for the month of September 1974.

It is therefore ordered, That the aforesaid provisions of the order are hereby revised for September 1974.

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

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on September 19, 1974.

H. L. FOREST,
Director, Dairy Division.

[FR Doc. 74-22211 Filed 9-24-74; 8:45 am]

Title 10—Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 2—RULES OF PRACTICE

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

Information Requested by Attorney General for Antitrust; Review of Facility License Applications

On April 25, 1974, the Atomic Energy Commission published in the FEDERAL REGISTER (39 FR 14613) proposed amendments of 10 CFR Part 2, Rules of Practice and 10 CFR Part 50, Licensing

of Production and Utilization Facilities, which would provide for early submission to the Commission of copies of information requested by the Attorney General for the conduct of his antitrust review and rendering of advice to the Commission with respect to certain facility license applications.

Under the proposed amendments, applicants for class 103 construction permits would be required to file the required document "Information Requested by the Attorney General for Antitrust Review" at least nine months but not more than thirty-six months prior to the date that any other part of the construction permit application is filed. In addition, under the proposed amendments Question 9 of Appendix L of Part 50 would be amended to require the applicant to provide mailing addresses for non-affiliated listed electric utility systems with peak loads smaller than the applicant's which now serve either at wholesale or retail adjacent to areas served by the applicant.

The early filing of antitrust information was intended to permit the Attorney General and the Commission to complete the antitrust review process, including antitrust hearings where necessary, concurrently with other licensing reviews.

Interested persons were invited to submit written comments and suggestions for consideration in connection with the proposed amendments by May 28, 1974. After consideration of the comments received and other factors involved, the Commission has adopted the proposed amendments with one significant change. Several commentators pointed out that applicants whose applications were filed between the effective date of the amendments and nine months after the effective date would be required to wait nine months after filing antitrust information to file the rest of the application even though the entire application had been prepared. In order to resolve this problem, § 50.33a(b) and (c) have been changed to require nine-months' prior submission of antitrust information only in the case of a construction permit applied for after nine months after the effective date of the amendments. Persons applying for construction permits before that time are required to submit the antitrust information as soon as possible.

It should be noted that Part 50 contains a provision (§ 50.12) that authorizes the Commission to grant exemptions from Part 50 requirements, including § 50.33a, as it determines are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of Title 5 of the United States Code, the following amendments of Title 10 of the Code of Federal Regulations, Chapter I, Parts 2 and 50, are published as a document subject to codification.

1. Section 2.101(a) of 10 CFR Part 2 is amended by deleting sentences eight

through fourteen and substituting therefor the following:

§ 2.101 Filing of application.

(a) * * * An applicant for a construction permit for a nuclear power reactor subject to § 51.5(a) of this chapter may submit the information required of applicants by Part 50 of this chapter in three parts. One part shall be accompanied by the information required by § 50.30(f) of this chapter, another part shall include any information requested by §§ 50.34(a) and 50.34a of this chapter and a third part shall include any information required by § 50.33a. One part may precede or follow other parts by no longer than six (6) months except that the part including information required by § 50.33a shall be submitted in accordance with time periods specified in § 50.33a. The Regulatory staff may return the later information to the applicant, informing it in what respects the information is incomplete, if the information is not complete or in conformance with the requirements of this chapter. Such a determination of completeness will generally be made within a period of thirty (30) days. Except for the part including information required by § 50.33a, whichever part is filed first shall also include the fee required by §§ 50.33(e) and 170.21 of this chapter and the information required by § 50.37 of this chapter. The Commission will accept for docketing an application for a construction permit for a nuclear power reactor subject to § 51.5(a) of this chapter where one part of the application as described above is complete and conforms to the requirements of Part 50 of this chapter.

2. Section 50.33a is amended to read as follows:

§ 50.33a Information required for anti-trust review.¹

(a) An applicant for a construction permit for a nuclear power reactor shall submit the information requested by the Attorney General, as described in Appendix L to this part, if the application is for a class 103 permit. This information shall be submitted as a separate document prior to any other part of the license application as provided in paragraph (b) and in accordance with § 2.101 of this chapter.

(b) Any person who applies for a class 103 construction permit for a nuclear power reactor on or after July 28, 1975 shall submit the document titled "Information Requested by the Attorney General for Antitrust Review" at least nine (9) months but not more than thirty-six months prior to the date of submittal of any part of the application for a class 103 construction permit.

(c) Any person who applies for such a

¹ The reporting requirements contained in §§ 50.33a, 50.55b, 50.80, and Appendix L of Part 50 have been approved by GAO under B-180225 (R0071). This clearance expires 8-31-77.

construction permit prior to July 28, 1975 shall submit the document titled "Information Requested by the Attorney General for Antitrust Review" as soon as possible.

3. The Introduction to Appendix L is amended to read as follows:

Introduction. The information in this appendix is that requested by the Attorney General in connection with his review, pursuant to section 105c of the Atomic Energy Act of 1954, as amended, of certain license applications for nuclear power plants. The applicant shall submit the information as a separate document titled, "Information Requested by the Attorney General for Antitrust Review." Twenty (20) copies shall be submitted prior to any other part of the facility license application as provided in § 50.33a and in accordance with § 2.101 of this chapter and not less than twenty-five (25) additional copies shall be retained by the applicant to be available as needed during the antitrust review.

4. The first sentence of Question 9 of Appendix L is amended to read as follows:

9. List, and provide the mailing address for non-affiliated electric utility systems with peak loads smaller than applicant's which serve either at wholesale or at retail adjacent to areas served by the applicant. * * *

Effective date. The foregoing amendments become effective on October 25, 1974.

(Sec. 105. 161, Pub. L. 83-703, 91-560, 68 Stat. 938, 948; 84 Stat. 1473 (42 U.S.C. 2135, 2201))

Dated at Washington, D.C., this 20th day of September 1974.

For the Atomic Energy Commission.

GORDON M. GRANT,
Acting Secretary of the Commission.
[FR Doc.72-22230 Filed 9-24-74; 8:45 am]

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 204—RECORDS OF ORAL COMMUNICATION WITH PERSONS OUTSIDE FEA

Establishment of Procedures to Record Certain Oral Communications

The Federal Energy Administration ("FEA") hereby establishes Part 204 of its regulations in order to provide internal FEA procedures for preparing and maintaining written records of oral communications received from persons outside FEA concerning applications, petitions, appeals, investigations, or enforcement proceedings being considered by FEA. The new Part also sets forth procedures for maintaining logs of meetings between the Administrator, the Deputy Administrator, the General Counsel, Assistant Administrators or Directors of FEA Offices and persons outside the agency concerning FEA policy questions. Finally, procedures are established for preparing and making available to the public a list of all meetings that have occurred between the Administrator, the

Deputy Administrator, Assistant Administrators or the General Counsel and persons outside FEA during the preceding two-week period.

Part 204 is designed to maintain the integrity of FEA's decision making process, to insure that FEA's programs and policies are developed and implemented in an open atmosphere and to promote public confidence in the agency.

Section 204.1 sets forth the general organization and objectives of Part 204. Section 204.2 contains the definitions applicable to this part.

Under the provisions of § 204.3, FEA employees in grade GS-15 and above, will be required to prepare and maintain written records of oral communications received from "non-involved" persons expressing an opinion or viewpoint on a specific application, interpretation request, appeal, petition for special redress, investigation, or enforcement proceeding pending before FEA. The purpose of the requirement that written records be maintained on communications from "non-involved" persons, rather than from actual parties to applications or proceedings, is to insure that sources of influence that would not otherwise be apparent to the public are identified. Section 204.3 also prescribes the form to be utilized in reporting conversations. Such forms will provide information on: The name of the communicant, the application or proceeding involved, the organization or entities represented by the communicant, and the subject matter or matters discussed.

Under the provisions of § 204.4, the Administrator, the Deputy Administrator, the General Counsel, and all Assistant Administrators and Directors of FEA Offices will be required to maintain records of their meetings with persons from outside the agency concerning FEA policy questions. These records will identify the organizations and entities represented by each participant and will provide a brief summary of the subject matter or matters discussed.

Section 204.4 requires the Office of Public Affairs to distribute to interested parties a list of all meetings that have occurred between the Administrator, the Deputy Administrator, Assistant Administrators, or the General Counsel and persons from outside the agency during the preceding two-week period. These lists will also be made available to the public in the Office of Public Affairs' Public Reference Room.

Because Part 204 pertains to rules of internal agency procedure and practice, formal notice and public hearings are not required.

In consideration of the foregoing, a new Part 204 of Chapter II, Title 10 of the Code of Federal Regulations is hereby established.

Issued in Washington, D.C., on September 20, 1974.

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

Part 204 is added to Chapter II to read as follows:

Sec.

204.1 Purpose and scope.

204.2 Definitions.

204.3 Preparation of record of outside contact forms.

204.4 Preparation of meeting logs.

204.5 Public record of meetings.

AUTHORITY: Federal Energy Administration Act of 1974, Pub. L. 93-375; E. O. 11790, 39 FR 23185.

§ 204.1 Purpose and Scope.

This part establishes regulations for the preparation and maintenance, by specified FEA employees, of written reports and meeting logs regarding certain types of oral communications received from and meetings held with persons from outside the agency. Procedures are also established for the preparation and distribution to the public of a list of all meetings that have occurred between the Administrator, the Deputy Administrator, Assistant Administrators, or the General Counsel and persons from outside the agency during the preceding two-week period. These regulations and procedures are designed to maintain the integrity of FEA's decision making process, to insure that FEA programs and policies are developed and implemented in an open atmosphere, and to promote public confidence in FEA.

§ 204.2 Definitions.

As used in this part—

(a) "Appeal" means a request for further view of an order or interpretation, or of any action taken in response to an application.

(b) "Application" means a request for an exception, exemption, assignment or adjustment, modification or rescission, or stay.

(c) "Enforcement proceeding" means a proceeding relating to the preparation and issuance by FEA of notices of probable violation or remedial orders.

(d) "FEA" means the Federal Energy Administration.

(e) "Noninvolved person" means a person with whom contact would normally not be made in the routine processing by FEA personnel of an application, interpretation request, petition for special redress, appeal, investigation or enforcement proceeding and includes, but is not limited to, a Member of Congress or his staff, an employee or official of another government agency or of the Executive Branch, and any other person in public or private life not directly involved in the matter. It does not include an official or employee of FEA, or a person from outside the agency with whom an employee would be expected routinely to communicate in the normal course of processing the matter, including but not limited to, the applicant, the person requesting an interpretation, an appellant, a petitioner for special redress, a person under investigation, an informant in an investigation, a person charged with a violation, a party or witness to a proceeding or the attorney representing such persons.

(f) "Person from outside the agency" means a person not employed by FEA or detailed to FEA by another Federal agency.

(g) "Petition for special redress" means a "Petition for Special Redress and Other Relief" filed with the FEA Office of Private Grievances and Redress pursuant to section 21 of the Federal Energy Administration Act and Part 205 of this chapter.

§ 204.3 Preparation of record of outside contact forms.

(a) All FEA employees in grades GS-15 and above shall prepare a "Record of Outside Contact Form" ("Record Form") on each oral communication received (in person, by telephone or otherwise) from a non-involved person expressing an opinion or viewpoint on a specific application, interpretation request, appeal, petition for redress, investigation, or enforcement proceeding pending before FEA: *Provided*, That no Record Form shall be prepared for routine requests for information concerning the status of a matter, including, but not limited to, inquiries regarding when FEA actions were or may be taken, the identity of parties or staff personnel responsible for a matter, or the availability and location of public information concerning a matter.

(b) The form set forth below, entitled "Record of Outside Contact Form", shall be used in complying with the provisions of paragraph (a) of this section.

RECORD OF OUTSIDE CONTACT

(Identity of Application, Petition for Redress, Appeal, Interpretation Request, Investigation or Enforcement Proceeding Involved)

Name of Communicant.....
Organizations or Entities Represented.....

Date and time of Communication.....
Place or Method of Communication.....
Brief Summary of Subject Matter(s) Discussed:

Completed by:
Name.....
Office.....

(c) Completed Record Forms shall be placed in the appropriate subject matter or case file and shall thereafter become part of the public record, if and when a public record of that particular matter is established. If the communication concerns an appeal before the Office of Exceptions and Appeals, the completed Record Form shall be immediately transmitted to that Office where it shall be placed in the appropriate application or enforcement proceeding file: *Provided, however*, That such Record Forms shall be maintained separately from the materials upon which the Review Committee may rely in reaching a final decision.

§ 204.4 Preparation of meeting logs.

(a) The Administrator, the Deputy Administrator, the General Counsel, and all Assistant Administrators and Directors of FEA Offices shall maintain logs of

their meetings with persons from outside the agency concerning FEA policy questions.

(b) The meeting logs prepared pursuant to paragraph (a) of this section shall reflect, at a minimum, the date and place of each meeting, the name of each participant in the meeting, the organizations or entities represented by each participant, and a brief summary of the subject matter or matters discussed.

§ 204.5 Public record of meetings.

(a) Within one week after the 15th and the end of each month, the Administrator, the Deputy Administrator, each Assistant Administrator, and the General Counsel shall submit to the Office of Public Affairs a list of all meetings that they have held with persons from outside FEA during the preceding half-month period. The list shall contain the date of each meeting, the names of all participants, the entities represented, and the general subject discussed.

(b) The Office of Public Affairs shall make the lists prepared pursuant to paragraph (a) of this section available to the public, upon request, in its Public Reference Room. In addition, the Office of Public Affairs shall distribute copies of the lists to interested parties on a regular basis.

[FR Doc.74-22278 Filed 9-24-74; 8:45 am]

Title 12—Banks and Banking CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 74-956]

PART 523—MEMBERS OF BANKS Liquidity

SEPTEMBER 18, 1974.

The Federal Home Loan Bank Board considers it desirable to amend § 523.11 of the regulations for the Federal Home Loan Bank System (12 CFR 523.11) for the purposes of reducing the overall liquidity requirement of each Federal Home Loan Bank member from 5½ percent to 5 percent of its liquidity base and of reducing each member's short-term liquidity requirement from 1½ percent to 1 percent of such base. Accordingly, the Federal Home Loan Bank Board hereby amends said § 523.11 by revising paragraph (a) thereof, to read as follows, effective September 25, 1974:

§ 523.11 Liquidity requirements.

(a) *General*. For each calendar month, each member, other than a mutual savings bank as to which there is in effect the election provided for in paragraph (e) of this section, shall maintain an average daily balance of liquid assets in an amount not less than 5 percent of the average daily balance of the member's liquidity base during the preceding calendar month, except as otherwise provided in paragraphs (b) and (d) of this section. For each calendar month, each member, other than a mutual savings bank or an insurance

company, shall maintain an average daily balance of short-term liquid assets in an amount not less than 1 percent of the average daily balance of the member's liquidity base during the preceding calendar month, except as otherwise provided in paragraphs (b) and (d) of this section.

Since affording notice and public procedure on the above amendment would delay it from becoming effective for a period of time and since the Board determines that in view of current economic conditions such amendment should become effective so that both the reduced overall liquidity requirement of 5 percent and the reduced short-term liquidity requirement of 1 percent shall apply beginning with the month of September, 1974, the Board hereby finds that notice and public procedure thereon are contrary to the public interest under the provisions of 12 CFR 508.11 and 5 U.S.C. 553(b); and, for the same reason, the Board hereby finds that the provision regarding the publication of such amendment for the minimum 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553(d) prior to the effective date thereof shall not apply to the above amendment; and the Board hereby provides that such amendment shall become effective as hereinbefore set forth.

(Sec. 5A, 47 Stat. 727, as added by sec. 1, 64 Stat. 256, as amended, sec. 17, 47 Stat. 736, as amended; (12 U.S.C. 1425a, 1437). Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48, Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[FR Doc.74-22258 Filed 9-24-74;8:45 am]

Title 13—Business Credit and Assistance
CHAPTER III—ECONOMIC DEVELOPMENT
ADMINISTRATION, DEPARTMENT OF
COMMERCE

PART 301—ESTABLISHMENT AND
ORGANIZATION

Subpart D—Disclosure of Information to
the Public

AVAILABILITY
Correction

In FR Doc. 74-21235 appearing at page 32979 in the issue of Friday, September 13, 1974, the third line of § 301.55(b) (9) reading "cerning wells. If it is determined, after" should appear as follows: "cerning wells. If it is determined, after".

Title 14—Aeronautics and Space
CHAPTER I—FEDERAL AVIATION ADMIN-
ISTRATION, DEPARTMENT OF TRANS-
PORTATION

[Airworthiness Docket No. 74-SW-18;
Amdt. 39-1985]

PART 39—AIRWORTHINESS DIRECTIVES
Bell Model 212 Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include

an airworthiness directive requiring a modification to the synchronized elevator on Bell Model 212 helicopters was published in 39 FR 26428.

Interested persons have been afforded the opportunity to participate in the making of the amendment. No comments were received.

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:

BELL Applies to Bell Model 212 Helicopters,
Serial Numbers 30501 Through 30593,
Certificated in all Categories

Compliance required within the next 100 hours' time in service after the effective date of the A.D., unless already accomplished.

To prevent possible failure of the synchronized elevator ribs with resulting loss of the elevator, modify the right and left elevators as specified in Part III of Bell Helicopter Company Service Bulletin No. 212-01-74-2 dated March 27, 1974, or later FAA approved revision.

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to the Service Manager, Bell Helicopter Company, P.O. Box 482, Fort Worth, Texas 76101. These documents may also be examined at the Office of the Regional Counsel, Southwest Region, FAA, 4400 Blue Mound Road, Fort Worth, Texas, and at FAA Headquarters, 800 Independence Avenue, SW., Washington, D.C. A historical file on this A.D. which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at the Southwest Regional Office in Fort Worth, Texas.

This amendment becomes effective October 21, 1974.

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

Issued in Fort Worth, Tex., on September 6, 1974.

HENRY L. NEWMAN,
Director, Southwest Region.

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

[FR Doc.74-22187 Filed 9-24-74;8:45 am]

[Docket No. 74-CE-16-AD, Amdt. 39-1975]

PART 39—AIRWORTHINESS DIRECTIVES
Cessna Model 310, 310A, and 310B
Airplanes

A recent accident investigation disclosed that the pilot of a Cessna 310 series airplane, who experienced an inflight fire, may not have followed proper emergency procedures in coping with the situation. Pilot ignorance of proper inflight emergency procedures has also been corroborated by other accident findings. To assure that the pilot is informed of and follows proper inflight emergency procedures, the agency concludes that any available procedures should be placed in the cockpit.

Accordingly, to reduce the possibility of an accident resulting from the pilot's failure to follow proper inflight emergency procedures, an Airworthiness Directive (AD) is being issued requiring the placing of presently available fire procedures pilot's checklist in the cockpit of Cessna Models 310, 310A and 310B airplanes.

Since a situation exists which requires expeditious adoption of the amendment, notice and public procedure hereon are impracticable and good cause exists for making the amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.89 (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD:

CESSNA Applies to all Models 310, 310A, and
310B Airplanes.

Compliance: Required as indicated, unless already accomplished.

To provide adequate inflight fire emergency procedure information, within the next 100 hours' time in service after the effective date of this AD, place in the cockpit either checklist P/N 0811875-24 entitled "Aircraft Fire Procedures Checklist" or any equivalent checklist approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This amendment becomes effective October 1, 1974.

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

Issued in Kansas City, Mo., on September 16, 1974.

A. L. COULTER,
Director, Central Region.

[FR Doc.74-22185 Filed 9-24-74;8:45 am]

CHAPTER II—CIVIL AERONAUTICS
BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-873, Amdt. 26]

PART 298—CLASSIFICATION AND
EXEMPTION OF AIR TAXI OPERATORS

Liability Insurance Coverage

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., September 20, 1974.

Part 298 of the Board's Economic Regulations requires all air taxi operators engaging in air transportation to register with the Board and to maintain in effect at all times current insurance coverage which meets the requirements set forth in Subpart D of that Part. Compliance with these requirements is among the conditions upon which air taxi operators' exemption authority is granted by Part 298, and it is therefore desirable that each air taxi maintain on file with the Board a current certificate of insurance. While Part 298 imposes on each air taxi a specific obligation to file a currently effective certificate of insurance at each registration and reregistration, there is no explicit obligation to make any filings of certificates of insurance

RULES AND REGULATIONS

evidencing changes in insurance coverage between registrations.

Although the Board's staff and the industry have been following a practice of maintaining current certificates of insurance on file with the Board,¹ we believe that it would facilitate enforcement of the substantive insurance requirements in Part 298 if we codify this practice by appropriate regulatory amendment.

Since this amendment is of an interpretative nature and imposes no substantial new burden on air taxi operators, the Board finds that notice and public procedure hereon are not necessary, and that the amendment should be made effective immediately.

Accordingly, the Civil Aeronautics Board hereby amends Part 298 of its Economic Regulations (14 CFR Part 298), effective September 20, 1974 as follows:

1. Amend subparagraph (3) of § 298.3 (a), to read:

§ 298.3 Classification.

(a) * * *

(3) Have and maintain in effect liability insurance coverage in compliance with the requirements set forth in Subpart D of this part and have and maintain a current certificate of insurance evidencing such coverage on file at the Board; and

2. Amend paragraph (a) of § 298.41 to read:

§ 298.41 Basic requirements.

(a) Each air taxi operator engaging in air transportation shall maintain in effect liability insurance coverage which complies with the requirements of this subpart and which is evidenced by a currently effective policy of insurance, with an attached standard endorsement, available for inspection by the Board and the public at its principal place of business. Evidence of such insurance coverage, in the form of a certificate of insurance, shall be maintained on file at the Board at all times. No air taxi operator shall operate in air transportation or perform services in air transportation unless it maintains liability coverage which complies with this subpart, and maintains on file with the Board a current certificate of insurance evidencing such coverage.

(Secs. 204(a), 407, and 416 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 766 (as amended by 83 Stat. 103), 771; (49 U.S.C. 1324, 1377, 1386))

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.74-22277 Filed 9-24-74; 8:45 am]

¹For a description of this practice, see EDR-247 (mimeo), p. 5, dated May 24, 1973; 38 FR 14294, May 31, 1973.

**Title 16—Commercial Practices
CHAPTER I—FEDERAL TRADE
COMMISSION
SUBCHAPTER A—PROCEDURES AND RULES
OF PRACTICE
PART 3—RULES OF PRACTICE FOR
ADJUDICATIVE PROCEEDINGS**

Subpart E—Hearings

**IN CAMERA HEARINGS IN ADJUDICATIVE
PROCEEDINGS**

The Commission announces the following amendment to § 3.41 of Part 3 of Chapter I of Title 16 of the Code of Federal Regulations to clarify the authority of Commission administrative law judges to issue an order providing for *in camera* hearings in adjudicative proceedings. This amendment is effective on September 25, 1974.

Section 3.41(a) is amended to read as follows:

§ 3.41 General rules.

(a) *Public hearings.* All hearings in adjudicative proceedings shall be public unless an *in camera* order is entered by the Administrative Law Judge pursuant to § 3.45(b) of this chapter or unless otherwise ordered by the Commission.

(Sec. 6, 38 Stat. 721; (15 U.S.C. 46))

	Milligrams per capsule	Sponsor	Limitations	Indications for use
4. Tetracycline.	50, 100, 125, 250, 500.	077	For dogs; as tetracycline hydrochloride; administer orally 25 mg/lb of body weight per day given in divided doses every 6 hours; treatment should be continued until symptoms of the disease have subsided and the temperature is normal for 48 hours; not for use in animals which are raised for food production. Federal law restricts this drug to use by or on the order of a licensed veterinarian.	Do.

Effective date. This order shall be effective September 25, 1974.

(Sec. 512(1), 82 Stat. 347; 21 U.S.C. 360b(1).)

Dated: September 18, 1974.

FRED J. KINGMA,
Acting Director, Bureau of
Veterinary Medicine.

[FR Doc.74-22207 Filed 9-24-74; 8:45 am]

**PART 135e—NEW ANIMAL DRUGS FOR
USE IN ANIMAL FEEDS
Tylosin**

In the FEDERAL REGISTER of December 21, 1973 (38 FR 34997), § 135e.10 (21 CFR 135e.10) was amended to provide for approval of tylosin premixes in the manufacture of cattle feed. The approval should have limited the premix for such use to one that contains 40 grams of tylosin per pound. Accordingly, § 135e.10 is being amended to correct this oversight.

By direction of the Commission dated July 31, 1974.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.74-22247 Filed 9-24-74; 8:45 am]

**Title 21—Food and Drugs
CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
SUBCHAPTER C—DRUGS
PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS**

Tetracycline Capsules, Veterinary

The Commissioner of Food and Drugs has evaluated a new animal drug application (65-456V) filed by Zenith Laboratories, Inc., Northvale, NJ 07647, proposing safe and effective use of tetracycline hydrochloride capsules in the treatment of dogs. The application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(1), 82 Stat. 347; 21 U.S.C. 360b(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 135c.123(e) is amended by adding to the table a new item 4, as follows:

§ 135c.123 Tetracycline capsules, veterinary.

(e) *Conditions of use.* It is used as follows:

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(1), 82 Stat. 347; 21 U.S.C. 360b(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 135e.10 is amended by revising paragraph (b) (1) to read as follows:

§ 135e.10 Tylosin.

(b) * * *

(1) To 014: 10, 40 and 100 grams per pound, items 1 through 10; 40 grams per pound, item 11.

Effective date. This order shall be effective September 25, 1974.

(Sec. 512(1), 82 Stat. 347; 21 U.S.C. 360b(1).)

Dated: September 18, 1974.

FRED J. KINGMA,
Acting Director, Bureau of
Veterinary Medicine.

[FR Doc.74-22209 Filed 9-24-74; 8:45 am]

PART 135e—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Tylosin

The Commissioner of Food and Drugs has evaluated a new animal drug application (95-953V) filed by Moorman Manufacturing Co., Quincy, IL 62301, proposing safe and effective use of tylosin premix in the manufacture of animal feed. The application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(1), 82 Stat. 347; 21 U.S.C. 360b(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 135e.10 is amended by adding a new paragraph (b) (12) to read as follows:

§ 135e.10 Tylosin.

- (b) * * *
- (12) To 058: 2 grams per pound; item 4.

Effective date. This order shall be effective September 25, 1974.

(Sec. 512(1), 82 Stat. 347; 21 U.S.C. 360b(1).)

Dated: September 13, 1974.

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

[FR Doc.74-22208 Filed 9-24-74;8:45 am]

PART 135e—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Monensin Sodium, Zinc Bacitracin

The Commissioner of Food and Drugs has evaluated a new animal drug application (47-933V) filed by Elanco Products Co., Indianapolis, IN 46206, proposing safe and effective use of monensin sodium, 110 grams per ton, and zinc bacitracin, 10 to 30 grams per ton, in broiler chicken feeds. This application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(1), 82 Stat. 347, 21 U.S.C. 360b(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 135e.50 is amended by revising paragraph (b) (3) and by adding new items 8 and 9 to the table in paragraph (f) to read as follows:

§ 135e.50 Monensin; monensin sodium.

- (b) * * *
- (3) 110 grams per lb. to 014; items 3, 5, 6, 7, 8, and 9.

(f) *Conditions of use.* It is used as follows:

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
8. Monensin sodium.	110 (as monensic acid activity).	Bacitracin..	10	For broiler chickens; do not feed to laying chickens; feed continuously as sole ration; withdraw 72 hours before slaughter. As zinc bacitracin as provided by code No. 009, § 135.501(c) of this chapter.	As an aid in the prevention of coccidiosis caused by <i>E. necatrix</i> , <i>E. tenella</i> , <i>E. acerrulina</i> , <i>E. brunetti</i> , <i>E. mivati</i> , <i>E. maxima</i> ; for increased rate of weight gain and improved feed efficiency.
9. Do.....do.....do.....	do.....do.....do.....	do.....do.....do.....	10-30	do.....do.....do.....	As an aid in the prevention of coccidiosis caused by <i>E. necatrix</i> , <i>E. tenella</i> , <i>E. acerrulina</i> , <i>E. brunetti</i> , <i>E. mivati</i> , and <i>E. maxima</i> ; for improved feed efficiency.

Effective date. This order shall be effective September 25, 1974.

(Sec. 512(1), 82 Stat. 347; 21 U.S.C. 360b(1).)

Dated: September 18, 1974.

FRED J. KINGMA,
Acting Director, Bureau of
Veterinary Medicine.

[FR Doc.74-22206 Filed 9-24-74;8:45 am]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER G—ENGINEERING AND TRAFFIC OPERATIONS

PART 650—BRIDGE AND ROADWAY STRUCTURES

Water Supply and Sewage Treatment at Safety Rest Areas

This will amend Chapter I of Title 23 of the Code of Federal Regulations by adding a new Subpart, Subpart E—Water Supply and Sewage Treatment at

Safety Rest Areas, to Part 650 of the regulations of the Federal Highway Administration.

The new regulation prescribes policies and procedures for providing safe and adequate water supply and sewage treatment facilities constructed with Federal-aid funds at safety rest areas. It codifies selected provisions of Federal-Aid Highway Program Manual Volume 6, Chapter 7, section 3, subsection 3, which revised and expanded provisions formerly contained in paragraph 10 of policy and procedure memorandum 90-3.

General notice of proposed rulemaking is not required because the material published relates to grants, benefits or contracts and is exempt under 5 U.S.C. § 553(a) (2).

In consideration of the foregoing, Part 650 of Chapter I of Title 23 of the Code of Federal Regulations is amended by adding a new Subpart, Subpart E, "Water Supply and Sewage Treatment at Safety Rest Areas."

These regulations are effective on the date of issuance set forth below.

Subpart E—Water Supply and Sewage Treatment at Safety Rest Areas

- Sec.
- 650.501 Purpose.
- 650.502 Applicability.
- 650.503 Definitions.
- 650.504 Policy.
- 650.505 Site Selection.
- 650.506 Water Supply Facilities.
- 650.507 Sewage Treatment Facilities.
- 650.508 Federal-aid Participation in Construction Costs.

AUTHORITY: 23 U.S.C. 109(h), 319(a), 319 (b), 23 U.S.C. 315, 49 CFR 1.48(b).

Subpart E—Water Supply and Sewage Treatment at Safety Rest Areas

§ 650.501 Purpose.

The purpose of this regulation is to prescribe policies and procedures for providing safe and adequate water supply and sewage treatment facilities at safety rest areas constructed with Federal-aid funds.

§ 650.502 Applicability.

The provisions of this regulation shall apply to safety rest areas on the Federal-aid systems with existing or proposed drinking water supply and sewage treatment facilities.

§ 650.503 Definitions.

(a) A safety rest area is an off-roadway area with parking facilities provided for motorists to stop and rest for short periods. Drinking water, toilets, tables and benches, telephones and other facilities may be provided for the comfort and convenience of travelers.

(b) Drinking water standards are the standards for assessing the physical, chemical, biological and radiological characteristics of water for drinking.

(c) Water quality standards are standards established for purposes of maintaining or improving water quality in bodies of water and streams.

(d) A sanitary survey is a visual inspection of areas adjacent to a spring or well supply to insure that possible sources of contamination do not threaten the potability of the supply.

(e) Pub. L. 90-500 refers to "Federal Water Pollution Control Act Amendments of 1972."

(f) Sewage is the liquid wastes conducted away from rest area comfort and convenience facilities.

(g) Sewerage system is the physical system that collects, conveys, and treats the sewage.

§ 650.504 Policy.

(a) It is the policy of the Federal Highway Administration that drinking water supply facilities shall be designed, constructed and maintained to meet current and impending drinking water standards.

(b) It is the policy of the Federal Highway Administration that onsite sewage treatment facilities shall be designed, constructed and operated to meet the 1977 effluent limitations pursuant to Pub. L. 92-500 or State standards, whichever is more restrictive, and water quality standards for the receiving waters.

§ 650.505 Site selection.

(a) The availability of an adequate water supply in both quantity and quality and the feasibility of providing for adequate and safe disposal of sewage shall be ascertained, insofar as possible, prior to the selection of the safety rest area location.

(b) Water quality standards that the treated sewage effluent must meet shall be identified and considered in the site selection phase.

§ 650.506 Water supply facilities.

(a) Where a public water supply system is to be utilized, the supplier's ability to maintain a potable and adequate water supply shall be ascertained.

(1) If the public supply cannot meet the drinking water quality standards required at the rest area, necessary water treatment shall be accomplished at the site, or a different source shall be provided.

(b) Regardless of source, the safety rest area water supply shall be monitored on a regular basis in accordance with State regulatory agency standards.

§ 650.507 Sewage treatment facilities.

(a) All necessary permits for discharging the sewage effluent, including the NPDES permit, shall be obtained prior to approval of PS&E and authorization to advertise for bids. Delays will be experienced in obtaining NPDES permits as this System is implemented. Until such time as permit applications can be handled expeditiously, timely application for the NPDES permit shall be evidence of compliance with the permit requirement.

(b) Where a public sanitary sewerage system is to be utilized, the capability of the facility to adequately treat the added sewage load should be ascertained prior to selection of this means of disposal.

§ 650.508 Federal-aid participation in construction costs.

(a) New Rest Areas. (1) Federal-aid projects may be approved for the construction of water supply and sewage treatment facilities that will meet the requirements of § 650.504(a) and (b).

(2) Federal-aid participation in the cost to connect to a public facility may include participation in the highway agency's share of the cost to construct, expand or improve the public facility to assure adequate water supply or sewage treatment. Participation in amounts expended for capital improvements to the public facility will be limited to the lesser of:

(i) The appropriate pro rata share of the highway project's responsibility for the improvements;

(ii) The present worth of the capital investment, maintenance and operation costs for an onsite facility; however, participation may be authorized for additional costs that may be incurred

because of environmental reasons or resource conservation.

(b) Existing Rest Areas. (1) Quantity Requirements.

(i) Federal-aid Interstate (FAI) funds may be used to increase the capacity of deficient Interstate rest area water supply and sewerage systems to accommodate anticipated usage for the design year of the original rest area construction based on the following criteria:

<i>FAI construction authorized:</i>	<i>Design year</i>
Prior to Jan. 1, 1964----	1975.
On or after Jan. 1, 1964 and before Jan. 1, 1970 -----	20 years after authorization.
After Jan. 1, 1970-----	Not eligible for FAI participation.

(ii) FAI funds may be used to construct, expand, or improve water supply and sewerage systems at existing Interstate rest areas, where such facilities have not previously been constructed with FAI funds, for anticipated usage 20 years after authorization of the new construction.

(iii) Federal-aid funds other than FAI may be used to expand or improve water supply and sewerage systems at existing rest areas without regard for the design year for the original construction.

(2) Quality Requirements;

(i) The use of Federal-aid funds may be approved to improve or replace existing water supply systems which fail to meet existing or new and more stringent drinking water quality standards imposed pursuant to Federal or State law.

(ii) Where safety rest area sewage effluent quality does not meet the 1977 effluent limitations, Federal-aid participation in sewage treatment facility replacement or improvements to meet those standards may be authorized for projects where the construction of these facilities was authorized prior to the date of this regulation, subject to the following:

(A) Evidence of failure of existing treatment facility to meet effluent standards established by field investigation and appropriate testing of influent and effluent samples.

(B) Failure to meet effluent standards is not a result of inadequate maintenance or plant operation. If plant operation is deficient, such steps as increased operator training or certification should be accomplished.

(C) Receipt of an engineering report describing the characteristics, volumes, and rates of sewage flows. The report should also contain design computations and a discussion of modifications required to meet the standards.

(iii) Highway Planning funds may be used to establish the need for upgrading existing water supply and sewage treatment facilities at safety rest areas to meet new quality standards.

Issued on September 18, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-22201 Filed 9-24-74; 8:45 am]

Title 26—Internal Revenue**CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY
SUBCHAPTER A—INCOME TAX**

[T.D. 7323]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953**Requirements of a Domestic International Sales Corporation (DISC)**

By a notice of proposed rulemaking appearing in the FEDERAL REGISTER for Saturday, May 20, 1972 (37 FR 10366), and a notice of proposed rulemaking appearing in the FEDERAL REGISTER for Tuesday, September 12, 1972 (37 FR 18475), amendments to the Income Tax Regulations (26 CFR Part 1) under sections 991, 992, 442, and 1502 of the Internal Revenue Code of 1954 were proposed in order to provide rules relating to the qualification requirements of corporations electing to be treated as DISC's. After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, certain changes were made, and the proposed amendments of the regulations, subject to the changes indicated below, are adopted by this document.

Under a transition rule proposed under § 1.991-1(b)(5), in the case of a corporation organized before January 1, 1972, the first taxable year of the corporation does not begin until the corporation acquires any asset (other than cash or other property acquired as consideration for the issuance of stock) or begins doing business, whichever is earlier. However, this rule applies only if the corporation is a DISC for that first taxable year. Under the regulations as proposed, it was not clear whether supplier's agreements (which are, generally, agreements by means of which DISC's become entitled to income and to use the intercompany pricing rules of section 994) would be treated as assets and if so, at what date the agreements would be treated as coming into existence. Section 1.991-1(b)(5) now provides that a supplier's agreement generally is to be considered an asset coming into existence on the date property is first purchased or sold, or services are first performed, subject to such an agreement.

The separate bank account requirement set forth in proposed § 1.992-1(a)(6) has been modified. In the regulations as proposed, a separate bank account was required on every day of the taxable year of every corporation. The question was raised whether a corporation which elected to be treated as a DISC for a taxable year beginning before the publication of this rule in Technical Information Release No. 1152 on March 16, 1972, would be required to have a separate bank account on every day of the period between the beginning of that year and March 16, 1972. It was further questioned whether a new corporation must have a separate bank ac-

count on the date it is organized. Section 1.992-1(a) was revised to provide that a new corporation need not establish a separate bank account until the last day of the period during which it can elect to be treated as a DISC, and no corporation seeking to qualify as a DISC is required to have a separate bank account prior to April 30, 1972.

There have been changes to § 1.992-1(d)(1), as proposed. This subparagraph provides, generally, that a DISC must have only one class of stock and that the par or stated value of such stock and the amount of cash or other property paid in must equal at least \$2,500. A sentence was added to provide that for purposes of this subparagraph the definition of "other property" does not include evidences of indebtedness received by a corporation from a shareholder in return for stock of such corporation. A second change is the addition of a provision under which unrealized losses (such as through market fluctuations) resulting in the impairment of capital will not result in the disqualification of a corporation as a DISC, provided the corporation does not take any legal or formal action under State law to reduce its capital below \$2,500. Further, a provision has been added to make clear the fact that a corporation may sell, exchange, or otherwise dispose of property or cash paid in for stock.

A wording change has been made in § 1.992-1(d)(2)(ii)(c), as proposed, for purposes of clarification. A sentence has been added to § 1.992-1(d)(2)(iv), as proposed, which makes it clear that the liberal treatment of debt applies to a corporation only during such years as a corporation qualified or is treated as a DISC. Thus, for example, a corporation is not allowed to qualify as a DISC for 1 year, become disqualified for a second year, and use the liberal debt rules provided in this subparagraph during the second year or any taxable year thereafter for which it is not a DISC.

Section 1.992-1(d)(3) relating to classes of stock has been reserved.

Section 1.992-1(g), as proposed, is amended to indicate that the provision is not a relief measure. A corporation will generally be treated as a DISC only if it satisfies the requirements for qualification as a DISC. A corporation which fails (through inadvertence or otherwise) to meet all of those tests for a taxable year might, nonetheless, seek the benefits of being a DISC by filing a return as a DISC. It may later appear to the corporation that it is more beneficial not to be treated as a DISC for that year. If the conditions of § 1.992-1(g)(1), (2), and (3) are met, that corporation will not be able to avoid being treated as a DISC by reason of its failure to meet all the qualification requirements for the year.

The transitional rule for corporations which elect DISC status during 1972 (§ 1.992-2(a)(1)(ii)) was changed to provide a later date before which such a corporation must provide the Internal Revenue Service with the information required by Form 4876 which is not required to be furnished on the statement

of election. The deadline has been changed from December 31, 1972, to March 31, 1973. This change was reflected in § 12.7 of the Temporary Regulations under the Revenue Act of 1971 published in the FEDERAL REGISTER for Thursday, December 28, 1972 (37 FR 28626).

Section 1.992-3(a)(4) as proposed has been deleted from this Treasury decision. The contents of such subparagraph is the subject of a notice of proposed rule making which will be published shortly.

Section 1.992-3(b)(4) has been changed by the insertion of a parenthetical phrase in the last sentence thereof for purposes of clarification.

Section 1.992-3(c)(3) was also changed. In the notice of proposed rule making, a corporation was given an automatic extension of 30 days to make a deficiency distribution if it contested the Internal Revenue Service's determination that the corporation had failed to satisfy the 95 percent of gross receipts or 95 percent assets test or both such tests in the Tax Court. The 30 days was measured from the date of final determination as set forth in section 7481. The Treasury decision provides for such an automatic extension in any case in which the corporation contests such a determination by the Service in any court of the United States or if it contests such determination through the administrative procedures of the Service itself.

In paragraph (b)(1) of § 1.991-1, paragraphs (b), (e), and (h) of § 1.992-1, and paragraph (b)(2) of § 1.992-3, certain references to sections of the Internal Revenue Code have been replaced by references to regulations sections.

Section 12.7 of the Temporary Income Tax Regulations under the Revenue Act of 1971 (TD 7237) as published in the FEDERAL REGISTER for Thursday, December 28, 1972 (37 FR 28626) is superseded by the adoption of § 1.992-2 which is included in this document. The provisions of § 1.992-2, as adopted herein, are substantially the same as the provisions of § 12.7 of the Temporary Income Tax Regulations under the Revenue Act of 1971.

The regulations which are adopted in this document contain references to other regulations relating to DISC's which have not been published. Such references are to those other regulations as finally published. This procedure is being followed because of the need for immediate guidance with respect to the provisions contained in this Treasury decision. Proposed regulations corresponding to such references, which can be used for informational purposes, have been published with notices of proposed rule-making in the FEDERAL REGISTER. Thus, § 1.995-1 through § 1.995-5 and § 1.996-1 through § 1.996-8 were proposed in the FEDERAL REGISTER for Friday, December 29, 1972 (37 FR 28754), and § 1.993-1 through § 1.993-7 were proposed in the FEDERAL REGISTER for Wednesday, October 4, 1972 (37 FR 20853) and amended in the FEDERAL REGISTER for Friday, December 22, 1972 (37 FR 28302) and Friday, March 9, 1973 (38 FR 6395).

Adoption of amendments to the regulations. On May 20, 1972, and September 12, 1972, notices of proposed rule-making were published in the FEDERAL REGISTER (37 FR 10366 and 37 FR 18475) to provide regulations relating to the taxation and requirements of a domestic international sales corporation (DISC). After consideration of all such relevant matters as were presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed in both such notices of proposed rule-making is hereby adopted, subject to the changes set forth below, and § 12.7 of the Temporary Income Tax Regulations under the Revenue Act of 1971 (TD 7237) published in the FEDERAL REGISTER for December 28, 1972 (37 FR 28626) is hereby superseded:

PARAGRAPH 1. Paragraph (b)(1) and (5) of § 1.991-1, as set forth in paragraph 1 of the appendix to the notice of proposed rule-making published May 20, 1972 (37 FR 10366) is revised to read as set forth below.

PAR. 2. Paragraphs (a), (b), (d)(1), (d)(2), (d)(2)(iv), (e), (g), and (h) of § 1.992-1 as set forth in paragraph 1 of the appendix to the notice of proposed rule-making published May 20, 1972 (37 FR 10366) are revised to read as set forth below.

PAR. 3. Sections 1.992-2, 1.992-3, and 1.992-4 were reserved in paragraph 1 of the appendix to the notice of proposed rule-making published May 20, 1972 (37 FR 10366) and were set forth in paragraph 2 of the appendix to the notice of proposed rule-making published September 12, 1972 (37 FR 18475). Such sections are adopted as set forth in the appendix to the notice of proposed rule-making published September 12, 1972, except that paragraph (a)(1)(ii) of § 1.992-2 and paragraphs (a)(4), (b)(2) and (4), and (c)(3) of § 1.992-3 are revised to read as set forth below.

(Sec. 7805, Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805))

[SEAL] DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

Approved: September 17, 1974.

FREDERIC W. HICKMAN,
Assistant Secretary of the Treasury.

PARAGRAPH 1. §§ 1.991, 1.991-1, 1.992, and 1.992-1 are added immediately after § 1.972-1 to read as follows:

DOMESTIC INTERNATIONAL SALES
CORPORATIONS

§ 1.991 Statutory provisions; taxation of a domestic international sales corporation.

SEC. 991. Taxation of a domestic international sales corporation. For purposes of the taxes imposed by this subtitle upon a DISC (as defined in section 992(a)), a DISC shall not be subject to the taxes imposed by this subtitle except for the tax imposed by chapter 5.

[Sec. 991 as added by sec. 501, Rev. Act 1971 (85 Stat. 535)]

§ 1.991-1 Taxation of a domestic international sales corporation.

(a) *In general.* A corporation which is a DISC for a taxable year is not subject to any tax imposed by subtitle A of the Code (sections 1 through 1564) for such taxable year, except for the tax imposed by chapter 5 thereof (sections 1491 through 1494) on certain transfers to avoid tax. Thus, for example, a corporation which is a DISC for a taxable year is not subject for such year to the corporate income tax (section 11), the minimum tax on tax preferences (sections 56 through 58), or the accumulated earnings tax (sections 531 through 537). A DISC is liable for the payment of all taxes payable by corporations under other subtitles of the Code, such as, for example, income taxes withheld at the source and other employment taxes under subtitle C and the interest equalization tax and other miscellaneous excise taxes imposed by subtitle D. In addition, a DISC is subject to the provisions of chapter 3 of subtitle A (including section 1461), relating to withholding of tax on nonresident aliens and foreign corporations and tax-free covenant bonds. See § 1.992-1 for the definition of the term "DISC."

(b) *Determination of taxable income—*

(1) *In general.* Although a DISC is not subject to tax under subtitle A of the Code (other than chapter 5 thereof), a DISC's taxable income shall be determined for each taxable year in order to determine, for example, the amount deemed distributed for that taxable year to its shareholders pursuant to § 1.995-2. Except as otherwise provided in the Code and the regulations thereunder, the taxable income of a DISC shall be determined in the same manner as if the DISC were a domestic corporation which had not elected to be treated as a DISC. Thus, for example, a DISC chooses its method of depreciation, inventory method, and annual accounting period in the same manner as if it were a corporation which had not elected to be treated as a DISC. Any elections affecting the determination of taxable income shall be made by the DISC. Thus, as a further example, a DISC which makes an installment sale described in section 453 is able to avail itself of the benefits of section 453: *Provided*, The DISC complies with the election requirements of such section. See § 1.995-2(e) and § 1.996-8 and the regulations thereunder for rules relating to the application for a taxable year of a DISC of a deduction under section 172 for a net operating loss carryback or carryover or of a capital loss carryback or carryover under section 1212.

(2) *Choice of method of accounting.*

A DISC may, generally, choose any method of accounting permissible under section 446(c) and the regulations thereunder. However, if a DISC is a member of a controlled group (as defined in § 1.993-1(k)), the DISC may not choose a method of accounting which, when applied to transactions between the DISC and other members of the controlled group, will result in a material distortion

of the income of the DISC or any other member of the controlled group. Such a material distortion of income would occur, for example, if a DISC chooses to use the cash method of accounting where the DISC acts as commission agent in a substantial volume of sales of property by a related corporation which uses the accrual method of accounting and which customarily pays commissions to the DISC more than 2 months after such sales. As a further example, a material distortion of income would occur if a DISC chooses to use the accrual method of accounting where the DISC leases a substantial amount of property from a related corporation which uses the cash method of accounting, if the DISC customarily accrues any portion of the rent on such property more than 2 months before the rent is paid. Changes in the method of accounting of a DISC are subject to the requirements of section 446(e) and the regulations thereunder.

(3) *Choice of annual accounting period—*

(i) *In general.* A DISC may choose its annual accounting period without regard to the annual accounting period of any of its stockholders. In general, changes in the annual accounting period of a DISC are subject to the requirements of section 442 and the regulations thereunder.

(ii) *Transition rule for change in taxable year in order to become a DISC.* A corporation may, without the consent of the Commissioner, change its annual accounting period and adopt a new taxable year beginning on the first day of any month in 1972: *Provided*, That—

(a) Such change has the effect of accelerating the time as of which such corporation can become a DISC,

(b) The Commissioner is notified of such change by means of a statement filed (with the regional service center with which such corporation files its election to be treated as a DISC) not later than the end of the period during which such corporation may file an election to be treated as a DISC for such new taxable year, and

(c) The short period required to effect such change is not a taxable year in which such corporation has a net operating loss as defined in section 172.

Thus, for example, if a corporation which uses the calendar year for its taxable year does not complete arrangements to become a DISC until May 15, 1972, such corporation can, pursuant to this subdivision, change its annual accounting period and adopt a taxable year beginning on the first day of any month in 1972 after May. A change to a new annual accounting period made pursuant to this subdivision is effective only if the corporation which makes such change qualifies as a DISC for such new period. A corporation may change its annual accounting period and adopt a new taxable year pursuant to this subdivision without regard to the provisions of § 1.1502-76 (relating to the taxable year of members of a group). A copy of the statement described in (b) of this subdivision shall be attached to the return

of a corporation for the new taxable year to which such corporation changes pursuant to this subdivision. A corporation which changes its annual accounting period pursuant to this subparagraph will not be permitted under section 442 to change its annual accounting period at any time before 1982, except with the consent of the Commissioner as provided in § 1.442-1(b)(1) or pursuant to subparagraph (4) of this paragraph.

(4) *Transition rule for change of taxable year of certain DISC's.* In the case of a DISC all of the shares of which are held by a single shareholder or by members of a group who file a consolidated return, such DISC may (without the consent of the Commissioner) change its annual accounting period and adopt a taxable year beginning in 1972 which is the same as the taxable year of such shareholder or the members of such group. A change to a new annual accounting period may be made by a DISC pursuant to this subparagraph even if such DISC has changed its annual accounting period pursuant to subparagraph (3) (i) of this paragraph.

(5) *Transition rule for beginning of first taxable year of certain corporations.* If a corporation organized before January 1, 1972, neither acquires assets (other than cash or other property acquired as consideration for the issuance of stock) nor begins doing business prior to January 1, 1972, the first taxable year of such corporation is deemed to begin at the time such corporation acquires any asset (other than cash or other property acquired as consideration for the issuance of stock) or begins doing business, whichever is earlier: *Provided*, That such corporation is a DISC for such first taxable year. If the corporation enters into a supplier's agreement described in § 1.993-1(l)(1), then for purposes of this subparagraph the agreement is deemed to be an asset acquired by such corporation as of the date property is first purchased or sold, or services are first performed, subject to such agreement. For purposes of this subparagraph, the consummation of a supplier's agreement described in § 1.993-1(l)(1) is not considered to be an act of doing business. For purposes of § 1.6012-2(a), such corporation is treated as not coming into existence until the beginning of such first taxable year.

(c) *Effective date.* The provisions of this section and the regulations under sections 992 through 997 apply with respect to taxable years ending after December 31, 1971, except that a corporation may not be a DISC for any taxable year beginning before January 1, 1972.

(d) *Related statutes.* For rules relating to the transfer, during a taxable year beginning before January 1, 1976, to a DISC of assets of an export trade corporation (as defined in section 971), where a parent owns all the outstanding stock of both such DISC and such export trade corporation, see section 505(b) of the Revenue Act of 1971 (85 Stat. 551). For rules regarding limitations on the qualification of a corporation as an ex-

port trade corporation for any taxable year beginning after October 31, 1971, see section 971(a) (3).

§ 1.992 Statutory provisions; requirements of a domestic international sales corporation.

Sec. 992. Requirements of a domestic international sales corporation—(a) Definition of "DISC" and "Former DISC"—(1) *DISC.* For purposes of this title, the term "DISC" means, with respect to any taxable year, a corporation which is incorporated under the laws of any State and satisfies the following conditions for the taxable year:

(A) 95 percent or more of the gross receipts (as defined in section 993(f) of such corporation consist of qualified export receipts (as defined in section 993(a)).

(B) The adjusted basis of the qualified export assets (as defined in section 993(b)) of the corporation at the close of the taxable year equals or exceeds 95 percent of the sum of the adjusted basis of all assets of the corporation at the close of the taxable year.

(C) Such corporation does not have more than one class of stock and the par or stated value of its outstanding stock is at least \$2,500 on each day of the taxable year, and

(D) The corporation has made an election pursuant to subsection (b) to be treated as a DISC and such election is in effect for the taxable year.

(2) *Status as DISC after having filed a return as a DISC.*—The Secretary or his delegate shall prescribe regulations setting forth the conditions under and the extent to which a corporation which has filed a return as a DISC for a taxable year shall be treated as a DISC for such taxable year for all purposes of this title, notwithstanding the fact that the corporation has failed to satisfy the conditions of paragraph (1).

(3) *"Former DISC."*—For purposes of this title, the term "former DISC" means, with respect to any taxable year, a corporation which is not a DISC for such year but was a DISC in a preceding taxable year and at the beginning of the taxable year has undistributed previously taxed income or accumulated DISC income.

(b) *Election.*—(1) *Election.*—(A) An election by a corporation to be treated as a DISC shall be made by such corporation for a taxable year at any time during the 90-day period immediately preceding the beginning of the taxable year, except that the Secretary or his delegate may give his consent to the making of an election at such other times as he may designate.

(B) Such election shall be made in such manner as the Secretary or his delegate shall prescribe and shall be valid only if all persons who are shareholders in such corporation on the first day of the first taxable year for which such election is effective consent to such election.

(2) *Effect of election.*—If a corporation makes an election under paragraph (1), then the provisions of this part shall apply to such corporation for the taxable year of the corporation for which made and for all succeeding taxable years and shall apply to each person who at any time is a shareholder of such corporation for all periods on or after the first day of the first taxable year of the corporation for which the election is effective.

(3) *Termination of election.*—(A) *Revocation.*—An election under this subsection made by any corporation may be terminated by revocation of such election for any taxable year of the corporation after the first taxable year of the corporation for which the election is effective. A termination under this paragraph shall be effective with respect to such election—

(1) For the taxable year in which made, if made at any time during the first 90 days of such taxable year, or

(ii) For the taxable year following the taxable year in which made, if made after the close of such 90 days, and for all succeeding taxable years of the corporation. Such termination shall be made in such manner as the Secretary or his delegate shall prescribe by regulations.

(B) *Continued failure to be DISC.*—If a corporation is not a DISC for each of any 5 consecutive taxable years of the corporation for which an election under this subsection is effective, the election shall be terminated and not be in effect for any taxable year of the corporation after such 5th year.

(c) *Distributions to meet qualification requirements.*—(1) *In general.*—Subject to the conditions provided by paragraph (2), a corporation which for a taxable year does not satisfy a condition specified in paragraph (1) (A) (relating to gross receipts) or (1) (B) (relating to assets) of subsection (a) shall nevertheless be deemed to satisfy such condition for such year if it makes a pro rata distribution of property after the close of the taxable year to its shareholders (designated at the time of such distribution as a distribution to meet qualification requirements) with respect to their stock in an amount which is equal to—

(A) If the condition of subsection (a) (1) (A) is not satisfied, the portion of such corporation's taxable income attributable to its gross receipts which are not qualified export receipts for such year,

(B) If the condition of subsection (a) (1) (B) is not satisfied, the fair market value of those assets which are not qualified export assets on the last day of such taxable year, or

(C) If neither of such conditions is satisfied, the sum of the amounts required by subparagraphs (A) and (B).

(2) *Reasonable cause for failure.*—The conditions under paragraph (1) shall be deemed satisfied in the case of a distribution made under such paragraph—

(A) If the failure to meet the requirements of subsection (a) (1) (A) or (B), and the failure to make such distribution prior to the date on which made, are due to reasonable cause; and

(B) The corporation pays, within the 30-day period beginning with the day on which such distribution is made, to the Secretary or his delegate, if such corporation makes such distribution after the 15th day of the ninth month after the close of the taxable year, an amount determined by multiplying (i) the amount equal to 4½ percent of such distribution, by (ii) the number of its taxable years which begin after the taxable year with respect to which such distribution is made and before such distribution is made. For purposes of this title, any payment made pursuant to this paragraph shall be treated as interest.

(3) *Certain distributions made within 8½ months after close of taxable year deemed for reasonable cause.*—A distribution made on or before the 15th day of the 9th month after the close of the taxable year shall be deemed for reasonable cause for purposes of paragraph (2) (A) if—

(A) At least 70 percent of the gross receipts of such corporation for such taxable year consist of qualified export receipts, and

(B) The adjusted basis of the qualified export assets held by the corporation on the last day of each month of the taxable year equals or exceeds 70 percent of the sum of the adjusted basis of all assets held by the corporation on such day.

(d) *Ineligible corporations.*—The following corporations shall not be eligible to be treated as a DISC—

(1) A corporation exempt from tax by reason of section 501,

(2) A personal holding company (as defined in section 542),

(3) A financial institution to which section 581 or 593 applies,

(4) An insurance company subject to the tax imposed by subchapter L,

(5) A regulated investment company (as defined in section 851(a)),

(6) A China Trade Act corporation receiving the special deduction provided in section 941(a), or

(7) An electing small business corporation (as defined in section 1371(b)).

(e) *Coordination with personal holding company provisions in case of certain produced film rents.*—If—

(1) A corporation (hereinafter in this subsection referred to as "subsidiary") was established to take advantage of the provisions of this part, and

(2) A second corporation (hereinafter in this subsection referred to as "parent") throughout the taxable year owns directly at least 80 percent of the stock of the subsidiary, then, for purposes of applying subsection (d) (2) and section 541 (relating to personal holding company tax) to the subsidiary for the taxable year, there shall be taken into account under section 543(a) (5) (relating to produced film rents) any interest in a film acquired by the parent and transferred to the subsidiary as if such interest were acquired by the subsidiary at the time it was acquired by the parent.

[Sec. 992 as added by sec. 501, Rev. Act 1971 (85 Stat. 535)]

[Sec. 992 as added by sec. 501, Rev. Act 1971 (85 Stat. 535)]

§ 1.992-1 Requirements of a DISC.

(a) *"DISC" defined.* The term "DISC" refers to a domestic international sales corporation. The term "DISC" means a corporation which, for a taxable year—

(1) Is duly incorporated and existing under the laws of any State or the District of Columbia,

(2) Satisfies the gross receipts test described in paragraph (b) of this section,

(3) Satisfies the assets test described in paragraph (c) of this section,

(4) Satisfies the capitalization requirement described in paragraph (d) of this section,

(5) Satisfies the requirement that an election to be treated as a DISC be in effect for such year, as described in paragraph (e) of this section,

(6) Has its own bank account on each day of the taxable year,

(7) Maintains separate books and records, and

(8) Is not an ineligible corporation described in paragraph (f) of this section.

The separate bank account requirement described in subparagraph (6) of this paragraph is satisfied by a corporation for any taxable year which either ends before April 30, 1972, or includes such date if such corporation has a separate bank account on or before April 30, 1972, and on each succeeding day of its taxable year which includes such date. Except as provided in the preceding sentence, in the case of a corporation which elects to be treated as a DISC for its first taxable year, the separate bank account requirement described in subparagraph (6) of this paragraph is satisfied if such corporation has a separate bank account on

the last day of the period within which such election must be made (as described in § 1.992-2(a)(2)) and on each succeeding day of such taxable year.

A corporation which satisfies the requirements described in subparagraphs (1) through (8) of this paragraph for a taxable year is treated as a separate corporation for Federal tax purposes and qualifies as a DISC, even though such corporation would not be treated (if it were not a DISC) as a corporate entity for Federal income tax purposes. An association cannot qualify as a DISC even if such association is taxable as a corporation pursuant to section 7701(a)(3). In addition, a corporation created or organized in, or under the law of, a possession of the United States cannot qualify as a DISC. The rules contained in this paragraph constitute a relaxation of the general rules of corporate substance otherwise applicable under the Code. The separate incorporation of a DISC is required under section 992(a)(1) to make it possible to keep a better record of the income which is subject to the special treatment provided by sections 991 through 996, but this does not necessitate in all other respects the separate relationships which otherwise would be required between a parent corporation and its subsidiary. However, this relaxation of the general rules of corporate substance does not apply with respect to other corporations in other contexts. In the case of a transaction between a DISC and a person related to such DISC for purposes of section 482, see § 1.993-1(l) for rules for determining whether income is income of a DISC to which the intercompany pricing rules authorized by section 994 apply.

(b) *Gross receipts test.* In order for a corporation described in paragraph (a) (1) of this section to be a DISC for a taxable year, 95 percent or more of its gross receipts (as defined in § 1.993-6 for such year must consist of qualified export receipts (as defined in § 1.993-1). Gross receipts for a taxable year are determined in accordance with the method of accounting adopted by the corporation pursuant to § 1.991-1(b)(2). However, for rules regarding gross receipts in the case of a commission sale by such corporation, see § 1.993-6. See § 1.992-3 with respect to distributions to meet qualification requirements in the event the requirements of this paragraph are not satisfied for the taxable year.

(c) *Assets test—(1) In general.* In order for a corporation described in paragraph (a)(1) of this section to be a DISC for a taxable year, the adjusted basis (determined under section 1011) of its qualified export assets (as defined in § 1.993-2) at the close of such year must equal or exceed 95 percent of the sum of the adjusted bases (determined under section 1011) of all assets of such corporation at the close of such year. See § 1.992-3 with respect to distributions to meet qualification requirements in the event the requirements of this paragraph are not satisfied for the taxable year.

(2) *Assets acquired to meet assets test.* For purposes of determining whether the requirements of subparagraph (1) of this paragraph are satisfied by a corporation at the end of a taxable year, an asset which is a qualified export asset (as defined in § 1.993-2) is treated as not being an asset of such corporation at such time if such asset is held for a total of 60 days or less and is acquired directly or indirectly through borrowing, unless the acquisition of such asset is established to the satisfaction of the Commissioner or his delegate to have been for bona fide purposes. Such acquisition is deemed to have been for bona fide purposes if, for example, it is made in the usual course of the corporation's trade or business.

(d) *Capitalization requirement—(1) In general.* In order for a corporation to be a DISC for a taxable year, such corporation must have, on each day of such taxable year, only one class of stock, and the par value (or, in the case of stock without par value, the stated value) of such corporation's outstanding stock, and the amount of cash or other property which was paid in, must be, on each day of such taxable year, at least \$2,500. In the case of a corporation which elects to be treated as a DISC for its first taxable year, the requirements of this subparagraph are satisfied if such corporation has no more than one class of stock at any time during such period and if the par value (or, in the case of stock without par value, the stated value) of such corporation's outstanding stock, and the amount of cash or other property paid in, is at least \$2,500 on the last day of the period within which such election must be made and on each succeeding day of such year. For purposes of this subparagraph, property paid in does not include notes or other evidences of indebtedness, under which a shareholder of such corporation is an obligor, received by such corporation in return for its stock. For purposes of this subparagraph, the stated value of shares is the aggregate amount of the consideration paid for such shares which is not allotted to paid in surplus, or other surplus. If a corporation has a realized or unrealized loss during a taxable year which results in the impairment of all or part of the capital required under this subparagraph, such impairment does not result in disqualification under this subparagraph, provided that such corporation does not take any legal or formal action under State law to reduce capital for such year below the amount required under this subparagraph. For example, if a corporation issues ten shares of stock at a par value of \$250 each, and received property other than cash worth \$2,500 in return, and because of market fluctuations the value of such property is reduced to \$1,500 at any time during a taxable year, such corporation is not disqualified from being treated as a DISC for that year solely because of such impairment of its capital. The sale, exchange, or other disposition of cash or other property paid in for stock shall not

result in the failure of a corporation to qualify as a DISC pursuant to this subparagraph, unless such transaction is a purchase of, or exchange for, a note or other evidence of indebtedness under which a shareholder of such corporation is an obligor.

(2) *Treatment of debt payable to shareholders—(i) In general.* Purported debt of a DISC payable to any person, whether or not such person is a shareholder or a member of a controlled group (as defined in § 1.993-1(k)) of which such DISC is a member, is treated as debt for all purposes of the Code, provided that such purported debt—

(a) Would qualify as debt for purposes of the Code if the DISC were a corporation which did not qualify as a DISC,

(b) Qualifies under subdivision (ii) of this subparagraph, or

(c) Are trade accounts payable described in subdivision (iii) of this subparagraph.

Such debt is not treated as stock, and interest payable by the DISC on such debt is treated as interest by both the DISC and the holder of such debt. Payment of the principal of such debt by a DISC does not constitute the payment of a dividend by such DISC. The provisions of this subparagraph apply for a taxable year of a DISC, even though debt described in this subparagraph would be treated as stock of the corporation if such corporation did not qualify as a DISC for such year.

(ii) *Safe harbor rule.* Purported debt of a DISC will in no event be treated as other than debt for purposes of subdivision (i) of this subparagraph if—

(a) It is a written obligation to pay a sum certain on or before a fixed maturity date,

(b) Interest is payable on such purported debt at an arm's length interest rate (as determined under § 1.482-2(a)(2)), expressed as a fixed dollar amount or a fixed percentage of principal,

(c) Such purported debt is not convertible into stock or into other purported debt unless such other purported debt qualifies under this subparagraph as debt of the DISC.

(d) Such purported debt does not confer voting rights upon its holder, except in the event of default thereon, and

(e) Interest and principal are paid in accordance with the terms of such purported debt or with any modification of such terms consistent with (a) through (d) of this subdivision.

The determination of whether purported debt of a DISC constitutes debt described in this subdivision is made without regard to the proportion of debt of the DISC held by any of its shareholders, to the ratio of the outstanding debt of the DISC to its equity, or to the amount of outstanding debt of such DISC. The provisions of (e) of this subdivision do not prevent the modification of the terms of debt of a DISC where, for example, a DISC becomes unable to make timely payments of principal required under such terms, provided that such modifi-

cation is consistent with (a) through (d) of this subdivision.

(iii) *Trade accounts payable.* Trade accounts payable of a DISC which arise in the normal course of its trade or business (such as in consideration for inventory or supplies) constitute debt of the DISC (whether or not such accounts payable are debt described in subdivision (1) (a) or (b) of this subparagraph), provided that such accounts are payable within 15 months after they arise. If such accounts are payable more than 15 months after they arise, they are debt of such DISC only if they are debt described in subdivision (1) (a) or (b) of this subparagraph.

(iv) *Relation of subparagraph to other corporations.* The provisions of this subparagraph generally constitute a relaxation of the ordinary rules used in determining whether purported debt of a corporation is debt or equity. This relaxation is in recognition of the principle that a corporation may qualify as a DISC even though it has relatively little capital. This relaxation does not apply with respect to purported debt of other corporations in other contexts. The provisions of subdivisions (1), (ii), and (iii) of this subparagraph apply only for taxable years for which a corporation qualifies (or is treated) as a DISC.

(3) *Classes of stock [Reserved]*

(e) *Election in effect.* In order for a corporation to be a DISC for a taxable year, an election to be treated as a DISC must be made by such corporation pursuant to § 1.992-2 and must be in effect for such taxable year. A corporation does not become or remain a DISC solely by making such an election. A corporation is a DISC for a taxable year only if such an election is in effect for that year and the corporation also satisfies the requirements of paragraphs (a) through (d) of this section. See § 1.992-2 for rules regarding the time and manner of making such an election.

(f) *Ineligible corporations.* The following corporations shall not be eligible to be treated as a DISC—

- (1) A corporation exempt from tax by reason of section 501,
- (2) A personal holding company (as defined in section 542),
- (3) A financial institution to which section 581 or 593 applies,
- (4) An insurance company subject to the tax imposed by subchapter L,
- (5) A regulated investment company (as defined in section 851(a)),
- (6) A China Trade Act corporation receiving the special deduction provided in section 941(a), or

(7) An electing small business corporation (as defined in section 1371(b)).

(g) *Status as DISC after having filed return as a DISC.* Under section 992(a) (2), notwithstanding the failure of a corporation to meet the requirements of paragraph (a) of this section for a taxable year, such corporation will be treated as a DISC for purposes of the Code for such taxable year (and, thus, will not be able to claim that it is not eligible to be a DISC) if—

(1) Such corporation files a return as a DISC for such taxable year,

(2) Such corporation does not notify the district director, more than 30 days before the expiration of the period of limitation (including extensions thereof) on assessment for underpayment of tax for such taxable year (as determined under section 6501 and the regulations thereunder), that it is not a DISC for such taxable year, and

(3) The Internal Revenue Service has not issued, within such period of limitation (including extensions thereof) on assessment for underpayment of tax for such taxable year, a notice of deficiency based on a determination that such corporation is not a DISC for such taxable year.

A corporation is treated as a DISC, for all purposes, pursuant to the provisions of this paragraph for any taxable year for which it meets the requirements of this paragraph, even if such corporation is an ineligible corporation described in paragraph (f) of this section for such taxable year. Thus, for example, a corporation which is treated as a DISC for a taxable year pursuant to this paragraph is treated as a DISC for that taxable year for purposes of § 1.992-2(e) (3) (relating to the termination of a DISC election if a corporation is not a DISC for each of any 5 consecutive taxable years). If a corporation is treated as a DISC for a taxable year pursuant to this paragraph, persons who held stock of such corporation at any time during such taxable year are treated, with respect to such stock, as holders of stock in a DISC for the period or periods during which they held such stock within such taxable year.

(h) *Definition of "former DISC."* Under section 992(a) (3), the term "former DISC" refers to a corporation which is not a DISC for a taxable year but which was (or was treated as) a DISC for a prior taxable year. However, a corporation is not a former DISC for a taxable year unless such corporation has, at the beginning of such taxable year, undistributed previously taxed income (as defined in § 1.996-3(c) or accumulated DISC income (as defined in § 1.996-3(b)). A corporation which is a former DISC for a taxable year is a former DISC for all purposes of the Code.

PAR. 2. Section 1992-1(f) is revised to read as follows:

§ 1.992-1 Requirements of a DISC.

(f) *Ineligible corporations.* The following corporations shall not be eligible to be treated as a DISC—

- (1) A corporation exempt from tax by reason of section 501,
- (2) A personal holding company (as defined in section 542),
- (3) A financial institution to which section 581 or 593 applies,
- (4) An insurance company subject to the tax imposed by Subchapter L,
- (5) A regulated investment company (as defined in section 851(a)),
- (6) A China Trade Act corporation receiving the special deduction provided in section 941(a), or

(7) An electing small business corporation (as defined in section 1371(b)).

PAR. 3. The following new sections are added immediately after § 1.992-1:

§ 1.992-2 Election to be treated as a DISC.

(a) *Manner and time of election—(1) Manner—(i) In general.* A corporation can elect to be treated as a DISC for a taxable year beginning after December 31, 1971. Except as provided in subdivision (ii) of this subparagraph, the election is made by the corporation filing Form 4876 with the service center with which it would file its income tax return if it were subject for such taxable year to all the taxes imposed by subtitle A of the Internal Revenue Code of 1954, and a copy of the completed Form 4876 with the Commissioner of Internal Revenue (Attention: ACTS:A: AO), Washington, D.C. 20224. The form shall be signed by any person authorized to sign a corporation return under section 6062, and shall contain the information required by such form. Except as provided in paragraphs (b) (3) and (c) of this section, such election to be treated as a DISC shall be valid only if the consent of every person who is a shareholder of the corporation as of the beginning of the first taxable year for which such election is effective is on or attached to such Form 4876 when filed with the service center.

(ii) *Transitional rule for corporations electing during 1972.* If the first taxable year for which an election by a corporation to be treated as a DISC is a taxable year beginning after December 31, 1971, and on or before December 31, 1972, such election may be made either in the manner prescribed in subdivision (i) of this subparagraph or by filing, at the place prescribed in subdivision (i) of this subparagraph, a statement captioned "Election to be Treated as a DISC." Such statement of election shall be valid only if the consent of each shareholder is filed with the service center in the form, and at the time, prescribed in paragraph (b) of this section. Such statement shall be signed by any person authorized to sign a corporation return under section 6052 and shall include the name, address, and employer identification number (if known) of the corporation, the beginning date of the first taxable year for which the election is effective, the number of shares of stock of the corporation issued and outstanding as of the earlier of the beginning of the first taxable year for which the election is effective or the time the statement is filed, the number of shares held by each shareholder as of the earlier of such dates, and the date and place of incorporation. As a condition of the election being effective, a corporation which elects to become a DISC by filing a statement in accordance with this subdivision must furnish (to the service center with which the statement was filed) such additional information as is required by Form 4876 by March 31, 1973.

(2) *Time of making election*—(1) *In general.* In the case of a corporation making an election to be treated as a DISC for its first taxable year, such election shall be made within 90 days after the beginning of such taxable year. In the case of a corporation which makes an election to be treated as a DISC for any taxable year beginning after March 31, 1972 (other than the first taxable year of such corporation), the election shall be made during the 90-day period immediately preceding the first day of such taxable year.

(i) *Transitional rules for certain corporations electing during 1972.* In the case of a corporation which makes an election to be treated as a DISC for a taxable year beginning after December 31, 1971, and on or before March 31, 1972 (other than its first taxable year), the election shall be made within 90 days after the beginning of such taxable year.

(b) *Consent by shareholders*—(1) *In general*—(i) *Time and manner of consent.* Under paragraph (a) (1) (i) of this section, subject to certain exceptions, the election to be treated as a DISC is not valid unless each person who is a shareholder as of the beginning of the first taxable year for which the election is effective signs either the statement of consent on Form 4876 or a separate statement of consent attached to such form. A shareholder's consent is binding on such shareholder and all transferees of his shares and may not be withdrawn after a valid election is made by the corporation. In the case of a corporation which files an election to become a DISC for a taxable year beginning after December 31, 1972, if a person who is a shareholder as of the beginning of the first taxable year for which the election is effective does not consent by signing the statement of consent set forth on Form 4876, such election shall be valid (except in the case of an extension of the time for filing granted under the provisions of subparagraph (3) of this paragraph or paragraph (c) of this section) only if the consent of such shareholder is attached to the Form 4876 upon which such election is made.

(ii) *Form of consent.* A consent other than the statement of consent set forth on Form 4876 shall be in the form of a statement which is signed by the shareholder and which sets forth (a) the name and address of the corporation and of the shareholder and (b) the number of shares held by each such shareholder as of the time the consent is made and (if the consent is made after the beginning of the corporation's taxable year for which the election is effective) as of the beginning of such year. If the consent is made by a recipient of transferred shares pursuant to paragraph (c) of this section, the statement of consent shall also set forth the name and address of the person who held such shares as of the beginning of such taxable year and the number of such shares. Consent shall be made in the following form: "I (insert name of shareholder), a shareholder of (insert name of corporation seeking to make the election) consent to

the election of (insert name of corporation seeking to make the election) to be treated as a DISC under section 992(b) of the Internal Revenue Code. The consent so made by me is irrevocable and is binding upon all transferees of my shares in (insert name of corporation seeking to make the election)." The consents of all shareholders may be incorporated in one statement.

(iii) *Who may consent.* Where stock of the corporation is owned by a husband and wife as community property (or the income from such stock is community property), or is owned by tenants in common, joint tenants, or tenants by the entirety, each person having a community interest in such stock or the income therefrom and each tenant in common, joint tenant, and tenant by the entirety must consent to the election. The consent of a minor shall be made by his legal guardian or by his natural guardian if no legal guardian has been appointed. The consent of an estate shall be made by the executor or administrator thereof. The consent of a trust shall be made by the trustee thereof. The consent of an estate or trust having more than one executor, administrator, or trustee, may be made by any executor, administrator, or trustee, authorized to make a return of such estate or trust pursuant to section 6012(b)(5). The consent of a corporation or partnership shall be made by an officer or partner authorized pursuant to section 6062 or 6063, as the case may be, to sign the return of such corporation or partnership. In the case of a foreign person, the consent may be signed by any individual (whether or not a U.S. person) who would be authorized under sections 6061 through 6063 to sign the return of such foreign person if he were a U.S. person.

(2) *Transitional rule for corporations electing during 1972.* In the case of a corporation which files an election to be treated as a DISC for a taxable year beginning after December 31, 1971, and on or before December 31, 1972, such election shall be valid only if the consent of each person who is a shareholder as of the beginning of the first taxable year for which such election is effective is filed with the service center with which the election was filed within 90 days after the first day of such taxable year or within the time granted for an extension of time for filing such consent. The form of such consent shall be the same as that prescribed in subparagraph (1) of this paragraph. Such consent shall be attached to the statement of election or shall be filed separately (with such service center) with a copy of the statement of election. An extension of time for filing a consent may be granted in the manner, and subject to the conditions, described in subparagraph (3) of this paragraph.

(3) *Extension of time to consent.* An election which is timely filed and would be valid except for the failure to attach the consent of any shareholder to the Form 4876 upon which the election was made or to comply with the 90-day requirement in subparagraph (2) of this

paragraph or paragraph (c) (1) of this section, as the case may be, will not be invalid for such reason if it is shown to the satisfaction of the service center that there was reasonable cause for the failure to file such consent, and if such shareholder files a proper consent to the election within such extended period of time as may be granted by the Internal Revenue Service. In the case of a late filing of a consent, a copy of the Form 4876 or statement of election shall be attached to such consent and shall be filed with the same service center as the election. The form of such consent shall be the same as that set forth in paragraph (b) (1) (ii) of this section. In no event can any consent be made pursuant to this paragraph on or after the last day of the first taxable year for which a corporation elects to be treated as a DISC.

(c) *Consent by holder of transferred shares*—(1) *In general.* If a shareholder of a corporation transfers—

(i) Prior to the first day of the first taxable year for which such corporation elects to be treated as a DISC, some or all of the shares held by him without having consented to such election, or

(ii) On or before the 90th day after the first day of the first taxable year for which such corporation elects to be treated as a DISC, some or all of the shares held by him as of the first day of such year (or if later, held by him as of the time such shares are issued) without having consented to such election, then consent may be made by any recipient of such shares on or before the 90th day after the first day of such first taxable year. If such recipient fails to file his consent on or before such 90th day, an extension of time for filing such consent may be granted in the manner, and subject to the conditions, described in paragraph (b) (3) of this section. In addition, if the transfer occurs more than 90 days after the first day of such taxable year, an extension of time for filing such consent may be granted to such recipient only if it is determined under paragraph (b) (3) of this section that an extension of time would have been granted the transferor for the filing of such consent if the transfer had not occurred. A consent which is not attached to the original Form 4876 or statement of election (as the case may be) shall be filed with the same service center as the original Form 4876 or statement of election and shall have attached a copy of such original form or statement of election. The form of such consent shall be the same as that set forth in paragraph (b) (1) (ii) of this section. For the purposes of this paragraph, a transfer of shares includes any sale, exchange, or other disposition, including a transfer by gift or at death.

(2) *Requirement for the filing of an amended Form 4876 or statement of election.* In any case in which a consent to a corporation's election to be treated as a DISC is made pursuant to subparagraph (1) of this paragraph, such corporation must file an amended Form 4876 or statement of election (as the case may be)

reflecting all changes in ownership of shares. Such form must be filed with the same service center with which the original Form 4876 or statement of election was filed by such corporation.

(d) *Effect of election*—(1) *Effect on corporation.* A valid election to be treated as a DISC remains in effect (without regard to whether the electing corporation qualifies as a DISC for a particular year) until terminated by any of the methods provided in paragraph (e) of this section. While such election is in effect, the electing corporation is subject to sections 991 through 997 and other provisions of the Code applicable to DISC's for any taxable year for which it qualifies as a DISC (or is treated as qualifying as a DISC pursuant to § 1.992-1(g)). Such corporation is also subject to such provisions for any taxable year for which it is treated as a former DISC as a result of qualifying or being treated as a DISC for any taxable year for which such election was in effect.

(2) *Effect on shareholders.* A valid election by a corporation to be treated as a DISC subjects the shareholders of such corporation to the provisions of section 995 (relating to the taxation of the shareholders of a DISC or former DISC) and to all other provisions of the Code relating to the shareholders of a DISC or former DISC. Such provisions of the Code apply to any person who is a shareholder of a DISC or former DISC whether or not such person was a shareholder at the time the corporation elected to become a DISC.

(e) *Termination of election*—(1) *In general.* An election to be treated as a DISC is terminated only as provided in subparagraph (2) or (3) of this paragraph.

(2) *Revocation of election*—(i) *Manner of revocation.* An election by a corporation to be treated as a DISC may be revoked by the corporation for any taxable year of the corporation after the first taxable year for which the election is effective. Such revocation shall be made by the corporation filing a statement that the corporation revokes its election under section 992(b) to be treated as a DISC. Such statement shall indicate the corporation's name, address, employer identification number, and the first taxable year of the corporation for which the revocation is to be effective. The statement shall be signed by any person authorized to sign a corporation return under section 6062. Such revocation shall be filed with the service center with which the corporation filed its election, except that, if it filed an annual information return under section 6011(e)(2), the revocation shall be filed with the service center with which it filed its last such return.

(ii) *Years for which revocation is effective.* If a corporation files a statement revoking its election to be treated as a DISC during the first 90 days of a taxable year (other than the first taxable year for which such election is effective), such revocation will be effective for such taxable year and all taxable years thereafter. If the corporation files

a statement revoking its election to be treated as a DISC after the first 90 days of a taxable year, the revocation will be effective for all taxable years following such taxable year.

(3) *Continued failure to be a DISC.* If a corporation which has elected to be treated as a DISC does not qualify as a DISC (and is not treated as a DISC pursuant to § 1.992-1(g)) for each of any 5 consecutive taxable years, such election terminates and will not be effective for any taxable year after such fifth taxable year. Such termination will be effective automatically, without notice to such corporation or to the Internal Revenue Service. If, during any 5-year period for which an election is effective, the corporation should qualify as a DISC (or be treated as a DISC pursuant to § 1.992-1(g)) for a taxable year, a new 5-year period shall automatically start at the beginning of the following taxable year.

(4) *Election after termination.* If a corporation has made a valid election to be treated as a DISC and such election terminates in either manner described in subparagraph (2) or (3) of this paragraph, such corporation is eligible to reelect to be treated as a DISC at any time by following the procedures described in paragraphs (a) through (c) of this section. If a corporation terminates its election and subsequently reelects to be treated as a DISC, the corporation and its shareholders continue to be subject to sections 995 and 996 with respect to the period during which its first election was in effect. Thus, for example, distributions upon disqualification includible in the gross incomes of shareholders of a corporation pursuant to section 995(b)(2) continue to be so includible for taxable years for which a second election of such corporation is in effect without regard to the second election.

§ 1.992-3 Deficiency distributions to meet qualification requirements.

(a) *In general.* A corporation which meets the requirements described in § 1.992-1 for treatment as a DISC for a taxable year, other than the 95 percent of gross receipts test described in § 1.992-1(b) or the 95-percent assets test described in § 1.992-1(c), or both tests, may nevertheless qualify as a DISC for such year by making deficiency distributions (attributable to its gross receipts other than qualified export receipts and its assets other than qualified export assets) if all of the following requirements are satisfied:

(1) The corporation distributes the amount determined under paragraph (b) of this section as a deficiency distribution. The amount of a deficiency distribution is determined without regard to the amount by which the corporation fails to meet either test.

(2) The reasonable cause requirements prescribed in paragraph (c)(1) of this section are satisfied with respect to both the corporation's failure to meet either test and its failure to make a deficiency distribution prior to the time the distribution is made.

(3) The corporation makes such deficiency distribution pro rata to all its shareholders.

(4) [Reserved]

See sections 246(d), 904(f), 995, and 996 for rules regarding the treatment of a deficiency distribution to meet qualification requirements by the shareholders and the corporation.

(b) *Amount of deficiency distribution*—(1) *In general.* In order to meet the requirements of paragraph (a) of this section, the amount of a deficiency distribution must be, if the corporation fails to meet—

(i) The 95 percent of gross receipts test, the amount determined in subparagraph (2) of this paragraph,

(ii) The 95-percent assets test, the amount determined in subparagraph (3) of this paragraph, and

(iii) Both such tests, except as provided in subparagraph (4) of this paragraph, the sum of the amounts determined in subparagraphs (2) and (3) of this paragraph.

(2) *Computation of deficiency distribution to meet 95 percent of gross receipts test.*—(i) *In general.* If a corporation fails to meet the 95 percent of gross receipts test described in § 1.992-1(b) for its taxable year, the amount of the deficiency distribution required by this subparagraph is an amount equal to the sum of its taxable income (if any) from each transaction giving rise to gross receipts (as defined in § 1.993-6) which are not qualified export receipts (as defined in § 1.993-1). A corporation's taxable income from a transaction shall be the amount of such gross receipts from such transaction reduced only by (a) its cost of goods sold attributable to such gross receipts, and by (b) its expenses, losses, and other deductions properly apportioned or allocated thereto in a manner consistent with the rules set forth in § 1.861-8. For purposes of this subdivision, however, any expenses, losses, or other deductions which cannot definitely be allocated to some item or class of gross income in such manner shall not reduce such gross receipts. If the corporation is a commission agent for a principal in a transaction, the corporation's taxable income is the amount of the commission from such transaction reduced only by the amounts described in (b) of this subdivision.

(ii) *Example.* The provisions of this subparagraph may be illustrated by the following example:

Example. (a) X and Y are calendar year taxpayers. X, a domestic manufacturing company, owns all the stock of Y, which seeks to qualify as a DISC for 1973. During 1973, X manufactures a machine which is eligible to be export property as defined in § 1.993-3. Y enters into a written supplier's agreement with X, whereby Y is made a commission agent with respect to exporting such machine, which satisfies the requirements of § 1.993-1(1). Under the supplier's agreement, Y is to receive a commission. Thereafter, during 1973 Y is considered to receive gross receipts of \$100,000, as determined under section 993(f), attributable to X's sale of the machine in a manner which causes the gross receipts to be ex-

cluded receipts pursuant to section 993(a) (2) and, therefore, not qualified export receipts. Y's total gross receipts for 1973 are \$1 million of which \$900,000 (i.e., 90 percent) are qualified export receipts. Therefore, Y does not satisfy the 95 percent of gross receipts test for 1973 because less than 95 percent of its gross receipts are qualified export receipts. Y has \$9,000 of expenses properly apportioned or allocated to its gross income from such sale and \$1,000 of other expenses which cannot definitely be allocated to some item or class of gross income, determined in a manner consistent with the rules set forth in § 1.861-8. In order to satisfy the 95 percent of gross receipts test for 1973, if the commission due from X to Y under the supplier's agreement of the parties were \$15,000, Y must make a deficiency distribution of \$6,000 computed as follows:

Y's commission (gross income) from the transaction.....	\$15,000
Less: Y's expenses apportioned or allocated to its gross income from the transaction.....	9,000

Required deficiency distribution by reason of \$100,000 of gross receipts which are not qualified export receipts	6,000
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(b) If the commission due from X to Y under the supplier's agreement of the parties were \$9,400, resulting in a net loss of \$600 to Y (\$9,400 to \$10,000), Y must make a deficiency distribution of \$400 computed as follows:

Y's commissions (gross income) from the transaction.....	9,400
Less: Y's expenses apportioned or allocated to its gross income from the transaction.....	9,000

Required deficiency distribution by reason of \$100,000 of gross receipts which are not qualified export receipts	400
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(c) If the commission due from X to Y under the commission agreement of the parties were \$8,500, Y would not be required to make a deficiency distribution since, under this subparagraph, there would be no taxable income attributable to gross receipts from the sale.

(3) *Computation of deficiency distribution to meet 95 percent assets test*—(i) *In general.* If a corporation fails to meet the 95 percent assets test described in § 1.992-1(c) for its taxable year, the amount of the deficiency distribution required by this subparagraph is an amount equal to the fair market value as of the last day of such taxable year of the assets which are not qualified export assets held by such corporation on such last day.

(ii) *Asset held for more than 1 year.* In the case of a corporation which holds continuously an asset which is not a qualified export asset at the close of more than 1 taxable year, it must distribute an amount equal to its fair market value (or, if greater, the amount determined under subparagraph (4) of this paragraph) only once if, at the close of the first such taxable year, such corporation reasonably believed that such asset was a qualified export asset. This subdivision shall not apply for any taxable year beginning after the date the corporation knows (or a reasonable man would have known) that an asset is not a qualified export asset and in order to qualify for

each such year, the corporation must distribute the fair market value of such asset for each such year.

(4) *Computation in the case of a failure to meet both tests as a result of a single transaction.* If a corporation fails to meet both the 95 percent of gross receipts test and the 95 percent assets test for a taxable year, and if the corporation holds at the end of such year assets (other than cash or qualified export assets) which were received as proceeds of a sale or exchange during such year which resulted in gross receipts other than qualified export receipts, then the amount of the deficiency distribution required by this paragraph with respect to such sale or exchange and assets held is the larger of the amount required by subparagraph (2) of this paragraph with respect to the sale or exchange or the amount required by subparagraph (3) of this paragraph with respect to such assets held. Thus, for example, if a corporation sells property which is not a qualified export asset for \$100, receives \$85 in cash and a note for \$15, and derives \$25 of taxable income from the sale as determined under subparagraph (2) of this paragraph, it must distribute \$25. If the provisions of this subparagraph are applied with respect to assets of a DISC, (other than qualified export assets), such provisions do not apply to any property received as proceeds from a sale or exchange of such assets.

(c) *Reasonable cause for failure*—(1) *In general.* If for a taxable year, a corporation has failed to meet the 95 percent of gross receipts test, the 95 percent assets test, or both tests, such corporation may satisfy any such test for such year by means of a deficiency distribution in the amount determined under paragraph (b) of this section only if the reasonable cause requirements of this subparagraph are satisfied. Such reasonable cause requirements are satisfied if—

(i) There is reasonable cause (as determined in accordance with subparagraph (2) of this paragraph) for such corporation's failure to satisfy such test and to make such distribution prior to the date on which it was made, the time limit in subparagraph (3) of this paragraph for making the distribution is satisfied, and interest (if required) is paid in the amount and in the manner prescribed by subparagraph (4) of this paragraph, or

(ii) The time and "70-percent" requirements of the reasonable cause test of paragraph (d) of this section are satisfied.

(2) *Determination of reasonable cause.* In general, whether a corporation's failure to meet the 95 percent of gross receipts test, the 95 percent assets test, or both tests for a taxable year and its failure to make a pro rata distribution prior to the date on which it was made will be considered for reasonable cause where the action or inaction which resulted in such failure occurred in good faith, such as failure to meet the 95 percent assets test resulting from blocked currency or expropriation, or failure to

meet either test because of reasonable uncertainty as to what constitutes a qualified export receipt or a qualified export asset. For further examples, if a corporation's reasonable determination of the percentage of its total gross receipts that are qualified export receipts is subsequently redetermined to be less than 95 percent as a result of a price adjustment by the Internal Revenue Service under section 482, or if the corporation has a casualty loss for which it receives an unanticipated insurance recovery which causes its qualified export receipts to be less than 95 percent of its total gross receipts, then the failure to satisfy the 95 percent of gross receipts test is considered to be due to reasonable cause.

(3) *Time limit for deficiency distribution.* Except as otherwise provided in this subparagraph, the time limit prescribed by this subparagraph for making a deficiency distribution is satisfied if the amount of the distribution required by paragraph (b) of this section is made within 90 days from the date of the first written notification to the corporation by the Internal Revenue Service that it had not satisfied the 95 percent of gross receipts test or the 95 percent assets test or both tests, for a taxable year. Upon a showing by the corporation that an extension of the 90-day time limit is reasonable and necessary, the Commissioner may grant such extension of such time limit. In any case in which a corporation contests the decision of the Internal Revenue Service that such corporation has not met the 95 percent of gross receipts test, the 95 percent assets test, or both tests, an extension of the 90-day time limit will be allowed until 30 days after the final determination of such contest. The date of the final determination of such contest shall, for purposes of section 992(c), be established in the manner specified in subdivisions (i) through (iv) of this subparagraph:

(i) The date of final determination by a decision of the United States Tax Court is the date upon which such decision becomes final, as prescribed in section 7481.

(ii) The date of final determination in a case which is contested in a court (and upon which there is a judgment) other than the Tax Court is the date upon which the judgment becomes final and will be determined on the basis of the facts and circumstances of each particular case. For example, ordinarily a judgment of a United States district court becomes final upon the expiration of the time allowed for taking an appeal, if no such appeal is duly taken within such time; and a judgment of the United States Court of Claims becomes final upon the expiration of the time allowed for filing a petition for certiorari if no such petition is duly filed within such time.

(4) *Payment of interest for delayed distribution*—(i) *In general.* If a corporation makes a deficiency distribution after the 15th day of the ninth month after the close of the taxable year with respect to which such distribution is made, such distribution will not be

deemed to satisfy the 95 percent of gross receipts test or the 95 percent assets test for such year unless such corporation pays to the Internal Revenue Service a charge determined by multiplying (a) an amount equal to 4½ percent of such distribution by (b) the number of its taxable years which begin (1) after the taxable year with respect to which the distribution is made and (2) before such distribution is made. Such charge must be paid, within the 30-day period beginning with the day on which such distribution is made, to the service center with which the corporation files its annual information return for its taxable year in which the distribution is made. For purposes of the Internal Revenue Code, such charge is considered interest.

(ii) *Example.* The provisions of subdivision (i) of this subparagraph may be illustrated by the following example:

Example. X corporation, which uses the calendar year as its taxable year, meets the 95 percent assets test but fails to meet the 95 percent of gross receipts test for 1972 and does not by September 15, 1973, make the deficiency distribution required by reason of its failure to meet such test. Assume that reasonable cause exists for the corporation's failure to meet the 95 percent of gross receipts test and failure to make the required deficiency distribution. If X makes the required deficiency distribution, in the amount of \$10,000, on April 1, 1976, X must pay on or before April 30, 1976, to the service center with which it files its annual information return a charge of \$1,800, computed as follows:

Deficiency distribution made by X.....	\$10,000
Multiplied by 4½ percent.....	.045
Intermediate product.....	450
Multiplied by: Number of X's taxable years beginning after 1972 and before April 1, 1976.....	4
Charge to be paid service center because of late deficiency distribution (which is considered interest)	1,800

(d) *Certain distributions deemed for reasonable cause.* If a corporation makes a distribution in the amount required by paragraph (b) of this section with respect to a taxable year on or before the 15th day of the ninth month after the close of such year, it will be deemed to have acted with reasonable cause with respect to its failure to satisfy the 95 percent of gross receipts test, the 95 percent assets test, or both tests, for such year and its failure to make such distribution prior to the date on which the distribution was made if—

(1) At least 70 percent of the gross receipts of such corporation for such taxable year consist of qualified export receipts, and

(iii) The date of a final determination by a closing agreement, made under section 7121, is the date such agreement is approved by the Commissioner.

(iv) A final determination under section 992(c) may be made by an agreement signed by the district director or director of the service center with which the corporation files its annual return or by such other official to which author-

ity to sign has been delegated, and by or on behalf of the taxpayer. The agreement shall set forth the total amount of the deficiency distribution to be paid to the shareholders of the DISC for the taxable year or years. An agreement under this subdivision shall be sent to the taxpayer at his last known address by either registered or certified mail. If registered mail is used for such purpose, the date of registration is considered the date of final determination; if certified mail is used for such purpose, the date of postmark on the sender's receipt for such mail is considered the date of final determination. If the corporation makes a deficiency distribution before such registration or postmark date but on or after the date the district director or director of the service center or other official has signed the agreement, the date of signature by the district director or director of the service center or other official is considered the date of final determination. If the corporation makes a deficiency distribution before the district director or director of the service center or other official signs the agreement, the date of final determination is considered to be the date of the making of the deficiency distribution. During any extension of time the interest charge provided in subparagraph (4) of this paragraph will continue to accrue at the rate provided for in such subparagraph.

(2) The sum of the adjusted bases of the qualified export assets held by such corporation on the last day of each month of the taxable year equals or exceeds 70 percent of the sum of the adjusted bases of all assets held by the corporation on each such day.

§ 1.992-4 Coordination with personal holding company provisions in case of certain produced film rents.

(a) *In general.* Section 992(d) (2) provides that a personal holding company is not eligible to be treated as a DISC. Section 543(a) (5) (B) provides that, for purposes of section 543, the term "produced film rents" means payments received with respect to an interest in a film for the use of, or the right to use, such film, but only to the extent that such interest was acquired before substantial completion of production of such film. Under section 992(e), if such produced film rents are included in the ordinary gross income (as defined in section 543(b) (1)) of a qualified subsidiary for a taxable year of such subsidiary, and such interest was acquired by such subsidiary from its parent, such interest is deemed (for purposes of the application of sections 541, 543(b) (1), and 992(d) (2), and § 1.992-1(f) for such taxable year) to have been acquired by such subsidiary at the time such interest was acquired by such parent. Thus, for example, if a parent acquires an interest in a film before it is substantially completed, then substantially completes such film prior to transferring an interest in such motion picture to a qualified subsidiary, the qualified subsidiary is considered as having acquired such interest

prior to substantial completion of such motion picture for purposes of determining whether payments from the rental of such motion picture will be classified as produced film rents of such subsidiary. The provisions of section 992 (e) and this section are not applicable in determining whether payments received with respect to an interest in a film are included in the ordinary gross income of a parent or a qualified subsidiary. Thus, even though a qualified subsidiary is treated pursuant to this section as having acquired an interest in a film at the time such interest was acquired by such subsidiary's parent, payments received by such parent with respect to such interest prior to the transfer of such interest to such subsidiary are includible in the ordinary gross income of such parent and not includible in the ordinary gross income of such subsidiary.

(b) *Definitions.*—(1) "Qualified subsidiary". For purposes of this section, a corporation is a qualified subsidiary for a taxable year if—

(i) Such corporation was established for the purpose of becoming a DISC,

(ii) Such corporation would qualify (or be treated) as a DISC for such taxable year if it is not a personal holding company, and

(iii) On every day of such taxable year on which shares of such corporation are outstanding, at least 80 percent of such shares are held directly by a second corporation.

(2) "Parent". For purposes of this section, the term "parent" means a second corporation referred to in subparagraph (1) (iii) of this paragraph.

PAR. 4. Subparagraph (4) of § 1.442-1 (c) is revised to read as follows:

§ 1.442-1 Change of annual accounting period.

(c) *Special rule for certain corporations.* * * *

(4) A corporation which is an electing small business corporation (as defined in section 1371(b)) or a DISC (as defined in section 992(a) (1)) during the short period required to effect the change of annual accounting period may change its taxable year only if it secures the prior approval of the Commissioner in accordance with paragraph (b) (1) of this section. This subparagraph shall apply only if such short period ends after February 28, 1959. See subparagraphs (3) (ii) and (4) of § 1.991-1(b) for special rules relating to the change of a DISC's annual accounting period during 1972.

PAR. 5. The first two sentences of paragraph (a) of § 1.1502-77 are revised to read as follows:

§ 1.1502-77 Common parent agent for subsidiaries.

(a) *Scope of agency of common parent corporation.* The common parent, for all purposes (other than the making of the consent required by paragraph (a) (1) of § 1.1502-75, the making of an election to

be treated as a DISC under § 1.992-2, and a change of the annual accounting period pursuant to paragraph (b) (3) (ii) of § 1.991-1 shall be the sole agent for each subsidiary in the group, duly authorized to act in its own name in all matters relating to the tax liability for the consolidated return year. Except as provided in the preceding sentence, no subsidiary shall have authority to act for or to represent itself in any such matter. * * *

[FR Doc. 74-22294 Filed 9-24-74; 8:45 am]

Title 32—National Defense

CHAPTER VII—DEPARTMENT OF THE AIR FORCE

SUBCHAPTER O—SPECIAL INVESTIGATION POLICIES AND AUTHORITY

A new Subchapter O, Special Investigation, consisting of five parts, is added to inform the general public of certain Air Force policies and authority relating to this area.

Chapter VII of Title 32 of the Code of Federal Regulations is amended by the inclusion of a new Subchapter O, containing Parts 950, 951, 952, 953, 954, and 955 (with Parts 956-999 to be reserved under this subchapter).

NOTE: Parts 950-999 were previously reserved under Subchapter N. Subchapter O—Special Investigation, is added to read as follows:

PART 950—AUTHORITY TO ADMINISTER OATHS

Sec.

- 950.1 Purpose.
950.2 Who is authorized to administer oaths.
950.3 Source of authority.
950.4 Scope of authority.
950.5 Termination of authority.

AUTHORITY: 10 U.S.C. 8012, unless otherwise indicated.

§ 950.1 Purpose.

(a) This part states who is authorized to administer oaths in connection with certain official investigative duties and cites the laws containing such authority.

(b) Part 806 of this chapter states the basic policies and instructions governing the disclosure of records and tells members of the public what they must do to inspect or obtain copies of the material referenced herein.

§ 950.2 Who is authorized to administer oaths.

Special Agents of the Office of Special Investigations, The Inspector General, USAF are authorized to administer oaths in connection with official investigative duties within the scope of the laws cited in § 950.3. Special agents are persons, both military and civilian, who have been designated as special agents as stated in Part 951 of this subchapter and by issuance of the OSI Agent Identification credential.

§ 950.3 Source of authority.

Authority to administer oaths is contained in the Uniform Code of Military Justice, Article 136, for military investi-

gators, and in 5 U.S.C. 303, for civilian investors.

§ 950.4 Scope of authority.

In conformity with the laws cited in § 950.3, this authority applies to official investigative duties prescribed in Air Force Regulation (AFR) 23-18 (Air Force Office of Special Investigation). It does not permit personnel so authorized to administer oaths or to take sworn statements in connection with other matters.

§ 950.5 Termination of authority.

The authority vested in individual military and civilian special agents of the Office of Special Investigation under the provisions of this part will terminate when the special agent is reassigned to duties other than those performed by the Office of Special Investigations, or upon withdrawal of authorized credentials.

PART 951—AIR FORCE OFFICE OF SPECIAL INVESTIGATIONS SPECIAL AGENTS

Sec.

- 951.1 Purpose.
951.2 Special Agents.

AUTHORITY: 10 U.S.C. 8012.

§ 951.1 Purpose.

(a) This part explains AFOSI special agents.

(b) Part 806 of this chapter states the basic policies and instructions governing the disclosure of records and tells members of the public what they must do to inspect or obtain copies of the material referenced herein.

§ 951.2 Special Agents.

A "Special Agent" is authorized to conduct investigations in accordance with Air Force Regulation (AFR) 23-18 (Air Force Office of Special Investigations). Each agent is issued a badge and credentials to identify him as an accredited agent. While he is engaged in an investigation, a Special Agent may:

(a) Enter any U.S. Air Force installation or off-limits area not specifically prohibited by Air Force directives for security reasons, and

(b) Have access to such documents, records, publications, files and persons necessary for the successful conduct of the investigation.

PART 952—REQUESTS FOR INVESTIGATION: SAFEGUARDING, HANDLING, AND RELEASE OF INFORMATION ON OFFICE OF SPECIAL INVESTIGATION REPORTS

Sec.

- 952.1 Purpose.
952.2 Definitions.
952.3 Initiating an OSI investigation.
952.4 How to submit request for investigation.
952.5 Safeguarding OSI reports.
952.6 Special handling of OSI reports required.
952.7 Use of OSI reports.
952.8 Preparation and release of extracts or summaries.
952.9 Rules for release of OSI reports outside the Air Force.
952.10 Handling investigative reports of other agencies.

AUTHORITY: 10 U.S.C. 8012, unless otherwise indicated.

§ 952.1 Purpose.

(a) This part tells how to request an investigation by the Office of Special Investigations and explains how, when, and to whom such reports and information may be released.

(b) Part 806 of this chapter states the basic policies and instructions governing the disclosure of records and tells members of the public what they must do to inspect or obtain copies of the material referenced herein.

§ 952.2 Definitions.

(a) *OSI report.* An official record of the results of OSI investigative activity. As used here, it includes all OSI reports, whether formal or in letter or memorandum form, together with exhibits, statements, and other attachments.

(b) *Subject.* A person whose background or activities are or have been under investigation, or who is suspected or accused of having committed an offense.

§ 952.3 Initiating an OSI investigation.

An OSI investigation (Air Force Regulation (AFR) 23-18 (Air Force Office of Special Investigations) pertains to matters within the OSI investigative jurisdiction) may be initiated:

(a) At the request of an Air Force commander responsible for the security, discipline, and law enforcement of a command or installation. Normally, the request will come from the appropriate Air Force installation commander or higher authority.

(b) By an OSI district commander when delay in obtaining the commander's concurrence would handicap the investigation. The written concurrence of the commander will be obtained as soon as possible after the investigation has begun.

(c) At the request of any other authoritative official sources with a legitimate interest in the matter to be investigated.

NOTE: When an appropriate commander or other authoritative source requests that an OSI district not investigate a matter which clearly is within OSI investigative jurisdiction, the district will comply with the request and promptly notify the Director of Special Investigations of the circumstances.

§ 952.4 How to submit request for investigation.

The request for an investigation will be sent directly to the appropriate OSI servicing element together with available information on the matter to be investigated. An oral request for an investigation must be confirmed promptly in writing.

§ 952.5 Safeguarding OSI reports.

Each OSI report is privileged within the meaning of paragraph 151, Manual for Courts-Martial 1969 (Rev.), and retains this privilege regardless of classification or absence thereof.

§ 952.6 Special handling of OSI reports required.

(a) Access to an OSI report or the information contained therein will not be

granted to an individual solely on the basis of grade, title, or position.

(b) Access to an OSI report or the information contained therein will not be granted to any individual unless required in direct connection with the performance of official duties and then only in strict compliance with this part.

(c) Any unauthorized disclosure of an OSI report of investigation or of the information contained therein will be immediately reported to OSI.

§ 952.7 Use of OSI reports.

(a) No information that might disclose confidential investigative sources, methods, or procedures will be revealed to any person, unless it is required in direct connection with the performance of his official duties. No such information will be disclosed to any subject or respondent, or his counsel or representative; or disclosed to any other person, without the approval of the Director of Special Investigations, USAF (or higher authority) if there is reason to believe that the disclosure might compromise such confidential sources, methods, or procedures.

(b) An OSI report (see § 952.2(a) for definition) will not be introduced in evidence, or included or incorporated in any paper or record of a court-martial, board, or other proceedings that the subject or respondent, or his counsel or representative, or trial counsel has a right to see. Also, it will not be furnished or made available to any officer conducting an investigation pursuant to Article 32, Uniform Code of Military Justice (10 U.S.C. 832), or to the subject or respondent in an administrative proceeding, or to his counsel or representative, or to trial counsel.

(c) Extracts from or summaries of an OSI report or its attachments may be prepared and released according to § 952.8 and AFR 124-4 (Requests for Investigation: Safeguarding, Handling, and Release of Information on Office of Special Investigation Reports) for use in court-martial, or board, or other administrative proceeding. (See § 952.10 and AFR 124-4 for special procedures or release of summaries and extracts of investigative reports of investigative agencies other than OSI, and of OSI reports reflecting investigative activities of other investigative or law enforcement agencies.)

§ 952.8 Preparation and release of extracts or summaries.

(a) The commander who was furnished the report will prepare the summaries of extracts that he determines necessary. A summary or extract may be prepared for release to one or more of the following, depending on the circumstances and directives applicable to a particular case:

- (1) An investigating officer.
- (2) Trial counsel, or the legal or other adviser to a board.
- (3) The subject, accused, or respondent, and his counsel or representative.
- (b) Except as provided in paragraph (g) of this section, the commander, be-

fore releasing a summary or extract, will obtain the concurrence of the OSI district office servicing his command. The commander will request this concurrence in writing.

(c) Only the Director of Special Investigations, or higher authority, may approve the release of an extract or summary of a report concerning a counterintelligence investigation of alleged treason, sedition, espionage, subversion, sabotage, or disaffection, or the release of any statement attached to such a report. The commander of an OSI district office who receives a request to approve the release of such an extract, summary, or statement will send the request to the Director of Special Investigations.

(d) A commander will not include in any summary of extract:

- (1) Any information described in § 952.7(a).
- (2) Any information that may prejudice the effective conduct of any other investigation by the OSI or other Government agency, such as by prematurely disclosing the nature or existence of such investigation.
- (3) Routine administrative entries made by OSI personnel in their reports, which are common to all OSI reports.
- (4) The names of OSI agents or personnel except those who took statements, or were witnesses to statements, or who included observations in the report based on their personal knowledge.
- (5) Any other information, the disclosure of which, to the person who will receive the extract or summary, would be contrary to law or otherwise against the public interest.

(6) Any information, the disclosure of which, to the person who will receive the extract or summary, would be prejudicial to the national defense.

(e) Normally, a summary or extract will not contain classified information. If an extract or summary contains classified information, it will be appropriately marked and any person given access to it must have proper security clearance.

(f) Normally, the summary or extract furnished to a subject, respondent, witness in a proceeding, or his counsel or representative, will not be marked "For Official Use Only".

(g) A person who has furnished a statement to OSI during an investigation may be furnished a copy of his own statement upon request, unless the OSI report stipulates that the statement should not be released without OSI concurrence or if the statement is classified.

§ 952.9 Rules for release of OSI reports outside the Air Force.

The following rules will govern the release outside the Air Force of OSI reports, their attachments, extracts, and summaries. (See also § 952.10.)

(a) OSI reports contain information that is For Official Use Only within the meaning of AFR 12-30 (Disclosure of Air Force Records) and Part 806 of this chapter. Therefore, the policies in that regulation that require protection from disclosing such information apply

to OSI reports. No person will release an OSI report, or an extract or investigative information from it, unless such release is authorized by this part or an Air Force regulation, or is approved by the Secretary of the Air Force.

(b) The Inspector General, HQ USAF, the Director of Special Investigations, or Deputy Directors of Special Investigations may approve the release of an OSI report, for an extract or summary of it, to a department or agency in the Executive Branch of the United States Government if he determines that the department or agency has a need for it and that the release would not be contrary to law or regulation or otherwise against the public interest. Before releasing an OSI report, the releasing authority will ensure that the report will be protected against unauthorized disclosure and access.

(c) Requests for OSI reports or investigative information for use in pending or potential litigation will be sent to HQ USAF according to AFR 110-5 (Releasing Information for Litigation and Appearance of Witness Before Civilian Courts and Other Tribunals). Requests for such information from a representative of the General Accounting Office will be processed as required by AFR 11-8 (Air Force Relations with General Accounting Office (GAO)).

(d) The Inspector General, HQ USAF, the Director or a Deputy Director of Special Investigations may approve a request for the release of information in an OSI report, or an extract of a report (but not the entire OSI report itself), submitted by other individuals and agencies (including agencies of State and local governments) if he determines that the requester is properly and directly concerned and that release to the requester would not be contrary to law or regulation or otherwise against the public interest.

(e) If the information or papers are classified, AFR 205-1 (Information Security Program) also applies.

(f) In matters of premarital investigation of prospective spouses of military personnel and in the absence of any specific prohibition in individual cases, commanders are authorized to provide copies of OSI reports to the appropriate U.S. Consular officials without obtaining approval for the release prescribed in paragraphs (a) and (b) of this section.

§ 952.10 Handling investigative reports of other agencies.

Any document or report of investigation, or any summary or extract of it, that reflects investigative activity of any Federal, State, or local investigative or law enforcement agency and was furnished through OSI channels will be treated, processed, and submitted for release in the manner prescribed by pertinent Air Force regulations for OSI reports and information, except: The OSI will coordinate with the originator of such documents before concurring in the release.

PART 953—VIOLATIONS OF PUBLIC TRUST IN CONTRACT, PROCUREMENT, AND OTHER MATTERS

Sec.

- 953.1 Purpose.
953.2 Violations of public trust.
953.3 Reporting responsibilities.
953.4 Investigative responsibilities.

AUTHORITY: 10 U.S.C. 8012.

§ 953.1 Purpose.

This part assigns responsibilities and prescribes procedures for reporting and investigating violations or suspected violations of public trust—in Air Force contract, procurement, and other matters—and Air Force standards of conduct.

§ 953.2 Violations of public trust.

The public trust in the integrity of Air Force contract, procurement, disposal and all other business transactions must be maintained. All Air Force personnel (military and civilian), who have reason to believe that the public trust has been or is being violated, will promptly report all information within their knowledge or belief to the responsible Air Force authorities. Violations of the public trust include fraud; collusion; favoritism; bribery; offering, soliciting, or accepting gratuities; and conflicts of interest. Violations of the standards of conduct will be reported and investigated as violations of the public trust.

§ 953.3 Reporting responsibilities.

The prompt reporting of any indications of the violations mentioned in § 953.2 is extremely important. All personnel (particularly those concerned with the placement, administration, audit, inspection, or termination of Air Force contracts), who have information leading to the belief that any of the violations referred to in § 953.2 have been or may be committed, will report all such information to the commander having:

- (a) Immediate jurisdiction over the Air Force personnel allegedly involved; or
- (b) Administrative responsibility for the contract(s) involved.

§ 953.4 Investigative responsibilities.

(a) The Director of Special Investigation, HQ USAF, is responsible, within the Air Force jurisdiction for investigating all suspected violations of public trust in Air Force contract, procurement, disposal and other matters. The OSI will forward initial, interim, and final reports of investigation to the commander concerned, for information and necessary action. In appropriate cases, OSI will coordinate investigations conducted outside the United States with host country authorities as provided for in Status of Forces or related agreements.

(b) The Director of Special Investigations will refer appropriate cases in these categories to the Department of Justice (including the Federal Bureau of Investigation) and will coordinate Air Force investigations with all interested Government agencies. Air Force

commanders will not refer allegations or complaints on such matters either to the local or the national office of the Department of Justice (or the Federal Bureau of Investigation); however, they will cooperate fully with representatives of the Department of Justice when requested.

PART 954—ACQUISITION OF INFORMATION CONCERNING PERSONS AND ORGANIZATIONS NOT AFFILIATED WITH THE DEPARTMENT OF DEFENSE

Sec.

- 954.1 Purpose.
954.2 Applicability.
954.3 General policy.
954.4 Controls.
954.5 Authorized activities.
954.6 Prohibited activities.
954.7 Operational guidance.

AUTHORITY: 10 U.S.C. 8012.

§ 954.1 Purpose.

(a) This part establishes Air Force policy, limitations, procedures, and operational guidance pertaining to the collecting, processing, storing, and dissemination of information concerning persons and organizations not affiliated with the Department of Defense. It applies to all investigations, whether conducted by a command or by the Office of Special Investigations (OSI).

(b) Part 806 of this chapter states the basic policies and instructions governing the disclosure of records and tells members of the public what they must do to inspect or obtain copies of the material referenced herein.

§ 954.2 Applicability.

(a) This part is applicable to all U.S. Air Force personnel, components, and organizations within the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and U.S. territories and possessions. This part covers all investigations conducted by a command, as well as those conducted by the Office of Special Investigations.

(b) This part is not applicable to the acquisition of foreign intelligence information or to activities involved in ensuring communications security.

(c) Responsibility for execution of functions and tasks in this part will be determined in accordance with pertinent Air Force directives which assign mission, responsibilities, and functions to Air Force activities.

§ 954.3 General policy.

(a) Air Force policy prohibits collecting, reporting, processing, or storing information on individuals or organizations not affiliated with the Department of Defense, except in those limited circumstances where such information is essential to the accomplishment of the Department of Defense or Air Force missions as outlined in this section.

(b) In order to ensure compliance with the policy as stated in paragraph (a) of this section, information-gathering activities shall be subject to overall civilian control at Department of Defense and Department of Air Force level, and to a high level of general supervision and

frequent inspections at the field level by OSI and designated external groups.

(c) Where collection activities are authorized to meet an essential requirement for information, maximum reliance shall be placed upon domestic civilian investigative agencies, Federal, State, and local.

§ 954.4 Controls.

To establish a coordinated Defense Investigative Program within the Department of Defense, and to assign functions and responsibilities for the administration of the program, DOD Directive 5200.26 was issued on February 17, 1971. This directive establishes a Defense Investigative Program with the Assistant Secretary of Defense (Administration) being delegated responsibility to direct, manage, and inspect military investigative and related counterintelligence activities. A Defense Investigative Review Council (DIRC), which includes the Under Secretary of the Air Force as a member, has been established to assist the Assistant Secretary of Defense (Administration) in carrying out these responsibilities.

§ 954.5 Authorized activities.

U.S. Air Force units are authorized to gather information consistent with their assigned missions and which is essential to the accomplishment of the following Defense missions.

(a) *Protection of USAF or other DOD functions and property.* Information may be acquired about activities threatening defense military and civilian personnel and defense activities and installations, including vessels, aircraft, communications equipment and supplies. Only the following types of activities justify acquisition of information under the authority of this section:

(1) Subversion of loyalty, discipline, or morale of Air Force or other Department of Defense military or civilian personnel, where pertinent, by actively encouraging violation of law, disobedience of lawful order or regulations, or disruption of military activities.

(2) Theft of arms, ammunition, or equipment, or destruction or sabotage of facilities, equipment, or records belonging to Air Force or other DOD units or installations, where pertinent.

(3) Acts jeopardizing the security of Air Force or other DOD elements, where pertinent, or operations or compromising classified defense information by unauthorized disclosure or by espionage.

(4) Unauthorized demonstrations on active or Reserve Air Force installations.

(5) Direct threats to Air Force or other DOD military or civilian personnel in connection with their official duties, or to other persons whom the Air Force has been authorized to protect.

(6) Activities endangering facilities which have classified defense contracts, or which have been officially designated as key defense facilities.

(7) Crime for which the Air Force has responsibility for investigating or prosecuting.

(b) *Personnel security.* Investigations may be conducted in relation to the following categories of persons:

(1) Members of the Air Force or other U.S. Armed Forces, including retired personnel; members of the Reserve Components; and applicants for commission or enlistment.

(2) Air Force or other DOD civilian personnel and applicants for such status.

(3) Persons having need for access to official information requiring protection in the interest of national defense under the Department of Defense Industrial Security Program or being considered for participating in other authorized Department of Defense programs.

(c) *Operations related to civil disturbances.* The Attorney General of the United States is the chief civilian officer in charge of coordinating all Federal Government activities relating to civil disturbances. Upon specific prior authorization of the Secretary of the Army, as designee of the Secretary of Defense, information may be acquired which is essential to meet operational requirements flowing from the mission assigned to the Department of Defense by the President to assist civil authorities in dealing with civil disturbances. Authorizations will be granted only when there is a distinct threat of a civil disturbance exceeding the law enforcement capabilities of State and local authorities. All requests for authorizations will be submitted to the Chief of Staff through The Inspector General for transmittal to the Under Secretary of the Air Force. Under DOD Directive 5200.27, final approval authority of these requests is vested in the Secretary of the Army, and may be delegated only to the Under Secretary of the Army.

§ 954.6 Prohibited activities.

The acquisition of information on individuals or organizations not affiliated with the Department of Defense will be restricted to that which is essential to the accomplishment of assigned Air Force missions under this part. The following activities are specifically prohibited:

(a) No information shall be acquired about a person or organization solely because of lawful advocacy of measures in opposition to Government policy.

(b) There shall be no physical or electronic surveillance of Federal, State, or local officials, or of candidates for such offices.

(c) There shall be no electronic surveillance of any individual or organization except as authorized by law.

(d) There shall be no covert or otherwise deceptive surveillance or penetration of civilian organizations unless specifically approved by the Under Secretary of the Air Force after authorization by the Chairman, DIRC. All requests will be submitted to the Chief of Staff through The Inspector General for transmittal to the Under Secretary of the Air Force, and, if deemed appropriate, will be presented to DIRC by the Under Secretary of the Air Force. Prior to submitting requests to DIRC, all prospective activities will be coordinated with the

Federal Bureau of Investigation by HQ USAF.

(e) No Air Force personnel will be assigned to attend public or private meetings, demonstrations, or other similar activities off of a military installation for the purpose of acquiring information, the collection of which is authorized by this part, without specific prior approval by the Under Secretary of the Air Force. Approval authority may not be delegated to any other person. Requests for approval will be submitted to the Chief of Staff through The Inspector General by transmittal to the Under Secretary. An exception to this policy may be made by the local commander concerned, or higher authority, when, in his judgment, the threat is direct and immediate and time precludes obtaining prior approval. In each such case a report will be made immediately to the Chief of Staff through The Inspector General for transmittal to the Under Secretary.

(f) No computerized data banks shall be maintained relating to individuals or organizations not affiliated with the Department of Defense. Approval for exceptions to this prohibition lies with the Under Secretary of the Air Force after authorization by the Chairman, DIRC. All Air Force requests for authorization will be addressed to the Chief of Staff through The Inspector General, and will be presented to DIRC by the Under Secretary of the Air Force if deemed appropriate.

(g) No practice or training in the art of acquisition of information shall take place using individuals or organizations not affiliated with the Department of Defense.

§ 954.7 Operational guidance.

(a) Nothing in this part shall be construed to prohibit the prompt reporting to law enforcement agencies of any information indicating the existence of a threat to life or property, or the violation of law, nor to prohibit keeping a record of such a report.

(b) Nothing in this part shall be construed to restrict the direct acquisition by overt means of the following information:

(1) Listing of Federal, State, and local officials who have official responsibilities related to the control of civil disturbances. Such listings may be maintained currently.

(2) Physical data on vital public or private installations, facilities, highways, and utilities, as appropriate, to carry out a mission assigned by this part.

(c) Access to information obtained under this part shall be restricted to governmental agencies which require such information in the execution of their duties.

(d) Information within the purview of this part shall be destroyed within 90 days after acquisition unless its retention is required by law or unless its retention is specifically authorized under criteria established by the Secretary of Defense, or through his designee, the Chairman, DIRC.

(e) This part does not abrogate any provision of the Delimitations Agreement of 1949, as amended, between the Federal Bureau of Investigation and the Departments of the Army, Navy and Air Force, nor preclude the collection of information required by Federal Statute or Executive Order. This part does not abrogate or alter any mission responsibilities assigned to Air Force activities by appropriate Air Force directives.

PART 955—CONDUCT OF POLYGRAPH EXAMINATIONS WITHIN THE DEPARTMENT OF THE AIR FORCE

Sec.	Purpose.
955.1	Applicability.
955.2	Exceptions.
955.3	General.
955.4	Delegation of authority to approve polygraph examinations.
955.5	Procedure of obtaining approval.
955.6	Requests for polygraph examination assistance from other DOD elements.
955.7	Polygraph examinations in criminal investigations.
955.8	Polygraph examinations in counter-intelligence and personnel security investigations.
955.9	Control of information obtained during polygraph examinations.
955.10	

AUTHORITY: 10 U.S.C. 8012.

§ 955.1 Purpose.

(a) This part prescribes the conditions under which polygraph examinations may be conducted within the Department of the Air Force.

(b) Part 806 of this chapter states the basic policies and instructions governing the disclosure of records and tells members of the public what they must do to inspect or obtain copies of the material referenced herein.

§ 955.2 Applicability.

(a) This part applies to all U.S. Air Force components.

(b) It pertains to polygraph examination of:

(1) Any U.S. citizen.

(2) Any foreign national residing within the United States.

(3) Any foreign national serving in the Armed Forces of the United States.

§ 955.3 Exceptions.

(a) The Assistant Secretary of Defense (Administration) and the Secretary of the Air Force, for cause, may make individual exceptions to this part. Requests for exception should be prepared in writing, including the basis therefore, and sent promptly to the Director of Special Investigations for processing and referral.

(b) This part does not preclude conducting a polygraph examination in conjunction with a criminal counter-intelligence, or personnel security investigation when the individual under investigation or associated with an investigation voluntarily seeks a polygraph examination as a means of exculpation. All such voluntary requests shall first be reviewed by the approving authority to determine the propriety of the request and to assure compliance with all other requirements of this part applicable to

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examinations. The conduct of such polygraph examinations also shall be subject to all the requirements of this part for such examinations.

(c) A polygraph examination may be authorized by the Director of Special Investigations in the case of an individual covered by this part who is a principal in an intelligence operation where information cannot be verified through other investigative methods. In such instances paragraphs (a) and (b) of § 955.9 do not apply.

§ 955.4 General.

(a) Within the jurisdiction of the United States Air Force a single agency conducts polygraph examinations in connection with counterintelligence, major criminal, and personnel security investigations. The Directorate of Special Investigations is designated as that agency.

(b) It is Department of the Air Force policy that criminal and counterintelligence investigations, including personnel security investigations, be oriented to depend upon evidence secured through skillful investigation and interrogation rather than upon the possibility of self-disclosure induced by a polygraph examination.

(c) The probing of a person's thoughts or beliefs, and questions about conduct which have no security implication, or are not directly relevant to an investigation, are prohibited. Examples of subject areas which should not be probed include religious beliefs and affiliations, beliefs and opinions regarding racial matters, political beliefs and affiliations of a nonsubversive nature, and opinions regarding the constitutionality of legislative policies.

(d) No polygraph examination shall be given to personnel of the Department of Defense, or to personnel outside the Department of Defense requiring access to classified defense information, except as authorized herein.

(e) Adverse action shall not be taken against a person for refusal to take a polygraph examination or for unwillingness to volunteer to take a polygraph examination. Moreover, information concerning a person's refusal either to submit to a polygraph examination or to volunteer for a polygraph examination shall not be recorded in his personnel file and shall be given the same protection afforded by § 955.10. This continuation of an investigation is, however, not considered to be an adverse action and is not prohibited by this section.

§ 955.5 Delegation of authority to approve polygraph examinations.

The authority to approve polygraph examinations within USAF jurisdiction is delegated to:

- (a) Director of Special Investigations.
- (b) Deputy Director of Operations.
- (c) Chief, Counterintelligence Division.
- (d) Chief, General Investigations Division.
- (e) Chief, Personnel Investigations Division.

§ 955.6 Procedures for obtaining approval.

Specific prior approval of the Directorate of Special Investigations must be obtained for all proposed polygraph examinations. The request will incorporate a summary of the pertinent facts and cite the reason why the examination is deemed essential. Except in emergency situations, the request should be in writing.

§ 955.7 Requests for polygraph examination assistance from other DOD elements.

Heads of DOD components, the Assistant Secretary of Defense (Administration), and the Director, Office of Industrial Personnel Access Authorization Review, OASD(M), who receive investigative support (including the use of polygraph examinations) from the Department of the Air Force are authorized to request that polygraph examinations be conducted. To the extent applicable, they shall provide the Directorate of Special Investigations, in the case of examinations conducted in connection with:

- (a) Criminal investigations, the information specified in § 955.8(a).
- (b) Personnel security investigations, the information specified in § 955.9(a).

§ 955.8 Polygraph examinations in criminal investigations.

Polygraph examinations may be conducted as a part of a criminal investigation of Department of the Air Force personnel or of personnel outside the Department of the Air Force, provided:

(a) A determination has been made, to be confirmed in writing in accordance with § 955.6, that:

- (1) The investigation by other means has been as thorough as circumstances permit, the subject has been interviewed, and, consistent with the circumstances of the case, the development of additional information by means of a polygraph examination is essential and timely for the further conduct of the investigation;
- (2) The alleged crime is an offense punishable under the United States Code or the Uniform Code of Military Justice by death or confinement for a term of 1 year or more;
- (3) There is reasonable cause to believe that the person to be examined has knowledge of, or was involved in, the matter under investigation.

(b) The person to be examined has been advised:

- (1) That he has the opportunity to obtain and consult with counsel of his own choice before the polygraph examination.
- (2) Of his rights, in accordance with either the "self-incrimination clause" of the Fifth Amendment to the Constitution or Article 31 of the Uniform Code of Military Justice, whichever is appropriate.
- (3) That the polygraph examination will be conducted only with his prior written consent and that no adverse action will be taken against him because of a refusal to consent to take a polygraph examination.

(4) Whether the area in which the polygraph examination is to be conducted contains a two-way mirror or other device whereby the examinee can be observed without his knowledge; and whether the examination will be monitored in whole or in part by any means.

§ 955.9 Polygraph examinations in counterintelligence and personnel security investigations.

Polygraph examinations may be conducted as a part of a counterintelligence investigation of Department of the Air Force personnel or as a part of a personnel security investigation of Department of Defense personnel outside the Department of the Air Force requiring access to classified defense information, *Provided*:

(a) A determination has been made to be confirmed in writing in accordance with § 955.6 that:

- (1) The investigation by other means has been as thorough as circumstances permit, the subject has been interviewed, and further productive investigative effort is not likely without a polygraph examination; and,
- (2) The purpose of the investigation is to determine whether to grant, deny, or withdraw a security clearance higher than Confidential; or, in accordance with DOD Directives 5210.7 and 5210.9, initial or continued employment, or membership in the Armed Forces, is clearly consistent with the interests of the national security; and

(3) The information furnished by the individual cannot be checked through the use of other investigative methods.

(b) The person to be examined has been advised:

- (1) That he has the opportunity to obtain and consult with counsel of his own choice before the polygraph examination.
- (2) Of his rights, in accordance with either the "self-incrimination clause" of the Fifth Amendment to the Constitution or Article 31 of the Uniform Code of Military Justice, whichever is appropriate.
- (3) That the polygraph examination will be conducted only with his prior written consent and that no adverse action will be taken against him because of a refusal to consent to take a polygraph examination.

(4) Whether the area in which the polygraph examination is to be conducted contains a two-way mirror or other device whereby the examinee can be observed without his knowledge; and whether the examination will be monitored in whole or in part by any means.

(5) Whether the area in which the polygraph examination is to be conducted contains a two-way mirror or other device whereby the examinee can be observed without his knowledge; and whether the examination will be monitored in whole or in part by any means.

§ 955.10 Control of information obtained during polygraph examinations.

(a) Each examiner prepares a written report of each polygraph examination conducted.

(b) The examiners report will be permanently retained only in the appropriate master investigative case file of the Directorate of Special Investigations.

Additional copies of this report will be destroyed within 3 months after close of the investigation which included the relevant polygraph examination.

(c) Polygraph examination results shall be available within the Department of the Air Force only to the Secretary thereof, his immediate advisors, and officials expressly charged with responsibility for personnel security, law enforcement, or the administration of criminal justice.

(d) Polygraph examination results shall not be made available outside the Department of the Air Force except to:

(1) Officials of the Office of the Secretary of Defense or other DOD component, corresponding to those enumerated in paragraph (c) of this section.

(2) Other Federal officials charged with intelligence, security, or law enforcement responsibilities with a clear need to know;

(3) State law enforcement officials where the results indicate an alleged violation of State law, or that a serious crime is likely to be committed;

(4) Legal counsel for the person examined, upon request therefor (subject to provisions for safeguarding classified defense information);

(5) Such other persons as the Secretary of the Air Force personally may determine.

(e) Polygraph examinations otherwise falling within the scope of this part will not be given to persons who are not in sound physical or mental condition. Any doubt by an examiner or examinee as to the fitness of the examinee to submit to such examination shall be referred to a supervisory official for resolution.

By order of the Secretary of the Air Force.

STANLEY L. ROBERTS,
Colonel, USAF, Chief, Legislative Division, Office of The Judge Advocate General.

[FR Doc.74-22264 Filed 9-24-74; 8:45 am]

Title 43—Public Lands: Interior

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

SUBCHAPTER D—RANGE MANAGEMENT (4000)

[Circular No. 2362]

PART 4110—GRAZING ADMINISTRATION

Branding and Marking of Livestock

On page 5193 of the FEDERAL REGISTER of February 11, 1974, there was published a notice and text of a proposed amendment to Subpart 4112 of Title 43, Code of Federal Regulations. The purpose of this amendment is to incorporate into the regulations adequate branding and marking requirements for livestock authorized to graze on the public lands administered by the Bureau of Land Management.

Present regulations found at 43 CFR 4112.3-2(a) provide "the statutory provisions of the State in which the Federal range or stock driveway to be used is located relating to the branding of livestock and sanitary requirements, shall

be followed." Some States, however, do not require all livestock to be branded, making efficient range administration of the public lands difficult. The proposed amendment would establish branding and marking requirements for livestock using public lands, retaining the requirement that appropriate State statutes be observed.

Implementation of this amendment will improve identification of livestock for the purposes of claiming ownership and controlling unauthorized use of the public lands. In addition, branding of domestic horses and burros authorized to graze on public lands will reduce the possibility of misconception regarding the ownership of those animals.

Interested persons were given until March 8, 1974, to submit comments, suggestions, or objections to the proposed amendment. One comment was received. The writer recommended that the regulations provide for exceptions to branding in instances where brands would detract from the appearance of show animals or other "special" livestock. The regulation has been reworded to accommodate exceptions to the brand requirement where warranted.

The amendment is hereby adopted as set forth below and shall become effective October 23, 1974.

Section 4112.3-2(a) is amended to read as follows:

§ 4112.3-2 Rules of fair range practice.

All licensees and permittees shall comply with the following rules of fair range practice:

(a) (1) State laws and regulations relating to sanitary and branding requirements for livestock shall be followed by graziers using the Federal range.

(2) However, the following minimum branding requirements are mandatory for livestock authorized to graze the Federal range: (i) All cattle, horses, and burros over 6 months of age must carry a brand which has been filed with the District Manager, and (ii) All sheep and goats over 6 months of age must be identified with earmarks, paint brands, or other markings filed with the District Manager. The District Manager may, for good cause, exempt certain livestock (such as show animals) from the minimum branding requirements. An alternative method of identifying the animals shall be used in such instances.

(3) To the extent that State laws and regulations are lacking or less stringent than the regulations in this paragraph, the regulations in this paragraph are minimum and controlling on the Federal range.

(4) The District Manager shall retain the discretionary authority to require ear tagging and other marking of livestock in order to abate trespass and promote the orderly administration of the range.

JACK O. HORTON,
Assistant Secretary of the Interior.

SEPTEMBER 16, 1974.

[FR Doc.74-22266 Filed 9-24-74; 8:45 am]

Title 47—Telecommunication
CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION
PART 1—PRACTICE AND PROCEDURE
Broadcast Procedure Manual

Order. Amendment of § 1.526(a) (6) as it refers to the Broadcast Procedure Manual.

1. Section 1.526(a) (6) makes reference to the 1972 edition of the Broadcast Procedure Manual. Now that the 1974 revision is available, it is necessary to amend that rule to make reference to the current edition.

2. Inasmuch as this is an editorial amendment, the prior notice and effective date provisions of section 4 of the Administrative Procedure Act, 5 U.S.C. 553, do not apply. Authority for this amendment appears in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and in § 0.231(d) of the Commission's rules and regulations.

3. Accordingly, it is ordered, That effective October 2, 1974, § 1.526(a) (6) is amended to read as follows:

§ 1.526 Records to be maintained locally for public inspection by applicants, permittees, and licensees.

(a) . . .

(6) The Public and Broadcasting—A Procedure Manual (see FCC 74-942, 39 FR 32288, September 5, 1974).

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

Adopted and Released: September 18, 1974.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] JOHN M. TORBET,
Executive Director.

[FR Doc.74-22254 Filed 9-24-74; 8:45 am]

Title 49—Transportation
CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. No. 1197]

PART 1033—CAR SERVICE

Atchison, Topeka and Santa Fe Railway Company Authorized To Operate Over Tracks of the Chicago, Rock Island and Pacific Railroad Company

SEPTEMBER 20, 1974.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 19th day of September 1974.

It appearing, that the excessive hazard to vehicular and pedestrian traffic, the City of Colorado Springs, Colorado, had requested The Atchison, Topeka and Santa Fe Railway Company (ATSF) to discontinue the use of certain tracks in Colorado Springs, Colorado; that such discontinuances will deprive certain shippers of ATSF services; that service to these shippers can be continued by the ATSF on certain tracks of The Chicago, Rock Island and Pacific Railroad Com-

pany (RI); that the RI has consented to the use of its tracks by the ATSF between a point of connection between the RI and the joint line of The Denver and Rio Grande Western Railroad Company (DRGW) and the ATSF between DRGW milepost 74.3 and RI milepost at 606.21; that operation by the ATSF over the aforementioned tracks of the RI, pending disposition of application by the ATSF with the Commission seeking permanent authority to operate over these tracks; is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, That:

§ 1033.1197 Service Order No. 1197.

(a) *The Atchison, Topeka and Santa Fe Railway Company authorized to operate over tracks of the Chicago, Rock Island and Pacific Railroad Company.* The Atchison, Topeka and Santa Fe Railway Company (ATSF) be, and it is hereby, authorized to operate over tracks of the Chicago, Rock Island and Pacific Railroad Company (RI) between a point of connection between the RI and the joint line of The Denver and Rio Grande Western Railroad Company (DRGW) and the ATSF between DRGW milepost 74.3 and RI milepost at 606.21.

(b) *Application.* The provisions of this order shall apply to intrastate, interstate, and foreign traffic.

(c) *Effective date.* This order shall become effective at 12:01 a.m., September 20, 1974.

(d) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., January 15, 1975, unless otherwise modified, changed, or suspended by order of this Commission.

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

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

By the Commission, Railroad Service Board.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.74-22286 Filed 9-24-74;8:45 am]

Title 50—Wildlife and Fisheries
CHAPTER I—U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR
PART 32—HUNTING

Benton Lake National Wildlife Refuge, Montana

The following regulations are issued and are effective September 25, 1974. These regulations supersede previous regulations published in FEDERAL REGISTER, Volume 39, No. 168, dated August 28, 1974.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

MONTANA

BENTON LAKE NATIONAL WILDLIFE REFUGE

Public hunting of geese, ducks, coots, mergansers and Wilson's snipe on the Benton Lake National Wildlife Refuge, Montana, is permitted only on areas designated by signs as open to public hunting. This open area is delineated on maps available at refuge headquarters.

Hunting shall be in accordance with all applicable state and federal regulations governing the hunting of the aforementioned species subject to the following special conditions:

1. Special regulations for conducting an experimental steel shot program:

a. On all odd numbered days during the waterfowl season hunters may not possess or use shells containing steel containing steel pellets.

b. On all even numbered days during the waterfowl season hunters may not possess or use shells containing steel pellets.

c. Hunters are required to register at the checking station prior to entering the hunting area.

d. Hunters will be required to check out at the checking station at which time they will present their bag to refuge personnel for species identification.

e. In the advent of adverse weather conditions, special steel shot regulations (1a, 1b, 1c, and 1d) may be rescinded by order of the Refuge Manager. If rescinded, hunters will be advised by means of a large sign erected at the entrance to the check station.

2. Refuge roads and dike areas are closed to hunting.

3. Temporary blinds may be constructed with natural vegetation found on the refuge.

4. Vehicle use and parking shall be confined to gravelled roads and designated parking areas.

5. Boats without motors may be used in conjunction with waterfowl hunting activities.

In order to avoid disruption of the Service's pilot iron shot program and continue the collection of important data and for the further reason that the waterfowl hunting season in this area opens on October 6, it is determined that this regulation shall take effect in less than

30 days from date of publication and that notice of public procedures thereof is impractical, unnecessary and contrary to public interest, thus falling within the exceptions of 5 U.S.C. 553(b) (3) (B), and that these regulations shall be effective on September 28, 1974.

The provisions of this special regulation supplement to regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 29, 1974.

LYLE A. STEMMERMAN,
Refuge Manager, Benton Lake
National Wildlife Refuge,
Great Falls, Montana.

SEPTEMBER 17, 1974.

[FR Doc.74-22372 Filed 9-24-74;8:45 am]

PART 32—HUNTING

J. Clark Salyer National Wildlife Refuge, North Dakota

The following special regulation is issued and is effective September 25, 1974.

§ 32.32 Special regulations; upland game; for individual wildlife refuge areas.

NORTH DAKOTA

J. CLARK SALYER NATIONAL WILDLIFE REFUGE

Public hunting of gray partridge, sharp-tailed grouse and pheasant on the J. Clark Salyer National Wildlife Refuge, North Dakota, is permitted from sunrise to sunset November 18, 1974 through December 15, 1974, only on the area designated by signs as open to hunting. This open area, comprising 58,400 acres of the total refuge area is delineated on a map available at the refuge headquarters, Upham, North Dakota 58789, and from the office of the Area Manager, U.S. Fish and Wildlife Service, P.O. Box 1897, Bismarck, North Dakota 58501. Hunting shall be in accordance with all applicable State regulations covering the hunting of gray partridge, sharp-tailed grouse and pheasant subject to the following special condition:

(1) All hunters must exhibit their hunting license, game and vehicle contents to Federal and State officers upon request.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 15, 1974.

DAROLD T. WALLS,
Acting Refuge Manager, J. Clark
Salyer National Wildlife Ref-
uge.

SEPTEMBER 17, 1974.

[FR Doc.74-22197 Filed 9-24-74;8:45 am]

CHAPTER II—NATIONAL MARINE FISHERIES SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 216—MARINE MAMMALS

Incidental Taking in the Course of Commercial Fishing Operations

Regulations entitled "Incidental Taking in the Course of Commercial Fishing Operations," Part 216 of Chapter II, Title 50 of the Code of Federal Regulations were published in the FEDERAL REGISTER (39 FR 32117) on Thursday, September 5, 1974, to become effective on September 30, 1974. As provided in said publication, "Modifications of these regulations prior to the effective date, to the extent such modifications are necessary and permissible, will be announced in the FEDERAL REGISTER." It has been determined that the following modifications are necessary and permissible in order to carry out the intent of the regulations.

The following changes are made in the September 5, 1974 regulations:

1. Section 216.24 is amended by adding the word "serious" before the word "injury" in paragraph (e)(2) and adding paragraphs (e)(2)(1), (e)(4), (5), and (6) as follows:

2. The addition of "serious" to "injury" more accurately reflects the wording of the Act. Paragraph (e)(2)(1) implements the determination by the Director that only yellowfin tuna, salmon, halibut, and pilchards from South Africa have been found, at this time, to be involved with commercial fishing operations which cause the death or serious injury of marine mammals. Section 216.24(e)(2) may be amended by adding or deleting fish as available information supports subsequent determinations. Paragraphs (e)(5) and (6) provide for a bonding procedure consistent with Customs procedures for the importation of fish lacking adequate documentation or certification at the time of importation.

§ 216.24 Taking and related acts incidental to commercial fishing operations.

(e) * * *
(2) * * * serious injury * * *

(1) All fish, except yellowfin tuna; salmon; halibut; and pilchards from South Africa. The following U.S. Tariff

Schedule Item Numbers identify these categories of yellowfin tuna, salmon, halibut, and pilchard products which are imported into the United States and are to be covered by the documentation and certification requirements of § 216.24(e):

- 110.10-20 Tuna, yellowfin, whole fish.
- 110.10-25 Tuna, yellowfin, eviscerated, head on.
- 110.10-30 Tuna, yellowfin, eviscerated, head off.
- 110.10-37 Tuna, yellowfin, eviscerated.
- 110.20-25 Halibut, fresh or chilled.
- 110.20-30 Halibut, frozen.
- 110.20-45 Salmon, fresh or chilled.
- 110.20-50 Salmon, frozen.
- 110.70-40 Halibut, other—except portion controlled steaks.
- 111.48-00 Salmon, salted.
- 111.88-00 Salmon, smoked or kippered.
- 112.18-00 Salmon, preserved, not in oil.
- 112.20-00 Canned sardines/pilchards, [from S. Africa].
- 112.22-00 Canned sardines/pilchards, [from S. Africa].

(4) *Fish refused entry.* If fish is denied entry under the provisions of § 216.24(e)(3), the district director of Customs shall refuse to release the fish for entry into the United States and shall issue a notice of such refusal to the importer or consignee.

(5) *Release under bond—Provided however,* That fish not accompanied or covered by the required documentation or certification when offered for entry may be entered into the United States if the importer or consignee gives a bond on Customs Form 7551, 7553, or 7595 for the production of the required documentation or certification. The bond shall be in the amount required under 19 CFR 25.4 (a). Within 90 days after such Customs entry, or such additional period as the district director of Customs may allow for good cause shown, the importer or consignee shall deliver a copy of the required documentation or certification to the district director of Customs, and an original of the required documentation or a copy of the certification to the regional director of the National Marine Fisheries Service, unless the district director of Customs has received notification from the National Marine Fisheries Service that the fish is covered by a certification. If such documentation, certification, or notification is not delivered to the district director of Customs for the port of entry of such fish within 90 days of the date of Customs entry or such additional period as may have been allowed by the

district director of Customs for good cause shown, the importer or consignee shall redeliver or cause to be redelivered to the district director of Customs those fish which were released in accordance with this paragraph. In the event that any such fish is not redelivered within 5 days following the date specified in the preceding sentence, liquidated damages shall be assessed in the full amount of a bond given on Form 7551. When the transaction has been charged against a bond given on Form 7553 or 7595, liquidated damages shall be assessed in the amount that would have been demanded under the preceding sentence under a bond given on Form 7551. Fish released for entry into the United States through use of the bonding procedure provided in this paragraph shall be subject to the civil and criminal penalties and the forfeiture provisions provided for under the Act if (i) the required documentation or certification is not delivered to the regional director of the National Marine Fisheries Service within 90 days of the date of Customs entry, or such additional period as may have been allowed by the district director of Customs for good cause shown, or (ii) the required certification is not on file in the office of the Director, National Marine Fisheries Service, Washington, D.C. 20235, within this 90 day period or such additional period as may have been allowed by the district director of Customs for good cause shown. Fish refused entry into the United States shall also be subject to the civil and criminal penalties and the forfeiture provisions provided for under the Act.

(6) *Disposition of fish refused entry into the United States; redelivered fish.* Fish which is denied entry under § 216.24(e)(3) or which is redelivered in accordance with § 216.24(e)(5) and which is not exported under Customs supervision within 90 days from the date of notice of refusal of admission or date of redelivery shall be disposed of under Customs laws and regulations. *Provided however,* That any disposition shall not result in an introduction into the United States of fish in violation of the Marine Mammal Protection Act of 1972.

Dated: September 20, 1974.

JOSEPH W. SLAVIN,
Acting Director, National Marine Fisheries Service.

[FR Doc.74-22193 Filed 9-24-74; 8:45 am]

proposed rules

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 966]

TOMATOES GROWN IN FLORIDA

Proposed Minimum Grade and Size Requirements

This regulation, designed to promote orderly marketing of Florida tomatoes, would impose minimum grade, size, quality and maturity standards and require inspection of fresh shipments to keep undesirable tomatoes from being shipped to consumers.

Consideration is being given to the issuance of the handling regulation, hereinafter set forth, which was recommended by the Florida Tomato Committee, established pursuant to Marketing Agreement No. 125 and Marketing Order No. 966, both as amended (7 CFR Part 966), regulating the handling of tomatoes grown in the production area. This program is issued under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The recommendations of the committee reflect its appraisal of the composition of the 1974-75 crop of Florida tomatoes and the marketing prospects for this season. The proposed requirements for containers, container net weights, and size classifications are intended to standardize shipments in the interest of orderly marketing and thereby improve net returns to producers. The proposals with respect to special pack and special purpose shipments are designed to meet the different requirements for such shipments. The minimum grade and size requirements would preclude shipments to fresh market of tomatoes which usually are of negligible economic value to producers.

Consideration will be given to any written data, views, or arguments pertaining to this proposal which are filed in duplicate with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than October 11, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed regulation is as follows:
§ 966.312 Handling regulation.

During the period October 28, 1974, through June 15, 1975, no person shall handle any lot of tomatoes for shipment outside the regulated area unless they meet the requirements of paragraph (a) of this section or are exempted by paragraphs (b) or (d) of this section.

(a) *Grade, size, container and inspection requirements*—(1) *Grade*. Tomatoes shall be graded and meet the requirements specified in § 51.1855 U.S. No. 1, § 51.1856 U.S. Combination, § 51.1857 U.S. No. 2 or § 51.1858 U.S. No. 3, of the U.S. Standards for Grades of Fresh Tomatoes except that when not more than 15 percent of tomatoes in any lot fail to meet the requirements of U.S. No. 1 grade and not more than one-third of this 15 percent (or 5 percent) are comprised of defects causing very serious damage including not more than one percent of tomatoes which are soft or affected by decay, such tomatoes may be shipped and designated as at least 85 percent U.S. No. 1 grade.

(2) *Size*. (i) Tomatoes shall be over 2 $\frac{1}{2}$ inches in diameter and be sized in accordance with § 51.1859 of the U.S. tomato standards.

(ii) Tomatoes of designated sizes may not be commingled unless they are over 2 $\frac{1}{2}$ inches in diameter and each container shall be marked to indicate the designated size.

(iii) Only the generic terms as defined in § 51.1859 may be used to indicate size designations on containers of tomatoes; except that the following abbreviations may be used—sml for small, med for medium, lg for large, ex lg for extra large, or max lg for maximum large.

(3) *Containers*. (1) Tomatoes shall be packed in containers of 20, 30 or 40 pounds designated net weights and comply with the requirements of § 51.1863 of the U.S. tomato standards.

(ii) Each container shall be marked to indicate the designated net weight.

(4) *Inspection*. Tomatoes shall be inspected and certified pursuant to the provisions of § 966.60. Each handler who applies for inspection shall register with the committee pursuant to § 966.113. Registered handlers shall pay assessments as provided in § 966.42. Inspection certificates must accompany truck shipments.

(b) *Special purpose shipments*. The requirements of paragraph (a) of this section shall not be applicable to shipments of tomatoes for canning, relief, charity or export if the handler thereof complies with the safeguard requirements of paragraph (c) of this section. Shipments for canning are also exempt from the assessment requirements of this part.

(c) *Safeguards*. Each handler making shipments of tomatoes for canning, relief, charity or export in accordance with paragraph (b) of this section shall:

(1) Apply to the committee and obtain a Certificate of Privilege to make such shipments.

(2) Prepare on forms furnished by the committee a report in quadruplicate on such shipments authorized in paragraph (b) of this section.

(3) Bill or consign each shipment directly to the designated applicable receiver.

(4) Forward one copy of such report to the committee office and two copies to the receiver for signing and returning one copy to the committee office. Failure of the handler or receiver to report such shipments by signing and returning the applicable report to the committee office within ten days after shipment shall be cause for cancellation of such handler's certificate and/or receiver's eligibility to receive further shipments pursuant to such certificate. Upon cancellation of any such certificate, the handler may appeal to the committee for reconsideration.

(d) *Exemption*—(1) *For types*. The following types of tomatoes are exempt from these regulations: Elongated types commonly referred to as pear shaped or paste tomatoes and including but not limited to San Marzano, Red Top and Roma varieties; cerasiform type tomatoes commonly referred to as cherry tomatoes, hydroponic tomatoes, and greenhouse tomatoes.

(2) *For minimum quantity*. For purposes of these regulations each person subject thereto may handle up to but not to exceed 60 pounds of tomatoes per day without regard to the requirements of these regulations but this exemption shall not apply to any shipment or any portion thereof of over 60 pounds of tomatoes.

(3) *For special packed tomatoes*. Tomatoes resorted, regraded and repacked by a handler who has been designated as a "Certified Tomato Repacker" by the committee are exempt from the tomato grade classifications of paragraph (a) (1) of this section and the size classifications of paragraph (a) (2) of this section and the container weight requirements of paragraph (a) (3) of this section if such tomatoes comply with the inspection requirements of paragraph (a) (4) of this section.

(e) *Definitions*. "Hydroponic tomatoes" means tomatoes grown in solution without soil; "greenhouse tomatoes" means tomatoes grown indoors. A "Certified Tomato Repacker" is a repacker of tomatoes in the regulated area who has the facilities for handling, regrading, resorting, and repacking tomatoes into consumer sized packages and has been certified as such by the committee. "U.S. tomato standards" means the revised United States Standards for Grades of Fresh Tomatoes (§§ 51.1855-51.1877 of

this title), effective December 1, 1973, or variations thereof specified in this section. Other terms in this section shall have the same meaning as when used in Marketing Agreement No. 125, as amended, and this part, and the U.S. tomato standards.

Dated: September 20, 1974.

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

[FR Doc.74-22281 Filed 9-24-74;8:45 am]

[7 CFR Part 980]

TOMATOES

Proposed Grade, Size and Inspection Requirements

Notice is hereby given of proposed grade, size and inspection requirements to be made applicable to the importation of fresh tomatoes into the United States pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The import regulation would apply the same requirements to be made effective under the Federal marketing order for tomatoes grown in Florida.

All persons who desire to submit data, views, or arguments in connection with this proposal may file the same with the Hearing Clerk, U.S. Department of Agriculture, Room 112-A, Washington, D.C. 20250, not later than October 11, 1974. Written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed regulation is as follows:

§ 980.208 Tomato import regulation.

Except as otherwise provided, during the period October 28, 1974, through June 15, 1975, no person may import fresh tomatoes, except pear shaped, cherry, hydroponic and greenhouse tomatoes as defined herein, unless they are inspected and meet the requirements of this section.

(a) *Minimum grade and size requirements.* (1) At least U.S. No. 3 grade and over 2 1/2 inches in diameter;

(2) Not more than 10 percent, by count, in any lot may be smaller than the specified minimum diameter.

(b) *Minimum quantity exemption.* Any importation which in the aggregate does not exceed 60 pounds may be imported without regard to the provisions of this section.

(c) *Plant quarantine.* Provisions of this section shall not supersede the restrictions or prohibitions on tomatoes under the Plant Quarantine Act of 1912.

(d) *Designation of governmental inspection service.* The Federal or the Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, and the Fruit and Vegetable Division, Production and Marketing Branch, Canada Department of Agriculture, are

designated as governmental inspection services for certifying the grade, size, quality and maturity of tomatoes that are imported into the United States under the provisions of Section 8e of the act.

(e) *Inspection and official inspection certificates.* (1) An official inspection certificate certifying the tomatoes meet the United States import requirements for tomatoes under section 8e (7 U.S.C. 608e-1), issued by a designated governmental inspection service and applicable to a specified lot is required on all imports of fresh tomatoes.

(2) Inspection and certification by the Federal or Federal-State Inspection Service will be available and performed in accordance with the rules and regulations governing certification of fresh fruits, vegetables and other products (Part 51 of this title). Each lot shall be made available and accessible for inspection as provided therein. Cost of inspection and certification shall be borne by the applicant.

(3) Since inspectors may not be stationed in the immediate vicinity of some smaller ports of entry, importers should make advance arrangements for inspection by ascertaining whether or not there is an inspector located at their particular port of entry. For all ports of entry where an inspection office is not located, each importer must give the specified advance notice to the applicable office listed below prior to the time the tomatoes will be imported.

Ports	Office	Advance notice
All Texas points.	L. M. Denbo, P.O. Box 107, San Juan, Tex. 78589 (Phone 512-787-4001 or 6881).	1 day.
All Arizona points.	B. O. Morgan, P.O. Box 1614, Nogales, Ariz. 85621 (Phone 602-287-2002).	Do.
All California points.	D. P. Thompson, 784 S. Central Ave., Room 266, Los Angeles, Calif. 90021 (Phone 213-622-8756).	3 days.
All Hawaii points.	Stevenson Ching, P.O. Box 5425, Pawaa Substation, 1428 S. King St., Honolulu, Hawaii 96814 (Phone 808-941-3071).	1 day.
All Puerto Rico points.	Darrell McNeal, P.O. Box 10163, Santuro, P.R. 00908 (Phone 809-783-2230 or 4118).	2 days.
New York City.	Frank J. McNeal, Room 28A Hunts Point Market, Bronx, N.Y. 10474 (Phone 212-991-7669 or 7668).	1 day.
New Orleans.	Pascal J. Lamarea, 5027 Federal Office Bldg., 701 Loyola Ave., New Orleans, La. 70113 (Phone 504-527-6741 or 6742).	Do.
Miami.	Lloyd W. Boney, 1350 Northwest 12th Ave., Room 538, Miami, Fla. 33136 (Phone 305-324-6116 or 6117).	Do.
All other Florida points.	C. B. Brantley, P.O. Box 1232, Winter Haven, Fla. 33890 (Phone 813-294-3511, Ext. 33 and 813-294-2089).	Do.
All other points.	D. S. Matheson, Fruit and Vegetable Division, AMS, Washington, D.C. 20250 (Phone 202-447-5870).	3 days.

(4) Inspection certificates shall cover only the quantity of tomatoes that is being imported at a particular port of entry by a particular importer.

(5) Each inspection certification issued with respect to any tomatoes to be imported into the United States shall set forth, among other things:

- (i) The date and place of inspection;
- (ii) The name of the shipper, or applicant;
- (iii) The commodity inspected;
- (iv) The quantity of the commodity covered by the certificate;
- (v) The principal identifying marks on the containers;
- (vi) The railroad car initials and number, the truck and trailer license number, the name of the vessel, or other identification of the shipment; and
- (vii) The following statement, if the facts warrant: Meets import requirements of 7 U.S.C. 608e-1.

(f) *Reconditioning prior to importation.* Nothing contained in this part shall be deemed to preclude any importer from reconditioning prior to importation any shipment of tomatoes for the purpose of making it eligible for importation.

(g) *Definitions.* For the purpose of this section, "Importation" means release from custody of the United States Bureau of Customs, "Cherry tomatoes" means cerasiform types commonly referred to as "cherry tomatoes." "Pear shaped tomatoes" means elongated types, commonly referred to as pear shaped or paste tomatoes and include San Marzano, Red Top and Roma varieties. "Hydroponic tomatoes" means tomatoes grown in solution without soil. "Greenhouse tomatoes" means tomatoes grown indoors. The terms relating to grade and size, as used herein, shall have the same meaning as when used in the U.S. Standards for Grades of Fresh Tomatoes (§§ 51.1855-51.1877 of this title).

Dated: September 20, 1974.

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

[FR Doc.74-22282 Filed 9-24-74;8:45 am]

[7 CFR Part 982]

FILBERTS GROWN IN OREGON AND WASHINGTON

Proposed Expenses of the Filbert Control Board and Rate of Assessment for the 1974-75 Fiscal Year

Notice is given of a proposal regarding expenses of the Filbert Control Board, and rate of assessment, for the 1974-75 fiscal year, under §§ 982.60 and 982.61 of the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982), regulating the handling of filberts grown in Oregon and Washington. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The Board has recommended for the 1974-75 fiscal year beginning August 1, 1974, a budget of expenses in the total amount of \$40,025. Based on the volume of filberts estimated to be subject to this

regulatory program during the 1974-75 fiscal year, an assessment rate of 0.20 cent per pound of assessable filberts is expected to provide sufficient funds to meet the estimated expenses of the Board.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than October 11, 1974. All written submissions made regarding this notice should be in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

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

(a) *Expenses.* Expenses in the amount of \$40,025 are reasonable and likely to be incurred by the Filbert Control Board during the fiscal year beginning August 1, 1974, for its maintenance and functioning and for such purposes as the Secretary may, under this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for this fiscal year, payable by each handler under § 982.61, is fixed at 0.20 cent per pound of filberts.

Dated: September 19, 1974.

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

[FR Doc. 74-22212 Filed 9-24-74; 8:45 am]

Animal and Plant Health Inspection Service

[9 CFR Part 3]

DOGS AND CATS

Proposed Veterinary Care, Space and Exercise, and Audio-Visual Requirements

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that, pursuant to the provisions of the Act of August 24, 1966 (Pub. L. 89-544), as amended by the Animal Welfare Act of 1970 (Pub. L. 91-579), the Department of Agriculture is considering amending Subpart A of Part 3, Subchapter A, Chapter I, Title 9, Code of Federal Regulations, to require random source dogs, after 21 days, to be released from minimum size cages into larger areas for 30 minutes for each of 5 days of a 7-day week; to provide for communal housing of dogs; to require dogs which develop abnormal behavior to be given prompt care and treatment or to be euthanized; and to require dogs and cats to have audio-visual contact with members of their own species.

Statement of considerations. The question of a mandatory exercise requirement for dogs has repeatedly been the topic of controversy and discussion since standards for dogs were first considered by the Department under Pub. L. 89-544, the Laboratory Animal Wel-

fare Act of 1966. Although such requirements were not mentioned in the notice of proposed rulemaking (36 FR 20473-20480) published prior to the amendments to the regulations of December 24, 1971, a number of comments were received indicating that dogs held and used for research should be removed from cages and placed in runs for exercise each day. The statement of considerations which was included with miscellaneous amendments to the regulations and standards under the Act, as published in the FEDERAL REGISTER on December 24, 1971 (36 FR 24917), discussed the need for mandatory exercise requirements for animals at that time.

The Department recognized that under the Laboratory Animal Welfare Act of 1966, as amended by the Animal Welfare Act of 1970, it was responsible for developing minimum standards, as charged by Congress, for the humane care and handling of animals, including the opportunity for exercise. On March 7, 1972, the Department did declare its intent to revise the standards by publication of a notice of proposed rulemaking in the FEDERAL REGISTER (37 FR 4918) requesting data, views, and arguments from the public as to what standards, if any, should be issued with respect to the exercise requirements for animals, especially dogs. The more than 500 comments received were divided essentially into two categories: those who opposed the exercise requirement on the basis of no scientific justification and those who favored it on the basis that empirical evidence demonstrates the need for such requirements for dogs.

Subsequent to the comment period, a number of work conferences were held with representatives of the scientific community, animal welfare groups, zoos, animal dealers, exhibitors, and representatives of other Federal agencies to gain further information on the subject. Although the discussions were open and frank, there was very little additional information offered over what had been presented during the comment period.

It is an accepted fact that, in general, the dog is a very adaptable animal. However, dogs from an unknown background and environment (e.g. pets, strays, etc.) may be subject to a great deal of stress when placed in restricted quarters such as a cage of USDA minimum size, and therefore, it appears that such dogs should be released periodically to have an opportunity for exercise. Several animal behaviorists feel that those few dogs which are prone to developing abnormal stereotyped behavior (e.g. whirling, depression, inappetence, coprophagy, self-inflicting injuries, etc.) will exhibit such abnormal behavior after a 21-day period in a restricted environment.

Therefore, we are proposing that dogs which were not born and reared in a known restricted environment (cages and/or runs) shall be released from their primary enclosures, if housed in the minimum space as required by § 3.4(b)(2)(i) of the standards, after an initial period of confinement of 21 days, into a larger area for a minimum of a 30-minute pe-

riod during the normal working hours of each of 5 days of the 7-day calendar week. The minimum size of the larger area shall be not less than three times the minimum square footage of floor space required for such dog by § 3.4(b)(2)(i) of the standards and a height of not less than twice the height of the dog as measured to the top of its shoulders while in a standing position (in no case shall the height be less than two feet).

It is also proposed to make provisions for dogs to be communally housed or communally released into a larger area. In such cases, for example, the exercise area that would be satisfactory for one dog would also be satisfactory for two compatible dogs of the same size to be communally housed together. Such would be possible because the same communal space would be available to each dog. Dogs that are housed in primary enclosures which meet the space requirements of the larger area do not need to be released as they would have the larger area available at all times.

It is also proposed that dogs which exhibit abnormal behavior or similar problems shall be provided veterinary medical care and released to runs or other primary enclosures which may correct the abnormal behavior, assigned promptly to short term, terminal experiments or immediately euthanized. Such practices are routinely followed in research facilities.

The question of whether dogs and cats should have audio-visual contact with members of their own species is primarily related to the housing of such animals at research facilities. The Department's information indicates that while dogs and cats on dealers' premises are seldom deprived of such contact, dogs and cats in research facilities are often housed individually in cages or primary enclosures with only the front constructed for visual contact. Further, information indicates that psychological stress in such animals may be reduced because of such audio-visual contact since it appears that fewer animals show boredom or depression and the animals are apparently more quiet and happy when they have such contact. Accordingly, it is proposed to amend the standards to require dogs and cats to have audio-visual contact with members of their own species unless otherwise required by the attending veterinarian in providing adequate veterinary care.

Due to the possible impact of these proposed requirements, it is proposed that if these amendments are promulgated, such requirements would not take effect with respect to dealers until the expiration of six months after publication of the final amendments in the FEDERAL REGISTER and with respect to research facilities until the expiration of eighteen months after such publication. Such delay would appear to be necessary in order to give dealers and research facilities sufficient time to comply with the requirements.

Accordingly, it is proposed that the standards under the Animal Welfare Act,

as amended, (9 CFR 3.1 et seq.) be amended as follows:

1. In § 3.4 it is proposed that a new paragraph (a)(1)(v) would be added to read:

§ 3.4 Primary enclosures.

(a) General—(1) * * *

(v) In the case of dogs and cats housed individually in primary enclosures, the primary enclosures shall be so positioned that each dog and cat therein has audio-visual contact with one or more members of its own species: *Provided, however,* That such housing shall not be necessary if there is only one dog or cat located in the housing facility or if, in the opinion of the attending veterinarian, a dog or cat should be exempted from the provisions of this paragraph for the reason of providing adequate veterinary care.

2. In § 3.10, a new paragraph (d) would be added to read:

§ 3.10 Veterinary care.

(d) Dogs held in a restricted environment may develop abnormal behavior (exhibited by such signs as whirling, depression, inappetence, coprophagy, and self-inflicted injuries) or may refuse to eliminate body wastes. Dogs developing these or similar problems shall be provided veterinary medical care and released permanently to runs or other primary enclosures which may correct such abnormal behavior, assigned promptly to short term, terminal experiments, or immediately euthanized.

3. The present §§ 3.11, 3.12, 3.13, and 3.14, concerning transportation standards, would be renumbered as §§ 3.12, 3.13, 3.14, and 3.15, respectively, and a new § 3.11 would be added with a new heading as follows:

EXERCISE REQUIREMENTS

§ 3.11 Exercise requirements and exceptions for random source dogs.

(a) *General.* A random source dog is a dog which was not born and reared in a restricted environment such as a cage or run. Random source dogs shall be given an opportunity for exercise after a maximum of 21 days after acquisition by a dealer, exhibitor, or research facility, in accordance with the requirements and subject to the exceptions in paragraphs (b) and (c) of this section.

(b) *Exercise requirements.* (1) The minimum available floor space of the exercise area for a random source dog shall be at least 3 times the minimum square footage of floor space required for such dog by paragraph (b)(2)(i) of § 3.4 of the standards; *Provided,* That, neither the length nor the width of such area shall be less than the length of the dog, as measured from the tip of its nose to the base of its tail, plus six inches.

(2) The minimum height of the exercise area for a random source dog shall be the greater of either 2 feet or twice the height of such dog as measured to the top of its shoulders while in a standing position.

(3) The minimum period of time a random source dog shall have access to the exercise area shall be 30 minutes during the normal working hours of each of 5 days of the 7-day calendar week.

(c) *Exceptions.* (1) More than one dog can have access to the exercise area at the same time if the dogs are compatible and the minimum available floor space of the exercise area is at least the sum of 1½ times the minimum square footage of floor space required for each dog by paragraph (b)(2)(i) of § 3.4 of the standards.

(2) A random source dog is not required to be released into an exercise area if it is housed in a primary enclosure that meets the minimum space requirements set forth in paragraphs (b)(1) and (2) of this section.

(3) Random source dogs are not required to be released into an exercise area if they are communally housed in a primary enclosure that meets the minimum space requirements set forth in paragraphs (c)(1) and (b)(2) of this section.

(4) The provisions of this section are not applicable to random source dogs under research, experimentation, or testing if the research, experimentation or testing program, protocol or procedure requires that the dogs not be exercised and this requirement has been approved in writing by the attending veterinarian of the research facility or by an institutional committee of at least three members, one of whom is a Doctor of Veterinary Medicine, established for the purposes of evaluating the care, treatment, and use of all warmblooded animals held or used for research, experimentation, or testing.

§§ 3.12-3.14 [Renumbered]

Any person who wishes to submit written data, views, arguments, or information concerning this notice may do so by filing them with the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture, Federal Center Building, Hyattsville, Maryland 20782, before November 25, 1974.

All written submissions made pursuant to this notice will be made available for public inspection at times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Comments submitted should bear a reference to the date and page number of this issue in the FEDERAL REGISTER.

Done at Washington, D.C., this 20th day of September 1974.

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

[FR Dec.74-22283 Filed 9-24-74;8:45 am]

Commodity Credit Corporation

[7 CFR Part 1464]

BURLEY TOBACCO

Advance Grade Rates for Price Support on 1974 Crop

Notice is hereby given that CCC is considering the grade loan rates to be applied in making price support available on 1974-crop burley tobacco.

Consideration will be given to data, views and recommendations pertaining to the advance rates set out in this notice which are submitted in writing to the Director, Tobacco and Peanut Division, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be received by the Director not later than October 20, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Director during the regular business hours (8:15 a.m. to 4:45 p.m.). (7 CFR 1.27(b)).

Under the Tobacco Loan Program published June 6, 1974 (39 FR 20070), and amended August 23, 1974 (39 FR 30477), CCC proposes to establish loan rates by grades for the 1974 crop burley tobacco, type 31, as set forth herein. These proposed rates, calculated to provide the level of support of 85.8 cents per pound as determined under section 106 of the Agricultural Act of 1949 (7 U.S.C. 1445), are as follows:

§ 1464.21 1974 Crop Burley Tobacco, Type 31, Loan Schedule.¹

[Dollars per hundred pounds, farm sales weight]

Grade	Loan rate	Grade	Loan rate
B1F	91	B4VR	80
B2F	90	B5VR	77
B3F	89	B3GF	82
B4F	88	B4GF	80
B5F	87	B5GF	77
B1FR	90	B3GR	75
B2FR	89	B4GR	73
B3FR	88	B5GR	70
B4FR	87	T3F	87
B5FR	85	T4F	84
B1E	88	T5F	81
B2E	87	T3FR	85
B3E	86	T4FR	83
B4E	85	T5FR	80
B5E	84	T3R	81
B4D	77	T4R	78
B5D	73	T5R	74
B3K	86	T4D	73
B4K	84	T5D	70
B5K	79	T4K	72
B3M	86	T5K	71
B4M	84	T4VF	82
B5M	78	T5VF	77
B3VF	88	T4VR	75
B4VF	85	T5VR	71
B5VF	82	T4GF	76
B3VR	81	T5GF	72

¹ Only the original producer is eligible to receive advances. Tobacco graded "U" (unsound), "W" (wet), "No.-G" (no grade), or scrap will not be accepted. Cooperatives are authorized to deduct \$1 per hundred pounds to apply against overhead costs.

PROPOSED RULES

Grade	Loan rate	Grade	Loan rate
T4GR	70	X4L	88
T5GR	67	X5L	87
C1L	91	X1F	91
C2L	90	X2F	90
C3L	89	X3F	89
C4L	88	X4F	88
C5L	87	X5F	87
C1F	91	X4M	85
C2F	90	X5M	79
C3F	89	X4G	80
C4F	88	X5G	74
C5F	87	M1F	90
C3K	86	M2F	89
C4K	84	M3F	88
C5K	79	M4F	86
C3M	87	M5F	83
C4M	85	M3FR	85
C5M	81	M4FR	81
C3V	88	M5FR	77
C4V	86	N1L	83
C5V	82	N2L	76
C4G	76	N1F	78
C5G	72	N1R	72
X1L	91	N2R	67
X2L	90	N1G	70
X3L	89	N2G	66

Signed at Washington, D.C., on September 11, 1974.

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

[FR Doc.74-22132 Filed 9-24-74;8:45 am]

Rural Electrification Administration
[7 CFR Part 1701]

REA REQUIREMENTS FOR RURAL
TELEPHONE FACILITIES

Proposed Memorandum Covering Use of
Filled Buried Cables

Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), including the amendment thereto enacted by Pub. L. 93-32, REA proposes to issue a memorandum (File With REA Bulletin 383-1) to announce a change in requirements for the use of filled buried cables. On issuance of File With REA Bulletin 383-1, Appendix A to Part 1701 will be modified accordingly.

Persons interested in the contents of the proposed memorandum may submit written data, views or comments to the Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, on or before October 10, 1974. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations and Standards Division during regular business hours.

The text of the proposed memorandum is as follows:

FILE WITH REA BULLETIN 383-1

SUBJECT: USE OF LARGER PAIR SIZES OF
FILLED BURIED CABLES

In a letter dated August 30, 1973, we informed all REA telephone borrowers, consulting engineers and contractors that

the use of filled buried wires and cables in the 2 through 50 pair sizes would be mandatory for all projects bid after September 30, 1973, and on all orders placed by REA borrowers after that same date. This was done in order to take advantage of the moisture resistance of such cables and circumvent problems associated with moisture and water penetration in air core type buried cables.

We now feel there is sufficient justification for requiring larger pair sizes of buried cable to be of the filled type. Accordingly, this is to inform all borrowers that effective on all projects bid after December 1, 1974, and on all orders placed by REA borrowers after December 1, 1974, REA loan funds will not be authorized to be used for the purchase of nonfilled buried cables of 75 through 200 pair sizes. Filled cables under the BJJ assembly units shall be specified in lieu of BJ units for those sizes referenced above.

For all cable sizes above 200 pairs, it is recommended that favorable consideration be given to utilizing filled cables in preference to nonfilled cables if, after evaluation of cost differences and quantities, their selection can be justified in the judgment of the owner, engineer and REA.

Dated: September 19, 1974.

C. R. BALLARD,
Assistant Administrator
Telephone.

[FR Doc.74-22214 Filed 9-24-74;8:45 am]

DEPARTMENT OF
TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 74-SO-94]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Punta Gorda, Fla., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Ga. 30320. All communications received on or before October 25, 1974, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 645, 3400 Whipple Street, East Point, Ga.

The Punta Gorda transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Charlotte County Airport (latitude 26°55'15" N., longitude 81°59'30" W.).

The proposed designation is required to provide controlled airspace protection for IFR operations at Charlotte County Airport. A prescribed instrument approach procedure to this airport, utilizing the Fort Myers VORTAC, is proposed in conjunction with the designation of this transition area.

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

Issued in East Point, Ga., on September 16, 1974.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.74-22186 Filed 9-24-74;8:45 am]

Federal Highway Administration

[49 CFR Part 393]

[Docket No. MC-58; Notice No. 74-21]

REQUIRING NON-SLIP SURFACES AND
HANDHOLDS FOR DRIVERS OF COMMERCIAL MOTOR VEHICLES

Extension of Time for Comments

The Director of the Bureau of Motor Carrier Safety has received a number of requests for extension of the closing date for comments upon an advance notice of proposed rule making that he issued on May 12, 1974. The advance notice, which was published on May 21, 1974 (39 FR 17863), invited interested persons to submit comments on a proposal to require non-slip surfaces and handholds at locations on commercial motor vehicles where drivers must climb upon the vehicles in order to perform their duties. September 9, 1974 was set as the closing date for comments.

Having examined the requests for extension of that date, the Director has determined that there is good cause for granting the requests and allowing an additional period of time for filing comments on the advance notice.

In consideration of the foregoing, the closing date for comments on the advance notice of proposed rule making in Docket No. MC-58 is extended to the close of business on January 9, 1975.

(Sec. 204, Interstate Commerce Act, as amended, 49 U.S.C. 304; sec. 6, Department of Transportation Act, 49 U.S.C. 1655; delegations of authority at 49 CFR 1.48 and 389.4).

Issued on September 16, 1974.

ROBERT A. KAYE,
Director, Bureau of
Motor Carrier Safety.

[FR Doc.74-22202 Filed 9-24-74;8:45 am]

ATOMIC ENERGY COMMISSION

[10 CFR Parts 2, 50, 51]

CONSTRUCTION PERMIT OR
OPERATING LICENSE

Initial Treatment of Application

Notice is hereby given that the Atomic Energy Commission is considering the amendment of its regulations in 10 CFR Parts 2, 50, and 51. The proposed amendments are of a minor nature or are procedural and clarifying changes.

Parts 2 and 50 would be amended with respect to the initial treatment of an application for a construction permit, or operating license, for a production or utilization facility, or an application for amendment of a construction permit or operating license. If the Director of Licensing determines that the tendered application, including any environmental report required by Part 51 of the Commission's regulations, is complete and acceptable for processing, the applicant would be informed of this determination and requested to (a) submit to the Director of Licensing additional copies of the application and environmental report and (b) make direct distribution of additional copies of the documents to Federal, State, and local officials, and other interested persons in accordance with requirements of the Commission's regulations and written instructions furnished by the Director of Licensing.

Direct distribution by the applicant of additional copies of the application and environmental report would materially expedite the distribution of such copies by eliminating duplicate handling of them by the applicant and the Regulatory staff. This procedure also would alleviate problems of the Regulatory staff with regard to the receipt, storage, assembly, and remailing of large volumes of applications and environmental reports.

The application and environmental report would be formally docketed upon receipt by the Director of Licensing of the required copies of the application and environmental report and an affidavit by the applicant that distribution of the additional copies to Federal, State, and local officials and other interested persons has been completed in accordance with regulatory requirements and instructions, by the Director of Licensing. The date of docketing shall be the date when the required copies and affidavit have been received by the Director of Licensing.

Section 51.40 of Part 51 currently requires that applicants covered by § 51.5(a) submit 200 copies of the environmental report. The amendments set forth below would amend § 51.40 to require the applicant for a license to construct and operate a production or utilization facility to submit 50 copies of the environmental report to the Director of Licensing and retain an additional 150 copies to be submitted to the Director of Licensing upon request or distributed in accordance with instructions furnished by the Director of Licensing.

Pursuant to the Atomic Energy Act of 1954, as amended, and section 553 of title 5 of the United States Code, notice is hereby given that adoption of the following amendments to Title 10, Chapter I, Code of Federal Regulations, Parts 2, 50, and 51 is contemplated. All interested persons who wish to submit written comments or suggestions for consideration in connection with the proposed amendments should send them to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Docketing and Service Section by November 11, 1974. Copies of comments on the proposed amendments may be examined at the Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

PART 2—RULES OF PRACTICE

1. Section 2.101 is revised to read as follows:

§ 2.101 Filing of application.

(a) (1) An application for a license or an amendment to a license shall be filed with the Director of Licensing as prescribed by the applicable provisions of this chapter. A prospective applicant may confer informally with the Regulatory staff prior to the filing of an application.

(2) Each application for a license for a facility, or for receipt of waste radioactive material from other persons for the purpose of commercial disposal by the waste disposal licensee will be assigned a docket number. However, an application for a construction permit or operating license for a production or utilization facility will be initially treated as a tendered application after it is received to allow a determination as to whether it is complete and is acceptable for docketing. Generally, that determination will be made within a period of thirty (30) days.

(3) If the Director of Licensing determines that the tendered application for a construction permit or operating license for a production or utilization facility, and any environmental report required pursuant to Part 51 of this chapter, are complete and acceptable for docketing, a docket number will be assigned to the application, or the application will be docketed, as the case may be, the applicant will be notified of the determination of the Director of Licensing and requested to (i) submit to the Director of Licensing such additional copies of the application and environmental report as the regulations in Parts 50 and 51 require; (ii) serve a copy of the application and environmental report on the chief executive of the municipality in which the facility is to be located or, if the facility is not to be located within a municipality, on the chief executive of the county; and (iii) make direct distribution of additional copies of the application and environmental report to Federal and State officials, and other interested persons in accordance with the requirements of this chapter and written instructions furnished to the applicant by

the Director of Licensing. The copies of the application and environmental report submitted to the Director of Licensing and distributed by the applicant shall be completely assembled documents, identified by docket number.

(4) The tendered application for a construction permit or operating license for a production or utilization facility will be formally docketed upon receipt by the Director of Licensing of the required additional copies and an affidavit by the applicant that distribution of the additional copies to Federal, State, and local officials, and other interested persons has been completed in accordance with requirements of this chapter and written instructions furnished to the applicant by the Director of Licensing. The date of docketing shall be the date when the required copies and affidavit have been received by the Director of Licensing. If it is determined that the tendered application, or environmental report, is incomplete and not acceptable, the Director of Licensing will inform the applicant of this determination, and the respects in which the document is deficient.

(5) An applicant for a construction permit for a nuclear power reactor subject to § 51.5(a) of this chapter may tender the information required of applicants by Part 50 of this chapter in two parts. One part shall be accompanied by the information required by § 50.30(f) of this chapter, and the other part shall include any information required by §§ 50.33a, 50.34(a), and 50.34a of this chapter. Tendering of one part may precede or follow the tendering of the other by no longer than six (6) months. If it is determined that the later tendered information is incomplete and not acceptable for processing, the Director of Licensing will inform the applicant of this determination and the respects in which the document is deficient. Such a determination of completeness will generally be made within a period of thirty (30) days. Whichever part is tendered first shall also include the fee required by §§ 50.30(e) and 170.21 of this chapter and the information required by §§ 50.33, 50.34(a)(1) and 50.37 of this chapter. The Commission will accept for docketing an application for a construction permit for a nuclear power reactor subject to § 51.5(a) of this chapter if one part of the application described above is complete.

(b) After the application has been docketed, each applicant for a license for receipt of waste radioactive material from other persons for the purpose of commercial disposal by the waste disposal licensee shall serve a copy of the application and environmental report on the chief executive of the municipality in which the activity is to be conducted, or, if the activity is not to be conducted within a municipality, on the chief executive of the county.

(c) The Director of Licensing will give notice of the receipt of an application for a license for a facility, or for receipt of waste radioactive material from other persons for the purpose of commercial disposal by the waste disposal licensee, to

the Governor or other appropriate official of the State in which the facility is to be located or the activity is to be conducted, and will cause to be published in the FEDERAL REGISTER a notice of receipt of the application which states the purpose of the application and specifies the location at which the proposed activity would be conducted.

(d) The notice published in the FEDERAL REGISTER of receipt of the application for a facility license under section 103 of the Act, except for those applications described in § 2.102(d) (2), will also state that a person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Director of Licensing within sixty (60) days after publication of the notice.

(e) The notice published in the FEDERAL REGISTER of receipt of the application for a facility operating license under section 104b of the Act will, when appropriate, also state that any person who intervened or sought, by timely written notice to the Commission, to intervene in the construction permit proceeding for the facility to obtain a determination of antitrust considerations or to advance a jurisdictional basis for such determination may, within 25 days after the date of publication, submit a written petition for leave to intervene and a request for a hearing on the antitrust aspects of the application.

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

2. Section 50.30(c) (2) is amended by deleting "Director of Regulation" and substituting therefor "Director of Licensing", and sections 50.30(a), 50.30(b), 50.30(c) (1), and 50.30(c) (3) are amended to read as follows:

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

(a) *Place of filing.* Each application for a license, including whenever appropriate a construction permit, or amendment thereof, and each amendment of such application, and correspondence, reports, or other written communications from the applicant to the Commission pertaining to such application, should be filed with the Director of Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545. Communications, reports, correspondence, and applications may be delivered in person at the Commission's offices at 1717 H Street, NW., Washington, D.C.; at 7920 Norfolk Avenue, Bethesda, Md.; or at Germantown, Md.

(b) *Oath or affirmation.* Each application for a license, including whenever appropriate a construction permit, or amendment thereof, and each amendment of such application should be executed in three signed originals by the applicant or duly authorized officer thereof under oath or affirmation.

(c) *Number of copies of application.*

(1) Each filing of an application for a

license to construct and operate a production or utilization facility (including amendments to such applications) should include three signed originals and the following number of copies which shall be in addition to the copies distributed by the applicant to Federal, State, and local officials and other interested persons in accordance with the written instructions of the Director of Licensing:

(i) For an application for a license for a facility described in § 50.21(b) or § 50.22, or a testing facility: 15 copies of that portion of the application containing the information required by § 50.33 (general information) and 40 copies of that portion of the application containing the information required by § 50.34 (safety analysis report);

(ii) For an application for an amendment to a license for a facility described in § 50.21(b) or § 50.22, or a testing facility: 15 copies of that portion of the application containing the information required by § 50.33 (general information) and 30 copies of that portion of the application containing the information required by § 50.34 (safety analysis report);

(iii) For an application for a license for any other facility, or an amendment to a license for such facility: 15 copies of both that portion of the application containing the information required by § 50.33 (general information) and that portion of the application containing the information required by § 50.34 (safety analysis report);

(iv) Application for a license or an amendment to a license authorizing export only: three copies;

(v) For an application for a license for a production or utilization facility: 50 copies of any applicant's environmental report required by Part 51 of this chapter.

(3) The copies required by subparagraphs (1) and (2) of this paragraph (c) need not be filed until the application has been assigned a docket number or docketed pursuant to § 2.101(a) of this chapter. In addition to the original application; the following documents shall be filed to enable the Director of Licensing to determine whether the application is sufficiently complete to permit the assignment of a docket number or docketing, as appropriate.

(i) Fifteen (15) copies of that portion of the application containing the information required by § 50.34 (safety analysis report);

(ii) Ten (10) copies of that portion of the application containing the general information required by § 50.33; and

(iii) Fifteen (15) copies of any environmental report required by Part 51 of this chapter.

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

3. Section 51.40 is amended to read as follows:

§ 51.40 Environmental reports.

(a) Except as provided in paragraph (b) of this section, applicants for permits, licenses, and orders, and amendments thereto and renewals thereof, covered by § 51.5(a) shall submit to the Director of Licensing two hundred (200) copies of an environmental report which discusses the matters described in § 51.20. Petitioners for rule making covered by § 51.5(a) shall submit to the Director of Licensing eighty (80) copies of an environmental report which discusses the matters described in § 51.20.

(b) Applicants for a license to construct and operate a production or utilization facility (including amendments to such applications) covered by § 51.5(a) shall submit to the Director of Licensing, in accordance with § 50.30(c) (1) (v) of Part 50 of this chapter, fifty (50) copies of an environmental report which discusses the matters described in § 51.20. The applicant shall retain an additional 150 copies of the environmental report to be submitted to the Director of Licensing upon request or distributed to Federal, State, and local officials, or other interested persons in accordance with written instructions issued by the Director of Licensing.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201))

Dated at Bethesda, Md., this 18th day of September 1974.

For the Atomic Energy Commission.

L. MANNING MUNTZING,
Director of Regulation.

[FR Doc. 74-22231 Filed 9-24-74; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 1]

[Docket No. 19658]

COMMERCIAL RADIO OPERATOR LICENSE

Fee Schedule; Order Extending Time for Filing Comments and Reply Comments

In the matter of amendment of Subpart G of Part 1 of the Commission's rules relating to the schedule of fees.

1. The Consumer Electronics Group of the Electronic Industries Association has requested an extension of time for filing comments in the above-captioned matter. The notice, which was released on August 12, 1974 (39 FR 30016),¹ called for comments and reply comments on September 29 and October 4, 1974, respectively.

2. The request is supported by the fact that the Consumer Electronics Group has requested information from the Commission which, it is asserted, is necessary to enable it to file complete comments on the proposed fees. This request for information has not yet been acted upon.

¹ Published in the issue of Monday, August 19, 1974.

3. Accordingly, it is ordered, Pursuant to the authority delegated in § 0.251(b), that the time limits for the filing of comments and reply comments are extended to October 21, 1974 and November 4, 1974, respectively.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] ASHTON R. HARDY,
General Counsel.
[FR Doc.74-22253 Filed 9-24-74;8:45 am]

[47 CFR Parts 2, 91]

[Docket No. 20147]

NONGOVERNMENT RADIOLOCATION

Assignment of Frequencies; Correction

In the matter of amendments of Parts 2 and 91 of the Commission's rules and regulations to permit assignment of frequencies in the 420-450 MHz band for non-Government radiolocation.

1. In the notice of proposed rulemaking in the above entitled proceeding, FCC 74-882, released August 23, 1974, and published in the FEDERAL REGISTER on Thursday, August 29, 1974 (39 FR 31533) it was incorrectly stated in paragraph 5 that the American Petroleum Institute filed a letter in support of the NMI Request. The letter was actually submitted by Keller and Heckman, attorneys for Offshore Navigation, Inc.

Released: September 18, 1974.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.
[FR Doc.74-22251 Filed 9-24-74;8:45 am]

**INTERSTATE COMMERCE
COMMISSION**

[49 CFR Part 1208]

[No. 32451 (Sub-No. 1)]

**UNIFORM SYSTEM OF ACCOUNTS
FOR MARITIME CARRIERS**

**Conformity With Generally Accepted
Accounting Principles**

At a session of the Interstate Commerce Commission held at its office in Washington, D.C., on the 22nd day of August 1974.

This proceeding is being instituted on our own motion to consider proposed rulemaking to adopt the new uniform system of accounts for maritime carriers prescribed by the Federal Maritime Administration, Department of Commerce (FMA), as published on May 9, 1974, in the FEDERAL REGISTER (39 FR 16445). The uniform system of accounts for maritime carriers has been jointly prescribed by this Commission and the FMA. Since the FMA has adopted a new system of accounts, it is necessary for us to adopt the same system or else jointly regulated carriers would be subject to different systems of accounts. However, in adopting the FMA system we are incorporating certain rules that this Commission is currently considering for adoption in the various systems of accounts under its jurisdiction to conform with generally

accepted accounting principles (GAAP) such as deferred income taxes, equity method of accounting, extraordinary and prior period items, and treasury stock; and also rules on affiliate transactions and just and reasonable charges.

The intent of this proposal is to maintain a long-standing arrangement between this Commission and the FMA (and also the Federal Maritime Commission) to prescribe identical and compatible systems of accounts for maritime carriers. The adoption of the FMA new uniform system of accounts with the proposed changes supra by this Commission will enable maritime carriers to use one accounting system that will meet the requirements of both this Commission and the FMA. We find the FMA system adequate to provide the necessary financial and cost information for regulatory as well as management decision-making purposes.

It is intended that the proposed revisions to the uniform system of accounts for Maritime Carriers would be reflected in the annual reports for the year ending December 31, 1974. During an operator's fiscal year beginning on or after January 1, 1974, an operator may employ presently existing accounts and convert its account numbers to conform to this amendment. Thereafter accounts must reflect the requirements of 49 CFR 1208 as herein amended.

Upon consideration of the above described matters and good cause appearing therefor:

It is ordered, That a proceeding be, and it is hereby, instituted under the authority of the section 313(c) of Part III of the Interstate Commerce Act and pursuant to sections 553 and 559 of the Administrative Procedures Act with a view toward adopting the proposed regulations set forth in the appendix of this notice, and for the purpose of taking such other and further actions as the facts and circumstances may justify and require.

It is further ordered, That all maritime carriers subject to the Interstate Commerce Act be, and they are hereby, made respondents in this proceeding.

It is further ordered, That no oral hearing be scheduled for the receiving of testimony in this proceeding unless a need therefor should later appear, but that respondents or any other interested parties may participate in this proceeding by submitting for consideration written statements of fact, views, and arguments on the subjects mentioned above, or any other subjects pertaining to this proceeding.

It is further ordered, That any interested person wishing to submit statements of facts, arguments, and order representations on the proposed modification in the uniform system of accounts shall file an original and 15 copies of such representations with the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, on or before October 21, 1974, and that all such statements will be considered as evidence of record in this proceeding.

It is further ordered, That written material or suggestions submitted shall be made available for public inspection at the offices of the Interstate Commerce Commission, 12th and Constitution Avenue NW., Washington, D.C. 20423, during regular business hours.

And it is further ordered, That statutory notice of the institution of this proceeding be given to all respondents and to the general public by mailing a copy of this order to the Governor of every State and to the Public Utilities Commissions or Boards of each State having jurisdiction over transportation, by posting a copy of this order in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, for public inspection, and by delivering a copy thereof to the Director, Division of the Federal Register for publication in the FEDERAL REGISTER as notice to all interested persons.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

NOTE: This decision is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

PART 1208—MARITIME CARRIERS

CROSS REFERENCE: For uniform system of accounts for operating-differential subsidy contractors, issued by Federal Maritime Board, Maritime Administration, Department of Commerce, see Title 46, Part 282.

01 Abstract from law: Interstate Commerce Act.

General Instructions

- (A) Definitions.
- (B) Records.
- (C) Accrued items.
- (D) Submission of questions.
- (E) Voyage accounts.
- (F) Balance sheet accounts.
- (G) Conversion of securities.
- (H) Contingent assets and liabilities.
- (I) Revenue accounts.
- (J) Expense accounts.
- (K) Extraordinary, unusual and infrequently occurring events and transactions; prior period adjustments; and the effects of disposal of segment of a business.
- (L) Accounting for income taxes.
- (M) Record value of security owned.
- (N) Transactions with affiliated companies.
- (O) Charges to be just and reasonable.

Balance Sheet Accounts

(A) ASSET ACCOUNTS

ACCOUNT

- 100 Cash.
- 101 Cash on deposit—domestic.
- 106 Cash on deposit—foreign.
- 111 Imprest and petty cash funds.
- 114 Cash on hand and in transit.
- 115 Special cash deposits.
- 120 Marketable securities.
- 129 Discounts and premiums on marketable securities.
- 130 Notes receivable.
- 140 Notes receivable—affiliates.
- 150 Accounts receivable.
- 151 Traffic accounts receivable—U.S. Government.
- 152 Traffic accounts receivable—other.
- 153 Accounts receivable—affiliates.
- 155 Claims receivable.

PROPOSED RULES

34427

- Sec.
747 Long-term bareboat charter hire.
748 Long-term bareboat charter hire—
affiliates.
749 Other vessel expenses.

(B) ALLOCATED VOYAGE EXPENSE

ACCOUNT

- 750 Allocated container and barge expense.
751 Allocated terminal expense.

(C) PORT EXPENSE

ACCOUNT

- 752 Cargo handling—loading/discharging.
753 Cargo handling—loading/discharging
barges.
754 Cargo handling—container yard.
755 Cargo handling—container freight sta-
tion.
756 Cargo handling—lighter freight sta-
tion.
757 Cargo handling—lighter consolidation.
758 Cargo handling—commercial cargo.
759 Cargo handling—other.
762 Purchased off-dock container freight
station services.
763 Port transportation expense—com-
mercial.
764 Port transportation expense—military.
765 Inland transportation expense—com-
mercial.
766 Inland transportation expense—mili-
tary.
767 Substituted service transportation ex-
pense—commercial.
768 Substituted service transportation ex-
pense—military.
770 Wharfage and dockage.
771 Other port expenses.
772 Port costs of passenger operations.
773 Transit canal tolls.

(D) IDLE VESSEL EXPENSE

ACCOUNT

- 801 Crew wages.
803 Crew fringe benefits.
804 Union payments unrelated to the crew.
808 Payroll taxes.
810 Subsistence.
815 Consumable stores, supplies and equip-
ment.
825 Other maintenance expense.
830 Insurance—hull and machinery.
832 Insurance—protection and indemnity.
834 Insurance—other marine-risk.
835 Vessel fuel.
840 Vessel repairs.
842 Depreciation—idle vessels.
843 Time and trip charter hire.
844 Time and trip charter hire—affiliates.
845 Short-term bareboat charter hire.
846 Short-term bareboat charter hire—
affiliates.
847 Long-term bareboat charter hire.
848 Long-term bareboat charter hire—
affiliates.
849 Other vessel expense.

(E) TERMINAL EXPENSE

- 855 Terminal operations expense—con-
tainer yards.
856 Terminal operations expense—con-
tainer freight station/breakbulk.
857 Terminal operations expense—barges.
858 Terminal operations expense—other.
859 Depreciation—terminal property and
equipment.
860 Amortization—terminal leaseholds and
leasehold improvements.
861 Other expense—terminal equipment.
862 Operating expense of tug and barge
operations.
863 Maintenance expense of tug and barge
operations.

- Sec.
864 Depreciation—other floating equip-
ment.
866 Allocated terminal expense—contra.

(F) CONTAINER/BARGE EXPENSE

- 867 Container rental and lease expense.
868 Container rental and lease expense—
affiliates.
869 Refrigerated container rental and lease
expense.
870 Refrigerated container rental and lease
expense—affiliates.
871 Chassis rental and lease expense.
872 Chassis rental and lease expense—
affiliates.
873 Trailer rental and lease expense.
874 Trailer rental and lease expense—
affiliates.
875 Barge rental and lease expense.
876 Barge rental and lease expense—
affiliates.
877 Container related equipment rental and
lease expense.
878 Container related equipment rental and
lease expense—affiliates.
879 Other cargo handling equipment rental
and lease expense.
880 Other cargo handling equipment rental
and lease expense—affiliates.
881 Depreciation—container.
882 Depreciation—refrigerated containers.
883 Depreciation—chassis and trailer equip-
ment.
885 Depreciation—barges.
886 Depreciation—container related equip-
ment.
888 Other expense—containers.
889 Other expense—refrigerated containers.
890 Other expense—chassis.
891 Other expense—trailers.
892 Other expense—barges.
893 Other expense—other container equip-
ment.
894 Other expense—other cargo handling
equipment.
899 Allocated container/barge expense—
contra.

(G) ADMINISTRATIVE AND GENERAL EXPENSES

- 901 Compensation of officers and directors.
902 Salaries and wages of employees.
903 Fringe benefits.
905 Legal fees.
906 Accounting and auditing fees.
907 Other professional fees.
910 Rental expense.
912 Utilities.
915 Communication expense.
920 Office expense.
923 Data processing equipment rental ex-
pense.
925 Dues and subscriptions.
926 Donations and contributions.
929 Entertainment and solicitation.
930 Travel expense.
931 Insurance expense.
931 Insurance expense.
934 Repairs and maintenance.
940 Management fees and commissions—
affiliates.
941 Management fees and commissions—
other.
945 Advertising—passenger.
946 Advertising—other.
950 Freight brokerage.
951 Passenger brokerage.
952 Agency fees and commissions.
955 Contributions to pools.
960 Interest expense.
961 Interest expense—affiliates.
965 Doubtful notes and accounts receivable.
970 Depreciation—other shipping property
and equipment.
971 Depreciation—non-shipping property
and equipment.
975 Amortization—office leaseholds and
leasehold improvements.

- Sec.
976 Amortization—debt discount and ex-
pense.
977 Amortization—organization expense.
979 Miscellaneous amortization expense.
980 Expense of non-shipping operations.
983 Income or loss from operations of dis-
continued segments.
984 Gain or loss on disposal of discontinued
segments.
985 Income taxes accrued on ordinary in-
come.
986 Provision for deferred income taxes.
987 Income taxes on extraordinary items.
988 Provisions for deferred taxes—extraor-
dinary items.
989 Other taxes.
990 Miscellaneous expense.
991 Unusual or infrequent items (debit).
995 Extraordinary items.

APPENDIX

Clearance Accounts

- .001 Masters and pursers.
.005 Allotments on wages of crews.
.010 Agents and branch houses.
.012 Sub-agency operations.
.015 Related companies; accounts current.
.025 Collections and deposits for passenger
transportation.
.030 Collections on unrecorded freight
manifests.
.035 Advance on prepaid beyond charges,
and miscellaneous manifest items.
.040 Bar accounts.
.045 Slop chest account.
.050 Foreign exchange account.
.055 Pool participation.
.060 Stores, supplies, and equipment aboard
vessels.
.095 Profit and loss account.

Financial Statements

- 2000 Balance sheet.
2001 Income statement.
2002 Waterline operating revenue and ex-
pense.
2003 Vessel operating statement.

AUTHORITY: The provision of this Part 1208 issued under Sec. 12, 24 Stat. 383, as amended, 54 Stat. 933, Sec. 20, 24 Stat. 386, as amended, 54 Stat. 944, as amended; (49 U.S.C. 12, 904, 20, 913).

01 Abstract from law: Interstate Com-
merce Act.

Part I and III of the Interstate Com-
merce Act, of which section 313(c) of
part III reads as follows:

The Commission may, in its discretion, for
the purpose of enabling it the better to carry
out the purposes of this part prescribe a
uniform system of accounts, applicable to
any class of water carrier, and a period of
time, within which such class shall have
such uniform system of accounts and the
manner in which such accounts shall be kept.

NOTE: For comparable provisions, under
part I, see section 20(3).

General Instructions

(A) Definitions.

(1) "Additions" means structures, fa-
cilities, or equipment added to those in
service and not replacing property or
equipment previously in service.

(2) "Affiliated companies" or "affili-
ates" means companies or persons that
directly, or indirectly through one or
more intermediaries, control, or are con-
trolled by, or are under common control
with, the accounting carrier. Where ref-
erence is made to control (in referring to

a relationship between any person or persons and other person or persons), such reference shall be construed to include actual as well as legal control, whether maintained or exercised through or by reason of the method of or circumstances surrounding organization or operation, through or by common directors, officers, or stockholders, a voting trust or trusts, a holding or investment company or companies, or through or by any other direct or indirect means; and to include the power to exercise control.

(3) "Barge" means a cargo carriage technology type known as a lighter, used in the operation of LASH, SEABEE or similar operation to hold bulk, break bulk, and containerized cargo, and which may be stowed in holds or on deck, and which has the capability of floating on water and being towed from one location to another.

(4) "Break-bulk" means a cargo carriage technology type referring to cargo which is unitized by bagging, drumming, palletizing, or some other similar method, and is transported in holds of vessels without benefit of containers or barges.

(5) "Bulk" means a cargo carriage technology type referring to cargo which is not palletized, bagged, drummed, or otherwise unitized, and is transported in holds of vessels without benefit of containers or barges. Bulk cargo is considered barge cargo when it is placed in barges.

(6) "Cargo carriage technology type (CCTV)" means the classification of cargo for accounting purposes by its mode of carriage, including: (i), barge; (ii), break-bulk; (iii), bulk; (iv), container, and (v), vehicle.

(7) "Container" means a cargo carriage technology type referring to cargo carrying receptacle, either refrigerated, dry, or liquid, open top, flat rack, or of other configuration, which may be stowed in vessels or on deck, but which is not used as a floating vehicle which may be towed from one location to another.

(8) "Current assets" means cash other than cash held in special funds, as well as those assets that are readily convertible into cash, held for current operation, and other amounts accruing to the carrier and subject to settlement within one year from date of the balance sheet.

(9) "Current liabilities" means those obligations the amounts of which are definitely determined or can be closely estimated and which are either matured at the date of the balance sheet or become due upon demand or within one year from the date of the balance sheet.

(10) "Debt expense" means all expense in connection with the issuance and sale of evidences of long-term debt, such as fees for drafting mortgages and trust deeds; fees and taxes for issuing or recording evidences of debt; cost of engraving and printing bonds, certificates of indebtedness, and other evidences of debt; fees paid trustees; specific cost of obtaining governmental authority; fees for legal services; fees and commissions paid underwriters, brokers, and salesmen for marketing evidences of debt; fees and

expenses of listing on exchanges; and other like costs.

(11) "Discount", as applied to securities issued or assumed by the carrier, means the excess of the par or face value of the securities, over the cash value of the consideration received from the sale, plus interest or dividends accrued to the date of the sale.

(12) "Nonshipping property" means property neither used in nor held for use by the carrier in the conduct of its shipping operation.

(13) "Port expense" means an expense incurred as a direct result of the movement of cargo to and from ships and the expenses incurred in the docking and undocking of ships.

(14) "Terminal expense" means all expenses related to maintaining terminals for handling breakbulk, containers, vehicles and barges and the costs of tug, other barge operations and other floating equipment.

(15) "Premiums", as applied to securities issued or assumed by the carrier, means the excess of the cash value of the consideration received at their sale over the sum of their par or face value plus interest or dividends accrued to the date of sale.

(16) "Vehicle" means a cargo carriage technology type referring to cargo carrying receptacles or containers only when mounted on wheeled chassis which can be towed as a unit.

(17) "Shipping property" means property which is used or held for use by the carrier in the conduct of its shipping operation.

(18) "Vessel expense" means an expense incurred as a direct result of owning and operating vessels in the carriage of cargo or passengers in domestic or foreign trade, whether the vessel is in port or at sea.

(19) "Income taxes" means taxes based on income determined under provisions of the United States Internal Revenue Code and foreign, state and other taxes (including franchise taxes) based on income.

(20) "Income tax expense" means the amount of income taxes (whether or not currently payable or refundable) allocable to a period in the determination of net income.

(21) "Pretax accounting income" means income or loss for a period, exclusive of related income tax expense.

(22) "Taxable income" means the excess of revenues over deductions or the excess of deductions over revenues to be reported for income tax purposes for a period.

(23) "Timing differences" means differences between the periods in which transactions affect taxable income and the periods in which they enter into the determination of pretax accounting income. Timing differences originate in one period and reverse of "turn around" in one or more subsequent periods. Some timing differences reduce income taxes that would otherwise be payable currently; others increase income taxes that would otherwise be payable currently.

(24) "Permanent differences" means

differences between taxable income and pretax accounting income arising from transactions that, under applicable tax laws and regulations, will not be offset by corresponding differences or "turn around" in other periods.

(25) "Tax effects" means differentials in income taxes of a period attributable to (1) revenue or expense transactions which enter into the determination of pretax accounting income in one period and into the determination of taxable income in another period, (2) deductions or credits that may be carried backward or forward for income tax purposes and (3) adjustments of prior periods and direct entries to other stockholders' equity accounts which enter into the determination of taxable income in a period but which do not enter into the determination of pretax accounting income of that period. A permanent difference does not result in a "tax effect" as that term is used in this definition.

(26) "Deferred taxes" means tax effects which are deferred for allocation to income tax expense of future periods. (27) "Interperiod tax allocation" means the process of apportioning income taxes among periods.

(28) "Tax allocation within a period" means the process of apportioning income tax expense applicable to a given period between income before extraordinary items and extraordinary items, and of associating the income tax effects of adjustments of prior periods and direct entries to other stockholders' equity accounts with these items.

(29) "Investor" means a business entity that holds an investment in voting stock of another company.

(30) "Investee" means a corporation that issued voting stock held by an investor.

(31) "Corporate joint venture" is a company owned and operated by a small group of businesses as a separate and specific business or project for the mutual benefit of the members of the group.

(32) "Dividends", unless otherwise specified, means dividends paid or payable in cash, other assets, or another class of stock and does not include stock dividends or stock splits.

(33) "Earnings or losses of an investee" and "financial position of an investee" refer to net income (or net loss) and financial position of an investee determined in accordance with generally accepted accounting principles.

(34) "Segment of a business" refers to a component of an entity whose activities represent a separate major line of business or class of customer. A segment may be in the form of a subsidiary, a division, or a department, and in some cases a joint venture or other non-subsidiary investee, provided that its assets, results of operations, and activities can be clearly distinguished, physically and operationally and for financial reporting purposes, from the other assets, results of operations, and activities of the entity.

(35) "Measurement date" means the date on which the management having

authority to approve the action commits itself to a formal plan to dispose of a segment of the business, whether by abandonment or sale.

(36) "Disposal date" refers to the date of closing the sale if the disposal is by sale or the date that operations cease if the disposal is by abandonment.

(B) Records.

(1) The carrier's accounting records shall be kept in sufficient detail to show fully the facts pertaining to all entries in its accounts.

(2) Where the general ledger book entries do not contain complete information they shall be supported by other detailed records, and cross-referenced for ready identification.

(3) All records shall be filed and readily accessible for examination.

(4) All accounts reported shall conform in number and title to those prescribed in this part.

(5) Accounts included in this system may be subdivided if such subaccounts do not impair the integrity of the accounts or records prescribed in this part.

(6) Transactions shall be recorded currently so that whenever possible all transactions applicable to each month are identifiable to that month.

(C) Accrued items.

(1) When it is known that a transaction has occurred but the amount involved and its effect upon the accounts cannot be determined with absolute accuracy, the amount thereof shall be estimated and included in the appropriate revenue, expense and balance sheet accounts. Any such estimate shall be adjusted as soon after the actual amount is determined as is practicable.

(2) Accruals shall not be recorded for purely speculative items, but shall be limited to reasonable estimates based on reliable information of transactions that have been consummated.

(D) Submission of questions.

To promote and maintain uniformity of accounting, carriers shall submit all questions involving an interpretation of the accounting regulations for consideration and decision to the agency having jurisdiction over the carrier's accounts.

(E) Voyage accounts.

(1) The carrier shall keep its records in a manner that will report with respect to operating revenue, operating expense, and other accounts affected, the revenues accrued and the expenses incurred for each terminated voyage of its vessels operated.

(2) The revenues and expenses applicable to unterminated voyages at the end of an accounting period shall be transferred to account 500, "Deferred revenues-terminated voyages" and account 200, "Deferred expenses-terminated voyages."

(F) Balance sheet accounts.

The balance sheet accounts are intended to disclose the financial condition of the carrier as of a given date by show-

ing the assets, liabilities, and owner's equity.

(G) Conversion of securities.

Journal entries which record the retirement of capital stock or funded debt securities by issuing in exchange the carrier's capital stock or funded debt shall be submitted to the Interstate Commerce Commission for approval before being recorded upon the books by carriers reporting to that Commission.

(H) Contingent assets and liabilities.

Contingent assets and liabilities shall not be recorded in the accounts; however, appropriate footnote disclosures shall be included as an integral part of the financial statements in order to present fairly the financial position of the carrier as of the balance sheet date. Disclosure of lease commitments by lessee shall include information required by opinion number 31 of the Accounting Principles Board with respect to total rental expense, minimum rental commitments, present value of commitments and additional disclosures. Those companies subject to the regulations of the Securities and Exchange Commission (SEC) shall disclose the information required by (SEC) Regulation S-X.

(I) Revenue accounts.

(1) The revenue accounts are designed to show the amount of revenue which the carrier becomes entitled to receive from furnishing of transportation service, including services incidental thereto.

(2) The accounting for operating revenues shall be coincident with the transactions which create them. For the purpose of meeting this requirement, the carrier shall account for revenues upon an accrual basis.

(J) Expense accounts.

(1) The expense accounts are designed to show expenses of the carrier in furnishing transportation service including services incidental thereto, such as the expenses of utilization (repairs and depreciation) of the property used in such service.

(2) The accounting for expenses shall be coincident with the transactions which create them; expenses and revenues shall be matched. For the purpose of meeting this requirement, the carrier shall account for expenses on an accrual basis.

(K) Extraordinary, unusual and infrequently occurring events and transactions; prior period adjustments; and the effects of disposal of segment of a business.

(1) *Extraordinary items.* (i) All items of profit and loss recognized during the year are includible in ordinary income unless evidence clearly supports their classification as extraordinary items. Extraordinary items are characterized by both their unusual nature and infrequent occurrence taking into account the environment in which the firm operates; they must also meet the material standard.

(ii) Unusual means the event or transaction must possess a high degree of ab-

normality and be of a type clearly unrelated to, or only incidentally related to the ordinary and typical activities of the entity.

(iii) Infrequent occurrence means the event or transaction shall be of a type not reasonably expected to recur in the foreseeable future.

(iv) In determining materiality, as a general standard an item shall exceed 10 percent of ordinary income or be considered in relation to the trend of annual earnings before, extraordinary items or to other appropriate criteria. Items shall be considered individually and not in the aggregate in determining materiality. However, the effects of a series of related transactions arising from a single specific and identifiable event or plan of action shall be aggregated to determine materiality.

(2) *Unusual or infrequent items.* Material events unusual in nature or infrequent in occurrence but not both, thus not meeting both criteria for classification as extraordinary, shall be includible in the accounts provided as separate components of income/expense from continuing operations. Such items are not to be reported net of income taxes.

(3) *Discontinued operations.* The results of continuing operations shall be reported separately from discontinued operations and any gain or loss resulting from disposal of a segment of a business (see definition (34)) shall be reported in conjunction with the related results of discontinued operations and not as an extraordinary item. The disposal of a segment of a business shall be distinguished from other disposals of assets incident to the evolution of the entity's business, such as the disposal of part of a line of business, the shifting of production or marketing activities for a particular line of business from one location to another, the phasing out of a product line or class of service, and other changes occasioned by technological improvements. If a loss is expected from the proposed sale or abandonment of a segment, the estimated loss shall be provided for at the measurement date (see definition (35)). If a gain is expected, it shall be recognized when realized, which ordinarily is the disposal date (see definition (36)).

(4) *Prior period adjustments.* Adjustments occurring in the current accounting period, relating to events or transactions which occurred in a prior period the accounting effects of which could not be determined with reasonable assurance at that time, shall be reported as prior period adjustments. Such adjustments shall not be considered prior period unless: (i) they can be specifically identified with and directly related to the business activities of particular prior periods, and (ii) are not attributable to economic events occurring subsequent to the date of the financial statements for the prior period, and (iii) depend primarily on determinations by persons other than management, and (iv) were not susceptible of reasonable estimation prior to such determination. If an adjustment does not meet such criteria, it

PROPOSED RULES

shall be separately disclosed as to year of origin, nature, and amount and classified in the current period in the same manner as the original item. If the adjustment is the correction of an error it shall be reflected as an adjustment of the opening balance of retained earnings.

(5) *Commission approval and accountant's letter.* Items shall be included in the accounts provided for extraordinary items, unusual or infrequent items, discontinued operations, and prior periods adjustments only upon approval of the Commission. A request for special accounting on these items shall be accompanied by a letter from the carrier's independent accountants approving or otherwise commenting on the item.

(L) Accounting for income taxes.

(1) The interperiod tax allocation method of accounting shall be applied where material timing differences (see definition (23)) occur between pretax accounting income and taxable income. Carriers may elect, as provided by the Revenue Act of 1971, to account for the investment tax credit by either the flow through method or the deferred method of accounting. See paragraphs (4) and (5) below. All income taxes (Federal, state, and other) currently accruable for income tax return purposes shall be charged to account 985, "Income taxes accrued on ordinary income", and account 987, "Income taxes on extraordinary items", as applicable.

(2) Under the interperiod tax allocation method of accounting the tax effect of timing differences (see definitions (25) and (23)) originating in the current accounting period are allocated to income tax expense of future periods when the timing differences reverse. Similar timing differences originating and reversing in the current accounting period should be combined into groups and the current tax rates applied to determine the tax effect of each group. A carrier shall not apply other than current tax rates in determining the tax effect of reversing differences except upon approval of the Commission. When determining the amount of deferred taxes, rather than computing state and other taxes individually by jurisdiction, the Federal income tax rate may be increased by a percent equivalent to the taxes imposed by the jurisdictions.

(3) The future tax benefits of loss carryforwards shall normally be recognized in the year in which such loss is applied to reduce taxes. Only in those unusual instances when realization is assured beyond any reasonable doubt should the future tax benefits of loss carryforwards be recognized in the year of loss. The tax effects of any realizable loss carrybacks shall be recognized in the determination of net income (loss) of the loss periods; appropriate adjustments of existing net deferred tax credits may also be necessary in the loss period.

(4) Carriers electing to account for the investment tax credit by the flow through method shall credit account 985, "Income taxes accrued on ordinary in-

come," or account 987, "Income taxes on extraordinary items," as applicable, and charge account 443, "Accrued liability for Federal income taxes", with the amount of investment tax credit utilized in the current accounting period.

(5) Carriers electing to account for the investment tax credit by the deferred method shall concurrently with making the entries prescribed in (4) above charge account 986, "Provision for deferred income taxes" or account 988, "Provision for deferred income taxes—extraordinary items," as applicable, and shall credit account 563, "Accumulated deferred income tax credits" with the investment tax credit utilized as a reduction of the current year's tax liability but deferred for accounting purposes. The investment tax credit so deferred shall be amortized by credits to account 986, "Provision for deferred income taxes".

NOTE A: Any change in practice of accounting for the investment tax credit shall be reported promptly to the Commission. Carriers desiring to clear deferred investment tax credits because of a change from the deferral method to the flow through method shall submit the proposed journal entry to the Commission for consideration and advice.

NOTE B: A carrier shall follow generally accepted accounting principles where an interpretation of the accounting rules for income taxes is needed or obtain an interpretation from its public accountant or the Commission.

(M) Recorded value of securities owned.

(1) Investments in the securities of any company other than those issued or assumed by the accounting company, where the investment does not represent 20 percent or more of the outstanding voting common stock of the company should be recorded at cost and should not be stated in excess of cost. Exceptions to this rule may be approved by the Commission in special circumstances where an investment of less than 20 percent gives the accounting company power to significantly influence the financial and policy making decisions of the investee.

(2) All investments in common stocks of affiliated companies where the investment represents 20 percent or more of the voting common stock of the company and all investments in corporate joint ventures (see definition (31)) shall be accounted for according to the principles of equity accounting as prescribed in paragraph (3) below.

(a) The principles of equity accounting provide that the accounting company shall record all investments described in paragraph (2) above as follows:

(i) All investments when acquired shall be recorded in the appropriate account at cost. Any difference between the cost of the investment and the investor carrier's equity in net assets of the affiliated company shall be amortized to account 697, "Income from affiliated companies," over a reasonable period not to exceed 40 years.

(ii) The investor shall record in account 697, "Income from affiliated companies", its share of the affiliated company's profits or losses (see (iii) below for extraordinary and prior period items)

for each accounting period subsequent to acquisition of the investment except that in the year of acquisition such amount shall be determined from the date of acquisition. Dividends received shall be recorded by credit to the investment account.

(iii) The accounting company shall record its share of extraordinary items and its share of prior period adjustments reported in the affiliated companies' financial statements according to the provisions of instruction K.

(iv) Any profits or losses on transactions between the accounting company and the investee affiliate shall be eliminated until realized by the accounting company or the investee company as if the two were consolidated.

(v) A transaction of the investee of a capital nature that affects the accounting company's share of stockholders' equity of the investee should be accounted for as if the two were consolidated.

(vi) Sales of stock of an investee by an investor company should be accounted for as gains or losses equal to the difference at the time of sale between selling price and the carrying amount of the stock sold.

(vii) The financial statements of the investee that are used for equity accounting should be timely. If the accounting year of the investee differs from that of the accounting carrier then the most recent statements may be used. A lag in reporting should be consistent from period to period.

(viii) An investor company should suspend application of the equity method when the investment together with any net advances made to the investee is reduced to zero. Additional losses should not be provided for unless the accounting company has guaranteed obligations of the investee or is otherwise committed to provide further financial support for the investee. If the investee subsequently reports net income the accounting carrier shall resume applying the equity method at such time as its share of that net income equals the share of net losses not recognized during the period of suspension.

(ix) The accounting company shall deduct any dividends applicable whether or not declared on outstanding cumulative preferred stock of the investee affiliate when computing its share of earnings or losses.

(x) When the accounting company voting stock interest falls below the level of ownership described in paragraph (2) above the investment no longer qualifies for the "equity method". Any dividends received on the investment in subsequent periods shall be applied as a reduction of the carrying amount of the investment to the extent they exceed the accounting carrier's share of earnings for such periods.

(xi) When the level of ownership of an investment accounted for under the cost method increases to that described in paragraph (ii) above, then the investment shall be accounted for under the equity method. The investment, net

income (current and prior periods) and retained earnings of the accounting carrier shall be adjusted retroactively (see Instruction K). The adjustment should be made on a step by step basis determining the income, dividend, and amortization adjustment applicable at each level of ownership.

(4) The accounting company shall write down the cost of any investment to the extent of impairment in values; however, mere fluctuations in market value shall not be recorded. Write downs for impairment shall not be delayed beyond the year in which a loss is claimed for income tax purposes. The loss may be recorded in the accounts by establishing a reserve for such loss through credits to account 329, "Decline in value of investments". Losses attributable to write downs or write offs shall be charged to account 900, "Miscellaneous expense" or to account 995, "Extraordinary items (net)", as appropriate.

(5) When securities with a fixed maturity date are purchased at a discount (i.e., when total cost including brokerage fees, taxes, commissions, etc., is less than par), such discounts may be amortized over the remaining life of the securities through periodic debits to the account in which the securities are carried (preferably coincident with entries recording interest accruals) and credits to the same account in which interest income is credited. No debits shall be made in respect to discounts upon securities held as investments or in special funds if there is reason to believe that such securities will be disposed of by redemption or otherwise at less than par or will not be paid at date of maturity. When securities with a fixed maturity date are purchased at a premium (i.e., when the total cost including brokerage fees, taxes, commissions, etc., is in excess of par), such premium may be amortized over the remaining life of the securities through periodic credits to the account in which the securities are carried (preferably coincident with entries recording interest accruals) and debits to the same accounts in which the interest income is recorded.

NOTE: Cost (for purposes of this instruction) is cash or fair market value of the consideration given at the time of acquisition but excluding amounts of accrued interest and accrued dividends.

(N) Transaction with affiliated companies.

(1) All transactions with affiliated companies shall be entered in the appropriate accounts provided for transactions of the same nature.

(2) Transportation-related charges from affiliated companies shall be debited to the appropriate operating expense accounts. (Where applicable the component of each account shall be distributed to the appropriate activity.)

(3) Each bill rendered by an affiliated company shall state the specific basis for charges concerning any type of service rendered, sale or use of facili-

ties or any other type of asset or property, with an adequate description of such basis used.

(4) The carrier shall record, as the cost of assets or services received from an affiliated supplier, their invoice price in those cases where the invoice price can be determined from a prevailing price list of the affiliated supplier available to the general public in the normal course of business. If no such price list exists, the charges shall be recorded at the lower of their cost to the originating affiliated supplier (less all applicable valuation reserves in case of asset sales), or their estimated fair market value determined on the basis of a representative study of similar competitive and arm's-length or bargained transactions. Any differences between actual transaction prices and the above, as well as charges that are not transportation related, shall be considered of a financing nature and shall be recorded accordingly, as nonoperating charges or credits.

(5) The records supporting all transactions with affiliated companies shall be so maintained in a separate file as to show the contractual arrangement for each transaction, the amounts paid to and received from each company, and the basis of each assessment.

(6) The file maintained pursuant to this instruction shall be kept in such a manner as to enable the carrier to furnish accurately and expeditiously information and supporting documentation relating to the transactions. It is not intended that the file include data relating to ordinary carrier operation such as lawful tariff charges, interchange of equipment and similar items.

(7) Punched cards, magnetic tapes, discs, or other machine-sensible device used for recording, consolidating, and summarizing accounting transactions and records with a carrier's electronic or automatic data processing system shall constitute a file within the meaning of this instruction, provided the carrier maintains the capability to produce a record of transactions with affiliates within 10 days of a request of the Commission.

(8) Nothing contained herein shall be construed as restraining the carrier from subdividing accounts (see Instruction b(5)) for the purpose of recording separately transactions with affiliated companies.

(O) Charges to be just and reasonable.

All charges to the accounts prescribed in this system of accounts for carrier property, operating revenues, operation and maintenance expenses, and other carrier expenses, shall be just, reasonable and necessary to the honest and efficient operations and management of the carrier business. Payments should not exceed the fair market value of goods and services acquired in an arm's-length transaction. Any payments in excess of such just and reasonable charges shall be included in account 900, "Miscellaneous expense".

Balance Sheet Accounts

(A) ASSET ACCOUNTS

ACCOUNT

100 Cash.

(a) This account shall include the amount of current funds available for use on demand in the hands of financial officers or deposited in banks or trust companies including cash in transit for which agents or others have received credit. Cash appropriated for replacement, debt retirements, funded reserves, etc., and cash on deposit to guarantee performance of agreements shall be carried in appropriate accounts numbered 115 and 301 to 312, inclusive. If the withdrawal of any portion of the cash included in this account is restricted for any purpose whatsoever, the balance sheet must carry an appropriate notation to that effect.

(b) This account shall be subdivided into the following sub-accounts: 101, 106, 111, and 114.

101 Cash on deposit—domestic.

This account shall include all cash on deposit in banks in the United States and available for general purposes.

106 Cash on deposit—foreign.

This account shall include all cash on deposit in foreign banks and available for general purposes.

111 Imprest and petty cash funds.

This account shall include cash funds maintained at fixed amounts to be used in making change or in the nature of revolving funds for minor disbursements requiring immediate payment, the funds being regularly reimbursed from the general cash. Subsidiary accounts shall be maintained by agents or by type of fund.

114 Cash on hand and in transit.

This account shall include cash in the hands of financial officers; cash transfers between banks; and cash in transit from agents, branch houses, and employees.

115 Special cash deposits.

(a) This account shall include the amounts of cash on special deposit (other than in special funds or deposits as elsewhere provided) for the payment of dividends, interest, and other debts of a current nature, when such payments are due one year or less from date of deposit; also amounts of cash deposited to insure the performance of contracts to be performed within one year from date of deposit; and other cash deposits of a special nature not provided for elsewhere.

(b) This account shall also include cash realized from the sale of the carrier's securities and deposited with trustees to be held until disbursed for the purpose for which the securities were sold: Provided, that cash held for such purposes, including cash held for redemption of securities, shall be included in the appropriate special funds unless

the liability for the disbursement is included under current liabilities.

(c) Cash on deposit in special bank accounts where the funds are available for current requirements shall be included in account 100, "Cash."

120 Marketable securities.

(a) This account shall include the cost of government securities and temporary investments in other readily marketable securities which are available for general purposes of the business. Securities issued or assumed by the carrier or by a related company shall not be included in this account.

(b) Subsidiary accounts shall be maintained as determined necessary.

129 Discounts and premiums on marketable securities.

This account may be charged with accumulation of any discount and may be credited with amortization of any premium on marketable securities, at the time of accrual or collection of interest thereon, with contra entry in Account 675, "Interest income" if it is the practice of the carrier to adjust that account to a yield basis. When the securities are disposed of, any balance applicable thereto in this account shall be transferred to the account in which the cost of such securities is recorded.

130 Notes receivable.

(a) This account shall include the amount of all collectible obligations in the form of short-term notes receivable, or other evidences (except interest coupons) of money receivable on demand or within one year from date of issue, except notes receivable from related companies subject to current settlement, which shall be included in account 140, "Notes receivable—affiliates."

(b) This account shall be divided into the following sub-accounts:

- 131 *Miscellaneous notes receivable.*
- 135 *Subscriptions to capital stock.*

140 Notes receivable—affiliates.

(a) This account shall include the amount of all obligations in the form of short term notes receivable from related companies which are subject to current settlement.

(b) Items which are not subject to current settlement shall be included in account 319, "non-current notes receivable—affiliated companies."

(c) Subsidiary accounts shall be maintained by companies and shall show all essential details.

150 Accounts receivable.

This account shall be divided into the following subaccounts: 151-153, 155, 160-162, 165, and 168.

151 Traffic accounts receivable—U.S. Government.

(a) This account shall include accounts receivable from U.S. Government agencies arising incident to the carriage of passengers, excess baggage, freight, and mail.

(b) Subsidiary accounts shall be maintained by individual agencies and by vessels and voyages.

152 Traffic accounts receivable—other.

(a) This account shall include accounts receivable from shippers, consignees, connecting carriers, and others (excluding related companies) arising incident to the carriage of passengers, excess baggage, freight, and mail.

(b) Subsidiary accounts shall be maintained by individual debtors and by vessels and voyages.

(c) Receivables from any agent with whom assignments are made to disburse vessels from revenue collections shall not be included in this account, but shall be included in account 010, "Agents and branch houses."

153 Accounts receivable—affiliates.

(a) This account shall include the amounts receivable from related companies which are subject to current settlement, such as balances in open accounts for services rendered, materials furnished, traffic accounts, rents for use of property and similar items; also interest, dividends, loans, notes and drafts for which related companies are liable.

(b) Items which are not subject to current settlement shall be included in account 320, "Non-current accounts receivable—affiliated companies."

(c) Subsidiary accounts shall be maintained by companies and shall show all essential details.

155 Claims receivable.

(a) This account shall include claims transferred from account 361, "Claims pending" and other adjusted claims collectible within one year.

(b) Subsidiary accounts shall be maintained in the names of the insurance underwriters, connecting carriers, or other entities with whom the claim has been filed and detailed as to the identity of the claims outstanding within each subsidiary account.

160 Accounts receivable—Maritime Administration — operating - differential subsidy.

This account shall include operating-differential subsidy accruals, expected to be collected within one year.

161 Accounts receivable—Maritime Administration — construction - differential subsidy.

This account shall include construction-differential subsidy accruals.

162 Accounts receivable—Maritime Administration—other.

This account shall include all other current receivables that may arise from transactions between the carrier and the Maritime Administration.

165 Accounts receivable—miscellaneous.

(a) This account shall include all accounts receivable from other than related companies for which no other account is specifically provided, including all amounts receivable from officers, em-

ployees and others, which are collectible in the ordinary course of business within one year.

(b) Subsidiary accounts shall be maintained by debtors.

168 Accrued accounts receivable.

(a) This account shall be used for periodic accruals of unmaturing receivables such as interest, rents, dividends and charter-hires, provided; the collection thereof is reasonably assured by past experience, anticipated provisions, or otherwise.

(b) This account shall not be charged with accrued interest on securities on deposit in account 301 "Capital reserve fund" and account 302 "Capital construction fund," with accrued receivables from related companies, which are chargeable to account 153, "Accounts receivable—affiliates," or with dividends or other returns on securities issued by the company.

169 Estimated allowances for doubtful notes and accounts receivable.

This account shall be credited at the close of each accounting period with the amount charged to account 965 "Doubtful notes and accounts receivable" to provide for estimated uncollectible notes and accounts. For balance sheet purposes, the balance in this account shall be segregated between current and non-current items.

170 Inventories—shoreside.

(a) This account shall include the cost of all unissued and unapplied materials, articles in process of manufacture by the carrier, fuel, tools, stationery, and other stores and supplies, but excluding fuel, stores, and supplies on board vessels, and spare parts includable in account 362 "Spare parts on which construction-differential subsidy has been paid" and account 363 "Spare parts—other."

(b) The costs chargeable to this account are the actual costs of the material and supplies at point of free delivery, plus custom duties, sales and other taxes, insurance, inspection, special tests, loading and unloading, and transportation charges paid from the free point of delivery to the carrier's line. No charge shall be made to this account for the cost of transporting material and supplies when performed by the carrier.

(c) An annual inventory of material and supplies shall be taken, except in instances where inventories are waived by the Interstate Commerce Commission or the Maritime Administration, and the necessary adjustments made to bring this account into harmony with the actual inventory balance. In effecting such adjustments, differences for important classes of material shall be equitably assigned among the accounts to which such classes are ordinarily chargeable.

(d) This account shall be divided into the following sub-accounts: 171-175.

171 Vessels stores, supplies, and equipment ashore.

(a) This account shall include the cost of all stores, supplies, and equipment held

for delivery to vessels including quantity purchases warehoused and delivered to vessels as required.

(b) Subsidiary accounts shall be so maintained as to show location of inventories.

172 Other shipping inventories.

(a) This account shall include the cost of all stores, supplies, and equipment held for use in the conduct of the shipping business, including terminal, cargo handling, tug and lighters, and other incidental shipping operations, for which no other account is specifically provided.

(b) Subsidiary accounts shall be maintained to show location of inventories.

173 Nonshipping inventories for sale.

This account shall include inventories of merchandise for sale by firms engaged in nonshipping enterprises and shall be maintained so as to show separately the major classes of inventory such as raw materials, work in process, and finished goods.

174 Nonshipping inventories for consumption.

This account shall include the cost of all stores, supplies and equipment, held for use in the conduct of non-shipping enterprises, other than merchandise for sale.

175 Miscellaneous inventories.

This account shall include the cost of all stores, supplies and equipment acquired for use in the conduct of the business which cannot be allocated as between shipping and non-shipping enterprises.

190 Other current assets.

This account shall be divided into the following sub-accounts: 191-193 and 199.

191 Prepaid current insurance.

This account shall include the unexpired amount of insurance premiums paid, or recorded as a liability in advance of payment, but only to the extent that such premiums apply to the period within one year of the date of the balance sheet and are properly chargeable within that period to appropriate 700, 800 or 900 series of accounts. This account shall be subdivided to show separately prepayments on the several classes of insurance.

192 Advances to officers and employees for expenses.

(a) This account shall include all amounts advanced to officers and employees for travel, entertainment, and similar expenses, from which such expenses are to be paid and accounted for. This account shall not include imprest and petty cash funds in fixed amounts held by employees and branch offices for the purpose of making minor expenditures.

(b) Subsidiary accounts shall be maintained by officers and employees, agents or branch offices.

193 Other prepaid current expenses.

This account shall include the amount of prepaid current expenses, such as interest, taxes, rentals, advertising, charter hire, and similar expense not otherwise specifically provided for, but only to the extent that such prepayments apply to the period within one year from the date of the balance sheet and are properly chargeable within that period to appropriate 700, 800, or 900 series of accounts. Minor items may be charged directly to the appropriate expense accounts.

198 Deferred income tax charges.

(a) This account shall include the portion of deferred income tax charges and credits relating to current assets and liabilities, when the balance is a net debit.

(b) A net credit balance shall be included in account 480, "Deferred income tax credits".

199 All other current assets.

This account shall include the amount of assets of a current nature not includible in any of the foregoing current asset accounts. Subsidiary accounts shall be maintained so as to show separately each class of other current assets.

200 Deferred expenses—unterminated voyages.

When the accounts are maintained on a terminated voyage basis, the expense of voyages in progress at the end of an accounting period shall be transferred to this account from the related voyage expense accounts. Detail coding shall be maintained by individual vessel and related voyage.

300 Special funds and deposits.

This account shall be divided into the following subaccounts: 301-310, and 312.

301 Capital reserve fund.

This account shall be subdivided as follows:

(a) *301-1 Cash and securities—non-trust.* This account shall be charged with cash and the value of securities approved for deposit in this fund, and shall be credited with withdrawals therefrom in accordance with the provisions of section 607(b) of the Merchant Marine Act, 1936, as amended, in effect prior to the enactment of Pub. L. 91-4691 (34 Stat. 1018) and under such rules and regulations as the Maritime Administration may issue from time to time. Subsidiary accounts are to be subdivided as to depositories or trustees, as the case may be, and further subdivided to show the amount of (1) cash and (2) marketable securities, and (3) Current balances of mortgages from the sale of vessels.

(b) *301-2 Discounts and premiums, nontrust.* This account may be charged with accumulation of any discount and may be credited with amortization of any premium on securities, at the time of accrual or collection of interest thereon, with contra entry in account 675, "Interest income," if it is the prac-

tice of the carrier to adjust that account to a yield basis. When such securities are disposed of, any balance applicable thereto in this account shall be transferred to account 301-1.

(c) *301-3 Common stock trust.* This account shall be charged with the amount of the non-trust portion of the capital reserve fund transferred to the capital reserve fund-common stock trust, the acquisition cost of common stock in which the trust is invested, the income, capital gains, and other principal, and shall be credited with withdrawals therefrom and capital losses in accordance with the provisions of section 607(d) of the Merchant Marine Act, 1936, as amended, in effect prior to the enactment of Pub. L. 91-469 (84 Stat. 1018) and under such rules and regulations as the Maritime Administration may issue. Subsidiary accounts of the capital reserve fund-common stock trust are to be maintained to record cash, common stocks, and other principal.

302 Capital construction fund.

This account shall be subdivided as follows:

(a) *302-1 Cash and securities.* This account shall be charged with cash and the value of securities deposited in this fund as determined in accordance with 26 CFR § 3.2(g) and shall be credited with withdrawals therefrom in accordance with the provisions of section 607 of the Merchant Marine Act, 1936, as amended, and under such rules and regulations as the Maritime Administration may issue either independently or together with the Internal Revenue Service. Subsidiary accounts are to be subdivided as to depositories or trustees, as the case may be, and further subdivided to show the amount of (1) cash, (2) marketable securities and (3) current balances of mortgages from the sale of vessels, and further subdivided in accordance with sub-paragraph 607 (e) (1) of the Act—namely, (A) capital account, (B) capital gain account, (C) ordinary income account.

(b) *302-2 Discounts and premiums.* This account may be charged with accumulation of any discount and may be credited with amortization of any premium on securities, at the time of accrual or collection of interest thereon, with contra entry in account 675, "Interest income," if it is the practice of the carrier of the adjust that account to a yield basis. When such securities are disposed of, any balance applicable thereto in this account shall be transferred to account 302-1.

303 Construction reserve fund.

(a) This account shall be charged with cash and the cost of approved securities deposited in such fund, and shall be credited with withdrawals therefrom in accordance with the provisions of section 511 of the Merchant Marine Act, 1936, as amended, and section 112(b) of the Internal Revenue Code, and other Inter-

nal Revenue Acts. It shall also include accretions on investments in such fund when retained therein.

(b) Subsidiary accounts are to be maintained as described in account 301.

304 Interest accruals for deposit in statutory funds.

This account shall include the periodic (not less frequent than annual) accruals of interest on cash and securities on deposit in account 301 "Capital reserve fund", account 302, "Capital construction fund" and account 303, "Construction reserve fund" with corresponding credit to account 675, "Interest income."

305 Insurance funds.

(a) This account shall include cash, marketable securities, and other quick assets placed on deposit or in the hands of trustees to guarantee the satisfaction of obligations for losses in instances where the carrier is a self-insurer in whole or in part.

(b) Subsidiary accounts shall be maintained by depositories or trustees, as the case may be, and further subdivided as to (1) cash, (2) marketable securities and (3) other quick assets.

306 Debt retirement funds.

(a) This account shall include cash, marketable securities, and other quick assets placed on deposit or in the hands of trustees as a sinking fund to meet obligations maturing in the future, or to carry out such operations as the retirement of preferred stock or the purchase of serial bonds.

(b) Subsidiary accounts shall be maintained by depositories or trustees, further subdivided to show cash or marketable securities, other quick assets and purposes of the fund.

307 Escrow funds.

This account shall be charged with the amounts required to be deposited in the Escrow fund and credited with disbursements therefrom, in connection with the insurance or guarantee of obligations financed by sale of U.S. Government insured or guaranteed obligations, pursuant to the provisions of section 1111 of the Merchant Marine Act, 1936, as amended, the provisions of contracts or agreements entered into and regulations published by the Assistant Secretary of Commerce for Maritime Affairs. These funds shall be reported separately and maintained in accordance with such rules and regulations as the Assistant Secretary for Maritime Affairs may issue.

308 Construction funds.

This account shall be charged with the amounts required to be deposited therein, representing the difference between the principal of insured or guaranteed obligations and the principal amount required to be deposited in the escrow fund or such other amounts required by contracts or agreements, and shall be credited with authorized disbursements therefrom. These funds shall be reported separately and maintained in accordance with such rules and regulations as the

Assistant Secretary of Commerce for Maritime Affairs may issue.

309 Other special funds.

(a) This account shall include cash, marketable securities, and other quick assets appropriated for replacement of unsubsidized vessels (except instances where account 303 "Construction reserve fund" is applicable), to fund reserves for pensions and any other special funds for which no specific account is provided.

(b) Subsidiary accounts shall be maintained for each class of fund by depositories or trustees, and further subdivided to show (1) cash, (2) marketable securities and (3) other quick assets.

310 Restricted funds.

This account shall be established at the time of the first deposit required therein, and shall be charged with deposits pursuant to the provisions of contracts or agreements. This account shall be credited with authorized withdrawals therefrom. These funds shall be reported separately and maintained in accordance with such rules and regulations as the Assistant Secretary of Commerce for Maritime Affairs may issue.

312 Special and guaranty deposits.

(a) This account shall include cash and marketable securities deposited to guarantee the performance of conference and similar agreements; also deposits in lieu of mortgaged property sold, and other trust deposits, to be held until equivalent property is acquired or pending other disposition. This account shall also include deposits on oil drums, ammonia cylinders and similar equipment.

(b) Subsidiary accounts shall be maintained by depositories.

315 Investments.

This account shall be divided into the following subaccounts: 316, 319, 320, 325, 328, and 329.

316 Securities of related companies.

(a) This account shall include the investment in securities issued or assumed by related companies other than securities held in special deposits or special funds. All such investments shall be accounted for in accordance with the provisions of instruction M.

(b) This account shall be maintained in such a manner as to show each of the following investment elements in each affiliated company (including corporate joint ventures).

(1) Common stock at cost and (if applicable) to show:

(i) Equity in net assets at the date of acquisition.

(ii) Unamortized balance of the original goodwill amount.

(iii) Equity in undistributed earnings since acquisition.

(iv) Dividends received from the date of acquisition.

(2) Preferred stocks.

(3) Bonds.

(4) Other.

319 Noncurrent notes receivable—affiliated companies.

(a) This account shall include the amounts of all obligations in the form of notes receivable from affiliated companies which are not subject to current settlement.

(b) Subsidiary accounts shall be maintained by companies and show all essential details.

320 Noncurrent accounts receivable—affiliated companies.

(a) This account shall include receivables from affiliated companies for other than services rendered, supplies furnished, and other transactions customarily subject to current settlement.

(b) Subsidiary accounts shall be maintained by companies and shall show all essential detail.

325 Cash value of life insurance policies.

This account shall include the cash surrender value of life insurance policies, under which the carrier is the beneficiary, less the amount of any loans which have been obtained on such policies and not repaid.

328 Other investments.

This account shall include investment advances to companies and individuals, and miscellaneous investments not provided for elsewhere.

329 Decline in value of investments.

(a) This account shall be credited at the close of each accounting period with amount necessary to reflect the decline in value of securities and other assets held as investments, where there appears to be permanent impairment in their value, by contra charge to account 990, "Miscellaneous expense".

(b) When securities are disposed of, the balance in this account applicable to such securities shall be charged hereto.

330 Property and equipment.

(a) This account shall include the cost of acquisition or construction, including additions and betterments, of property and equipment owned by the carrier.

(b) This account shall be divided into the following sub-accounts: 331, 332, 335-338, 341-359.

331 Floating equipment—vessels.

(a) This account shall include the cost of acquisition or construction and related capitalizable costs, including additions and betterments, of vessels and of appurtenances, furniture and fixtures necessary to equip them for service, including inspection, trial runs and tests. This account also includes those costs, if capitalizable for Federal income tax determination directly incurred in placing the vessel into active service, limited to the direct vessel operating expense during the period from delivery of the vessel to arrival at the first loading berth.

(b) Capitalizable costs must be determined in accordance with applicable orders, rules and regulations prescribed or

adopted by the Maritime Administration. Subsidiary accounts shall be maintained in such manner as to show by vessels the original cost to the carrier and cost of additions and betterments.

332 Accumulated depreciation—vessels.

(a) This account shall be credited with all depreciation on vessels charged to accounts 742 "Depreciation—vessels" and 842 "Depreciation—idle vessels."

(b) Credit to this account applicable to subsidized vessels shall be computed on an estimated useful life of twenty-five years, except in instances where some other basis is specifically authorized by the Maritime Administration, with such allowances for residual values as approved by that Administration, and in accordance with applicable orders, rules and regulations prescribed or adopted by the Maritime Administration. Subsidiary accounts shall be maintained by individual vessel.

335 Floating equipment—barges.

(a) This account shall include the cost of acquisition or construction and related capitalizable costs, including additions and betterments of barges carried aboard vessels (e.g., LASH, SEABEE or other) and of appurtenances and fixtures necessary to equip them for service, including inspection, trial runs and tests.

(b) Subsidiary accounts shall be maintained by the various types of barges.

336 Accumulated depreciation—barges.

(a) This account shall be credited with all depreciation charged to account 885 "Depreciation—barges."

(b) Subsidiary accounts shall be maintained by the various types of barges.

337 Other floating equipment.

(a) This account shall include the cost of construction or acquisition, including additions and betterments, of other floating equipment, such as tugs, barges (other than barges carried aboard vessels which are included in account 335 "Floating equipment—barges"), scows, launches, lighters, floating cranes, etc., and of appurtenances, furniture, and fixtures necessary to equip for service including inspection, trial runs and tests.

(b) Subsidiary accounts shall be maintained in such manner as to show the foregoing information by the various types of other floating equipment.

338 Accumulated depreciation—other floating equipment.

This account shall be credited with all depreciation charged to account 864 "Depreciation—other floating equipment." Subsidiary accounts shall be maintained in the same manner as the corresponding accounts supporting account 337, "Other floating equipment."

341 Containers.

(a) This account shall include the cost of construction or acquisition of all types of containers except refrigerated containers used for the shipping of cargo.

(b) Subsidiary accounts shall be maintained by the various types of containers within this category.

342 Accumulated depreciation—containers.

(a) This account shall be credited with all depreciation on containers which is charged to account 881 "Depreciation—containers."

(b) Subsidiary accounts shall be maintained by the various types of containers within this category.

343 Refrigerated containers.

(a) This account shall include the cost of construction or acquisition, including additions and betterments, of all types of refrigerated containers used for the shipping of cargo.

(b) Subsidiary accounts shall be maintained by the various types of containers within this category.

344 Accumulated depreciation—refrigerated containers.

(a) This account shall be credited with all depreciation on refrigerated containers which is charged to account 882 "Depreciation—refrigerated containers."

(b) Subsidiary accounts shall be maintained by the various types of containers within this category.

345 Container related equipment.

This account shall include the cost of construction or acquisition, including additions and betterments of all types of container related equipment, including container cranes, yard container movement equipment, generator sets and other auxiliary equipment and similar equipment.

346 Accumulated depreciation—container related equipment.

This account shall be credited with all depreciation on container related equipment which is charged to account 886 "Depreciation—container related equipment."

347 Chassis and trailer equipment.

(a) This account shall include the cost of construction or acquisition, including additions and betterments, of chassis equipment used in the local drayage and inland movement of cargo and cargo carrying equipment.

(b) Subsidiary accounts shall be maintained by the various types of chassis and trailer equipment within this category.

348 Accumulated depreciation—chassis and trailer equipment.

(a) This account shall be credited with all depreciation on chassis and trailer equipment which is charged to account 883, "Depreciation—chassis and trailer equipment."

(b) Subsidiary accounts shall be maintained by the various types of chassis and trailer equipment.

349 Terminal property and equipment.

(a) This account shall include the cost of construction or acquisition, including additions and betterments, of terminal, land, buildings, stevedoring and other cargo handling gear, repair yards, shore cranes, appurtenances, furniture and fixtures, and other terminal gear and equipment.

(b) Subsidiary accounts shall be subdivided between the various types of property and equipment, and shall be maintained in such manner as to show port location, original cost, and cost of additions and betterments.

350 Accumulated depreciation—terminal property and equipment.

(a) This account shall be credited with all depreciation on terminal property and equipment which is charged to account 859 "Depreciation—terminal property and equipment."

(b) Subsidiary accounts shall be maintained in the same manner as the corresponding accounts supporting account 349, "Terminal property and equipment."

351 Other shipping property and equipment.

(a) This account shall include the cost of construction or acquisition, including additions and betterments, of land and buildings, appurtenances, furniture and fixtures, transportation equipment other than barges, containers and chassis and trailer and any other property and equipment used exclusively in shipping and auxiliary operations which are not properly chargeable to accounts 331, 335, 337, 341, 343, 345, 347, and 349.

(b) Subsidiary accounts shall be subdivided between the various types of property and equipment and maintained in such manner as to show location, original cost and cost of additions and betterments.

352 Accumulated depreciation—other shipping property and equipment.

(a) This account shall be credited with all depreciation on other shipping property and equipment (as described in account 351) which is charged to account 970, "Depreciation—other shipping property and equipment."

(b) Subsidiary accounts shall be maintained in the same manner as the corresponding accounts supporting account 351, "Other shipping property and equipment."

353 Nonshipping property and equipment.

(a) In instances where companies are engaged in nonshipping enterprises, cost of all property and equipment which can be directly assigned to such nonshipping enterprises shall be included in this account, including cost of additions, betterments, fixtures, furniture, and appurtenances.

(b) Subsidiary accounts shall be subdivided between the various types of nonshipping property and equipment, and maintained in such manner as to show location, original cost, and cost of additions and betterments.

354 Accumulated depreciation—nonshipping property and equipment.

(a) This account shall be credited with all depreciation on nonshipping property and equipment which is charged to account 971 "Depreciation—nonshipping property and equipment."

(b) Subsidiary accounts shall be maintained in the same manner as the corresponding accounts supporting account

353, "Non-shipping property and equipment."**355 Office leaseholds and leasehold improvements.**

(a) This account shall include the cost of acquiring long-term leases of office facilities and the cost of alterations thereto and fixtures installed in leased property.

(b) Subsidiary accounts shall be subdivided between the various types of property and equipment and maintained in such manner as to show location, original cost, and cost of additions and betterments.

356 Accumulated amortization—office leaseholds and leasehold improvements.

This account shall be credited with all amortization on office leaseholds and leasehold improvements which is charged to account 975 "Amortization—office leaseholds and leasehold improvements."

357 Terminal leaseholds and leasehold improvements.

(a) This account shall include the cost of acquiring long-term leases of terminals, the cost of alterations thereto and the cost of fixtures installed in leased terminal property.

(b) Subsidiary accounts shall be maintained by individual terminal.

358 Accumulated amortization—terminal leaseholds and leasehold improvements.

(a) This account shall be credited with all amortization on terminal leasehold and leasehold improvements which is charged to account 860 "Amortization—terminal leasehold and leasehold improvements."

(b) Subsidiary accounts shall be maintained in the same manner as the corresponding accounts supporting account 357, "Terminal leasehold and leasehold improvements."

359 Construction work in progress.

(a) This account shall be charged with all payments incident to the costs on vessels or other transportation property in process of construction which are capitalized in accordance with generally accepted accounting procedures.

(b) Subsidiary accounts shall be subdivided as between the various kinds of construction, and maintained in such manner as to show type of construction and location. When the construction is completed, the cost thereof shall be credited to the account and charged to the appropriate property accounts.

360 Other assets.

This account shall be divided into the following sub-accounts: 361-364, 367, 368, 370, and 374.

361 Claims pending.

(a) This account shall include any claims in litigation, and insurance claims in process of compilation or adjustment. After adjudication of claims in litigation, or adjustment of insurance claims, this account shall be credited and a

charge made to account 155 "Claims receivable." Deductible average insurance losses (if policies provide deductibles) should at the same time be transferred to account 570 "Estimated allowances for insurance."

(b) Subsidiary accounts shall be subdivided as between hull underwriters, protection and indemnity underwriters, general average claims connecting carriers, and such further classes as may be necessary. Each group of subsidiary accounts shall be maintained by vessels and voyages supported by sufficient detail to permit ready identification and analysis of each claim.

362 Spare parts on which construction-differential subsidy has been paid.

This account shall include the acquisition cost (or other applicable basis) of shore side spare parts and equipment upon which construction-differential subsidy has been paid, such as propellers and tail shafts held for future installation on vessels of the carrier.

363 Spare parts—other.

This account shall include the acquisition cost (or other applicable acquisition basis) of shore side spare parts and equipment for which construction-differential subsidy has not been paid, such as propellers, propeller blades, tail shafts, pumps, rudders, hoisting engines, generators, rotors, anchors, etc. held for future installation on vessels of the carrier, the individual minimum gross book value of which is not less than \$1,000.

364 Notes and accounts receivable from officers and employees.

This account shall include the acquisition from officers, directors, and employees other than (a) unpaid subscriptions to capital stock and (b) amounts collectible in the ordinary course of business within one year. Records supporting entries to this account and subsidiary accounts shall be maintained as to show separately such major classes as officers' personal accounts, employees' salary advances, and amounts due for such items as group insurance and retirement annuity deposits. The records referred to in this section shall be retained in accordance with the provisions of § 380.24 of this chapter.

367 Deferred operating-differential subsidy receivable.

This account shall include that part (if any) of accrued operating-differential subsidy receivable, the payment of which is withheld by the Maritime Administration pursuant to Pub. L. 862, 80th Congress, or any subsequent legislation having the same or substantially similar force and effect.

368 Other noncurrent notes and accounts receivable.

(a) This account shall include all non-current receivables from other than officers, employees, or related companies, which, by agreement, are not collectible within one year. It shall include the non-current portion of Operating-Differ-

ential Subsidy due from the Maritime Administration.

(b) Subsidiary accounts shall be maintained by individual debtors.

370 Maritime Administration allowance for obsolete vessels.

This account shall include the gross amounts allowed by the Maritime Administration for obsolete vessels traded in, except where the obsolete vessel is retained under a Use Agreement, in which case this account is charged with the net trade-in allowance. Credit this account and charge account 359, "Construction work in progress", with the amount of progress payments on new construction made by the Maritime Administration for the account of the purchaser (operator).

374 Miscellaneous other assets.

This account shall include the estimated value of salvage recoverable from property retired when the recovery of the salvage is deferred for any reason; funds on deposit with closed banks; and all other deferred items not covered by other deferred asset accounts.

375 Deferred charges and prepaid expenses.

This account shall be divided into the following subaccounts: 376, 383, 384, 385 and 389.

376 Prepaid long-term insurance.

This account shall include the cost of insurance premiums prepaid or recorded as a liability in advance of payment, but only to the extent that such premiums apply to a period more than one year following the date of the balance sheet. The proportions of the same premium payments properly chargeable to expenses prior to such period are provided for in account 191, "Prepaid current insurance". This account shall be subdivided to show separately prepayments on the several classes of insurance.

383 Accumulated deferred income tax charges.

This account shall include the amount of deferred taxes (see definition (26)), determined in accordance with instruction and the text of account 563, "Accumulated Deferred Income Tax Credits", when the balance is a net debit.

384 Debt discount and expense.

(a) This account shall include all discount and expense for all classes of funded debt. The debt and expense shall be amortized periodically over the respective lives of the securities by charge to account 976 "Amortization—debt discount and expense."

(b) When an issue of funded debt, or any part thereof, refunded and at the date of refunding there is a balance of unamortized discount and expense relating to such issue, such balance, together with any premium paid in retiring such issue, shall be charged to account 990 "Miscellaneous expense" or to account 995 "Extraordinary items," as may be appropriate, in accordance with the text of these accounts.

385 Organization expenses.

This account shall include the unamortized balance of expenses incurred in the formation and development of the business. The balance of this account shall be amortized by annual charges to account 977 "Amortization—organization expense."

389 Deferred prepayments and other deferred charges.

This account shall include the amount of prepaid expenses such as interest, taxes, rentals, advertising, charter hire, and similar expense not otherwise specifically provided for in accounts 384, and 385, but only to the extent that such prepayments apply to a period more than one year following the date of the balance sheet. The proportions of the prepayments and other deferred charges in this account, properly chargeable to expenses prior to such period are provided for in account 193, "Other prepaid current expenses." Minor items and nominal payments covering such expenses may be charged directly to the appropriate expense accounts, even though they relate to periods in excess of one year.

390 Goodwill and other intangible assets.

This account shall be divided into the following sub-accounts: 391, 398, and 399.

391 Goodwill.

This account shall include only Goodwill actually purchased in taking over assets, trade name, etc., calculated to enhance future profits of the business.

398 Other intangible assets.

This account shall include the purchase price or cost of development of such intangible assets as patents, copyrights, operating rights, etc.

399 Accumulated amortization—other intangible assets.

This account shall be credited with all amortization on other intangible assets which is charged to account 979 "Miscellaneous amortization expense."

(B) LIABILITY ACCOUNTS
ACCOUNT

400 Notes payable.

(a) This account shall include the face value of notes, drafts, and other evidences of indebtedness issued by the carrier (except interest coupons) which are payable on demand or within one year.

(b) This account shall be divided into the following sub-accounts: 401, 410, and 414.

401 Bank loans.

Subsidiary accounts shall be subdivided by lender to show separately (a) amount secured and (b) amount unsecured.

410 Insurance notes.

This account shall include the face amount of notes issued by the company to cover deferred payments of insurance

premiums. This account shall be maintained by creditor to show (a) notes secured and (b) notes unsecured.

414 Other short-term notes.

This account shall include notes payable within one year, for which no other account is specifically provided, but excluding notes issued to related companies. This account shall be maintained by creditor to show (a) notes secured and (b) notes unsecured.

415 Notes and accounts payable—affiliates.

(a) This account shall include notes and accounts payable to affiliated companies which are subject to settlement within one year, such as credit balances in open accounts for services rendered, materials furnished, traffic accounts, claims, rents and for interest, dividends, loans, notes, and drafts.

(b) No amount representing dividends payable shall be included in this account unless they have been declared.

(c) Items which are not subject to current settlement shall be included in account 541 "Non-current payables—affiliated companies."

(d) Subsidiary accounts shall be maintained by companies and shall show all essential detail.

420 Accounts payable.

This account shall be divided into the following sub-accounts: 421, 422, 428, 430, 431, 438, 439.

421 Accounts payable—trade.

This account shall include all liabilities currently due to trade creditors for services rendered and supplies furnished in the general conduct of the business.

422 Accounts payable—traffic.

This account shall include exchange orders and other amounts due connecting carriers, freight and passenger brokerage, amounts due for hotel reservations and sightseeing tours, custodian funds payable such as head taxes, freight and passenger manifest stamp taxes, consular fees; advance, prepaid beyond, and transshipping charges, and claims payable, but excluding amounts due related companies.

428 Accounts payable—officers and employees.

This account shall include amounts due to officers, directors, individual stockholders, and employees, which are payable within one year.

430 Accounts payable—Maritime Administration.

This account shall include all current accounts payable to the Maritime Administration, including accrued interest, that arise from transactions with that agency.

431 Pension and welfare funds payable.

This account shall include the liability of the carrier for the amount of assets (whether contributed by the carrier or by the employees) in the hands of the

treasurer or of a trustee or manager as the administrator of employees' pension, savings, relief, hospital, or other association funds.

438 Dividends payable.

This account shall include the amount of dividends declared on actually outstanding capital stock, unpaid at the date of the balance sheet except dividend payable to related companies which shall be reflected in account 415 "Notes and accounts payable—affiliates."

439 Accounts payable—miscellaneous.

This account shall include all current accounts payable to other than related companies, including unclaimed wages, taxes withheld or collected from others for the account of taxing agencies, and other items for which no other account is specifically provided.

440 Accrued liabilities.

This account shall be divided into the following sub-accounts: 441–447 and 459.

441 Accrued voyage payrolls.

This account shall include the accruals of voyage wages payable.

442 Accrued payrolls—other.

This account shall include the accruals of all other wages payable.

443 Accrued liability for Federal income taxes.

This account shall include the accruals for federal income taxes payable.

444 Accrued liability for state and local taxes based upon income.

This account shall include the accruals for state and local income taxes payable based upon income.

445 Accrued liability for foreign taxes.

This account shall include the accruals for foreign taxes payable.

446 Accrued liability for payroll taxes.

This account shall include the accruals for the employer's portion of payroll taxes payable and amounts withheld from employees wages.

447 Accrued liability for other taxes.

This account shall include the accruals for all other taxes payable for which no other account has been specifically provided.

459 Other accrued accounts payable.

(a) This account shall include periodical accruals of amounts payable other than taxes.

(b) Subsidiary accounts shall be maintained as between (1) interest, (2) rentals and (3) such other items as frequently occur.

479 Other current liabilities.

(a) This account shall include all current liabilities for which no other account has been specifically provided.

(b) Subsidiary accounts shall be maintained to show separately each class of current liability.

PROPOSED RULES

480 Deferred income tax credits.

(a) This account shall include the portion of deferred income tax charges and credits relating to current assets and liabilities, when the balance is a net credit.

(b) A net debit balance shall be included in account 198, "Deferred income tax charges".

495 Advance ticket sales and deposits.

This account shall include the credit balance remaining in account 025, "Collections and deposits for passenger transportation", after the balances in the account have been analyzed and those relating to completed transactions have been transferred to the appropriate other accounts designated in the chart.

500 Deferred revenues—unterminated voyages.

When the accounts are maintained on a terminated voyage basis, the revenue of voyages in progress at the end of an accounting period shall be transferred to this account from the related voyage revenue accounts. Detail coding shall be maintained by individual vessel and related voyage.

525 Long-term debt.

This account shall be divided into the following subaccounts: 526, 527, 530, and 534.

526 Mortgage notes—Maritime Administration.

(a) This account shall include all mortgage notes payable to the Maritime Administration.

(b) Subsidiary accounts shall be maintained by vessel.

527 U.S. Government insured or guaranteed merchant marine bonds and notes.

This account shall include all U.S. Government insured or guaranteed merchant marine bonds and notes issued pursuant to the provisions of contracts or agreements. Subsidiary accounts shall be maintained by vessel.

530 Other bonds and debentures.

This account shall include the face amount of bonds and debentures not provided for in other accounts and shall be maintained to show full particulars in respect to each issue outstanding. Recquired bonds and debentures shall be charged to this account at face amount.

534 Other long-term debt.

This account shall include all long-term obligations, excluding amounts due related companies, for which no other account has been specifically provided, and shall be subdivided to show separately long-term obligations secured by capital assets and unsecured long-term debt.

540 Other long-term liabilities.

This account shall be divided into the following subaccounts: 541, 549, 550, and 554.

541 Noncurrent notes and accounts payable—affiliates.

(a) This account shall include all loans, advances, and other payables to related companies not subject to current settlement.

(b) Subsidiary accounts shall be maintained by companies and shall show all essential detail.

549 Noncurrent notes and accounts payable—officers and employees.

This account shall include all notes and accounts payable to officers, directors, individual stockholders, and employees, which by arrangement become due later than one year from the balance sheet date.

550 Recapturable profits—Maritime Administration.

If excess profits accrue to the Maritime Administration under the "recapture" provisions of sections 606 and 607 of the Merchant Marine Act, 1936, as amended, in effect prior to the enactment of Pub. L. 91-469 (84 Stat. 1018), such profits shall be credited to this account at the close of each accounting period within a recapture period, adjusted so as to reflect the net amount of such excess profits accrued to the Maritime Administration as at that date.

554 Miscellaneous other long-term liabilities.

This account shall include all long-term liabilities for which no other account has been specifically provided.

555 Deferred credits.

This account shall be divided into the following subaccounts: 556, 563, and 564.

556 Premium on funded debt.

(a) This account shall include premiums for all classes of funded debt which are to be amortized periodically over the respective lives of the securities by credit to account 691, "Release of Premium on long-term debt".

(b) When an issue of funded debt or any part thereof is refunded and at the date of refunding there is a balance of unamortized premium relating thereto, the amount of such balance shall be credited to account 690, "Miscellaneous other income", or account 995, "Extraordinary items", as may be appropriate.

563 Accumulated deferred income tax credits.

(a) This account shall be credited (charged) with amounts concurrently charged (credited) to account 986, "Provision for deferred taxes", and account 988, "Provision for deferred taxes—extraordinary and prior period items", representing the net tax effect of material timing differences (see definition (25) and (23)) originating and reversing in the current accounting period.

(b) This account shall be credited with the amount of investment tax credit utilized in the current year for income tax

purposes but deferred for accounting purposes (see instruction 1).

(c) This account shall be concurrently debited with amounts credited to account 986, "Provision for deferred income taxes", representing amortization of amounts for investment tax credits deferred in prior accounting periods.

(d) This account shall be maintained in such a manner as to show separately: (1) the unamortized balance of deferred income taxes and deferred investment tax credit separately as of the beginning and as of the end of each year entries are made affecting the account balance, and (2) the current years net credit or charges applicable to timing differences and deferred investment tax credits.

NOTE A: The portion of deferred charges and credits relating to current assets and liabilities should likewise be classified as current and included in account 198, "Deferred income tax charges", or account 480, "Deferred income tax credits", as appropriate.

NOTE B: This account shall include a net credit balance only. A net debit balance shall be recorded in account 383, "Accumulated deferred income tax charges".

564 Miscellaneous deferred credits.

This account shall include all deferred income and unadjusted credits for which no other account is specifically provided.

565 Estimated operating allowances.

This account shall be divided into the following subaccounts: 566, 570, and 579.

566 Estimated allowances for repairs.

(a) This account shall be credited and account 740, "Vessel repairs—domestic" charged, when allowances are provided for equalization of domestic repairs to vessels. As actual domestic repair expenses are incurred, they shall be charged to this account. At the end of the accounting year, after all repair expenses incurred and all commitments against terminated voyages have been recorded, any balance in this account, applicable to terminated voyages shall be distributed equitably to such voyages in account 740, "Vessel repairs—domestic".

(b) Subsidiary accounts shall be maintained by vessel and consecutively by voyage.

(c) Repair expenses incurred at foreign ports shall be charged directly to account 741, "Vessel repairs—foreign".

570 Estimated allowances for insurance.

(a) Agreed amounts for Marine and P&I Insurance deductibles (if provided in the policies) should be charged to each voyage in the appropriate vessel insurance expense account and the corresponding credits posted to this account. When the amount within the deductibles average chargeable against each voyage is determined, it should be transferred from account 361, "Claims pending", as a charge to this account.

(b) This account may also be used for equalization of other insurance risks assumed by the carrier, as for example, self-carried workmen's compensation, and public liability insurance. At the end of each accounting year, any bal-

ance in this account applicable to voyages, terminated during the preceding accounting year, in those instances where the records indicate that all claims have been settled, shall be transferred to the appropriate insurance expense account.

(c) Subsidiary accounts shall be maintained by the various classes of insurance for which provisions are made and shall be arranged by vessel and consecutively by voyage.

579 Estimated operating allowances—miscellaneous.

(a) This account shall include all provisions for the equalization of operating expenses for which no other allowance account is specifically provided.

(b) Subsidiary accounts shall be maintained by the various classes of expense arranged by vessels and consecutively by voyages, or by other accounting units.

580 Owners' equity.

This account shall be divided into the following subaccounts: 581, 585, 587, 590, 591, 593, 598, and 599.

581 Capital stock—issued and outstanding.

(a) This account shall include the par value, or for stock without par value the stated money value of the consideration received, of capital stock or other form of proprietary interest in the carrier which has been issued to purchasers and has not been reacquired and canceled. It shall also include stock issued representing appropriations of surplus for stock dividends. When capital stock is retired, this account shall be charged with the book value at which such stock is recorded herein.

(b) Recordings supporting the entries to this account shall be maintained to show the various classes and series of capital stock.

(c) A separate record shall be kept for each subclass of stock showing the number of shares authorized by the articles of incorporation and amendments, the number of shares issued, the number of shares reacquired, the number of shares canceled, the number of shares outstanding, and their book value.

585 Capital stock subscribed.

This account shall include the amount of subscriptions to capital stock of the carrier. It shall be credited with the par value, or with the subscription price of stock without par value, exclusive of dividends, if any. Concurrently, account 135 "Subscriptions to capital stock" shall be debited with the agreed price and any discount or premium shall be included in the appropriate account. When properly executed stock certificates are issued, this account shall be debited and account 581 "Capital stock—issued and outstanding" credited.

587 Discount on capital stock.

(a) This account shall include the discount incurred in connection with the sale of capital stock. Records supporting the entries to this account shall be main-

tained to show the discount and commissions on each class and series of capital stock.

590 Additional paid-in capital.

(a) This account shall include the amount of capital donated or paid-in as additional capital (including premiums and assessments on capital stock) and also gains from reacquired or donated shares of capital stock, from forfeiture of subscriptions and from reduction of the par or recorded value of capital stock.

591 Treasury stock.

(a) This account shall include in subdivisions for each class the reacquisition cost of capital stock which has been actually issued or assumed by the carrier then reacquired, and is neither retired or cancelled, nor properly includible in sinking or other funds.

(b) This account shall be maintained to reflect separately securities pledged and unpledged.

(c) This account shall be shown on the Balance Sheet as a deduction in arriving at Stockholders' Equity.

593 Prior period adjustments to beginning retained income accounts.

This account shall include adjustments, in accordance with the text of instruction K, to the net balance in the retained income account at the beginning of the calendar year, upon approval by the Commission.

598 Retained earnings—restricted.

(a) Retained earnings restricted from distribution by agreement with others shall be credited to this account with a corresponding charge to account 599, "Retained earnings—unrestricted".

(b) Subsidiary accounts shall be maintained by classes of restrictions.

599 Retained earnings—unrestricted.

(a) All nominal accounts at the end of the accounting year shall be closed to this account.

(b) Any part of retained earnings restricted from payment as dividends shall be charged to this account, including excess profits accruing to the Maritime Administration under the "recapture" clauses in sections 606 and 607 of the Merchant Marine Act, 1936, as amended, in effect prior to the enactment of Pub. L. 91-469 (84 Stat. 1018), which shall be credited to account 550, "Recapturable profits—Maritime Administration".

(c) This account shall include other adjustments, net of assigned Federal income taxes, not provided for elsewhere in this system but only after such inclusion has been authorized by the Commission.

Revenue Accounts

(A) ORDINARY ITEMS

ACCOUNT

600 Vessel revenue.

(a) This account shall be credited with all revenue from vessel operations. Revenue items applicable to voyages in progress at the end of each accounting period shall be transferred to account 500, "De-

ferred revenues—unterminated voyages". Revenue items arising in connection with voyages terminated in prior years shall be accounted for as ordinary delayed items.

(b) Subsidiary accounts shall be maintained by vessels and consecutively by voyages, according to the classification of revenues, as shown in the chart of accounts. Subsidiary accounts shall be subdivided according to:

- (1) Cargo carriage technology type.
- (2) Refrigerated and nonrefrigerated cargoes.
- (3) Military procurement from competitive bid systems.
- (4) Military other.
- (5) Outward, intermediate and inward voyage legs.

(c) For purposes of postings in subsidiary accounts, coastwise and intercoastal service shall be deemed to be all commerce conducted by vessels between points in the United States, including Districts, Territories and possessions thereof embraced within the coastwise laws, and foreign commerce shall be deemed to be all commerce conducted by vessels over the seas other than coastwise and intercoastal commerce. Operators receiving operating-differential subsidy shall expand the subdivision in their subsidiary accounts to show, separately, revenue earned on coastwise and intercoastal legs of voyages as described in section 605(a) of Title VI of the Merchant Marine Act, 1936, as amended, as well as commerce between points in the United States including Districts, Territories, and possessions thereof and Puerto Rico embraced within the coastwise laws.

(d) The same subsidiary ledger forms may be used for both account 500 and account 600, and the sheets may be physically transferred or the totals by classification transferred to new sheets, as the carrier elects.

(e) This account shall be divided into the following sub-accounts: 601, 605, 608, 612, 620, and 624.

601 Freight—foreign.

(a) This account shall include all revenue accruing from the transportation of freight based upon tariff rates or in the absence of tariff provisions on basis of contracts.

(b) It will also include the surcharge on freight revenue.

(c) It shall be charged with refunds due to errors in classification or computation of rates and charges; refunds due to errors in routing or shipping freight to the extent not reimbursed by insurance refunds and uncollectible charges on lost, damaged or destroyed freight shipments; and with refunds of overcharges assumed by the carrier under the voucher minimum.

605 Freight—coastwise and intercoastal.

(a) This account shall include all revenue accruing from the transportation of freight based upon tariff rates or in the absence of tariff provisions on the basis of contracts.

PROPOSED RULES.

(b) It will also include the surcharge on freight revenue.

(c) It shall be charged with refunds due to errors in classification or computation of rates and charges; refunds due to errors in routing or shipping freight; refunds and uncollectible charges on lost, damaged or destroyed freight shipments to the extent not reimbursed by insurance and with refunds of overcharges assumed by the carrier under the voucher minimum.

608 Passenger—foreign.

(a) This account shall include all revenue accruing from the transportation of passengers based upon tariff rates. It shall include the revenue from transportation of passengers, the rental of staterooms, berths, or living accommodations and the furnishing of meals.

(b) The credits to this account shall be subdivided as follows among (1) revenue from passenger fares, (2) revenue from staterooms, (3) revenue from meals, and (4) revenue that cannot be separated among items (1), (2), and (3) of this paragraph.

612 Passenger coastwise and inter-coastal.

(a) This account shall include all revenue accruing from the transportation of passengers based upon tariff rates. It shall include the revenue from transportation of passengers, the rental of staterooms, berths, or living accommodations, and the furnishing of meals.

(b) The credits to this account shall be subdivided as follows among (1) revenue from passenger fares, (2) revenue from staterooms, (3) revenue from meals, and (4) revenue that cannot be separated among items (1), (2), and (3) of this paragraph.

620 Charter revenue.

This account shall include revenue from the charter of vessels to others when the amount receivable for charter is not directly related to and dependent upon the commodities and volume transported, such as bareboat and time charters. Compensation is usually based upon daily or monthly hire of the vessel.

624 Other voyage revenue.

This account shall include all revenue accruing from other services by and activities aboard vessels, not otherwise provided for, such as:

Advances, prepaid beyond and manifest transactions, net credit.
Assisting vessels in distress or salvage.
Barber shop and other services to passengers aboard vessels.
Concessions aboard vessels granted to others.
Demurrage and dispatch.
Excess baggage.
Parcel rooms aboard vessels.
Radio service aboard vessels.
Refrigeration aboard vessels.
Rent from steamer chairs and other equipment to passengers.
Sale of periodicals and newsstand supplies to passengers.
Sale of buffet and bar supplies to passengers, net credit.
Sale of slop chest supplies to crew, net credit.
Refreshment, weighing and all other vending machines aboard vessels.

(B) SUBSIDIES**ACCOUNT****625 Operating-differential subsidy.**

(a) This account shall be credited with sums accruing to the carrier under the subsidy provisions of the operating-differential subsidy agreement.

(b) Subsidiary accounts shall be maintained by vessels and consecutively by voyages.

(C) OTHER SHIPPING REVENUES**ACCOUNT****640 Collections from pools.**

This account shall be credited with collections for each accounting period in accordance with pooling agreements by transfer from account 055, "Pool participation."

645 Revenue from terminal operations.

(a) This account shall include all revenue derived from the rental, lease, or use by others of the carrier's terminal facilities, including dockage, side wharfage, top wharfage, storage, doorways, lights, water, protective service, refrigeration, precooling, and similar service.

(b) Subsidiary accounts shall be maintained to show separately for each terminal the different kinds of revenues earned.

650 Revenue from cargo handling operations.

(a) This account shall include all revenue derived from the performance by the carrier for others of stevedoring and other cargo handling services, such as checking, tallying, receiving, delivering, cooping, loading, and discharging cargo; also use of gear, equipment, etc.

(b) Subsidiary accounts shall be maintained to show separately for each port the different kinds of revenues earned.

655 Revenue from tug and lighter operations.

(a) This account shall include all revenue derived from services performed for others by the carrier's tugs, lighters, barges, scows, launches, floating cranes, and other equipment, including rental and charter hire for use of such equipment.

(b) Subsidiary accounts shall be maintained to show separately for each port the different kinds of revenues earned.

660 Revenue from container related operations.

(a) This account shall include all revenue derived from container related operations such as income from inland haulage of military containers, container detention charges and container interline billings.

(b) Subsidiary accounts shall be maintained to show separately for each port the different kinds of revenues earned.

665 Revenue from other shipping operations.

(a) This account shall be credited with gross revenue derived from the performance of repairs, and any other services or operations for others which are inci-

dental to the shipping business and for which no other account is specifically provided.

(b) Subsidiary accounts shall be maintained to show separately for each port the different kinds of revenues earned.

670 Agency fees, commissions, and brokerage earned.

(a) This account shall include revenues received from others covering gross agency fees, commissions, and brokerage, less amounts paid to sub-agents therefrom.

(b) Subsidiary accounts shall be maintained by offices, and postings shall show sources of earnings and classification thereof such as agency fees, management and operating commissions, freight brokerage, passenger brokerage, and names of sub-agents in instances where such payments are charged to this account.

(D) OTHER REVENUE ACCOUNTS**ACCOUNT****675 Interest income.**

(a) This account shall be credited with all interest accrued. This account shall be charged with amortization of any premium and shall be credited with accumulation of any discount on securities at the time of accrual or collection of interest thereon.

(b) Interest shall not be credited before actual collection unless its payment is reasonably assured by past experience, guaranty, anticipated provisions, or otherwise.

(c) This account shall not include interest on securities issued or assumed and owned by the carrier.

(d) This account shall be divided into sub-accounts representing sources of significant interest income. Interest from affiliated companies must be identified.

685 Dividend income.

(a) This account shall include dividends declared on stocks of companies except for affiliated companies accounted for under the equity method of accounting (see instruction m), the income from which is the property of the accounting company, whether such stocks are owned by the accounting company and held in its treasury, or deposited in trust, or are controlled through a lease or otherwise.

(b) This account shall be divided into sub-accounts representing sources of significant dividend income.

690 Miscellaneous other income.

(a) This account shall include all income not provided for elsewhere, such as:

Gain from conversion of foreign currencies (Transferred from account 050, "Foreign exchange account")
Fees collected in connection with exchange of coupon bonds for registered bonds
Gain from sale of securities
Gain from sale of shipping and nonshipping property
Gain from company bonds reacquired

(b) When the gain from the sale of property, equipment or securities, or from reacquisition of the company's own

bonds is of an amount sufficiently large to constitute an extraordinary item, pursuant to instruction (K), such gain shall be credited to account 995, "Extraordinary items".

691 Release of premium on long-term debt.

This account shall include for each fiscal period such proportion of the premium on funded debt as is transferred from account 556, "Premium on funded debt".

692 Unusual or infrequent items (credit).

Included in this account shall be material items unusual in nature or infrequent in occurrence, but not both, accounted for in the current year in accordance with the text of instruction K, upon approval by the Commission.

695 Revenue from nonshipping operations.

(a) This account shall include the gross income derived from ventures other than shipping and shipping auxiliary operations.

(b) Separate accounts shall be maintained for each enterprise and location.

697 Income from affiliated companies.

This account shall be debited or credited with the following:

(a) The accounting company's share of the current earnings or losses of affiliated companies and corporate joint ventures required to be accounted for under equity accounting (see Instruction m).

(b) The amortization of any difference between the cost of an investment and the equity of the accounting company in the net assets of the investee (see Instruction m(3)(a)).

NOTE: Dividends paid or declared by companies on the stock of companies in which the accounting company holds 20 percent or more of the voting common stock shall be credited to balance sheet account 316, "Securities on related companies".

Operating Expenses

(A) DIRECT VESSEL EXPENSES

(a) Accounts 701-749 shall be charged with all direct expenses of operation and maintenance of all vessels, for terminated and unexpired voyages.

(b) Expenses incurred for vessels in idle status shall be included in the 800 series accounts.

(c) Subsidiary accounts shall be maintained by vessels and consecutively by voyages, according to the classification of expense as shown in the chart of accounts.

(d) The same subsidiary ledger forms may be used for both account 200 and the 700 series of accounts, and the sheets may be physically transferred or the totals, by classifications, transferred to new sheets, as the carrier elects.

(e) At the conclusion of the accounting period, all items relating to unexpired voyages shall be transferred to

account 200, "Deferred expenses, unexpired voyages".

(f) Expenses shall be charged according to the provisions of instruction (K).

ACCOUNT

701 Crew wages.

This account shall include salaries and wages of masters, officers, pursers, radio operators, relief crews and other members of crews of vessels including:

- (a) Regular wages.
- (b) Overtime.
- (c) Split wages (overlap).
- (d) Bonus.
- (e) Shifting allowance.
- (f) Extra wages.
- (g) Travel wages.
- (h) Accrued wage adjustments.
- (i) Crew transportation.
- (j) Non-watch pay.
- (k) Board and lodging.

703 Crew fringe benefits.

This account shall include all compensation to crew members other than salaries and wages. Such compensation will include, but is not limited to, vacation pay, sick leave, retirement and pension, group insurance, welfare plans, medical center contributions and joint committee payments.

704 Union payments unrelated to the crew.

This account shall include all payments to unions, such as quid pro quo and compensatory payments, made for agreed upon crew reductions.

708 Payroll taxes.

This account shall include taxes computed on the basis of a payroll such as old age benefits, unemployment compensation and similar social security taxes.

710 Domestic subsistence.

This account shall include the cost (including sales taxes and delivery and inspection charges thereon) of all edibles (but not bar and slop chest supplies and water) purchased in the United States and its Territories and possessions except the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam (excluding purchases out of bond) for consumption by passengers, officers, and crews of vessels.

714 Foreign subsistence.

This account shall include the cost (including sales taxes and delivery and inspection charges thereon) of all edibles (except bar and slop chest supplies and water) purchased in foreign countries or in the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam, or purchased in the United States out of bond, for consumption by passengers, officers and crew of vessels.

715 Domestic consumable stores, supplies and equipment.

This account shall include the cost (and related sales taxes and delivery

and inspection charges thereon) of all consumable stores and supplies and expendable equipment (other than edibles, bar and slop chest supplies, fuel, and water) purchased in the United States and its Territories and possessions, except the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam (excluding purchases out of bond), for use aboard vessels. The term "expendable equipment" includes all tools, utensils, instruments, small machinery, and paraphernalia of a portable or removable nature, as distinguished from "permanent equipment" fastened to the vessel or installed as an integral part thereof, and spares required by the classification societies. The cost of such permanent equipment and spares shall be included in account 740 "Vessel Repairs—Domestic," or account 741 "Vessel Repairs—Foreign."

716 Foreign consumable stores, supplies and equipment.

This account shall include the cost (including related sales taxes and delivery and inspection charges thereon) of all consumable stores and supplies and expendable equipment (other than edibles, bar and slop chest supplies, fuel, and water) purchased in foreign countries or in the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef and the Island of Guam, or purchased in the United States out of bond, for use aboard vessels.

725 Other maintenance expense.

This account shall include such expenses as laundry and pressing services; wages of shoregang labor for cleaning, painting, scraping, or other vessel-upkeep services usually performed by the crew; inspection service charges; and the cost of maintaining expendable equipment, such as adjusting compasses, rating chronometers, retinning utensils, mending linens, upholstering chairs, repairing typewriters, and other such expenses.

730 Insurance—hull and machinery.

This account shall include the cost of hull and machinery insurance, such as premiums, deductibles, and provision for deductible average losses.

732 Insurance—protection and indemnity.

This account shall include the costs of protection and indemnity insurance, such as premiums, personal injury claims, illness claims, cargo claims, provision for deductible average losses and Second Seamen's insurance premiums.

734 Insurance—other marine-risk.

This account shall include the premiums on all classes of marine-risk coverage carried by the carrier which are not properly chargeable to account 730 "Insurance—Hull and Machinery," and account 732 "Insurance—Protection and Indemnity."

PROPOSED RULES

735 Vessel fuel.

This account shall include the cost of fuel and of services and facilities incident to delivery, inspection and trimming thereof.

740 Vessel repairs—domestic.

This account shall include the cost of repairs (not recoverable from insurance) directly attributable to replacement by duplication of, or restoration to satisfactory condition of, damaged or worn parts of vessels, machinery, and equipment which are integral parts of vessels, including the purchase of permanent equipment and spares required by the classification societies, in the United States and its Territories and possessions, except the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam. The cost of repairing or servicing expendable equipment shall be included in account 725 "Other maintenance expense."

741 Vessel repairs—foreign.

This account shall include the cost of repairs (not recoverable from insurance) directly attributable to replacement by duplication of, or restoration to satisfactory condition of, damaged or worn parts of vessels, machinery and equipment which are integral parts of vessels, including the purchase of permanent equipment and spares required by the classification societies, in foreign countries or in the Virgin Islands, American Samoa, Wake Island, Midway Island, Kingman Reef, and the Island of Guam.

742 Depreciation—vessels.

This account shall include the accrual of depreciation of vessels owned by the carrier with a corresponding credit to account 332, "Accumulated depreciation—vessels."

743 Time and trip charter hire.

This account shall include the charter payments for hiring vessels from non-affiliated companies on a time or trip basis.

744 Time and trip charter hire—affiliates.

This account shall include the charter payments for hiring vessels from affiliated companies on a time or trip basis.

745 Short term bareboat charter hire.

This account shall include the rental or lease payments for hiring vessels from nonaffiliated companies on a bareboat basis for periods of one year or less.

746 Short-term bareboat charter hire—affiliates.

This account shall include the rental or lease payments for hiring vessels from affiliated companies on a bareboat basis for periods of one year or less.

747 Long-term bareboat charter hire.

This account shall include the rental or lease payments for hiring vessels from non-affiliated companies on a bareboat basis for periods of over one year.

748 Long-term bareboat charter hire—affiliates.

This account shall include the rental or lease payments for hiring vessels from affiliated companies on a bareboat basis for periods of over one year.

749 Other vessel expenses.

This account shall include all miscellaneous expenses directly incident to the operation of vessels which are not properly chargeable to other vessel account classifications, such as:

- (a) Expenses of masters.
- (b) Expenses of pursers.
- (c) Radio equipment rental.
- (d) Seaworthy certificate.
- (e) Vessel communications.
- (f) Water.

(B) ALLOCATED VOYAGE EXPENSE

(a) The practice of terminated voyage accounting requires the allocation to a voyage of indirect costs incurred as a result of operating and maintaining containers and barges as well as terminals. The following accounts represent the container and barge expense and the indirect terminal expenses allocated to terminated and unterminated voyages.

(b) Subsidiary accounts shall be maintained by vessel and consecutively by voyage.

ACCOUNT**750 Allocated container and barge expense.**

(a) This account shall be maintained by those operators engaged in the practice of terminated voyage accounting and shall be charged monthly for all container and barge expenses charged to accounts 867 through 894, except for accounts 881 through 886 which will be included in the Water Line Operating Revenue and Expense Statement, with a corresponding credit to account 899, "Allocated container and barge expense—contra."

(b) Subsidiary accounts shall be maintained by vessel and consecutively by voyage.

751 Allocated terminal expense.

(a) This account shall be maintained by those operators engaged in the practice of terminated voyage accounting and shall be charged monthly with all indirect terminal expenses allocated to vessels and related voyages with a corresponding credit to account 866, "Allocated terminal expense—contra" except for accounts 859, 860 and 864 which will be included in the Water Line Operating Revenue and Expense Statement.

(b) Subsidiary accounts shall be maintained by vessel and consecutively by voyage.

(C) PORT EXPENSE

(a) Accounts 752—772 shall be charged with all direct expenses related to (1) the movement of cargo to and from ships, and (2) port expenses incurred in the docking and undocking of ships.

(b) Subsidiary accounts shall be maintained by individual port, by vessel and

consecutively by voyages and in some cases by cargo technology type.

ACCOUNT**752 Cargo handling—loading/discharging.**

(a) This account shall include the cost of removing and handling break bulk, bulk, container, and vehicle cargo from the pier or in pier sheds, or from cars, barges, lighters, scows, or booms alongside, and stowing the same in or on any part of the vessel, and the cost of discharging cargo from any part of the vessel onto the pier or into pier sheds, or into or on cars, lighters, scows, or booms alongside the vessel and piling the same on the pier or in pier sheds, such as:

1. Straight time.
2. Overtime.
3. Extra labor.
4. Fringe benefits.
5. Union contributions.
6. Detentions.
7. Transportation, travel & meals.
8. Lashing/unloading.
9. Crane rental.
10. Clerk/tally.
11. Contractors commodity charges.
12. Outside contractors terminal charges.
13. Dunnage, pallets.
14. Shoring and unshoring.
15. Watchmen.

(b) Detail coding shall be maintained by cargo carriage technology types.

(c) Loading or discharging of cargo to and from LASH on SEABEE barges shall be charged to account 753, "cargo handling—loading/discharging barges."

753 Cargo handling—loading/discharging barges.

This account shall include costs of loading and discharging barges into and from vessels, including:

1. Straight time.
2. Overtime.
3. Extra labor.
4. Fringe benefits.
5. Union contributions.
6. Detentions.
7. Transportation—travel and meals.
8. Clerk/tally.
9. Contractors commodity rates.
10. Tug hire.

754 Cargo handling—container yard.

This account shall include all the costs directly incident to the handling of containers within a yard which are not properly assigned to account 752, "Cargo Handling — Loading/Discharging", as above defined.

755 Cargo handling—container freight station.

This account shall include all costs directly incident to the stuffing and unstuffing of containers. In addition, this account shall include the costs directly incident to receiving, delivery and warehousing of such cargo at the container freight station facility.

756 Cargo handling—lighter freight station.

This account shall include all costs directly incident to the loading and discharging of cargo to and from LASH and SEABEE-type barges including tug hire for positioning at the lighter freight station. In addition, this account shall include costs directly incident to receiving, delivery and warehousing of such cargo at the lighter freight station.

757 Cargo handling—lighter consolidation.

This account shall be charged for all costs incident to storing barges at dockside prior to and after delivery from shipside.

758 Cargo handling—commercial cargo.

This account shall be charged for all miscellaneous cargo costs which are unique to carriage of commercial cargo and which are never applicable to carriage of military cargo. Such costs might include:

- Baggage Handling.
- Bill of Lading Fees.
- Equalizations.
- Inspections.
- Measuring Cargo Fees.
- Railcar Loading and Discharging.

759 Cargo handling—other.

This account shall include all expenses not properly assignable to accounts 752-758 including such costs as surveys, cargo dues, etc. and those costs which cannot be assigned to a cargo technology type.

762 Purchased off-dock container freight station services.

This account shall include the costs of off-dock container freight consolidation services purchased.

763 Port transportation expense—commercial.

This account shall include the costs of transporting containers and LASH and SEABEE type barges being used for commercial cargo within the port area for vessel convenience and local pick-up and delivery, such as: drayage, tug hire, fees and duties, miscellaneous charges, and other such expenses. Detail coding shall be maintained by cargo carriage technology type.

764 Port transportation expense—military.

This account shall include the costs of transporting containers and LASH and SEABEE type barges being used for military cargo within the port area for vessel convenience and local pick-up and delivery, such as: drayage, tug hire, fees and duties, miscellaneous charges, and other such expenses. Detail coding shall be maintained by cargo carriage technology type. For use of this account see 46 CFR 282.1(d).

765 Inland transportation expenses—commercial.

This account shall include the cost of transporting containers and LASH and SEABEE type barges being used for commercial cargo out of the port area to

inland terminals or locations, overland or upriver, and to other marine terminals, such as: rail charges, truck charges, handling charges, tug towage, and other such expenses. Detail coding shall be maintained by cargo carriage technology type.

766 Inland transportation expense—military.

This account shall include the cost of transporting containers and LASH and SEABEE type barges being used for military cargo out of the port area to inland terminals or locations, overland or upriver, and to other marine terminals, such as: rail charges, truck charges, handling charges, tug towage, and other such expenses. Detail coding shall be maintained by cargo carriage technology type. For use of this account see 46 CFR 282.1(d).

767 Substituted service transportation expense—commercial.

This account shall include the cost of transporting full or partially full containers and LASH and SEABEE type barges being used for commercial cargo from one port area to other port area(s) when such land transportation facilities the avoidance of a vessel call at the latter port(s), such as: rail charges, truck charges, handling charges, tug towage, and other such expenses. Detail coding shall be maintained by cargo carriage technology type and by the port avoided by use of the substituted service.

768 Substituted service transportation expense—military.

This account shall include the cost of transporting full or partially full containers and LASH and SEABEE type barges being used for military cargo from one port area to other port area(s) when such land transportation facilitates the avoidance of a vessel call at the latter port(s), such as: rail charges, truck charges, handling charges, tug towage, and other such expenses. Detail coding should be maintained by cargo carriage technology type and by the port avoided by use of the substituted service. For use of this account see 46 CFR 282.1(d).

770 Wharfage and dockage.

This account shall include the cost of wharfage and dockage. Detail coding shall be maintained by cargo technology type.

771 Other port expenses.

This account shall contain detail coding by cargo technology type and shall include port service charges, dues, taxes, and other such expenses, such as:

- (a) Pilotage.
- (b) Vessel towage.
- (c) Launch hire.
- (d) Anchor dues.
- (e) Canal tolls other than Panama Canal, Suez Canal and Saint Lawrence Seaway (see Account 773).
- (f) Cargo dues.
- (g) Entry dues and fees.
- (h) Handling lines.
- (i) Port dues and taxes.
- (j) Dispatch.

- (k) Stowage plan.
- (l) Demurrage.
- (m) Customs.

772 Port costs of passenger operations.

This account shall include all port costs of passenger vessels (vessels which carry more than twelve passengers) that would otherwise be charged to accounts 770, "Wharfage and dockage" and 771, "Other port expenses." Detail coding shall be maintained by cargo technology type.

773 Transit canal tolls.

This account shall include canal tolls for the Panama Canal, Suez Canal and Saint Lawrence Seaway.

(D) IDLE VESSEL EXPENSE

(a) These accounts shall include all expenses incurred during periods of idleness or inactivity between voyages.

(b) Subsidiary accounts shall be maintained by vessel and by related idle period.

ACCOUNT

- 801 Crew wages.
- 803 Crew fringe benefits.
- 804 Union payments unrelated to the crew.
- 808 Payroll taxes.
- 810 Subsistence.
- 815 Consumable stores, supplies and equipment.
- 825 Other maintenance expense.
- 830 Insurance—hull and machinery.
- 832 Insurance—protection and indemnity.
- 834 Insurance—other marine-risk.
- 835 Vessel fuel.
- 840 Vessel repairs.
- 842 Depreciation—idle vessels.
- 843 Time and trip charter hire.
- 844 Time and trip charter hire—affiliates.
- 845 Short-term bareboat charter hire.
- 846 Short-term bareboat charter hire—affiliates.
- 847 Long-term bareboat charter hire.
- 848 Long-term bareboat charter hire—affiliates.
- 849 Other vessel expense.

(E) TERMINAL EXPENSE

(a) These accounts shall be charged for all expenses incident to maintaining terminals for handling breakbulk, containers, vehicle cargo and barges. In addition, all costs of tug, other barge operations, and other floating equipment shall be maintained under this category.

(b) Subsidiary accounts shall be maintained by individual terminal.

(c) Charges to accounts 855-858 will be made directly whenever possible. When a terminal provides more than one function, costs will be allocated between the individual functions as prescribed in General Order 12.

855 Terminal operations expense—container yards.

This account shall include all costs and fringe benefits related to a carrier operated container yard. These costs will include:

- (a) Supervision salaries including terminal management, port captains, port engineers and non-union cargo supervisors.
- (b) Supplies.
- (c) Maintenance and repair of container yard property and office equipment.
- (d) Security costs for permanent watchmen used within the container yard proper.
- (e) Utilities for container yard buildings and for lighting of the container yard.
- (f) Rent and property taxes for the container yard.
- (g) Other maintenance labor including unallocated clerks, sweepers, etc.
- (h) Other, including insurance, business fees, etc.

856 Terminal operations expense—container freight station/breakbulk.

This account shall include all costs and fringe benefits related to a carrier operated on dock container freight station or breakbulk terminal such as:

- (a) Supervision salaries including terminal management, port captains, port engineers and non-union cargo supervisors.
- (b) Supplies.
- (c) Maintenance and repair of sheds, terminal property, and office equipment.
- (d) Security costs of permanent watchmen used within the CFS and terminal area.
- (e) Utilities.
- (f) Rent and property taxes for the CFS and breakbulk terminal.
- (g) Other maintenance labor including unallocated clerks, sweepers, coopers, baggage masters, etc.
- (h) Other, including insurance, business license fees, etc.

857 Terminal operations expense—barges.

This account shall include all costs and fringe benefits related to carrier operated terminal used to service LASH or SEABEE barges. These costs will include:

- (a) Supervision salaries including terminal management, port captains, port engineers and non-union cargo supervisors.
- (b) Supplies.
- (c) Maintenance and repairs of terminal property, sheds and office equipment.
- (d) Security costs for permanent watchmen used within the terminal area.
- (e) Utilities for buildings and yard areas.
- (f) Rent and property taxes.
- (g) Other maintenance labor including unallocated clerks, checkers, sweepers, coopers, etc.
- (h) Other, including insurance, business license fees, etc.

858 Terminal operations expense—other.

This account shall include all costs and fringe benefits related to a carrier operated terminal which cannot properly be charged to Account 855, 856 or 857. Costs will include:

- (a) Supervision salaries including terminal management, port captains, port engineers and non-union cargo supervisors.
- (b) Supplies.
- (c) Maintenance and repair of terminal property and office equipment.
- (d) Security costs for permanent watchmen.
- (e) Utilities.
- (f) Terminal rent and property taxes.
- (g) Other maintenance labor including unallocated clerks, checkers, sweepers, coopers, etc.
- (h) Other, including insurance, business license fees, etc.

859 Depreciation—terminal property and equipment.

This account shall include the accrual depreciation of terminal buildings, cranes, trucks, furniture and fixtures, cargo handling gear, and equipment, tools and other terminal gear, and equipment with a corresponding credit to account 350, "Accumulated depreciation—terminal property and equipment."

860 Amortization—terminal leaseholds and leasehold improvements.

This account shall include the amortization of the cost of acquiring long-term leases, and the cost of alterations to, and fixtures installed in, leased terminal property, with a corresponding credit to account 357, "Terminal leaseholds and leasehold improvements."

861 Other expense—terminal equipment.

This account shall include costs applicable to owned terminal equipment such as maintenance and repair, licensing, property taxes, insurance, etc.

862 Operating expense of tug and barge operations.

This account shall include the expense incurred in the operation by the carrier of tugs, other barges, scows, launches, floating cranes, and similar floating equipment. Detail coding shall be maintained by port.

863 Maintenance expense of tug and other barge operations.

This account shall include the expense incurred in the maintenance by the carrier of tugs, other barges, scows, launches, floating cranes and similar floating equipment and will be identified to a port.

864 Depreciation—other floating equipment.

This account shall include the accrual of depreciation of tugs, barges, scows, launches, floating cranes, and similar floating equipment with a corresponding credit to account 338, "Accumulated depreciation—other floating equipment."

866 Allocated terminal expense—contra.

This account shall be credited with the allocation of Terminal Expenses to Vessels and related voyages for the following expenses:

- 855 Terminal operations expense—container yards.
- 856 Terminal operations expense—CFS/breakbulk.
- 857 Terminal operations expense—barges.
- 858 Terminal operations expense—other.
- 861 Other expense—terminal equipment.
- 862 Operating expenses of tug and barge operations.
- 863 Maintenance expense of tug and barge operations.

A corresponding debit shall be made to Account 751—Allocated Terminal Expense.

(F) CONTAINER/BARGE EXPENSE

(a) These accounts shall be charged with all expenses related to the use of containers, chassis and barges which are carried aboard vessels. Such costs do not include the labor for loading and unloading nor the transportation charges for moving containers and barges; instead, such excluded expenses shall be charged to the appropriate port cost center expense accounts:

ACCOUNT**867 Container rental and lease expense.**

This account shall include the rental and lease payments to nonaffiliated companies for containers.

868 Container rental and lease expense—affiliates.

This account shall include the rental and lease payments to affiliated companies for containers.

869 Refrigerated container rental and lease expense.

This account shall include the rental and lease payments to non-affiliated companies for refrigerated containers.

870 Refrigerated container rental and lease expense—affiliates.

This account shall include the rental and lease payments to affiliated companies for refrigerated containers.

871 Chassis rental and lease expense.

This account shall include the rental and lease payments to non-affiliated companies for chassis.

872 Chassis rental and lease expense—affiliates.

This account shall include the rental and lease payments to affiliated companies for chassis.

873 Trailer rental and lease expense.

This account shall include the rental and lease payments to nonaffiliated companies for trailers used in vehicle operations.

874 Trailer rental and lease expense—affiliates.

This account shall include the rental and lease payments to affiliated com-

panies for trailers used in vehicle operations.

875 Barge rental and lease expense.

This account shall include the rental and lease payments to nonaffiliated companies for barges carried aboard vessels, such as LASH and SEABEE barges.

876 Barge rental and lease expense—affiliates.

This account shall include the rental and lease payments to affiliated companies for barges carried aboard vessels, such as LASH and SEABEE barges.

877 Container related equipment rental and lease expense.

This account shall include the rental and lease payments to nonaffiliated companies for container related equipment, such as container cranes and yard container movement equipment.

878 Container related equipment rental and lease expense—affiliates.

This account shall include the rental and lease payments to affiliated companies for container related equipment, such as container cranes and yard container movement equipment.

879 Other cargo handling equipment rental and lease expense.

This account shall include the rental and lease payments to nonaffiliated companies for other cargo handling equipment not included in accounts 867-878.

880 Other cargo handling equipment rental and lease expense—affiliates.

This account shall include the rental and lease payments to affiliated companies for other cargo handling equipment not included in accounts 867-878.

881 Depreciation—containers.

This account shall include the accrual of depreciation of containers, with a corresponding credit to account 342, "Accumulated depreciation—containers."

882 Depreciation—refrigerated containers.

This account shall include the accrual of depreciation of refrigerated containers, with a corresponding credit to account 344, "Accumulated depreciation—refrigerated containers."

883 Depreciation—chassis and trailer equipment.

This account shall include the accrual of depreciation of chassis and trailer and other transportation equipment, with a corresponding credit to account 348, "Accumulated depreciation—chassis and trailer equipment."

885 Depreciation—barges.

This account shall include the accrual of depreciation of barges carried aboard vessels with a corresponding credit to account 336, "Accumulated Depreciation—Barges."

886 Depreciation—container related equipment.

This account shall include the accrual of depreciation of container related

equipment, such as container cranes and yard container movement equipment, with a corresponding credit to account 346, "Accumulated depreciation—container related equipment."

888 Other expense—containers.

This account shall include the costs of containers other than depreciation and rental and lease payments, such as insurance, taxes, and maintenance and repairs. Costs relating to the handling of containers will be charged to the appropriate cargo handling or terminal operations account.

889 Other expense—refrigerated containers.

This account shall include the costs of refrigerated containers other than depreciation and rental and lease payments, such as insurance, taxes, maintenance and repairs. Costs relating to the handling of refrigerated containers will be charged to the appropriate cargo handling or terminal operations account.

890 Other expense—chassis.

This account shall include the costs of chassis, other than depreciation and rental and lease payments, such as insurance, taxes, and maintenance and repairs. Costs relating to the handling of chassis will be charged to the appropriate cargo handling or terminal operations account.

891 Other expense—trailers.

This account shall include the costs of trailers, other than depreciation and rental and lease payments, such as insurance, taxes, and maintenance and repairs. Costs relating to the handling of trailers will be charged to the appropriate cargo handling or terminal operations account.

892 Other expense—barges.

This account shall include the costs of barges carried aboard vessels, other than depreciation and rental and lease payments, such as insurance, taxes, and maintenance and repairs. Costs relating to the handling of barges will be charged to the appropriate cargo handling or terminal operations account.

893 Other expense—other container equipment.

This account shall include the cost of maintaining other container equipment including maintenance and repairs, licensing and property tax.

894 Other expense—other cargo handling equipment.

This account shall include the cost of maintaining all other cargo handling equipment including maintenance and repairs, licensing, property taxes etc. not included in accounts 888-893.

899 Allocated container/barge expense—contra.

This account shall be credited with the allocation of container/barge expense to vessels and related voyages with a corresponding charge to Account 750 "Allocated container and barge expense",

the expenses for which are included in the following accounts:

- 867 Container rental and lease expense.
- 868 Container rental and lease expense—affiliates.
- 869 Refrigerated container rental and lease expense.
- 870 Refrigerated container rental and lease expense—affiliates.
- 871 Chassis rental and lease expense.
- 872 Chassis rental and lease expense—affiliates.
- 873 Trailer rental and lease expense.
- 874 Trailer rental and lease expense—affiliates.
- 875 Barge rental and lease expense.
- 876 Barge rental and lease expense—affiliates.
- 877 Container related equipment rental and lease expense.
- 878 Container related equipment rental and lease expense—affiliates.
- 879 Other cargo handling equipment rental and lease expense.
- 880 Other cargo handling equipment rental and lease expense—affiliates.
- 888 Other expense—containers.
- 889 Other expense—refrigerated containers.
- 890 Other expense—chassis.
- 891 Other expense—trailers.
- 892 Other expense—barges.
- 893 Other expense—other container equipment.
- 894 Other expense—other cargo handling equipment.

(G) ADMINISTRATIVE AND GENERAL EXPENSES

(a) These accounts shall include all administrative and general expenses incurred in the operation of the business for which no other specific accounts have been provided.

(b) Additional detail coding shall be maintained by vessel and consecutively by voyage to facilitate terminated voyage accounting, with respect to accounts 950, 951 and 952.

ACCOUNT

901 Compensation of officers and directors.

This account shall include the compensation of officers and directors, including salaries, bonuses, fees and other payments for services.

902 Salaries and wages of employees.

This account shall include the compensation of all employees performing administrative and service functions that benefit overall operations other than compensation of officers and directors.

903 Fringe benefits.

This account shall include the cost of all fringe benefits of administrative and general personnel, such as:

- (a) Vacation pay.
- (b) Sick leave.
- (c) Payroll taxes (employer's portion).
- (d) Workmen's compensation.
- (e) Group insurance.
- (f) Pension and retirement.
- (g) Health and welfare.
- (h) Profit-sharing.
- (i) Other.

905 Legal fees.

This account shall include fees, retainers, and other expenses for profes-

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sional services of attorneys, including cost of law books, legal forms, testimony, notarial and witness fees, law and court expenses, and lawsuits.

906 Accounting and auditing fees.

This account shall include fees and other expenses for accounting or independent audit services rendered.

907 Other professional fees.

This account shall include fees and other expenses for professional services other than legal, accounting or auditing.

910 Rental expense.

This account shall include the rental costs for use of office buildings, general offices and storage space.

912 Utilities.

This account shall include the cost of utilities, such as:

- (a) Heat.
- (b) Light.
- (c) Power.
- (d) Water.
- (e) Waste removal.

915 Communication expense.

This account shall include all communication expense, such as the cost of telephone, cables, telegrams, radio, postage, telex and teletype.

920 Office expense.

This account shall include the cost of office supplies, printing, equipment rental and all other general expenses relating to the operation of offices.

923 Data processing equipment rental expense.

This account shall include all rental costs of data processing equipment.

925 Dues and subscriptions.

This account shall include membership dues and fees in associations and subscriptions to periodicals and newspapers.

926 Donations and contributions.

This account shall include the cost of donations and contributions.

929 Entertainment and solicitation.

This account shall include all entertainment expenses and expenses of canvassing and solicitation in connection with the procurement of cargo.

930 Travel expense.

This account shall include all traveling expenses of officers and employees on official business of the company.

931 Insurance expense.

This account shall include premiums on insurance such as burglary, theft, robbery, premiums on fidelity bonds on officers and employees, and other such expenses.

934 Repairs and maintenance.

This account shall include the cost of repairing and maintaining general office buildings and equipment, furniture, and machines.

940 Management fees and commissions—affiliates.

This account shall include all commissions paid or payable to affiliated companies for general and financial management services.

941 Management fees and commissions—other.

This account shall include commissions paid or payable to persons or concerns other than affiliated companies acting as managing agents of the carrier. It does not include the customary agency fees and commissions paid to general and sub-agents at out-ports. Such fees should be charged to account 952, "Agency fees and commissions."

945 Advertising—passenger.

This account shall be charged with the cost of all passenger advertising.

946 Advertising—other.

This account shall be charged with all other advertising costs of the carrier.

950 Freight brokerage.

This account shall include commissions paid to brokers for procuring cargo.

951 Passenger brokerage.

This account shall include commissions paid to brokers and booking agencies for procuring passenger business.

952 Agency fees and commissions.

This account shall include agency fees, attendance fees, and commissions for services performed by agents at out-ports. This account shall not include reimbursements to agents for those expenses incurred in the administration and supervision of port activities. Such expense shall be charged to the appropriate port expense account.

955 Contributions to pools.

This account shall be charged with contributions and other related expenses incurred with participation in pooling agreements, by transfer from account 055, "Pool participation."

960 Interest expense.

This account shall include all interest expense, other than amounts to affiliates which shall be charged to account 961, "Interest expense—affiliates", paid or payable. It shall not include interest on obligations issued and assumed and owned by the carrier.

961 Interest expense—affiliates.

This account shall include all interest paid or payable to affiliated companies.

965 Doubtful notes and accounts receivable.

This account shall be charged with provisions for reserves against all notes and accounts receivable considered doubtful of collection.

970 Depreciation—other shipping property and equipment.

This account shall include the accrual of depreciation of property and equipment incident to shipping and its auxil-

ary operations for which no other account has been specifically provided, with a corresponding credit to account 352, "Accumulated depreciation—other shipping property and equipment."

971 Depreciation—non-shipping property and equipment.

This account shall include the accrual of depreciation of property and equipment used in ventures other than shipping and shipping auxiliary operations, with a corresponding credit to account 354, "Accumulated depreciation—non-shipping property and equipment."

975 Amortization—office leaseholds and leasehold improvements.

This account shall include the amortization of the cost of acquiring long-term leases, and the cost of alterations to, and fixtures installed in, leased office property, with a corresponding credit to account 355, "Office leaseholds and leasehold improvements."

976 Amortization—debt discount and expense.

This account shall include for each fiscal period such proportion of debt discount and expense on funded debt as is transferred from account 384, "Debt discount and expense."

977 Amortization—organization expense.

Amortization of expenses incurred in the formation or development of the business shall be charged to this account as transferred from account 385, "Organization expense."

979 Miscellaneous amortization expense.

Amortization of any deferred charges for which no other account is specifically provided shall be included in this account.

980 Expense of non-shipping operations.

This account shall include the gross expense other than depreciation incurred in ventures other than shipping and shipping auxiliary operations.

983 Income or loss from operations of discontinued segments.

This account shall include the results of operations of a segment of a business (see definition 34), after giving effect to Federal income tax consequences, that has been or will be discontinued in accordance with the text of instruction K, upon approval by the Commission.

984 Gain or loss on disposal of discontinued segments.

This account shall include the gain or loss from the disposal of a segment of a business, after giving effect to Federal income tax consequences, in accordance with the text of instruction K, upon approval by the Commission.

985 Income taxes accrued on ordinary income.

(a) This account shall be debited with the monthly accruals for all income taxes which are estimated to be payable and

which are applicable to ordinary income (see instruction 1). See text of account 599, "Retained earnings; unrestricted", and 987, "Income taxes on extraordinary items", for recording other income tax consequences.

(b) Details pertaining to the tax consequences of other unusual and significant items and also cases where the tax consequences are disproportionate to the related amounts included in the income accounts, shall be submitted to the Commission for consideration and decision as to proper accounting.

986 Provision for deferred income taxes.

(a) This account shall include the net tax effect of all material timing differences (see definitions (25) and (23)) originating and reversing in the current accounting period and the future tax benefits of loss carryforwards recognized in accordance with instruction 1(3).

(b) This account shall include credits for the amortization of the investment tax credit if the carrier elected to use the deferred method of accounting for the investment tax credit. See instruction 1 (4).

987 Income taxes on extraordinary items.

This account shall include the estimated income tax consequences (debit or credit) assignable to the aggregate of items of both taxable income and deductions from taxable income which for accounting purposes are classified as unusual and extraordinary, and are recorded in account 995, "Extraordinary items". The tax effect of any timing differences caused by recognizing an item in the accounts provided for extraordinary and prior period items in different periods in determining accounting income and taxable income shall be included in account 998, "Provision for deferred taxes—extraordinary items".

988 Provision for deferred taxes—extraordinary items.

This account shall include debits or credits for the current accounting period for income taxes deferred currently, or for amortization of income taxes deferred in prior accounting periods applicable to items of revenue or expense included in accounts 995, "Extraordinary items". (See instruction 1).

989 Other taxes.

(a) This account shall include all taxes other than income taxes, sales taxes, and taxes computed on basis of payrolls such as old age benefits, unemployment compensation, and similar social security taxes.

(b) Sales taxes and taxes assessed against carriers for electrical energy, telegraph, telephone, radio, cables, checks, rental and safe deposit boxes, motor vehicle licenses, and other such expenses, shall be included in the respective accounts to which the cost of the material or services is charged. Social security taxes are to be included in the respective accounts to which other fringe benefits are charged.

(c) This account shall also be charged with the costs of business licenses.

990 Miscellaneous expense.

This account shall include all expenses of a general character for which no other account is provided including expenses from conversion of foreign currencies.

991 Unusual or infrequent items (debit).

Included in this account shall be material items unusual in nature or infrequent in occurrence, but not both, accounted for in the current year in accordance with the text of instruction K, upon approval by the Commission.

995 Extraordinary items.

(a) This account shall include extraordinary items accounted for during the current accounting year in accordance with the text of instruction K, upon submission of a letter from the carrier's independent accountants, approving or otherwise commenting on the item and upon approval by the Commission.

(b) This account shall be maintained in a manner sufficient to identify the nature and gross amount of each debit and credit.

(c) Federal income tax consequences of charges and credits to this account shall be recorded in account 987—"Income taxes on extraordinary items".

APPENDIX

CLEARANCE ACCOUNTS

(a) This group of accounts is designed to accommodate transactions which cannot be allocated directly to balance sheet or income and expense accounts until such transactions have been completely accounted for. In the preparation of periodical financial and operating statements, it is essential that these clearance accounts be analyzed and the balances reflected therein be distributed to appropriate account classifications on such statements.

(b) The balances in this group of accounts applicable to terminated voyages, or other accounting units of a closed fiscal year, must not be carried forward to the succeeding fiscal year.

ACCOUNT

SEC. .001 *Masters and pursers.* (a) This account shall be charged with amounts advanced to or collected by masters and pursers. The account shall be credited with the net amount of vessels' payrolls, with cash advances to members of the crew, with allowable expenses incurred, with endorsed travelers checks, and unexpended cash balances returned.

(b) Subsidiary accounts shall be maintained for each master and purser and a separate account maintained for each voyage or other accounting unit.

SEC. .005 *Allotments on wages of crews.* This account shall be charged with payments made to allottees of crews and shall be credited with deductions made therefor on vessels' payrolls.

SEC. .010 *Agents and branch houses.* (a) This account shall serve as a clearance account for all current transactions with foreign and domestic agents, and branch houses of the carrier. The account shall be charged with cash advances to agents and branch houses, and with freight and other voyage revenue collectible by the agent or branch house in instances where arrangements are made with them to disburse vessels there-

from. Freight and other voyage revenues collectible by agents who are required to remit in full shall be recorded in account 150, "Accounts receivable." This account shall be credited with remittances by the agents or branch houses, and with approved disbursements made for the account of the carrier.

(b) Subsidiary accounts shall be maintained by names of agents or branch houses. SEC. .012 *Sub-agency operations.* (a) This account shall serve as a clearance account for all current transactions with other principals for whom the carrier acts as agent.

(b) The balances in this account shall be reflected in account 165, "Accounts receivable—miscellaneous," and account 421, "Accounts payable" for balance sheet purposes.

SEC. .015 *Related companies; accounts current.* (a) This account shall be charged with receivables and credited with payables which are customarily subject to current settlement. Under no circumstances shall loans, advances, or other transactions, the settlement of which is deferred beyond one year, be recorded in this account.

(b) The balance in this account shall be reflected in account 153, "Accounts receivable—affiliates" or account 415, "Notes and accounts payable—affiliates," for balance-sheet purposes.

(c) Subsidiary accounts shall be arranged by company, and a description of each transaction shall be reflected in the accounts.

SEC. .025 *Collections and deposits for passenger transportation.* (a) Gross passenger ticket sales and deposits including those for future reservations, hotel accommodations, shore excursions, passenger taxes, etc., shall be credited to this account.

(b) As transportation is furnished to passengers by vessels of the carrier, this account shall be charged and account 600, "Vessel revenue," credited. Deposits or collections for other purposes, including commissions earned or payable incident thereto, shall be cleared from this account as soon as practicable to appropriate accounts designated in the Chart. The credit balances remaining in this account shall be reflected in account 495, "Advance ticket sales and deposits," for balance sheet purposes.

(c) Subsidiary accounts shall be maintained in sections corresponding to the classifications shown on the daily ticket sales report, examples of which are: Prepaid orders, one-way tickets, round-trip tickets, exchange orders, railroad fares, hotel reservations, sightseeing tours, head tax, U.S. Government stamp tax, foreign government passenger taxes, commissions due agents and brokers, and commissions earned.

SEC. .030 *Collections and unrecorded freight manifests.* (a) This account shall be credited with all collections of freight revenue from shippers or consignees prior to the recording of the revenue manifests. When the manifest is recorded, the balance in this account applicable thereto shall be cleared with a corresponding credit to account 600, "Vessel revenue."

(b) Subsidiary accounts shall be maintained by vessels and consecutively by voyages or other accounting units.

SEC. .035 *Advance and prepaid beyond charges, and miscellaneous manifested times.* (a) When vessels manifests are journalized, this account shall be credited with advance charges, prepaid beyond charges, and miscellaneous manifested items, such as: Consular fees, cargo insurance, handling, transshipment, and transfer charges. The account shall be charged with expenses incurred in the performance of the services for which these collections were made. As transactions applicable to terminated voyages are completely accounted for net debit

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balances in this account shall be transferred to the appropriate 700 account and net credit balances to account 600, "Vessel revenue."

(b) Subsidiary accounts should be subdivided as between advance charges, prepaid beyond charges, and miscellaneous manifested items. Each group of account should be maintained by vessels and consecutively by voyages.

SEC. .040 *Bar accounts.* (a) This account shall be charged with inventories of bar supplies aboard vessels at the beginning of each voyage for sale to passengers, and with all purchases of such supplies during the voyage. The account shall be credited with the inventory of bar supplies on hand at the end of each voyage, and with gross sales during the voyage. As transactions applicable to terminated voyages are completely accounted for, net debit balances in this account shall be transferred to the appropriate 700 accounts and net credit balances to account 600, "Vessel revenue." The balance remaining in this account after profits and losses, on sales applicable to voyages terminated during the accounting period, have been cleared to the vessel operating accounts shall be reported on the balance sheet under the classification "Inventories."

(b) The subsidiary accounts shall be maintained by vessels and consecutively by voyages.

SEC. .045 *Slop chest account.* (a) This account shall be charged with inventories of slop chest supplies aboard vessels at the beginning of each voyage for sale to members of the crew, and with all purchases of such supplies during the voyage. The account shall be credited with the inventory of slop chest supplies on hand at the end of each voyage, and with all gross sales during the voyage. As transactions applicable to terminated voyages are completely accounted for, net debit balances in this account shall be transferred to the appropriate 700 account and net credit balances to account 600, "Vessel revenue." The balance remaining in this account after profits and losses, on sales applicable to voyages terminated during the accounting period, have been cleared to the vessel operating accounts, shall be reported on the balance sheet under the classification "Inventories."

(b) The subsidiary accounts shall be maintained alphabetically by vessels and consecutively by voyages.

SEC. .050 *Foreign exchange account.* All gains or losses in foreign exchange shall be recorded in this account. At the close of each accounting period the balance in the account shall be transferred to account 690, "Miscellaneous—other income," or account 990, "Miscellaneous expense," as the case may be.

SEC. .055 *Pool participation.* (a) This account shall be charged with contributions to pools for the purpose of equalizing revenues in accordance with pooling agreements and shall be credited with gross collections received from pools for the same purpose.

(b) Charges against the carrier in administering the pooling agreements shall be recorded in account 925, "Dues and subscriptions." The balances in this account at the close of each accounting period, as prescribed in pooling agreements, shall be transferred to account 640, "Collections from pools," and account 955, "Contributions to pools."

(c) This account shall be maintained to show separately transactions under each pooling agreement and accounting period.

SEC. .060 *Stores, supplies, and equipment aboard vessels.* (a) Where inventories of vessels stores, supplies, and/or equipment are not taken and priced at the end of each voyage, the value of such inventories shall be charged to this account at the beginning of each contract period. The account should also be credited with the value of inventories

of stores, supplies, and/or equipment at the end of each accounting period, after which any balance therein shall be charged or credited, as the case may be, to the last voyage of each vessel involved terminated during the accounting period.

(b) The accounts will not be used in instances where inventories of stores, supplies, and/or equipment are taken and priced at the end of each voyage.

(c) The balance in the account at the end of each accounting period, applicable to the subsequent account period, will be reflected in balance sheet account 200, "Deferred ex-

pense—unterminated voyages."

SEC. .095 *Profit and loss account.* At the end of the accounting year this account shall be credited or charged, as the case may be, with the balances in all ordinary, and extraordinary revenue and expense accounts, except where otherwise specifically indicated. After all entries have been made, the account shall reflect the net income for the accounting year. The net balance in this account after adjustments have been made for the accounting year shall be transferred to account 599, "Retained earnings—unrestricted."

FINANCIAL STATEMENTS

(A) BALANCE SHEET

Account No.	Assets
	Current assets:
100.....	Cash.
115.....	Special cash deposits.
120, 129.....	Marketable securities.
130.....	Notes receivable.
140.....	Notes receivable—affiliates.
150.....	Accounts receivable.
169.....	Less: Estimated allowance for doubtful notes and accounts receivable.
170.....	Inventories—shoreside.
190.....	Other current assets.
198.....	Deferred income tax charges.
	Total current assets.
200.....	Voyages in progress (when a net debit balance).
500.....	Deferred expenses—unterminated voyages.
	Less: Deferred revenues—unterminated voyages.
	Special funds and deposits:
301.....	Capital reserve fund.
302.....	Capital construction fund.
303.....	Construction reserve fund.
304.....	Interest accounts for deposit in statutory funds.
305.....	Insurance funds.
306-310, 312.....	Other special funds and deposits.
	Total special funds and deposits.
	Investments:
316.....	Securities of related companies.
319.....	Noncurrent notes receivable—affiliated companies.
320.....	Noncurrent accounts receivables—affiliated companies.
325.....	Cash value of life insurance.
328.....	Other investments.
	Total investments.
	Property and equipment:
331.....	Floating equipment—vessels.
332.....	Less: Accumulated depreciation—vessels.
335.....	Floating equipment—barges.
336.....	Less: Accumulated depreciation—barges.
337.....	Other floating equipment.
338.....	Less: Accumulated depreciation—other floating equipment.
341.....	Containers.
342.....	Less: Accumulated depreciation—containers.
343.....	Refrigerated containers.
344.....	Less: Accumulated depreciation—refrigerated containers.
345.....	Container-related equipment.
347.....	Less: Accumulated depreciation—container-related equipment.
348.....	Chassis and trailer equipment.
349.....	Less: Accumulated depreciation—chassis and trailer equipment.
350.....	Terminal property and equipment.
351.....	Less: Accumulated depreciation—terminal property and equipment.
352.....	Other shipping property and equipment.
353.....	Less: Accumulated depreciation—other shipping property and equipment.
354.....	Nonshipping property and equipment.
355.....	Less: Accumulated depreciation—nonshipping property and equipment.
356.....	Office leaseholds and leasehold improvements.
357.....	Less: Accumulated amortization—office leaseholds and leasehold improvements.
358.....	Terminal leaseholds and leasehold improvements.
359.....	Less: Accumulated amortization—terminal leaseholds and leasehold improvements.
	Construction work in progress.
	Total property and equipment after accumulated allowances:
	Other assets:
361.....	Claims pending.
362.....	Spare parts on which construction-differential subsidy has been paid.
363.....	Spare parts—other.
364.....	Notes and accounts receivable from officers and employees.
367.....	Deferred operating-differential subsidy receivable.
368.....	Other noncurrent notes and accounts receivable.
370.....	Maritime Administration allowance for obsolete vessels.
374.....	Miscellaneous other assets.
	Total other assets.
169.....	Less: Estimated—allowance for doubtful notes and accounts receivable.
	Total other assets after estimated allowance for doubtful notes and accounts receivables:
375.....	Deferred charges and prepaid expenses.
383.....	Accumulated deferred income tax charges.
391.....	Goodwill.
398.....	Other intangible assets.
399.....	Less: Accumulated amortization—other intangible assets.
	Total assets.
	Liabilities
	Current liabilities:
400.....	Notes payable.
415.....	Notes and accounts payable—affiliates.
420.....	Accounts payable.
440.....	Accrued liabilities.
479.....	Other current liabilities.
480.....	Deferred income tax credits.
495.....	Advance ticket sales and deposits.

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Account No.	Assets
526.....	Mortgage notes—Maritime Administration.
527.....	U.S. Government insured or guaranteed merchant marine bonds and notes.
530.....	Other bonds and debentures.
534.....	Other long-term debt.
	Total current liabilities.
	Voyages in progress (when a net credit balance).
500.....	Deferred revenues—unterminated voyages.
200.....	Less: Deferred expense—unterminated voyages.
	Long-term debt (due after 1 year):
526.....	Mortgage notes—Maritime Administration.
527.....	U.S. Government insured or guaranteed merchant marine bonds and notes.
530.....	Other bonds and debentures.
534.....	Other long-term debt.
	Total long-term debt.
	Other liabilities:
541.....	Noncurrent payables—affiliated companies.
549.....	Noncurrent notes and accounts payable—officers and employees.
550.....	Recapturable profits—Maritime Administration.
554.....	Miscellaneous other liabilities.
	Total other liabilities.
	Deferred credits:
556.....	Premium on funded debt.
563.....	Accumulated deferred income taxes.
564.....	Miscellaneous deferred credits.
	Total deferred credits.
	Estimated operating allowances:
566.....	Estimated allowances for repairs.
570.....	Estimated allowances for insurance.
579.....	Estimated operating allowances—Miscellaneous.
	Total estimated operating allowances.
	Total liabilities.
	Owner's equity—capital stock:
581.....	Issued and outstanding.
585.....	Subscribed.
587.....	Less: Discount on capital stock.
	Total capital stock.
590.....	Additional paid-in capital.
	Retained earnings:
593.....	Prior period adjustments to beginning retained income accounts.
598.....	Restricted.
599.....	Unrestricted.
591.....	Total retained earnings.
	Less: Treasury stock.
	Total owner's equity.
	Total liabilities and equity.

(B) INCOME STATEMENT

Account No.	Assets
	Shipping operations:
601-670.....	Waterline operating revenue.
701-989.....	Waterline operating expense.
	Gross profit (loss) from shipping operations.
	Other income:
675.....	Interest income.
685.....	Dividend income.
690.....	Miscellaneous other income.
691.....	Release of premium on long-term debt.
692.....	Unusual or infrequent items (credit).
697.....	Income from affiliated companies.
	Other deductions from income:
960.....	Interest expense.
961.....	Interest expense—affiliates.
965.....	Doubtful notes and accounts receivable.
976.....	Amortization—debt discount and expense.
977.....	Amortization—organization expense.
979.....	Miscellaneous amortization expense.
980.....	Miscellaneous expense.
991.....	Unusual or infrequent items (debit).
	Net income from shipping operations.
	Nonshipping operations:
695.....	Revenue from nonshipping operations.
980.....	Expense of nonshipping operations.
971.....	Depreciation—nonshipping property and equipment.
	Net income (loss) from nonshipping operations.
	Income (loss) before income taxes and extraordinary items:
983.....	Income or loss from operations of discontinued segments.
984.....	Gain or loss on disposal of discontinued segments.
985.....	Income taxes accrued on ordinary income.
986.....	Provision for deferred income taxes.
	Income (loss) before extraordinary items.
	Extraordinary items:
995.....	Extraordinary items (net).
987.....	Income tax on extraordinary items.
988.....	Provision for deferred taxes—extraordinary items.
	Total extraordinary items.
	Net income (loss).

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(c) WATERLINE OPERATING REVENUE AND EXPENSE STATEMENT

Account No.	Shipping operations—Terminated voyage results (from sec. 282.6(D))	Revenue	Expense	Net
801-840, 842-849	Idle vessel expense.....			
640, 955	Collection from and contributions to pools.....			
	Gross profit (loss) from shipping operations before subsidy.....			
625	Operating-differential only subsidy.....			
	Gross profit (loss) from vessel operations after subsidy.....			
645	Revenue from terminal operations.....			
650	Revenue from cargo handling operations.....			
655	Revenue from tug and lighter operations.....			
660	Revenue from container related operations.....			
665	Revenue from other shipping operations.....			
670	Agency fees, commissions, and brokerage earned.....			
	Gross profit (loss) from shipping operations, before overhead, amortization, and depreciation.....			
	Overhead			
901-934	Administrative and general expenses.....			
940	Management fees and commissions—affiliates.....			
941	Management fees and commissions—other.....			
945	Advertising—passenger.....			
946	Advertising—other.....			
989	Other taxes.....			
	Gross profit (loss) from shipping operations before amortization and depreciation.....			
	Amortization-depreciation—shipping property and equipment			
742	Depreciation—vessels.....			
842	Depreciation—idle vessels.....			
859	Depreciation—terminal property and equipment.....			
864	Depreciation—other floating equipment.....			
881	Depreciation—container.....			
882	Depreciation—refrigerated containers.....			
883	Depreciation—chassis and trailer equipment.....			
885	Depreciation—barges.....			
886	Depreciation—container-related equipment.....			
970	Depreciation—other shipping property and equipment.....			
975	Amortization—office leaseholds and leasehold improvements.....			
860	Amortization—terminal leaseholds and leasehold improvements.....			
	Total waterline revenue and expense.....			
	Gross profit (loss) from shipping operations.....			

(d) VESSEL OPERATING STATEMENT

Account No.	Vessel revenue-terminated voyages
601	Freight—foreign.
605	Freight—coastwise and intercoastal.
608	Passenger—foreign.
612	Passenger—coastwise and intercoastal.
620	Charter revenue.
624	Other voyage revenue.
	Total vessel revenue.
	Operating expense—terminated voyages
	Vessel expenses:
701	Crew wages.
703	Crew fringe benefits.
704	Union payments unrelated to the crew.
708	Payroll taxes.
710	Domestic subsistence.
714	Foreign subsistence.
715	Domestic consumable stores, supplies, and equipment.
716	Foreign consumable stores, supplies, and equipment.
725	Other maintenance expense.
730	Insurance—hull and machinery.
732	Insurance—protection and indemnity.
734	Insurance—other marine-risk.
735	Vessel fuel.
740	Vessel repairs—domestic.
741	Vessel repairs—foreign.
743	Time and trip charter hire.
744	Time and trip charter hire—affiliates.
745	Short-term bareboat charter hire.
746	Short-term bareboat charter hire—affiliates.
747	Long-term bareboat charter hire.
748	Long-term bareboat charter hire—affiliates.
749	Other vessel expenses.
	Total vessel expense.
	Voyage expenses:
750	Container and barge expenses: Allocated container and barge expense:
751	Terminal expenses: Allocated terminal expenses.
	Port expenses:
752	Cargo handling—loading/discharging.
753	Cargo handling—loading/discharging—barges.
754	Cargo handling—container yard.
755	Cargo handling—container freight station.

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Account No.	Vessel revenue-terminated voyages
756	Cargo handling—lighter freight station.
757	Cargo handling—lighter consolidation.
758	Cargo handling—commercial cargo.
759	Cargo handling—other.
762	Purchased off-dock container freight station services.
763	Port transportation expense—commercial.
764	Port transportation expense—military.
765	Inland transportation expense—commercial.
765	Inland transportation expense—military.
767	Substituted service transportation expense—commercial.
768	Substituted service transportation expense—military.
770	Wharfage and dockage.
771	Other port expenses.
772	Port costs of passenger operations.
773	Transit canal tolls.
	total port expenses.
	Brokerage expense and agency fees and commissions:
950	Freight brokerage.
951	Passenger brokerage.
952	Agency fees and commissions.
	Total brokerage expense, agency fees and commissions.
	Total voyage expense.
	Total operating expense.
	Terminated voyage results.

[FR Doc.74-22066 Filed 9-24-74;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF DEFENSE

Office of the Secretary

DEFENSE ADVISORY GROUP ON ELECTRON DEVICES

Notice of Meetings

The Department of Defense Advisory Group on Electron Devices and various working groups thereof will meet in closed sessions on dates indicated below at 201 Varick Street, New York, New York:

Working Group A (Mainly Microwave Devices) Oct. 30, 1974
 Working Group B (Mainly Low Power Devices) Oct. 30, 1974
 Working Group C (Mainly Imaging and Display Devices) Oct. 8, 1974
 Advisory Group on Electron Devices, Oct. 8, 1974

The purpose of the DoD Advisory Group on Electron Devices, and various working groups thereof, is to provide the Director of Defense Research and Engineering and the Military Departments with advice and recommendations on the conduct of economical and effective research and development programs in the field of electron devices; e.g., lasers, radar tubes, transistors, infrared sensors, etc. The group is also the vehicle for interservice coordination of planned R&D efforts.

In accordance with Pub. L. 92-463, section 10, paragraph (d), it is hereby determined that the AGED meetings concern matters listed in section 552(b) of title 5 of the United States Code, particularly subparagraph (1) thereof, and that the public interest requires such meetings be closed insofar as the requirements of subsections (a)(1) and (a)(3) of section 10, Pub. L. 92-463 are concerned.

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

SEPTEMBER 20, 1974.

[FR Doc.74-22210 Filed 9-24-74; 8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Colorado 21966]

MOON LAKE ELECTRIC ASSOCIATION

Pipeline Application

SEPTEMBER 13, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 USC 185), Moon Lake Electric Association, P.O. Box 278, Roosevelt, Utah

84066, has applied for a right of way for a four-inch natural gas gathering pipeline across the following lands:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 2 N., R. 102 W.,
 Sections 25, 26, and 35.

The pipeline will convey natural gas to Moon Lake Electric's Rangely Generating Plant near Rangely in Rio Blanco County, Colorado.

The purposes of this notice are: to inform the public that the Bureau of Land Management will be proceeding with the preparation of environmental and other analyses necessary for determining whether the application should be approved and, if so, under what terms and conditions; to allow interested parties to comment on the application; and to allow any persons asserting a claim to the lands or having bona fide objections to the proposed pipeline right of way to file their objections in this office. Any person asserting a claim to the lands or having bona fide objections must include evidence that a copy thereof has been served on the applicant.

Any comment, claim, or objections must be filed with the Chief, Branch of Land Operations, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colorado 80202, by October 25, 1974.

EVERETT K. WEEDIN,
 Chief, Branch of Land Operations.

[FR Doc.74-22265 Filed 9-24-74; 8:45 am]

[Wyoming 47624]

WYOMING

Notice of Application

SEPTEMBER 16, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), Richard Schanck has applied for a natural gas pipeline right-of-way across the following lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 26 N., R. 89 W.,
 Sec. 21, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 27, W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 34, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

The pipeline will convey natural gas from an existing pipeline to the applicant's place of business.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether

the application should be approved and, if so, under that terms and conditions.

Interested persons desiring to express their views should send their name and address to the District Manager, Bureau of Land Management, P.O. Box 670, Rawlins, Wyoming 82301.

ALMA LUNDBERG,
 Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.74-22196 Filed 9-24-74; 8:45 am]

[Wyoming 47855]

WYOMING

Notice of Application

SEPTEMBER 16, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Trigg Exploration Company has applied for a natural gas pipeline right-of-way across the following lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 56 N., R. 97 W.,
 Sec. 21, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 22, SW $\frac{1}{4}$ NW $\frac{1}{4}$.

The pipeline will convey natural gas to the site of Federal Well No. 1-21.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should send their name and address to the District Manager, Bureau of Land Management, P.O. Box 119, Worland, Wyoming 82401.

ALMA LUNDBERG,
 Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.74-22195 Filed 9-24-74; 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 of National Parks, Historic Sites, Buildings and Monuments will be held on October 7, 8, 9, and 10, at the Department of the Interior, 18th and C Streets, NW., Washington, D.C.

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, Pennsylvania
 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
 Capt. Walter M. Schirra, Jr., Englewood, Colorado
 Dr. Douglas W. Schwartz, Santa Fe, New Mexico

Meetings will be conducted in different locations as follows:

October 7, 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 administrative policies for the National Park System, proposed revision of criteria for parklands, wilderness program, safety program, park interpretation, concessions study, and environmental modification.

October 8. At 8:30 a.m., North Penthouse, Room 8068, the Natural Areas Committee will meet to hear reports on natural history theme studies, and shall consider 50 natural areas as potential additions to the National Registry of Natural Landmarks.

At 8:30 a.m., Room 7000A, the History Areas Committee will meet to consider reports on two new areas and to hear reports on various studies, including a partial revision of the subtheme "Architecture" considering several sites in Louisiana, update of the subtheme "Education" to consider sites associated with the education of Blacks, and special studies of Cincinnati Music Hall, Ohio, Snow's Island, South Carolina, Governor's Mansion, Texas, and Court House, Carlisle, Pennsylvania.

At 2:30 p.m., Room 5160, the full Board will meet to consider the study of grizzly bears in Yellowstone National Park.

October 9. 8:30 a.m., The Advisory Board will meet to receive reports from the committee meetings. At 9:30 a.m., the Advisory Board will begin an inspection tour for the remainder of the day of several areas within National Capital Parks.

October 10. 8:30 a.m., Room 7000A. The Advisory Board will continue its meeting with a discussion of the management of urban parks/recreation areas and to formulate its comments and recommendations.

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 National Capital Parks inspection tour on October 9, 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: September 10, 1974.

ROBERT M. LANDAU,
 Liaison Officer, Advisory Com-
 missions National Park Serv-
 ice.

[FR Doc.74-22313 Filed 9-24-74;8:45 am]

Office of Hearings and Appeals

[Docket No. M 75-2]

BETHLEHEM MINES CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Bethlehem Mines Corporation has filed a petition to modify the application of 30 CFR 75.305 to its Mine No. 58, Marianna, Pennsylvania.

30 CFR 75.305 provides in pertinent part:

In addition to the preshift and daily examinations required by this Subpart D, examinations for hazardous conditions including tests for methane, and for compliance with the mandatory health or safety standards, shall be made at least once each week by a certified person designated by the operator in the return of each split of air where it enters the main return, on pillar falls, at seals, in the main return, at least one entry of each intake and return air course in its entirety, idle workings, and insofar as safety considerations permit, abandoned areas. * * *

For the reasons specified below, Petitioner seeks modification of that portion of 30 CFR 75.305 which requires a certified person to make a weekly examination in each return split of air with respect to the return air courses paralleling the following mainline haulages: B-Face East; three (3) miles of 30 Mains from the junction of B-Face East to Moore Portal; A-Face West; and 46 Mains from the junction of A-Face West to Hoover Shaft.

(1) The Marianna Mine was opened in 1906. Petitioner acquired the mine in 1923. Most of the return air courses for the locations in question were driven many years ago; in some cases, they were driven approximately fifty (50) years ago during hand-loading days. Since much of this development had been done before the advent of roof bolts for roof support, timbers had been used for support as part of the mining cycle. These timbers have long since deteriorated due to adverse conditions (moisture, roof pressures, etc.) leaving much of the roof in the return air courses in question unsupported; thus, there have been numerous extensive roof falls in those return airways in the area in question. The roof falls that have occurred in the area in question are extremely high and, in some areas, very tight. In addition, large impassable accumulations of water are present in these return air courses. This accumulation of water not only obstructs travel, but also aids in further deterioration of the roof and mine tim-

bers. At present approximately 150,000 gallons of water are pumped daily from the area in question.

(2) The return air courses described above have not been maintained or used to ventilate active workings since the time they were driven. These returns are impassable today due to the adverse conditions described above which exist in the area under consideration. A survey of these entries has been completed and indicates that it would require a minimum of 96 man years to make the returns safe to travel. As a result of these adverse conditions the air courses cannot be safely traveled for examination purposes on a weekly basis as required by the Act.

(3) Petitioner proposes an alternate method for achieving the result contemplated by 30 CFR 75.305, which will at all times guarantee no less than the same protection afforded by such standard. This alternate method also eliminates the hazards which would be encountered if attempts were made to travel and also to rehabilitate every portion of the return air courses in the areas in question.

Alternate method. (a) Despite the above-described conditions which exist in the return air courses in the areas in question, twelve (12) safe monitoring stations have been established at which examinations for hazardous conditions are conducted, as well as examinations for compliance with the mandatory health or safety standards. Air and methane readings are also made at these monitoring stations to assure the air flow is in its proper course and usual volume. In addition, measuring stations have been established at both Piper and Hoover Fans underground to measure the total quantity of air handled by the fans, including that from the inaccessible areas referred to above.

(b) Methane and air readings are made by a certified, competent person on a weekly basis, if not more frequently.

(c) Methane will not be permitted to accumulate in the return air courses, as determined at the underground measuring stations, beyond legal limits.

(d) Both access to and the measuring stations themselves will continue to be kept in safe condition.

(e) A date board is located at each measuring station, and air quantity and methane readings are taken and recorded, including the initials of the certified person taking such readings, as well as the date and time the readings are taken.

(f) Examinations are made at each measuring station at least once each week.

(g) All employees required to perform measurements at the underground stations will be certified for such work on the basis of state examinations.

Persons interested in this petition may request a hearing on the petition or furnish comments by October 25, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Ar-

lington, Virginia 22203. Copies of the petition are available for inspection at that address.

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

SEPTEMBER 18, 1974.

[FR Doc. 74-22271 Filed 9-24-74; 8:45 am]

[Docket No. M 74-194]

ISLAND CREEK COAL CO.

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

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Island Creek Coal Company has filed a petition to modify the application of 30 CFR 75.1405 to its Alpine Mine, Bayard, West Virginia.

30 CFR 75.1405 provides:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

To be read concurrently with 30 CFR 75.1405 is 30 CFR 75.1405-1 which provides:

The requirement of § 75.1405 with respect to automatic couplers applies only to track haulage cars which are regularly coupled and uncoupled.

In support of its petition for modification Petitioner states:

1. The supply cars identified as Type 1 used in the subject mine are of vintage manufacture and do not have automatic couplers.

2. Manufacture of cars equipped with automatic couplers would not be technologically and financially feasible for the following reasons:

A. The subject mine utilizes a total of seven supply cars.

B. Cars presently in use are not uniform in size because they were made by different manufacturers.

C. The radius of curves and steep grades creates serious problems for installation of automatic couplers.

3. The Type 1 car has a coupling pin attached to a lever which extends to the side of the car and the pin remains in the bumper hole, thus making it unnecessary for any person to be required to go between the ends of the cars. A chain and lever lock is provided to keep the lever in place when it is in an uncoupled position.

4. The coupling link end has a rod attached permanently to the coupling link of the other car and an aligning rod which extends out to the side of the car, thus making it unnecessary for any person to go between the ends of the cars. A chain safety device and a rest lock provide additional safety for securing the rod in its proper position.

5. The above-mentioned cars can be coupled and uncoupled by these rods with adequate clearance and safety to employees.

6. These cars may be maneuvered by motormen coupling the link to the bumper of the locomotive.

7. The Type 2 car like the Type 1 car has a coupling pin which is attached to a lever extending to the side of the car. The pin remains in the bumper hole, thus making it unnecessary for any person to go between the ends of the cars.

8. An aligning rod is used on the link end. This rod allows a person to move the link into position without the necessity of persons moving between the ends of the Type 2 cars.

9. A lever rod is provided for security and safety reasons when the rod is uncoupled.

10. The aligning rods will be maintained in position on each bumper of each locomotive by a link end and locked in position by lock pin and snap pin. A safety factor in the alternate method is a chain which prevents the loss of the rod.

11. The foregoing plan was initiated and instituted through a pilot project which was designed to determine feasibility and operational efficiency.

12. Results obtained by tests and the pilot project show that outstanding protection is afforded to employees.

13. A program of training for all personnel will be initiated by the Petitioner and a scheduled training orientation program will be instituted for all new employees.

In support of its petition, Petitioner has submitted a schematic drawing detailing the alternate plan.

Persons interested in this petition may request a hearing on the petition or furnish comments by October 25, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

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

SEPTEMBER 18, 1974.

[FR Doc. 74-22274 Filed 9-24-74; 8:45 am]

[Docket No. M 74-193]

ISLAND CREEK COAL CO.

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

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Island Creek Coal Company has filed a petition to modify the application of 30 CFR 75.1405 to its North Branch Mine, Bayard, West Virginia.

30 CFR 75.1405 provides:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and un-

couple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

To be read concurrently with 30 CFR 75.1405 is 30 CFR 75.1405-1 which provides:

The requirement of § 75.1405 with respect to automatic couplers applies only to track haulage cars which are regularly coupled and uncoupled.

In support of its petition for modification Petitioner states:

1. The supply cars identified as Type 1 used in the subject mine are of vintage manufacture and do not have automatic couplers.

2. Manufacture of cars equipped with automatic couplers would not be technologically and financially feasible for the following reasons:

A. The subject mine utilizes a total of sixteen supply cars.

B. Cars presently in use are not uniform in size because they were made by different manufacturers.

C. The radius of curves and steep grades creates serious problems for installation of automatic couplers.

3. The Type 1 car has a coupling pin attached to a lever which extends to the side of the car and the pin remains in the bumper hole, thus making it unnecessary for any person to be required to go between the ends of the cars. A chain and lever lock is provided to keep the lever in place when it is in an uncoupled position.

4. The coupling link end has a rod attached permanently to the coupling link of the other car and an aligning rod which extends out to the side of the car, thus making it unnecessary for any person to go between the ends of the cars. A chain safety device and a rest lock provide additional safety for securing the rod in its proper position.

5. The above-mentioned cars can be coupled and uncoupled by these rods with adequate clearance and safety to employees.

6. These cars may be maneuvered by motormen coupling the link to the bumper of the locomotive.

7. The Type 2 car like the Type 1 car has a coupling pin which is attached to a lever extending to the side of the car. The pin remains in the bumper hole, thus making it unnecessary for any person to go between the ends of the cars.

8. An aligning rod is used on the link end. This rod allows a person to move the link into position without the necessity of persons moving between the ends of the Type 2 cars.

9. A lever rod is provided for security and safety reasons when the rod is uncoupled.

10. The aligning rods will be maintained in position on each bumper of each locomotive by a link end and locked in position by lock pin and snap pin. A safety factor in the alternate method is a chain which prevents the loss of the rod.

11. The foregoing plan was initiated and instituted through a pilot project which was designed to determine feasibility and operational efficiency.

12. Results obtained by tests and the pilot project show that outstanding protection is afforded to employees.

13. A program of training for all personnel will be initiated by the Petitioner and a scheduled training orientation program will be instituted for all new employees.

In support of its petition, Petitioner has submitted a schematic drawing detailing the alternate method.

Persons interested in this petition may request a hearing on the petition or furnish comments by October 25, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

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

SEPTEMBER 18, 1974.

[FR Doc.74-22275 Filed 9-24-74; 8:45 am]

[Docket No. M 74-198]

JANDY COAL COMPANY, INC.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Jandy Coal Company, Inc. has filed a petition to modify the application of 30 CFR 75.1405 to its Eureka No. 40 Mine, Scalp Level, Cambria County, Pennsylvania.

30 CFR 75.1405 provides:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

To be read concurrently with 30 CFR 75.1405 is CFR 75.1405-1 which provides:

The requirement of § 75.1405 with respect to automatic couplers applies only to track haulage cars which are regularly coupled and uncoupled.

In support of his petition, Petitioner states:

1. Petitioner has twenty (20) supply cars, six (6) personnel cars and three hundred seventy-five (375) coal cars. These cars are of vintage manufacture and do not have automatic couplers.

2. The nature of the grade of track and the distance the cars travel create problems which have not been solved by conventional manufacturers.

3. All the cars have fore and aft sections, which have couplers with different designs.

4. The front or fore section, is composed of a pin which is welded to a coupler handle. This coupler handle moves up and down in a manner necessary to remove the coupling pin.

5. A handle stop guide prevents the coupler handle from going beyond a given range. The connecting link assembly pin is inserted into the connecting link.

6. The rear or aft section is composed of a fixed coupling pin, which is inserted through a bar swivel panel.

7. A link alignment rod is used for alignment of the pin into coupling position. The link alignment rod will be kept in the following places: the mine car dump, the loading points and the front of each locomotive.

8. A coupler handle is attached to the welded pin in a permanent position and it extends out beyond the side of the car, making it unnecessary for persons to go between the cars.

9. Cars can be coupled and uncoupled by this coupler handle device with adequate clearance and safety to the employees.

10. Petitioner averages fifty (50) round-trips a day. In the course of each round-trip the car trip is uncoupled and coupled from the locomotive.

11. The subject cars have not caused any injuries in the past ten (10) years.

12. This plan was initiated and instituted by a pilot plan on one car in order to determine its efficacy. The results of the pilot project showed that outstanding protection is afforded employees. This is also indicated by the fact that no employee is required to place any part of his body between the cars when coupling or uncoupling.

13. Attached hereto is a schematic drawing of the proposed modification.

14. All employees will be trained in the proper operation and use of the coupling devices. Their proper use will be a mandatory requirement for coupling and uncoupling of all the mine cars at Petitioner's mine.

Persons interested in this petition may request a hearing on the petition or furnish comments by October 25, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

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

SEPTEMBER 18, 1974.

[FR Doc.74-22272 Filed 9-24-74; 8:45 am]

[Docket No. M 75-15]

PITTSBURGH COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c)

(1970), Pittsburgh Coal Company has filed a petition to modify the application of 30 CFR 75.155(b) (1) and (2) to its Laurel Mine, Somerset County, Pennsylvania.

30 CFR 75.155(b) (1) and (2) provides:

A person is a qualified hoisting engineer within the provisions of Subpart O of this part, for the purpose of operating an electrically driven hoist in a coal mine, if he has at least 1 year experience operating a hoist plant in a mine or maintaining electric-hoist equipment in a mine and is qualified by the State in which the mine is located as an electric-hoisting engineer; or

If a State has no program for qualifying persons as electric-hoisting engineers, the Secretary may temporarily qualify persons for this purpose for periods of time not to exceed 6 months for each temporary certification if the operator of the coal mine in which such persons are employed makes an application and a satisfactory showing that each such person has had 1 year experience in operating electric-driven hoists and has held the position of hoisting engineer for a period of 6 months immediately preceding the application.

In support of its petition, Petitioner states:

Consolidation Coal Company started construction of the Laurel Mine, Somerset County, Pennsylvania, in November, 1972. Presently, 27 men are employed at the mine, with employment to reach 200 men in 1975 when the mine comes into full production. Mining will be from the lower Kittanning Seam, averaging about 7 to 7½ feet height in this area. Access to the seam will be by a slope with ventilation provided by one shaft. The shaft has been completed and the slope will be finished in October, 1974. Currently, work is progressing to connect the shaft and the slope with one underground entry; mining will then begin to develop the property.

The following are the requirements for hoisting engineers, as stated in the Pennsylvania Bituminous Coal Mining Law, section 267:

Competent Engineers. No operator or superintendent of any bituminous coal mine worked by shaft, slope, or incline, shall place in charge of any engine used for lowering or hoisting persons employed in such mine any but competent engineers who are at least twenty-one years of age; and no engineer in charge of such machinery shall allow any person, except as may be designated for this purpose by the operator or superintendent to interfere with any part of the machinery and no person shall interfere with or intimidate the engineer in the discharge of his duties. When workmen are being lowered or raised, the engineer shall take special precautions to keep the engine well under control. No persons shall ride on a loaded cage or car in any shaft, slope, or incline; provided, however, that this shall not prevent any trip rider from riding during the performance of his authorized duties.

Since the state law, section 267, does not set up any program for qualifying hoisting engineers, other than to require a competent person over 21 years of age, Federal regulation 30 CFR 75.155(b) (1) and (2) comes into effect.

Federal law as it pertains to Laurel Mine. Laurel Mine is the only mining operation of the Pittsburgh Coal Company, Division of Consolidation Coal Company,

located in Somerset County. Personnel hiring has just started and, since no other Consolidation Coal Company mines are located nearby to transfer personnel from, all hiring is from the local labor force. Although mining is a major industrial activity in Somerset County and most miners hired to date have State miners certification, no acceptable qualified hoist operators have been available for hiring.

Since the State has no program for qualifying persons as hoisting engineers, Federal requirements for qualifications and temporary certification apply. However, the requirements set up by the Code of Federal Regulations specify 1 year experience in operating electric-driven hoists and 6 months holding the position of hoisting engineer immediately preceding the application before temporary certification can be given.

Laurel Mine is now using a Wiley stiff leg hoist, for service at the shaft while mining progresses from the shaft to the slope to make an air connection and while bottom development work is being done. A hoist will then be used at the slope to raise and lower men and material. No one hired to date has any prior experience operating a hoist and thus, under State and Federal Regulations; no one at the mine can be certified to operate the hoist, regardless of any training they would be given.

Alternate Method. Since the Federal Law makes no provision for opening a new mine and qualifying hoisting operators, Pittsburgh Coal Company, Division of Consolidation Coal Company, proposes an alternate method of training to replace the experience requirements of the Federal Law. R. G. Johnson Company, shaft contractors, who constructed the shaft and slope for Laurel Mine, used a stiff leg hoist which will be left in place and used by Laurel Mine until November, when the slope hoist will be used. R. G. Johnson's hoist operator, who has proper certification and qualifications, will spend an adequate period of time to assure proper instruction in hoist operation and mechanics with competent personnel designated by the mine operator to receive training. In addition, the MESA approved course of instruction in hoist operation, given to hoist operators at the Pittsburgh Coal Company, Division of Consolidation Coal Company, mines (Renton Mine, Harmar Mine, Oakmont Mine, Montour #4 Mine) will be given by a qualified instructor. Daily examinations and regular tests required by 30 CFR 75.1400 will be performed by the master mechanic or another designated, competent mechanic.

Measure of protection. The proposed alternate method for qualification of hoisting engineers will satisfy all requirements of 30 CFR 75.1400. In addition, temporarily certified people will be made available to operate the hoist and the mine will be able to operate. Since these people will be trained in hoist operation and the master mechanic or other designated person will perform all hoist examinations, no diminution of

safety will occur. This alternate method will at all times guarantee no less than the same measure of protection afforded the miners at Laurel Mine as provided by the Federal Law.

Persons interested in this petition may request a hearing on the petition or furnish comments by October 25, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

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

SEPTEMBER 18, 1974.

[FR Doc.74-22270 Filed 9-24-74;8:45 am]

[Docket No. M74-197]

POCAHONTAS FUEL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Pocahontas Fuel Company has filed a petition to modify the application of 30 CFR 75.1105 to its Jenkinjones Mine, McDowell County, West Virginia.

30 CFR 75.1105 provides:

Underground transformer stations, battery-charging stations, substations, compressor stations, shops, and permanent pumps shall be housed in fireproof structures or areas. Air currents used to ventilate structures or areas enclosing electrical installations shall be coursed directly into the return. Other underground structures installed in a coal mine as the Secretary may prescribe shall be of fire proof construction.

In support of its petition, Petitioner states:

The Consolidation Coal Company seeks modification of that portion of 30 CFR 75.1105 which stipulates "air currents used to ventilate structures or areas enclosing electrical installations shall be coursed directly into the return".

The 6-1 Section of the Jenkinjones Mine consists of an old haulway with pillared areas on three sides. This section is ventilated by a fan on the back side of the pillared area. Due to the location of the fan, there is no return through which air can be vented. Because of the distance involved it is necessary to maintain a haulage rectifier along the haulway.

In lieu of the provision to course the air current which is used to ventilate the structure or area directly into the return, it is proposed that a fire protection system be installed as herein below described and that such system will at all times provide no less than the same degree of safety as intended by the Act.

Petitioner plans for alternate system. The Petitioner plans to adopt an alternate system which will provide for the

ventilating of these structures or areas enclosing electrical installations in such a manner which will, in the event of a fire to the electrical installation, confine the smoke to the enclosed area.

An outline of the system to be used is as follows:

1. Plastered cement block walls (a minimum of 4" thick block) will be used to enclose the area in which the structure is installed (the rectifiers and/or transformers referred to are dry-type and enclosed in a fireproof structure of their own).

2. Two steel doors approximately 32" x 32" will be installed in such a manner as to permit an air current to pass through the structure and which will close automatically when the fused link separates at 160 degrees F.

3. All electrical cables will be mortared in the wall of the enclosure.

4. The inside of the enclosure will be well rock-dusted and kept free from accumulation of combustible material.

5. Additional fire protection will be provided on the outside of the structure as required by 30 CFR 75.1100-2(e) regarding a fire extinguisher and a supply of rock dust.

The Petitioner's alternate plan will provide:

1. A structure which will be well ventilated without the loss of the much needed air at the working face.

2. A system which will automatically and completely enclose the structure or area to confine smoke in the event of a fire to the electrical installation.

3. A system which will, in the event of a fire to the electrical installation, confine the smoke in such a manner so as not to smoke out the intake travel ways for the men who are in by the electrical installation.

4. A system which will permit mine examiners who are required to travel the returns in the performance of their duties to do so without fear that a possible rectifier or transformer fire may smoke out the return travelway.

5. An examination of the system will be made weekly.

In brief, the system functions as follows:

1. When a short circuit or overheating occurs, the fused link comes apart and both doors which have been held open by the rope attached to the fused link will close automatically.

Persons interested in this petition may request a hearing on the petition or furnish comments by October 25, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

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

SEPTEMBER 18, 1974.

[FR Doc.74-22273 Filed 9-24-74;8:45 am]

[Docket No. M 74-192]

QUARTO MINING CO.**Petition for Modification of Application of Mandatory Safety Standard**

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Quarto Mining Company has filed a petition to modify the application of 30 CFR 75.1405 to its Powhatan No. 4 Mine, located in Salem Township, Monroe County, Ohio.

30 CFR 75.1405 provides:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

In support of its petition, Petitioner states:

(1) The haulage system at the subject mine incorporates both track and belt haulage systems. Supply cars at this mine are both S & S rubber-rail trailers, Model No. RR 26FB, and modified S & S trailers which have had the rubber-tired assembly removed so that they can be moved by rail only.

(2) The supply trailers are loaded outside and dropped into the mine by slope hoist. The slope is 900 feet in length and has a 16° pitch. The trailers are pulled on rail by locomotives to different areas of the mine as needed. In some areas the rubber-rail trailers are pulled to the working section from the track area by battery powered tractors utilizing the rubber-tired arrangement provided for that purpose.

(3) The alternate coupling method requested in this petition will provide greater protection for the miners than the automatic couplers, required by 30 CFR 75.1405, by eliminating the accidental uncoupling of cars which frequently occurs when the track or mine bottom is uneven. The proposed modification will eliminate the hazard of the cars uncoupling as they are dropped down the slope into the mine. Further, the alternate method will do away with the necessity of persons going between the cars to align the automatic couplers when they are out of alignment. It is a matter of record that there have been numerous accidents and some fatalities directly attributable to automatic couplers since the above standard became effective in 1970.

(4) Accompanying the petition are schematic diagrams detailing two methods of raising and lowering the coupling pin. Both systems have been installed and tested successfully.

(a) The basic system consists of a lever attached to the coupling pin which is encased in a slotted cylinder allowing the pin to drop into the coupling link and automatically lock into position. Where

necessary a specially designed hook will be used to remotely align the link.

(b) A training and re-training program will be initiated in which all personnel will be properly trained in the operation of this coupling device and a record kept of this training.

(5) This alternate method of coupling is similar to the system approved by the Board of Mine Operations Appeals for the Blueboy Mine of the Hawley Fuel Corporation of Landgraaf, West Virginia, whose operations we recently had occasion to visit.

Persons interested in this petition may request a hearing on the petition or furnish comments by October 25, 1974. Such requests or comments must be filed with the Departmental Hearings Branch, OHA, U.S. Department of the Interior, 6432 Federal Building, Salt Lake City, Utah 84138. Copies of the petition are available for inspection at that address.

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

SEPTEMBER 18, 1974.

[FR Doc.74-22276 Filed 9-24-74;8:45 am]

[Docket No. M 75-28]

SCOTIA COAL CO.**Petition for Modification of Application of Mandatory Safety Standard**

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 861(c) (1970), Scotia Coal Company has filed a petition to modify the application of 30 CFR 75.1405 to its Scotia and Upper Taggart Mines, Cumberland, Kentucky. 30 CFR 75.1405 provides:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

In support of its petition, Petitioner describes his alternate as follows:

A 40" x 1/2" metal handle will be attached to the mine cars. A 2" x 8" x 1" spacer will be used to connect the handle to the mine car. This handle will be connected to the pin, which will allow the pin to be raised and lowered in a 3" slotted pipe connected to the car.

A hand link aligner will be used to align the link of the car with the pin of another car. The aligner measures 37" in length. This will provide for the coupling and uncoupling of mine cars from a safe position and will provide an equal degree of safety as compared with the automatic coupler.

Persons interested in this petition may request a hearing on the petition or furnish comments by October 25, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the

Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

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

SEPTEMBER 18, 1974.

[FR Doc.74-22269 Filed 9-24-74;8:45 am]

Bureau of Reclamation

[INT FES 74-54]

PALMETTO BEND PROJECT, TEXAS**Availability of Final Environmental Statement****Correction**

In FR Doc. 74-21762 appearing on page 33717 in the issue of Thursday, September 19, 1974, the title of the signing official reading "Secretary of the Interior." should read "Deputy Assistant Secretary of the Interior."

DEPARTMENT OF COMMERCE**Domestic and International Business Administration****ENVIRONMENTAL PROTECTION AGENCY****Decision on Application for Duty-Free Entry of Scientific Article**

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00472-90-46040. Applicant: U.S. Environmental Protection Agency, National Water Quality Lab., 6201 Congdon Blvd., Duluth, Minnesota 55804. Article: Electron Microscope, Model JEM 100C with scanning attachment and accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for the study of cellular ultrastructure in a wide variety of applications which include the following:

(1) Fine particle analysis of asbestiform fibers in naturally occurring aquatic and biologic systems.

(2) Study of macromolecular structure of purified proteins.

(3) Fine particle analysis of naturally occurring materials in Western Lake Superior with respect to on-going physical studies involving water transport, red clay turbidity, light scattering properties of particles, and remote sensing studies.

(4) Ultrastructure of naturally occurring indigenous aquatic species e.g., microbial populations, phytoplankton, zooplankton and benthic invertebrates.

(5) Ultrastructure studies useful for classification and taxonomy of diatoma-

ceous populations, phytoplankton groups and periphyton communities.

(6) Studies on trace metal uptake from fine particles by indigenous biological species.

(7) Studies of sedimentary pollen analysis with particular reference to ectoxine substructure and diatom stratigraphy as a method of assay of eutrophication levels.

Comments: No comments have been received with respect to this application.

Decision: application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is equipped with a high resolution scanning attachment which provides images in the scanning transmission, secondary electron, and back scattered electron modes as well as scanning microdiffraction from microareas as small as 200 Angstroms in diameter. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated July 26, 1974 that the scanning microdiffraction capability of the foreign article described above is pertinent to the applicant's investigations of environmental contamination with asbestiform minerals. The most closely comparable domestic instrument to the foreign article is the Model EMU-4C electron microscope supplied by the Adam David Company. HEW further advises that domestic transmission electron microscopes do not provide the pertinent scanning capability. We therefore, find that the EMU-4C is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc.74-22236 Filed 9-24-74;8:45 am]

MIAMI UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00468-99-57300.
Applicant: Miami University, Pulp and Paper Technology Department, Oxford, Ohio 45056. Article: 2½ Cu. ft. Digester and B-K Microdigester Assembly. Manufacturer: Pulmac Instruments, Ltd., Canada. Intended use of article: The article is intended to be used for teaching pulp and paper students the methods used in pulping wood and the effect of variables on the quality of the pulp. It will also be used as a research tool to study new sources of papermaking fibers.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article, an experimental research pulp digester assembly, which utilizes six microdigester channels, provides the precision and flexibility required in investigations and teaching programs involving the pulping process. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated July 26, 1974 that the characteristics of the article described above are pertinent to the applicant's intended use. HEW further advises that it knows of no instrument or apparatus of equivalent scientific value to the article for the applicant's intended purposes.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc.74-22235 Filed 9-24-74;8:45 am]

NORTHWESTERN UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00462-01-41700.
Applicant: Northwestern University, Department of Chemistry, Evanston, Illinois 60201. Article: Mode Locked Dye Laser, Model, SUA-10. Manufacturer: Electro-Photonics Limited, United Kingdom. Intended use of article: The article

is intended to be used in studies of molecular processes in the gas phase and liquid phase. The phenomena include studies of photodissociation, electron transfer in solution, hemoglobin kinetics and aspects of photosynthetic conversion of light.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides wavelength tunable pico-second pulse durations that have low background, high power, and means for selecting a single pulse. The National Bureau of Standards (NBS) advises in its memorandum dated August 12, 1974 that the characteristics described above are pertinent to the applicant's research studies. NBS further advises that it knows of no comparable instrument of domestic manufacture capable of producing the short intense laser pulses found pertinent. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc.74-22239 Filed 9-24-74;8:45 am]

SYRACUSE UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00372-11-56595.
Applicant: Syracuse University, Department of Mechanical and Aerospace Engineering, 139 E. A. Link Hall, Syracuse, New York 13210. Article: Plenum Chamber System. Manufacturer: Reaves Industrial Furnaces Ltd., United Kingdom. Intended use of article: The article is intended to be used to study the noise produced by cold and hot air jets issuing from coaxial nozzles attached at the downstream end of plenum chamber system. The experiments to be performed will primarily concern the following:

(1) To study the reduction of jet noise by various flow interaction techniques.

(2) To study the effects of temperature and velocity gradients in a jet flow to deflect and refract the dominant noise away from the direction/s where it is not desirable to have the maximum intensity of radiated jet noise.

(3) To test the existing theories and if possible modify them or develop new theories based upon the experimental results both for the generation and suppression of jet noise.

(4) To make optical records (e.g. schlieren photographs or shadowgraphs) of the interacting coaxial jet flows and correlate them with the measured noise.

(5) To test other means of reducing noise (e.g. use of ejector-shrouds in conjunction with the coaxial nozzles).

Comments: No comments have been received with respect to this application.

Decision: Application denied. An instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: This application is a resubmission of Docket Number 74-00070-11-56595 which was denied without prejudice to resubmission on February 4, 1974 for informational deficiencies.

The applicant alleged the foreign article provided the following pertinent specifications:

(1) Operation at 1000° Fahrenheit (°F) and

(2) Operation at 150 pounds per square inch gauge (psig) With respect to domestic availability of comparable domestic instruments, the regulations in § 701.11(b) provide:

In determining whether a U.S. manufacturer is able and willing to produce a produced on order, or custom-made instrument, apparatus, or accessory . . . the Deputy Assistant Secretary shall take into account the normal commercial practices applicable to the production and delivery of instruments, apparatus, or accessories of the same general category.

Thus, the regulations require that a domestic manufacturer be both "willing and able" to produce an instrument as a prerequisite for comparison with the foreign article. The applicant, in reply to Question 9 on the application, states that the Allen Tool Corporation (Allen) was contacted and furnished a description of requirements.

The applicant further states that Allen offered a comparable domestic instrument with a promised delivery date of 12-14 weeks. The applicant rejected the comparable domestic instrument manufactured by Allen on the basis of excessive cost. However, differences in cost cannot be considered as a pertinent specification within the meaning of § 701.2 (n) and, therefore, cannot be considered as a factor justifying duty-free entry. With respect to delivery time, the applicant alleges that the difference between eight weeks for the foreign article and "the indefinite delivery time from the domestic manufacturers" entailed "too high a risk to undertake in order to meet the commitments of the DOT [U.S. Department of Transportation] grant."

However, the applicant fails to demonstrate that a difference in the 8-week delivery time for the article and the definite delivery time (12-14 weeks) offered by Allen would seriously impair the accomplishment of purposes as required by § 701.11(c).

The National Bureau of Standards (NBS) advises in its memorandum dated June 14, 1974 that the domestic plenum chamber system offered by Allen provides the capabilities alleged to be pertinent, and that Allen's instrument is of equivalent scientific value to the foreign article for such purposes as the article is intended to be used. For these reasons, we find that a domestic manufacturer was both able and willing to manufacture and deliver without excessive delay a domestic instrument of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.05, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc.74-22237 Filed 9-24-74; 8:45 am]

TEXAS A & M UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00492-01-77095. Applicant: Texas A & M University, Department of Chemistry, College Station, Texas 77840. Article: Photoelectron Spectrometer, PS-18. Manufacturer: Perkin-Elmer, United Kingdom. Intended use of article: The article is intended to be used for basic research on the electronic structure of organic molecules and transition metal complexes. Among the systems to be studied are the non-conjugated dienes and polyenes, transition metal carbonyl complexes, *alternato* cubane molecules, and unusual metalloporphyrins. The experiments to be conducted are measurements of the photoelectron spectra of gas phase molecules. The article is to be used with a heated probe to measure gaseous photoelectron spectra of molecules many of which are solids at room temperature. The article will also be used by graduate students in basic research as partial fulfillment of the requirements for a Master of Science or Doctor of Philosophy Degree in Chemistry. The students will be instructed in the operation and use of the article and

will be encouraged to use it in solving specific research problems.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides the capability for heating samples to at least 300° C. The National Bureau of Standards (NBS) advises in its memorandum dated August 12, 1974 that this capability is pertinent to the applicant's research studies involving molecules that are solid at room temperature and require heating to at least 300° C. to provide sufficient pressure of vapor for study. Comparable instruments are produced by several domestic manufacturers, including McPherson Instrument Corporation; E. I. DuPont de Nemours & Company; and Varian Associates.

None of these provide the sample heating capability found pertinent. NBS further advises that it knows of no instrument or apparatus being manufactured in the United States of equivalent scientific value to the foreign article for the applicant's intended use.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc.74-22241 Filed 9-24-74; 8:45 am]

UNIVERSITY OF VIRGINIA

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00502-50-44630. Applicant: University of Virginia, Environmental Sciences, Brooks Hall, Charlottesville, Va. 22903. Article: Balloon-Borne Radio Altimeter. Manufacturer: Meeda Scientific Instrumentation Ltd., Israel. Intended use of article: The article is intended to be used to measure the altitude of instruments attached to the tether of a large balloon during investigations of the air flow regime in and around convective cumulus clouds.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended

to be used, is being manufactured in the United States.

Reasons: The foreign article has a maximum weight of 1.0 kilogram and can measure height to within 1 meter. We are advised by the National Bureau of Standards (NBS) in its memorandum dated August 12, 1974, that the characteristics of the article described above are pertinent to the applicant's tethered balloon studies. NBS further advises that it knows of no instrument or apparatus being manufactured in the United States capable of meeting the pertinent characteristics of the article.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc. 74-22240 Filed 9-24-74; 8:45 am]

UNIVERSITY OF WASHINGTON

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 73-00369-88-46070. Applicant: Quaternary Research Center, University of Washington, Seattle, Wash. 98195. Article: Scanning Electron Microscope, Model JSM-U3. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in a very broad research program which includes the following projects:

- (1) Examination of modern and fossil tests of the protozoan order Foraminifera and skeletons of microanimals for the purpose of variation study.
- (2) Improving analysis of Lake sediments to provide a record of limnological conditions.
- (3) Examination of the various developmental stages in the life history of the plasmodial slime mold, *Echinostelium minutum* de Bary, including the spore swarm cell, amoebal cyst, plasmodium, plasmodial cyst, and sporophore.
- (4) Morphological study of microorganisms with siliceous skeletons, i.e., silicoflagellates, ebridians and Radiolaria.
- (5) Study of structure, morphology and topography of benthic and planktonic foraminifera and nannofossils.
- (6) Study of siliceous, calcium carbo-

nate, and various other polysaccharides of phytoplankton.

(7) Investigation of the fine morphology of fossil and modern pollen and planktons for identification purposes.

(8) Examination of surface and internal textures of mineral grains and rock fragments to determine the extent to which surfaces have been altered by solution and/or precipitation of clay minerals.

(9) Identification and illustration of calcareous nannofossils.

Comments: No comments have been received with respect to this application.

Decision: Application denied. An instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: This application is a resubmission of Docket Number 72-00245-88-46070 which was denied without prejudice to resubmission on October 3, 1972 for informational deficiencies. The applicant alleged in his responses to Questions 7 and 8 that the following specifications are pertinent to his purposes and are not available in a domestic instrument:

- (1) X-ray microanalysis spectrometer,
- (2) Solid pair detectors,
- (3) TV scan,
- (4) High resolution (100 Angstroms),
- (5) Cryoscan, and
- (6) Universal tilt-rotation stage.

With regard to these specifications the National Bureau of Standards (NBS) advises in its memorandum dated June 18, 1974 that the domestic models AMR 900 and ETEC Autoscan manufactured by the Advanced Metals Research Corporation (AMR) and the ETEC Corporation (ETEC), respectively, both satisfy specifications (2), (3), and (4). Specifications (1), (5), and (6) were not ordered with the foreign article and, therefore, cannot be considered in the determination of scientific equivalency according to Section 701.6(a)(3) of the regulations. NBS also advises that domestic instruments equivalent in scientific value to the foreign article for the applicant's intended use are available from AMR and ETEC.

For these reasons, we find the domestic AMR 900 and the ETEC Autoscan scanning electron microscope to be of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc. 22234 Filed 9-24-74; 8:45 am]

UNIVERSITY OF WISCONSIN

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific

article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00510-33-46500. Applicant: University of Wisconsin, Department of Ophthalmology, School of Medicine, Madison, Wisconsin 53706. Article: Ultramicrotome, Model Om U3. Manufacturer: C. Reichert Optische Werke, Austria. Intended use of article: The article is intended to be used to prepare tissue for electron microscopic study of its ultrastructure in experiments to identify various disease processes in tissue of patients, and to characterize the nature of these disorders through studies of tissue from experimental animals.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: Examination of the applicant's thin sections under the electron microscope will provide optimal information when the sections are uniform in thickness and have smoothly cut surfaces. Conditions for obtaining high quality sections depend to a large extent on the properties of the specimen being sectioned (e.g., hardness, consistency, toughness, etc.), the properties of the embedding media and the geometry of the block. In connection with a prior case (Docket No. 69-00118-33-46500) which relates to the duty-free entry of a similar foreign article, the Department of Health, Education, and Welfare (HEW) advised that "Smooth cuts are obtained when the speed of cutting (among such [other] obvious factors as knife edge condition and angle), is adjusted to the characteristics of the material being sectioned." In connection with another prior case (Docket No. 69-00665-33-46500) relating to the duty-free entry of a similar foreign article, HEW advised that "The range of cutting speeds and a capability for the higher cutting speeds is . . . a pertinent characteristic of the ultramicrotome to be used for sectioning materials that experience has shown difficult to section." In connection with still another prior case (Docket No. 70-00077-33-46500) relating to the duty-free entry of a similar foreign article, HEW advised that "ultrathin sectioning of a variety of tissues having a wide range in density, hardness, etc." requires a maximum range in cutting speed and, further, that "The production of ultrathin serial sections of specimens that have great variation in physical properties is very difficult." The foreign article has a cutting speed range of 0.5 to 10 millimeters/second (mm/sec). The most closely comparable domestic instrument is the

Model MT-2B ultramicrotome manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2B ultramicrotome has a cutting speed range of 0.09 to 3.2 mm/sec. We are advised by HEW in its memorandum of August 23, 1974 cutting speeds in excess of 4 mm/sec. are pertinent to the applicant's research studies. We, therefore, find that the Model MT-2B ultramicrotome is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

A. H. STUART,
Director, Special Import
Programs Division.

[FR Doc.74-22238 Filed 9-24-74;8:45 am]

**National Oceanic and Atmospheric
Administration**
U.S.S. MONITOR MARINE SANCTUARY
**Nomination for the Designation; Public
Hearing**

Notice is hereby given that the National Oceanic and Atmospheric Administration, U.S. Department of Commerce, will hold a public hearing for the purpose of receiving comments on the nomination for the purpose of establishing a U.S.S. Monitor Marine Sanctuary, pursuant to the Marine Protection Research and Sanctuaries Act of 1972 (Pub. L. 92-532). The public hearing will be held in:

The I. E. Gray Library Auditorium
Duke University Marine Laboratory
Piveres Island
Beaufort, North Carolina

between the hours of 7:30 p.m. to midnight on November 5, 1974.

All interested persons are invited to present their views. Both written and oral statements will be accepted. Presentations will be scheduled on a first-come, first-serve basis, but priority will be given to those who have prepared statements. Time will be allotted at the end of the meeting for those without prepared statements who wish to be heard. In order that the maximum opportunity will be afforded all those who wish to be heard, presentations will be limited to fifteen minutes. No audiovisual equipment will be available. The National Oceanic and Atmospheric Administration staff may wish to question speakers.

Persons or organizations wishing to be heard on this matter should contact the National Oceanic and Atmospheric Administration, as soon as possible in order that a meeting schedule may be drawn up and definite times established for presentation. The address is Marine Sanctuary Coordinator, Office of Coastal Zone Management, National Oceanic and

Atmospheric Administration, Rockville, Maryland, 20852. Telephone: 301/496-8491.

Written comments may also be submitted by mail to the Office of Coastal Zone Management. Such written comments must be received before November 20, 1974 in order to be considered for inclusion in the final statement.

Copies of the nomination are available from the Office of Coastal Zone Management.

Comments should address the adequacy of the nomination as well as the desirability of the proposed action.

No verbatim transcript of the meeting will be maintained, but staff present will record the general thrust of extemporaneous remarks.

Following consideration of the comments received at this meeting, as well as written comments submitted to the National Oceanic and Atmospheric Administration (NOAA); a final designation statement of a marine sanctuary will be published according to the Marine Protection Research and Sanctuaries Act of 1972 and implementing NOAA Program Guidelines (15 CFR 922).

ROBERT L. CARNAHAN,
Acting Assistant Administrator
for Administration.

[FR Doc. 74-22146 Filed 9-24-74; 8:45 am]

National Technical Information Service
GOVERNMENT-OWNED INVENTIONS
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Requests for licensing information should be directed to the address cited below for each agency.

DOUGLAS J. CAMPION,
Patent Program Coordinator,
National Technical Information
Service.

U.S. Atomic Energy Commission,
Assistant General Counsel for Patents,
Washington, D.C. 20545
Patent application 276,211: Glass Polymer Composites; filed 28 July 1972; PC \$4.00/MF \$1.45.
Department of the Air Force,
AF/JACP,
Washington, D.C. 20314.
Patent 3,781,130: Turbine Blade Manufactured of Self-Carrying Laminates; filed 27 June 1972, Patented 25 December 1973; not available NTIS.

Patent 3,791,262: Positive Tri-Position Linear Actuator; filed 4 January 1972, Patented 12 February 1974; not available NTIS.
Patent 3,791,433: Filament-Wound, Toroidal Tire with Pneumatic Rim-Locking Tube; filed 13 July 1972, Patented 12 February 1974; not available NTIS.
Patent 3,791,736: Method and Apparatus Utilizing the Phase Velocity Difference of Light Rays for Measuring the Velocity of a Moving Object; filed 28 April 1972, Patented 12 February 1974; not available NTIS.
Patent 3,791,738: Ring Laser Utilizing an Optical Retardation Plate to Prevent Beam Locking; filed 11 April 1973, Patented 12 February 1974; not available NTIS.
Patent 3,791,759: Turbine Pressure Attenuation Plenum Chambers; filed 7 June 1972, Patented 12 February 1974; not available NTIS.
Patent 3,792,017: Thermally Stable Quinoxaline Polymers and Method of Synthesis; filed 19 October 1972, Patented 12 February 1974; not available NTIS.
Patent 3,792,280: Isotropic Neutron Spectrometer, filed 3 November 1972, Patented 12 February 1974; not available NTIS.
Patent 3,792,358: Single Cycle Transmitter; filed 15 December 1972, Patented 12 February 1974; not available NTIS.
Patent 3,792,363: Controllable Edge Sharpening System for Time Sequential Signals; filed 26 April 1972, Patented 12 February 1974; not available NTIS.
Patent 3,793,014: Process for Fabricating Porous Beryllium Billets; filed 15 March 1973, Patented 19 February 1974; not available NTIS.
Patent 3,795,020: Portable, Folding Tray Retainer and Stand (Multipurpose); filed 23 May 1972, Patented 5 March 1974; not available NTIS.
Patent 3,795,150: System for Rapidly Positioning Gimbaled Objects; filed 13 December 1972, patented 5 March 1974, Not available NTIS.
Patent 3,795,452: Instrument for Automatically Inspecting Integrated Circuit Masks for Pinholes and Spots; filed 28 February 1973, patented 5 March 1974, Not available NTIS.
Patent 3,795,811: Method and Means for Equalizing the Response of Signal Channels in a Multiple Channel Improved System; filed 20 March 1973; patented 5 March 1974, Not available NTIS.
Patent 3,797,781: Deceleration Responsive Flow Valve; filed 30 October 1972, patented 19 March 1974, Not available NTIS.
U.S. Department of Agriculture, Chief, Research Agreements and Patent Management Branch, Federal Building, General Services Division, Hyattsville, Md. 20782.
Patent 3,117,853: Composition for Inhibiting Seed and Fungal Spore Germination; filed 17 May 1962, patented 14 January 1964, Not available NTIS.
Patent 3,193,409: Alkali-Stable Thin-Boiling Starches and Method of Making Same; filed 16 January 1963, patented 6 July 1965, Not available NTIS.
Patent 3,226,408: Wax Ester Substitute for Jojoba Oil From the Seed of Limnathes Douglasii; filed 3 January 1963, patented 28 December 1965, Not available NTIS.
Patent 3,228,773: Methods for Producing Tempeh; filed 13 December 1962, patented 11 January 1966, Not available NTIS.
Patent 3,228,777: Single Application Linseed Oil-In-Water Emulsions for Curing and/or Preventing Spalling of Concrete; filed 25 March 1963, patented 11 January 1966, Not available NTIS.
Patent 3,258,475: Film-Forming Organometallic Derivatives of Fatty Acids; filed 13 August 1963, patented 28 June 1966, Not available NTIS.

Patent 3,287,326: Glycerol Derivatives of Azelaaldehydic Acid and Poly(Ester-Acetals) Therefrom; filed 11 August 1965, patented 22 November 1966, Not available NTIS.

Patent 3,290,155: Process for Preparing Debittered Fullfat Soybean Materials; filed 19 August 1963, patented 6 December 1966, Not available NTIS.

Patent 3,294,781: Carbohydrate Aliphatic and Cyclic Acetals; filed 11 June 1963, patented 27 December 1966, Not available NTIS.

Patent 3,427,224: Shortened Fermentation Process for Obtaining D-Mannitol; filed 15 March 1967, patented 11 February 1969, Not available NTIS.

Patent 3,436,305: Starch Polyethyleniminothiourethane Additives for Paper; filed 5 May 1968, patented 1 April 1969, Not available NTIS.

Patent 3,463,122: Process for Delayed Production of Japanese Beetle Larvae; filed 25 September 1967, patented 26 August 1969, Not available NTIS.

Patent 3,485,719: Continuous Process for Producing Xanthomonas Heteropolysaccharide; filed 13 October 1967, patented 23 December 1969, Not available NTIS.

Patent 3,491,040: Process for Isolating Vinyl-Type Component of Starch Graft Copolymers; filed 14 June 1968, patented 20 January 1970, Not available NTIS.

Patent 3,522,238: Acidified Ethylenimine Modified Cereal Flours; filed 11 January 1968, patented 28 July 1970, Not available NTIS.

Patent 3,536,630: Calcium Sequestration in Highly Alkaline Medium; filed 21 May 1968, patented 27 October 1970, Not available NTIS.

Patent 3,562,113: Rapid Microbiological Production of Alpha-Galactosidase; filed 17 June 1968, patented 9 February 1971, Not available NTIS.

Patent 3,585,129: Dual Thickness TLC Plates and Device Therefor; filed 28 March 1969, patented 15 June 1971, Not available NTIS.

Patent 3,428,458: Microbiological Decontamination of Aflatoxin-Contaminated Edibles; filed 1 July 1966, patented 18 February 1969, Not available NTIS.

U.S. Department of Health, Education and Welfare, National Institutes of Health, Chief, Patent Branch, Bethesda, Md. 20014.

Patent Application 461,442: Gel Slab Electrophoresis Cell and Electrophoresis Apparatus Utilizing same; filed 16 April 1974, PC \$4.00/MF \$1.45.

Patent 3,780,936: Mixer-Separator for Automated Analytical Chemistry System; filed 5 January 1972, patented 25 December 1973, Not available NTIS.

Patent 3,780,992: Vibrating Pipette Probe Mixer; filed 17 July 1972, patented 25 December 1973, Not available NTIS.

Patent 3,815,582: Modulated Sine Wave Flowmeter; filed 23 March 1972, patented 11 June 1974, Not available NTIS.

[FR Doc.74-22216 Filed 9-24-74;8:45 am]

GOVERNMENT-OWNED INVENTIONS

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cited. Requests for copies of patent applications must include the PAT-APPL number and the title.

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Requests for licensing information should be directed to the address cited below for each agency.

DOUGLAS J. CAMPION, Patent Program Coordinator, National Technical Information Service.

U.S. Department of Agriculture, Chief, Research Agreements and Patent Management Branch, Federal Bldg., General Services Division, Hyattsville, Md. 20782.

Patent Application 410,581: Flame Retardant-Smolder Resistant Multiple Density Cotton Batting Products; filed 29 October, 1973; PC \$4.00/MF \$1.45.

Department of the Air Force, AF/JACP, Washington, D.C. 20314.

Patent Application 374,830: Method and Apparatus for Suppressing Grating Lobes in an Electronically Scanned Antenna Array; filed 29 June 1973; PC \$4.50/MF \$1.45.

Patent Application 399,009: Weather Modification Utilizing Microencapsulated Material; filed 20 September 1973; PC \$4.00/MF \$1.45.

Patent Application 405,721: Retrieval Assembly; filed 11 October 1973; PC \$4.00/MF \$1.45.

Patent Application 412,854: Personnel Armor Suspension System; filed 5 November 1973; PC \$4.00/MF \$1.45.

Patent Application 412,855: Pulse Press Tester; filed 5 November 1973; PC \$4.00/MF \$1.45.

Patent Application 412,856: Multi-Component Flow Injector Pump; for a Flowing Gas Laser with Low Output Pressure; filed 5 November 1973; PC \$4.00/MF \$1.45.

Patent 3,791,130: Turbine Blade Manufactured of Self-Carrying Laminates; filed 27 June 1972, Patented 25 December 1973; not available NTIS.

Patent 3,791,433: Filament-Wound, Toroidal Tire with Pneumatic Rim-Locking Tube; filed 13 July 1972, Patented 12 February 1974; not available NTIS.

Patent 3,791,738: Ring Laser Utilizing an Optical Retardation Plate to Prevent Beam Locking; filed 11 April 1973, Patented 12 February 1974; not available NTIS.

Patent 3,800,127: Vertical Rate Reference Computer for Control of a VTOL or STOL Aircraft at a Constant Flight Path Angle; filed 11 September 1972, Patented 26 March 1974; not available NTIS.

Patent 3,801,202: Stabilized, Optimizable, Gaseous Electrical Discharge; filed 23 August 1972, Patented 2 April 1974; not available NTIS.

Patent 3,801,350: High Modulus Graphite Fibers Having Improved Bonding Properties; filed 5 May 1972, Patented 2 April 1974; not available NTIS.

Patent 3,801,351: Treatment of High Modulus Graphite Fibers to Improve Their Bonding Characteristics; filed 5 May 1972, Patented 2 April 1974; not available NTIS.

Patent 3,801,988: Pressure Glove; filed 1 November 1971, patented 9 April 1974; not available NTIS.

Patent 3,802,255: Fixture for Tensile and Stress Rupture Testing of Turbine Blades; filed 8 March 1972, patented 9 April 1974; not available NTIS.

Patent 3,802,419: Respiration Monitor; filed 11 April 1972, patented 9 April 1974; not available NTIS.

Patent 3,803,086: Vinyl-Substituted Siloxane and Siloxazane Polymers; filed 5 February 1973, patented 9 April 1974; not available NTIS.

Patent 3,803,758: Dual Hologram Plate Holder; filed 21 May 1973, patented 9 April 1974; not available NTIS.

U.S. Department of Agriculture, Chief, Research Agreements and Patent Management Branch, Federal Building, General Services Division, Hyattsville, Md. 20782.

Patent Application 404,974: 'Turnbull's Blue' Single Bath Mineral Dyeing Process (Ferrizinc) for Cellulosic Textiles; filed 10 October 1973; PC \$4.00/MF \$1.45.

Patent Application 404,976: Fiber Distribution and Ribbon Forming System; filed 10 October 1973; PC \$4.00/MF \$1.45.

Patent Application 408,035: Pneumatic Apparatus for Blanching Heated or Roasted Peanuts; filed 19 October 1973, PC \$4.00/MF \$1.45.

Patent Application 410,150: Spiral Carding Apparatus; filed 26 October 1973; PC \$4.00/MF \$1.45.

Patent Application 432,800: Crossdyed Cotton Fabrics; filed 11 January 1974; PC \$4.25/MF \$1.45.

Patent Application 445,742: Centrifugal Filtration Tube for Removal of the Mother Liquor from the Crystals in the Purification of a Chemical Compound by Recrystallization; filed 25 February 1974; PC \$4.00/MF \$1.45.

Patent Application 446,441: Imparting Magnetic Properties to Textile Fibers; filed 27 February 1974, PC \$4.00/MF \$1.45.

Patent Application 448,422: Imparting Magnetic Properties to Textile Fibers; filed 4 March 1974, PC \$4.00/MF \$1.45.

Patent 3,173,887: Polyurethane Foams Using Esterified Dimer Acids; filed 19 December 1962, patented 16 March 1965; not available NTIS.

Patent 3,183,215: Cross-Linked Poly (Ester-Acetals); filed 16 April 1962, patented 11 May 1965; not available NTIS.

Patent 3,217,046: Process for Producing Undecanedioic Acid from Plant Sources; filed 27 November 1962, patented 9 November 1965; not available NTIS.

Patent 3,252,836: Process for Fractionating Film-Grade Amylose from Amylomaltose Starch; filed 16 October 1963, patented 24 May 1966; not available NTIS.

Patent 3,261,669: Multiple Hydrogenation Insert; filed 25 January 1963, patented 19 July 1966; not available NTIS.

Patent 3,268,503: Method of Preparing Edible Soybean Characterized by Greatly Enhanced Water Absorption; filed 23 April 1962, patented 23 August 1966; not available NTIS.

Patent 3,275,582: Carbohydrate Derived Polymers of Acrylonitrile; filed 11 October 1963, patented 27 September 1966; not available NTIS.

Patent 3,285,880: Glycerol Derivatives of Azelaaldehydic Acid and Poly(Ester-Acetals) Therefrom; filed 29 August 1963, patented 15 November 1966; not available NTIS.

Patent 3,314,801: Microbial Polysaccharide and Process; filed 17 August 1964, patented 18 April 1967; not available NTIS.

Patent 3,419,586: Production of C18 Cyclo Acids in Aqueous Solvent; filed 21 April 1966, patented 31 December 1968; not available NTIS.

Patent 3,442,832: Reinforced Rubber by Coprecipitation with Starch Xanthane or Pregelatinized Starch; filed 19 September 1966, patented 6 May 1969; not available NTIS.

Patent 3,477,904: Hydrazides of Fatty Quaternary Ammonium Salts of Glycine as Re-

tion Agents; filed 30 September 1966, patented 11 November 1969; not available NTIS.

Patent 3,485,779: Diisocyanate Modified Vegetable Oil Hydroxyl-Terminated Polyesteramide Coatings; filed 19 October 1967, patented 23 December 1969; not available NTIS.

Patent 3,488,202: Linseed Oil Emulsion Paints; filed 18 May 1967, patented 6 January 1970; not available NTIS.

Patent 3,499,886: Azo Dyes of Starch Anthranilates and Process of Preparing Same; filed 18 July 1967, patented 10 March 1970; not available NTIS.

Patent 3,504,038: Ozonization of Vegetable Oils in an Improved Aqueous Medium; filed 24 June 1966, patented 31 March 1970; not available NTIS.

Patent 3,515,678: Selective Hydrogenation of Soybean Oil with Supported Copper Catalysts; filed 10 August 1967, patented 2 June 1970; not available NTIS.

Patent 3,522,197: Gluten Hydrolysate Derivatives and Compositions Comprising the Same; filed 2 November 1967, patented 28 July 1970; not available NTIS.

Patent 3,528,880: Production of bis(1,2:5,6-O-Isopropylidene-3-O-Thiocarbonyl-alpha-D-Glucopyranose) Disulfide and Paper Containing Same; filed 8 August 1967, patented 15 September 1970; not available NTIS.

Patent 3,531,490: S-beta-(4-Pyridylethyl)-L-Cysteine; filed 6 September 1968, patented 29 September; not available NTIS.

Patent 3,536,579: Carbohydrate Trans-Fused Cyclic Carbonate Wet-End Additives for Paper; filed 8 August 1967, patented 27 October 1970; not available NTIS.

Patent 3,771,957: Catalyst Assist Agents Using Leaving Group Effects; filed 29 June 1972, patented 13 November 1973; not available NTIS.

Patent 3,775,046: Process for Producing Varicolored Fabrics via the Selective Dyeing of Cellulosic Fabrics with Different Dye Types; filed 5 November 1971, patented 27 November 1973; not available NTIS.

Patent 3,787,455: Vinyl Chloride Plastic Compositions and Certain Plasticizers Therefor; filed 7 May 1971, patented 22 January 1974; not available NTIS.

Patent 3,787,589: Process for Preparing Carrot Juice; filed 12 October 1972, patented 22 January 1974; not available NTIS.

Patent 3,788,804: Process for Dyeing Durable Press Cellulosic Fabrics With Basic Dyes; filed 28 March 1972, patented 29 January 1974; not available NTIS.

Patent 3,791,786: Process for Brown Mineral Dyeing of Cellulosics Without Oxidative Degradation (Tendering), from a Single Bath; filed 5 April 1972, patented 12 February 1974; not available NTIS.

Patent 3,794,640: Hexachlorocyclopentadiene Adducts of Unsaturated Amides; filed 16 December 1971, patented 26 February 1974; not available NTIS.

Patent 3,796,540: Process for Whitening Durable-Press Cellulosic Fabrics with Basic Optical Brighteners; filed 28 March 1972, patented 12 March 1974; not available NTIS.

U.S. Department of Health, Education, and Welfare; National Institutes of Health, Chief, Patent Branch, Westwood Building, Bethesda, Md. 20014.

Patent Application 464,489: Mouse Feeding System; filed 25 April 1974; PC \$4.00/MF \$1.45.

Patent 3,796,634: Insolubilized Biologically Active Enzymes; filed 19 March 1970, patented 12 March 1974; not available NTIS.

Patent 3,819,489: Bacteria Detector; filed 9 September 1971, patented 25 June 1974; not available NTIS.

Tennessee Valley Authority; Division of

Law, Muscle Shoals, Ala. 35660.

Patent 3,794,740: Ruminant Direct Feeding Suspension Supplement; filed 31 March 1972, patented 26 February 1974; PC \$4.00/MF \$1.45.

[FR Doc.74-22217 Filed 9-24-74; 8:45 am]

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DOUGLAS J. CAMPION,
Patent Program Coordinator,
National Technical Information Service.

Department of the Air Force, AF/JACP, Washington, D.C. 20314.

Patent application 423,864: Performance Monitoring/Fault Location Test Set for Tropo-Radio Equipment; filed 11 December 1973; PC \$4.00/MF \$1.45.

Patent application 427,159: Acoustic Emission System for Solid Propellant Burn Rate Measurements; filed 21 December 1973; PC \$4.00/MF \$1.45.

Patent application 427,286: Method of, and Apparatus for, Simultaneously Forming Differently Configured Grooves and Coolant Channels in, and for, Rocket Engine Composite Channel-Type Coolant-Type Coolant Wall Having a Complex Surface; filed 21 December 1973; PC \$4.00/MF \$1.45.

Patent application 427,289: Method of Making a Photosensitive Solder Maskant; filed 21 December 1973; PC \$4.00/MF \$1.45.

Patent application 431,197: Tension Indicator-Turnbuckle; filed 7 January 1974; PC \$4.00/MF \$1.45.

U.S. Department of Agriculture, Federal Bldg., General Service Division, Hyattsville, Md. 20782.

Patent application 404,042: Aluminum Chlorohydroxide Catalyst Systems for Treatments to Give Wrinkle Resistant Textiles; filed 5 October 1973; PC \$5.50/MF \$1.45.

Patent application 404,979: Odor Free Hydroxymethanesulfonic Acid; filed 10 October 1973; PC \$4.00/MF \$1.45.

Patent application 406,407: Carbohydrate-Boron Alkoxide Compounds; filed 15 October 1973; PC \$4.00/MF \$1.45.

Patent application 406,408: Carbohydrate-Boron Alkoxide Compounds; filed 15 October 1973; PC \$4.00/MF \$1.45.

Patent application 448,425: 1,3-Diacyl Derivatives of Imidazolidine and Hexahydropyrimidine; filed 4 March 1974, PC \$4.00/MF \$1.45.

Patent 3,478,012: Levoglucosan Production by Pyrolysis of Pretreated Starches; filed 21 March 1968, Patented 11 November 1969; not available NTIS.

Patent 3,768,243: Yarn Twist Control Apparatus for Electrostatic Spinner; filed 28 March 1972, Patented 30 October 1973; not available NTIS.

Patent 3,775,814: Electrostatic Yarn Bulk- ing Apparatus; filed 29 September 1972, Patented 4 December 1973; not available NTIS.

Patent 3,790,639: Process for Producing a Water-Soluble Methylol Phosphine-Phenol Adduct; filed 28 March 1972, Patented 5 February 1974; not available NTIS.

Patent 3,796,596: Finishing Process Incorporating Improved Catalyst Systems to Produce Durable Flameproofed Cellulosic Textile Products with an Excellent Hand; filed 5 May 1972, Patented 12 March 1974; not available NTIS.

U.S. Environmental Protection Agency, Room W513, 401 M Street SW., Washington, D.C. 20460.

Patent 3,767,783: Self-Destructing Pesticidal Formulations and Methods for Their Use; filed 23 December 1970, patented 23 October 1973, Not available NTIS.

Patent 3,796,543: Automatic Analysis for Phosphorous Content; filed 7 February 1972, patented 12 March 1974, Not available NTIS.

U.S. Department of Health, Education and Welfare, National Institutes of Health, Chief, Patent Office, Westwood Bldg., Bethesda, Md. 20014.

Patent 3,819,772: Method of Making Thin Defect-Free Silicone Rubber Films and Membranes; filed 23 February 1973, patented 25 June 1974, Not available NTIS.

Patent 3,821,955: Gas-Saline Dispensing Ampule; filed 29 March 1972, patented 2 July 1974, Not available NTIS.

U.S. Department of Interior, 18th and C Streets NW., Washington, D.C. 20240.

Patent application 472,388: Improving Creep Resistance of Pb-Sb Alloys; filed 22 May 1974, PC \$4.00/MF \$1.45.

Patent Application 481,719: Drawer; filed 21 June 1974, PC \$4.00/MF \$1.45.

Tennessee Valley Authority, Division of Law, Muscle Shoals, Ala. 35660.

Patent 3,813,233: Production of Suspension Fertilizers from Wet-Process Orthophosphoric Acids; filed 23 April 1973, patented 28 May 1974, Not available NTIS.

[FR Doc.74-22218 Filed 9-24-74; 8:45 am]

GOVERNMENT-OWNED INVENTIONS

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DOUGLAS J. CAMPION,
Patent Program Coordinator,
National Technical Information Service.

Department of the Air Force, AF/JACP, Washington, D.C. 20314.

Patent 3,801,351: Treatment of High Modulus Graphite Fibers to Improve Their Bonding Characteristics; filed 5 May 1972, patented 2 April 1974. Not available NTIS.

Department of Agriculture, Chief, Research Agreements and Patent Management Branch, Federal Bldg., General Services Division, Hyattsville, Md. 20782.

Patent Application 371,643: A Process for Obtaining Full-Fat Oilseed-Protein Beverages; filed 20 June 1973, PC \$4.25/MF \$1.45.

Patent Application 404,975: Catalysis with Odor Free Hydroxymethanesulfonic Acid in the Finishing of Cellulosic Textiles; filed 10 October 1973, PC \$4.00/MF \$1.45.

Patent Application 410,052: Improvement in Foam Producing Composition Containing Whey Solids; filed 26 October 1972, PC \$4.00/MF \$1.45.

Patent Application 433,647: Flame-Retardant Polyurethane Foams; filed 16 January 1974, PC \$4.00/MF \$1.45.

Patent Application 449,440: Diethyl-Aminoethyl Cellulose-Alkyl Halide Reaction Process; filed 27 February 1974, PC \$4.00/MF \$1.45.

Patent Application 448,426: 1-3-Diacyl Derivatives of Imidazolidine and Hexahydropyrimidine; filed 4 March 1974, PC \$4.00/MF \$1.45.

Patent Application 448,428: 1-3-Diacyl Derivatives of Imidazolidine and Hexahydropyrimidine; filed 4 March 1974, PC \$4.00/MF \$1.45.

Patent 3,119,812: Method of Recovering Microbial Polysaccharides from Their Fermentation Broths; filed 2 April 1962, patented 28 January 1964. Not available NTIS.

Patent 3,132,181: Glyoxal 1-(2)-(2,4-Dihydroxy - 2 - Butenal)-1-(3)-(D-Erythrose) Acetal; filed 26 October 1962, patented 5 May 1964. Not available NTIS.

Patent 3,184,333: Wet-Strength Paper Comprising Highly Oxidized Peroxide Oxystarch and Process of Preparing the Same; filed 12 February 1963, patented 18 May 1965. Not available NTIS.

Patent 3,224,891: Composition for Paper Coating Containing Cyanoethylated Amylaceous Products; filed 9 November 1962, patented 21 December 1965; not available NTIS.

Patent 3,463,790: 1,6-Diamino-2,3:4,5-DI-O-Benzylidene-1,6-Dideoxygalactitol; filed 16 June 1965, Patented 26 August 1969; not available NTIS.

Patent 3,515,718: Hypochlorite Modified Cyanoethylated Starch Having Intact Granule Form; filed 13 July 1967, Patented 2 June 1970; not available NTIS.

Patent 3,749,585: Process for Preparing Citrus Puree; filed 5 May 1971, Patented 31 July 1973; not available NTIS.

Patent 3,767,359: Process for the Liquid Ammonia Treatment of Yarns; filed 7 May 1971, Patented 23 October 1973; not available NTIS.

Patent 3,768,969: Sensitized Textiles with Decreased Formaldehyde Odor; filed 21 December 1971, Patented 30 October 1973; not available NTIS.

Patent 3,769,307: Fluoroamide-Amino Polymers and Process for Imparting Oleophobic Yet Hydrophilic Properties to Fibrous Materials; filed 18 September 1970, Patented 30 October 1973; not available NTIS.

Patent 3,775,050: Process for Facilitating Postponement of Fixation Using Reactive Carbonate Dyestuffs; filed 13 May 1971, Patented 27 November 1973; not available NTIS.

Patent 3,779,702: Bright Pink, Lavender and Blue Mineral Dyeing Single Bath Process for Cellulosics; filed 5 May 1972, Patented

18 December 1973; not available NTIS.

Patent 3,787,342: Hot-Melt Adhesive Composition Containing Glycerol Ester of Fumaric-Modified Rosin; filed 27 February 1970, Patented 22 January 1974; not available NTIS.

Patent 3,790,562: Methyl Cellulose-Boron Alkoxide Compounds; filed 23 May 1972, Patented 5 February 1974; not available NTIS.

Patent 3,804,895: Preparation of Carboxy Alkanolic Acids and Esters; filed 21 January 1972, Patented 16 April 1974; not available NTIS.

Patent 3,809,664: Method of Preparing Starch Graft Polymers; filed 16 August 1973, Patented 7 May 1974; not available NTIS.

U.S. Environmental Protection Agency, Room W513, 401 M Street SW., Washington, D.C. 20460.

Patent 3,634,231: Treatment of Sewage Digester Supernatant Liquor; filed 13 May 1970, Patented 11 January 1972; not available NTIS.

Patent 3,640,821: Reductive Degradation of Halogenated Pesticides; filed 23 December 1970, Patented 8 February 1972; not available NTIS.

Patent 3,737,384: Decomposition of Halogenated Organic Compounds Using Metallic Couples; filed 23 December 1970, Patented 5 June 1973; not available NTIS.

U.S. Department of Health, Education and Welfare, National Institutes of Health, Chief, Patent Branch, Westwood Bldg., Bethesda, Md. 20014.

Patent 3,777,740: Method and Apparatus for Non-Invasively Visualizing Blood Vessels; filed 21 October 1971, patented 11 December 1973. Not available NTIS.

Patent 3,819,442: Alignment Techniques for Fiber Bundles; filed 4 April 1972, patented 25 June 1974. Not available NTIS.

U.S. Department of Interior, Branch of Patents, 18th and C Streets NW., Washington, D.C. 20240.

Patent 3,812,232: Solvent Extraction Procedure for Separating Samarium from Neodymium; filed 15 August 1972, patented 21 May 1974. Not available NTIS.

Patent 3,817,723: Two-Stage Gasification of Pretreated Coal; filed 23 March 1972, patented 18 June 1974. Not available NTIS.

Patent 3,818,100: Control of Vampire Bats; filed 24 April 1972, patented 18 June 1974. Not available NTIS.

National Aeronautics and Space Administration, Assistant General Counsel for Patent Matters, NASA—Code GP-2, Washington, D.C. 20546.

Patent application 412,079: An Improved Geneva Mechanism; filed 2 November 1973. PC \$4.00/MF \$1.45.

Patent application 436,317: Technique for Bonding; filed 24 January 1974. PC \$4.00/MF \$1.45.

Patent applications 463,925: Polarization Compensator for Optical Communications; filed 24 April 1974. PC \$4.25/MF \$1.45.

Patent application 470,428: High Voltage Distributor; filed 15 May 1974. PC \$4.00/MF \$1.45.

Patent 3,806,470: Rock Sampling. Patented 20 September 1971. Not available NTIS.

Patent 3,812,030: Rock Sampling. Patented 12 October 1971. Not available NTIS.

Patent 3,847,529: Reinforced Structural Plastics. Patented 7 March 1972. Not available NTIS.

Patent 3,678,771: Two Speed Drive System; patented 25 July 1972. Not available NTIS.

Patent 3,807,384: Apparatus for Controlling the Temperature of Balloon-Borne Equipment; patented 30 April 1974. Not available NTIS.

Patent 3,808,464: High Isolation RF Signal Selection Switches; patented 30 April 1974. Not available NTIS.

Patent 3,808,511: Load Insensitive Electrical Device; patented 30 April 1974. Not available NTIS.

Patent 3,808,517: Low Distortion Automatic Phase Control Circuit; patented 30 April 1974. Not available NTIS.

Patent 3,809,481: Single Reflector Interference Spectrometer and Drive System Therefor; patented 7 May 1974. Not available NTIS.

Patent 3,809,601: Bonded Joint and Method; patented 7 May 1974. Not available NTIS.

Patent 3,809,800: Means for Accommodating Large Overstrain in Lead Wires; patented 7 May 1974. Not available NTIS.

Patent 3,809,871: Programmable Physiological Infusion; patented 7 May 1974. Not available NTIS.

Patent 3,810,829: Scanning Nozzle Plating System; patented 14 May 1974. Not available NTIS.

Patent 3,811,044: Light Shield and Cooling Apparatus; patented, 14 May 1974. Not available NTIS.

[FR Doc.74-22219 Filed 9-24-74; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ADVISORY COMMITTEES

Notice of Meetings

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776; 5 U.S.C. App.), the Food and Drug Administration announces the following public advisory committee meetings and other required information in accordance with provisions set forth in section 10(a)(1) and (2) of the act:

Committee name	Date, time, place	Type of meeting and contact person
1. Pulmonary-Allergy and Clinical Immunology Advisory Committee.	Oct. 4, 9 a.m., Conference room I, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open—Gerald Rachanow, 18B-08, 5600 Fishers Lane, Rockville, Md. 20852. 301-443-3500.

Purpose. Advises the Commissioner of Food and Drugs regarding safety and efficacy of drugs employed in the treatment of pulmonary disease and diseases with allergic and/or immunologic mechanisms.

Agenda. Class labeling guidelines for bronchodilators; theophylline—relationship between theophylline concentration body fluids, dose, and therapeutic effect.

Committee name	Date, time, place	Type of meeting and contact person
2. Panel on Review of Dental Devices.	Oct. 7 and 8, 9 a.m., room 1409, FB-8, 200 C St. SW., Washington, D.C.	Open Oct. 7, 9 a.m. to 10 a.m.; closed Oct. 7 after 10 a.m.; closed Oct. 8. Robert S. Kennedy Ph. D. (HFK-400), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-2876.

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Purpose. Reviews and evaluates available data concerning the safety, effectiveness, and reliability of dental devices currently in use.

Agenda. Open session: Comments and

presentations by interested persons; device classification; and device legislation. Closed session: Final review of classification results before publication and review of panel report.

Committee name	Date, time, place	Type of meeting and contact person
3. Panel on Review of Allergenic Extracts.	Oct. 11 and 12, 9 a.m., room 121, Building 29, National Institutes of Health, 8800 Rockville Pike, Bethesda, Md.	Open Oct. 11, 9 a.m. to 11 a.m.; closed Oct. 11 after 11 a.m.; closed Oct. 12. Clay Sisk (HFB-5), 8800 Rockville Pike, Bethesda, Md. 20014, 301-496-2883.

Purpose. Reviews and evaluates available data concerning the safety, and effectiveness, and adequacy of labeling of currently marketed biological products or materials, either singly or in combination, that are administered to man for the diagnosis, prevention, or treatment of allergies and allergic diseases.

Agenda. Open session: Previous minutes; communications received; and comments and presentations by interested persons. Closed session: Continuing review of allergenic extracts under investigation.

Committee name	Date, time, place	Type of meeting and contact person
4. Respiratory and Anesthetic Drugs Advisory Committee.	Oct. 12, 9 a.m., New Jersey Room, Holiday Inn, 8120 Wisconsin Ave., Bethesda, Md.	Open 9 a.m. to 12:30 p.m.; closed after 12:30 p.m. Gerald M. Rachanow (HFD-160), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3500.

Purpose. Advises the Commissioner regarding safety and efficacy of drugs employed in anesthesiology.

Agenda. Open session: Adverse reactions caused by repetitive administration of anesthetic drugs; committee's recommendation on the function of a package insert; proposed labeling revisions for

ethrane (enfurane); oxygen—discussion of flow rate of 6 liters/minute; trichloroethylene—relationship to vinyl chloride; and comments and presentations by interested persons. Closed session: Confidential information concerning IND 7622 (Astra Pharmaceutical Co.), NDA 14-879, and NDA 17-558.

Committee name	Date, time, place	Type of meeting and contact person
5. Panel on Review of Dentifrices and Dental Care agents.	Oct. 16 and 17, 9 a.m., Conference room J, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open Oct. 16, 9 a.m. to 10 a.m.; closed Oct. 17 after 10 a.m.; closed Oct. 17. Michael Kennedy (HFD-109), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4000.

Purpose. Reviews and evaluates available information concerning the safety and effectiveness of active ingredients of currently marketed nonprescription drug products containing dentifrices and dental care agents.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Continuing review of over-the-counter dentifrices and dental care agent drug products under investigation.

Committee name	Date, time, place	Type of meeting and contact person
6. Panel on Review of Anesthesiology Devices.	Oct. 17, 8 a.m., room 1409, FB-8, 200 C St. SW., Washington, D.C.	Open 8 a.m. to 9 a.m.; closed after 9 a.m. Franklin K. Coombs (HFK-400), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3550.

Purpose. Reviews and evaluates available data concerning the safety, effectiveness, and reliability of anesthesiology devices currently in use.

Agenda. Open session: Discussion of good manufacturing practices (GMP) and how they relate to device classification; discussion of future goals of the

panel; establishment of subcommittees and the range of devices to be studied by each subcommittee; and comments and presentations by interested persons. Closed session: Completion of the review of the device list and preparation of a preliminary report for the end of classification.

Committee name	Date, time, place	Type of meeting and contact person
7. Psychopharmacological Agents Advisory Committee.	Oct. 17 and 18, 9:30 a.m., Conference Room M, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open Oct. 17, 9:30 a.m. to 12:30 p.m.; closed Oct. 17 after 12:30 p.m.; closed October 18, Stephen C. Groff (HFD-120), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3510.

Purpose. Reviews and evaluates available data concerning the safety and effectiveness of currently marketed and new prescription drug products proposed

for marketing for use in the practice of psychiatry and related fields.

Agenda. Open session: Label revisions for serentil; pediatric panel report; dis-

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cussion of rare adverse reaction reporting; anti-psychotic guidelines; and comments and presentations by interested persons. Closed session: Review of NDA 15-921 and 15-922, Haldol (McNeil); NDA 9-149 and 11-120, Thorazine (Smith, Kline and French); and NDA supplements 17-473, Orap (McNeil), and 17-415, Prazepam (Warner-Chilcott).

Committee name	Date, time, place	Type of meeting and contact person
8. Panel on Review of Anti-microbial Agents.	Oct. 18 and 19, 9 a.m., Conference Room I, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open Oct. 18, 9 a.m. to 10 a.m.; closed Oct. 18 after 10 a.m.; closed Oct. 19. Armond M. Welch (HFD-100), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4960.

Purpose. Reviews and evaluates available information concerning the safety and effectiveness of active ingredients of currently marketed nonprescription drug products containing antimicrobial agents.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Continuing review of over-the-counter antimicrobial agent drug products under investigation.

Committee name	Date, time, place	Type of meeting and contact person
9. Panel on Review of Skin Test Antigens.	Oct. 18 and 19, 9 a.m., room 121, Bldg. 29, National Institutes of Health, 8800 Rockville Pike, Bethesda, Md.	Open Oct. 18, 9 a.m. to 11 a.m.; closed Oct. 18 after 11 a.m.; closed Oct. 19. Clay Sisk (HFB-5), 8800 Rockville Pike, Bethesda, Md. 20014, 301-496-2883.

Purpose. Reviews and evaluates available data concerning the safety, effectiveness, and adequacy of labeling of currently marketed biological products which are used in diagnostic substances for dermal tests.

Agenda. Open session: Presentation of previous minutes; communications received; and comments and presentations by interested persons. Closed session: Continuing review of skin test antigens under investigation.

Committee name	Date, time, place	Type of meeting and contact person
10. Panel on Review of Psychiatry Devices.	Oct. 21, 9:30 a.m., room 1409, FB-3, 200 C St. SW., Washington, D.C.	Open 9:30 a.m. to 12 noon; closed after 12 noon. Thomas L. Anderson, M.D. (HFK-400), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3550.

Purpose. Reviews and evaluates all available data concerning the safety, effectiveness and reliability of currently marketed psychiatry (physical medicine) devices.

Agenda. Open session: Introduction and charge to members; goals of classification effort; and methods of classification. Closed session: Classification of diagnostic devices.

Committee name	Date, time, place	Type of meeting and contact person
11. Panel on Review of Topical Analgesics.	Oct. 22 and 23, 9 a.m., Conference Room G, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open Oct. 22, 9 a.m. to 10 a.m.; closed Oct. 22 after 10 a.m.; closed Oct. 23. Lee Gelsmar (HFD-100), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4960.

Purpose. Reviews and evaluates data concerning the safety and effectiveness of active ingredients, and combinations thereof, of currently marketed nonprescription drug products for human use containing topical analgesic agents, and the adequacy of their labeling.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Continuing review of over-the-counter topical analgesic drug products under investigation.

Committee name	Date, time, place	Type of meeting and contact person
12. Endocrinology and Metabolism Advisory Committee.	Oct. 24, 9 a.m., Conference Room K, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open 9 a.m. to 10 a.m.; closed after 10 a.m. A. T. Gregoire, Ph. D. (HFD-140), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3490.

Purpose. Reviews and evaluates available data concerning the safety and effectiveness of currently marketed and new prescription drug products proposed for marketing for use in the treatment of endocrine and metabolic disorders.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Discussion of Probucol (NDA 17-535) and Colestipol (NDA 17-563).

Committee name	Date, time, place	Type of meeting and contact person
13. Panel on Review of Sedative, Tranquillizer, and Sleep Aid Drugs.	Oct. 28 and 29, 9 a.m.; Conference Room I, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open Oct. 28, 9 a.m. to 10 a.m.; closed Oct. 28 after 10 a.m.; closed Oct. 29. Michael Kennedy (HFD-109), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4960.

Purpose. Reviews and evaluates available information concerning the safety and effectiveness of active ingredients of currently marketed nonprescription drug products containing sedative, tranquilizer, and sleep aid ingredients.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Continuing review of over-the-counter sedative, tranquilizer, and sleep aid drug products under investigation.

Committee name	Date, time, place	Type of meeting and contact person
13a. Radiation Bio-Effects and Epidemiology Advisory Committee.	Oct. 29 and 30, 9 a.m., room 400, Twinbrook Building No. 4, 12720 Twinbrook Parkway, Rockville, Md.	Open—Richard K. Fred, D.D.S., Ph. D. (HFX-100), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-2356.

Purpose. Advises the Commissioner regarding the total research program of laboratory and epidemiology studies of the biological effects and health implications of exposure to radiation and radiation-producing devices.

Agenda. Discussion of the current status of Bureau of Radiological Health programs on the biological effects of ionizing and nonionizing radiation.

Committee name	Date, time, place	Type of meeting and contact person
14. Panel on Review of Antiperspirant Drug Products.	Oct. 31 and Nov. 1, 9 a.m., Conference Room E, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open Oct. 31, 9 a.m. to 10 a.m.; closed Oct. 31 after 10 a.m.; closed Nov. 1. Lee Geismar (HFD-109), 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4960.

Purpose. Reviews and evaluates available data concerning the safety and effectiveness of active ingredients, and combinations thereof, of currently marketed nonprescription drug products for human use containing antiperspirant drug products, and adequacy of their labeling.

Agenda. Open session: Comments and presentations by interested persons. Closed session: Continuing review of safety and efficacy of over-the-counter antiperspirant drug products.

Agenda items are subject to change as priorities dictate.

During the open sessions shown above, interested persons may present relevant information or views orally to any committee for its consideration. Information or views submitted to any committee in writing before or during a meeting shall also be considered by the committee.

A list of committee members and summary minutes of meetings may be obtained from the contact person for the committee both for meetings open to the public and those meetings closed to the public in accordance with section 10(d) of the Federal Advisory Committee Act.

Most Food and Drug Administration advisory committees are created to advise the Commissioner of Food and Drugs on pending regulatory matters. Recommendations made by the committees on these matters are intended to result in action under the Federal Food, Drug, and Cosmetic Act, and these committees thus necessarily participate with the Commissioner in exercising his law enforcement responsibilities.

The Freedom of Information Act recognized that the premature disclosure of regulatory plans, or indeed internal dis-

ussions of alternative regulatory approaches to a specific problem, could have adverse effects upon both public and private interests. Congress recognized that such plans, even when finalized, may not be made fully available in advance of the effective date without damage to such interests, and therefore provided for this type of discussion to remain confidential. Thus, law enforcement activities have long been recognized as a legitimate subject for confidential consideration.

These committees often must consider trade secrets and other confidential information submitted by particular manufacturers which the Food and Drug Administration by law may not disclose, and which Congress has included within the exemptions from the Freedom of Information Act. Such information includes safety and effectiveness information, product formulation, and manufacturing methods and procedures, all of which are of substantial competitive importance.

In addition, to operate most effectively, the evaluation of specific drug or device products requires that members of committees considering such regulatory matters be free to engage in full and frank discussion. Members of committees have frequently agreed to serve and to provide their most candid advice on the understanding that the discussion would be private in nature. Many experts would be unwilling to engage in candid public discussion advocating regulatory action against a specific product. If the committees were not to engage in the deliberative portions of their work on a confidential basis, the consequent loss of frank and full discussion among commit-

tee members would severely hamper the value of these committees.

The Food and Drug Administration is relying heavily on the use of outside experts to assist in regulatory decisions. The Agency's regulatory actions uniquely affect the health and safety of every citizen, and it is imperative that the best advice be made available to it on a continuing basis in order that it may most effectively carry out its mission.

A determination to close part of an advisory committee meeting does not mean that the public should not have ready access to these advisory committees considering regulatory issues. A determination to close the meeting is subject to the following conditions: First, any interested person may submit written data or information to any committee, for its consideration. This information will be accepted and will be considered by the committee. Second, a portion of every committee meeting will be open to the public, so that interested persons may present any relevant information or views orally to the committee. The period for open discussion will be designated in any announcement of a committee meeting. Third, only the deliberative portion of a committee meeting, and the portion dealing with trade secret and confidential information, will be closed to the public. The portion of any meeting during which nonconfidential information is made available to the committee will be open for public participation. Fourth, after the committee makes its recommendations and the Commissioner either accepts or rejects them, the public and the individuals affected by the regulatory decision involved will have an opportunity to express their views on the decision. If the decision results in promulgation of a regulation, for example, the proposed regulation will be published for public comment. Closing a committee meeting for deliberations on regulatory matters will therefore in no way preclude public access to the committee itself or full public comment with respect to the decisions made based upon the committee's recommendation.

The Commissioner has been delegated the authority under section 10(d) of the Federal Advisory Committee Act to issue a determination in writing, containing the reasons therefor, that any advisory committee meeting is concerned with matters listed in 5 U.S.C. 552(b), which contains the exemptions from the public disclosure requirements of the Freedom of Information Act. Pursuant to this authority, the Commissioner hereby determines, for the reasons set out above, that the portions of the advisory committee meetings designated in this notice as closed to the public involve discussion of existing documents falling within one of the exemptions set forth in 5 U.S.C. 552(b), or matters that, if in writing, would fall within 5 U.S.C. 552(b), and that it is essential to close such portions of such meetings to protect the free exchange of internal views and to avoid undue interference with Agency and com-

mittee operations. This determination shall apply only to the designated portions of such meetings which relate to trade secrets and confidential information or to committee deliberations

Dated: September 18, 1974.

A. M. SCHMIDT,
Commissioner of Food and Drugs.

[FR Doc.74-22093 Filed 9-24-74;8:45 am]

[GRASP 4G0034]

MIRALIN CO.

Filing of Petition for Affirmation of
GRAS Status

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201 (s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784-1788 as amended; 21 U.S.C. 321(s), 348, 371(a)) and the regulations for affirmation of GRAS status (21 CFR 121.40), notice is given that a petition (GRASP 4G0034) has been filed by Miralin Co., 8 Kane Drive, Hudson, MA 01749, and placed on public display at the office of the Hearing Clerk, Food and Drug Administration, proposing affirmation that miracle fruit *Synsepalum dulcificum* and extracts and concentrates made therefrom are generally recognized as safe (GRAS) for use in foods as a sweetening agent or flavor enhancer.

The petition advises that miracle fruit as human food antedates recorded history and that it has been eaten by humans in West Africa, both as a fruit and as a sweetener, for many hundreds of years.

The use of this fruit seems to hinge on its unique property of modifying the taste mechanism of the body, whereby many sour foods taste sweet after consuming the substance. This effect is attributed to the glycoprotein constituent of the ripe fruit. In Africa, the berry is said to have been used to enhance palatability of wine, beer, and other foods which had soured. Eating the fruit before, or with, such sour foods makes them taste sweet. The effect on the taste buds is said to last for about 1 hour.

Preliminary evaluation by the Food and Drug Administration indicates that the substance is not eligible for affirmation as GRAS since the information submitted does not reveal the existence of scientific studies which would support a determination that the substance is GRAS, nor does it reveal a substantial history of consumption of the substance by a significant number of consumers in the United States. Preliminary evaluation also indicates that the data submitted are not as yet sufficient to support issuance of a food additive regulation.

Interested persons may, on or before November 25, 1974, review the petition and/or file comment (preferably in quintuplicate) with the Hearing Clerk, Food and Drug Administration, Room 4-65, 5600 Fishers Lane, Rockville, MD 20852. Comments should include any available information that would be helpful in determining whether the substance is, or is not, generally recognized as safe.

A copy of the petition and received comments may be seen in the office of the Hearing Clerk, address given above, during working hours, Monday through Friday.

Dated: September 19, 1974.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.74-22205 Filed 9-24-74;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing
Production and Mortgage Credit

[Docket No. N-74-248]

ASSISTANT SECRETARY FOR HOUSING MANAGEMENT

Notice of Availability

On August 22, 1974, the Department issued Notice HPMC-FHA 74-28 providing general information to the public with respect to the provisions of the Housing and Community Development Act of 1974 (Pub. L. 93-383).

Pub. L. 93-383, among other things, amended sections 5 and 9(c) of the U.S. Housing Act of 1937 by providing additional funds for annual contributions contracts and by allocating a portion of those funds for operating subsidies. At the same time, Pub. L. 93-383 stated that such amendments would be effective on the date prescribed by the Secretary. Accordingly, the Department's Notice announced that the effective date for the amendments would be August 22, 1974.

Copies of Notice HPMC-FHA 74-28 may be obtained from Regional, Area and Insuring Offices.

Issued at Washington, D.C., September 6, 1974.

H. R. CRAWFORD,
Assistant Secretary
for Housing Management.

SHELDON B. LUBAR,
Assistant Secretary-Commissioner
HPMC.

[FR Doc.74-22220 Filed 9-24-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety
Administration

NATIONAL MOTOR VEHICLE SAFETY
ADVISORY COUNCIL

Public Meeting

On October 9-10, 1974, the National Motor Vehicle Safety Advisory Council will hold open meeting in the DOT Headquarters Building, 400 Seventh Street, SW., Washington, D.C., and at the Quality Inn Pentagon City, 300 Army Navy Drive, Arlington, Virginia. The Advisory Council is composed of 22 members, a majority of whom are representatives of the general public, including representatives of State and local governments, with the remainder including representatives of motor vehicle manufacturers, motor vehicle equipment manufacturers,

and motor vehicle dealers. The advisory Council makes recommendations to the Secretary of Transportation on motor vehicle safety and property loss reduction programs carried out by the National Highway Traffic Safety Administration.

The following meetings are subject to the approval of the National Highway Traffic Safety Administrator.

On October 9 at 8:30 a.m. at the Quality Inn Pentagon City in Parlor C the Congress Committee will meet with the following agenda:

Recommendations from Thrd International Congress
Review of Plans for Fourth International Congress on Automotive Safety

On October 9 at 9 a.m. at the Quality Inn Pentagon City in the Ballroom East the Consumer and Public Information Committee will meet with the following agenda:

Status Report—Defect Notification System
Status Report—"Hot Line" Consumer Communications System
Review of Congressional Actions on Interlocks
Impact of Present and Proposed Restraint Systems: A Briefing on Cost/Benefit Reports
Old Business
New Business

On October 10 at 9 a.m. at the DOT Headquarters Building in Room 4234 the full Council will meet with the following agenda:

NHTSA Participation with International Organizations on Motor Vehicle Safety Standards
Report of Congress Committee
Report of Consumer and Public Information Committee
Old Business
New Business

For further information contact the NHTSA Executive Secretary, Room 5215, 400 Seventh Street, SW., Washington, D.C., telephone 202-426-2872.

This notice is given pursuant to section 10(a)(2) of Pub. L. 92-463, Federal Advisory Committee Act (FACA), effective January 5, 1973.

Issued: September 20, 1974.

WM. H. MARSH,
Executive Secretary.

[FR Doc.74-22260 Filed 9-24-74;8:45 am]

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

COMMITTEE ON COMPLIANCE AND
ENFORCEMENT PROCEEDINGS

Notice of Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Committee on Compliance and Enforcement Proceedings of the Administrative Conference of the United States, to be held at 10 a.m., September 30, 1974 in the offices of the Chairman of the Administrative Conference of the United States, Suite 500, 2120 L Street NW., Washington, D.C. 20037.

The Committee will meet to consider:
(1) A draft report and recommendations on Citizen suit provisions in Fed-

eral statutes by Professor Jerry Mashaw.

(2) A draft report and recommendations on the procedures employed to ensure Federal facilities comply with environmental quality standards by William R. Shaw.

Attendance is open to the interested public, but limited to the space available. Persons wishing to attend should notify this office at least one day in advance. The Committee Chairman may, if he deems it appropriate permit members of the public to present oral statements at the meeting; any member of the public may file a written statement with the Committee before, during or after the meeting.

For further information concerning this Committee meeting contact William R. Shaw, Staff Liaison (phone 202-254-7065). Minutes of the meeting will be available on request.

RICHARD K. BERG,
Executive Secretary.

SEPTEMBER 16, 1974.

[FR Doc.74-22194 Filed 9-24-74; 8:45 am]

ATOMIC ENERGY COMMISSION

[Docket Nos. 50-324, 50-325]

CAROLINA POWER & LIGHT CO.

Notice of Hearing

In the matter of Carolina Power & Light Company (Brunswick Steam Electric Plant, Units 1 and 2).

Please take notice, that further evidentiary hearings will be held in the above-captioned proceeding on Thursday, September 26, 1974, at the Hearing Room, 12th floor, Landau Building, 7910 Woodmont Avenue, Bethesda, Maryland 20014.

Such further evidentiary hearings will consider the question of the need for power, and the Regulatory Staff's showing in regard thereto. In addition, the further evidentiary hearings will consider such additional evidence, if any, on the question of whether the requirements of section 102(2) (C) and (D) of the National Environmental Policy Act of 1969, and Appendix D to 10 CFR Part 50 of the rules and regulations of the Atomic Energy Commission have been complied with.

It is so ordered.

Washington, D.C., September 23, 1974

ATOMIC SAFETY AND
LICENSING BOARD,
MICHAEL L. GLASER,
Chairman.

[FR Doc.74-22445 Filed 9-24-74; 10:43 am]

[Docket Nos. 50-484A, 50-487A]

NORTHERN STATES POWER CO.

Receipt of Attorney General's Advice and Time for Filing of Petitions to Intervene on Antitrust Matters

The Commission has received, pursuant to section 105c. of the Atomic Energy Act of 1954, as amended, a letter of

advice from the Attorney General of the United States, dated September 9, 1974, a copy of which is attached as Enclosure 1.

Any person whose interest may be affected by this proceeding may, pursuant to § 2.714 of the Commission's rules of practice, 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and request for hearing shall be filed by October 29, 1974 either (1) by delivery to the AEC Public Docketing and Service Section at 1717 H Street NW., Washington, D.C., or (2) by mail or telegram addressed to the Secretary, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attn: Docketing and Service Section.

For the Atomic Energy Commission.

ABRAHAM BRAITMAN,
Chief, Office of Antitrust and
Indemnity, Directorate of Li-
censing.

NORTHERN STATES POWER COMPANY
TYRONE ENERGY PARK, UNITS 1 AND 2

SEPTEMBER 9, 1974.

You have requested our advice pursuant to the provisions of section 105c of the Atomic Energy Act of 1954, as amended, in regard to the above-cited application.

The facility. Tyrone Energy Park, located on the Chippewa River about 19 miles southwest of Eau Claire, Wisconsin, will consist of 2 nuclear units, each with a net electrical output of 1150 megawatts (MW) and each incorporating a Standardized Nuclear Units Power Plant System (SNUPPS) design. Unit No. 1 is scheduled to begin operation in the spring of 1982, with Unit No. 2 coming on line in the fall of 1983. The total cost of the project is estimated at more than \$1.8 billion. Northern States Power Company (NSP) will construct and operate the facility; however, it is contemplated by NSP that other power suppliers will ultimately enter into agreements providing for their ownership participation in the facility.

The applicant. NSP, headquartered in Minneapolis, Minnesota, serves nearly one million customers in the four-state area of Minnesota, North Dakota, South Dakota, and Wisconsin. Applicant, with a 1973 peak load of 3836 mw, is the largest utility in the north central region. NSP's owned generation capability exceeds 4600 mw, which allows for the maintenance of a minimum reserve level of 15 percent. Applicant's peak load is expected to double in the next ten years, and it has planned or has under construction additional generating capacity to increase its dependable system capacity to 9730 mw by 1983.

Applicant has high voltage or extra-high voltage interconnections to 18 adjacent electric bulk power suppliers; and together with 21 other electric suppliers, Applicant participates in the Mid-Continent Area Power Pool (MAPP). Through MAPP, Applicant engages in a significant degree of coordinated planning and development of its bulk power supply system. Applicant is also a member of the Upper Mississippi Valley Power Pool, through which it sells and exchanges power and energy with the Otter Tail Power Company, which is not a MAPP participant. NSP also is a member of the Mid-Continent Area Reliability Council.

Twenty-six municipal distribution systems in Wisconsin, Minnesota and South Dakota

rely on NSP to meet their bulk power supply requirements; another twelve systems are partial wholesale customers.

Results of antitrust review. In the course of our antitrust review, the Department received certain allegations the general import of which was that Applicant has used its dominant position in generation and transmission in its service area to restrain the competitive opportunities of smaller systems with respect to bulk power supply. In our preliminary conversations with NSP, the substance of these allegations was made known to Applicant. For its part Applicant denied these allegations and denied that its bulk power supply policies and practices have been or are inconsistent with the antitrust laws. In order to eliminate any questions as to the bulk power supply policies that it intends to follow during the period of the Tyrone license, Applicant expressed a willingness to formalize its policies and have them included as conditions to the license. These policies are set out in the attachment to the letter of Applicant's President, dated August 9, 1974, which is attached below.

In our opinion, the effectuation of these policy commitments would moot all relevant issues as to which allegations of anticompetitive conduct on the part of Applicant were made to the Department. Accordingly, it was unnecessary for the Department to investigate the matters raised and to reach any conclusion as to the veracity of the complaints. Since the commitments should provide competitors of Applicant with reasonable opportunities to maintain and further develop competitive sources of bulk power supply and the Company is agreeable to having the Commission include the commitments as conditions to the license, we conclude that an antitrust hearing will not be necessary with respect to the instant application if the Commission issues a license so conditioned.

NORTHERN STATES POWER COMPANY
TYRONE ENERGY PARK, UNITS 1 AND 2

AUGUST 9, 1974.

We understand that in the course of your review of our application to construct the Tyrone Energy Park, Units 1 and 2, certain antitrust questions relating to the Northern States Power Company's bulk power supply policies have been raised. We are confident that any such questions can be satisfactorily answered. Northern States Power Company believes that its policies and activities have been and are consistent with the antitrust laws. We have outlined these policies in meetings with the Department. We understand that if we are willing to have the Company's policies which you consider relevant to your antitrust review incorporated in the AEC license, as license conditions, this would enable the Department of Justice to advise the AEC that no antitrust hearing will be necessary. We are perfectly willing to do this.

Therefore we set forth as Appendix A with this letter a statement of our Company's policies concerning bulk power supply arrangements with neighboring electric systems. NSP agrees that its policy statements may be included as conditions to the construction permits and operating licenses to be issued by the Atomic Energy Commission with respect to these units.

The attached commitments are subject to the following understandings:

(1) Nothing therein shall be construed as a waiver by Licensee of its right to contest whether or not and the extent to which a particular factual situation may be covered by this statement of policy or preclude Licensee from contesting an alleged act of unfair competition.

(2) Nothing therein is intended to preclude Licensee and a Neighboring Entity from reaching an agreement which extends, varies or supplements the provisions of the commitments in a manner not inconsistent with the broad purposes expressed therein and applicable law.

(3) The Licensee and any Neighboring Entity affected by any of the policies contained in the attached commitments reserve the right of recourse to the appropriate forum to seek such changes therein as may at the time be appropriate in accordance with the law and good industry practices.

(4) Nothing contained here shall affect any right Licensee may have to receive compensation, including loss of revenues, for any electric facilities it voluntarily sells or is legally required to sell or relinquish.

NORTHERN STATES POWER COMPANY

PROPOSED STATEMENT OF COMMITMENTS

I. Definitions. (a) "Service Area" means in the State of Minnesota the counties of Anoka, Benton, Blue Earth, Brown, Carver, Chippewa, Chisago, Clay, Dakota, Dodge, Douglas, Faribault, Freeborn, Goodhue, Hennepin, Houston, Kandiyohi, Lac Qui Parle, Le Sueur, Lincoln, Lyon, McLeod, Meeker, Mower, Murray, Nicollet, Norman, Olmsted, Pipestone, Polk, Pope, Ramsey, Redwood, Renville, Rice, Rock, Scott, Sherburne, Sibley, Stearns, Steele, Todd, Wabasha, Waseca, Washington, Watonwan, Wilkin, Winona, Wright, and Yellow Medicine, and other areas of Minnesota proximate thereto; in the State of South Dakota the counties of Clay, Hanson, Hutchinson, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Sanborn, and Turner, and other areas of South Dakota proximate thereto; in the State of North Dakota the counties of Cass, Grand Forks, McHenry, Trall, and Ward, and other areas of North Dakota proximate thereto; in the State of Wisconsin the counties of Barron, Buffalo, Chippewa, Clark, Crawford, Dunn, Eau Claire, Jackson, La Crosse, Marathon, Monroe, Pepin, Pierce, Polk, Rusk, Sawyer, St. Croix, Taylor, Trempealeau, Vernon, and Washburn and other areas of Wisconsin proximate thereto.

(b) "Bulk power" means electric power and any attendant energy supplied or made available at transmission or subtransmission voltage by one electric system to another.

(c) "Neighboring Entity" means a financially responsible private or public corporation, governmental agency or authority, municipality, cooperative, or lawful association of any of the foregoing, owning or operating, or in good faith proposing to own or operate, facilities for the generation and transmission of electricity for bulk power supply which meets each of the following criteria: (1) Its existing or proposed facilities are technically and economically feasible of interconnection with those of Licensee; (2) its existing or proposed facilities are fully or partially within the Service Area, and (3) with the exception of municipalities, cooperatives, governmental agencies or authorities or any entity located within the State of South Dakota, it is, or upon commencement of operations will be, a public utility subject to regulation with respect to rates and services under the laws of Minnesota, Wisconsin, or North Dakota, or under the Federal Power Act.

(d) "Neighboring Distribution System" means a financially responsible private or public corporation, governmental agency or authority, municipality, cooperative or lawful association of any of the foregoing, engaging, or in good faith proposing to engage in distribution of electric power at retail which meets each of the criteria numbered (1) through (3) in subparagraph (c) above.

(e) "Cost" means all operating and maintenance expenses, capital costs and a rea-

sonable return on Licensee's investment which are properly allocable to the particular transaction and the facilities involved in that transaction.

II. Interconnections. (a) Licensee will interconnect and operate normally in parallel in accordance with good operating practice with any Neighboring Entity and will interconnect with any Neighboring Distribution System.

(b) Interconnections pursuant to this license will not be limited to lower voltages when higher voltages are requested and available.

(c) Interconnection arrangements shall provide for operating procedures and the necessary switching and relay equipment and control and telemetering facilities as required for safe and prudent operation of the interconnected systems in accordance with good industry practice. The transmission facilities between the parties must meet reasonable reliability standards in accordance with good industry practice.

(d) The Cost of interconnection will be shared on the basis of benefits derived from the interconnection by each party after consideration of the various transactions for which the interconnection facilities are to be utilized.

(e) Interconnection agreements will not embody provisions which impose limitations upon the use or resale of power and energy sold or exchanged pursuant to the agreement except as may be necessary to protect the reliability of Licensee's system. Licensee shall not be required to sell or exchange power and energy pursuant to any interconnection agreement if it does not have available sufficient generation or transmission to provide the requested service or if the sale or exchange would impair its ability to render adequate and reliable service.

(f) Interconnection agreements will not prohibit the parties from entering into other interconnections or coordination agreements, but may include appropriate provisions to assure that (1) Licensee receives adequate notice of such additional interconnection or coordination, (2) the parties will jointly consider and agree upon such measures, if any, as are reasonably necessary for safety or to protect the reliability of Licensee's system. Reasonable industry practice as developed in the area from time to time will satisfy this provision.

III. Reserve coordination. (a) Licensee and each Neighboring Entity with which it has, or at some future date may have, an agreement involving reserve coordination shall from time to time jointly establish the minimum reserves to be installed and/or provided under contractual arrangements as necessary to maintain in total a reserve margin sufficient to provide adequate reliability of power supply to the interconnected systems of the parties. Unless otherwise agreed upon, minimum reserves shall be calculated as a percentage of estimated peak load responsibility. No party to the arrangement shall be required to maintain greater reserves than the percentage of its estimated peak load responsibility which results from the aforesaid calculation; provided that, if the reserve requirements of Licensee are increased over the amount Licensee would be required to maintain without such interconnection, then the other party shall be required to carry or provide for as its reserves the full amount of kilowatts of such increase. If a Neighboring Entity operates its system in such a manner that its reserves cannot be dispatched to Licensee at all times, Licensee may require such Neighboring Entity to maintain such higher level of reserves than the percentage of peak load as determined above as is reasonable under the circumstances.

(b) Licensee will sell emergency power to

any Neighboring Entity which (1) maintains a minimum reserve margin in accordance with the above paragraph, and (2) agrees to sell emergency power to Licensee. Licensee shall engage in such transactions if and when, and to the fullest extent it has power and energy available for such transactions from its own generating resources or from interconnected systems, but only to the extent that it can do so without impairing service to its customers, or impairing its ability to discharge reasonable prior commitments to other electric systems. Such emergency service shall be provided at rates which fully compensate Licensee for its COST.

(c) Licensee and each Neighboring Entity with which it has an agreement for reserve coordination transactions pursuant to this section shall maintain such amounts of operating reserves as may be equitable and consistent with good industry practice and adequate to avoid the imposition of unreasonable demands on either party in meeting the normal contingencies of operating their systems. However, in no circumstances shall such agreement require that a party's operating reserve requirement exceed its installed reserve requirement.

(d) Licensee, if it has generating capability in excess of the amount called for by its own reserve criteria, and subject to reasonable prior commitments to other electric systems, will offer, on terms which enable Licensee to recover its COST, any such excess to a Neighboring Entity to meet such entity's own reserve requirement.

(e) Licensee shall prepare, with Neighboring Entities who request to do so, joint maintenance schedules and shall engage in sales of maintenance power and energy when it can reasonably do so, subject to reasonable prior commitments to other electric systems.

IV. Other power exchanges. Licensee currently has on file, and may hereafter file, with the Federal Power Commission contracts with Neighboring Entities providing for the sale and exchange of short-term power and energy, limited term power and energy, economy energy, and other forms of capacity and energy. Licensee will, on a fair and equitable basis, enter into contracts with any Neighboring Entity providing for the same or like capacity and energy transactions. In order to facilitate the making of such transactions, Licensee will respond promptly to inquiries of Neighboring Entities concerning the availability of all such forms of capacity and energy from its system. Such transactions will be on terms which will enable Licensee to recover the full COST allocable to such transactions.

V. Wholesale power sales. Licensee will sell Bulk Power to any Neighboring Distribution System in accordance with rates, terms and conditions which fully compensate the Licensee for its Cost, and which do not restrict use or resale except as may be necessary to protect the reliability of the Licensee's system. Licensee shall not be required to make any such sale if it does not have available sufficient generation or transmission to provide the requested service or if the sale would impair its ability to render adequate and reliable service.

VI. Transmission services. (a) Licensee will provide transmission service for Bulk Power transactions between two or more Neighboring Entities or a Neighboring Entity and Neighboring Distribution System with whom Licensee is interconnected, or may be interconnected in the future. Licensee will also provide transmission services for bulk power transactions between any Neighboring Entity or Neighboring Distribution System and any other electric system engaging in bulk power supply outside the Service Area between whose facilities Licensee's transmission lines form a continuous electrical path,

provided that permission to utilize such other transmission lines has been obtained by the proponent of the arrangement. Licensee will provide such transmission services if such services can reasonably be accommodated from an economic, functional, and technical standpoint without impairing Licensee's reliability or its own use of its facilities.

(b) Such transmission shall be on terms that fully compensate Licensee for its Cost. Any Neighboring Entity requesting such transmission arrangements shall give reasonable advance notice of its schedule and requirements. Licensee shall not be required to enter into any arrangement which would impair system reliability or emergency transmission capacity, it being recognized that while some transmission facilities may be operated fully loaded, other transmission facilities may be for emergency use and operated either unloaded or partially loaded. Licensee shall file the agreements providing for such transmission services with the Federal Power Commission and that agency shall have jurisdiction over the charges, terms and conditions of such services.

(c) Nothing contained herein shall be construed to require Licensee to wheel power and energy to a retail customer.

(d) Licensee shall include in its planning and construction programs sufficient transmission capacity as required for the transactions referred to in Section VI, Paragraph (a) provided any Neighboring Entity or Neighboring Distribution System gives Licensee sufficient advance notice that may be necessary to accommodate its requirement from a functional and technical standpoint and that such Neighboring Entity or Neighboring Distribution System fully compensates Licensee for its Cost. Licensee shall not be required to construct transmission facilities (1) if it finds such facilities would impair system reliability, or emergency transmission capacity, or (2) if it finds such facilities will be of no demonstrable present or future benefit to Licensee, or (3) if it finds construction of such facilities would jeopardize Licensee's ability to finance or construct on reasonable terms, facilities to meet its own anticipated system requirements or to satisfy existing obligations to other electric systems, or (4) if it finds such facilities could be constructed or owned by the requesting party without duplicating any portion of Licensee's transmission system.

VI. Access to nuclear generation. (a) Licensee will afford an opportunity to participate to any Neighboring Entity that makes a timely request therefor in the ownership of, or purchase of, unit participation power from Tyrone Energy Station Units 1 and 2, and any additional nuclear generating unit which Licensee may construct, own, and operate on a basis that will fully compensate Licensee for its COST incurred and to be incurred and that will not adversely affect the financing of such power station. The request shall be deemed timely with respect to Tyrone Energy Park Units 1 and 2 if received by October 1, 1974, and with respect to any additional generating unit if received within a reasonable period of time from a planning and operating standpoint after the public announcement by Licensee of the proposed installation of any such unit.

(b) Any Neighboring Entity making a timely request for participation must enter into an executory agreement to finance its portion of the units and the associated transmission facilities within one year of its request for participation.

VII. Regulatory Commission jurisdiction. (a) The foregoing policies are to be imple-

mented and applied in a manner consistent with Federal, state and local laws, regulations and orders. All rates, charges, conditions, terms and practices are and will be subject to the acceptance or approval of any regulatory agencies or courts having jurisdiction over them.

(b) Licensee does not intend by this statement of policy to become a common carrier.

(c) Nothing contained here is intended to affect in any way the franchises, certificates of public convenience and necessity, or other rights of Licensee or of any Neighboring Entity to render electric service in the Service Area.

[FR Doc.74-22232 Filed 9-24-74;8:45 am]

[Docket No. 50-201]

NUCLEAR FUEL SERVICES, INC. AND N.Y. STATE ATOMIC AND SPACE DEVELOPMENT AUTHORITY

Prehearing Conference

Take notice that pursuant to the Atomic Energy Commission's "Notice of Hearing on Applications for a Construction Permit, and Notice of Consideration of Conversion of Provisional Operating License * * * to a Full-Term Operating License * * *" dated March 8, 1974 (39 FR 10471, March 20, 1974), and in accordance with the § 2.752 of the Commission's rules of practice (10 CFR Part 2), a Prehearing Conference will be held before an Atomic Safety and Licensing Board (the Board) on October 17, 1974 at 9:30 a.m., e.d.t., at the following location:

U.S. Federal Building
Room 1400
111 West Huron Street
Buffalo, New York 14202

This Prehearing Conference is preliminary to a public evidentiary hearing that will be held on a later date by the Board to consider the applications filed under the Atomic Energy Act of 1954, as amended, by Nuclear Fuel Services, Inc. and the New York State Atomic and Space Development Authority (the applicants) for a construction permit to perform certain modifications of the subject nuclear fuel reprocessing facility. The facility is presently authorized to operate at a capacity of about 300 metric tons of uranium per year, and the modification proposed to be authorized by a new construction permit would increase the operating capacity to about 750 metric tons per year. The facility is located in the Western New York Nuclear Service Center in the town of Ashford, New York, near Riceville, Cattaraugus County, about 30 miles southeast of Buffalo.

The evidentiary hearing will be concerned with the radiological health and safety issues set forth in the Commission's March 8, 1974 Notice of Hearing, supra, together with any specific contentions or matters in controversy between the parties admitted by the Board after it has ruled upon certain pending petitions for intervention. The hearing will be scheduled to start in the general vicinity of the site of the subject facility.

Persons and organizations wishing to

make limited appearance statements, orally or in writing, may do so at the time of the public, evidentiary hearing, but limited appearances will not be received at the time of this Prehearing Conference. However, all members of the public, including anticipated limited appearance speakers, are welcome to attend the prehearing conference.

The prehearing conference will deal with the following matters:

1. Consideration of intervention petitions to allow the Board to make such preliminary or final determination of the status of the parties as may be appropriate;
2. Establishment of the need for discovery and the time required for such discovery, if any;
3. Simplification, clarification, and specification of the issues;
4. The necessity or desirability of consolidation of parties;
5. The obtaining of stipulations and admissions of fact and of the contents and authenticity of documents to avoid unnecessary proof;
6. Identification of witnesses and the limitation of the number of expert witnesses, and other steps to expedite the presentation of evidence;
7. The setting of a hearing schedule; and
8. Such other matters as may aid in the orderly disposition of the proceeding.

At the prehearing conference, the Board will hear oral argument on the outstanding petitions to intervene. The petitioners as well as the parties, will be given an opportunity to be heard in this regard.

This newly-scheduled prehearing conference is in accordance with the new schedule proposed by the AEC Regulatory Staff in its Motion filed September 10, which Motion is hereby granted. It is so ordered.

Issued at Bethesda, Md., this 20th day of September 1974.

For the Atomic Safety and Licensing Board.

THOMAS W. REILLY,
Chairman.

[FR Doc.74-22233 Filed 9-24-74;8:45 am]

CITIZENS' ADVISORY COMMITTEE ON ENVIRONMENTAL QUALITY

ACTIVITIES FOR COMING YEAR

Amended Notice of Meeting

A notice of meeting in the FEDERAL REGISTER of September 13, 1974, stated that the Citizens' Advisory Committee on Environmental Quality will meet on September 30, 1974, at 9:30 a.m. at the Edgewater Hotel in Madison, Wisconsin.

That notice is hereby amended to state that a portion of the meeting will be held on September 29 from 9 a.m. to 1 p.m. at the same location. The remainder of the meeting will be held on September 30 from 9 a.m. to 1 p.m.

LAWRENCE N. STEVENS,
Executive Director, Citizens' Advisory Committee on Environmental Quality.

[FR Doc.74-22368 Filed 9-24-74;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 27026; Order No. 74-9-48]

**DONALDSON LINE (AIR SERVICES) LTD.
D/B/A DONALDSON INTERNATIONAL
AIRWAYS****Statement of Tentative Findings and
Conclusions and Order To Show Cause****Correction**

In FR Doc. 74-21773 appearing at page 33727 in the issue of Thursday, September 19, 1974, the bracket should read as set forth above.

[Docket Nos. 26987, 26992, 27025; Order
74-9-43]**PAN AMERICAN WORLD AIRWAYS, INC.
Pago Pago, American Samoa-United States
Fare Increases****Correction**

In FR Doc. 74-21774 appearing at page 33728 in the issue of Thursday, September 19, 1974, in paragraph 2, on page 33729, the seventh and eighth lines should be transposed.

**CONSUMER PRODUCT SAFETY
COMMISSION****BOOKMATCHES****Notice of Meeting**

The Consumer Product Safety Commission gives notice that a meeting on bookmatches will be held Monday, September 30, 1974, at 1 p.m. in room 842, Westwood Towers Building, 5401 Westward Avenue, Bethesda, Maryland. The purpose of this meeting is to allow Mr. Sidney Daross, an interested individual, to demonstrate to the Commission's operations staff an invention which he believes will reduce the unreasonable risk of injury related to bookmatches.

By previous notice in the FEDERAL REGISTER (39 FR 32050), the Commission announced a proceeding for development of a proposed consumer product safety standard for bookmatches, to reduce or eliminate what the Commission has preliminarily determined to be unreasonable risks of death or injury from bookmatches. In that notice, interested persons were invited to submit an existing safety standard, or offer to develop a proposed mandatory standard, pursuant to regulations under section 7 of the Consumer Product Safety Act (15 U.S.C. 2051).

The meeting will be attended by members of the Commission staff from the Office of Standards Coordination, and the Bureau of Engineering Sciences.

Any other parties who wish to attend this meeting should notify Harvey Tzaker, Office of Standards Coordination and Appraisal, telephone (301) 496-7197.

Dated: September 19, 1974.

SADYE E. DUNN,
Secretary, Consumer Product
Safety Commission.

[FR Doc. 74-22203 Filed 9-24-74; 8:45 am]

PRODUCT SAFETY ADVISORY COUNCIL**Notice of Meeting**

Notice is given that a meeting of the Product Safety Advisory Council will be held on Tuesday, October 15, 1974 (8 a.m. to 4:30 p.m.) and Wednesday, October 16, 1974 (9 a.m. to 4 p.m.) in the 6th floor conference room, Consumer Product Safety Commission, 1750 K Street NW., Washington, D.C.

The Advisory Council has been established pursuant to section 28 of the Consumer Product Safety Act (Pub. L. 92-573, 86 Stat. 1230; (15 U.S.C. 2077)). The Act provides that the Commission may consult the Council before prescribing a consumer product safety rule or taking other action under the Act.

The Advisory Council will meet in task groups in the morning of October 15, beginning at 8 a.m., through 1 p.m. The task groups of the Advisory Council were established at a prior meeting to consider matters in the following areas: bans and recalls, standards, education/public information, enforcement and surveillance, and state relations. A portion of the afternoon session on October 15 will be devoted to a briefing to the full Council by the task groups of their discussions.

Additional agenda topics scheduled for discussion on Tuesday afternoon, October 15, and Wednesday, October 16, include the following: need for revision of the CPSC policy on meetings; need for a revised or new flammability standard governing general wearing apparel; and the Commission's proposed recordkeeping requirements relating to consumer product safety complaints received by manufacturers, importers, private labelers and distributors (published in the FEDERAL REGISTER of September 3, 1974, 39 FR 31916). Additional items may be included as the agenda is finalized.

The meeting is open to the public, however space is limited. Further information concerning this meeting may be obtained from the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207, phone (202) 634-7700.

Dated: September 20, 1974.

SADYE E. DUNN,
Secretary, Consumer Product
Safety Commission.

[FR Doc. 74-22257 Filed 9-24-74; 8:45 am]

**DELAWARE RIVER BASIN
COMMISSION**

[D-74-95]

MOBIL OIL CORP.**Notice of Intent To Expand Refinery**

The Commission has prepared an environmental assessment of the expansion program proposed by the Mobil Oil Corporation for its Paulsboro Refinery located in Paulsboro, New Jersey. The assessment reviewed, in detail, the potential impact of the expansion upon the environment. The assessment has

shown that, in general, the expansion and modernization of the existing refinery is expected to result in a significant beneficial improvement to the existing environment. The modernization program will result in a substantial reduction of effluents and emissions from those now generated by the refinery, concurrent with a significant expansion of refinery capacity (from 100,000 barrels per day to 250,000 barrels). Based upon the assessment, the Executive Director has determined that the proposed expansion of the refinery will not cause a significant adverse impact upon the quality of the human environment and that the preparation of an environmental impact statement is, therefore, not required.

Notice is hereby given of the Executive Director's intent to issue a Negative Declaration in accordance with the Commission's rules of practice and procedure, Article 4, § 2-4.5. The negative declaration will take effect on October 8, 1974 unless prior to that date interested parties submit written evidence sufficient to demonstrate why an environmental impact statement should be prepared for this proposed project.

Copies of the environmental assessment are available upon request.

W. BRINTON WHITALL,
Secretary.

SEPTEMBER 23, 1974.

[FR Doc. 74-22268 Filed 9-24-74; 8:45 am]

**ENVIRONMENTAL PROTECTION
AGENCY**

[FRL 267-7; OPP-32000/115]

**RECEIPT OF APPLICATIONS FOR PESTI-
CIDE REGISTRATION DATA TO BE
CONSIDERED IN SUPPORT OF APPLI-
CATIONS**

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street SW., Washington, D.C. 20460.

On or before November 25, 1974, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator

determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the Federal Register of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after November 25, 1974.

APPLICATIONS RECEIVED

- EPA File Symbol 8590-ULG. Agway, Inc., Fertilizer-Chemical Div., PO Box 1333, Syracuse NY 13201. AGWAY HOUSEHOLD & ORNAMENTAL PEST CONTROL SPRAY. Active Ingredients: (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl)cyclopropanecarboxylate 0.250%; Related compounds 0.034%; Aromatic petroleum hydrocarbons 0.332%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 3350-RI. Arkansas Co., Inc., PO Box 210, Newark NJ 07101. MOTH SNUB LT CONC. Active Ingredients: Didecyl Dimethyl Ammonium Chloride (Bardac 22) 33%; Isopropanol 13%; Tergitol 15-S12 (nonionic surfactant derived by ethoxylation of linear alcohols) 33%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 960-ROA. Balcom Chemicals, Inc., PO Box 687, Greeley CO 80631. CLEAN CROP IBP-2A GRAIN PRESERVATIVE. Active Ingredients: Isobutyric Acid 28.2%; Propionic Acid 18.8%. Method of Support: Application proceeds under 2(b) of interim policy.
- EPA File Symbol 537-RO. Blocerta Corp., 303 5th Ave., New York NY 10016. CHLORPAX EMULSION CONCENTRATE FOR THE CONTROL OF TERMITES LAWN AND TURF INSECTS. Active Ingredients: Technical Chlordane 45.3%; Petroleum Distillate 49.7%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 4-EGA. Bonide Chemical Co., Inc., 2 Wurz Ave., Yorkville NY 13495. BONIDE CROTOX POWDER SEED PROTECTANT. Active Ingredients: Technical Chlordane 25.0%; Captan 12.5%; Hardwood Distillate Oils 10.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 475-RII. Boyle-Midway Inc., South Ave. & Hale St., Cranford NJ 07016. WASH-N GUARD LIQUID COLD WATER WASH ODOR GUARDS CLOTHES. Active Ingredients: 5-chloro-2-(2,4-dichlorophenoxy)phenol 0.68%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 706-IN. Claire Manufacturing Co., 500 Vista St., Addison IL 60101. CLAIRE FAST KILL RESIDUAL ROACH & ANT KILLER. Active Ingredients: Pyrethrins 0.050%; Technical Piperonyl Butoxide 0.100%; N-Octyl Bicycloheptene Dicarboximide 0.166%; 0,0-Diethyl 0-(2-Isopropyl-6-Methyl-4-Pyrimidinyl) Phosphorothioate 0.500%. (Petroleum Distillate 84.009%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 8867-GL. Cleveland Chemical Co., PO Box 520, Cleveland MS 38732. SUPER GE. Active Ingredients: Endrin (Hexachlorospoxyoctahydro-endo, endo-dimethanonaphthalene) 17.95%; O,O-Dimethyl S(4-oxo-1,2,3-benzotriazin 3(4H)-ylmethyl) 11.22%; Aromatic Petroleum Solvent 67.08%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 33914-E. Dixie Agricultural Chemical Co., PO Box 1227, Eustis FL 32726. DIXIE 435 SOLUBLE OIL. Active Ingredients: Paraffinic Oil 97.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 464-343. The Dow Chemical Co. and Subsidiaries, PO Box 1706, Midland MI 48640. DOW DURSBAN 2E INSECTICIDE. Active Ingredients: Chlorpyrifos [O,O-diethyl O-(3,5,6-trichloro-2-pyridyl)phosphorothioate] 22.4%; Aromatic petroleum derivative solvent 42.1%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 18962-L. FHW Toxicology & Biology Labs, 160 Concord Drive, Casselberry FL 32707. SUNTAN LOTION WITH INSECT REPELLENT. Active Ingredients: Isobutyl PABA (sunscreens) 2.5%; Benzocaine 0.5%; Vitamin E Synthetic 0.5%; Allantoin 0.5%; Methylparaben 0.5%; N,N-Diethyl-m-Toluamide 0.25%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 8764-GO. FMC Citrus Machinery Div., 3075 Fourteenth St., Riverside CA 92502. STA-FRESH 552 HIGH GLOSS FUNGICIDAL COATING FOR CITRUS FRUITS. Active Ingredients: 2-(4-thiazolyl) benzimidazole (Thiabendazole) 0.1%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 8764-GI. FMC Citrus Machinery Div. STA-FRESH 452 HIGH GLOSS FUNGICIDAL COATING FOR CITRUS FRUITS. Active Ingredients: 2-(4-thiazolyl) benzimidazole (Thiabendazole) 0.1%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 8764-GT. FMC Citrus Machinery Div. STA-FRESH 551 HIGH GLOSS FUNGICIDAL COATING FOR CITRUS FRUITS. Active Ingredients: 2-(4-thiazolyl) benzimidazole (Thiabendazole) 0.1%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 8764-UR. FMC Citrus Machinery Div., PO Box 552, Riverside CA 92502. STA-FRESH 351 HIGH GLOSS FUNGICIDAL COATING FOR CITRUS FRUITS. Active Ingredients: 2-(4-thiazolyl) benzimidazole (Thiabendazole) 0.1%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 8764-UN. FMC Citrus Machinery Div., PO Box 552, Riverside, CA 92502. STA-FRESH 451 HIGH GLOSS FUNGICIDAL COATING FOR CITRUS FRUITS. Active Ingredients: 2-(4-thiazolyl) benzimidazole (Thiabendazole) 0.1%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 279-EOI. FMC Corp., 100 Niagara St., Middleport NY 14106. PYRE-
- NONE 4.5-9-15 S.A.C. INSECTICIDE CONCENTRATE. Active Ingredients: Pyrethrins 4.5%; Piperonyl Butoxide, Technical 9.0%; N-octyl bicycloheptene dicarboximide 15.0%; Petroleum Distillate 71.5%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 279-EOH. FMC Corp., 100 Niagara St., Middleport NY 141-6. PYRENONE STABLENE HORSE INSECTICIDE CONCENTRATE. Active Ingredients: Pyrethrins 0.5%; Piperonyl Butoxide, Technical 5.0%; Butoxypropylene Glycol 25.0%; Petroleum Distillate 60.5%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 33354-I. Fresh Mark Chemical Corp., 663 Jackson Ave., Winter Park FL 32789. FRESH WAX 35 CF-I CITRUS WAX. Active Ingredients: Sodium o-Phenylphente 0.84%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 10107-RR. Harris Serum & Supply Co., Inc., PO Box 410, McCook NE 68001. TOXAPHENE E-6. Active Ingredients: Toxaphene 57.0%; Xylene 39.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 1169-LG. Hollingshead Chemical, Inc., 16th & Mickle Sts., Camden NJ 08105. HOLLINGSHEAD SPRAY INSECTICIDE. Active Ingredients: Petroleum Distillates 58.266%; N-Octyl Bicycloheptene Dicarboximide 0.834%; Piperonyl Butoxide, Technical 0.500%; Pyrethrins 0.250%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 5602-RUE. Hub States Corp., 2000 N. Illinois St., Indianapolis IN 46202. BLUE RIBBON DIAZINON 12 1/2% EMULSIFIABLE CONCENTRATE FOR LAWN AND GARDEN: 0,0-diethyl 0-(2-isopropyl-6-methyl-4-pyrimidinyl)phosphorothioate 12.5%; aromatic petroleum derivative solvent 73.00%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 4822-RGG. S. C. Johnson & Son, Inc., 1525 Howe St., Racine WI 53403. IMPROVED FORMULA RAID HOUSE & GARDEN BUG KILLER. Active Ingredients: Pyrethrins 0.25%; technical piperonyl butoxide (equivalent to 1.0% of [butylcarbityl] [6-propylpiperonyl] ether and 0.25% related compounds) 1.25%; petroleum distillate 1.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 4822-RGO. S. C. Johnson & Son, Inc. JOHNSON WAX RAID PROFESSIONAL STRENGTH HOUSEHOLD FLYING INSECT KILLER. Active Ingredients: d-trans allethrin [allyl homolog of Cinerin I] 0.500%; [5-Benzyl-3-furyl]methyl-2,2-dimethyl-3-[2-methylpropenyl] cyclopropanecarboxylate 0.075%; related compounds 0.010%; aliphatic petroleum distillate 10.10%; aromatic petroleum distillate 0.10%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 4822-RGI. S. C. Johnson & Son, Inc. OFF! SPRAY INSECT REPELLENT. Active Ingredients: N,N-diethylmeta-toluamide 9.5%; Other isomers 0.5%; 2-ethyl-1,3-hexanediol 10.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 4822-RGT. S. C. Johnson & Son, Inc. OFF! FORMULA II INSECT REPELLENT. Active Ingredients: N,N-diethylmeta-toluamide 9.50%; other isomers 0.50%; N-octyl bicycloheptene dicarboximide 3.0%; di-n-propyl isocinchononate 0.5%; 2,3:4,5-Bix [2-butylene] tetrahydro-2-duraldehyde 0.5%. Method of Support: Application proceeds under 2(c) of interim policy.

- EPA File Symbol 4822-RGA. S. C. Johnson & Son, Inc. RAID FORMULA II FLYING INSECT KILLER. Active Ingredients: [5-Benzyl-3-furyl]methyl 2,2-dimethyl-3-[2-methylpropenyl] cyclopropanecarboxylate 0.200%; related compounds 0.027%; d-trans allethrin [allyl homolog of Cinerin I] 0.125%; related compounds 0.009%; aromatic petroleum hydrocarbons 0.265%; aliphatic petroleum distillate 2.00%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 5130-RE. Johnson Chemical Co., Inc., 225-233 Johnson Ave., Brooklyn NY 11206. KING SPRAY FLY AND MOSQUITO KILLER II. Active Ingredients: d-trans Allethrin (allyl homolog of Cinerin I) 0.20%; Piperonyl butoxide technical 0.90%; N-octyl bicycloheptene dicarboximide 0.50%; Petroleum distillate 6.15%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 5130-RG. Johnson Chemical Co., Inc., 225-233 Johnson Ave., Brooklyn NY 11206. KING SPRAY ANT AND ROACH KILLER II. Active Ingredients: Pyrethrins 0.050%; Piperonyl Butoxide, Technical 0.100%; N-octyl bicycloheptene dicarboximide 0.187%; 2-(1-methylthoxy) phenol methylcarbamate 0.500%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 635-241. E-Z-Flo Chemical Co., Div. of Kirsto Co., PO Box 808, Lansing MI 48903. E-Z-FLO E-Z-FLO ZINEB. 75W. Active Ingredients: Zineb (zinc ethylene bis-dithiocarbamate) 75.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 961-261. Lebanon Chemical Corp., PO Box 180, Lebanon PA 17042. GREENS KEEPER CHINCH BUG CONTROL. Active Ingredients: Chlorpyrifos [O,O-diethyl O-(3,5,6-trichloro-2-pyridyl) phosphorothioate] 2.32%; Aromatic petroleum derivative solvent 1.26%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 1553-28. Momar Inc., 1830 Ellsworth Industrial Dr., NW, Atlanta GA 30318. MOMAR BUTOXIDE A PYRENONE PRODUCT NEW ODOR CONTROLLED. Active Ingredients: Pyrethrins 0.056%; Technical Piperonyl Butoxide 0.560%; Petroleum Distillate 99.174%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 3696-TO. Texize Chemicals Co., Div. of Morton-Norwich Products, Inc., PO Box 368, Greenville SC 29602. TEXIZE NEW 5822 DISINFECTANT CLEANER. Active Ingredients: Sodium xylene sulfonate 10.8%; o-Benzyl-p-chloroprenol 4.5%; Isopropyl alcohol 3.5%; Tetrasodium ethylenediamine tetraacetate 3.0%; p-tert-Amylphenol 2.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 3696-TI. Texize Chemicals Co., Div. of Morton-Norwich Products, Inc. TEXIZE 8255 B BATHROOM CLEANER. Active Ingredients: Isopropyl alcohol 7.0%; Tetrasodium ethylenediamine tetraacetate 0.9%; Sodium o-benzyl-p-chlorophenolate 0.3%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 3696-TT. Texize Chemicals Co., Div. of Morton-Norwich Products, Inc. TEXIZE 8255 A BATHROOM CLEANER. Active Ingredients: Isopropyl alcohol 7.0%; Tetrasodium ethylenediamine tetraacetate 0.9%; Sodium 2-chloro-4-phenylphenolate 0.3%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 3696-TA. Texize Chemicals Co., Div. of Morton-Norwich Products, Inc. TEXIZE NEW 5825 PINE DISINFECTANT CLEANER. Active Ingredients: Sodium xylene sulfonate 10.8%; o-Benzyl-p-chloroprenol 4.5%; Isopropyl alcohol 3.5%; Tetrasodium ethylenediamine tetraacetate 3.0%; p-tert-Amylphenol 2.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 3696-TL. Texize Chemicals Co., Div. of Morton-Norwich Products, Inc. TEXIZE NEW 6194 DISINFECTANT CLEANER. Active Ingredients: Sodium xylene sulfonate 10.8%; O-Phenylphenol 4.0%; Tetrasodium ethylenediamine tetraacetate 3.0%; p-tert-Amylphenol 2.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 2831-GL. Napasco International, Inc., PO Drawer 1219, Thibodaux LA 70301. PINOX 13. Active Ingredients: Isopropanol 9.50%; Pine oil 7.90%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 3.95%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 2831-GA. Napasco International, Inc. PINOX 39. Active Ingredients: Isopropanol 28.57%; Pine Oil 23.81%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 11.90%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 2831-GT. Napasco International, Inc. PINOX 6. Active Ingredients: Isopropanol 4.75%; Pine oil 3.95%; Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 1.97%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA Reg. No. 3624-59. Nova Products, Inc., PO Box 5088, Kansas City KS 66119. NOVA METHOXYCHLORO 25-WE. Active Ingredients: Methoxychlor, Technical 25%; Heavy Aromatic Naphtha 61%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 1969-RRG. Parsons Chemical Works, Inc., PO Box 146, Grand Ledge MI 48837. PARSONS RAT KILLER READY TO USE. Active Ingredients: Warfarin (3-(a-acetylbenzyl)-4-Hydroxycoumarin) 0.025%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 602-EUA. Ralston Purina Co., 835 S. Eight St., St. Louis MO 63188. PURINA FOOD INDUSTRY INSECTICIDE CONCENTRATE. Active Ingredients: Pyrethrins 1.00%; Piperonyl butoxide, technical 10.00%; Polyoxyethylene sorbitol mixed ether ester 12.50%; Petroleum distillate 76.50%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 9852-GI. Rite-Off Corp., 163 Dupont St., Plainview NY 11803. RITE-OFF PROFESSIONAL GROWERS WHITE FLY SPRAY. Active Ingredients: Tetramethrin 2.50%; Related compounds 0.34%; (5-Benzyl-3-furyl)methyl 2,2-dimethyl-3-(2-methylpropenyl)cyclopropanecarboxylate 2.50%; Related compounds 0.46%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 1989-I. Sanco Products Co., Div. of Sanitary Supply and Chemical Co., Inc., 1810 Seventh St., Macon GA 31206. SANCO ORGANIC STABILIZER. Active Ingredients: Cyanuric Acid 100%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 1989-O. Sanco Products Co., Div. of Sanitary Supply and Chemical Co., Inc., 1810 Seventh St., Macon GA 31206. SANCO SUPER SOLUBLE ORGANIC CHLORINE CONCENTRATE. Active Ingredients: Sodium dichloro-s-triazinetrione 99.00%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 6720-EGR. Southern Mill Creek Products Co., Inc., PO Box 1096, Tampa FL 33601. DIAZINON INSECTICIDE DUST. Active Ingredients: O,O-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 5%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 1685-IN. The State Chemical Manufacturing Co., 3100 Hamilton Ave., Cleveland OH 44114. STATE RMK-308 RODENTICIDE. Active Ingredients: Diphacinone (2-Diphenylacetyl-1,3-Indandione) 0.005%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 476-ERAR. Stauffer Chemical Co., 1200 S. 47th St., Richmond CA 94804. IMIDAN 12.5-WP GARDEN & HOME INSECTICIDE. Active Ingredients: N-(mercaptomethyl) phthalimide S-(0,0-Dimethyl Phosphorodithioate) 12.5%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 148-RROR. Thompson-Hayward Chemical Co., 5200 Speaker Rd., Kansas City KS 66106. DIAZINON W-40. Active Ingredients: 0,0-diethyl O-(2-isopropyl-6-methyl-4-pyrimidinyl) phosphorothioate 40%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 11687-TN. Transvaal, Inc., PO Box 69, Jacksonville AR 72076. TRANSVAAL FUNGI-RHAP CU-4 LIQUID COPPER FUNGICIDE. Active Ingredients: Copper (Salts of Rosin and Fatty Acids) expressed as metallic 4.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 400-BRT. Uniroyal Chemical, Div. of Uniroyal, Inc., Naugatuck CT 06770. ALAR TECHNICAL AND AGRICULTURAL PLANT GROWTH REGULANT FOR FORMULATING USE. Active Ingredients: Succinic acid 2,2-dimethylhydrazide 99.0%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 507-RO. Unit Chemical Corp., 4161 Redwood Ave., Los Angeles CA 90066. TIMSEN BLUE DISINFECTANT. Active Ingredients: N-Alkyl (C14 60%, C16 30%, C12 5%, C18 5%) dimethyl benzyl ammonium chlorides 10%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 507-EN. Unit Chemical Corp., 4161 Redwood Ave., Los Angeles CA 90066. LIQUID IMPROVED TIMSEN THE ODORLESS SANITIZING SOLUTION. Active Ingredients: N-Alkyl (C14 60%, C16 30%, C12 5%, C18 5%) dimethyl benzyl ammonium chlorides 10%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 6837-UL. Wilmar, Inc., PO Box 3111, Charlotte NC 28203. KLEER POOL SWIMMING POOL ALGICIDE. Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 10%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 6837-UU. Wilmar, Inc., PO Box 3111, Charlotte NC 28203. KLEER POOL 20 CONCENTRATED SWIMMING POOL ALGICIDE. Active Ingredients: Alkyl (C14 58%, C16 28%, C12 14%) dimethyl benzyl ammonium chloride 20%. Method of Support: Application proceeds under 2(c) of interim policy.
- EPA File Symbol 9782-UI. Woodbury Chemical Co. of Homestead, PO Box 4319, Princeton FL 33030. PROMETONE 2-E NON SELECTIVE HERBICIDE. Active Ingredients: 2,4-bis (isopropylamino)-6-methoxy-s-triazine 25.0%. Method of Support: Ap-

plication proceeds under 2(c) of interim policy.

EPA File Symbol 9792-UO. Woodbury Chemical Co. of Homestead, PO Box 4319, Princeton FL 33030. BROFENE 4-E EMULSIFIABLE CONCENTRATE. Active Ingredients: 0-(4-bromo-2, 5-Dichlorophenyl) 0,0-dimethyl phosphorothioate 41.90%; Xylene Range-Aromatic Petroleum Hydrocarbon Solvent 50.98%. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1270-RIL. Zep Manufacturing Co., 1310 Seaboard Industrial Blvd. NW, Atlanta GA 30301. ZEP SUPER-2. Active Ingredients: Pyrethrins 2.0%; Piperonyl Butoxide 2.5%; N-octyl bicycloheptene dicarboximide 2.5%; Petroleum Distillate 8.0%; Mineral Oil 86.0%. Method of Support: Application proceeds under 2(c) of interim policy.

REPUBLISHED ITEMS

The following items represent corrections and/or changes in the list of Applications Received published in the FEDERAL REGISTER of September 9, 1974 (39 FR 32576).

EPA File Symbol 5743-G. Michigan Co., Inc., 400 E. Michigan Ave. Lansing MI 48933. MICHGO INSTANT BOWL CLEANSE. Active Ingredients: Hydrogen Chloride 21.8%; Oxalic Acid 1.2%; * * * Published as Oxalic Acid 12%.

EPA File Symbol 16928-E. Norman Manufacturing Co., SWIM KING ALGAECIDE CONCENTRATE. Active Ingredients: Poly[oxyethylene (dimethyliminio) ethylene (dimethyliminio) ethylene dichloride] 60%. Published as Poly[oxyethylene(dimethyliminio)ethylene dichloride] 60%.

Dated: September 17, 1974.

JOHN B. RITCH, JR.,
Director, Registration Division.

[FR Doc.74-22188 Filed 9-24-74;8:45 am]

[FRL 267-6; OPP-180024]

MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE

Issuance of Quarantine and Public Health Exemption To Control White Fringed Beetle Larvae

Pursuant to the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973), notice is hereby given that the Environmental Protection Agency (EPA) has granted a quarantine and public health exemption to the Mississippi Department of Agriculture and Commerce (hereafter referred to as the "Applicant"). This exemption will allow the use of Abate as a dip treatment in a program to prohibit the interstate dispersal of both chlorinated hydrocarbon-resistant and nonresistant larvae of the white fringed beetle infesting container or balled and burlapped nursery stock which has not been grown in soil treated in accordance with certification and regulatory requirements. This exemption was granted in accordance with, and is subject to, the provisions of 40 CFR Part 166, issued December 3, 1973 (38 FR 33303), which prescribes requirements for exemption of Federal and State

agencies for the use of pesticides under emergency conditions.

All interested parties are referred to the application on file in the Office of the Director, Registration Division (WH-567), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street SW., Room 347, East Tower, Washington, D.C. 20460. The statements contained in the application are summarized below.

Background. According to the Applicant, the white fringed beetle, *Graphognathus* species, is a serious and destructive pest of many plants and is established in the State of Mississippi. The Mississippi Department of Agriculture and Commerce has established a quarantine to prevent the spread of this insect, which is known to occur in 77 of the 82 counties in Mississippi. Under this State and Federal quarantine, nursery stock is a regulated item. Nursery stock which has not been grown in soil treated in accordance with certification and regulatory requirements must be treated before it can be moved interstate in order to avoid further infestation. There is no Federally-registered pesticide available which is effective on both chlorinated hydrocarbon resistant and nonresistant white fringed beetle larvae. However, the Agricultural Research Service of the United States Department of Agriculture (USDA) has developed a dip or soaking treatment for container or balled and burlapped nursery stock which will kill the aforementioned larvae. This treatment was approved by USDA as a means of certification and involves the use of Abate, a phosphate insecticide (0,0,0, 0'-Tetramethyl 0,0'-thiodi-p-phenylene phosphorothioate). Abate is currently registered for use as a foliage application to oranges and tangerines and as a larvicide for control of mosquitoes and midges.

Conclusion. In light of the above, the Applicant has been granted a quarantine and public health exemption to use Abate in the State of Mississippi during calendar year 1974 in a program to prohibit the interstate dispersal of both chlorinated hydrocarbon-resistant and nonresistant larvae of the white fringed beetle. Treatment of approximately 500 plants with an Abate dip at a concentration of 4,000 ppm by personnel trained and experienced in the handling and application of pesticides will present a minimal risk of adverse effects on man and the environment. The program will be subject to the conditions stated in the application for this exemption. In addition, efficacy data on the use of Abate for control of white fringed beetle larvae is to be obtained and forwarded to the Special Registration Section, Registration Division, Office of Pesticide Programs, Environmental Protection Agency, Washington, D.C. 20460.

It should be noted that if the Administrator, EPA, determines that the Applicant is not complying with the requirements set forth or if such action is necessary to protect man or the environ-

ment, the exemption shall be immediately withdrawn.

Dated: September 17, 1974.

JAMES L. AGEE,
Assistant Administrator for
Water and Hazardous Materials.

[FR Doc.74-22191 Filed 9-24-74;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

STANDARD BROADCAST APPLICATIONS

Availability for Processing

Notice is hereby given, pursuant to § 1.571(c) of the Commission's rules, that on October 30, 1974, the standard broadcast applications listed in the attached Appendix below will be considered as ready and available for processing. Pursuant to §§ 1.227(b)(1) and 1.591(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on October 29, 1974, which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by the close of business on October 29, 1974. The attention of prospective applicants is directed to the fact that some contemplated proposals may not be eligible for consideration with an application appearing in the attached Appendix below by reason of conflicts between the listed applications and applications appearing in previous notices published pursuant to § 1.571(c) of the Commission's rules.

The attention of any party in interest desiring to file pleadings concerning any pending standard broadcast applications, pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

Adopted: September 17, 1974.

Released: September 18, 1974.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] VINCENT J. MULLINS,
Secretary.

APPENDIX

- BML-2517 WMHL, Frederick, Maryland Musical Heights, Inc.
Has: 1370 kHz, 500 W, DA-Day (Braddock Heights, Maryland)
Req: 1370 kHz, 500 W, DA-Day (Frederick, Maryland)
- BP-19544 NEW, Martinsburg, West Virginia Shenandoah Communications, Inc.
Req: 740 kHz, 250 W, DA-Day
- BP-19614 NEW, Brush, Colorado
Claud M. Pettit and Margaret E. Pettit, d/b as Pettit Broadcasting Co.
Req: 1010 kHz, 5 kW (1 kW, C.H.), Day

- BP-19645 NEW, Polson, Montana
KBMR Radio, Inc.
Req: 1070 kHz, 1 kW, 25 kW-LS,
DA-N, U
- BP-19653 NEW, Friona, Texas
Beacon Broadcasting Corporation
Req: 1070 kHz, 250 W, Daytime
- BP-19670 NEW, Bozeman, Montana
Northern Sun Corporation
Req: 1090 kHz, 5 kW, DA-N, U
- BP-19671 WCIS, Moss Point, Mississippi
Standard Broadcasting, Inc.
Has: 1460 kHz, 1 kW, DA-Day
Req: 1460 kHz, 500 W, Day
- BP-19672 NEW, Huron, South Dakota
Dakota Communications, Ltd.
Req: 1190 kHz, 500 W, Day
- BP-19673 WVCG, Coral Gables, Florida
Independent Music Broadcasters,
Incorporated
Has: 1080 kHz, 500 W, 10 kW-LS,
DA-2, U
Req: 1080 kHz, 10 kW, DA-2, U
- BP-19690 WVCF, Ocoee, Florida
Has: 1480 kHz, 1kW, Day (Win-
dermere, Florida)
Req: 1480 kHz, 1 kW, Day
(Ocoee, Florida)
- BP-19691 NEW, Agana, Guam
Far East Broadcasting Company,
Inc.
Req: 940 kHz, 10 kW, U
- BP-19694 KGFY, Pierre, South Dakota
James River Broadcasting Com-
pany
Has: 1060 kHz, 10 kW, DA-Day
Req: 1060 kHz, 1 kW, 10 kW-LS,
DA-2, U
- BP-19698 NEW, Ellijay, Georgia
Robert P. Schwab, d/b as
Gilmer County Broadcasting Co.
Req: 1560 kHz, 250 W, Day
- BP-19699 NEW, Alexander City, Alabama
Alexander City Broadcasting, Inc.
Req: 1590 kHz, 1 kW, Day
- BP-19722 WCSV, Crossville, Tennessee
WCVS, Inc.
Has: 1520 kHz, 250 W, Day
Req: 1490 kHz, 250 W, 1 kW-
LS, U

[FR Doc.74-22252 Filed 9-24-74;8:45 am]

FEDERAL MARITIME COMMISSION

SKYLINE SHIPPING CORP. AND
S.S.C. FORWARDING, INC.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763; (46 U.S.C. 814)).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, by October 15, 1974. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a

statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed for approval by:

Edward Schmeltzer, Esq.,
Morgan, Lewis & Bockius,
1140 Connecticut Avenue, N.W.,
Washington, D.C. 20036

Agreement No. FF 74-7 between Skyline Shipping Corp. (Skyline) (FMC No. 295) and S.S.C. Forwarding, Inc., a wholly-owned subsidiary of Francesco Parisi, Inc. (FMC-No. 770) provides that among other things, S.S.C. Forwarding, Inc. would acquire Skyline and would continue to operate Skyline under the Skyline name and number. Personnel of Skyline would be retained.

A non-compete clause provides that for a period of four (4) years after the closing, Mr. Sigmund A. Rolat, sole stockholder and seller of Skyline, will not in any manner, directly or indirectly, engage in any phase of the freight forwarding business in the United States.

Dated: September 20, 1964.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.74-22279 Filed 9-24-74;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RP71-119, RP74-31-22]

PANHANDLE EASTERN PIPE LINE CO.

Petition for Extraordinary Relief

SEPTEMBER 23, 1974.

By order issued November 6, 1973, in Docket No. RP71-119, we accepted and made effective as of November 1, 1973, certain revised tariff sheets tendered by Panhandle Eastern-Pipe Line Company (Panhandle). Those revised tariff sheets contain a curtailment plan filed by Panhandle which conformed to the curtailment procedures contained in the Commission's statement of policy, issued in Docket No. R-469, Order No. 467-B.

Numerous petitions for extraordinary relief from this curtailment plan have been filed by Panhandle's customers. The Commission by order issued on December 13, 1973, in Docket Nos. RP74-31-1, et al. set numerous such petitions for formal hearing and assigned the various petitions for extraordinary relief filed thereafter by customers of Panhandle an appropriate docket number in this series.

Take notice that on September 4, 1974, Hercules Incorporated (Hercules) filed a petition for temporary and permanent extraordinary relief from the natural gas curtailments imposed under the pres-

ently effective 467-B interim plan which was filed by Panhandle on November 6, 1973. Hercules requests that it be provided by Panhandle with an allocation of 7,530 Mcf per day for feedstock and process use in order to operate the ammonia plant of its Missouri Chemical Works at Louisiana, Missouri. The ammonia produced at the plant is principally used in the production of fertilizer and as an essential component of explosives that are utilized in the mining of coal.

Until November 1973, the aforementioned plant was served directly by Panhandle under a contract providing for delivery of up to 15,000 Mcf per day of which 500 Mcf per day was firm and the balance interruptible. Since the latter date Missouri Edison Company, the local distributor serving Louisiana, Missouri, has been provided with a gas supply by Panhandle to enable it to serve Hercules.¹ Hercules asserts that in the event that Missouri Edison Company is deemed to be an essential party to its petition for extraordinary relief on jurisdictional grounds that the latter company will file a joinder in its petition.

Hercules asserts that its plant at Louisiana, Missouri, has a proven production capacity of 70,000 tons of ammonia per year and that in order to achieve this annual capacity the plant must produce at the daily maximum of 213 tons. The natural gas required for the feedstock and process needs to maintain this production level is the 7,530 Mcf per day requested by Hercules. It contends that there are no alternate fuels available for these purposes. Hercules further indicates that under Panhandle's projected curtailments levels under its presently effective interim plan for the months of November 1974 through April 1975 that it will curtail significantly below the minimum limit of natural gas that it must have to maintain the operation of its plant at its proven production capacity. It therefore requests that Panhandle deliver up to 7,530 Mcf per day and 218,865 Mcf per month to Missouri Edison Company for redelivery to it.

It appears reasonable and consistent with the public interest in this proceeding to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to protest said petition should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10) on or before October 1, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene in accordance with the Commission's rules. This filing which was made with

¹ The basis of the change in Hercules' direct supplier is allegedly founded in the Court of Appeals' decision in Missouri Edison Company v. FPC, 479 F. 2d 1185 (D.C. Cir. 1973).

the Commission is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74-22328 Filed 9-24-74;8:45 am]

FEDERAL RESERVE SYSTEM
FEDERAL OPEN MARKET COMMITTEE
Issuance of Domestic Policy Directive

In accordance with § 271.5 of its rules regarding availability of information, there is set forth below the Committee's Domestic Policy Directive issued at its meeting held on June 18, 1974.¹

The information reviewed at this meeting suggests that real output of goods and services will be about the same in the current quarter as a whole as in the first quarter, but that there has been some improvement as the spring has progressed. The over-all rate of price rise, while very large is not quite so rapid as in the first quarter. In May industrial production increased somewhat for the second consecutive month, and nonfarm employment expanded substantially further. The unemployment rate moved above 5 percent, however, as the civilian labor force rose sharply. Wholesale prices of farm and food products declined substantially further, but increases among industrial commodities again were widespread and extraordinarily large. The advance in wage rates accelerated somewhat further.

In May the depreciation of the dollar against leading foreign currencies was arrested. U.S. international transactions were in approximate balance on the official settlements basis, as bank-reported net outflows of capital apparently abated. The foreign trade deficit narrowed in April, despite a further large rise in the cost of petroleum imports.

Growth in the narrowly defined money stock moderated in May, but apparently it accelerated in early June. Net inflows of consumer-type time deposits at banks slowed in May, and deposit experience at nonbank thrift institutions continued poor. Business credit demands remained large, although the expansion in short-term credit was below the extraordinary pace of April and was less concentrated at banks. In May banks increased their outstanding large-denomination CD's substantially further and continued to borrow in the Euro-dollar market; most recently, however, they have reduced their reliance on these sources of funds. Market interest rates have fluctuated in a narrow range in recent weeks.

In light of the foregoing developments, it is the policy of the Federal Open Market Committee to foster financial conditions conducive to resisting inflationary pressures, supporting a resumption of real economic growth, and achieving equilibrium in the country's balance of payments.

To implement this policy, while taking account of developments in domestic and international financial markets, the Committee seeks to maintain about the prevailing restrictive money market conditions, provided that the monetary aggregates appear to be growing at rates within the specified ranges of tolerance.

¹ The Record of Policy Actions of the Committee for the meeting of June 18, 1974, is filed as part of the original document. Copies are available on request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20561.

By order of the Federal Open Market Committee, September 16, 1974.

ARTHUR L. BROIDA,
Secretary.

[FR Doc.74-22261 Filed 9-24-74;8:45 am]

LOCUST GROVE BANSHARES, INC
Order Approving Formation of Bank Holding Company

Locust Grove Banshares, Incorporated, Locust Grove, Oklahoma, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) of formation of a bank holding company through acquisition of 80 percent of the voting shares of Bank of Locust Grove, Locust Grove, Oklahoma ("Bank").

Notice of the application, affording 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, a non-operating company with no subsidiaries, was organized for the purpose of becoming a bank holding company through the acquisition of Bank (\$3.1 million in deposits).¹ Bank is the only bank in Locust Grove (population of slightly more than 1,000), located in northeastern Oklahoma, and is the fourth largest of five banks in Mayes County, the relevant banking market. Bank controls approximately 7 percent of the total commercial bank deposits in the market. Upon acquisition of Bank, Applicant would control the 367th ranking bank in Oklahoma, holding .04 percent of the total deposits in commercial banks in the State. Since the purpose of the proposed transaction is to effect a transfer of the ownership of Bank from individuals to corporate ownership with no change in Bank's present management or operation, consummation of the proposal herein would not eliminate existing or potential competition, nor have an adverse effect on other area banks.

A principal of Applicant is also a shareholder, officer, and/or director in two other banks: The Bank of Chelsea, Chelsea, Oklahoma (\$5 million in deposits), and First National Bank of Fairlane, Fairlane, Oklahoma (\$1 million in deposits). Each of the banks is located over 40 miles distant from Bank and each operates in separate and distinct banking markets from the Mayes County market. From the facts of record, it is the Board's judgment that competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant, which are dependent upon those of Bank, are considered to be satisfactory.

¹ All banking data are as of June 30, 1973.

Accordingly, financial and managerial considerations are consistent with approval of the application. As indicated above, the proposed acquisition represents a change in the form of ownership of Bank, and there are no significant proposed changes in the operation or services of Bank. Considerations relating to the convenience and needs of the community to be served are consistent with approval. It is the Board's judgment that the acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this order or (b) later than three months after the effective date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Kansas City pursuant to delegated authority.

By order of the Board of Governors,² effective September 12, 1974.³

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.74-22263 Filed 9-24-74;8:45 am]

PBC FINANCIAL CORP.

Formation of Bank Holding Company

PBC Financial Corporation, Oklahoma City, Oklahoma, has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company through acquisition of 82.4 percent of the voting shares of Farmers & Merchants Bank, Eufula, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

PBC Financial Corporation, Oklahoma City, Oklahoma, has also applied, pursuant to section 4(c) (8) of the Bank Holding Company Act (12 U.S.C. 1843(c) (8)) and § 225.4(b) (2) of the Board's Regulation Y, for permission to continue to engage in the business of lending money on insurance premiums, making personal installment loans, automobile financing and commercial demand lending through PBC Financial Corporation. Notice of the application was published on June 11, 1974 in Daily Oklahoman, a newspaper circulated in Oklahoma County, Oklahoma. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

² Voting for this action: Governors Sheehan, Bucher, Holland, and Wallich. Voting against this action: Vice-Chairman Mitchell and Governor Brimmer. (Dissenting statement filed as part of the original document). Absent and not voting: Chairman Burns.

³ Board action taken while Governor Brimmer was a Board member.

NOTICES

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than October 12, 1974.

Board of Governors of the Federal System, September 12, 1974.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.74-22262 Filed 9-24-74;8:45 am]

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt and Approval of Report Proposals

The following requests for clearance of reports intended for use in collecting information from the public were received by the Regulatory Reports Review Staff, GAO, on September 5, 1974. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public of such receipt.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Further information about the items on this list may be obtained from the Regulatory Reports Review Officer, 202-376-5425.

FEDERAL ENERGY ADMINISTRATION

Requests for clearance of a single-time questionnaire to develop a National Energy Data Workshop Catalogue of Organizations; respondents are the attendees at the State Energy Data Conference; burden is estimated at 30 minutes per response.

FEA requested emergency clearance under 10.9(d) of the GAO regulations because the data is to be collected prior to the conference and compiled for redistribution at the conference on October 30 and 31, 1974. Without emergency clearance, this catalogue could not be compiled in time.

Clearance was provided by GAO on

September 13, 1974, under approval number B-181254 (S75004) and expires October 31, 1974.

NORMAN F. HEYL,
Regulatory Reports,
Review Officer.

[FR Doc.74-22242 Filed 9-24-74;8:45 am]

REGULATORY REPORTS REVIEW

Receipt of Report Proposals

The following requests for clearance of reports intended for use in collecting information from the public were received by the Regulatory Reports Review Staff, GAO, on September 6, 1974. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public of such receipt.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Further information about the items on this list may be obtained from the Regulatory Reports Review Officer, 202-376-5425.

FEDERAL TRADE COMMISSION

Request for clearance of a single-time questionnaire for an industry-wide inquiry of proprietary and vocational home study schools; potential respondents are non-accredited proprietary vocational schools (a sample of about 800); reporting burden is estimated at 30 minutes for each respondent per response.

NORMAN F. HEYL,
Regulatory Reports,
Review Officer.

[FR Doc.74-22243 Filed 9-24-74;8:45 am]

REGULATORY REPORTS REVIEW

Receipt of Report Proposals

The following request for clearance of reports intended for use in collecting information from the public were received by the Regulatory Reports Review Staff, GAO, on September 13, 1974. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public of such receipt.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Further information about the items on this list may be obtained from the Regulatory Reports Review Officer, 202-376-5425.

CONSUMER PRODUCT SAFETY COMMISSION

Request for clearance of a single-time questionnaire to determine ownership, frequency of use, and exposure of consumer products; potential respondents are all households (sample will include about

1,000); reporting burden is about 30 minutes for each respondent per response.

NORMAN F. HEYL,
Regulatory Reports,
Review Officer.

[FR Doc.74-22244 Filed 9-24-74;8:45 am]

INTERIM COMPLIANCE PANEL
(COAL MINE HEALTH AND SAFETY)

ELECTRIC FACE EQUIPMENT STANDARD

Applications for Renewal Permits

Applications for renewal permits for noncompliance with the Electric Face Equipment Standard prescribed by the Federal Coal Mine Health and Safety Act of 1969 have been received for items of equipment in underground coal mines as follows:

ICP Docket No. 4291-000, INDIAN HEAD MINING COMPANY, Mine #3, Mine ID No. 15 02378 0, Engle, Kentucky ICP Permit No. 4291-003 (Porter End Dump Battery Buggy, I.D. No. B-3), ICP Permit No. 4291-008 (Joy 14BUBAE Loading Machine, I.D.No. J-2), ICP Permit No. 4291-011 (Joy 10RU Cutting Machine, I.D.No. M-1), ICP Permit No. 4291-013 (Joy 10SC Shuttle Car, I.D.No. S-1).

In accordance with the provisions of § 504.7(b) of Title 30, Code of Federal Regulations, notice is hereby given that requests for public hearing as to an application for a renewal permit may be filed on or before October 10, 1974. Requests for public hearing must be filed in accordance with 30 CFR Part 505 (35 FR 11296, July 15, 1970), as amended, copies of which may be obtained from the Panel upon request.

A copy of each application is available for inspection and requests for public hearing may be filed in the office of the Correspondence Control Officer, Interim Compliance Panel, Room 800, 1730 K Street NW., Washington, D.C. 20006.

GEORGE A. HORNBECK,
Chairman,
Interim Compliance Panel.

SEPTEMBER 18, 1974.

[FR Doc.74-22204 Filed 9-24-74;8:45 am]

NATIONAL FOUNDATION ON THE
ARTS AND THE HUMANITIES

MUSEUM ADVISORY PANEL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a closed meeting of the Museum Advisory Panel to the National Endowment for the Arts will be held at 9 a.m. on October 2, 1974 in the 14th floor conference room at Columbia Plaza, 2401 E Street, Washington, D.C. 20506.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including

discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the **FEDERAL REGISTER** of January 10, 1973, this meeting, which involves matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b) (4), (5), and (6)) will not be open to the public.

Further information with reference to this meeting can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 382-5871.

EDWARD M. WOLFE,
*Administrative Officer, National
Endowment for the Arts, National
Foundation of the Arts
and the Humanities.*

[FR Doc.74-22199 Filed 9-24-74;8:45 am]

SPECIAL PROJECTS ADVISORY PANEL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the Special Projects Advisory Panel to the National Council on the Arts will be held at 9:30 a.m. on October 6-7, 1974 in the 14th floor conference room of Columbia Plaza, 2401 E Street, Washington, D.C.

A portion of this meeting will be open to the public on October 6 from 9:30 a.m. to 12:30 p.m. on a space available basis. Accommodations are limited. During the open session Special Projects Program policy will be discussed.

The remaining sessions of this meeting, October 6 (2 p.m.-5 p.m.) and October 7 (9:30 a.m.-5 p.m.) are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the **FEDERAL REGISTER** of January 10, 1973, these sessions, which involve matters exempt from the requirements of public disclosure under the provisions of the Freedom of Information Act (5 U.S.C. 552(b) (4), (5)), will not be open to the public.

Further information with reference to this meeting can be obtained from Mrs. Luna Diamond, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 382-5871.

EDWARD M. WOLFE,
*Administrative Officer, National
Endowment for the Arts, National
Foundation on the Arts
and the Humanities.*

[FR Doc.74-22198 Filed 9-24-74;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 September 20, 1974 (44 U.S.C. 3509). The purpose of publishing this list in the **FEDERAL REGISTER** is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529) or from reviewer listed.

NEW FORMS

ENVIRONMENTAL PROTECTION AGENCY

Notice of Application for Federal: Registration for an Intrastate Pesticide Product, Form ----, Single Time, Sheftel (395-3878), Pesticide Firms.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education: Financial Status and Performance Reports—Follow Through Program, Form OE-376, Semi-annual, Lowry (395-3772), LEA's and SEA's.

DEPARTMENT OF THE INTERIOR

Bureau of Mines: Surface Coal Mine Reclamation and Costs, Form 6-PI 1, Single Time, Weiner (395-4890), Coal Producers with surface coal mines.

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration: Vehicle Owners Maintenance Survey, Form ----, Single Time, Strasser (395-3880), SAE Members.

REVISIONS

None.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Statistical Reporting Service: Survey of Consumers' Consumption of Wine, Form ----, Single Time, Lowry (395-3772), Households.

PHILLIP D. LARSEN,

Budget and Management Officer.

[FR Doc.74-22329 Filed 9-24-74;8:45 am]

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

ADVISORY BOARD

Notice of Open Meeting

Notice is hereby given pursuant to the Federal Advisory Committee Act, section 10(a)(2), dated October 6, 1972, that an open meeting of the Advisory Board of the Saint Lawrence Seaway Development Corporation will be held at the Metropolitan Airport Hotel, Detroit, Michigan on October 1, 1974 at 10:30 a.m.

Agenda items are as follows:

- (1) Opening remarks by the Administrator;
- (2) Approval of minutes of prior meeting;
- (3) Administrative report;
- (4) Program reviews;
- (5) Closing remarks.

Reservations and further information may be obtained from Mr. Robert Kraft, Special Assistant to the Administrator, Office of the Administrator, Saint Lawrence Seaway Development Corporation, 800 Independence Avenue SW., Washington, D.C. 20590, or by calling 202-426-3574.

Issued: September 13, 1974.

[SEAL] D. W. OBERLIN,
Administrator.

[FR Doc.74-22200 Filed 9-24-74;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[81-163]

BUFFUMS'

Application and Opportunity for Hearing

SEPTEMBER 18, 1974.

Notice is hereby given, that Buffums' ("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 15(d) of the 1934 Act.

Section 15(d) provides that each issuer who has filed a registration statement which has become effective pursuant to the Securities Act of 1933, as amended, shall file with the Commission, in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors, such supplementary and periodic information, documents, and reports as may be required pursuant to section 13 of the 1934 Act in respect of a security registered pursuant to section 12 of the 1934 Act.

Section 12(h) empowers the Commission to exempt, in whole or in part, any issuer or class of issuers from the registration, periodic reporting, and proxy solicitation provisions under sections 12, 13 and 14 of the 1934 Act and to grant exemptions from the insider reporting and trading provisions of section 16 of the 1934 Act, 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, or otherwise, that such exemption is not inconsistent with the public interest or the protection of investors.

The application states, in part:

1. Applicant, a California corporation, operates nine department stores in Southern California.
2. Prior to March 29, 1974, the Applicant had three classes of securities registered pursuant to section 12(g) of the 1934 Act.
3. As a result of a tender offer by David Jones Limited, a corporation incorporated under the laws of New South Wales, Australia, Applicant on March 8, 1974, had fewer than 100 holders of each class of its outstanding securities.
4. As a result of the small remaining number of Applicant's security-holders, Applicant's registration under section 12(g) of the 1934 Act was, by order of the Commission, terminated effective March 29, 1974, pursuant to section 12(g) (4) of the 1934 Act.
5. At the present time the Applicant has fewer than 100 record holders of its Common Stock, 2 record holders of its 5½ percent Convertible Subordinated Debentures due 1978 and 8 record holders of its 6 percent Convertible Subordinated Debentures due 1982.

In the absence of an exemption, Applicant would be subject to the provisions of section 15(d) relating to reports to be filed with the Commission by reason of the fact that the Company had a public offering of its Common Stock in October 1961, a public offering of its 5½ percent Debentures in July 1964, and a public offering of its 6 percent Debentures in January 1968, which offerings were registered and became effective under the Securities Act of 1933.

Applicant argues that there would be no useful purpose served by the necessity of continued reports for the balance of the 1974 fiscal year simply because the Company had over 300 security holders of record on February 1, 1974, the beginning of its fiscal year, whereas after completion of the tender offer there were fewer than 100 record holders of each class of Buffums' securities and consequently there is no trading market for any class of these securities and no likelihood that there will be one in the future.

For a more detailed statement of the information presented, all persons are referred to said application which is on file in the offices of the Commission at 500 North Capitol Street, Washington, D.C. 20549.

Notice is further given that any interested person not later than October 14, 1974 may submit to the Commission in writing his views or any substantial facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed: 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 advise 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.74-22227 Filed 9-24-74;8:45 am]

CHICAGO BOARD OPTIONS EXCHANGE, INC.

Non-Disapproval of Proposed Amendment

Notice is hereby given that on September 18, 1974, the Commission considered and did not disapprove a proposed amendment to the Option Plan of the Chicago Board Options Exchange, Inc. (CBOE) pursuant to Rule 9b-1 (17 CFR 240.9b-1). The CBOE had proposed this amendment to Article I, section I(1) of the by-laws of the Chicago Options Exchange Clearing Corporation (Corporation) and notice of this proposed change was originally published at 39 FR 30868 on August 26, 1974.

The amendment proposed by the Corporation is a clarification of the definition of the word "Designee" and is designed to make it clear that a person designated by a Clearing Member to serve on the Corporation's Board of Directors Committee is not required to act on behalf of the Clearing Members in its other dealings in the Corporation.

All interested persons are invited to submit their views and comments on the proposed amendment to CBOE's plan either before or after it has become effective. Written statements of views and comments should be addressed to the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to file number 10-54. The proposed amendment including the reasons for such amendment is, and all such comments will be, available for public inspection at the Public Reference Room of the Securities and Exchange Commission at 1100 L Street NW., Washington, D.C.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

SEPTEMBER 19, 1974.

[FR Doc.74-22224 Filed 9-24-74;8:45 am]

[File No. 81-161]

CUTTER LABORATORIES, INC.

Application and Opportunity for Hearing

SEPTEMBER 18, 1974.

Notice is hereby given, that Cutter Laboratories, Inc. ("Applicant") has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended ("the 1934 Act"), that Ap-

plicant be granted an exemption from the provisions of section 15(d).

Section 15(d) provides that each issuer who has filed a registration statement which has become effective pursuant to the Securities Act of 1933, as amended, shall file with the Commission, in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors, such supplementary and periodic information, documents, and reports as may be required pursuant to section 13 of the 1934 Act in respect of a security registered pursuant to section 12 of the 1934 Act.

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, periodic reporting or proxy solicitation provisions under sections 12, 13, and 14 and any officer, director or beneficial owner of more than 10 percent of the 12(g) registered equity securities of any issuer from the insider trading provisions of section 16 of the 1934 Act, if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, and 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 United States Corporation, incorporated under the laws of Delaware.
2. Prior to 1974 the Applicant had two classes of equity securities listed and registered on national stock exchanges pursuant to section 12(b) of the Act.
3. As a result of a merger on February 22, 1974 the Applicant became the wholly-owned subsidiary of Rhinechem Corporation, a subsidiary of Bayer A. G., a West German chemical company.
4. On February 15, 1974 an order was granted delisting the stock from the American Stock Exchange, Inc. and the Pacific Stock Exchange, Inc. filed with the Commission on April 11, 1974 a Form 25 (Notification of the Removal from Listing and Registration of Matured, Redeemed or Retired Securities).
5. At this time the Applicant has only one shareholder, Rhinechem Corporation.

In the absence of an exemption, Applicant would be subject to the provisions of section 15(d) relating to reports to be filed with the Commission by reason of the fact that the company had a public offering of its Class A Common Stock in June of 1971, which offering was registered and became effective under the Securities Act of 1933.

Applicant argues that there would be no useful purpose served by the necessity of continued reports for the balance of the 1974 fiscal year simply for the reason that from January 1, 1974 until February 22, 1974 (the time of the merger), the company had over 300 stockholders of record.

For a more detailed statement of the information presented, all persons are referred to said application which is on

file in the offices of the Commission at 500 North Capitol Street, Washington, D.C.

Notice is further given, that any interested person not later than October 14, 1974 may submit to the Commission in writing his views or any substantial facts bearing on this application or the desirability of a hearing thereon. Any such communication or request should be addressed: 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 advise 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.74-22283 Filed 9-24-74; 8:45 am]

[812-3674]

**THE PUTNAM INCOME FUND, INC.
ET AL.**

Application for Exemption

SEPTEMBER 20, 1974.

Notice is hereby given, that The Putnam Income Fund, Inc. ("Putnam Income") and The George Putnam Fund of Boston, Putnam Convertible Fund, Inc., Putnam Equities Fund, Inc., The Putnam Growth Fund, Putnam Investors Fund, Inc., Putnam Vista Fund, Inc. and Putnam Voyager Fund, Inc. (collectively "Funds"), open-end management investment companies registered under the Investment Company Act of 1940 ("Act") and Putnam Fund Distributors, Inc. ("PFD") (265 Franklin St., Boston, Mass. 02110) and Putnam Financial Services, Inc. ("PFS") (555 Northgate Drive, San Rafael, Calif. (94903)), principal underwriters for the Funds (hereinafter collectively called "Applicants"), have filed an Application pursuant to section 6(c) of the Act for an order of the Commission exempting from section 22(d) of the Act transactions whereby dividends payable from the investment income of Putnam Income will be reinvested at net asset value in shares of the other Funds. 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.

The investment objective of Putnam Income is to seek high current income consistent with what is believed to be prudent risk. Applicants propose to offer to shareholders of Putnam Income the option of having their income dividends

automatically reinvested at net asset value (without a sales charge) in shares of any of the other Funds. In order to exercise the option, a shareholder's investment in Putnam Income must have a current public offering value of \$10,000 or more and the shareholder must have an established account in the Fund to which the dividend reinvestment is directed. Applicants represent that these requirements are necessary to reduce the likelihood of small new accounts in the other Funds resulting from the exercise of the option. Dividends will be reinvested pursuant to this option at the selected Fund's net asset value determined on Putnam Income's dividend payment date. No sales commissions will be received by PFD or PFS, or any sales representatives on such reinvestments and there will be no service charge. The Funds will not bear any expenses pursuant to the option other than transfer agency costs and the cost of furnishing prospectuses of the Funds into which reinvestment is elected.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company or principal underwriter thereof shall sell any redeemable security issued by such company to any person except at a public offering price described in the prospectus.

Applicants state that the proposed reinvestment option is designed to give shareholders of Putnam Income an opportunity to invest their income dividends, at no sales charge, in other Putnam Funds emphasizing capital growth or with other investment objectives while maintaining their initial investment in the only Putnam Fund with income as its only investment objective.

Applicants state that shareholders of Putnam Income could, in effect, accomplish reinvestment in shares of the other Funds by electing to receive income dividends in additional shares of Putnam Income and then exchanging such additional shares for shares of the other Funds pursuant to the Exchange Privilege described in the Funds' current prospectuses.

Putnam Income will notify its shareholders at least annually of the availability of the option. Prospectuses of the Funds into which reinvestment can be made pursuant to the option will be available from dealers or will be sent to shareholders who notify the transfer agent directly of a desire to elect the option. A shareholder will be permitted to cancel the option by written notice to Putnam Income's transfer agent.

Section 6(c) of the Act provides, in pertinent part, that the Commission may conditionally or unconditionally exempt any person or transaction from any provision of the Act 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 policy and provisions of the Act.

Notice is further given, that any interested person may, not later than October 16, 1974, at 5:30 p.m., submit to the Commission in writing a request for a

hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the 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 matter will be issued as of course following October 16, 1974, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advise as to whether a hearing is ordered will receive 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.74-22225 Filed 9-24-74; 8:45 am]

[812-3676]

SHEARSON INCOME FUND, INC. ET AL.

Application for Exemption

SEPTEMBER 20, 1974.

Notice is hereby given that Shearson Income Fund, Inc. ("Income") (14 Wall St., New York, N.Y. (10005)), Shearson Investors Fund, Inc. ("Investors"), The Shearson Appreciation Fund, Inc. ("Appreciation") and Shearson Capital Fund, Inc. ("Capital") (hereinafter collectively called "Funds"), open-end investment companies registered under the Investment Company Act of 1940 ("Act"), have filed an application pursuant to section 6(c) of the Act for an order granting temporary exemption from the provisions of section 15(a) of the Act. 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.

The Shearson Hammill Management Company, Inc. ("Management Company") is the investment adviser to each Fund pursuant to contracts presently in effect. Shearson, Hammill & Co., Inc. ("Shearson Hammill") is investment adviser to the Management Company pursuant to sub-advisory agreements, and therefore, is deemed an investment adviser to the Funds. Management Company is a wholly-owned subsidiary of Shearson Hammill.

Funds have been advised that negotiations are presently underway between

Shearson Hammill and Hayden Stone, Inc. ("Hayden Stone") pursuant to which it is expected that Shearson Hammill will be merged into Hayden Stone. The Funds understand that in the event the proposed merger is consummated, Management Company will become a subsidiary of the surviving corporation in the merger, which will thereafter be known as Shearson, Hayden Stone, Inc. ("Shearson Hayden"). In such event, the management agreements in effect between each of the Funds and Management Company, and the subadvisory agreements between Management Company and Shearson Hammill will, in accordance with provisions in the Contracts required by section 15, terminate, since such agreements will be deemed to have been "assigned" by Shearson Hammill within the meaning of the Act.

The application requests an order of temporary exemption from the requirements of section 15(a) of the Act to permit the Funds to continue to receive investment advice and services from Management Company following the merger, under the same terms as the existing agreements and until new agreements are approved by Funds' shareholders. Applicants request that if an order is issued granting such exemption, such order be made effective from the date of the merger, which is presently expected to take effect on September 25, 1974.

The application states that, based on the terms of the proposed merger and the status of Management Company as a subsidiary of Shearson, Hayden, it is felt that there will be no material effect on Management Company as a result of the merger in respect of its management, policies, autonomy, duties and resources. In addition, it is asserted that no material change adverse to the Funds is expected to result from the assumption by Shearson, Hayden of Shearson Hammill's functions, including the sub-advisory arrangements.

Management Company, Shearson Hammill and Hayden Stone have indicated to the Funds a desire to continue the management and sub-advisory agreements on the terms of the existing contracts. Income and Investors propose to solicit the requisite shareholder approval of new advisory contracts at their regular annual meetings in December, 1974. Appreciation and Capital, whose regular annual meetings are scheduled in June, 1975, propose to solicit such shareholder approval at special meetings to be held in December, 1974. The new agreements are expected to be identical in terms to the existing contracts. Each Fund, in addition, undertakes, if the exemption order is granted, to submit to shareholders at the aforementioned shareholder meetings ratification of the payment of fees to Management Company during the period of exemption.

The application alleges that there are substantial practical difficulties in convening special meetings for all of the Funds prior to the Shearson Hammill-Hayden Stone merger in addition to substantial legal, printing, mailing and administrative costs of such meetings.

Section 15(a) of the Act provides, among other things, that it shall be unlawful for any person to serve or act as an investment adviser of a registered investment company except pursuant to a written contract which has been approved by the vote of a majority of the outstanding voting securities of such registered investment company.

Section 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 October 15, 1974, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the Funds 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 herein 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.74-22226 Filed 9-24-74; 8:45 am]

[File No. 81-160]

WABASH RAILROAD CO.

Application and Opportunity for Hearing SEPTEMBER 18, 1974.

Notices hereby given, that the Wabash Railroad Company, an Ohio corporation, (Wabash) and the Norfolk and Western Railway Company (N&W) have made application to the Securities and Exchange Commission seeking a continuation of an exemption under section 12 (h) of the Securities Exchange Act of 1934 (Act) from the requirements of section 14(c) of the Act, for and in con-

nection with any annual or other meeting of the stockholders of Wabash at which the only actions to be taken are the election of directors and/or such other action as does not directly or indirectly affect the interest of the holders of the Preferred Stock of Wabash.

Section 12(h) of the Act permits the Commission, upon application of an interested person, by order, after notice and opportunity for hearing, to exempt in whole or in part any issuer or class of issuers from section 14 upon such terms and conditions and for such period as it deems appropriate, 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 action is not inconsistent with the public interest or the protection of investors.

All of the properties of Wabash are presently operated by N&W as a lessee under a lease dated as of March 1, 1961, which became effective October 16, 1964. The lease provides for an initial eight year term and for additional eight year renewal terms, as often as N&W may in its discretion desire, subject to approval and authorization of the Interstate Commerce Commission. The initial term has been extended for an additional eight years. The rental payable annually by N&W to Wabash under the lease includes an amount sufficient to pay an annual dividend of \$4.50 on each outstanding share of Preferred Stock of Wabash. N&W also has the right under the lease to require Wabash to call its Preferred Stock for redemption or offer to exchange Wabash bonds, debentures or notes for such Preferred Stock, and to issue such bonds, debentures or notes as may be necessary to effect said exchange or to provide funds to effect said redemption.

N&W owns 96,298 shares (99.68 percent) of the 598,186 shares of Wabash common stock outstanding. The Board of Directors of Wabash consists of officers of N&W. The officers of Wabash are also officers of N&W and they receive no compensation in their capacity as officers of Wabash.

Balance sheet and income statement information with respect to Wabash, together with other significant data is contained in annual reports filed by Wabash with the Interstate Commerce Commission, copies of which have been filed with the Commission as an exhibit to Wabash's Form 12-K for the year 1973 and for years prior thereto. Each year Wabash also sends to each registered stockholder of Wabash, with the notice of each annual meeting of Wabash, a copy of Wabash's customary financial statements containing balance sheets and income statements and a copy of N&W's annual report to its stockholders.

Wabash presently has outstanding 311,030 shares of 4½ percent Preferred Stock, which shares are registered pursuant to the Act for listing on the New York Stock Exchange. The Preferred Stock is entitled to one vote per share

and voting as a class is entitled to elect one out of five directors of the Board. At the present time, there are approximately 900 holders of record of Wabash's Preferred Stock. N&W owns 6,500 shares of the Preferred Stock.

On December 9, 1965 the Commission granted a similar application by Wabash limited to the term of the initial eight year lease, without prejudice to renew the application at the termination of said lease. At that time, 99.51 percent of the common stock and 62.12 percent of the Preferred Stock was owned by the Pennsylvania Company.

Notice is further given, that any interested person may, not later than October 14, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said 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. At any time after said date, the Commission may issue an order granting the application, upon such terms and conditions, as the Commission may deem necessary or appropriate in the public interest and the interest of investors, unless a hearing is ordered by the Commission. The applicants waive such notice and opportunity for hearing, but only if the Commission finds itself unable to grant the application.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.74-22229 Filed 9-24-74; 8:45 am]

TARIFF COMMISSION

[337-L-76]

CERTAIN COMPONENTS OF AUTOMATIC TOBACCO LEAF GRADERS

Complaint Received

The United States Tariff Commission hereby gives notice of the receipt on August 13, 1974, of a complaint under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), filed by AMF Incorporated, of White Plains, New York, alleging unfair methods of competition and unfair acts in the importation and sale of certain components of automatic tobacco leaf graders by reason of their being combined with other components to embrace the claim(s) in U.S. Patent No. 3,750,882 owned by the complainant. Technical Development Corporation, Schulstrasse 26, 8330 Pfaefikon ZH, Switzerland; MacTavish Machine Manufacturing Co., 1808 MacTavish Avenue, Richmond, Virginia 23230; and Universal Leaf Tobacco Company, Hamilton and Broad Streets, Richmond, Virginia 23260, have been named as either offering for sale or importing the subject article.

In accordance with the provisions of § 203.3 of its rules of practice and proce-

dures (19 CFR 203.3), the Commission has initiated a preliminary inquiry into the issues raised in the complaint for the purpose of determining whether there is good and sufficient reason for a full investigation, and if so whether the Commission should recommend to the President the issuance of a temporary exclusion from entry under section 337(f) of the Tariff Act.

A copy of the complaint is available for public inspection at the Office of the Secretary, United States Tariff Commission, 8th and E Streets, N.W., Washington, D.C., and at the New York office of the Tariff Commission located at 6 World Trade Center.

Information submitted by interested persons which is pertinent to the aforementioned preliminary inquiry will be considered by the Commission if it is received not later than October 21, 1974. Extensions of time for submitting information will not be granted unless good and sufficient cause is shown therefor. Such information should be sent to the Secretary, United States Tariff Commission, 8th and E Streets N.W., Washington, D.C. 20436. A signed original and nineteen (19) true copies of each document must be filed.

By Order of the Commission.

Issued: September 19, 1974.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.74-22223 Filed 9-24-74; 8:45 am]

[337-L-72]

CERTAIN WHEEL BALANCING WEIGHTS

Dismissal of Preliminary Inquiry

On September 3, 1974, the U.S. Tariff Commission (Commissioner Ablondi dissenting), having determined that there is not good and sufficient reason for the institution of a full investigation, terminated and dismissed preliminary inquiry No. 337-L-72, Certain Wheel Balancing Weights.

The preliminary inquiry was instituted on the basis of a complaint filed with the Commission on March 7, 1974, by Gottwald Industries, Inc., of Akron, Ohio, alleging unfair methods of competition and unfair acts in the importation and/or sale of certain wheel balancing weights in the United States in violation of section 337 of the Tariff Act of 1930.

Notice of the Commission's receipt of complaint and institution of the preliminary inquiry was published in the FEDERAL REGISTER on April 8, 1974 (39 FR 13209). Notice of the public hearing held by the Commission on July 31, 1974, in connection with the preliminary inquiry was published in the FEDERAL REGISTER on July 17, 1974 (39 FR 26206).

By order of the Commission.

Issued: September 20, 1974.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.74-22222 Filed 9-24-74; 8:45 am]

INTERSTATE COMMERCE COMMISSION

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

SEPTEMBER 20, 1974.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065(a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before October 7, 1974. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 14702 (Sub-No. E48), filed May 31, 1974. Applicant: OHIO FAST FREIGHT, INC., P.O. Box 808, Warren, Ohio 44482. Applicant's representative: James M. Holland (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum* (except commodities in bulk, and those requiring special equipment), between points in Massachusetts, Maine, New Hampshire, Vermont, Rhode Island, and points in Connecticut on and north of U.S. Highway 44, on the one hand, and, on the other, points in Ohio on, west, and south of a line beginning at the shore of Lake Erie and extending along Ohio Highway 46 to its intersection with Ohio Highway 88, and thence along Ohio Highway 88 to the Ohio-Pennsylvania State line (except points south and east of a line beginning at the Ohio-Pennsylvania State line and extending along Ohio Highway 39 to its intersection with Interstate Highway 77, and thence along Interstate Highway 77 to the Ohio-West Virginia State line), restricted against the transportation of traffic originating at or destined to points in Canada. The purpose of this filing is to eliminate the gateways of Warren, Ohio, and the plantsite and warehouses of Alcan Aluminum Corporation at Oswego, N.Y.

No. MC 14702. (Sub-No. E49), filed May 30, 1974. Applicant: OHIO FAST FREIGHT, INC., P.O. Box 808, Warren, Ohio 44482. Applicant's representative: James W. Holland (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel, manufactured iron and steel articles, motors,*

machinery and machinery parts (except commodities in bulk and those requiring special equipment), between points in Brooke, Hancock, and Ohio Counties, W. Va., on the one hand, and, on the other, points in New York east of a line extending from the shore of Lake Ontario along New York Highway 18 to Rochester, thence over U.S. Highway 15 from Rochester to Lakeville, thence over U.S. Highway 20A from Lakeville to Leicester, thence over New York Highway 36 to Leicester to Mt. Morris, thence over New York Highway 408 from Mt. Morris to junction with New York Highway 16, near Hinsdale, thence over New York Highway 16 from said junction to Olean, and thence over New York Highway 16A to the New York-Pennsylvania State line and points in Pennsylvania on, east, and north of a line beginning at the New York-Pennsylvania State line and extending along Interstate Highway 81 to its intersection with Pennsylvania Highway 115, thence along Pennsylvania Highway 115 to its intersection with Interstate Highway 80, and thence along Interstate Highway 80 to the Pennsylvania-New Jersey State line. The purpose of this filing is to eliminate the gateway of Warren, Ohio.

No. MC 14702 (Sub-No. E50), filed May 31, 1974. Applicant: OHIO FAST FREIGHT, INC., P.O. Box 808, Warren, Ohio 44482. Applicant's representative: James M. Holland (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel, manufactured iron and steel articles, motors, machinery and machinery parts*, (except commodities in bulk and those requiring special equipment), between Brooke and Hancock Counties, W. Va., on the one hand, and, on the other, points in New Jersey on and east of a line beginning at the Pennsylvania-New Jersey State line and extending along U.S. Highway 46 to junction with U.S. Highway 206, thence along U.S. Highway 206 to junction with Interstate Highway 287, thence along Interstate Highway 287 to the New Jersey-New York State line, including those New Jersey points in Middlesex County, N.J. The purpose of this filing is to eliminate the gateway of Warren, Ohio.

No. MC 14702 (Sub-No. E51), filed May 31, 1974. Applicant: OHIO FAST FREIGHT, INC., P.O. Box 808, Warren, Ohio 44482. Applicant's representative: James M. Holland (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, between points in Indiana on the one hand, and, on the other, points in Pennsylvania (except points in Greene, Washington, and Fayette Counties), New Jersey, New York, N.Y., Maryland, and those in the Washington, D.C. Commercial Zone as defined by the Commission in 3 M.C.C. 243. The purpose of this filing is to eliminate the gateway of Liberty Township, Trumbull County, Ohio.

No. MC 14702 (Sub-No. E52), filed May 31, 1974. Applicant: OHIO FAST FREIGHT, INC., P.O. Box 808, Warren, Ohio 44482. Applicant's representative: James M. Holland (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, between points in Massachusetts and points in Connecticut on and north of a line beginning at the New York-Connecticut State line and extending along U.S. Highway 6 to its intersection with Connecticut Highway 34, and thence along Connecticut Highway 34 to the Atlantic Ocean, on the one hand, and, on the other, points in Pennsylvania south and west of a line beginning at the Ohio-Pennsylvania State line and extending along Pennsylvania Highway 358 to its intersection with Pennsylvania Highway 8, thence along Pennsylvania Highway 8 to Pittsburgh, and thence along U.S. Highway 19 to the Pennsylvania-West Virginia State line. The purpose of this filing is to eliminate the gateway of Liberty Township, Trumbull County, Ohio.

No. MC 14702 (Sub-No. E53), filed May 31, 1974. Applicant: OHIO FAST FREIGHT, INC., P.O. Box 808, Warren, Ohio 44482. Applicant's representative: James M. Holland (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel, manufactured iron and steel articles, motors, machinery and machinery parts*, (except commodities in bulk and those requiring special equipment), (a) between New Castle, Pa., on the one hand, and, on the other, Buffalo, N.Y.; (b) between Erie and Meadville, Pa., on the one hand, and, on the other, New York, N.Y., and points in Nassau and Suffolk Counties, N.Y.; and (c) between Sharon, Wheatland, New Castle, Farrell, West Middlesex, Sharpsville, and Mercer, Pa., on the one hand, and, on the other, Scranton and Wilkes-Barre, Pa., and points in Pennsylvania south and east of a line beginning at the Pennsylvania-New Jersey State line and extending along Interstate Highway 80 to the Pennsylvania Turnpike Extension, thence along the Pennsylvania Turnpike Extension to Philadelphia. The purpose of this filing is to eliminate the gateway of Warren, Ohio.

No. MC 14702 (Sub-No. E54), filed May 31, 1974. Applicant: OHIO FAST FREIGHT, INC., P.O. Box 808, Warren, Ohio 44482. Applicant's representative: James B. Holland (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel, manufactured iron and steel articles, motors, machinery, and machinery parts* (except commodities in bulk and those requiring special equipment), between Steubenville, Ohio, on the one hand, and, on the other, points in Indiana on, north, and west of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 224 to junction Indiana

Highway 3, thence along Indiana Highway 3 to junction Indiana Highway 67 at Muncie, thence along Indiana Highway 67 to Indianapolis, thence along Indiana Highway 37 to junction Indiana Highway 66, thence along Indiana Highway 66 south to the Indiana-Kentucky State line near Dexter, Ind. The purpose of this filing is to eliminate the gateway of Warren, Ohio.

No. MC 24999 (Sub-No. E1) (Correction), filed June 3, 1974, published in the FEDERAL REGISTER on September 10, 1974. Applicant: ALLEN TRANSFER COMPANY, INC., 221 Reeser Road, Camp Hill, Pa. 17011. Applicant's representative: Thomas R. Kingsley, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Kansas, on the one hand, and, on the other, points in that part of Illinois in and north of Henderson, Warren, Knox, Peoria, Woodford, Livingston, Ford, and Iroquois Counties. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa. The purpose of this correction is to correct the inadvertent omission from the publication in the FEDERAL REGISTER of September 10, 1974, of the Kansas origin points above.

No. MC 35890 (Sub-No. E11), filed June 3, 1974. Applicant: BLODGETT FURNITURE SERVICE, INC., 3801 36th St. SE., Grand Rapids, Mich. 49508. Applicant's representative: John F. Freel (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, uncrated, from points in that part of Illinois on and north of a line beginning at the Illinois-Iowa State line and extending along Illinois Highway 64 to St. Charles, thence along Illinois Highway 31 to junction U.S. Highway 30, thence along U.S. Highway 30 to the Illinois-Indiana State line, and Munster, Ind., to points in that part of Delaware, on and north of Delaware Highway 16. The purpose of this filing is to eliminate the gateways of Grand Rapids, Mich., and points in Warren County, Pa.

No. MC 59150 (Sub-No. E20), filed May 28, 1974. Applicant: PLOOF TRANSFER COMPANY, INC., 1901 Hill Street, Jacksonville, Florida. Applicant's representative: Martin Sack, Jr., 1754 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, which because of size or weight require specialized handling or rigging, between points in Mississippi, on the one hand, and, on the other, points in that part of Georgia in and south of Clay, Calhoun, Dougherty, Worth, Tift, Berrien, Atkinson, Ware, Pierce, Brantley, and Glynn Counties. The purpose of this filing is to eliminate the gateway of points in Florida.

No. MC 65781 (Sub-No. E1), filed June 4, 1974. Applicant: DAWN MOVING & STORAGE, INC., 6009 Wayzata Blvd.,

Minneapolis, Minn. 55416. Applicant's representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Wisconsin, on the one hand, and, on the other, points in South Dakota. The purpose of this filing is to eliminate the gateway of points in Minnesota.

No. MC 65781 (Sub-No. E2), filed June 4, 1974. Applicant: DAWN MOVING & STORAGE, INC., 6009 Wayzata Blvd., Minneapolis, Minn. 55416. Applicant's representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Wisconsin on and east of a line beginning at the Wisconsin-Michigan State line and extending along U.S. Highway 45 to Eagle River, thence along Wisconsin Highway 17 to Rhinelander, thence along U.S. Highway 8 to junction with U.S. Highway 51, thence along U.S. Highway 51 to Portage, thence along Wisconsin Highway 33 to junction Interstate Highway 90, thence along Interstate Highway 90 to junction U.S. Highway 151, thence along U.S. Highway 151 to Madison, thence along U.S. Highway 14 to Evansville, thence along Wisconsin Highway 213 to the Wisconsin-Illinois State line, on the one hand, and, on the other, points in Oklahoma on and east of a line beginning at the Oklahoma-Kansas State line, thence along Interstate Highway 35 to Oklahoma City, thence along U.S. Highway 277 to the Texas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 65781 (Sub-No. E3), filed June 4, 1974. Applicant: DAWN MOVING & STORAGE, INC., 6009 Wayzata Blvd., Minneapolis, Minn. 55416. Applicant's representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Illinois on and north of Interstate Highway 80, on the one hand, and, on the other, points in Florida. The purpose of this filing is to eliminate the gateway of points in Wisconsin.

No. MC 65781 (Sub-No. E4), filed June 4, 1974. Applicant: DAWN MOVING & STORAGE, INC., 6009 Wayzata Blvd., Minneapolis, Minn. 55416. Applicant's representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Wisconsin on and east of a line beginning at the Michigan-Wisconsin State line and extending along U.S. Highway 45 to Eagle

River, thence along Wisconsin Highway 17 to Rhinelander, thence along U.S. Highway 8 to junction U.S. Highway 51, thence along U.S. Highway 51 to Portage, thence along Wisconsin Highway 33 to junction Interstate Highway 90, thence along Interstate Highway 90 to U.S. Highway 151, thence along U.S. Highway 151 to Madison, thence along U.S. Highway 14 to Evansville, thence along Wisconsin Highway 213 to the Wisconsin-Illinois State line, on the one hand, and, on the other, points in Kansas on and east of U.S. Highway 81. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 103498 (Sub-No. E1), filed June 4, 1974. Applicant: W. D. SMITH TRUCK LINE, INC., P.O. Box C, DeQueen, Ark. 71832. Applicant's representative: Husley Reynaud (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, (A) from points in Benton County, Ark., to points in Pike, Barbour, Crenshaw, Butler, and Wilcox Counties, Ala., points in Georgia in and south of Richmond, Jefferson, Johnson Trentlen, Wheeler, Dodge, Wilcox, Crisp, Lee, Dougherty, Baker, Miller, and Seminole Counties, points in Louisiana (except those in Moorehouse, West Carroll, East Carroll, and Madison), and points in Mississippi in and south of Adams, Franklin, Lincoln, Lawrence, Jefferson Davis, Covington, Jones, and Wayne Counties; (B) from points in Boone County, Ark., to points in Caddo, Vernon, Bossier, Red River, De Soto, Sabine, Natchitoches, Beauregard, Calcasieu, Cameron, Jefferson Davis, Acadia, Lafayette, Vermillion, Iberia, St. Martin, St. Mary, and Terrebonne Counties, La.; (C) from points in Calhoun County, Ark., to points in Indiana in and north of Vermillion, Parke, Putnam, Morgan, Brown, Bartholomew, Ripley, and Ohio Counties, Ind.; (D) from points in Carroll County, Ark., to points in Caddo and Bossier Counties, La., and those points in Louisiana south and west of a line beginning at Shreveport, thence along U.S. Highway 71 to Alexandria, thence along Louisiana Highway 1 to Baton Rouge, thence along U.S. Highway 61 to New Orleans; (E) from points in Clark County, Ark., to points in Iowa; (F) from points in Columbia County, Ark., to points in Indiana, Iowa, and those in Tennessee in and east of Unicoi, Washington, and Sullivan Counties.

(G) From points in Crawford County, Ark., to points in Louisiana, those in Alabama in and south of Pickens, Tuscaloosa, Bibb, Chilton, Coosa, Tallapoosa, and Chambers Counties, those in Georgia in and south of Richmond, Jefferson, Johnson, Tretutlen, Wheeler, Dodge, Wilcox, Crisp, Lee, Daugherty, Baker, Miller, and Seminole Counties, points in Indiana (except those in Gibson, Warrick, Spencer, Vanderburgh, and Posey Counties), those in Kentucky in and east of Jefferson, Spencer, Nelson, Washington, Marion, Taylor, Adair, Cumberland, and Clinton Counties, those in Mississippi in

and south of Adam, Franklin, Lincoln, Lawrence, Jefferson Davis, Covington, Jones, and Wayne Counties, and those in Tennessee in and east of Pickett, Penfress, Cumberland, Bledsoe, and Hamilton Counties; (H) from points in Dallas County, Ark., to points in Illinois in and north of Benton, White, Carroll, Cass, Miami, Grant, Blackford, and Jay Counties; (I) from points in Franklin County, Ark., to points in Indiana north of U.S. Highway 30.

(J) From points in Garland County, Ark., to points in Brooks, Lowndes, Lanier, Clinch, Atkinson, Ware, Pierce, Brantley, Charlton, Camden, and Glen Counties, Ga., and those in Indiana north of Knox, Daviess, Martin, Orange, Crawford, and Harrison Counties; (K) from points in Hempstead County, Ark., to points in Indiana, Georgia (except those in Miller, Mitchell, Baker, Early, Dougherty, Calhoun, Lee, Terrell, Randolph, Clay, Quitman, Stewart, Webster, Sumpter, Schuley, Macon, Chattahoochee, Marion, Taylor, Crawford, Upson, Harris, and Talbot Counties), Illinois in and north of Pike, Greene, Macoupin, Montgomery, Fayette, Clay, Richland, and Lawrence Counties, Kentucky in and east of Bullitt, Hardin, Hart, Barren, and Monroe Counties, and those points in Tennessee in and east of Pickett, Penfress, Cumberland, Bledsoe, and Hamilton Counties; (L) from points in Hot Springs County, Ark., to points in Indiana in and north of Benton, White, Carroll, Cass, Miami, Grant, Blackford, and Jay Counties; (M) from points in Howard County, Ark., to points in Georgia, Indiana, Iowa, Tennessee, Illinois in and north of Pike, Greene, Macoupin, Montgomery, Fayette, Clay, Richland, and Lawrence Counties, Kentucky in and east of Anderson, McClean, Muhlenberg, and Logan Counties, Louisiana in and east of Baton Rouge, St. Helena, Livingston, Ascension, St. John the Baptist, St. James, La Fourche, St. Charles, Tangipahoa, Washington, St. Tammany, Orleans, St. Bernard, and Terrebonne Counties, and those in Itawamba, Alcorn, Teshimingo, and Prentiss Counties, Miss.

(N) From points in Johnson County, Ark., to points in Louisiana south and west of U.S. Highway 71 from Ida to Alexandria to Baton Rouge, U.S. Highway 190 from Baton Rouge to Covington, and U.S. Highway 36 to the Mississippi State line; (O) from points in Lafayette County, Ark., to points in Indiana, Illinois in and north of Madison, Clinton, Jefferson, Hamilton, and White Counties, Kentucky in and east of Bullitt, Hardin, Hart, Barr, and Monroe Counties, and those in Tennessee in and east of Clay, Overton, Putnam, White, Van Buren, Sequatchie, and Hamilton Counties; (P) from points in Little River County, Ark., to points in Georgia, Illinois, Indiana, Iowa, Kentucky, Tennessee, and Mississippi in and north of De Soto, Marshall, Lafayette, Pontotoc, Lee, and Itawamba Counties; (Q) from points in Logan County, Ark., to points in Caddo, Bossier, Bienville, Natchitoches, Winn,

Caddo, La Salle, Catahoula, and Winsalle Parishes, La.; (R) from points in Miller County, Ark., to points in Georgia, Illinois, Iowa, Indiana, Kentucky, and those in Tennessee in and east of Henry, Benton, Perry, and Hardin Counties; (S) from points in Montgomery County, Ark., to points in Indiana, and Henry, Andolousia, Dale, Coffee, Covington, Escambia, Baldwin, Mobile, Greene, and Houston Counties, Ala., points in Georgia in and south of Muskogee, Chattahoochee, Marion, Taylor, Crawford, Peach, Twiggs, Wilkinson, Washington, Glascock, McDuffie, and Columbia Counties, points in Illinois in and north of Will, Kendall, De Kalb, Lee, and Whiteside Counties, points in Iowa north of Iowa Highway 3, Kentucky in and east of Mason, Fleming, Rowan, Morgan, Breat-hitt, Leslie, and Harlan Counties, and those points in Tennessee in and east of Unicoi, Washington, and Sullivan Counties.

(T) From points in Nevada County, Ark., to points in Iowa, Indiana, Illinois in and north of Mercer, Knox, Peoria, Woodford, McLean, Champaign, and Vermillion Counties, and those in Tennessee in and east of Hancock, Chemblen, Jefferson, and Cocke Counties; (U) from points in Ouchita County, Ark., to points in Iowa and those in Indiana north of U.S. Highway 150; (V) from points in Pike County, Ark., to points in Georgia, Indiana, Iowa, and those in Alabama south of Barbour, Pike, Crenshaw, Butler, Monroe, Clarke, and Choctaw Counties, those in Illinois in and north of Pike, Greene, Macoupin, Montgomery, Fayette, Clay, Richland, and Lawrence Counties, those in Kentucky in and east of Anderson, McLean, Muhlenberg, and Logan Counties, those in Louisiana in and south of Calcasieu, Allen, Arcadia, Lafayette, St. Martin, Iberville, West Baton Rouge, East Baton Rouge, and West Feliciano Counties and those in Tennessee in and east of Macon, Jackson, DeKalb, Warren, Grundy, and Marion Counties; (W) from points in Polk County, Ark., to points in Alabama, Georgia, Indiana, Iowa, Illinois (except those in Alexandria, Pulaski, and Massac Counties), Kentucky in and east of McCracken and Graves Counties, Louisiana in and south of De Soto, Red River, Blenville, Lincoln, and Union Parishes, Mississippi in and south of Monroe, Lowndes, Winston, Leake, Madison, Hinds, and Warren Counties, and those in Tennessee in and east of Montgomery, Dixie, Hickman, Lewis, and Lawrence Counties; (X) from points in Scott County, Ark., to points in Georgia, Indiana, Alabama in and south of Pickens, Tuscaloosa, Jefferson, Shelby, Talladega, Calhoun, and Cleburne Counties, Kentucky in and east of Daviess, Ohio, Butler, Warren, and Allen Counties, and Louisiana on and south of Interstate Highway 20; (Y) from points in Scott County, Ark., to points in Mississippi south of U.S. Highway 80, and those in Tennessee in and east of Clay, Overton, Putnam, White, Van Buren, Sequatchie, and Hamilton Counties.

(Z) From points in Sebastian County, Ark., to points in Louisiana, Mississippi, Georgia in and south of Hart, Madison, Clark, Oconee, Walton, Newton, Jasper, Monroe, Upson, Talbot, and Harris Counties, those in Indiana (except those in Gibson, Warrick, Spencer, Vanlerburg, and Posey Counties), Kentucky in and east of Jefferson, Spencer, Nelson, Washington, Marion, Taylor, Adair, Cumberland, and Clinton Counties, and those in Tennessee in and east of Pickett, Penfretress, Cumberland, Bledsoe, and Hamilton Counties; (AA) from points in Sevier County, Ark., to points in Alabama, Georgia, Illinois, Indiana, Iowa, Kentucky, Mississippi, Tennessee, and those in Louisiana in and south of Sabine, Natchitoches, Winn, Jackson, Ouachita, and Moorehouse Parishes; (BB) from points in Union County, Ark., to points in Indiana north of U.S. Highway 150, and those in Iowa (except those in Louisa, Des Moines, Henry, Lee, Van Buren, Jefferson, Wapello, Davis, and Appanoose Counties); (CC) from points in Washington County, Ark., to points in Alabama in and south of Washington, Clarke, Wilcox, Butler, Crenshaw, Pike, and Barbour Counties, those in Georgia in and south of Richmond, Jefferson, Johnson, Treutlien, Wheeler, Dodge, Wilcox, Crisp, Lee, Dougherty, Baker, Miller, and Seminole Counties, those in Louisiana (except those in Moorehouse, West Carroll, East Carroll, and Madison Parishes), and those in Mississippi in and south of Adam, Franklin, Lincoln, Lawrence, Jefferson Davis, Covington, Jones, and Washington Counties; (DD) from points in Yell County, Ark., to points in Indiana, those in Georgia in and south of Miller, Baker, Dougherty, Lee, Crisp, Wilcox, Dodge, Treutlien, Emanuel, Jenkins, and Screven Counties, and those in Louisiana in and south of Sabine, Natchitoches, Vernon, Evangeline, St. Landry, Iberville, West Baton Rouge, East Baton Rouge, and St. Helena Parishes; (EE) from points in Broken Bow and Wright City, Okla., to points in Indiana. The purpose of this filing is to eliminate the gateways of Dierks, Ark., to points in Indiana; and Broken Bow, Okla., to all other points.

No. MC 106644 (Sub-No. E12), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Rd. NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size and weight, require the use of special equipment; and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies*, moving in connection therewith, between points in Arkansas, on the one hand, and, on the other, points in Florida and Alabama (except between points in Arkansas on and south of a line from the Arkansas-Texas State line along U.S. Highway 82 to the junc-

tion of U.S. Highway 79, thence along U.S. Highway 79 to the junction of U.S. Highway 49, thence along U.S. Highway 49 to the Arkansas-Mississippi State line, on the one hand, and, on the other, points in Alabama south of U.S. Highway 84 and points in Florida north of the northern boundaries of Dixie, Gilchrist, Alachua, Putnam, and Flagler Counties). Restriction: The operations authorized in (2) above are subject to the following conditions: (1) Said operations are restricted to the transportation of commodities which are transported on trailers; and (2) Said operations are restricted against the transportation of pipe, pipeline machinery, equipment, and supplies incidental to and used in connection with the construction, operation, repair, servicing, and dismantling of pipelines and the stringing or picking up thereof. The purpose of this filing is to eliminate the gateway of points in Tennessee.

No. MC 106644 (Sub-No. E13), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Rd. NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which because of their size and weight, require the use of special equipment, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies*, moving in connection therewith, between points in Georgia, on the one hand, and, on the other, points in Arkansas (except between points in Georgia on, south, and west of a line from the Georgia-Alabama State line along U.S. Highway 80 to the junction of U.S. Highway 341, thence along U.S. Highway 341 to the junction of U.S. Highway 41, thence along U.S. Highway 41 to the Georgia-Florida State line on the one hand, and, on the other, points in Arkansas south of a line from the Arkansas-Louisiana State line along U.S. Highway 79 to the junction of U.S. Highway 49, thence along U.S. Highway 49 to the Arkansas-Mississippi State line). Restriction: The operations authorized in the commodity describe in (2) above are subject to the following conditions: (1) Said commodities are restricted to the transportation of commodities which are transported on trailers; and (2) Said operations are restricted against the transportation of pipe, pipeline machinery, equipment and supplies incidental to and used in connection with the construction, operation, repair, servicing, and dismantling of pipelines and the stringing or picking up thereof. The purpose of this filing is to eliminate the gateway of points in Tennessee.

No. MC 106644 (Sub-No. E14) filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Rd. NW., Atlanta, Ga. 30318. Applicant's representative: Archie B.

Culbreth, 1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which because of their size or weight, require the use of special equipment; and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies*, moving in connection therewith, between points in Arkansas on the one hand, and, on the other points in North Carolina and South Carolina. Restriction: The operations authorized under (2) above are subject to the following conditions: (1) Said operations are restricted to the transportation of commodities which are transported on trailers; and (2) Said operations are restricted against the transportation of pipe, pipeline machinery, equipment and supplies, incidental to and used in connection with the construction, operation, repair, servicing, and dismantling of pipelines and the stringing or picking up thereof. The purpose of this filing is to eliminate the gateway of points in Tennessee.

No. MC 106644 (Sub-No. E15), filed June 3, 1974. Applicant: SUPERIOR TRUCKING CO., INC., 2770 Peyton Road NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size and weight, require the use of special equipment, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith between points in Kentucky and Ohio, on the one hand, and, on the other, points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina. Restriction: The operations authorized under the commodities in (2) above are subject to the following conditions: (1) Said operations are restricted to the transportation of commodities which are transported on trailers; and (2) Said operations are restricted against the transportation of pipe, pipeline machinery, equipment, and supplies incidental to and used in connection with the construction, operation, repair, servicing, and dismantling of pipelines and the stringing or picking up thereof. The purpose of this filing is to eliminate the gateway of points in Tennessee.

No. MC 106644 (Sub-No. E16), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size

and weight, require the use of special equipment; and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies*, moving in connection therewith between points in Illinois and Indiana on the one hand, and, on the other, points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina. Restriction: The operations authorized under the commodity description in (2) above are subject to the following conditions: (1) Said operations are restricted to the transportation of commodities which are transported on trailers; and (2) Said operations are restricted against the transportation of pipe, pipeline machinery, equipment and supplies incidental to and used in connection with the construction, operation, repair, servicing, and dismantling of pipelines and the stringing or picking up thereof. The purpose of this filing is to eliminate the gateway of points in Tennessee.

No. MC 106644 (Sub-No. E17), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of size and weight, require the use of special equipment and (2) *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies*, moving in connection therewith, between points in Missouri and Iowa on the one hand, and, on the other, points in Alabama, Florida, Georgia, Mississippi, North Carolina, and South Carolina. Restriction: The operations authorized under the commodities described in (2) above are subject to the following conditions: Said operations are restricted to the transportation of commodities which are transported on trailers. Said operations are restricted against the transportation of pipe, pipelines machinery, equipment and supplies incidental to and used in connection with the construction, operation, repair, servicing, and dismantling of pipelines and the stringing or picking up thereof. The purpose of this filing is to eliminate the gateway of points in Tennessee.

No. MC 106644 (Sub-No. E19), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* requiring special equipment and handling by reason of size or weight, and *machinery*, and *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith between points in

Florida, Georgia, and South Carolina on the one hand, and, on the other, points in Maryland, Massachusetts, New Jersey, Pennsylvania, Rhode Island, and Virginia. The purpose of this filing is to eliminate the gateway of points in North Carolina.

No. MC 106644 (Sub-No. E20), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* requiring special equipment and handling by reason of size or weight and machinery; *machinery*, and *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith between points in Louisiana on the one hand, and, on the other, points in Maryland, Massachusetts, New York, New Jersey, Pennsylvania, Rhode Island, and Virginia. The purpose of this filing is to eliminate the gateway of points in North Carolina.

No. MC 106644 (Sub-No. E21), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* requiring special equipment and handling by reason of size or weight, and *machinery*, and *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in Alabama and Mississippi on the one hand, and, on the other, points in Massachusetts, New Jersey, and Rhode Island. The purpose of this filing is to eliminate the gateway of points in North Carolina.

No. MC 106644 (Sub-No. E22), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* requiring special equipment and handling by reason of size or weight, and *machinery*, and *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in Tennessee on the one hand, and, on the other, points in Massachusetts, New Jersey, and Rhode Island. The purpose of this filing is to eliminate the gateway of points in North Carolina.

No. MC 106644 (Sub-No. E24), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Pey-

ton Road NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* requiring special equipment and handling, by reason of size or weight, and *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts and supplies* moving in connection therewith (1) between points in Arkansas and Texas, on the one hand, and, on the other, points in Massachusetts, Rhode Island, New Jersey, Maryland, and Virginia; (2) between points in New York and Pennsylvania on the one hand, and, on the other, points in Texas on and south of a line from the Texas-Louisiana State line along Texas Highway 77 to the junction of U.S. Highway 67, thence along U.S. Highway 67 to the junction of U.S. Highway 271, thence along U.S. Highway 271 to the junction of U.S. Highway 82, thence along U.S. Highway 82 to the junction of U.S. Highway 84, thence along U.S. Highway 84 to the Texas-New Mexico State line; (3) between points in New York on and east of Interstate Highway 81, on the one hand, and, on the other, points in Arkansas; and (4) between points in Pennsylvania, on and east of U.S. Highway 219, on the one hand, and, on the other, points in Arkansas. The purpose of this filing is to eliminate the gateway of points in North Carolina and Georgia.

No. MC 106644 (Sub-No. E26), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road, NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 West Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities*, the transportation of which, because of their size and weight, require the use of special equipment, and (2) *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies*, moving in connection therewith, (a) between points in Virginia on and south of a line from Locust Hill along Virginia Highway 33, to the junction of Interstate Highway 64, thence along Interstate Highway 64 to the junction of U.S. Highway 60, thence along U.S. Highway 60 to the Virginia-West Virginia State line, on the one hand, and, on the other, points in Arkansas, Missouri, and Iowa; (b) between points in Virginia on and south of a line from Locust Hill along Virginia Highway 33 to the junction of Interstate Highway 64 to the junction of U.S. Highway 60, thence along U.S. Highway 60 to the Virginia-West Virginia State line (except points on that segment of U.S. Highway 60 from and including Lexington to the Virginia-West Virginia State line), on the one hand, and, on the other, points in Illinois; (c) between points in Virginia on and south of U.S. Highway 58 including points in the Norfolk, Portsmouth, Newport News, and Virginia

Beach commercial zones, on the one hand, and, on the other, points in Indiana and points in Ohio south and west of a line from the Ohio-Indiana State line along U.S. Highway 40 to the junction of U.S. Highway 23, thence along U.S. Highway 23 to the Ohio River at Portsmouth, Ohio. Restriction: The operations authorized under the commodity described in (2) above are subject to the following conditions: Said operations are restricted to the transportation of commodities which are transported on trailers. Said operations are restricted against the transportation of pipe, pipeline machinery, equipment and supplies incidental to and used in connection with the construction, operation, repair, servicing, and dismantling of pipelines and the stringing and picking up thereof. The purpose of this filing is to eliminate the gateways of points in North Carolina and Tennessee.

No. MC 106644 (Sub-No. E28), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road, NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 W. Peachtree St. NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Brooke, Cabell, and Marshall Counties, W. Va., to points in Arkansas on and west of a line from Arkansas-Tennessee State line along U.S. Highway 61 to the junction of Arkansas Highway 14, thence along Arkansas Highway 14 to the junction of Arkansas Highway 5, thence along Arkansas Highway 5 to the Arkansas-Missouri State line, points in Oklahoma and points in Louisiana west of the Mississippi River. Restriction: The operations herein are restricted against the transportation of commodities used in or in connection with the discovery, development, production, refining, manufacturing, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products. The purpose of this filing is to eliminate the gateways of Anniston, Montgomery, Decatur, Gadsden, Holt, or Birmingham, Ala.

No. MC 106644 (Sub-No. E29), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road, NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 W. Peachtree St., NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* requiring special equipment and *structural and reinforcing steel* from points in Brooke and Marshall Counties, W. Va., to points in Florida, points in Louisiana east of the Mississippi River, points in Mississippi, points in South Carolina on and west of Interstate Highway 26, and Chattanooga and Memphis, Tenn. The purpose of this

filing is to eliminate the gateways of points in Alabama and Georgia.

No. MC 106644 (Sub-No. E30), filed June 3, 1974. Applicant: SUPERIOR TRUCKING COMPANY, INC., 2770 Peyton Road, NW., Atlanta, Ga. 30318. Applicant's representative: Archie B. Culbreth, 1252 W. Peachtree St., NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* requiring special equipment and *structural and reinforcing steel* from points in Cabell County, W. Va., to points in Alabama, Florida, Georgia, and Mississippi and points in Louisiana east of the Mississippi River. The purpose of this filing is to eliminate the gateways of Birmingham, Ala., Atlanta or Brunswick, Ga., or points in Chatham County, Ga.

No. MC 107403 (Sub-No. E421), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, as defined in *The Maxwell Co., Extension-Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from points in Maryland within 150 miles of Monongahela, Pa., to points in Minnesota and Nebraska. The purpose of the filing is to eliminate the gateway of Natrium, W. Va., and the plant site of Baird Chemicals Industries, Inc., at or near Mapleton, Ill.

No. MC 107403 (Sub-No. E437), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Good Hope, La., to points in Michigan and Wisconsin. The purpose of this filing is to eliminate the gateway of Millsdale, Ill.

No. MC 107403 (Sub-No. E452), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime and limestone*, in bulk, in tank vehicles, from points in Hillsdale, Jackson, Lenawee, Monroe, Washtenaw, Wayne Counties, Michigan, and Defiance, Erie, Fulton, Henry, Lucas, Ottawa, Sandusky, and Williams Counties, Ohio, to points in Alabama, Arkansas, Georgia, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Minnesota, Mississippi, Missouri, North Carolina, South Carolina, Rhode Island, and Tennessee. The purpose of this filing is to eliminate the gateways of points in Sandusky County, Ohio.

No. MC 107403 (Sub-No. E456), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative:

John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refractory compounds* (except fly ash and portland or masonry cement), in bulk, in tank vehicles, from points in Liberty Township, Seneca County, Ohio, to points in Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, and Vermont. The purpose of this filing is to eliminate the gateway of Spring City, Pa.

No. MC 107403 (Sub-No. E458), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid paints, liquid stains and varnishes, liquid paint materials, and liquid plastics*, in bulk, in tank vehicles, from Circleville, Ohio, to points in Alabama, Georgia, North Carolina, South Carolina, and Tennessee. The purpose of this filing is to eliminate the gateways of the site of the Stauffer Chemical Corporation plant near Point Pleasant, Mason County, W. Va., and Addison, Ohio.

No. MC 107403 (Sub-No. E460), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, from Ironton and South Point, Ohio to points in Michigan. The purpose of this filing is to eliminate the gateways of points in Licking County, Ohio and Pt. Pleasant, W. Va.

No. MC 107403 (Sub-No. E462), filed May 29, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry Chemicals* in bulk, in tank vehicles, from the T.B.S. facilities of the Baltimore and Ohio Railroad Company and the Chesapeake and Ohio Railway Company at or near Toledo, Ohio to points in Kentucky. The purpose of this filing is to eliminate the gateways of points in Delaware County, Ohio.

No. MC 107403 (Sub-No. E463), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from T.B.S. facilities of the Baltimore and Ohio Railroad Company and the Chesapeake and Ohio Railway Company at or near Toledo, Ohio, to points in Illinois and Wisconsin. The purpose of this filing is to eliminate the gateway of the plantsite of the B. F. Goodrich Company, in Milan Township (Allen County), Indiana.

No. MC 107403 (Sub-No. E464), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid plasticizers*, in bulk, in tank vehicles, from the plantsite of Allied Chemical Corp., at or near Toledo, Ohio, to points in Iowa and Nebraska. The purpose of this filing is to eliminate the gateways of the plantsites of Baird Chemicals Industries, Inc., located at or near Mapleton, Ill.

No. MC 107403 (Sub-No. E465), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plasticizers*, in bulk, in tank vehicles, from the plantsite of Allied Chemical Corp., at or near Toledo, Ohio, to points in Kansas. The purpose of this filing is to eliminate the gateway of the plantsite of Stephen Chemical Company, at or near Millsdale, Ill.

No. MC 107403 (Sub-No. E470), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemical foundry sand additives*, dry, in bulk, in tank vehicles, from Wadsworth, Ohio, to points in Illinois and Michigan. The purpose of this filing is to eliminate the gateway of the plantsite of the B. F. Goodrich Company, in Milan Township (Allen County), Indiana.

No. MC 107403 (Sub-No. E478), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Methanol*, in bulk, in tank vehicles, from Huron, Ohio, to points in Kansas. The purpose of this filing is to eliminate the gateway of the plant site of Stepan Chemical Company, at or near Millsdale, Ill.

No. MC 107403 (Sub-No. E481), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid acetone and phenol*, in bulk, in tank vehicles, from the plantsite of United States Steel Corporation, at or near Haverhill (Scioto County), Ohio, to points in Nebraska. The purpose of this filing is to eliminate the gateways of the plantsites of Baird Industries, Inc., located at or near Mapleton, Ill.

No. MC 107403 (Sub-No. E482), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative:

John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except oils and greases), in bulk, in tank vehicles, from Dover, Ohio, to points in Wisconsin. The purpose of this filing is to eliminate the gateway of Fort Wayne, Ind.

No. MC 107403 (Sub-No. E487), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Industrial coating*, in bulk, in tank vehicles, from the plantsites and warehouse facilities utilized by PPG Industries, Inc., in Delaware County, Ohio, to points in Kansas. The purpose of this filing is to eliminate the gateway of Millsdale, Ill.

No. MC 107403 (Sub-No. E488), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Industrial coatings*, in bulk, in tank vehicles, from the plantsites and warehouse facilities utilized by PPG Industries, Inc., in Delaware County, Ohio, to points in Nebraska. The purpose of this filing is to eliminate the gateway of Mapleton, Ill.

No. MC 107403 (Sub-No. E510), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nonflammable liquid nitro paraffines and derivatives* thereof (except wax, petroleum products, other than those medicinal petroleum products and road oil), in bulk, in tank vehicles, from Sterlington, La., to points in Connecticut and Rhode Island. The purpose of this filing is to eliminate the gateway of Greensboro, N.C. and Newark, N.J.

No. MC 107403 (Sub-No. E518), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except benzene, fuel oil, gasoline, and kerosene), in bulk, in tank vehicles, from the plant site of Hooker Chemical Corporation at or near Taft, La., to points in Maine, Massachusetts, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateways of Greensboro, N.C. and Newark, N.J.

No. MC 107403 (Sub-No. E517), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Nonflammable liquid chemicals* (except those sold for use as fertilizers, coal tar and coal tar products, liquid wax, petroleum and petroleum products other than medicinal petroleum products and road oil), in bulk, in tank vehicles, from the plantsite of Union Carbide Corporation at or near Taft, La., to points in Connecticut and Rhode Island. The purpose of this filing is to eliminate the gateways of Greensboro, N.C., and Newark, N.J.

No. MC 107403 (Sub-No. E522), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid natural gas odorants* (except liquefied petroleum gases), in bulk, in tank vehicles, from Oak Point, La., to points in Colorado, Utah, and Wyoming. The purpose of this filing is to eliminate the gateway of Baton Rouge, La.

No. MC 107403 (Sub-No. E524), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid natural gas odorants*, in bulk, in tank vehicles, from Oak Point, La., to points in Maine and New Hampshire. The purpose of this filing is to eliminate the gateway of Newark, N.J.

No. MC 107403 (Sub-No. E525), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid natural gas odorants*, in bulk, in tank vehicles, from Oak Point, La., to points in Massachusetts and Vermont. The purpose of this filing is to eliminate the gateway of Elizabeth, N.J.

No. MC 107403 (Sub-No. E532), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphatic fertilizer solution*, in bulk, in tank vehicles, from the plantsites of National Phosphate Corporation located approximately 4 miles north of Hahnville, La., to points in Kansas. The purpose of this filing is to eliminate the gateway of the plantsites of Allied Chemical Corporation in Baton Rouge, La.

No. MC 110420 (Sub-No. E71), filed June 4, 1974. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: E. Stephen Helsley, 666 Eleventh Street, Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Liquid chocolate and chocolate coating compounds*, in bulk, in tank vehicles, from Chicago, Ill., to Kansas City, Kans. The purpose of this filing is to eliminate the gateway of St. Louis, Mo.

No. MC 110525 (Sub-No. E956), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, from Philadelphia, Pa., to points in Maine (except points in Aroostook County), New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateways of points in Aston Township, Pa., New York, N.Y., and Springfield, Mass.

No. MC 110525 (Sub-No. E965), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Dry chemicals* (except derivatives of petroleum or bituminous materials), in bulk, in tank vehicles, from Springfield, Mass., to points in Florida, Louisiana, and Mississippi [Greensboro, N.C.]*; and (B) *Dry chemicals* (except such naval stores as are chemicals, sulphate, and black liquor skimmings), in bulk, in tank vehicles, from Springfield, Mass., to points in Texas [Atlanta, Ga.]*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 110525 (Sub-No. E1012), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200 Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt emulsions, coal tar, and coal tar products*, in bulk, in tank vehicles, from points in Nebraska, (1) to points in Delaware, Maryland, and New Jersey (Cincinnati, Ohio, and Pittsburgh, Pa.)*, and (2) to points in Connecticut, Massachusetts, and Rhode Island (Cincinnati, Ohio, Pittsburgh, Pa., and Newark, N.J.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 110525 (Sub-No. E1013), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt emulsions, coal tar, and coal tar products*, in bulk, in tank vehicles, from points in South Dakota, (1) to points in Delaware, Maryland, and New Jersey, (Cincinnati, Ohio, and Pittsburgh, Pa.)*, and (2) to points in Connecticut, Massachusetts, and Rhode Island (Cincinnati, Ohio, Pittsburgh, Pa., and Newark,

N.J.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 110525 (Sub-No. E1066), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from points in Jefferson and Brazoria Counties, Tex., (1) to points in Alabama, Florida, Georgia, and Tennessee (Baton Rouge, La.)*, (2) to points in Ohio and that part of Kentucky on and east of U.S. Highway 127 (Baton Rouge, La., and Copperhill, Tenn.)*, (3) to points in New York and Pennsylvania (Baton Rouge, La., Copperhill, Tenn., and South Point, Ohio)*, (4) to points in Maine, Massachusetts, Connecticut, Rhode Island, New Hampshire, and Vermont (Baton Rouge, La., Copperhill, Tenn., South Point, Ohio, and Solway, N.Y.)*, (5) to points in that part of Michigan on and east of a line beginning at the Ohio-Michigan State line, thence along U.S. Highway 127 to junction U.S. Highway 27, thence along U.S. Highway 27 to Mackinaw City (Baton Rouge, La., Copperhill, Tenn., and points in Delaware County, Ohio)*, (6) to points in New Jersey, Delaware, and Maryland (Baton Rouge, La., Copperhill, Tenn., and Cincinnati, Ohio)*, and (7) to points in those parts of Virginia and West Virginia on and north of Interstate Highway 64 (Baton Rouge, La., Copperhill, Tenn., and South Point, Ohio)*, restricted in (4) above against the transportation of calcium chloride and against the transportation of shipments originating or destined to points in Canada. The purpose of this filing is to eliminate the gateways indicated by the asterisks above.

No. MC 110525 (Sub-No. E1068), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from Avondale, La., (1) to points in North Carolina, South Carolina, Virginia, and that part of Georgia on, east, and north of a line beginning at the Tennessee-Georgia State line, thence along U.S. Highway 27 to Rome, thence along Georgia Highway 101 to junction U.S. Highway 278, thence along U.S. Highway 278 to the Georgia-South Carolina State line (points in that part of Tennessee on and east of U.S. Highway 27)*, and (2) to points in that part of Ohio on and east of U.S. Highway 23 (points in that part of Tennessee on and east of U.S. Highway 27 and S. Charleston, W.Va.)*. The purpose of this filing is to eliminate the gateways indicated by the asterisks above.

No. MC 110525 (Sub-No. E1069), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and nitrogen solutions* (except bituminous products and materials), in bulk, in tank vehicles, from Luling, La., to points in North Carolina, South Carolina, Virginia, and that part of Tennessee on and east of U.S. Highway 27. The purpose of this filing is to eliminate the gateway of points in Georgia.

No. MC 110525 (Sub-No. E1070), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aqua ammonia, and ammonium nitrate fertilizers*, in bulk, in tank vehicles, from Luling, La., to points in North Carolina, South Carolina, Virginia, and that part of Tennessee on and east of U.S. Highway 27. The purpose of this filing is to eliminate the gateway of points in Georgia.

No. MC 110525 (Sub-No. E1071), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aqua ammonia*, in bulk, in tank vehicles, from Avondale, La., to points in South Carolina and Virginia. The purpose of this filing is to eliminate the gateway of points in North Carolina.

No. MC 110525 (Sub-No. E1072), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulfuric acid and muriatic acid*, in bulk, in tank vehicles, from Fort Worth, Tex., to those ports of entry on the International Boundary line between the United States and Canada located on the Niagara River. The purpose of this filing is to eliminate the gateways of points in West Virginia and Niagara Falls, N.Y.

No. MC 110525 (Sub-No. E1073), filed May 20, 1974. Applicant: CHEMICAL LEAMAN TANK LINES, INC., P.O. Box 200, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulfuric acid and muriatic acid*, in bulk, in tank vehicles, from Fort Worth, Tex., (1) to the District of Columbia and points in Delaware,

Maryland, New Jersey, Pennsylvania, and New York (Institute, W. Va.)*, (2) to points in Connecticut, Massachusetts, and Rhode Island (Institute, W. Va., and Newark, N.J.)*, (3) to points in Maine, New Hampshire, and Vermont (Institute, W. Va., and Syracuse, N.Y.)*, and (4) to points in Michigan and Ohio (Louisville, Ky.)*. The purpose of this filing is to eliminate the gateways indicated by the asterisks above.

No. MC 111548 (Sub-No. E11), filed June 4, 1974. Applicant: SHARPE MOTOR LINES, INC., P.O. Box 517, Hildebran, N.C. 28637. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., Pennsylvania Ave. & 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in Connecticut, District of Columbia, Delaware, and points in that part of Maryland on and east of U.S. Highway 1, and points in that part of New Jersey south of a line beginning at Deepwater, thence along the New Jersey Turnpike to junction New Jersey Highway 537, thence along New Jersey Highway 537 to junction New Jersey Highway 539 thence along New Jersey Highway 539 to junction New Jersey Highway 70, thence along New Jersey Highway 70 to junction New Jersey Highway 37, thence along New Jersey Highway 37 to Seaside Heights to points in that part of Kentucky west and south of a line beginning at the Kentucky-Tennessee State line, thence along U.S. Highway 25E to junction U.S. Highway 25, thence along U.S. Highway 25 to junction U.S. Highway 150, thence along U.S. Highway 150 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction Kentucky Highway 86, thence along Kentucky Highway 86 to junction U.S. Highway 60, thence along U.S. Highway 60 to the Indiana-Kentucky State line, points in that part of Indiana south of Indiana Highway 66, and points in that part of Illinois south of a line beginning at the Illinois-Indiana State line, thence along U.S. Highway 460 to junction Illinois Highway 1, thence along Illinois Highway 1 to junction U.S. Highway 460, thence along U.S. Highway 460 to junction Illinois Highway 14, thence along Illinois Highway 14 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Illinois Highway 152, thence along Illinois Highway 152 to junction Illinois Highway 4, thence along Illinois Highway 4 to junction Illinois Highway 150, thence along Illinois Highway 150 to the Illinois-Missouri State line. The purpose of this filing is to eliminate the gateway of points in the New York, N.Y., commercial zone, and points in Burke, Caldwell, McDowell, and Catawba Counties, N.C., within 25 miles of Hickory.

No. MC 111548 (Sub-No. E12), filed June 4, 1974. Applicant: SHARPE MOTOR LINES, INC., P.O. Box 517, Hildebran, N.C. 28637. Applicant's repre-

sentative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., Pennsylvania Ave. & 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, from points in the New York, N.Y., commercial zone, and points in that part of New Jersey east of U.S. Highway 1 and north of New Jersey Highway 70, to points in that part of Kentucky west and south of a line beginning at the Kentucky-Tennessee State line, thence along U.S. Highway 25E to junction U.S. Highway 25, thence along U.S. Highway 25 to junction U.S. Highway 150, thence along U.S. Highway 150 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction U.S. Highway 41A, thence along U.S. Highway 41A to junction Kentucky Highway 109, thence along Kentucky Highway 109 to the Kentucky-Illinois State line, and points in that part of Illinois south of a line beginning at the Kentucky-Illinois State line, thence along Illinois Highway 13 to junction Illinois Highway 149, thence along Illinois Highway 149 to junction Illinois Highway 3, thence along Illinois Highway 3 to the Illinois-Missouri State line. The purpose of this filing is to eliminate the gateway of Hickory, N.C., and points within 25 miles thereof.

No. MC 111548 (Sub-No. E13), filed June 4, 1974. Applicant: SHARPE MOTOR LINES, INC., P.O. Box 517, Hildebran, N.C. 28637. Applicant's representative: Edward G. Villalon, Suite 1032 Pennsylvania Bldg., Pennsylvania Ave. & 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laboratory and technical furniture, fixtures, equipment, materials, and supplies*, uncrated, from points in the New York, N.Y., Commercial Zone, points in New Jersey, Delaware, District of Columbia, points in that part of Maryland on and east of U.S. Highway 1, and points in that part of Pennsylvania on an east of U.S. Highway 1, to points in South Carolina, Georgia, Florida, Alabama, Tennessee, Mississippi, Arkansas, Louisiana, Oklahoma, Texas, New Mexico, Colorado, Utah, Arizona, Nevada, and California. The purpose of this filing is to eliminate the gateway of Statesville, N.C.

No. MC 113843 (Sub-No. E384), filed May 22, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and vegetables*, from Toledo, Ohio, to Burlington, N.J., and points in that part of New Jersey on and north of U.S. Highway 33. The purpose of this filing is to eliminate the gateway of Buffalo, N.Y.

No. MC 113843 (Sub-No. E439) filed May 13, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils

(same as above). Authority to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and berries, and frozen fruit and berry concentrates*, from Baltimore, Md., to points in that part of Texas on and west of a line beginning at the U.S.-Mexico International Boundary line and extending along U.S. Highway 81 to Hillsboro, thence along U.S. Highway 77 to Dallas, thence along U.S. Highway 75 to the Texas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E482), filed May 9, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from New York, N.Y., to points in that part of New York on and west of a line beginning at the Pennsylvania-New York State line and extending along New York Highway 14 to junction New York Highway 17, thence along New York Highway 17 to junction U.S. Highway 15, thence along U.S. Highway 15 to Rochester and Lake Ontario. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E624), filed May 15, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Michigan to points in that part of New York on, north, and east of a line beginning at the New York-Pennsylvania State line and extending along New York Highway 14 to Junction New York Highway 13, thence along New York Highway 13 to junction Interstate Highway 81, thence along Interstate Highway 81 to junction New York Highway 104, thence along New York Highway 104 to Oswego and Lake Ontario. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E625), filed May 14, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, as defined by the Commission, from Detroit, Mich., to points in those portions of Erie, Chatauga, and Cattaraugus Counties, N.Y., on and north of a line beginning at Silver Creek at Lake Erie and extending along New York Highway 5 to junction New York Highway 438, thence along New York Highway 438 to Gowanda, thence along U.S. Highway 62 to junction New York Highway 39, thence along New York Highway 39 to the Erie and Wyoming Counties boundary line. The pur-

pose of this filing is to eliminate the gateways of Cleveland, Ohio, and Buffalo, N.Y.

No. MC 113843 (Sub-No. E668), filed May 14, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Michigan to points in Delaware. The purpose of this filing is to eliminate the gateway of Elmira, N.Y. (via Canada).

No. MC 114457 (Sub-No. E3), filed June 3, 1974. Applicant: DART TRANSPORT COMPANY, 780 N. Prior Ave., St. Paul, Minn. 55104. Applicant's representative: Michael P. Zell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Preserved foodstuffs* (except commodities in bulk), from the plant sites and warehouse facilities of Turri's Italian Foods, Inc., at Detroit, Mich., and the plant sites and warehouse facilities of Chef-Pierre, Inc., at Traverse City, Mich., to points in North Dakota, South Dakota, and Montana, restricted to the transportation of traffic originating at the above-named origin points. The purpose of this filing is to eliminate the gateway of Chanhassen, Minn.

No. MC 114457 (Sub-No. E4), filed June 3, 1974. Applicant: DART TRANSPORT COMPANY, 780 N. Prior Ave., St. Paul, Minn. 55104. Applicant's representative: Michael P. Zell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, and commodities in bulk, in tank vehicles), from Kansas City, Mo., to Chicago, Ill. The purpose of this filing is to eliminate the gateway of Madison, Wis.

No. MC 114457 (Sub-No. E5), filed June 3, 1974. Applicant: DART TRANSPORT COMPANY, 780 N. Prior Ave., St. Paul, Minn. 55104. Applicant's representative: Michael P. Zell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), as are frozen foods, from the plant site and storage facilities of Spencer Foods, Inc., at or near Schuyler, Nebr., to points in Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, Maine, Vermont, New Hampshire, that part of New York in and east of St. Lawrence,

Jefferson, Lewis, Oneida, Otsego, Delaware, Sullivan, and Orange Counties, that part of Pennsylvania in and east of Wayne, Wyoming, Luzerne, Schuylkill, Lebanon, and Lancaster Counties, that part of Maryland in and east of Baltimore, Howard, Prince Georges, Charles, St. Marys and Somerset Counties, and the District of Columbia, restricted to the transportation of traffic originating at the above-named origin point. The purpose of this filing is to eliminate the gateway of Madelia, Minn.

No. MC 114457 (Sub-No. E6), filed June 3, 1974. Applicant: DART TRANSPORT COMPANY, 780 N. Prior Ave., St. Paul, Minn. 55104. Applicant's representative: Michael P. Zell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except dairy products and meat) as are foodstuffs, from the plant site and warehouse facilities of Chef-Pierre, Inc., at Traverse City, Mich., to points in that part of Nebraska in, north, and west of Burt, Dodge, Saunders, Lancaster, and Gage Counties, restricted to the transportation of traffic originating at the plant sites and warehouse facilities of Turri's Italian Foods, Inc., at Detroit, Mich., and the above-named origin point, and destined to points in Ohio, Pennsylvania, West Virginia, Kentucky, Nebraska, Connecticut, Delaware, Indiana, the Lower Peninsula of Michigan, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and the District of Columbia. The purpose of this filing is to eliminate the gateway of the warehouse facilities of Arden Foods Co., at Hopkins, Minn.

No. MC 115162 (Sub-No. E1), filed June 4, 1974. Applicant: POOLE TRUCK LINE, INC., P.O. Drawer 500, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Florida, to points in that part of Mississippi on and north of U.S. Highway 80. The purpose of this filing is to eliminate the gateway of Bellamy, Ala.

No. MC 118959 (Sub-No. E1), (Correction), filed April 25, 1974, published in the FEDERAL REGISTER August 19, 1974. Applicant: JERRY LIPPS, INC., 919 Eighteenth St. NW., Washington, D.C. 20006. Applicant's representative: William P. Jackson, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (C) *Plastic pipe, cement asbestos pipe, fittings, compounds, joint sealer, bonding cement, plastic siding, and materials and supplies* used in the installation of plastic and plastic products, from the plant site of Certain-Teed Products Corporation at Social Circle, Ga., to points in California, Oregon, Washington, Montana, Idaho, Utah, Arizona, Colorado, Wyoming, North

Dakota, South Dakota, Nebraska, Nevada, Kansas, Indiana, Michigan, Ohio, those parts of Oklahoma and New Mexico on, north, and west of a line beginning at the Kansas-Oklahoma State line, thence along U.S. Highway 169 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Texas-New Mexico State line, that part of Illinois on and north of a line beginning at the Illinois-Indiana State line, thence along Illinois Highway 141 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Illinois Highway 13, thence along Illinois Highway 13 to junction Illinois Highway 149, thence along Illinois Highway 3, thence along Illinois Highway 3 to Chester, thence along Illinois Highway 51 to the Illinois-Missouri State line, and those parts of Massachusetts, Connecticut, New York, Pennsylvania, and West Virginia on, north, and west of a line beginning at the Atlantic Ocean.

Thence along U.S. Highway 6 to junction Interstate Highway 84, thence along Interstate Highway 84 to junction U.S. Highway 209, thence along U.S. Highway 209 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 522, thence along U.S. Highway 522 to junction Interstate Highway 76, thence along Interstate Highway 76 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction West Virginia Highway 84, thence along West Virginia Highway 84 to junction U.S. Highway 219, thence along U.S. Highway 219 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 19, thence along U.S. Highway 19 to junction West Virginia Highway 16, thence along West Virginia Highway 16 to junction U.S. Highway 52, thence along U.S. Highway 52 to the West Virginia-Kentucky State line. The purpose of this filing is to eliminate the gateway of the plant site of Tech-Panel Corporation at or near Springfield, Mo. The purpose of this partial correction is to clarify the route description. The remainder of the letter-notice remains as previously published.

No. MC 118959 (Sub-No. 23) (Correction), filed May 13, 1974, republished in the FEDERAL REGISTER September 10, 1974. Applicant: JERRY LIPPS, INC., 130 S. Frederick St., Cape Girardeau, Mo. 63701. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Paper and paper products* . . . (3) from the plant sites and facilities of The Mead Corporation at or near Kingsport and Gray, Tenn., to points in Arizona, that part of Alabama on and south of a line beginning at the Alabama-Florida State line, thence along U.S. Highway 331 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction U.S. Highway 43, thence along U.S. Highway 43 to junction Alabama Highway 56, thence along

Alabama Highway 56 to the Alabama-Mississippi State line, that part of Mississippi on and south of a line beginning at the Alabama-Mississippi State line, thence along Mississippi Highway 42 to Harrisburg, thence along U.S. Highway 98 to the Mississippi-Louisiana State line, that part of Louisiana on and south of a line beginning at the Mississippi-Louisiana State line, thence along U.S. Highway 84 to junction Louisiana Highway 6, thence along Louisiana Highway 6 to the Louisiana-Texas State line, that part of Texas on, south, and west of a line beginning at the Louisiana-Texas State line, thence along Texas Highway 21 to junction U.S. Highway 69, thence along U.S. Highway 287 to Corsicana, Highway 84, thence along U.S. Highway 84 to junction U.S. Highway 287, thence along U.S. Highway 287 to Corsicana, thence along Texas Highway 22 to junction Texas Highway 6, thence along Texas Highway 6 to junction Texas Highway 36, thence along Texas Highway 36 to Abilene, thence along U.S. Highway 84 to the Texas-New Mexico State line, and that part of New Mexico on, south, and west of U.S. Highway 84 (the plant site and storage facilities utilized by St. Regis Paper Company at or near Cantonment, Fla.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to add to the destination territories. The remainder of the letter-notice remains as previously published.

No. MC 118959 (Sub-No. E36), Correction), filed May 15, 1974, republished in the FEDERAL REGISTER September 10, 1974. Applicant: JERRY LIPPS, INC., 130 S. Frederick St., Cape Girardeau, Mo. 63701. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St. NW., Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: . . . (D) *Plastic conduit, plastic siding, and plastic moldings*, from Waco, Tex., to the District of Columbia, and points in Oregon, Washington, Idaho, Montana, Wyoming, North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, Pennsylvania, New York, New Jersey, Delaware, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, Maine, that part of Utah on and north of a line beginning at the Nevada-Utah State line, thence along Utah Highway 56 to junction U.S. Highway 91, thence along U.S. Highway 91 to junction Utah Highway 20, thence along Utah Highway 20 to junction U.S. Highway 89, thence along U.S. Highway 89 to junction Utah Highway 4, thence along Utah Highway 4 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Utah-Colorado State line, that part of Missouri on and north of a line beginning at the Kansas-Missouri State line, thence along Interstate Highway 70 to junction U.S. Highway 54, thence along U.S. Highway 54 to the Missouri-Illinois State line, that part of Illinois on and north of a line beginning at the

Missouri-Illinois State line, thence along U.S. Highway 54 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Illinois-Indiana State line, that part of Indiana on and north of a line beginning at the Illinois-Indiana State line.

Thence along U.S. Highway 36 to Indianapolis, thence along U.S. Highway 40 to junction U.S. Highway 35, thence along U.S. Highway 35 to the Indiana-Ohio State line, that part of Ohio on and north of a line beginning at the Indiana-Ohio State line, that part of Ohio on and north of a line beginning at the Indiana-Ohio State line, thence along U.S. Highway 35 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 33, thence along U.S. Highway 33 to junction U.S. Highway Alternate 50, thence along U.S. Highway Alternate 50 to the Ohio-West Virginia State line, that part of West Virginia on and north of a line beginning at the Ohio-West Virginia State line, thence along U.S. Highway Alternate 50 to junction U.S. Highway 50, thence along U.S. Highway 50 to the West Virginia-Maryland State line, and those parts of Maryland and Virginia on and north of U.S. Highway 50 (McPherson, Kans.)*. . . The purpose of this filing is to eliminate the gateways indicated by asterisks above. The purpose of this partial correction is to clarify the destination territory. The remainder of the letter-notice remains as previously published.

No. MC 119631 (Sub-No. E1), filed May 29, 1974. Applicant: DEIOMA TRUCKING CO., Alliance, Ohio 44601. Applicant's representative: James E. Wilson, 1032 Penn. Bldg., Pennsylvania & 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Clay products* other than pottery from points in Pennsylvania within 30 miles of East Palestine, Ohio, to points in Pennsylvania, Maryland, New York, New Jersey, Delaware, points in West Virginia on and West of U.S. Highway 220 and on and north of U.S. Highway 50, and points in New Hampshire, Vermont, Maine, Massachusetts, Connecticut, and Rhode Island (East Palestine, Ohio)*. *Brick and tile*, from points in Lawrence County, Pa., to Washington, D.C., and points in Virginia (East Liverpool, Ohio)*. The purpose of this filing is to eliminate the gateways marked with asterisks above.

No. MC 119631 (Sub-No. E4), filed May 29, 1974. Applicant: DEIOMA TRUCKING CO., P.O. Box 915, Alliance, Ohio 44601. Applicant's representative: James E. Wilson, 1032 Pennsylvania Building, Pennsylvania and 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Clay products and refractories* from points in Michigan to points in New York, Pennsylvania, New Jersey, Delaware, West Virginia, Maryland, Connecticut, Rhode Island, New Hampshire, Vermont, Maine, Massachusetts,

Virginia, and Washington, D.C. The purpose of this filing is to eliminate the gateways of Alliance, Ohio, and points within 5 miles thereof, or East Palestine, Ohio, or points in Columbiana County, Ohio, or West Bridgewater, Pa., and East Liverpool, Ohio.

No. MC 119631 (Sub-No. E5), filed May 29, 1974. Applicant: DEIOMA TRUCKING CO., P.O. Box 915, Alliance, Ohio 44601. Applicant's representative: James E. Wilson, 1032 Penn. Bldg., Pennsylvania Ave. & 13th Street NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay products and refractories* from points in Maryland, New York, Pennsylvania, and West Virginia to points in Illinois and Wisconsin (Wellsville, Ohio, and points within 10 miles thereof)*. *Clay products* (other than pottery) and *refractories* from points in Maryland, New York, Pennsylvania, and West Virginia to points in Michigan and Indiana (Alliance, Ohio and points within 5 miles thereof)*. The purpose of this filing is to eliminate the gateways marked with asterisks above.

No. MC 119631 (Sub-No. E6), filed May 29, 1974. Applicant: DEIOMA TRUCKING CO., P.O. Box 915, Alliance, Ohio 44601. Applicant's representative: James E. Wilson, Suite 1032 Penn. Bldg., Pennsylvania Ave. and 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick, clay products, and refractories* from points in Ohio to points in New Hampshire, Vermont, Maine, Massachusetts, Connecticut, and Rhode Island; *Brick, refractories and clay products* (except pottery) from points in Ohio to points in New Jersey and Delaware. The purpose of this filing is to eliminate the gateways of points in Lawrence County, Pa., and Columbiana County, Ohio, and points within 5 miles of East Palestine, Ohio.

No. MC 119689 (Sub-No. E3), filed May 19, 1974. Applicant: PEERLESS TRANSPORT CORP., 275 Smallman St., Pittsburgh, Pa. 15222. Applicant's representative: William J. Lavelle, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Processed cheese, raw cheese, pimentos, chemicals, and paper cartons*, (A) between points in Delaware, on the one hand, and, on the other, points in Illinois, Indiana, Michigan, Minnesota, Wisconsin, points in that part of Kentucky on and west of a line beginning at the Ohio River and extending along U.S. Highway 62 to junction U.S. Highway 68, thence over U.S. Highway 68 to junction U.S. Highway 27, thence over U.S. Highway 27 to the Kentucky-Tennessee State line, and points in Ohio on, north, and west of a line beginning at the Ohio River and extending along U.S. Highway 62 to Hillsboro, thence over U.S. Highway 50 to junction U.S. Highway 23, thence over

U.S. Highway 23 to junction Interstate Highway 70, thence over Interstate Highway 70 to junction U.S. Highway 22, and thence over U.S. Highway 22 to the Ohio River at Steubenville; (B) between points in Maryland, on the one hand, and, on the other, points in Illinois, Michigan, Minnesota, and Wisconsin, points in that part of Indian on, north, and west of a line beginning at the Indiana-Michigan State line and extending along Interstate Highway 69 to junction Indiana Highway 127, thence over Indiana Highway 127 to Angola, thence over U.S. Highway 20 to junction Interstate Highway 69, thence over U.S. Highway 69 to junction U.S. Highway 6, thence over U.S. Highway 6 to junction U.S. Highway 31, thence over U.S. Highway 31 to junction Indiana Highway 25, thence over Indiana Highway 25 to Logansport, and thence over U.S. Highway 24 to the Indiana-Illinois State line, points in that part of Indiana on and south of U.S. Highway 460 between Evansville, and the Indiana-Illinois State line, and points in Kentucky on and west of a line beginning at the Kentucky-Tennessee State line and extending over the Purchase Parkway to junction U.S. Highway 62.

Thence over U.S. Highway 62 to junction U.S. Highway 641, thence over U.S. Highway 641 to junction U.S. Highway 60, thence over U.S. Highway 60 to junction U.S. Highway 41, and thence over U.S. Highway 41 to the Kentucky-Indiana State line; (C) between points in New York, on the one hand, and, on the other, points in Calloway, Carlisle, Christian, Fulton, Graves, Hickman, Marshall, McCracken, and Trigg Counties, Ky., points in Minnesota on and west of a line beginning at the Minnesota-Iowa State line and extending along U.S. Highway 218 to junction U.S. Highway 14, thence over U.S. Highway 14 to junction Interstate Highway 35, thence over Interstate Highway 35 to Duluth, and points in that part of West Virginia on and south of a line beginning at the West Virginia-Virginia State line and extending along U.S. Highway 33 to junction U.S. Highway 250, thence over U.S. Highway 250 to junction U.S. Highway 50, thence over U.S. Highway 50 to Parkersburg, thence over Interstate Highway 77 to junction U.S. Highway 119, and thence over Interstate Highway 119 to the West Virginia-Kentucky State line. The purpose of this filing is to eliminate the gateway of Curwensville, Pa.

No. MC 119774 (Sub-No. E62), filed May 30, 1974. Applicant: EAGLE TRUCKING COMPANY, P.O. Box 471, Kilgore, Tex. 75662. Applicant's representative: Nolan Killingsworth Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Machinery, equipment, materials, and supplies*, used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, equip-*

ment, materials, and supplies, used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, and (2) *Earth drilling machinery, and equipment, and machinery, equipment, materials, supplies, and pipe* incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion on holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites and (d) the injection or removal of commodities into or from holes or wells, between points in Mississippi on the one hand, and, on the other, points in Montana. The purpose of this filing is to eliminate the gateway of points in Texas.

No. MC 123407 (Sub-No. E22) (Correction), filed June 4, 1974, published in the FEDERAL REGISTER September 16, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Spearfish, S. Dak., to points in Ohio, Pennsylvania, and Michigan (except Gogebic, Ontonagon, Iron, Baraga, Houghton, Keweenaw, and Marquette Counties). The purpose of this filing is to eliminate the gateway of points in Wisconsin within the Commercial Zone of Warren, Ill. The purpose of this correction is to reflect the correct "E" number which was previously published as E21.

No. MC 123407 (Sub-No. E99), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and composition board* used as a building material from the plantsite of Johns-Manville Products Corporation at Waukegan, Ill., to points in Houston, Geneva, Baldwin, Mobile, and Escambia Counties, Ala.; Thomas, Grady, Decatur, and Seminole Counties, Ga.; Newton, Jasper, Tyler, Hardin, Liberty, Harris, Waller, Washington, Fayette, Caldwell, Guadalupe, Bexar, Medina, Kinney, and Uvalde Counties, Tex., and points in Florida (except points in Hamilton, Baker, Nassau, Duval, Clay, St. Johns, Flagler, Bradford, Union, Columbia, and Suwannee Counties). The purpose of this filing is to eliminate the gateway of Taylorsville, Miss.

No. MC 123407 (Sub-No. E100), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Composition board and materials and accessories* used in the installation thereof, from points in Henry County, Tenn., to points in that part of Nebraska in and north of Keith, Lincoln, Custer, Sherman, Howard, Nance, Platte, Colfax, Dodge, and Washington Counties and to Dodge Park, Nebr. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 123407 (Sub-No. E101), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass glazing units* used as windows (except commodities the transportation of which because of size or weight require the use of special equipment or special handling), from Mason City, Iowa to points in that part of Illinois south of U.S. Highway 6, restricted to shipments originating at the plant and warehouse sites of Libby-Owens-Ford Company at the above-named origin. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 123407 (Sub-No. E102), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building Materials* (except commodities in bulk, lumber, chemicals, and commodities the transportation of which because of their size or weight require the use of special equipment) from Dubuque, Iowa to points in North Carolina, Virginia, West Virginia, Tennessee, and Kentucky. The purpose of this filing is to eliminate the gateway of Warren, Ill., and Brookville, Ind.

No. MC 123407 (Sub-No. E103), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board* (except commodities in bulk), from the plant and warehouse site of the Abitibi Corporation at Roaring River, N.C., to points in Montana and Teton, Hot Springs, Big Horn, Washakie, Sheridan, Johnson, Campbell, and Crook Counties, Wyo., the purpose of this filing is to eliminate the gateway of Alpena, Mich.

No. MC 123407 (Sub-No. E104), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from

Freeport, Ill., to points in Minnesota, South Dakota, Nebraska, Kansas, Michigan, Ohio, and Pennsylvania, and points in that part of Indiana south of a line beginning at the Michigan-Indiana Highway 9 to junction Indiana Highway 37, thence along Indiana Highway 37 to junction Indiana Highway 32, thence along Indiana Highway 32 to the Indiana-Illinois State line. The purpose of this filing is to eliminate the gateway of points in that part of Wisconsin within the Warren, Ill., Commercial Zone.

No. MC 123407 (Sub-No. E105), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except commodities in bulk, lumber, chemicals and commodities the transportation of which because of size or weight require the use of special equipment), from points in Jo Davies and Stephenson Counties, Ill., to points in that part of Kentucky in and east of Oldham, Shelby, Spencer, Anderson, Washington, Marion, Taylor, Green, Metcalfe, Barren, and Monroe Counties, and that part of Tennessee in and east of Clay, Jackson, Smith, DeKalb, Cannon, Coffee, and Franklin Counties. The purpose of this filing is to eliminate the gateway of Warren, Ill., and Brookville, Ind.

No. MC 123407 (Sub-No. E106), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and flooring* used as a building material from the plantsite of Birmingham Forest Products, Inc., at Cordova, Ala., to points in North Dakota. The purpose of this filing is to eliminate the gateway of L'Anse, Mich.

No. MC 123407 (Sub-No. E107), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building Materials*, from Clinton, Iowa to points in Minnesota, South Dakota, Ohio, Pennsylvania, Michigan, and points in that part of Nebraska in and west of Keya, Paka, Holt, Antelope, Madison, Platte, Butler, Lancaster, Saline, and Jefferson Counties and that part of Kansas in and west of Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick, and Sumner Counties. The purpose of this filing is to eliminate the gateway of Warren, Ill.

No. MC 123407 (Sub-No. E108), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Saw-

yer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wallboard, pulpboard, and hardboard* (except commodities in bulk, lumber, chemicals, and commodities the transportation of which because of their size or weight require the use of special equipment) from Superior, Wis., to points in South Carolina, Florida, and Georgia (except points in Dade, Caloosa, Whitfield, Towns, Walker, Murray, Fannin, Gilmer, Union, White, Rabun, Habersham, Hall, Lumpkin, Dawson, Pickens, Gordon, Chattooga, Banks, Jackson, Floyd, Bartow, Cherokee, Forsyth, Polk, Paulding, Cobb, Gwinnett, Barrow, De Kalb, Rockdale, Henry, Clayton, Fulton, Douglas, Haralson, Carroll, Heard, Coweta, Fayette, Spalding, Troup, Meriwether, Pike, Lamar, Harris, Talbot, Upson, Taylor, Muscogee, Marion, Schley, Webster, and Stewart Counties). The purpose of this filing is to eliminate the gateways of Brookville, Ind., and the plant and warehouse sites of the Abitibi Corporation at Roaring River, N.C.

No. MC 123407 (Sub-No. E109), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass Glazing units* used as a building material from Mason City, Iowa to Warren, Ill., restricted against the transportation of commodities which, because of size or weight, require the use of special equipment or special handling. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 123407 (Sub-No. E110), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* from Chicago, Ill., to points in Minnesota, South Dakota, Nebraska, Kansas, and Gogebic and Ontonagon Counties, Mich. The purpose of this filing is to eliminate the gateway of Warren, Ill.

No. MC 123407 (Sub-No. E111), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition building board* from Freeport, Ill., to points in Arkansas, Alabama, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Pennsylvania, Tennessee, Trumbull, Columbi-ana, Carroll, Jefferson, Harrison, Belmont, Monroe, Washington, Athens, Meigs, Gallia, and Lawrence Counties, Ohio, Greenup, Boyd, Carter, Lawrence, Elliott, Morgan, Johnson, Martin, Pike,

Floyd, Magoffin, Wolfe, Knott, Breathitt, Perry, Letcher, Lesley, Harlan, Bell, Knox, Clay, Whitley, McCreary, Wayne, Clinton, Cumberland, Monroe, Allen, Simpson, Logan, Todd, Christian, Trigg, Calloway, Warren, Barren, Metcalfe, Adair, Russell, Pulaski, Rockcastle, Jackson, Owsley, Lee, and Laurel Counties, Ky., and Ontonagon, Gogebic, Emmet, Cheboygan, Charlevoix, Otsego, Presque Isle, Alpena, Montmorency, Alcona, Oscoda, and Iosco Counties, Mich. The purpose of this filing is to eliminate the gateway of points in that part of Wisconsin within the Dubuque, Iowa commercial zone.

No. MC 123407 (Sub-No. E112), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition board* (except commodities in bulk) from the plantsite of Johns-Manville Perlite Corporation at Rockdale, Ill., to points in Kansas (except Miami, Linn, Bourbon, Crawford, Cherokee, and Labette Counties) and Oklahoma (except Nowata, Craig, Ottawa, Rogers, Mayes, Delaware, Tulsa, Wagoner, Cherokee, Adair, Okmulgee, Muskogee, Sequoyah, Okfuskee, McIntosh, Haskell, Pittsburg, Latimer, LeFlore, Gushmataha, and McCurtain Counties), restricted to shipments originating at the named plantsites. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 123407 (Sub-No. E113), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Indiana 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Furring, studding, lathing, ribbing, and accessories, materials, and supplies* used in the installation of furring, studding, lathing, and ribbing (except commodities in bulk, lumber, chemicals, and commodities the transportation of which because of their size or weight require the use of special equipment) from Chicago, Ill., to points in Kentucky in and east of Meade, Hardin, Grayson, Butler, Warren, and Simpson, restricted to the transportation of traffic originating at the plantsites and storage facilities of Chicago Metallic Corporation at Chicago, Ill. The purpose of this filing is to eliminate the gateway of Brookville, Ind.

No. MC 123407 (Sub-No. E114), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition building board*, from International Falls, Minn., to points in that part of Georgia in and south of

Harris, Talbot, Marion, Schley, Sumter, Crisp, Turner, Ben Hill, Coffee, Bacon, Pierce, Brantley, and Glynn Counties, and points in Harris, Brazoria, Galveston, and Chambers Counties, Tex. The purpose of this filing is to eliminate the gateway of East Dubuque, Ill., and the plantsites of Georgia-Pacific Corporation at Taylorsville, Miss.

No. MC 123407 (Sub-No. E115), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* used in the manufacture and distribution of windows, doors, and building woodwork (except lumber, iron and steel, and iron and steel articles) from Shreveport, La., to points in Michigan and that part of Minnesota north and east of a line beginning at the Minnesota-Iowa State line, thence along Interstate Highway 35 to its junction with Interstate Highway 494, thence along Interstate Highway 494 to the junction with Interstate Highway 94, thence along Interstate Highway 94 to the Minnesota-North Dakota State line, restricted against the transportation of commodities which, because of size or weight require the use of special equipment or special handling. The purpose of this filing is to eliminate the gateways of Dubuque, Iowa, and Warren, Ill.

No. MC 123407 (Sub-No. E119), filed June 4, 1974. Applicant: SAWYER TRANSPORT, INC., South Haven Square, Valparaiso, Ind. 46383. Applicant's representative: Robert W. Sawyer (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Decorating or preservative materials, supplies, and equipment*; (2) *Paint, painting materials, supplies, and equipment* (except commodities in bulk) from the plantsite of Montgomery Ward Paint Factory at Chicago Heights, Ill., to points in Kansas. The purpose of this filing is to eliminate the gateway of points in that part of Wisconsin within the Warren, Ill., commercial zone.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-22287 Filed 9-24-74; 8:45 am]

[Ex Parte No. MC-43]

LEASE AND INTERCHANGE OF VEHICLES BY MOTOR CARRIERS

SEPTEMBER 18, 1974.

At a session of the Interstate Commerce Commission, Motor Carrier Leasing Board, held at its office in Washington, D.C. on the 11th day of September, 1974.

It appearing, that a petition has been filed by Ajax Transfer Company, A Corporation (permits MC-119391 sub 1 and four subs) and LTL Perishables, Inc.

(certificate MC-135974 sub 14 and 19) and Nel Transfer, Inc. (not authorized by the Commission), under common control, for waiver of paragraphs (a) (3) and (c) of § 1057.4 of the lease and interchange of vehicles regulations (49 CFR Part 1057), concerning equipment leased between petitioners;

It further appearing, that petitioners have a jointly administered program applying the same standards of inspection and maintenance to equipment in accordance with the motor carrier safety regulations of the U.S. Department of Transportation;

It further appearing, that the U.S. Department of Transportation reports both petitioners are now in acceptable compliance with the motor carrier safety regulations;

It is ordered, That waiver of paragraphs (a) (3) and (c) of § 1057.4 be, and, it is hereby granted *Provided*, That the equipment is inspected on the day it is to be leased and found to meet the requirements of the safety regulations of the U.S. Department of Transportation and that petitioners remain in satisfactory compliance with those regulations and under common control;

By the Commission, Motor Carrier Leasing Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-22288 Filed 9-24-74; 8:45 am]

[Notice 15]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

SEPTEMBER 20, 1974.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application) to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's revised deviation rules—motor carriers of passengers, 1969 (49 CFR 1042.2(c) (9) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c) (9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c) (9) at any time, but will not operate to stay commencement of the proposed operations unless filed on or before October 25, 1974.

Successively filed letter-notices of the same carrier under the Commission's revised deviation rules—motor carriers of property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 679),
GREYHOUND LINES, INC., Eastern

Division, Box 6903, 1400 W. Third Street, Cleveland, Ohio 44101, filed September 5, 1974. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (a) From Knoxville, Tenn., over Interstate Highway 81 to junction Interstate Highway 581, thence over Interstate Highway 581 to Roanoke, Va., with the following access routes: (1) From the junction of Interstate Highway 81 and Tennessee Highway 137, over Tennessee Highway 137 to Kingsport, Tenn., (2) From the junction of Interstate Highway 81 and U.S. Highway 11W (east of Bristol, Va.-Tenn.), over U.S. Highway 11W, serving Bristol, Va.-Tenn., to its junction with Interstate Highway 81 (west of Bristol, Va.-Tenn.), (3) From the junction of Interstate Highway 81 and Virginia Highway 895, over Virginia Highway 895 to Bristol, Va., (4) From the junction of Interstate Highway 81 and Virginia Highway 75, over Virginia Highway 75 to Abingdon, Va., (5) From the junction of Interstate Highway 81 and Virginia Highway 762, over Virginia Highway 762 to junction U.S. Highway 11 near Chilhowie, Va., (6) From junction Interstate Highway 81 and Virginia Highway 658, over Virginia Highway 658 to Marion, Va., (7) From junction Interstate Highway 81 and Virginia Highway 669, over Virginia Highway 669 to Marion, Va., (8) From junction of Interstate Highway 81 and Virginia Highway 16, over Virginia Highway 16 to Marion, Va., (9) From junction Interstate Highway 81 and U.S. Highways 21 and 52, over U.S. Highways 21 and 52 to Wytheville, Va., (10) From the junction of Interstate Highway 81 and Virginia Highway 610, over Virginia Highway 610 to Wytheville, Va., (11) From the junction of Interstate Highway 81 and U.S. Highway 11, over U.S. Highway 11 to Pulaski, Va., (12) From the junction of Interstate Highway 81 and Virginia Highway 100, over Virginia Highway 100 to Dublin, Va., (13) From the junction of Interstate Highway 81 and Virginia Highway 8, over Virginia Highway 8 to Christiansburg, Va., (14) From the junction of Interstate Highway 81 and Virginia Highway 635, over Virginia Highway 635 to Salem, Va., and (15) From the junction of Interstate Highway 81 and Virginia Highway 619, over Virginia Highway 619 to Salem, Va., and return over the same routes for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Knoxville, Tenn., over U.S. Highway 11W to Bristol, Va.-Tenn., thence over U.S. Highway 11 to Roanoke, Va., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-22289 Filed 9-24-74; 8:45 am]

[Notice 31]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

SEPTEMBER 20, 1974.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application) to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's revised deviation rules—motor carriers of property, 1969 (49 CFR 1042.4(c)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(c)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed on or before October 25, 1974.

Successively filed letter-notices of the same carrier under the Commission's revised deviation rules—motor carriers of property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 730 (Deviation No. 42), PACIFIC INTERMOUNTAIN EXPRESS CO., P.O. Box 958, Oakland, Calif. 94604, filed September 11, 1974. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions over a deviation route as follows: From Boise, Idaho, over Interstate Highway 80N to junction U.S. Highway 30, thence over U.S. Highway 30 to junction U.S. Highway 93, thence over U.S. Highway 93 to junction U.S. Highway 40 (Interstate Highway 80), thence over U.S. Highway 40 (Interstate Highway 80) to Salt Lake City, Utah, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Boise, Idaho, over U.S. Highway 30 to Burley, Idaho, thence over U.S. Highway 30-S to Brigham City, Utah, thence over U.S. Highway 91 to Salt Lake City, Utah, and return over the same route.

No. MC 48958 (Deviation No. 61), ILLINOIS-CALIFORNIA EXPRESS, INC., P.O. Box 9050, Amarillo, Tex. 79105, filed September 5, 1974. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Sacramento, Calif., over Interstate Highway 80 (U.S. Highways 40, 189, and 30) to Cheyenne, Wyo., thence over Interstate Highway 25 (U.S. Highway 85) to Denver, Colo., and return over the same route, for operating

convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Sacramento, Calif., over Interstate Highway 5 to Los Angeles, Calif., thence over U.S. Highway 60 to Wickenburg, Ariz., thence over U.S. Highway 89 to Ashfork, Ariz., thence over U.S. Highway 66 to Albuquerque, N. Mex., thence over U.S. Highway 85 to Denver, Colo., and return over the same route.

No. MC 69281 (Deviation No. 9), THE DAVIDSON TRANSFER & STORAGE CO., Towson Plaza, P.O. Box 58, Baltimore, Md. 21203, filed August 30, 1974. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From the junction of U.S. Highway 13 and U.S. Highway 40 near State Road, Del., over U.S. Highway 13 to junction Interstate Highway 264, thence over Interstate Highway 264 to junction U.S. Highway 17, thence over U.S. Highway 17 to junction U.S. Highway 258, thence over U.S. Highway 258 to junction Virginia Highway 10, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From the junction of U.S. Highway 13 and U.S. Highway 40 near State Road, Del., over U.S. Highway 40 to Baltimore, Md., thence over U.S. Highway 1 to Washington, D.C., thence over Interstate Highway 95 to junction Virginia Highway 10, thence over Virginia Highway 10 to junction U.S. Highway 258 near Smithfield, Va., and return over the same route.

No. MC 71459 (Deviation No. 6), O.N.C. Freight Systems, 2800 W. Bayshore Road, Palo Alto, Calif. 94303, filed September 11, 1974. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, within certain exceptions, over a deviation route as follows: From Hedley, Tex., over U.S. Highway 287, to Memphis, Tex., thence over Texas Highway 256 to junction U.S. Highway 83, thence over U.S. Highway 83 to junction U.S. Highway 62, thence over U.S. Highway 62 to junction Farm-to-market Road 1642 and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Amarillo, Tex., over U.S. Highway 287 to Hedley, Tex., thence over Texas Highway 203 to Wellington, Tex., thence over Farm-to-market Road 338 to Dodson, Tex., thence over Farm-to-market Road 1642 to junction U.S. Highway 62, thence over U.S. Highway 62 to Lawton, Okla., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-22290 Filed 9-24-74; 8:45 am]

[Notice 77]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

SEPTEMBER 20, 1974.

The following publications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application) are governed by the new special rule 1100.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

Special notice. The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable by the Commission.

MOTOR CARRIERS OF PROPERTY

No. MC 124211 (Sub-No. 237) (Republication) filed November 2, 1973, and published in the FEDERAL REGISTER issue of December 20, 1974, and republished this issue. Applicant: HILT TRUCK LINE, INC., P.O. Box 988, Downtown Station, Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). An Order of the Commission, Operating Rights Board, dated August 23, 1974, and served September 16, 1974, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, (1) of *banking equipment, banking materials, and banking supplies*, except commodities in bulk, from points in Iowa, Kansas, Minnesota, and Wisconsin, to Douglas, Milford, and Waverly, Nebr., and (2) of *plumbing fixtures, equipment, materials and supplies, and accessories* (except chemicals, cast iron pressure pipe, and commodities in bulk), between North Sioux City, S. Dak., on the one hand, and, on the other, points in Colorado (except Denver and points in its commercial zone), Illinois (except Chicago and points in its commercial zone as defined by the Commission), Indiana (except Indianapolis and points in its commercial zone), Iowa (except Burlington, Chariton, Davenport, Des Moines, and Ottumwa and points in their commercial zones), Kansas (except Kansas City and points in its commercial zone), Minnesota (except points on and south of U.S. Highway 12), Missouri (except Kansas City, and St. Louis, and points in their respective commercial zones), Nebraska (except Lincoln and Omaha and points in their commercial zones), North Dakota and Wisconsin (except Milwaukee and points in its commercial

zone); that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to amend the territorial, commodity, and route descriptions. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 130209 (Republication), filed August 22, 1973, and published in the FEDERAL REGISTER issue of October 17, 1973, and republished this issue. Applicant: B. J. MARSH, doing business as B. J. MARSH SPORTS, 202 North Street, Nixa, Mo. 65714. Applicant's representative: James K. Prewitt, 110 Landmark Building, Springfield, Mo. 65806. An Order of the Commission, Division 1, dated September 6, 1974, and served September 16, 1974, finds on reconsideration that operation by applicant at Nixa, Mo., as a *broker* in arranging for transportation by motor vehicle, in interstate or foreign commerce, over irregular routes, of *passengers and their baggage*, in round-trip tours beginning and ending at points in Greene and Christian Counties, Mo., and extending to points in the United States (except Alaska and Hawaii), will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to amend the territorial description. Because it is possible that other parties who have relied upon the notice of the application as published may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a license in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 107496 (Sub-No. 303) (Notice of filing of petition for modification of certificate), filed September 9, 1974. Petitioner: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. Petitioner's representative: E. Check, P.O. Box 855, Des Moines, Iowa. Petitioner presently holds a motor *common carrier* certificate in No. MC 107496 (Sub-No. 303), issued Decem-

ber 8, 1972, authorizing transportation, as pertinent, over irregular routes, of *Resin plasticizers, and soybean oils* in mixed loads with resin plasticizers, in bulk, in tank vehicles, from the plant site, of Archer Daniels Midland Co., at or near Decatur, Ill., and the plant sites of Ashland Chemical Company, Division of Ashland Oil & Refining Company at or near Mapleton, Ill., to points in Alabama, Arkansas, Colorado, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Pennsylvania, Tennessee, Utah, West Virginia, Wisconsin, and Wyoming, with no transportation for compensation on return except as otherwise authorized, restricted against the performance of any of the transportation described above from the plant site at Mapleton, to points in Arkansas, Colorado, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, Ohio, Tennessee, Utah, Wisconsin, and Wyoming. By the instant petition, petitioner seeks to delete "in mixed loads with resin plasticizers". Any interested person or persons desiring to participate may file an original and six copies of his written representations, views, or arguments in support of or against the petition on or before October 25, 1974.

No. MC 108207 (Sub-No. 366) (Notice of Filing of Petition to add Origin Point), filed August 19, 1974. Petitioner: FROZEN FOOD EXPRESS, INC., P.O. Box 5888, Dallas, Tex. 75222. Petitioner's representative: J. B. Ham (same address as petitioner). Petitioner presently holds a motor *common carrier* certificate in No. MC 108207 (Sub-No. 366), issued December 21, 1973, authorizing transportation, as pertinent, over irregular routes, of *Foodstuffs*, in containers, from the facilities of Jen's Inc., at Duluth, Minn., to points in Arizona, Arkansas, California, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, and Texas, with no transportation for compensation on return except as otherwise authorized, restricted to the transportation of shipments originating at the above-named facilities and destined to points in the above-named states. By the instant petition, petitioner seeks to amend the origin point to read "from the plantsites and storage facilities of Jen's, Inc. at Duluth, Minn. and its Commercial Zone" or, in the alternative, to read "from the plantsites and storage facilities of Jen's, Inc. at Duluth, Minn. and at Superior, Wis.". Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before October 25, 1974.

No. MC 111397 (Sub-No. 99) (Notice of Filing of Petition to Modify Destination Point), filed September 9, 1974. Petitioner: DAVIS TRANSPORT, INC., 1345 South 4th St., Paducah, Ky. 42001. Petitioner's representative: H. S. Melton, Jr., P.O. Box 1407, Paducah, Ky. 42001.

Petitioner presently holds a motor common carrier certificate in No. MC 111397 (Sub-No. 99), issued August 29, 1974, authorizing transportation, as pertinent, over irregular routes, of *Radioactive waste materials*, in shipper-owned containers, on shipper-owned trailers, from Peach Bottom Atomic Power Station, at or near Delta, Pa., Vermont Yankee Nuclear Power Station, at or near Vernon, Vt., Oconee Power Station, at or near Oconee, S.C., and Calvert Cliffs Nuclear Power Station, at or near Lusby, Md., to the storage facilities of Nuclear Engineering Company in Rowan County, Ky., with no transportation for compensation on return except as otherwise authorized. By the instant petition, petitioner seeks to modify the destination point to read "to the storage facilities of Nuclear Engineering Company, at or near Maxey Flats, Ky.". Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before October 25, 1974.

No. MC 114718 (Sub-No. 11) (Notice of Filing of Petition to Modify Commodity Description), filed August 15, 1974. Petitioner: OHIO VALLEY MOTOR FREIGHT, INC., Moore's Junction, P.O. Box 525, Marietta, Ohio 45750. Petitioner's representative: John L. Alden, P.O. Box 5241, Columbus, Ohio 43212. Petitioner presently holds a motor common carrier certificate in No. MC 114718 (Sub-No. 11), issued December 17, 1965, authorizing transportation, as pertinent, over irregular routes, of *Ferro chrome*, in bulk, in dump vehicles, (1) from Baltimore, Md., and Newport News, Va., to points in Michigan, Ohio, Pennsylvania, and West Virginia, with no transportation for compensation on return except as otherwise authorized and (2) from Philadelphia, Pa., to points in Michigan, Ohio (except points in Ashtabula, Cuyahoga, Lake, Summit, Muskingum, Licking, Franklin, and Wayne Counties), Pennsylvania, and West Virginia, with no transportation for compensation on return except as otherwise authorized. By the instant petition, petitioner seeks to modify the commodity description to read "*Ferro alloys and ores*, in bulk, in dump vehicles". Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before October 25, 1974.

No. MC 126079 (Sub-Nos. 1 and 3) (Notice of Filing of Petition for Modification or Permits), filed September 3, 1974. Petitioner: STOUT CORPORATION, P.O. Box 186, Provo, Utah, 84601. Petitioner's representative: Irene Warr, 430 Judge Building, Salt Lake City, Utah 84111. Petitioner presently holds a motor contract carrier permit in No. MC 126079 (Sub-Nos. 1 and 3) issued October 13, 1965, and March 4, 1968, respectively, authorizing transportation, as pertinent, over irregular routes, in Sub-

No. 1 of (1) *Fabricated sections of steel storage tanks and field equipment* used in the erection thereof, from Provo, Utah, to points in Arizona, California, Colorado, Idaho, New Mexico, Nevada, Montana, Oregon, Washington, and Wyoming, with no transportation for compensation on return except as otherwise authorized and (2) *tools, equipment, and surplus materials and supplies* used in the erection of steel storage tanks, between points in Arizona, California, Colorado, Idaho, New Mexico, Nevada, Montana, Oregon, Utah, Washington, and Wyoming, restricted against shipments originating at or destined to oilfield and gas well locations, under a continuing contract, or contracts with the Pittsburgh-Des Moines Steel Company, of Pittsburgh, Pa., and in Sub-No. 3 of (1) *fabricated sections of steel storage tanks, and field equipment* used in the erection thereof, from Provo, Utah, to points in Arizona, California, Colorado, Idaho, New Mexico, Nevada, Montana, Oregon, Washington, and Wyoming, with no transportation for compensation on return except as otherwise authorized and (2) *tools, equipment and surplus materials and supplies* used in the erection of steel storage tanks, between points in Arizona, California, Colorado, Idaho, New Mexico, Nevada, Montana, Oregon, Utah, Washington, and Wyoming, restricted against shipments originating at or destined to oilfield and gas well locations, under a continuing contract, or contracts with the Platts and Welding Division of General American Transportation Company. By the instant petition, petitioner seeks to modify its Sub-Nos. 1 and 3 permits to read: "*Fabricated sections of steel storage tanks structural and plate steel, and field equipment and supplies* used in the erection thereof, between points in Arizona, California, Colorado, Idaho, New Mexico, Nevada, Montana, Oregon, Utah, Washington and Wyoming. All restrictions will remain the same and petitioner will serve two contracting shippers. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before October 25, 1974.

No. MC 133796 (Sub-No. 7) (Notice of Filing of Petition to Remove a Plant-site Restriction), filed September 3, 1974. Petitioner: GEORGE APPEL, 249 Carverton Road, Trucksville, Pa. 18708. Petitioner's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Petitioner presently holds a motor common carrier certificate in No. MC 133796 (Sub-No. 7), issued October 2, 1973, authorizing transportation, as pertinent, over irregular routes, of (1) *Plastic and plastic pipe* (except commodities in bulk, commodities which because of size or weight require the use of special equipment, and oilfield commodities as described in *Mercer Extension-Oilfield Commodities*, 74 M.C.C. 459), from the facilities of Flintkote Company at Los Angeles, Calif., to

Kansas City, Mo., and to points in that part of the United States on and east of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the United States-Canada Boundary line, with no transportation for compensation on return except as otherwise authorized and (2) *materials and supplies* used in the manufacture and distribution of the commodities in (1) above (except commodities in bulk), from points in that part of the United States on and east of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the United States-Canada Boundary line, except from Kansas City, Mo., to the facilities of the Flintkote Company at Los Angeles, Calif., with no transportation for compensation on return except as otherwise authorized, restricted such that the authority granted herein shall be subject to the right of the Commission, which is hereby expressly reserved, to impose such terms, conditions or limitations in the future as it may find necessary, in order to insure that carrier's operations shall conform to the provisions of section 210 of the Act. By the instant petition, petitioner seeks (a) to delete "from the facilities of Flintkote Company at" in part (1) above and (b) to delete "to the facilities of the Flintkote Company at" in part (2) above. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before October 25, 1974.

No. MC 139089 (Notice of Filing of Petition for Modification of Permit), filed September 5, 1974. Petitioner: FREEPORT TRANSPORT, INCORPORATED, P.O. Box 1275, Freeport Center, Clearfield, Utah 84016. Petitioner's representative: Irene Warr, 430 Judge Building, Salt Lake City, Utah 84111. Petitioner presently holds a motor contract carrier permit in No. MC 139089, issued May 6, 1974, authorizing transportation, as pertinent, over irregular routes, of *Salvage rail track, salvage switches, salvage plates, salvage ties, salvage spikes, and related salvage materials*, (a) between points in Alabama, Arkansas, Louisiana, Mississippi, Connecticut, Massachusetts, Rhode Island, Delaware, Maryland, Virginia, West Virginia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Tennessee, Maine, New Hampshire, Vermont, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Texas, Wisconsin, and the District of Columbia, (b) between points in Alabama, Arkan-

sas, Louisiana, Mississippi, Connecticut, Massachusetts, Rhode Island, Delaware, Maryland, Virginia, West Virginia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Tennessee, Maine, New Hampshire, Vermont, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Texas, Wisconsin, and the District of Columbia, on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Oregon, Washington, and Wyoming and (c) between points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Oregon, Washington, and Wyoming, under a continuing contract, or contracts, with A & K Railroad Materials, Inc., of Clearfield, Utah. By the instant petition, petitioner seeks modification of the permit so that the commodity description and territorial description would read "New and salvage construction materials and building materials and equipment and machinery used in the installation or removal thereof, between points in the United States (except Alaska and Hawaii)". Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition on or before October 25, 1974.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 2153 (Sub-No. 45), filed August 27, 1974. Applicant: MIDWEST MOTOR EXPRESS, INC., 5015 East Main, Bismarck, N. Dak. 58501. Applicant's representative: Ernest R. Fleck, Box 1436, Bismarck, N. Dak. 58501. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: Regular routes: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Minot, N. Dak., and Portal, N. Dak., serving all intermediate points: From Minot over U.S. Highway 52 to Portal, and return over the same route. Between Minot, N. Dak., and Sherwood, N. Dak., serving the intermediate point of Mohall, N. Dak.; and the off-route

points of Lansford, and Loraine, N. Dak.: From Minot over U.S. Highway 83 to junction North Dakota Highway 5, thence over North Dakota Highway 5 to junction North Dakota Highway 28, thence over North Dakota Highway 28 to Sherwood, and return over the same route. Between South St. Paul, Minn., and Bottineau, N. Dak., serving the intermediate point of Duluth, Minn., restricted to pickup of such merchandise as is dealt in by wholesale and retail hardware business houses; the intermediate points of St. Paul, Minn., and those between Petersburg and Bottineau, N. Dak., inclusive; and the off-route points of Minneapolis, Minn., and Rollette, Munich, Alsen, Lakota, Hampden, Langdon, Walhalla, Cavalier, Southam, Mylo, Perth, Rugby, and Edmore, N. Dak., as follows: From South St. Paul over city streets to St. Paul, Minn., thence over U.S. Highway 10 to Detroit Lakes, Minn., thence over U.S. Highway 59 to Erskine, Minn., thence over U.S. Highway 2 to Devils Lake, N. Dak., thence over North Dakota Highway 20 to Starkweather, N. Dak., thence over North Dakota Highway 17 to Cando, N. Dak., thence over U.S. Highway 281 to junction North Dakota Highway 5, thence over North Dakota Highway 5 to Bottineau and return over the same route.

From South St. Paul over city streets to St. Paul, Minn., thence over U.S. Highway 61 to Duluth, Minn., thence over U.S. Highway 2 to Erskine, Minn., thence as specified above to Bottineau, and return over the same route. Between Detroit Lakes, Minn., and Crookston, Minn., serving no intermediate points: From Detroit Lakes over U.S. Highway 59 to junction U.S. Highway 2, thence over U.S. Highway 2 to Crookston, and return over the same route. *General commodities* (except those of unusual value, household goods, as defined by the Commission, commodities in bulk, commodities requiring special equipment, other than those requiring special handling because of weight or size, and commodities injurious or contaminating to other lading). Between Fargo, N. Dak., and Pembina, N. Dak., serving all intermediate points; and the off-route points of Buxton, Reynolds, Thompson, Cavalier, Bathgate, McVile, Northwood, Finley, Page, Erie, Galesburg, Cooperstown, and West Fargo, N. Dak., restricted to traffic moving in interstate commerce only, and serving Fargo, N. Dak. for the purpose of joinder only: From Fargo over U.S. Highway 81 to Hamilton, N. Dak., thence over North Dakota Highway 5 to junction North Dakota Highway 18, thence over North Dakota Highway 18 to junction unnumbered highway (formerly North Dakota Highway 55), thence over unnumbered highway to Pembina, and return over the same route. *General commodities* (except those of unusual value, Classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading). Between Rolla, N. Dak., and the United States-Canada Boundary line serving the intermediate point of St.

John, N. Dak.: From Rolla over North Dakota Highway 30 to the United States-Canada Boundary line, and return over the same route.

Regular routes: *General commodities* (except those of unusual value, Classes A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment), Between Minot, N. Dak., and Devils Lake, N. Dak., serving the intermediate points of Berwick, Church Ferry, Denbigh, Granville, Knox, Leeds, Penn, Surrey, Towner, and York, N. Dak.; and the off-route points of Norwich, Pleasant Lake, Rugby, Sweetwater, and Webster, N. Dak.: From Minot over U.S. Highway 2 to Devils Lake, and return over the same route. *Petroleum products* in containers, from Duluth, Minn., to Fargo, N. Dak., serving no intermediate points: From Duluth over U.S. Highway 61 to junction U.S. Highway 210, thence over U.S. Highway 210 to Motley, Minn., thence over U.S. Highway 10 to Fargo, and return over the same route with no transportation for compensation except as otherwise authorized. From Duluth, Minn., to Grand Forks, N. Dak., serving no intermediate points: From Duluth over U.S. Highway 2 to Grand Forks, and return over the same route with no transportation for compensation except as otherwise authorized. Irregular routes: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods, as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between points in that part of North Dakota bounded by a line beginning at Minot, N. Dak., and extending north along U.S. Highway 83 to the United States-Canada Boundary line, thence east along said boundary to junction North Dakota Highway 1, thence south along North Dakota Highway 1 to Lakota, N. Dak., and thence west along U.S. Highway 2 to point of beginning, including points on the indicated portions of the highways specified, on the one hand, and, on the other, Minneapolis, St. Paul, South St. Paul, and Stillwater, Minn.

Irregular routes: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading) between points in Minnesota within 35 miles of Breckenridge, Minn., including Breckenridge, Minn., on the one hand, and, on the other, points in Benson, Bottineau, Burke, Cavalier, Divide, Grand Forks, McHenry, Mountrail, Nelson, Pembina, Pierce, Ramsey, Renville, Rollette, Towner, Walsh, Ward, and Williams Counties in North Dakota. Between points in Benson, Bottineau, Burke, Cavalier, Divide, Grand Forks, McHenry, Mountrail, Nelson, Pembina, Pierce, Ramsey, Renville, Rollette, Towner, Walsh, Ward, and Williams Counties in North Dakota. Regular routes: (This is alternate to a

route in Sub-No. 66). *General commodities* (except those of unusual value, commodities in bulk, household goods as defined by the Commission, commodities requiring special equipment other than those requiring special handling because of weight or size, and those injurious or contaminating to other lading). Between Hamilton, N. Dak., and Pembina, N. Dak., as an alternate route for operating convenience only, in connection with carrier's regular route operations between Fargo, N. Dak., and the United States-Canada Boundary line, serving no intermediate points.

From Hamilton over U.S. Highway 81 to Pembina, and return over the same route.

NOTE.—Applicant states it intends to tack the requested authority (1) at Minot, Devils Lake, and Grand Forks, N. Dak., to provide service between points in Dunn, Stark, Het-Grant, McHenry, Sheridan, Wells, Burleigh, Kidder, Emmons, Logan, McIntosh, Stutsman, Benson, Bottineau, Burke, Cavalier, Divide, Grand Forks, Mountrail, Nelson, Pembina, Pierce, Ramsey, Renville, Rolette, Towner, Walsh, and Williams Counties, N. Dak.; and (2) at Minot and Devils Lake, N. Dak., to provide service between points in Dunn, Stark, Hettinger, Ward, McLean, Mercer, Oliver, Morton, Grant, McHenry, Sheridan, Wells, Burleigh, Kidder, Emmons, Logan, McIntosh, and Stutsman Counties, N. Dak., on the one hand, and, on the other, Minneapolis, St. Paul, South St. Paul, and Stillwater, Minn. This application is a matter directly related to the Section 5 proceeding in MC-F-12300 published in the FEDERAL REGISTER, issue of September 11, 1974. The purpose of this application is to purchase a portion of the operating rights of United-Buckingham Freight Lines, Inc. in MC 103435 in several subs. If a hearing is deemed necessary, applicant requests it be held at (1) Bismarck, N. Dak.; (2) Fargo, N. Dak.; or (3) Minneapolis, Minn.

No. MC 97841 (Sub-No. 20), filed July 30, 1974. Applicant: GENERAL HIGHWAY EXPRESS, INC., P.O. Box 727, Sidney, Ohio 45365. Applicant's representative: Paul F. Beery, 88 East Broad Street, Ninth Floor, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over regular or regular and irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, commodities in bulk, and commodities requiring special equipment), (1) Between Cleveland, Ohio, and Cincinnati, Ohio: From Cleveland south over Interstate Highway 71 to Cincinnati, Ohio, and return over the same route. (2) Between Lancaster, Ohio, and Toledo, Ohio: From Lancaster northeast over U.S. Highway 33 to U.S. Highway 23, thence northwest on U.S. Highway 23 to Ohio Highway 420, thence north on Ohio Highway 420 to Interstate Highway 280, thence north on Interstate Highway 280 to Toledo, Ohio, and return over the same route. (3) Between Lancaster, Ohio, and Cleveland, Ohio: From Lancaster north on Ohio Highway 37 to Ohio Highway 661, thence north over Ohio Highway 661 to Ohio Highway 13, thence north over Ohio Highway 13 to Interstate Highway 71, thence northeast over Interstate Highway 71 to Cleveland,

Ohio and return over the same route. (4) Between Coshocton, Ohio, and Toledo, Ohio: From Coshocton north over Ohio Highway 83 to U.S. Highway 30, thence west over U.S. Highway 30 to U.S. Highway 250, thence north over U.S. Highway 250 to U.S. Highway 20, thence west over U.S. Highway 20 to Toledo, Ohio, and return over the same route.

(5) Between Sidney, Ohio, and Coshocton, Ohio: From Coshocton west over U.S. Highway 36 to U.S. Highway 33, thence northwest over U.S. Highway 33 to Ohio Highway 47, thence west over Highway 47 to Sidney, Ohio, and return over the same route. (6) Between Coshocton, Ohio, and Cleveland, Ohio: From Cleveland south over Interstate Highway 77 to U.S. Highway 36, thence west over U.S. Highway 36 to Coshocton, Ohio, and also from Cleveland south over U.S. Highway 21 to Interstate Highway 77 at Strasburg, thence south over Interstate Highway 77 to Ohio Highway 36, thence west over Ohio Highway 36 to Coshocton, Ohio, and return over the same route. (7) Between Cincinnati, Ohio, and Tiffin, Ohio: From Cincinnati north over U.S. Highway 42 to U.S. Highway 68, thence north over U.S. Highway 68 to Ohio Highway 53, thence northeast over Ohio Highway 53 to Tiffin, Ohio and return over the same route. (8) Between Toledo, Ohio, and Cincinnati, Ohio: From Toledo south over Interstate Highway 75 to Cincinnati and return over the same route. (9) Between Toledo, Ohio, and Cleveland, Ohio: From Toledo east over Ohio Highway 2 to Cleveland, also from Toledo south over Interstate Highway 280 to Interstate Highway 80, thence east over Interstate Highway 80 to Interstate Highway 71, thence north over Interstate Highway 71 to Cleveland and return over the same route. (10) Between Lancaster, Ohio, and Coshocton, Ohio: From Lancaster north over Ohio Highway 37 to Ohio Highway 16, thence northeast over Ohio Highway 16 to Coshocton, Ohio, and return over the same route. (11) Between Tiffin, Ohio, and Sidney, Ohio: From Tiffin west over Ohio Highway 18 to U.S. Highway 224, thence west over U.S. Highway 224 to Interstate Highway 75, thence south over Interstate Highway 75 to Sidney, Ohio, and return over the same route.

(12) Between Tiffin, Ohio, and Cleveland, Ohio: From Tiffin northeast over Ohio Highway 18 to U.S. Highway 20, thence east over U.S. Highway 20 to Cleveland, Ohio, and return over the same route. (13) Between Coshocton, Ohio, and Cincinnati, Ohio: From Coshocton southwest over Ohio Highway 16 to Interstate Highway 270, thence west over Interstate Highway 270 to Interstate Highway 71, thence south over Interstate Highway 71 to Cincinnati, Ohio, and return over the same route. (14) Between Shelby, Ohio, and Dayton, Ohio: From Shelby west over Ohio Highway 96 to Ohio Highway 98, thence south over Ohio Highway 98 to Ohio Highway 4, thence southwest over Ohio Highway 4 to Dayton, Ohio, and return over the same route. (15) Between Shelby, Ohio,

and Youngstown, Ohio: From Shelby east over Ohio Highway 96 to U.S. Highway 250, thence east over U.S. Highway 250 to Interstate Highway 71, thence north over Interstate Highway 71 to Interstate Highway 76, thence east over Interstate Highway 76 to Ohio Highway 7, thence north over Ohio Highway 7 to Youngstown, Ohio, and return over the same route. (16) Between Shelby, Ohio, and Mansfield, Ohio: From Shelby southeast over Ohio Highway 39 to Mansfield, Ohio, and return over the same route. (17) Between Shelby, Ohio, and Cleveland, Ohio: From Shelby north over Ohio Highway 61 to U.S. Highway 224, thence east over U.S. Highway 224 to Ohio Highway 58, thence north over Ohio Highway 58 to U.S. Highway 20, thence east over U.S. Highway 20 to U.S. Highway 10, thence east over U.S. Highway 10 to Cleveland and return over the same route.

(18) Between Shelby, Ohio, and East Liverpool, Ohio: From Shelby southeast over Ohio Highway 39 to U.S. Highway 30, thence east over U.S. Highway 30 to Ohio Highway 11, thence south over Ohio Highway 11 to East Liverpool, Ohio; also from Shelby southeast over Ohio Highway 39 to U.S. Highway 30, thence east over U.S. Highway 30 to Ohio Highway 7, thence south over Ohio Highway 7 to East Liverpool, Ohio, and return over the same route. (19) Between Shelby, Ohio, and Columbus, Ohio: From Shelby southwest over Ohio Highway 61 to Interstate Highway 71, thence south over Interstate Highway 71 to Columbus, Ohio, and return over the same route. (20) Between Shelby, Ohio, and West Richfield, Ohio: From Shelby east over Ohio Highway 96 to U.S. Highway 250, thence southeast over U.S. Highway 250 to Interstate Highway 71, thence north over Interstate Highway 71 to Interstate Highway 271, thence northeast over Interstate Highway 271 to Ohio Highway 303, thence west on Ohio Highway 303 to West Richfield, Ohio, and return over the same route. (21) Between Shelby, Ohio, and Zanesville, Ohio: From Shelby south over Ohio Highway 39 to Ohio Highway 13, thence south over Ohio Highway 13 to Ohio Highway 586, thence southeast over Ohio Highway 586 to Ohio Highway 146, thence southeast over Ohio Highway 146 to Zanesville, Ohio, and return over the same route. (22) Between Shelby, Ohio, and Toledo, Ohio: From Shelby north over Ohio Highway 61 to U.S. Highway 224, thence west over U.S. Highway 224 to Ohio Highway 4, thence north over Ohio Highway 4 to U.S. Highway 20, thence northwest over U.S. Highway 20 to Ohio Highway 420, thence north over Ohio Highway 420 to Interstate Highway 280, thence north over Interstate Highway 280 to Toledo, Ohio, and return over the same route.

(23) Between Shelby, Ohio, and Willard, Ohio: From Shelby north over Ohio Highway 61 to Ohio Highway 103, thence west over Ohio Highway 103 to Willard, Ohio, and return over the same route. (24) Between Dayton, Ohio, and Lancaster, Ohio: From Dayton north over Ohio Highway 444 to Interstate Highway 70, thence east over Interstate Highway

70 to U.S. Highway 33, thence southeast over U.S. Highway 33 to Lancaster, Ohio, also from Dayton north over Ohio Highway 444 to Ohio Highway 235, thence north over Ohio Highway 235 to U.S. Highway 40, thence east over U.S. Highway 40 to U.S. Highway 33, thence southeast over U.S. Highway 33 to Lancaster, Ohio, and return over the same route. (25) Between Sidney, Ohio, and Cleveland, Ohio: From Cleveland south over Interstate Highway 71 to U.S. Highway 30, thence west over U.S. Highway 30 to Interstate Highway 75, thence south over Interstate 75 to Sidney, Ohio, and return over the same route. (26) Between Sidney, Ohio, and Columbus, Ohio: From Sidney southeast over Ohio Highway 29 to Interstate Highway 70, thence east over Interstate Highway 70 to Columbus, Ohio, also from Sidney southeast over Ohio Highway 29 to U.S. Highway 40, thence east over U.S. Highway 40 to Columbus, Ohio, and return over the same route.

(27) Between Cincinnati, Ohio, and Lancaster, Ohio: From Cincinnati, northeast over U.S. Highway 22 to Lancaster, Ohio, and return over the same route. (28) Between Cincinnati, Ohio, and Portsmouth, Ohio: From Cincinnati east over U.S. Highway 52 to Portsmouth, Ohio, and return over the same route, also from Cincinnati east over Ohio Highway 125 to U.S. Highway 52, thence east over U.S. Highway 52 to Portsmouth, Ohio, and return over the same routes. (29) Between Tiffin, Ohio, and Toledo, Ohio: From Tiffin north over Ohio Highway 53 to U.S. Highway 20, thence northwest over U.S. Highway 20 to Ohio Highway 420, thence north over Ohio Highway 420 to Interstate Highway 280, thence north over Interstate Highway 280 to Toledo, Ohio, and return over the same routes. (30) Between Dayton, Ohio, and Eaton, Ohio: From Dayton west over U.S. Highway 35 to Eaton, Ohio, also from Dayton north over Ohio Highway 49 to Interstate Highway 70, thence west over Interstate Highway 70 to U.S. Highway 127, thence south over U.S. Highway 127 to Eaton, Ohio, and return over the same routes. (31) Between Dayton, Ohio, and Germantown, Ohio: From Dayton south over Interstate Highway 75 to Ohio Highway 725, thence west over Ohio Highway 725 to Ohio Highway 4, thence south over Ohio Highway 4 to Germantown, Ohio, and return over the same route. (32) Between Cleveland, Ohio, and Conneaut, Ohio: From Cleveland east over U.S. Highway 20 to Conneaut, Ohio, also from Cleveland east over Interstate Highway 90 to Ohio Highway 7, thence north over Ohio Highway 7 to Conneaut, Ohio, and return over the same routes. (33) Between Lancaster, Ohio, and Columbus, Ohio: From Lancaster west over Ohio Highway 188 to Ohio Highway 674, thence north over Ohio Highway 674 to Ohio Highway 752, thence west over Ohio Highway 752 to U.S. Highway 23, thence north over U.S. Highway 23 to Columbus, Ohio, and return over the same route.

(34) Between Lancaster, Ohio, and Columbus, Ohio: From Lancaster north

over Ohio Highway 158 to Ohio Highway 204, thence west over Ohio Highway 204 to Ohio Highway 256, thence north over Ohio Highway 256 to U.S. Highway 40, thence west over U.S. Highway 40 to Columbus, Ohio, also from Lancaster north over Ohio Highway 158 to Ohio Highway 204, thence west over Ohio Highway 204 to Ohio Highway 256, thence north over Ohio Highway 256 to Interstate Highway 70, thence west over Interstate Highway 70 to Columbus, Ohio, and return over the same routes. (35) Between Lancaster, Ohio, and Shawnee, Ohio: From Lancaster south over U.S. Highway 33 to Ohio Highway 93, thence north over Ohio Highway 93 to Shawnee, Ohio, and return over the same route. (36) Between Lancaster, Ohio, and Gallipolis, Ohio: From Lancaster southeast over U.S. Highway 33 to Ohio Highway 7, thence south over Ohio Highway 7 to Gallipolis, Ohio, and return over the same route. (37) Between Sidney, Ohio, and Springfield, Ohio: From Sidney south over Interstate Highway 75 to U.S. Highway 36, thence east over U.S. Highway 36 to U.S. Highway 68, thence south over U.S. Highway 68 to Springfield, Ohio, also from Sidney south over Interstate Highway 75 to U.S. Highway 36, thence east over U.S. Highway 36 to Ohio Highway 235, thence south over Ohio Highway 235 to Ohio Highway 41, thence east over Ohio Highway 41 to Springfield, Ohio, and return over the same routes. (38) Between Lancaster, Ohio, and Chesapeake, Ohio: From Lancaster southeast over U.S. Highway 33 to Ohio Highway 93, thence south over Ohio Highway 93 to U.S. Highway 52, thence east over U.S. Highway 52 to Chesapeake, Ohio, and return over the same route.

(39) Between Cleveland, Ohio, and Youngstown, Ohio: From Cleveland southeast over Ohio Highway 14 to Interstate Highway 480, thence south over Interstate Highway 480 to Interstate Highway 80, thence east over Interstate 80 to Interstate Highway 680, thence south over Interstate Highway 680, to Youngstown, Ohio, also from Cleveland southeast over U.S. Highway 422 to Youngstown, Ohio, and return over the same routes. (40) Between Ashtabula, Ohio, and Bellaire, Ohio: From Ashtabula south over Ohio Highway 46 to Ohio Highway 11, thence south over Ohio Highway 11 to U.S. Highway 30, thence east over U.S. Highway 30 to Ohio Highway 7, thence south over Ohio Highway 7 to Bellaire, Ohio, and return over the same route. (41) Between Cincinnati, Ohio, and Athens, Ohio: From Cincinnati east over Ohio Highway 32 to Interstate Highway 275, thence north over Interstate Highway 275 to U.S. Highway 50, thence east over U.S. Highway 50 to Athens, Ohio, and return over the same route. (42) Between Coshocton, Ohio, and Steubenville, Ohio: From Coshocton east over U.S. Highway 36 to U.S. Highway 22, thence east over U.S. Highway 22 to Steubenville and return over the same route. (43) Between Coshocton, Ohio, and Dover, Ohio: From Coshocton east over U.S. Highway 36 to U.S. Highway 250, thence north over U.S. Highway

250 to Interstate Highway 77, thence north over Interstate Highway 77 to Ohio Highway 800, thence east over Ohio Highway 800 to Dover, Ohio, and return over the same route. (44) Between Lancaster, Ohio, and Greenfield, Ohio: From Lancaster west over U.S. Highway 22 to U.S. Highway 23, thence south over U.S. Highway 23 to U.S. Highway 35, thence northwest over U.S. Highway 35 to Ohio Highway 138, thence southwest over Ohio Highway 138 to Greenfield, Ohio, and return over the same route. (45) Between Lancaster, Ohio, and Marietta, Ohio: From Lancaster east over U.S. Highway 22 to Ohio Highway 37, thence east over Ohio Highway 37 to Ohio Highway 60, thence southeast over Ohio Highway 60 to Marietta, Ohio, and return over the same route.

(46) Between Toledo, Ohio and Defiance, Ohio: From Toledo southwest over U.S. Highway 24 to Defiance, Ohio and return over the same route. (47) Between Toledo, Ohio and Bryan, Ohio: From Toledo west over Ohio Highway 120 to U.S. Highway 127, thence southwest over U.S. Highway 127 to Ohio Highway 15, thence south over Ohio Highway 15 to Bryan, Ohio, also from Toledo west over Interstate Highway 80 to Ohio Highway 15, thence south over Ohio Highway 15 to Bryan, Ohio and return over the same routes. (48) Between Toledo, Ohio and Wauseon, Ohio: From Toledo west over Ohio Highway 2 to Ohio Highway 108, thence south over Ohio Highway 108 to Wauseon, Ohio and return over the same route. (49) Between Cincinnati, Ohio and Bryan, Ohio: From Cincinnati north over U.S. Highway 127 to Bryan, Ohio and return over the same route. (50) Between Dayton, Ohio and Wilmington, Ohio: From Dayton east over U.S. Highway 35 to U.S. Highway 68, thence south over U.S. Highway 68 to Wilmington, Ohio and return over the same route. (51) Between Dayton, Ohio and Gallipolis, Ohio: From Dayton southeast over U.S. Highway 35 to Ohio Highway 160, thence south over Ohio Highway 160 to Gallipolis, Ohio and return over the same route. (52) Between Sidney, Ohio and Greenville, Ohio: From Sidney south over Interstate Highway 75 to U.S. Highway 36, thence west over U.S. Highway 36 to Greenville, Ohio, also from Sidney west over Ohio Highway 47 to Ohio Highway 118, thence south over Ohio Highway 118 to Greenville, Ohio and return over the same routes.

(53) Between Lancaster, Ohio and Portsmouth, Ohio: From Lancaster west over U.S. Highway 22 to Ohio Highway 159, thence south over Ohio Highway 159 to U.S. Highway 23, thence south over U.S. Highway 23 to Portsmouth, Ohio and return over the same route. (54) Between Lancaster, Ohio and Utica, Ohio: From Lancaster north over Ohio Highway 158 to Ohio Highway 16, thence east over Ohio Highway 16 to Ohio Highway 661, thence north over Ohio Highway 661 to U.S. Highway 62, thence east over U.S. Highway 62 to Utica, Ohio and return over the same route. (55) Between Lancaster, Ohio and Zanesville, Ohio: From Lancaster northeast over U.S. Highway 22 to Zanesville, Ohio and return over the

same route. (56) Between Coshocton, Ohio and Caldwell, Ohio: From Coshocton east over U.S. Highway 36 to Interstate Highway 77, thence south over Interstate Highway 77 to Ohio Highway 821, thence south over Ohio Highway 821 to Caldwell, Ohio and return over the same route. (57) Between Clayton, Ohio and Bridgeport, Ohio: From Clayton east over Interstate Highway 70 to Bridgeport, Ohio, also from Clayton north on Ohio Highway 49 to U.S. Highway 40, thence east on U.S. Highway 40 to Bridgeport, Ohio and return over the same routes. (58) Between Belle Valley, Ohio and Belpre, Ohio: From Belle Valley south over Interstate Highway 77 to Ohio Highway 7, thence south over Ohio Highway 7 to Belpre, Ohio and return over the same route.

(59) Between Cincinnati, Ohio and Franklin, Ohio: From Cincinnati north over Interstate Highway 75 to Interstate Highway 275, thence west over Interstate 275 to Ohio Highway 4, thence north over Ohio Highway 4 to Ohio Highway 73, thence east over Ohio Highway 73 to Franklin, Ohio and return over the same route. (60) Between Columbus, Ohio and Marysville, Ohio: From Columbus north over Interstate Highway 71 to Interstate Highway 270, thence west over Interstate Highway 270 to U.S. Highway 33, thence northwest over U.S. Highway 33 to Marysville, Ohio and return over the same route. (61) Between Tiffin, Ohio and Fostoria, Ohio: From Tiffin west over Ohio Highway 18 to Fostoria, Ohio and return over the same route. (62) Between Brookville, Ohio and Greenville, Ohio: From Brookville northwest over Ohio Highway 49 to Greenville, Ohio and return over the same route. (63) Between Sidney, Ohio and Lakeview, Ohio: From Sidney northeast over Ohio Highway 47 to Ohio Highway 65, thence north over Ohio Highway 65 to Ohio Highway 274, thence east over Ohio Highway 274 to Ohio Highway 235, thence north over Ohio Highway 235 to Lakeview, Ohio, also from Sidney north over Interstate Highway 75 to Ohio Highway 274, thence east over Ohio Highway 274 to Ohio Highway 235, thence west over Ohio Highway 235 to Lakeview, Ohio and return over the same route. (64) Between Sidney, Ohio and Ft. Recovery, Ohio: From Sidney northwest over Ohio Highway 29 to Ohio Highway 705, thence west over Ohio Highway 705 to Ohio Highway 66, thence north over Ohio Highway 66 to Ohio Highway 119, thence west over Ohio Highway 119 to Ft. Recovery, Ohio and return over the same route. (65) Between Sidney, Ohio and Ohio City: From Sidney northwest over Ohio Highway 29 to Ohio Highway 274, thence west over Ohio Highway 274 to Ohio Highway 127, thence north over Ohio Highway 127 to Ohio Highway 219, thence west over Ohio Highway 219 to Ohio Highway 118, thence north over Ohio Highway 118 to Ohio City, Ohio, also from Sidney northwest over Highway 29 to Ohio Highway 274, thence west over Ohio Highway 274 to Ohio Highway 127, thence north over Ohio Highway 127 to Ohio Highway 709,

thence west over Ohio Highway 709 to Ohio City, Ohio and return over the same routes.

(66) Between Sidney, Ohio and Wapakoneta, Ohio: From Sidney northwest over Ohio Highway 29 to Ohio Highway 119, thence west over Ohio Highway 119 to Ohio Highway 66, thence north over Ohio Highway 66 to U.S. Highway 33, thence east over U.S. Highway 33 to Wapakoneta, Ohio and return over the same route. (67) Between Lima, Ohio and Van Wert, Ohio: From Lima northwest over Ohio Highway 309 to U.S. Highway 30, thence west over U.S. Highway 30 to Van Wert, Ohio and return over the same route. (68) Between Ottawa, Ohio and McComb, Ohio: From Ottawa east over U.S. Highway 224 to Ohio Highway 235, thence north over Ohio Highway 235 to McComb, Ohio and return over the same route. (69) Between Lima, Ohio and Leipsic, Ohio: From Lima north over Ohio Highway 65 to Leipsic, Ohio; also from Lima north over Ohio Highway 65 to Ohio Highway 12, thence east over Ohio Highway 12 to Putnam County Road 5, thence north over Putnam County Road 5 to Ohio Highway 613, thence west over Ohio Highway 613 to Leipsic, Ohio and return over the same routes. (70) Between Junction of Interstate Highway 77 and Interstate Highway 271 to Junction of Interstate Highway 271 and Interstate Highway 90: From junction of Interstate Highway 77 and Interstate Highway 271 northeast over Interstate Highway 271 to junction of Interstate Highway 271 and Interstate Highway 90 and return over the same route.

(71) Between Gate 13 and Gate 10 on Ohio Turnpike (Interstate Highway 80); From Gate 10 over Interstate Highway 80 to Gate 13 and return over the same route. (72) Between Mansfield, Ohio and Delphos, Ohio: From Mansfield west over U.S. Highway 30 to Delphos, Ohio and return over the same route. (73) Between Ottawa, Ohio and Cecil, Ohio: From Ottawa northwest over Ohio Highway 15 to junction U.S. Highway 24, thence southwest over U.S. Highway 24 to Cecil, Ohio and return over the same route. (74) Between Gahanna, Ohio and junction Interstate Highway 71 and Interstate Highway 270: From Gahanna north, west, and south over Interstate Highway 270 to junction Interstate Highway 71 at south side of Columbus, Ohio and return over the same route. (1) through (74) above, serving all intermediate points and all points in Ohio as off-route points. Restricted: To transportation of shipments moving to, from, or through Cleveland; Sidney; Rockford; Ohio City; Celina; Jackson Center; Wapakoneta, Lima, Piqua; Minster; Swanton; Holland; Lancaster, Circleville; New Lexington; Malta; Athens, Columbus; Cincinnati; Toledo; Dayton, Youngstown; Ashtabula; East Liverpool; Steubenville; Martins Ferry; Akron; Canton; Marietta; Defiance; Mansfield; Portsmouth; Middletown; Pleasant; Washington; Miami, Union and Harrison Townships, Logan County; Ohio; Hamilton, Deerfield, Harlan and Salem Town-

ships, Warren County; Fulton and Swan Creek Townships, Fulton County; Spencer, Harding, Swanton, Springfield and Adams Townships, Lucas County; Malta Township, Morgan County; and Decatur and Elizabeth Townships, Lawrence County, Ohio.

General commodities (except those of unusual value, Class A and B explosives, commodities in bulk, and commodities requiring special equipment), (1) Between Cleveland, Ohio and Cincinnati, Ohio: From Cleveland south over Interstate Highway 71 to Cincinnati, Ohio and return over the same route. (2) Between Lancaster, Ohio and Toledo, Ohio: From Lancaster northwest on U.S. Highway 33 to U.S. Highway 23, thence northwest on U.S. Highway 23 to Ohio Highway 420, thence north on Ohio Highway 420 to Interstate Highway 280, thence north on Interstate Highway 280 to Toledo, Ohio and return over the same route. (3) Between Lancaster, Ohio and Cleveland, Ohio: From Lancaster, Ohio and Cleveland, Ohio: From Lancaster North on Ohio Highway 37 to Ohio Highway 661, thence north over Ohio Highway 661 to Ohio Highway 13, thence north over Ohio Highway 13 to Interstate Highway 71, thence northeast over Interstate Highway 71 to Cleveland, Ohio and return over the same route. (4) Between Coshocton, Ohio and Toledo, Ohio: From Coshocton north over Ohio Highway 83 to U.S. Highway 30, thence west over U.S. Highway 30 to U.S. Highway 250, thence north over U.S. Highway 250 to U.S. Highway 20, thence west over U.S. Highway 20 to Toledo, Ohio and return over the same route. (5) Between Sidney, Ohio and Coshocton, Ohio: From Coshocton west over U.S. Highway 36 to U.S. Highway 33, thence northwest over U.S. Highway 33 to Ohio Highway 47, thence west over Ohio Highway 47 to Sidney, Ohio and return over the same route. (6) Between Coshocton, Ohio and Cleveland, Ohio: From Cleveland south over Interstate Highway 77 to U.S. Highway 36, thence west over U.S. Highway 36 to Coshocton, Ohio and also from Cleveland south over U.S. Highway 21 to Interstate Highway 77 at Strasburg, thence south over Interstate Highway 77 to Ohio Highway 36, thence west over Ohio Highway 36 to Coshocton, Ohio and return over the same routes.

(7) Between Cincinnati, Ohio and Tiffin, Ohio: From Cincinnati north over U.S. Highway 42 to U.S. Highway 68, thence north over U.S. Highway 68 to Ohio Highway 53, thence northeast over Ohio Highway 53 to Tiffin, Ohio and return over the same route. (8) Between Toledo, Ohio, and Cincinnati, Ohio: From Toledo south over Interstate Highway 75 to Cincinnati and return over the same route. (9) Between Toledo, Ohio, and Cleveland, Ohio: From Toledo east over Ohio Highway 2 to Cleveland and also from Toledo south over Interstate Highway 280 to Interstate Highway 80 thence east over Interstate Highway 80 to Interstate Highway 71, thence north over Interstate Highway 71 to Cleveland and return over the same route. (10) Between Lancaster, Ohio and Coshocton, Ohio:

From Lancaster north over Ohio Highway 37 to Ohio Highway 16 thence northeast over Ohio Highway 16 to Coshocton, Ohio, and return over the same route.

(11) Between Tiffin, Ohio and Sidney, Ohio: From Tiffin west over Ohio Highway 18 to U.S. Highway 224, thence west over U.S. Highway 224 to Interstate Highway 75, thence south over Interstate Highway 75 to Sidney, Ohio, and return over the same route. (12) Between Tiffin, Ohio, and Cleveland, Ohio: From Tiffin northeast over Ohio Highway 18 to U.S. Highway 20, thence east over U.S. Highway 20 to Cleveland, Ohio, and return over the same route. (13) Between Coshocton, Ohio, and Cincinnati, Ohio: From Coshocton southwest over Ohio Highway 16 to Interstate Highway 270, thence west over Interstate Highway 270 to Interstate Highway 71, thence south over Interstate Highway 71 to Cincinnati, Ohio, and return over the same route. (14) Between Shelby, Ohio and Dayton, Ohio: From Shelby west over Ohio Highway 96 to Ohio Highway 98, thence south over Ohio Highway 98 to Ohio Highway 4, thence southwest over Ohio Highway 4 to Dayton, Ohio and return over the same route. (15) Between Shelby, Ohio, and Youngstown, Ohio: From Shelby east over Ohio Highway 96 to U.S. Highway 250, thence east over U.S. Highway 250 to Interstate Highway 71, thence north over Interstate Highway 71 to Interstate Highway 76, thence east over Interstate Highway 76 to Ohio Highway 7, thence north over Ohio Highway 7 to Youngstown, Ohio, and return over the same route.

(16) Between Shelby, Ohio, and Mansfield, Ohio: From Shelby southeast over Ohio Highway 39 to Mansfield, Ohio, and return over the same route. (17) Between Shelby, Ohio, and Cleveland, Ohio: From Shelby north over Ohio Highway 61 to U.S. Highway 224, thence east over U.S. Highway 224 to Ohio Highway 58, thence north over Ohio Highway 58 to U.S. Highway 20, thence east over U.S. Highway 20 to U.S. Highway 10, thence east over U.S. Highway 10 to Cleveland and return over the same route. (18) Between Shelby, Ohio, and East Liverpool, Ohio: From Shelby southeast over Ohio Highway 39 to U.S. Highway 30, thence east over U.S. Highway 30 to Ohio Highway 11, thence south over Ohio Highway 11 to East Liverpool, Ohio; also from Shelby southeast over Ohio Highway 39 to U.S. Highway 30, thence east over U.S. Highway 30 to Ohio Highway 7, thence south over Ohio Highway 7 to East Liverpool, Ohio, and return over the same route. (19) Between Shelby, Ohio, and Columbus, Ohio: From Shelby southwest over Ohio Highway 61 to Interstate Highway 71, thence south over Interstate Highway 71 to Columbus, Ohio, and return over the same route. (20) Between Shelby, Ohio, and West Richfield, Ohio: From Shelby east over Ohio Highway 96 to U.S. Highway 250, thence southeast over U.S. Highway 250 to Interstate Highway 71, thence north over Interstate Highway 71 to Interstate Highway 271, thence northeast over Interstate Highway 271 to Ohio Highway

303, thence west on Ohio Highway 303 to West Richfield, Ohio, and return over the same route. (21) Between Shelby, Ohio, and Zanesville, Ohio: From Shelby south over Ohio Highway 39 to Ohio Highway 13, thence south over Ohio Highway 13 to Ohio Highway 586, thence southeast over Ohio Highway 586 to Ohio Highway 146, thence southeast over Ohio Highway 146 to Zanesville, Ohio, and return over the same route.

(22) Between Shelby, Ohio and Toledo, Ohio: From Shelby north over Ohio Highway 61 to U.S. Highway 224, thence west over U.S. Highway 224 to Ohio Highway 4, thence north over Ohio Highway 4 to U.S. Highway 20, thence northwest over U.S. Highway 20 to Ohio Highway 420, thence north over Ohio Highway 420 to Interstate Highway 280, thence north over Interstate Highway 280 to Toledo, Ohio and return over the same route.

(23) Between Shelby, Ohio and Willard, Ohio: From Shelby north over Ohio Highway 61 to Ohio Highway 103, thence west over Ohio Highway 103 to Willard, Ohio and return over the same route. (24) Between Dayton, Ohio and Lancaster, Ohio: From Dayton north over Ohio Highway 444 to Interstate Highway 70, thence east over Interstate Highway 70 to U.S. Highway 33, thence southeast over U.S. Highway 33 to Lancaster, Ohio, also from Dayton north over Ohio Highway 44 to Ohio Highway 235, thence north over Ohio Highway 235 to U.S. Highway 40, thence east over U.S. Highway 40 to U.S. Highway 33, thence southeast over U.S. Highway 33 to Lancaster, Ohio and return over the same route.

(25) Between Sidney, Ohio and Cleveland, Ohio: From Cleveland south over Interstate Highway 71 to U.S. Highway 30, thence west over U.S. Highway 30 to Interstate Highway 75, thence south over Interstate Highway 75 to Sidney, Ohio and return over the same route. (26) Between Sidney, Ohio and Columbus, Ohio: From Sidney southeast over Ohio Highway 29 to Interstate Highway 70, thence east over Interstate Highway 70 to Columbus, Ohio, also from Sidney southeast over Ohio Highway 29 to U.S. Highway 40, thence east over U.S. Highway 40 to Columbus, Ohio and return over the same routes.

(27) Between Cincinnati, Ohio and Lancaster, Ohio: From Cincinnati northeast over U.S. Highway 22 to Lancaster, Ohio and return over the same route.

(28) Between Cincinnati, Ohio and Portsmouth, Ohio: From Cincinnati, Ohio and Portsmouth, Ohio: From Cincinnati east over U.S. Highway 52 to Portsmouth, Ohio and return over the same route, also from Cincinnati east over Ohio Highway 125 to U.S. Highway 52, thence east over U.S. Highway 52 to Portsmouth, Ohio and return over the same routes. (29) Between Tiffin, Ohio and Toledo, Ohio: From Tiffin north over Ohio Highway 53 to U.S. Highway 20, thence northwest over U.S. Highway 20 to Ohio Highway 420, thence north over Ohio Highway 420 to Interstate Highway 280, thence north over Interstate Highway 280 to Toledo, Ohio and return over the same routes.

(30) Between Dayton, Ohio and Eaton, Ohio: From Dayton west over U.S. Highway 35 to Eaton, Ohio, also from Dayton north over Ohio Highway 49 to Interstate Highway 70, thence west over Interstate Highway 70 to U.S. Highway 127, thence south over U.S. Highway 127 to Eaton, Ohio and return over the same routes. (31) Between Dayton, Ohio and Germantown, Ohio: From Dayton south over Interstate Highway 75 to Ohio Highway 725, thence west over Ohio Highway 725 to Ohio Highway 4, thence south over Ohio Highway 4 to Germantown, Ohio and return over the same route. (32) Between Cleveland, Ohio and Conneaut, Ohio: From Cleveland east over U.S. Highway 20 to Conneaut, Ohio, also from Cleveland east over Interstate Highway 90 to Ohio Highway 7, thence north over Ohio Highway 7 to Conneaut, Ohio and return over the same routes.

(33) Between Lancaster, Ohio, and Columbus, Ohio: From Lancaster west over Ohio Highway 188 to Ohio Highway 674, thence north over Ohio Highway 674 to Ohio Highway 752, thence west over Ohio Highway 752 to U.S. Highway 23, thence north over U.S. Highway 23 to Columbus, Ohio, and return over the same route. (34) Between Lancaster, Ohio, and Columbus, Ohio: From Lancaster north over Ohio Highway 158 to Ohio Highway 204, thence west over Ohio Highway 204 to Ohio Highway 256, thence north over Ohio Highway 256 to U.S. Highway 40, thence west over U.S. Highway 40 to Columbus, Ohio, also from Lancaster north over Ohio Highway 158 to Ohio Highway 204, thence west over Ohio Highway 204 to Ohio Highway 256, thence north over Ohio Highway 256 to Interstate Highway 70, thence west over Interstate Highway 70 to Columbus, Ohio, and return over the same routes. (35) Between Lancaster, Ohio, and Shawnee, Ohio: From Lancaster south over U.S. Highway 33 to Ohio Highway 93, thence north over Ohio Highway 93 to Shawnee, Ohio, and return over the same route. (36) Between Lancaster, Ohio, and Gallipolis, Ohio: From Lancaster southeast over U.S. Highway 33 to Ohio Highway 7, thence south over Ohio Highway 7 to Gallipolis, Ohio, and return over the same route. (37) Between Sidney, Ohio, and Springfield, Ohio: From Sidney south over Interstate Highway 75 to U.S. Highway 36, thence east over U.S. Highway 36 to U.S. Highway 68, thence south over U.S. Highway 68 to Springfield, Ohio, also from Sidney south over Interstate Highway 75 to U.S. Highway 36, thence east over U.S. Highway 36 to Ohio Highway 235, thence south over Ohio Highway 235 to Ohio Highway 41, thence east over Ohio Highway 41 to Springfield, Ohio, and return over the same routes.

(38) Between Lancaster, Ohio, and Chesapeake, Ohio: From Lancaster southeast over U.S. Highway 33 to Ohio Highway 93, thence south over Ohio Highway 93 to U.S. Highway 52, thence east over U.S. Highway 52 to Chesapeake, Ohio, and return over the same route. (39) Between Cleveland southeast over Ohio Highway 14 to Interstate Highway 480, thence south over Interstate High-

way 480 to Interstate Highway 80, thence east over Interstate Highway 80 to Interstate Highway 680, thence south over Interstate Highway 680 to Youngstown, Ohio, also from Cleveland southeast over U.S. Highway 422 to Youngstown, Ohio, and return over the same routes. (40) Between Ashtabula, Ohio, and Bellaire, Ohio: From Ashtabula south over Ohio Highway 46 to Ohio Highway 11, thence south over Ohio Highway 11 to U.S. Highway 30, thence east over U.S. Highway 30 to Ohio Highway 7, thence south over Ohio Highway 7 to Bellaire, Ohio, and return over the same route. (41) Between Cincinnati, Ohio, and Athens, Ohio: From Cincinnati east over Ohio Highway 32 to Interstate Highway 275, thence north over Interstate Highway 275 to U.S. Highway 50, thence east over U.S. Highway 50 to Athens, Ohio, and return over the same route.

(42) Between Coshocton, Ohio, and Steubenville, Ohio: From Coshocton east over U.S. Highway 36 to U.S. Highway 22, thence east over U.S. Highway 22 to Steubenville and return over the same route. (43) Between Coshocton, Ohio, and Dover, Ohio: From Coshocton east over the same route. (44) Between Lancaster, Ohio, and Greenfield, Ohio: From Lancaster west over U.S. Highway 22 to U.S. Highway 23, thence south over U.S. Highway 23 to U.S. Highway 35, thence northwest over U.S. Highway 35 to Ohio Highway 138, thence southwest over Ohio Highway 138 to Greenfield, Ohio, and return over the same route. (45) Between Lancaster, Ohio, and Marietta, Ohio: From Lancaster east over U.S. Highway 22 to Ohio Highway 37, thence east over Ohio Highway 37 to Ohio Highway 60, thence southeast over Ohio Highway 60 to Marietta, Ohio, and return over the same route. (46) Between Toledo, Ohio, and Defiance, Ohio: From Toledo southwest over U.S. Highway 24 to Defiance, Ohio, and return over the same route. (47) Between Toledo, Ohio, and Bryan, Ohio: From Toledo west over Ohio Highway 120 to U.S. Highway 127, thence southwest over U.S. Highway 127 to Ohio Highway 15, thence south over Ohio Highway 15 to Bryan, Ohio, also from Toledo west over Interstate Highway 80 to Ohio Highway 15, thence south over Ohio Highway 15 to Bryan, Ohio, and return over the same routes. (48) Between Toledo, Ohio, and Wauseon, Ohio: From Toledo west over Ohio Highway 2 to Ohio Highway 108, thence south over Ohio Highway 108 to Wauseon, Ohio, and return over the same route. (49) Between Cincinnati, Ohio, and Bryan, Ohio: From Cincinnati north over U.S. Highway 127 to Bryan, Ohio and return over the same route. (50) Between Dayton, Ohio, and Wilmington, Ohio: From Dayton east over U.S. Highway 35 to U.S. Highway 68, thence south over U.S. Highway 68 to Wilmington, Ohio, and return over

the same route. (51) Between Dayton, Ohio, and Gallipolis, Ohio: From Dayton southeast over U.S. Highway 35 to Ohio Highway 160, thence south over Ohio Highway 160 to Gallipolis, Ohio, and return over the same route. (52) Between Sidney, Ohio, and Greenville, Ohio: From Sidney south over Interstate Highway 75 to U.S. Highway 36, thence west over U.S. Highway 36 to Greenville, Ohio, also from Sidney west over Ohio Highway 47 to Ohio Highway 118, thence south over Ohio Highway 118 to Greenville, Ohio, and return over the same routes. (53) Between Lancaster, Ohio, and Portsmouth, Ohio: From Lancaster west over U.S. Highway 22 to Ohio Highway 159, thence south over Ohio Highway 159 to U.S. Highway 23, thence south over U.S. Highway 23 to Portsmouth, Ohio, and return over the same route. (54) Between Lancaster, Ohio and Utica, Ohio: From Lancaster north over Ohio Highway 158 to Ohio Highway 16, thence east over Ohio Highway 16 to Ohio Highway 661, thence north over Ohio Highway 661 to U.S. Highway 62, thence east over U.S. Highway 62 to Utica, Ohio, and return over the same route. (55) Between Lancaster, Ohio, and Zanesville, Ohio: From Lancaster northeast over U.S. Highway 22 to Zanesville, Ohio, and return over the same route. (56) Between Coshocton, Ohio, and Caldwell, Ohio: From Coshocton east over U.S. Highway 36 to Interstate Highway 77, thence south over Interstate Highway 77 to Ohio Highway 821, thence south over Ohio Highway 821 to Caldwell, Ohio, and return over the same route.

(57) Between Clayton, Ohio, and Bridgeport, Ohio: From Clayton east over Interstate Highway 70 to Bridgeport, Ohio, also from Clayton north on Ohio Highway 49 to U.S. Highway 40, thence east on U.S. Highway 40 to Bridgeport, Ohio, and return over the same routes. (58) Between Belle Valley, Ohio, and Belpre, Ohio: From Belle Valley south over Interstate Highway 77 to Ohio Highway 7, thence south over Ohio Highway 7 to Belpre, Ohio, and return over the same route. (59) Between Cincinnati, Ohio, and Franklin, Ohio: From Cincinnati north over Interstate Highway 75 to Interstate Highway 275, thence west over Interstate 275 to Ohio Highway 4, thence north over Ohio Highway 4 to Ohio Highway 73, thence east over Ohio Highway 73 to Franklin, Ohio, and return over the same route. (60) Between Columbus, Ohio, and Marysville, Ohio: From Columbus north over Interstate Highway 71 to Interstate Highway 270, thence west over Interstate Highway 270 to U.S. Highway 33, thence northwest over U.S. Highway 33 to Marysville, Ohio, and return over the same route. (61) Between Tiffin, Ohio, and Fostoria, Ohio: From Tiffin west over Ohio Highway 18 to Fostoria, Ohio, and return over the same route. (62) Between Brookville, Ohio, and Greenville, Ohio: From Brookville northwest over Ohio Highway 49 to Greenville, Ohio, and return over the same route. (63) Between Sidney, Ohio, and Lake-

view, Ohio: From Sidney northeast over Ohio Highway 47 to Ohio Highway 65, thence north over Ohio Highway 65 to Ohio Highway 274, thence east over Ohio Highway 274 to Ohio Highway 235, thence north over Ohio Highway 235 to Lakeview, Ohio, also from Sidney north over Interstate Highway 75 to Ohio Highway 274, thence east over Ohio Highway 274 to Ohio Highway 235, thence west over Ohio Highway 235 to Lakeview, Ohio, and return over the same route.

(64) Between Sidney, Ohio, and Ft. Recovery, Ohio: From Sidney northwest over Ohio Highway 29 to Ohio Highway 705, thence west over Ohio Highway 705 to Ohio Highway 66, thence north over Ohio Highway 66 to Ohio Highway 119, thence west over Ohio Highway 119 to Ft. Recovery, Ohio, and return over the same route. (65) Between Sidney, Ohio, and Ohio City: From Sidney northwest over Ohio Highway 29 to Ohio Highway 274, thence west over Ohio Highway 274 to Ohio Highway 127, thence north over Ohio Highway 127 to Ohio Highway 219, thence west over Ohio Highway 219 to Ohio Highway 118, thence north over Ohio Highway 118 to Ohio City, Ohio, also from Sidney northwest over Ohio Highway 29 to Ohio Highway 274, thence west over Ohio Highway 274 to Ohio Highway 127, thence north over Ohio Highway 127 to Ohio Highway 709, thence west over Ohio Highway 709 to Ohio City, Ohio, and return over the same route. (66) Between Sidney, Ohio, and Wapakoneta, Ohio: From Sidney northwest over Ohio Highway 29 to Ohio Highway 119, thence west over Ohio Highway 119 to Ohio Highway 66, thence north over Ohio Highway 66 to U.S. Highway 33, thence east over U.S. Highway 33 to Wapakoneta, Ohio, and return over the same route. (67) Between Lima, Ohio, and Van Wert, Ohio: From Lima northwest over Ohio Highway 309 to U.S. Highway 30, thence west over U.S. Highway 30 to Van Wert, Ohio, and return over the same route. (68) Between Ottawa, Ohio, and McComb, Ohio: Between Ottawa east over U.S. Highway 224 to Ohio Highway 235, thence north over Ohio Highway 235 to McComb, Ohio, and return over the same route. (69) Between Lima, Ohio, and Leipsic, Ohio: From Lima north over Ohio Highway 65 to Leipsic, Ohio; also from Lima north over Ohio Highway 65 to Ohio Highway 12, thence east over Ohio Highway 12 to Putnam County Road 5, thence north over Putnam County Road 5 to Ohio Highway 613, thence west over Ohio Highway 613 to Leipsic, Ohio, and return over the same routes. (70) Between Junction of Interstate Highway 77 and Interstate Highway 271 to Junction of Interstate Highway 271 and Interstate Highway 90: From junction of Interstate Highway 77 and Interstate Highway 271 northeast over Interstate Highway 271 to junction of Interstate Highway 271 and Interstate Highway 90 and return over the same route.

(71) Between Gate 13 and Gate 10 on Ohio Turnpike (Interstate Highway 80); From Gate 10 over Interstate Highway

80 to Gate 13 and return over the same route. (72) Between Mansfield, Ohio and Delphos, Ohio: From Mansfield west over U.S. Highway 30 to Delphos, Ohio and return over the same route. (73) Between Ottawa, Ohio and Cecil, Ohio: From Ottawa northwest over Ohio Highway 15 to junction U.S. Highway 24, thence southwest over U.S. Highway 24 to Cecil, Ohio and return over the same route. (74) Between Gahanna, Ohio and junction Interstate Highway 71 and Interstate Highway 270: From Gahanna north, west, and south over Interstate Highway 270 to junction Interstate Highway 71 at south side of Columbus, Ohio and return over the same route. (1) through (74) above, serving all intermediate points and serving all points in Ohio as off-route points in Ohio. Restricted: To transportation of shipments moving to, from, or through Cleveland; Sidney; Rockford; Ohio City; Celina; Jackson Center; Wapakoneta; Lima; Piqua; Minster; Swanton; Holland; Lancaster; Circleville; New Lexington; Malta; Athens; Columbus; Cincinnati; Toledo; Dayton, Youngstown; Ashtabula; East Liverpool; Steubenville; Martins Ferry; Akron; Canton; Marietta; Defiance; Mansfield; Portsmouth; Middletown; Pleasant, Washington, Miami, Union and Harrison Townships, Logan County; Ohio, Hamilton, Deerfield, Harlan and Salem Townships, Warren County; Fulton and Swan Creek Townships, Fulton County; Spencer, Harding, Swanton, Springfield and Adams Townships, Lucas County; Malta Township Morgan County; and Decatur and Elizabeth Townships, Lawrence County, Ohio. *General commodities* (except those of unusual value, Class A and B explosives, commodities in bulk, and commodities requiring special equipment), irregular routes: (1) Between Cleveland, Ohio on the one hand, and, on the other, points in Ohio.

(2) Between Sidney, Ohio on the one hand, and, on the other, points in Ohio. (3) Between Rockford, Ohio on the one hand, and, on the other, points in Ohio. (4) Between Ohio City, Ohio, on the one hand, and, on the other, points in Ohio. (5) Between Celina, Ohio, on the one hand, and, on the other, points in Ohio. (6) Between Jackson Center, Ohio, on the one hand, and, on the other, points in Ohio. (7) Between Wapakoneta, Ohio, on the one hand, and, on the other, points in Ohio. (8) Between Lima, Ohio, on the one hand, and, on the other, points in Ohio. (9) Between Piqua, Ohio, on the one hand, and, on the other, points in Ohio. (10) Between Minster, Ohio, on the one hand, and, on the other, points in Ohio. (11) Between Swanton, Ohio, on the one hand, and, on the other, points in Ohio. (12) Between Holland, Ohio, on the one hand, and, on the other, points in Ohio. (13) Between Lancaster, Ohio, on the one hand, and, on the other, points in Ohio. (14) Between Circleville, Ohio, on the one hand, and, on the other, points in Ohio. (15) Between New Lexington, Ohio, on the one hand, and, on the other, points in Ohio. (16) Between Malta,

Ohio, on the one hand, and, on the other, points in Ohio. (17) Between Athens, Ohio, on the one hand, and, on the other, points in Ohio. (18) Between Columbus, Ohio, on the one hand, and, on the other, points in Ohio. (19) Between Cincinnati, Ohio, on the one hand, and, on the other, points in Ohio.

(20) Between Toledo, Ohio, on the one hand, and, on the other, points in Ohio. (21) Between Dayton, Ohio, on the one hand, and, on the other, points in Ohio. (22) Between Youngstown, Ohio, on the one hand, and, on the other, points in Ohio. (23) Between Ashtabula, Ohio, on the one hand, and, on the other, points in Ohio. (24) Between East Liverpool, Ohio, on the one hand, and, on the other, points in Ohio. (25) Between Steubenville, Ohio, on the one hand, and, on the other, points in Ohio. (26) Between Martins Ferry, Ohio, on the one hand, and, on the other, points in Ohio. (27) Between Akron, Ohio, on the one hand, and, on the other, points in Ohio. (28) Between Canton, Ohio, on the one hand, and, on the other, points in Ohio. (29) Between Marietta, Ohio, on the one hand, and, on the other, points in Ohio. (30) Between Defiance, Ohio, on the one hand, and, on the other, points in Ohio. (31) Between Mansfield, Ohio, on the one hand, and, on the other, points in Ohio. (32) Between Portsmouth, Ohio, on the one hand, and, on the other, points in Ohio. (33) Between Middletown, Ohio, on the one hand, and, on the other, points in Ohio. (34) Between Pleasant, Washington, Miami, Union and Harrison Townships, Logan County, Ohio, on the one hand, and, on the other, points in Ohio. (35) Between Hamilton, Deerfield, Harlan and Salem Townships, Warren County, Ohio, on the one hand, and, on the other, points in Ohio. (36) Between Fulton and Swan Creek Townships, Fulton County, Ohio, on the one hand, and, on the other, points in Ohio.

(37) Between Spencer, Harding, Swanton, Springfield, and Adams Townships, Lucas County, Ohio, on the one hand, and, on the other, points in Ohio. (38) Between Malta Township, Morgan County, Ohio, on the one hand, and, on the other, points in Ohio. (39) Between Decatur and Elizabeth Townships, Lawrence County, Ohio, on the one hand, and, on the other, points in Ohio.

NOTE.—Applicant states that the requested authority can be tacked at Shelby, Ohio, to provide service between Sidney, Ohio, on the one hand, and, on the other, points in Ohio. Applicant seeks to purchase Roethlisberger Transfer in docket MC-10655. This is a matter directly related to the Section 5 Proceeding in MC-F-12199 Published in the FEDERAL REGISTER issue of April 24, 1974. If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC-F-12310. Authority sought for merger by DE-PEN LINE, INC., P.O. Box 486, R.D. #1, Phoenixville, Pa. 19460, of the operating rights and property of MAURER'S EXPRESS, INC., and for acquisition by BRUNO BROTHERS, INC., and, in turn, by WILLIAM J. FORD, all of Phoenixville, Pa. 19460, of control of

such rights and property through the transaction. Applicants' attorney: Maxwell A. Howell, 1100 Investment Bldg., 1511 K St. NW., Washington, D.C. 20005. Operating rights sought to be merged: *General commodities*, excepting among others, dangerous explosives, household goods and commodities in bulk, as a *common carrier* over irregular routes, between Reading, Pa., and points and places within eight miles thereof. DE-PEN LINE, INC., is authorized to operate as a *common carrier* in Pennsylvania, Delaware, New York, New Jersey, Maryland, Virginia, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

NOTE.—Pursuant to MC-F-11649, Transferee acquired control of Transferor.

No. MC-F-12311. Authority sought for purchase by FAST INTERSTATE EXPRESS, INC., AN ARKANSAS CORPORATION, a non-carrier, 1211 South 9th Street, Fort Smith, Arkansas 72901, of a portion of the operating rights of HARPER TRUCK LINE, INC., A LOUISIANA CORPORATION, Hwy. 80, Monroe, Louisiana, and for acquisition by J. O. FINE, 1211 South 9th Street, Fort Smith, Arkansas 72901, of control of such rights through the purchase. Applicants' attorney: Don A. Smith, 13 No. 7th St., P.O. Box 43, Fort Smith, Arkansas 72901. Operating rights sought to be transferred: Glassware, as a *common carrier* over irregular routes from Jackson, Miss., to points and places in Louisiana and those in Arkansas on and south of U.S. Highway 70, lamp chimneys, from Fort Smith, Ark., to Monroe, La., general commodities, with exceptions between Monroe and West Monroe, La., on the one hand, and, on the other, points and places in Arkansas within 90 miles of Monroe, from Monroe and West Monroe, La., to points and places in Louisiana within 120 miles of Monroe. Fast Interstate Express, Inc., an Arkansas Corporation is a non-carrier. Motion to dismiss application filed concurrently herewith. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12312. Authority sought for purchase by WHITEFIELD TRANSPORTATION, INC., 300 North Clark Drive, El Paso, TX 79910, of a portion of the operating rights of (B) LEE M. HAWKES, doing business as LEE HAWKES TRANSFER, 200 Poplar St., Pocatello, ID 83201; and for control and merger of (BB) MILLER BROS. TRUCK LINE, P.O. Box 1049, Salmon, ID 83467, and for acquisition by SUNDANCE TRANSPORTATION, INC., First Security Bldg., Room 312, 405 So. Main St., Salt Lake City, UT 84111, and ALLAN D. MUSGROVE, also of El Paso, TX 79910, of control of such rights through the purchase and transaction. Applicants' attorney: William S. Richards, 1515 Walker Bank Bldg., P.O. Box 2465, Salt Lake City, UT 84110. Operating rights sought to be transferred: (B) *General commodities*, excepting among others, livestock, high explosives, and

commodities in bulk, as a *common carrier* over regular routes, between Salt Lake City and Ogden, Utah, on the one hand, and Pocatello, Idaho Falls, and Mackay, Idaho, on the other; (BB) *General commodities*, excepting among others, classes A and B explosives, and commodities in bulk, as a *common carrier* over regular routes, between Salmon, Idaho, and Butte, Mont., between Salmon, Idaho, and Armstead, Mont., and junction U.S. Highways 10 and 91, for operating convenience only, serving various intermediate and off-route points with restrictions, between Mackay, Idaho, and Missoula, Mont., serving various intermediate points, between Butte, Mont., and Salmon, Idaho, serving various intermediate and off-route points, between Elko, Nev., and Twin Falls, Idaho, serving all intermediate points in Nevada. Whitfield Transportation, Inc., is authorized to operate as a *common carrier* in Arizona, Idaho, Montana, New Mexico, Texas, Utah, Colorado, and California. Applications have been filed for temporary authority under section 210a(b).

NOTE.—MC-108461 (Sub-No. 123), is a matter directly related.

No. MC-F-12313. Authority sought for purchase by WELLS CARGO, INC., 1775 E. 4th St., Reno, NV 89505, of the operating rights and property of WESTERN TRUCK LINES, 1426 E. 4th St., Los Angeles, CA 90033, and for acquisition by HOWARD A. WELLS, also of Reno, NV 89505, of control of such rights and property through the purchase. Applicants' attorneys: Edward J. Hegarty, 100 Bush St., 21st Floor, San Francisco, CA 94104, and John P. Fischer, 140 Montgomery St., San Francisco, CA 94104. Operating rights sought to be transferred: Under a certificate of registration, in Docket No. MC-121319 (Sub-No. 1), covering the transportation of general commodities, as a common carrier, in interstate commerce, within the State of California. Vendée is authorized to operate as a common carrier in California, Arizona, Idaho, Nevada, Oregon, and Utah. Application has been filed for temporary authority under section 210a(b).

NOTE.—MC-43269 (Sub-No. 60), is a matter directly related.

St. Louis-San Francisco Railway Company (Frisco) has filed with the Interstate Commerce Commission its Application in Finance Docket No. 27719 for a Certificate of Public Convenience and Necessity authorizing Frisco to acquire trackage rights to operate over certain trackage of The Atchison, Topeka and Santa Fe Railway Company (Santa Fe) between Augusta, Butler County, Kansas, and Winfield, Cowley County, Kansas, a distance of approximately 34.06 miles.

Frisco has filed with the Interstate Commerce Commission in Docket No. AB-9 (Sub-No. 2) an Application to abandon its line between Beaumont, Butler County, Kansas, and Winfield, Cowley County, Kansas.

Inquiries concerning this Application and Frisco's Abandonment Application should be addressed to:

James S. Bowle
Assistant General Counsel
St. Louis-San Francisco Railway Company
Suite 1023 Frisco Building
905 Olive Street
St. Louis, Missouri 63101

In the opinion of the applicant, the authority sought will have no significant effect upon the quality of the human environment within the meaning of the National Environmental Policy Act of 1969. In accordance with the Commission's regulations (49 CFR 1100.250) in Ex Parte No. 55 (Sub-No. 4), *Implementation—Nat'l Environmental Policy Act of 1969*, 340 I.C.C. 431 (1972), any protests may include a statement indicating the presence or absence of any effect of the requested Commission action on the quality of the human environment. If any such effect is alleged to be present, the statement shall include information relating to the relevant factors set forth in Ex Parte No. 55 (Sub-No. 4), supra Part (1)-(5), 340 I.C.C. 431, 461.

The proceeding will be handled without public hearings unless protests are received which contain information indicating a need for such hearings. Any protests submitted shall be filed with the Commission no later than thirty (30) days from the date of the first publication in the FEDERAL REGISTER.

TRANSFER APPLICATION TO BE ASSIGNED FOR HEARING

No. MC-FC-75047. Authority sought by transferee, W-P TRUCK LINES, INC., Third Avenue at Grant Street, Pittsburgh, Pa. 15219, to acquire the operating rights of Transferor, DOROTHY H. LOUGHMAN, doing business as WAYNESBURG-PITTSBURGH LOCAL EXPRESS, R.D. 4, Box 37, Waynesburg, Pa. 15370. Applicants' representative: William J. Lippman, Attorney at Law, 1819 H Street, N.W., Washington, D.C. 20006. Operating rights in certificate No. MC-19000 sought to be transferred: General commodities, usual exceptions, between Waynesburg, Pa., and Washington, Pa., serving all intermediate points; between Waynesburg, Pa., and Brownsville, Pa., serving all intermediate points; between Waynesburg, Pa., and Point Marion, Pa., serving all intermediate points between Carmichaels, Pa., and Uniontown, Pa., serving all intermediate points; between Pittsburgh, Pa., and Waynesburg, Pa., serving all intermediate points in Greene County, Pa.; and household goods, and machinery, materials, supplies, and equipment used in, or incidental to, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, between points in Greene County, Pa., on the one hand, and, on the other, points in New Jersey, Maryland, New York, West Virginia, Virginia, Ohio, and the District of Columbia.

By order of Division 3, dated September 13, 1974, the above-indicated transfer application under section 212(b) of

the Interstate Commerce Act is to be assigned for hearing at a time and place hereafter to be fixed for the purpose of determining whether applicants have withheld material facts concerning the real party in interest. The Bureau of Enforcement has been directed to participate in the proceeding for the purpose of developing the record.

Interested parties have until October 25, 1974, in which to file petitions for leave to intervene. Such petitions should set forth the reason or reasons for the requested intervention, the place where petitioner wishes the hearing to be held, the number of witnesses it expects to present, and the estimated time required for the presentation of evidence.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-22292 Filed 9-24-74;8:45 am]

[Notice 133]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 19, 1974.

The following are notices of filing of application (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application) for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 29079 (Sub-No. 76TA), filed September 9, 1974. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 S. Union Street, P.O. Box 935, Kokomo, Ind. 46901. Applicant's representative: Ben W. Cotten, 704 Southern Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ingots*, from Centerville, Iowa, to Peoria, Ill.; Kokomo, Ind.; Canton, Ohio; Cleveland, Ohio; Massillon,

Warren, and Youngstown, Ohio; and Sharon, Pa., for 180 days. Supporting Shipper: Iowa Steel and Wire Co., Centerville, Iowa 52544. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 W. Wayne Street, Room 204, Ft. Wayne, Ind. 46802.

No. MC 87092 (Sub-No. 2TA), filed September 11, 1974. Applicant: JIM MITTEN TRUCKING, INC., 619 East Sixth, Oakley, Kans. 67748. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feeds*, from Oakley, Kans., to points in Nebraska on and west of U.S. Highway No. 183 and to points in Colorado on and east of U.S. Interstate Highway No. 25 and to points in Larimer County, Colo., for 180 days. Supporting shipper: Nutrena Feed Division of Cargill, Inc., 511 Longview, Oakley, Kans. 67748. Send protests to: Thomas P. O'Hara, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 234 Federal Bldg., Topeka, Kans. 66603.

No. MC 93840 (Sub-No. 13TA), filed September 11, 1974. Applicant: W. W. GLESS, doing business as GLESS BROS., P.O. Box 216, Blue Grass, Iowa 52726. Applicant's representative: James M. Hodge, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid waste materials*, in bulk, from the plants of Deere and Company located at or near Ankeny, Ottumwa, Dubuque, and Davenport, Iowa, and Moline and East Moline, Ill., to Shakopee, Minn., and Rockford, Ill., and points in their commercial zones, for 180 days. Supporting shipper: Commercial Container Service, Inc., P.O. Box 3587, Davenport, Iowa 52808. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 103993 (Sub-No. 833TA), filed September 10, 1974. Applicant: MORGAN DRIVE-AWAY, INC., 2800 Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grain dryers*, on undercarriages connected by hitchball connectors, from points in Clinton County, Ind., to points in Illinois, Iowa, Kansas, Michigan, Nebraska, Ohio, Kentucky, and Wisconsin, for 180 days. Supporting shipper: Beard Industries, Inc., Frankfort, Ind. 46041. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 W. Wayne Street, Room 204, Ft. Wayne, Ind. 46802.

No. MC 107496 (Sub-No. 968TA), filed September 11, 1974. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa

50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in tank vehicles, from Humboldt, Kans., to Sioux City, Iowa, for 180 days. Supporting shipper: Kay Dee Builders Supply Inc., Walensky Lumber, 1901 East Third Street, Sioux City, Iowa 51101. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 107496 (Sub-No. 969TA), filed September 11, 1974. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: E. Check (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed and feed supplements*, in bulk, in tank vehicles, from Blair, Nebr., to points in California and Arizona, for 180 days. Supporting shipper: Ruminant Nitrogen Products Company, P.O. Box 150, Blair, Nebr. 68008. Send protests to: Herbert W. Allen, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 875 Federal Building, Des Moines, Iowa 50309.

No. MC 108449 (Sub-No. 377TA), filed September 9, 1974. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenberg (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied ethylene*, in bulk, in tank vehicles, from Morris, Ill., to Whiting, Ind.; Port Huron, Mich.; and Tonawanda, N.Y., for 180 days. Supporting shipper: Northern Petrochemical Company, 2350 East Devon Avenue, Des Plaines, Ill. 60018. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 414 Federal Building and U.S. Courthouse, 110 S. 4th Street, Minneapolis, Minn. 55401.

No. MC 109584 (Sub-No. 157TA), filed September 9, 1974. Applicant: ARIZONA-PACIFIC TANK LINES, 5773 South Prince Street, Littleton, Colo. 80120. Applicant's representative: Kenneth A. Willhite (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer solution*, in bulk, in tank vehicles, from Phoenix, Ariz., to points in Rio Grande County, Colo., for 180 days. Supporting shipper: Kerley Chemical Corporation of Arizona, 2801 W. Osborn Road, Phoenix, Ariz. 85017. Send protests to: District Supervisor Roger L. Buchanan, Bureau of Operations, Interstate Commerce Commission, 2022 Federal Building, 1961 Stout Street, Denver, Colo. 80202.

No. MC 109692 (Sub-No. 29TA), filed September 10, 1974. Applicant: GRAIN BELT TRANSPORTATION COMPANY,

a Corporation, 625 Livestock Exchange Building, Kansas City, Mo. 64102. Applicant's representative: Lucy Kennard Bell, Suite 910, Fairfax Building, 101 West 11th Street, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural equipment and industrial bulk material handling systems*, from Dodge City, Kans., to points in Colorado, Wyoming, Montana, North Dakota, South Dakota, Minnesota, and Nebraska and (2) *Machinery, materials, equipment, and supplies* used in the manufacture and production of agricultural equipment and industrial bulk material handling systems, from points in Colorado, Wyoming, Montana, North Dakota, South Dakota, Minnesota, and Nebraska, to Dodge City, Kans., for 180 days. Supporting shipper: Speed King Manufacturing, Inc., Fort Dodge Road, Dodge City, Kans. 67801. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 110420 (Sub-No. 724TA), filed September 9, 1974. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: David A. Petersen (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry beet sugar*, in bulk, in tank vehicles, from Winona, Minn., to the Port of Entry at the United States/Canada border at Niagara Falls, N.Y., for 180 days. Supporting shipper: Leaf Confectionery, 1155 North Cicero Avenue, Chicago, Ill. 60651 (Jan Hansen, Distribution Manager). Send protests to: John E. Ryden, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 111729 (Sub-No. 464TA), filed September 9, 1974. Applicant: PUROLATOR COURIER CORP., 2 Nevada Drive, Lake Success, N.Y. 11040. Applicant's representative: John M. Delany (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh cut flowers and decorative green*, having an immediately prior or subsequent movement by air or motor vehicle, (1) Between points in North Carolina and (2) Between points in South Carolina, for 180 days. Supporting shipper: Associated Florida Gladiola Growers, Inc., P.O. Box No. 6067, Ft. Myers, Fla. 33901. Send protests to: Anthony D. Glaimo, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 116073 (Sub-No. 306TA), filed September 11, 1974. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Moorhead, Minn. 56560. Applicant's representative: Robert G. Tessar (same address as applicant). Authority sought to operate as

a common carrier, by motor vehicle, over irregular routes, transporting: *Travel trailers*, in initial movements, from the plantsite of Airstream at or near Cerritos, Calif., to points in Montana, Idaho, Utah, Colorado, Wyoming, Oklahoma, New Mexico, Texas, and South Dakota, for 180 days. Supporting shipper: Airstream (Haulaway Division), 15939 Piuma Avenue, Cerritos, Calif. 90701. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 117589 (Sub-No. 23TA), filed September 10, 1974. Applicant: PROVISIONERS FROZEN EXPRESS, INC., 3801 7th Avenue South, Seattle, Wash. 98108. Applicant's representative: James T. Johnson, 1610 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, from Laramie, Wyo., to points in Oregon and Washington; and (2) *Frozen foods*, from Seattle, Wash., to Boise, Idaho; Denver, Colo., and Salt Lake City, Utah; (3) *Frozen pies*, from Spokane, Wash., to Boise, Idaho; (4) *Frozen corn dogs and chili*, from Spokane, Wash., to Salt Lake City, Utah; Boise, Idaho Falls, and Twin Falls, Idaho; (5) *Frozen onion rings*, from Boise, Idaho, to Seattle, Spokane, and Wenatchee, Wash.; (6) *Frozen meat*, from Laramie, Wyo., to Seattle, Wash.; and (7) *Frozen potato products*, from points in Utah, to Cody, Wyo.; Billings, Great Falls, and Missoula, Mont., for 180 days. Supporting shippers: Twin City Foods, Inc., Stanwood, Wash. 98292; Paul's Cheesecake, Inc., 1600 South Lane, Seattle, Wash. 98144; Verns Pie Company, 1730 West Sharp, Spokane, Wash.; Olympic Corn Products, Inc., 605 N. Fancher, P.O. Box 3627, Spokane, Wash. 99220; Idaho's Best Foods, P.O. Box 7503, Boise, Idaho 83707; Monfort Packing Co., Greeley, Colo.; and Thompson Distributing, Inc., P.O. Box 2121, Great Falls, Mont. 59403. Send protests to: Transportation Specialist L. D. Boone, Interstate Commerce Commission, Bureau of Operations, 6049 Federal Office Building, Seattle, Wash. 98174.

No. MC 118142 (Sub-No. 80TA), filed September 9, 1974. Applicant: M. BRUENGER & CO., INC., 6250 North Broadway, Wichita, Kans. 67219. Applicant's representative: Lester C. Arvin, 814 Century Plaza Bldg., Wichita, Kans. 67202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Pre-cooked frozen foods*, from the plant site and manufacturing facilities of Shurtenda Foods, Inc., Cedartown, Ga., to points in Texas, Oklahoma, Missouri, Kansas, Arkansas, Mississippi, Colorado, Arizona, Nevada, New Mexico, Idaho, Utah, Washington, Oregon, and California, for 180 days. Supporting shipper: Shurtenda Foods, Incorporated, 808 West Avenue, Cedartown, Ga. 30125. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission,

Bureau of Operations, 501 Petroleum Bldg., Wichita, Kans. 67202.

No. MC 125035 (Sub-No. 40TA), filed September 9, 1974. Applicant: RAY E. BROWN TRUCKING, INC., 1266 Stuart Street NW., P.O. Box 501, Massillon, Ohio 44646. Applicant's representative: David L. Pemberton, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Steel die shoes for plastic molds*, from Kenilworth, N.J., to Macedonia, Ohio, and Chicago, Ill., for 180 days. Supporting shipper: National Tool & Manufacturing Co., 100-124 North 12th Street, Kenilworth, N.J. 07033. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 220 Federal Building and U.S. Courthouse, 85 Marconi Boulevard, Columbus, Ohio 43215.

No. MC 129697 (Sub-No. 3TA), filed September 9, 1974. Applicant: RAUL TAMAYO A. AND JOSE ALFONSO GRIJALVA, Avenue Juarez-544, Ensenada, Baja Calif. Applicant's representative: Milton W. Flack, 4311 Wilshire Boulevard, Suite 300, Los Angeles, Calif. 90010. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Fiber containers and open top tin cans*, nested, with or without tops, from points in Los Angeles and Orange Counties, Calif., to the Port of Entry on the United States-Mexico International Boundary line at or near San Ysidro, Calif., for 180 days. Supporting shippers: Pesquera Del Pacifico, S.A., P.O. Box 70, Ensenada, Baja Calif.; Pasquera Matancitas, S.A., Ruiz 4, Ensenada, Baja Calif.; and Pasquera Peninsular, S.A., Ruiz Yfrente, Ensenada, Baja Calif. Send protests to: District Supervisor Philip Yallowitz, Bureau of Operations, Interstate Commerce Commission, 300 North Los Angeles Street, Room 7708, Los Angeles, Calif. 90012.

No. MC 135797 (Sub-No. 29TA), filed September 10, 1974. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 200, Lowell, Ark. 72745. Applicant's representative: L. C. Cypert (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tanks, hydro-pneumatic, cylindrical, steel, other than cement, glass or porcelain lined* (except commodities requiring special equipment), from the plantsite of the Hoyt Corporation at Rogers, Ark., to points in California, Colorado, Idaho, Mississippi, Nebraska, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, and Washington, for 180 days. Supporting shipper: Hoyt Corporation, North 6th Street, P.O. Box 248, Rogers, Ark. 72756. Send protests to: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, 700 West Capitol, Little Rock, Ark. 72201.

No. MC 136710 (Sub-No. 3TA), filed September 9, 1974. Applicant: FRANK

W. EVANS, JR., doing business as EXPORT ALLOYS, 19 Morris Street, Freeport, N.Y. 11520. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Scrap metal on flat bed semi-trailers*, from Brooklyn, N.Y., to Duquesne, Carnegie, and Wilmerding, Pa., under contract with Lieberman Koren Corp., for 150 days. Supporting shipper: Lieberman Koren Corp., 1885 Pitkin Avenue, Brooklyn, N.Y. 11212. Send protests to: Anthony D. Giaino, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 138896 (Sub-No. 10TA), filed September 10, 1974. Applicant: AJAX TRANSFER COMPANY, 550 E. Fifth Street South, St. Paul, Minn. 55075. Applicant's representative: Donald L. Stern, Suite 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and foodstuffs* in mechanically equipped vehicles, from Madison, Wis., to points in North Dakota, restricted to traffic which is interchanged at Fargo, N. Dak. destined to points in North Dakota, for 180 days. Supporting shipper: Oscar Mayer & Co., 910 Mayer Avenue, Madison, Wis. 53704. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Building and U.S. Courthouse, 110 S. 4th Street, Minneapolis, Minn. 55401.

NOTE.—Applicant states that interline will take place at Fargo, N. Dak. with Booth Delivery Service.

No. MC 139841 (Sub-No. 1TA), filed September 9, 1974. Applicant: DENVER TRANS-CORP., 5971 N. Broadway, Denver, Colo. 80216. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Foodstuffs, materials, equipment, and supplies* used or useful in the production or marketing thereof, between Denver, Colo., on the one hand, and, on the other, points in Oklahoma, Arkansas, Tennessee, Texas, Louisiana, Mississippi, Alabama, and Georgia, for 180 days. Supporting shipper: Aunt Martha's Foods Inc., 5969 N. Broadway, Denver, Colo. 80216. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 140166 (Sub-No. 1TA), filed September 9, 1974. Applicant: JOHN L. SMITH, R.F.D. No. 5, Box 96, Blackfoot, Idaho 83221. Applicant's representative: Dennis M. Olsen, 485 E Street, Idaho Falls, Idaho 83401. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal, poultry, and fish feed*; and *animal, poultry, and fish feed*

concentrates, feed supplements and feed ingredients; bag and bulk, for on farm and other delivery, from points in Bannock County, Idaho, to points in Union, Grant, Baker, Harney, and Malheur Counties, Oreg.; Ravalli, Granite, Jefferson, Silver Bow, Gallatin, Madison, and Beaverhead Counties, Mont.; Teton, Sublette, Sweetwater, Lincoln, and Uinta Counties, Wyo.; Box Elder, Cache, Rich, Weber, Summit, Tooele, Juab, Millard, Sevier, Sanpete, Carbon, Emery, Wasatch, Salt Lake, Duchesne, Uintah, Davis, Beaver, and Wayne Counties, Utah; Washoe, Pershing, Humboldt, Elko, Lander, Churchill, Eureka, White Pine, Mineral, Douglas, Lyon, and Storey Counties, Nev., for 180 days. Supporting shippers: Purina Ralston Company, P.O. Box 2025, Pocatello, Idaho. Send protests to: C. W. Campbell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 550 West Fort Street, Box 07, Boise, Idaho 83724.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Sub-No. 180TA), filed September 9, 1974. Applicant: GREYHOUND LINES, INC., Greyhound Tower, Phoenix, Ariz. 85077. Applicant's representative: A. P. Carr, 1400 West Third Street, Cleveland, Ohio 44113. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, Between Columbus, Ohio, and Athens, Ohio, serving all intermediate points, including the off-route point of Logan, Ohio, via Ohio State Highway 93:

From Columbia, Ohio, over U.S. Highway 33 to Athens, Ohio, and return over the same route, serving all intermediate points and including service to and from the off-route point of Logan, Ohio, via Ohio State Highway 93, and Between Columbia, Ohio, and Chillicothe, Ohio, serving all intermediate points: From Columbia, Ohio over U.S. Highway 23 to Chillicothe, Ohio, and return over the same route, for 180 days.

NOTE.—Applicant, Greyhound Lines, Inc., is now authorized by this Commission under Docket No. MC 1515 and subs to serve various points in the forty-eight contiguous continental United States, and hereby requests authority to tack the authority being sought in this application, to and from points proposed to be served on the routes involved in this application to and from all points on routes applicant is now authorized to service. Joinder of the proposed authority with the authority now held under Docket MC 1515 and subs would be, specifically, at Columbus, Athens, and Chillicothe, Ohio. Authority in the area in which the foregoing joinder of routes is proposed, is authorized in the following Certificates of Public Convenience and Necessity: MC 1501 Subs 92, 104, and 172 and MC 1515 Subs 6 and 175. Further, it is also intended that traffic traveling via the proposed routes herein, will be interlined with other carriers at points where applicant presently interlines traffic with such other carriers.

Supporting shippers: Carl R. Hoskins, State of Ohio, Fairfield School for Boys, Lancaster, Ohio 43130; Steve Raynor, Lowe's of Circleville, 150 Edison Avenue, Circleville, Ohio; Olle Blidsten, Cole Nursery Co., Inc., Route 1, Box 140, Circleville, Ohio, 43113; Erle A. DeLong, Essex Wire, Inc., 219 North Col Street,

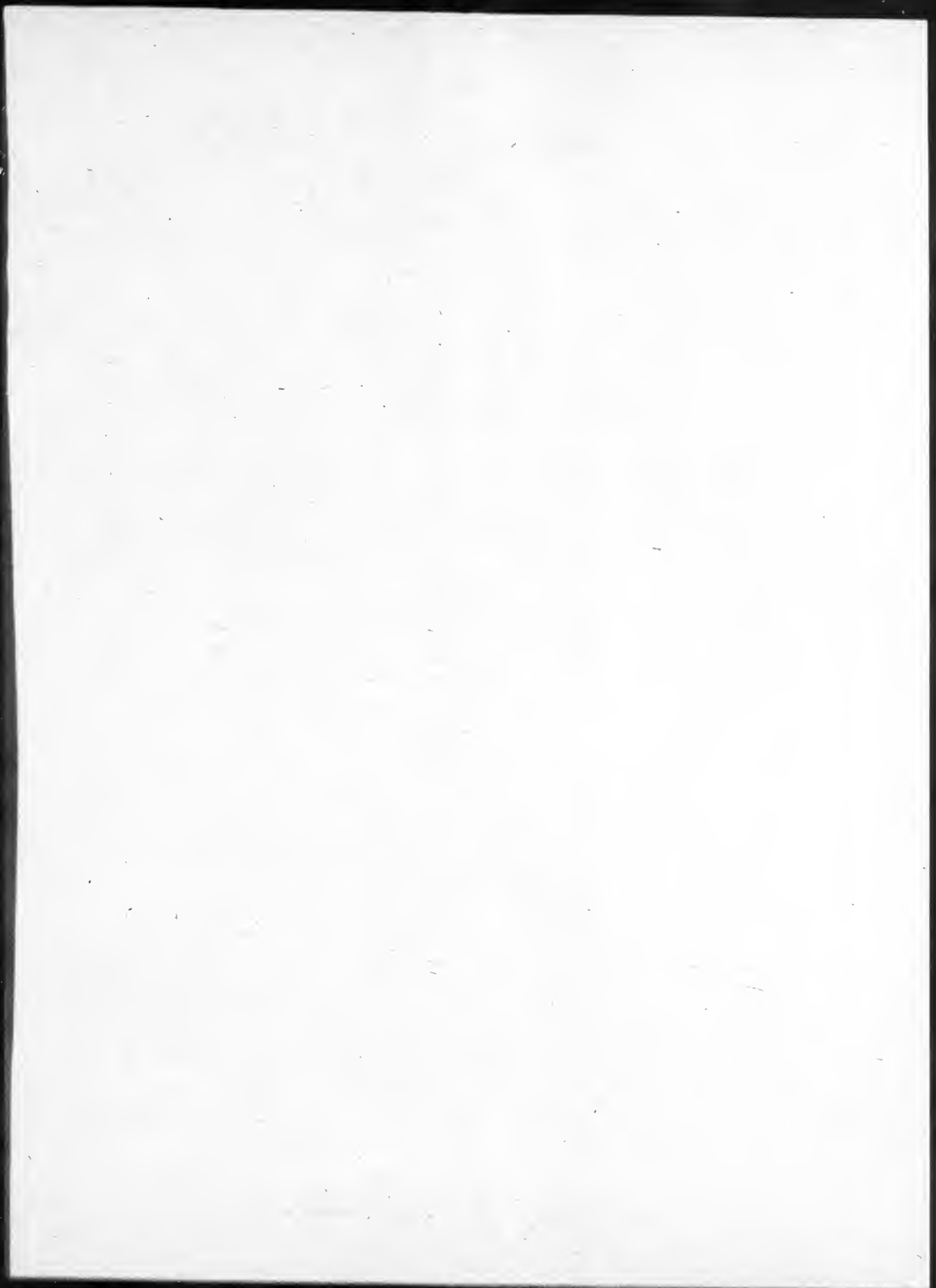
Lancaster, Ohio; and Thomas W. Purcell, Circleville Herald, 210 North Court Street, Circleville, Ohio 43113. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 230 North First Ave., Room 3427 Federal Building, Phoenix, Ariz. 85025.

No. MC 140190 TA filed September 9, 1974. Applicant: LAWRENCE R. ERTEL, doing business as OREGON-RENO TOURS, 1210 NW D Street, Grants Pass, Oreg. 97526. Applicant's representative: Lawrence R. Ertel (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, (1) From Grants Pass, Oreg., to Reno-Sparks, Nev., with pickup of passengers in Grants Pass, Medford, and Ashland, Oreg., and return to same three (3) Oregon cities from Reno-Sparks, Nev., and (2) From Eugene-Springfield, Oreg., to Reno-Sparks, Nev., with pickup of passengers in Eugene-Springfield, Roseburg, Grants Pass, Medford, and Ashland, Oreg., and return to the same five (5) Oregon cities from Reno-Sparks, Nev., for 180 days. Supporting shipper: Parks and Recreational Department, City of Grants Pass, City Hall, Grants Pass, Oreg. 97526. Send protests to: District Supervisor Odoms, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oreg. 97204.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-22291 Filed 9-24-74; 8:45 am]



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(Revised as of July 1, 1974)

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