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PART I

HIGHLIGHTS OF THIS ISSUE

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

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reminders

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

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Title 12—Banks and Banking

CHAPTER VII—NATIONAL CREDIT UNION ADMINISTRATION

PART 701—ORGANIZATION AND OPERATIONS OF FEDERAL CREDIT UNIONS

Payment of Amortization of Loans

On pages 24205–24206 of the June 5, 1975, edition of the FEDERAL REGISTER (40 FR 24205–24206) there was published a proposal to amend Part 701 (12 CFR 701). The purposes of the proposed amendment are (i) to update the section in light of the December 31, 1974, amendment to section 107(5) of the Federal Credit Union Act (12 U.S.C. 1757 (5)) related to loans made in accordance with section 2(b) of the National Housing Act and section 1819 of Title 38, United States Code, and (ii) to incorporate provisions regarding insured student loans made in accordance with § 701.25 (12 CFR 701.25). Interested persons were given until June 30, 1975, to submit written comments, suggestions and objections regarding the proposed amendment. After considering comments submitted by interested parties, the proposed amendment, as set forth below, is hereby adopted without change.

Effective date. This amendment is effective immediately.

HERMAN NICKERSON, Jr.,
Administrator.

JULY 10, 1975.

§ 701.21 Payment or amortization of loans.

* * * * *

(g) (1) Secured loans made for periods in excess of 5 years but not exceeding 10 years shall not be made for normal consumer-type purchases and expenditures. Examples of extraordinary purposes for which loans, with maturities in excess of 5 years but not exceeding 10 years, may be granted include home improvements, the purchase of mobile and seasonal homes, vocational and higher education, and other similar large-cost undertakings. In general, the terms, maturities, and conditions of secured loans made by a Federal credit union for longer than 5 years shall be in accord with the prevailing lending practices (with respect to the purpose of the loan) in the area being served by the credit union.

(2) Notwithstanding the provisions of paragraph (g)(1) of this section, and to the extent that the board of directors, by resolution, approves, a loan which is insured or guaranteed pursuant to (i) Title IV, Part B, of the Higher Education Act of 1965, as amended (as it relates to insured loans to students and as set forth in § 701.25), (ii) section 2(b) of the National Housing Act (as it relates to insured loans for home improvements, mobile homes and related areas under the provisions of FHA-Title 1), or (iii) section 1819 of Title 38, United States Code (as it relates to guaranteed loans to eligible veterans for mobile home purchase and related areas under the provisions of the Veterans Housing Act) may be made to members with maturity limitations as specified in those statutory references and regulations issued thereunder: *Provided,* That the credit union has been qualified as a lender under the respective legislative provisions.

(3) Loans granted pursuant to the statutory references cited in paragraph (g)(2) of this section must be in full compliance with all applicable provisions of those statutes and regulations issued thereunder, including any requirements to record liens on related collateral. Furthermore, where insurance obtained under the statutory provisions cited in paragraphs (g)(2)(i) and (2)(ii) of this section is accepted as security for a loan, the Credit Committee, nonetheless, has the responsibility to ascertain that the interest of the credit union is, in fact, adequately protected and to assure itself of the creditworthiness of the borrower.

(Sec. 120, 73 Stat. 635 (12 U.S.C. 1766), and sec. 209, 84 Stat. 1014 (12 U.S.C. 1789))

[FR Doc.75-18686 Filed 7-17-75;8:45 am]

PART 701—ORGANIZATION AND OPERATION OF FEDERAL CREDIT UNIONS

Compensation of Officials

On pages 24755–24756 of the June 10, 1975, edition of the FEDERAL REGISTER (40 FR 24755–24756) there was published a proposal to amend Part 701 (12 CFR Part 701). The proposed revision is necessitated by the recent amendment to section 111 of the Federal Credit Union Act (12 U.S.C. 1761). Interested persons were given until June 30, 1975, to submit written comments, suggestions and objections regarding the proposed revision. After considering comments submitted by interested parties, the proposed revision, as set forth below, is hereby adopted without change.

Effective date. This revision is effective immediately.

HERMAN NICKERSON, Jr.,
Administrator.

JULY 10, 1975.

§ 701.33 Compensation of officials.

(a) With the exception of the treasurer, no director or member of a credit committee or supervisory committee may receive compensation for performing the duties or responsibilities of the board or committee position to which the person was elected or appointed.

(b) For purposes of this section, the term "compensation" specifically excludes (1) reasonable and proper costs incurred by or on behalf of an official (whether on a reimbursement basis or paid directly by the credit union) in carrying out the responsibilities of the position to which the person was elected or appointed; and (2) reasonable health and accident and related types of personal insurance protection supplied for the above officials at the expense of the credit union: *Provided,* That such insurance protection shall exclude life insurance, shall be limited to areas of risk, including accidental death and dismemberment, to which the official is exposed by virtue of carrying out the duties or responsibilities of his or her credit union position and shall cease immediately when the insured person leaves office without providing residual benefits other than from pending claims, if any.

(Sec. 120, 73 Stat. 635 (12 U.S.C. 1766) and Sec. 209, 84 Stat. 1014 (12 U.S.C. 1789))

[FR Doc.75-18684 Filed 7-17-75;8:45 am]

Title 13—Business Credit and Assistance

CHAPTER I—SMALL BUSINESS ADMINISTRATION

[Rev. 6, Amdt. 4]

PART 120—BUSINESS LOAN POLICY

Charges and Interest Rates

The Small Business Administration (SBA) is amending its business loan policy regulations to provide that (1) the interest rate on its direct loans and share of immediate participation loans shall be established in accordance with the statutory formula set forth in the Small Business Act, as amended, and (2) when SBA purchases its share of a loan from a participating financial institution, the rate of interest to the borrower on such SBA share shall be the same as that cited in the original note, except that, on a loan with a fluctuating interest rate, the interest charged by SBA shall be at that rate in effect at the time of default or of purchase, whichever applies to the particular case. These regulations are also being amended to remove the ceiling of 8 percent per annum on the interest rate for computing the payment of accrued interest to a participating lender upon SBA purchase of its guaranteed share of a loan.

This amendment will bring SBA business loan policy regulations into conformity with sections 3 and 8 of Pub. L.

93–386, approved August 23, 1974, amending the Small Business Act. In that the material contained herein conforms to Pub. L. 93–386, the relevant provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable. However, any comments on this amendment may be submitted to the Associate Administrator for Finance and Investment, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416. Until such time as further changes are made on the basis of the comments thus received, or otherwise, § 120.3(b)(2) as set forth hereinafter shall remain in effect.

Effective date. Amendment 4 to Revision 6 of Part 120 shall be effective on September 1, 1975.

Pursuant to the authority of 72 Stat. 387, as amended, 15 U.S.C. 636, sec. 5, 72 Stat. 385, 15 U.S.C. 634, Part 120 of Chapter I of Title 13 of the Code of Federal Regulations is hereby amended by revising § 120.3(b)(2) thereof to read as follows:

§ 120.3 Terms and conditions of business loans and guarantees.

* * * * *

(b) *Charges and interest rates.* * * *

(2) *Interest.* (i) The rate of interest on direct loans and on SBA's share of immediate participation loans is established by the statutory formula set forth in section 7(a)(4) of the Small Business Act, as amended.

(ii) Subject to the approval of SBA, a participating financial institution may establish such rate of interest on its share of an immediate participation loan as shall be legal and reasonable. A lending institution may be given the option of utilizing a fluctuating rate of interest on its share of an immediate participation loan. The fluctuations may occur no more than semiannually, and must rise or fall on the same basis.

(iii) Subject to the approval of SBA, the interest rate on guaranteed loans may be established by the participating financial institution at a rate that shall be legal and reasonable. Subject to the above guidelines, lending institutions may be given the option of utilizing a fluctuating rate of interest. The fluctuations may occur no more than semiannually, and must rise or fall on the same basis.

(iv) From time to time SBA may publish in the FEDERAL REGISTER notices of the maximum rates acceptable to SBA under the immediate participation and guaranty loan programs.

(v) When SBA purchases its share of a loan, the rate of interest to the borrower on SBA's share shall be the same as the rate of interest provided in the note. On those loans with a fluctuating interest rate, the interest charged by SBA shall be at that rate in effect at the time of default where a default has occurred, or at that rate in effect at the time of purchase where no default has occurred.

(vi) When SBA purchases its guaranteed share, its payment of accrued interest to the date of purchase shall be at the rate of interest provided in the note. On those loans with a fluctuating interest rate, the SBA's payment of accrued interest shall be at that rate in effect at the time of default where a default has occurred, or at that rate in effect at the time of purchase where no default has occurred.

(Catalog of Federal Domestic Assistance Programs No. 59.012, Small Business Loans)

Dated: July 10, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-18689 Filed 7-17-75;8:45 am]

Title 20—Employees' Benefits

CHAPTER III—SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

[Reg. No. 4]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950–)

Subpart P—Rights and Benefits Based on Disability

LISTING OF IMPAIRMENTS

On August 30, 1974, there was published in the FEDERAL REGISTER (39 FR 31648) a notice of proposed rulemaking with proposed amendments to the regulations in Subpart P of Regulations No. 4 relating to clarification concerning determinations as to disability in the presence of a condition diagnosed or defined as addiction to alcohol or drugs. The purpose of the proposed amendments to the regulations is to make unequivocally clear what has been the Social Security Administration policy from the beginning of the Disability Insurance program, i.e., the presence of a condition diagnosed as addiction to alcohol or drugs will not by itself, be the basis for a finding that the individual is or is not under a disability. As with any other condition, the determination as to disability in such instances shall be based on signs, symptoms, and laboratory findings.

Interested parties were given 30 days within which to submit data, views, or arguments. The comment period has elapsed and six letters of comment were received in response to the proposals. There follows a discussion of the comments.

One writer objected to the elimination of reference to "irreversible organ damage" from section 12.04 of the Listing of Impairments on the basis that it will be interpreted as a relaxation of disability requirements for drug addicts and alcoholics. Another writer endorsed the change.

As the preamble stated when the notice of proposed rule making was published, the changes are intended only to clarify the regulations and not in any way change their effect upon disability claimants with a condition diagnosed or defined as addiction to alcohol or drugs. In proposing these changes, we considered the possibility that the elimination of the specific reference to "irreversible organ damage" from section 12.04 could be misinterpreted as a liberalization. We continue to feel that, on balance, its retention was subject to greater misinterpretation.

The intent of this particular listing criterion has been frequently misunderstood. By some, it was considered a bar to finding drug addicts or alcoholics disabled, regardless of the true severity of impairment or impairments present. Others erroneously concluded that severity of impairment was based solely on the diagnosis of addictive dependence on alcohol or drugs in the presence of slight irreversible organ damage. In fact, in all disability claims, including those involving drug addiction and alcoholism, the sum total of impairment or impairments must be considered.

One writer commented that it was not "unequivocally clear" to him what signs, symptoms, and laboratory findings are sufficient to determine disability. Another writer suggested a separate listing section for alcoholism and drug addiction to highlight the requirements.

These suggestions tend to isolate the issue of determining disability in the presence of a condition diagnosed or defined as addiction to alcohol or drugs from the issue of determining disability in the presence of other conditions. Our past experience has taught us that such isolation leads to greater misunderstanding, not clarification. In order to avoid such misunderstanding, the terms "drug addiction and alcoholism" are added to the examples of "functional nonpsychotic disorders" covered by the requirements of the entire Listing section 12.04. However, in drug addiction and alcoholism one might expect impairments not only in the psychiatric sphere but also in other areas such as internal medicine and neurology. Therefore, in determining whether a drug addict or alcoholic is disabled, it is, in fact, necessary to consider all listings involved and to determine whether any listing is met or equaled, alone or in combination; or whether disability may be established on the basis of an impairment or impairments of lesser severity in conjunction with appropriate vocational factors.

Two writers objected to the statement in § 404.1506 that addiction to alcohol or drugs, by itself, was not to be the basis for finding an individual disabled. They recommended that medical certification of alcoholism or drug addiction be substituted for signs, symptoms, and laboratory findings of impairment. Another writer similarly recommended against the adoption of a regulation that did not recognize and focus on "the immediate effects that excessive use of alcohol or drugs may have on an individual's ability to engage in substantial gainful employment."

The primary purpose of these changes in the regulation is to make it clear that individuals with conditions diagnosed or defined as addiction to alcohol or drugs will be treated no differently than individuals without such conditions. In no case is disability based on "certification" or on the immediate temporary effects

of a condition. In order to insure equitable treatment of all applicants, it is imperative that, as with any other condition, the determination as to disability in the presence of addiction be based on signs, symptoms, and laboratory findings.

Accordingly, the proposed amendments are adopted, without change, as set forth below.

(Secs. 205, 223, and 1102 of the Social Security Act, as amended; 53 Stat. 1368, as amended, 70 Stat. 815, as amended, 49 Stat. 647, as amended; (42 U.S.C. 405, 423, 1302))

Effective date. These amendments shall be effective on July 18, 1975.

(Catalog of Federal Domestic Assistance Program No. 13.802, Social Security Disability Insurance)

Dated: June 26, 1975.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: July 14, 1975.

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

Part 404 of Chapter III of Title 20 of the Code of Federal Regulations is amended as follows:

1. Section 404.1506 is amended by adding a new paragraph (d) to read as follows.

§ 404.1506 Listing of impairments in appendix.

* * * * *

(d) The presence of a condition diagnosed or defined as addiction to alcohol or drugs will not, by itself, be the basis for a finding that an individual is or is not under a disability. As with any other condition, the determination as to disability in such instances shall be based on symptoms, signs, and laboratory findings.

2. Section 12.04 of the Appendix (Listing of Impairments) to Subpart P is revised to read as follows:

12.04 *Functional nonpsychotic disorders (psychophysiologic, psychoneurotic and personality disorders, drug addiction and alcoholism).* Manifested by marked restriction of daily activities and constriction of interests and deterioration in personal habits and seriously impaired ability to relate to other people and persistence of one of the following:

A. Demonstrable structural changes mediated through psychophysiological channels (e.g., duodenal ulcer); or

B. Recurrent and persistent periods of anxiety, with tension, apprehension, and interference with concentration and memory; or

C. Persistent depressive affect with insomnia, loss of weight, and suicidal ideation; or

D. Phobic or obsessive ruminations with inappropriate, bizarre, or disruptive behavior; or

E. Compulsive, ritualistic behavior; or

F. Persistent functional disturbance of vision, speech, hearing, or use of a limb with demonstrable structural or trophic changes; or

G. Long-lasting, habitual, and inappropriate patterns of behavior manifested by one of the following:

1. Seclusiveness and autistic thinking; or

2. Antisocial or amoral behavior (including pathologic sexuality) manifested by: (a) inability to learn from experience and inability to conform with accepted social standards, leading to repeated conflicts with society or authority and (b) by psychopathology documented by mental status examination and the results of appropriate, standardized psychological tests; or

3. Pathologically inappropriate suspiciousness or hostility manifested by psychopathology documented by mental status examination and the results of appropriate, standardized psychological tests.

[FR Doc.75-18691 Filed 7-17-75;8:45 am]

Title 34—Government Management

CHAPTER II—OFFICE OF FEDERAL MANAGEMENT POLICY, GENERAL SERVICES ADMINISTRATION

SUBCHAPTER C—PROPERTY MANAGEMENT

[FMC 74-8, Supp. 1]

PART 233—GUIDELINES FOR AGENCY IMPLEMENTATION OF THE UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970, PUBLIC LAW 91-646

Annual Report

This document revises chapter 9, appendix A, to Part 233 (Federal Management Circular 74-8, Guidelines for agency implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Pub. L. 91-646 dated October 4, 1974). The purpose of this revision is to simplify the annual report to require only submission of essential data. The Department of Justice has requested the General Services Administration to advise the Federal agencies that the elimination of the requirement to report racial and ethnic data in no way relieves them or their grantees of responsibility for maintaining racial and ethnic data on relocatees to the extent required by Title VI of the Civil Rights Act of 1964, other applicable Federal law, and Executive Order 11512.

Effective date. This regulation is effective July 3, 1975.

Dated: July 3, 1975.

DWIGHT A. INK,
Acting Administrator of General Services.

Chapter 9 of Appendix A to Part 233 is revised as follows:

CHAPTER 9—ANNUAL REPORT

CHAPTER 9—ANNUAL REPORT

9.1 *General.* a. The report prescribed by this chapter is simplified from past requirements and shall continue to be prepared on a fiscal year basis.

b. The report shall consist of narrative comments and statistical data.

c. The requirement for the report will be reevaluated after the receipt of the report for Fiscal Year 1977.

9.2 *Submission to General Services Administration.* The original and four copies of the report shall be submitted to the Administrator of General Services not later than 120 calendar days after the end of the fiscal year.

9.3 *Waiver of assurance of replacement housing.* The narrative portion of the report shall describe any situations or circumstances which required a waiver of assurance of replacement housing pursuant to subsection 205(c)(3) of the Act. For any waivers reported, submit the agency's findings and the determination supporting waiver of the requirements of the subsection.

9.4 *Statistical data.* Agencies and departments shall provide statistical data with the narrative reports. Departments shall furnish data separately for each Federal program and each federally assisted program, and a summary for the whole department. The data shall be provided by completing GSA Form 2997, Annual Report on Relocation and Real Property Acquisition Activities (Figure 9-4).[1]

9.5 *Reports control.* Interagency Report Control Number 1227-GSA-AN has been assigned to this reporting requirement.

9.6 *Availability of GSA Form 2997.* Agencies may obtain their initial supply of GSA Form 2997, Annual Report on Relocation and Real Property Acquisition Activities, from General Services Administration (3FNDD), Union and Franklin Streets Annex, Building 11, Alexandria, VA 22314. Agency field offices should submit all future requirements to their Washington headquarters office which will forward consolidated annual requirements to General Services Administration (BRAF), Washington, DC 20405.

[FR Doc.75-18239 Filed 7-17-75;8:45 am]

Title 47—Telecommunications

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19931; FCC 75-803]

PART 17—CONSTRUCTION, MARKING AND LIGHTING OF ANTENNA STRUCTURES

High Intensity Lighting of Antenna Structures

1. In a notice of proposed rule making released February 11, 1974 (39 FR 6130), the Commission recommended that Part 17 of the Rules be amended to permit the use of high intensity lighting as an alternate to the customary obstruction painting and red lighting.[1] Timely comments were filed by American Telephone and Telegraph Company (AT&T), National Association of Broadcasters (NAB), National Broadcasting Company (NBC), Vir N. James (James), and WAPA-TV Broadcasting Corporation (WAPA-TV). Only Columbia Broadcasting System (CBS) filed reply comments. The comments support in principle the use of high intensity lighting systems for antenna structures. However, concern is expressed in several of the comments that the use of strobe lighting, now intended as an alternate to the current rule provisions would become mandatory. The concern was based es-

[1] Filed as part of the original document.

[1] The proposed amendments were intended to make the Commission rules consistent with the Federal Aviation Administration Advisory Circular 70/7460-1C, issued December 11, 1973, titled "Obstruction Marking and Lighting." The rule amendments set forth in the attached Appendix have therefore been coordinated with FAA.

sentially on the fact that the strobe lighting systems are far more costly than the current systems; that they were not always compatible with the existing antenna structural designs; and that in some instances the systems would be potential irritations or nuisances.

2. The Commission has carefully considered all of the comments and the reply. Where practicable, we have incorporated into the rules the appropriate suggested changes.[1] Some discussion we believe is warranted with respect to those comments not adopted as well as the overall expressions of concern.

3. First, with respect to making the use of strobe lighting mandatory—as indicated, the Commission does not anticipate that the adoption of these rules will make obsolete the painting and "red" obstruction lighting standards and, with this understanding, it does not intend to require that existing structures be converted to high intensity lighting. In this connection, the FAA has, in its Advisory Circular AC–70/7460–1C, stated that its amended standards do not require modification of the marking and lighting of existing structures, but has reserved the right to "recommend that the marking and lighting of existing structures be modified if that structure is altered or replaced." The rules being adopted would apply primarily to new structures where FAA has determined that increased conspicuity is necessary, such as in VFR flyways, to obviate the structure having a substantial adverse effect on the safe and efficient utilization of airspace.[2] The rules would also be applicable to existing or proposed structures where painting and red obstruction lighting had been initially specified but upon request of the applicant the Commission approves the installation of high intensity lighting as an alternative thereto. The Commission must reserve the right to require strobe lighting in those instances where there would be no alternative but to deny the construction of the proposed tower. In those instances where the Commission's requirement for strobe lighting is predicated on FAA findings, the applicant may petition the Administrator of the FAA for review. The applicant may also seek FCC review.

4. CBS's contention that the three systems noted in the Advisory Circular—namely, aviation red obstruction lights, high intensity white obstruction lights, and dual lighting (combination of flashing red beacons and steady burning aviation red lights for nighttime with flashing high intensity white lights for daytime operation)—may be considered equally effective lighting methods and permissive alternatives, is not the case. Although the applicant may in each instance express a preference, in the final analysis the Commission reserves the right to prescribe the appropriate method with due consideration given FAA's recommendations concerning safety to air navigation. CBS further noted that the amended rules make no provision for the dual lighting system. We do not believe that a need exists for such reference since each system would be required to meet the specifications already incorporated in the rules, with painting of course not required.

5. With respect to CBS' request that § 17.22 be amended to "grandfather" those antenna structures in existence as of the effective date of the within rule amendments, although the Commission does not intend to require that strobe lighting be used in those instances, it must nevertheless continue to reserve the right to specify the type of painting and lighting or other marking to be used in individual situations where standard marking and lighting is confusing, endangers rather than assists airmen, or is otherwise inadequate. Hence, the request to amend § 17.22 will be denied.

6. AT&T has expressed concern with the interference which could be caused in receivers in the land mobile and microwave frequency bands by the significant amount of radio frequency energy generated and emitted by strobe lights where the antennas for these services are mounted in close proximity to the strobe lights. However, on the basis of an actual installation, no ill effects were shown to exist where mobile receiving antennas on 50, 150, and 450 MHz were installed within 50 feet of the strobe light. Since strobe lighting is intended for tall television towers—seldom under 500 feet—ample room would be available for the installation of ancillary receiving antennas without interference.[4]

7. NAB, AT&T and James take exceptions to the requirements in §§ 17.39 through 17.42, that a 300 mm type omnidirectional light be installed at the highest point of the structure if a rod, antenna, or similar appurtenance extends 20 feet or more above the main skeletal frame. It should be noted that the application of the omnidirectional light in the high intensity lighting system is, at the moment, unique to radio and television antenna structures, its only approved use being to "top off" those structures having antennas or similar appurtenances protruding more than 20 feet above the skeletal framework or other main supporting structure at the top of which intensity lights would be installed. Turning to the more specific contentions—NAB urges that the placement of the omnidirectional light atop certain FM and television antennas would create structural difficulties. The commission foresees no design problem since the light specified has nearly identical dimensions to the 300 mm red electric code beacon. AT&T alleges that authority granted in §§ 17.25 (a)(1) through 17.37(a)(1) permits the mounting on top of the structures of a rod or other construction of not more than 20 feet in height and incapable of supporting a beacon. These same authorizations are granted in amended §§ 17.39 (b), 17.40(c), 17.41(c) and 71.42(c). James suggests that the allowance for a rod, antenna or similar appurtenance be increased from 20 to 40 feet before the omnidirectional strobe would be required. His comments, as noted by him, are directed to communication antennas which would be incapable of supporting the light. The primary application of the strobe beacon would occur where relatively massive FM or television antennas extend beyond the skeletal framework. Few communication type antenna would exceed the 20 foot limit when mounted on the structure. In any event, the rules would permit the light to be mounted on a separate mast if the antenna were incapable of supporting it.

8. The Commission took appropriate cognizance of the comments supplied by NAB and NBC directed to the increase in cost of high intensity lighting over painting and red obstruction lighting, including the comparative estimates furnished with the comments. Although the Commission recognizes that high intensity lighting could be initially more costly than the current conventional approach, some of the cost could be offset by the elimination of painting of alternate white and orange bands.[5] Precise comparisons cannot be made, as the cost of painting varies widely, depending on tower design, location, and degree of weathering. In any event, since strobe lighting will not generally be required, it is assumed that applicants will select the most economical system based on their own cost comparisons.

9. The question of additional weight and windloading to the tower structure by the high intensity lighting, discussed by NBC would not be a factor in new structures since the same would be included in design considerations. Strobe lighting systems already installed on existing structures have presented no design problems. Strobe lighting equipment is currently available which places the bulk of the weight (power supplies) at ground or some convenient level, leaving only the luminaries to be mounted on the face or legs of the tower.[6]

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[1] E.g., §§ 17.39 through 17.42 have been appropriately modified as suggested by CBS in its comments, to conform with §§ 17.26 through 17.38.

[2] The FAA has modified its procedure handbook for handling airspace matters in a manner which will allow a finding of no substantial adverse effect on VFR enroute operations when proposed structures are obstruction marked with an approved high intensity light system provided that all other guidelines for evaluating aeronautical effects have been satisfied. FAA Notice 7400.10 dated August 8, 1974.

[4] AT&T is apparently relating strobe lighting referenced towers to a typical long lines tower which usually does not exceed 400 feet in height. The highly directional characteristics of microwave receiving antennas should preclude any interference potential.

[5] Section 17.23 is being amended to delete painting requirements where high intensity lighting is employed. In those instances where painting would be deemed desirable, notwithstanding the use of strobe lighting, to protect against corrosion a single color could be used and the repainting done much less frequently than when required in order for the tower to be made conspicuous.

[6] The mounting of the luminaries inside the tower is currently being explored. The omnidirectional top light is of the same dimensions as the 300 mm red code beacon and its power supply is normally mounted at the skeletal tower top.

10. The Commission joins NAB in questioning the appropriateness of high intensity lighting for low towers utilized in AM broadcasting. We assume that an applicant would evaluate the comparative costs and benefits before electing the alternate system. Under the circumstances, no advantages can be gained from a discussion of either the advantages or disadvantages.

11. NAB and NBC expressed concern that high intensity lighting might prove irritating to observers on the ground or to residents in nearby high rise buildings. As noted on the table in § 17.42, the elevation of the beam center above the horizontal is specified for each level of luminaries. The beam should not strike the ground (assuming flat terrain) closer than 3 miles from the tower. The luminaries are adjustable and the beam center above the horizontal can be adjusted to overcome most objections which might arise. In addition, louvers are available for use in exceptional cases. NAB questioned the practicality of the use of louvers to minimize possible irritation on the ground, suggesting that they might require repeated adjustment as the result of weather extremes, such as hurricane strength winds and icing. It should be pointed out that the louvers are factory installed [7] inside the luminaries and have been found to be very effective and not subject to misadjustment due to weather. While it is recognized that only a few strobe lighting systems are presently in operation, the Commission staff has not received any major complaints from the public. In one case, a few initial complaints where reportedly registered based, as it turned out, on the greater awareness of the lighting rather than due to irritation. In any event, the recently adopted environmental impact requirements would apply to towers over 300 feet in height—including towers for which strobe lighting would be specified. It is not anticipated that strobe lighting would normally ever be employed on towers less than 300 feet in height. The Commission is particularly concerned with the statement of NAB that "* * * irritation to those residing in the immediate vicinity of the structure may be the number one issue in the use of strobe lights on skeletal structures." It is recognized that where strobe equipped towers are placed in or near residential neighborhoods the adverse impact of the systems on certain residents could be great indeed. Potential applicants are cautioned that they are expected to make a satisfactory environmental impact study in such cases and report the results of the study to the Commission, as required by the Rules. However, many proposed "tall towers" for which strobe lighting may be the only means of avoiding hazards to air navigation may be located in industrial, non-residential, and even rural areas where the impact should be minimal.

[7] Louvers are factory installed to insure that the proper photometric requirements are maintained.

12. In view of the foregoing consideration, the Commission finds that the amendments set forth below are in the public interest, convenience, and necessity. Authority for the rule changes adopted herein is contained in Sections 4(i), 303(q) and 303(r) of the Communications Act of 1934, as amended.

13. Accordingly, *it is ordered*, effective August 22, 1975, That Part 17 of the Commission's rules is amended as set forth below.

14. *It is further ordered*, That this proceeding is terminated.

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

Adopted: July 8, 1975.

Released: July 17, 1975.

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

Section 17.23 is amended to read as follows:

§ 17.23 Specifications for the painting of antenna structures in accordance with § 71.21.

Except for antenna structures lighted in conformance with §§ 17.39, 17.40, 17.41 and 17.42 (High Intensity Obstruction Lighting), antenna structures shall be painted throughout their height with alternate bands of aviation surface orange and white, terminating with aviation surface orange bands at both top and bottom. The width of the bands shall be equal and approximately one-seventh the height of the structure, provided however, that the bands shall not be more than 100 feet nor less than 1½ feet in width.

2. Sections 17.39 through 17.42 are added new to Subpart C, prefaced by the heading "High Intensity Obstruction Lighting", as follows:

HIGH INTENSITY OBSTRUCTION LIGHTING

NOTE: When authorized by the Commission, high intensity obstruction lighting will be used in lieu of obstruction marking and lighting specified in §§ 17.23 through 17.37.

In general, the number of levels of high intensity lighting specified is dependent upon the overall height of the skeletal frame or comparable main support structure, excluding antennas or similar appurtenances. A white capacitor discharge omnidirectional lights mounted on or adjacent to the appurtenance, if more than 20 feet, to complement the lighting system.

§ 17.39 Specifications for the high intensity lighting of antenna structures having a skeletal tower up to and including 300 feet in height.

Antenna structures having a skeletal tower or other main support structure up to and including 300 feet in height shall be obstruction lighted as follows:

(a) There shall be installed at the top of the skeletal tower or other main support structure three or more high intensity light units which conform to FAA/DOD Specification L–856, High Intensity Obstruction Lighting Systems. The complement of units shall emit a white high intensity light and produce an effective intensity of not less than 200,000 candelas (daytime) uniformly about the antenna structure in the horizontal plane. The effective intensity shall be reduced to approximately 20,000 candelas at twilight, and to approximately 4,000 candelas at night. The light units shall be mounted in a manner to insure unobstructed viewing from aircraft at any normal angle of approach and so that the effective intensity of the full beam is not impaired by any structural members of the skeletal framework. The units will normally be adjusted so that the center of the beam is in the horizontal plane.

(b) Where an antena or similar appurtenance extends more than 20 feet above the skeletal tower or other main support structure, a white capacitor discharge omnidirectional light which conforms to FAA/DOD Specification L–856, High Intensity Obstruction Lighting Systems, shall be mounted on the highest point. If the antenna or similar appurtenance is incapable of supporting the omnidirectional light, one or more lights shall be installed on a suitable adjacent support with the light(s) mounted no more than 20 feet below the tip of the appurtenance. The light(s) shall be positioned so as to permit unobstructed viewing of at least one light from aircraft at any normal angle of approach. The light unit(s) shall emit a beam peak intensity around its periphery of approximately 20,000 candelas during daytime and twilight operation, and approximately 4,000 candelas at night.

(c) All lights shall be synchronized to flash simultaneously at 40 pulses per minute. The light system shall be equipped with a light sensitive control device which shall face the north sky and cause the intensity steps to change automatically when the north sky illumination on a vertical surface is as follows:

(1) Day to Twilight: This shall not occur before the illumination drops to 60 footcandles, but shall occur before it drops below 30 footcandles.

(2) Twilight to Night: This shall not occur before the illumination drops to 5 footcandles, but shall occur before it drops below 2 footcandles.

(3) Night to Day: The intensity changes listed in subparagraphs (1) and (2) of this paragraph shall be reversed in transitioning from the night to day modes.

Failure of the intensity step changing circuits shall cause all lights to operate in the high intensity mode or, the next brighter intensity step above that required for the period of operation.

§ 17.40 Specifications for the high intensity lighting of antenna structures having a skeletal tower over 300 feet up to and including 600 feet in height..

Antenna structures having a skeletal tower or other main support structure over 300 feet up to and including 600 feet in height shall be obstruction lighted as follows:

(a) There shall be installed at the top of the skeletal tower or other main sup-

port structure three or more high intensity light units which conform to FAA/DOD Specification L–856, High Intensity Obstruction Lighting Systems. The complement of units shall emit a white high intensity light and produce an effective intensity of not less than 200,000 candelas (daytime) uniformally about the antenna structure in the horizontal plane. The effective intensity shall be reduced to approximately 20,000 candelas at twilight, and to approximately 4,000 candelas at night. The light units shall be mounted in a manner to insure unobstructed viewing from aircraft at any normal angle of approach and so that the effective intensity of the full beam is not impaired by any structural members of the skeletal framework. The units will normally be adjusted so that the center of the beam is in the horizontal plane.

(b) At the approximate ½ (midpoint) level of the skeletal tower there shall be installed an additional set of high intensity obstruction lights as in paragraph (a) of this section. The normal angular adjustment of the beam centers above the horizontal shall be 2 degrees. See Table under § 17.42.

(c) Where an antenna or similar appurtenance extends more than 20 feet above the skeletal tower or other main support structure, a white capacitor discharge omnidirectional light which conforms to FAA/DOD Specification L–856, High Intensity Obstruction Lighting Systems, shall be mounted on the highest point. If the antenna or similar appurtenance is incapable of supporting the omnidirectional light, one or more lights shall be installed on a suitable adjacent support with the light(s) mounted no more than 20 feet below the tip of the appurtenance. The light(s) shall be positioned so as to permit unobstructed viewing of at least one light from aircraft at any normal angle of approach. The light unit(s) shall emit a beam peak intensity around its periphery of approximately 20,000 candelas during daytime and twilight operation, and approximately 4,000 candelas at night.

(d) All lights shall be synchronized to flash simultaneously at 40 pulses per minute. The light system shall be equipped with a light sensitive control device which shall face the north sky and cause the intensity steps to change automatically when the north sky illumination on a vertical surface is as follows:

(1) Day to Twilight: This shall not occur before the illumination drops to 60 footcandles, but shall occur before it drops below 30 footcandles.

(2) Twilight to Night: This shall not occur before the illumination drops to 5 footcandles, but shall occur before it drops below 2 footcandles.

(3) Night to Day: The intensity changes listed in subparagraph (1) and (2) of this paragraph shall be reversed in transitioning from the night to day modes.

Failure of the intensity step changing circuits shall cause all lights to operate in the high intensity mode or the next brighter intensity step above that required for the period of operation.

§ 17.41 Specifications for the high intensity lighting of antenna structures having a skeletal tower over 600 feet up to and including 1000 feet in height.

Antenna structures having a skeletal tower or other main support structures over 600 feet up to and including 1000 feet in height shall be obstruction lighted as follows:

(a) There shall be installed at the top of the skeletal tower or other main support structure three or more high intensity light units which conform to FAA/DOD Specification L–856, High Intensity Obstruction Lighting Systems. The complement of units shall emit a white high intensity light and produce an effective intensity of not less than 200,000 candelas (daytime) uniformly about the antenna structure in the horizontal plane. The effective intensity shall be reduced to approximately 20,000 candelas at twilight, and to approximately 4,000 candelas at night. The light units shall be mounted in a manner to insure unobstructed viewing from aircraft at any normal angle of approach and so that the effective intensity of the full beam is not impaired by any structural members of the skeletal framework. The units will normally be adjusted so that the center of the beam is in the horizontal plane.

(b) At the approximate ⅓ and ⅔ levels of the skeletal tower there shall be installed additional sets of high intensity obstruction lights as in paragraph (a) of this section. The normal angular adjustment of the beam centers above the horizontal shall be 2 degrees at the ⅓ level and one degree at the ⅔ level. See Table under § 17.42.

(c) Where a rod or similar appurtenance extends more than 20 feet above the skeletal tower or other main support structure, a white capacitor discharge omnidirectional light which conforms to FAA/DOD Specification L–856, High Intensity Obstruction Lighting Systems, shall be mounted on the highest point. If the antenna or similar appurtenance is incapable of supporting the omnidirectional light, one or more lights shall be installed on a suitable adjacent support with the light(s) mounted no more than 20 feet below the tip of the appurtenance. The light(s) shall be positioned so as to permit unobstructed viewing of at least one light from aircraft at any normal angle of approach. The light unit(s) shall emit a beam peak intensity around its periphery of approximately 20,000 candelas during daytime and twilight operation, and approximately 4,000 candelas at night.

(d) All lights shall be synchronized to flash simultaneously at 40 pulses per minute. The light system shall be equipped with a light sensitive control device which shall face the north sky and cause the intensity steps to change automatically when the north sky illumination on a vertical surface is as follows:

(1) Day to Twilight: This shall not occur before the illumination drops to 60 footcandles, but shall occur before it drops below 30 footcandles.

(2) Twilight to Night: This shall not occur before the illumination drops to 5 footcandles, but shall occur before it drops below 2 footcandles.

(3) Night to Day: The intensity changes listed in (1) and (2) of this paragraph shall be reversed in transitioning from the night to day modes.

Failure of the intensity step changing circuits shall cause all lights to operate in the high intensity mode or the next brighter intensity step above that required for the period of operation.

§ 17.42 Specifications for the high intensity lighting of antenna structures having a skeletal tower over 1000 feet in height.

Antenna structures having a skeletal tower or other main support structure over 1000 feet in height shall be obstruction lighted as follows:

(a) There shall be installed at the top of the skeletal tower or other main support structure three or more high intensity light units which conform to FAA/DOD Specification L–856, High Intensity Obstruction Lighting Systems. The complement of units shall emit a white high intensity light and produce an effective intensity of not less than 200,000 candelas (daytime) uniformally about the antenna structure in the horizontal plane. The effective intensity shall be reduced to approximately 20,000 candelas at twilight, and to approximately 4,000 candelas at night. The light units shall be mounted in a manner to insure unobstructed viewing from aircraft at any normal angle of approach and so that the effective intensity of the full beam is not impaired by any structural members of the skeletal framework. The units will normally be adjusted so that the center of the beam is in the horizontal plane.

(b) In addition, there shall be installed at approximate equi-distant levels along the vertical axis of the skeletal tower three or more sets of high intensity obstruction lights as in paragraph (a) of this section. Three intermediate levels are required for skeletal towers over 1,000 feet up to and including 1,400 feet. For each additional 400 feet or fraction one additional level of lighting shall be installed. The normal angular adjustment of the beam centers at the bottom level shall be 3 degrees above the horizontal and for the second progressive level shall be 2 degrees above the horizontal. For other progressive levels, see Table below.

(c) Where a rod or similar appurtenance extends more than 20 feet above the skeletal tower or other main support structure, a white capacitor discharge omnidirectional light which conforms to FAA/DOD Specification L–856, High Intensity Obstruction Lighting Systems, shall be mounted on the highest point. If the antenna or similar appurtenance is incapable of supporting the omnidirectional light, one or more lights shall be installed on a suitable adjacent support with the light(s) mounted no more than 20 feet below the tip of the appurtenance. The light(s) shall be positioned so as to permit unobstructed viewing of at least one light from aircraft at any normal angle of approach. The light unit(s) shall emit a beam peak intensity

around its periphery of approximately 20,000 candelas during daytime and twilight operation, and approximately 4,000 candelas at night.

(d) All lights shall be synchronized to flash simultaneously at 40 pulses per minute. The light system shall be equipped with a light sensitive control device which shall face the north sky and cause the intensity steps to change automatically when the north sky illumination on a vertical surface is as follows:

(1.) Day to Twilight: This shall not occur before the illumination drops to 60 footcandles, but shall occur before it drops below 30 footcandles.

(2.) Twilight to Night: This shall not occur before the illumination drops to 5 footcandles, but shall occur before it drops below 2 footcandles.

(3.) Night to Day: The intensity changes listed in subparagraph (1) and (2) of this paragraph shall be reversed in transitioning from the night to day modes.

Failure of the intensity step changing circuits shall cause all lights to operate in brighter intensity mode or the next brighter intensity step above that required for the period of operation.

Degrees elevation above horizontal

Light level	Number of light levels on structure					
	1	2	3	4	5	6
Top	0	0	0	0	0	0
5						0
4					0	1
3				1	1	2
2			1	2	2	2
Bottom	2	2	3	3	3	3

3. Section 17.48(a) is revised to read as follows:

§ 17.48 Notification of extinguishment or improper functioning of lights.

* * * * *

(a) Shall report immediately by telephone or telegraph to the nearest Flight Service Station or office of the Federal Aviation Administration any observed or otherwise known extinguishment or improper functioning of any top steady burning light or any flashing obstruction light, regardless of its position on the antenna structure, not corrected within 30 minutes. Such reports shall set forth the condition of the light or lights, the circumstances which caused the failure, and the probable date for restoration of service. Further notification by telephone or telegraph shall be given immediately upon resumption of normal operation of the light or lights.

* * * * *

4. Section 17.51 and headnote are amended to read as follows:

§ 17.51 Time when lights should be exhibited.

(a) All red obstruction lighting shall be exhibited from sunset to sunrise unless otherwise specified.

(b) All high intensity obstruction lighting shall be exhibited continuously unless otherwise specified.

5. Section 17.53 table is amended to read as follows:

§ 17.53 Lighting equipment and paint.

* * * * *

Outside white	TT-P-102 [1] (Color No. 17875, FS-595).
Aviation surface orange	TT-P-59 [1] (Color No. 12197, FS-595).
Aviation surface orange, enamel	TT-E-489 [1] (Color No. 12197, FS-595).
Aviation red obstruction light—color	MIL-C-25050 [2].
Flashing beacons	CAA-446 [3] Code Beacons, 300 mm.
Do	MIL-6273 [2].
Double and single obstruction light	L-810 [3] (FAA AC No. 150/5345-2 [4]).
Do	MIL-L-7830 [2].
High intensity white obstruction light	FAA/DOD L-856 (FAA AC No. 150/5345-43B [4]).
116-Watt lamp	No. 116 A21/TS (6,000 h).
125-Watt lamp	No. 125 A21/TS (6,000 h).
620-Watt lamp	No. 620 PS-40 (3,000 h).
700-Watt lamp	No. 700 PS-40 (6,000 h).

[1] Copies of this specification can be obtained from the Specification Activity, Building 197, Room 301, Naval Weapons Plant, 1st and N Streets, SE., Washington, D.C. 20407.

[2] Copies of Military specifications can be obtained by contacting the Commanding Officer, Naval Publications and Forms Center, 5801 Tabor Ave., Attention: NPPC-105, Philadelphia, Pa. 19120.

[3] Copies of Federal Aviation Administration specifications may be obtained from the Chief, Configuration Control Branch, AAF-110, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591.

[4] Copies of Federal Aviation Administration advisory circulars may be obtained from the Department of Transportation, Publications Section, TAD-443.1, 400 7th St. SW., Washington, D.C. 20590.

6. Section 17.56 is amended to read as follows:

§ 17.56 Maintenance of lighting equipment.

(a) Replacing or repairing of lights, automatic indicators or automatic control or alarm systems shall be accomplished as soon as practicable.

(b) The flash tubes in a high intensity obstruction lighting system shall be replaced whenever the peak effective daytime intensity falls below 200,000 candelas.

[FR Doc.75-18662 Filed 7-17-75;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S. O. 1182, Amdt. 3]

PART 1033—CAR SERVICE

Substitution of Stock Cars for Boxcars

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 15th day of July 1975.

Upon further consideration of Service Order No. 1182 (39 FR 13159, 37393, and 40 FR 2990), and good cause appearing therefor:

It is ordered, That: § 1033.1182 Service Order No. 1182 be, and it is hereby amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., January 15, 1976, unless otherwise modified, changed or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., July 15, 1975.

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

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

By the Commission, Railroad Service Board.

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

[FR Doc.75-18726 Filed 7-17-75;8:45 am]

[S.O. 1188, Amdt. 2]

PART 1033—CAR SERVICE

Chicago, Rock Island and Pacific Railroad Co. Authorized To Operate Over Tracks of Chicago and North Western Transportation Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 11th day of July 1975.

Upon further consideration of Service Order No. 1188 (39 FR 24016 and 40 FR 2990), and good cause appearing therefor:

It is ordered, That: § 1033.1188 *Service Order No. 1188* (Chicago, Rock Island and Pacific Railroad Company authorized to operate over tracks of Chicago and North Western Transportation Company) be, and it is hereby, amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., January 15, 1976, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., July 15, 1975.

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

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

By the Commission, Railroad Service Board.

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

[FR Doc.75-18725 Filed 7-17-75;8:45 am]

[S.O. 1200, Amdt. 2]

PART 1033—CAR SERVICE

Missouri Pacific Railroad Co. Authorized To Operate Over Tracks of Union Pacific Railroad Co.

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 11th day of July 1975.

Upon further consideration of Service Order No. 1200 (39 FR 38103 and 40 FR 2990), and good cause appearing therefor:

It is ordered, That: § 1033.1200 *Service Order No. 1200* (Missouri Pacific Railroad Company authorized to operate over tracks of Union Pacific Railroad Company) be, and it is hereby, amended by substituting the following paragraph (d) for paragraph (d) thereof.

(d) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., January 15, 1976, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., July 15, 1975.

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

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

By the Commission, Railroad Service Board.

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

[FR Doc.75-18727 Filed 7-17-75;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

SUBCHAPTER B—TAKING, POSSESSION, TRANSPORTATION, SALE, PURCHASE, BARTER, EXPORTATION, AND IMPORTATION OF WILDLIFE

PART 20—MIGRATORY BIRD HUNTING

Final Frameworks for Selecting Open Season Dates for Hunting Migratory Game Birds in Puerto Rico and the Virgin Islands for the 1975–76 Season

On page 17263 of the FEDERAL REGISTER of April 18, 1975 (40 FR 17263) there was published a notice of proposed rulemaking to amend Part 20 of Title 50 of the Code of Federal Regulations. These amendments would specify open season dates, certain closed seasons, shooting hours, and daily bag and possession limits for doves, pigeons, ducks, coots, gallinules, and common (Wilson's) snipe in Puerto Rico, and for Zenaida doves and scaly-naped pigeons in the Virgin Islands. Included in the Notice of Proposed Rule Making were proposed frameworks for selecting open season dates for hunting migratory game birds in Puerto Rico and the Virgin Islands for the 1975–76 season. Interested persons were given until May 18, 1975, to submit written comments, suggestions, or objections regarding the proposed amendments. In this connection, the *Final Environmental Statement for the Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds* (FES 75-54) was filed with the Council on Environmental Quality on June 6, 1975, and notice of availability was published in the FEDERAL REGISTER on June 13, 1975 (40 FR 25241).

The only comments received were from the Department of Natural Resources of Puerto Rico requesting changes in the frameworks as follows: (1) That the season remain closed on ruddy ducks (*Oxyura jamaicensis*) because there has been an apparent decline in the population of ruddy ducks in recent years and some evidence that the hunting season overlaps part of the nesting season; (2) That the season remain closed on purple gallinules (*Porphyrula martinica*) because the purple gallinule is rare in Puerto Rico, little is known about its breeding there, and it has been designated as an endangered species by the Commonwealth of Puerto Rico. The U.S. Fish and Wildlife Service adopts these changes in order to afford additional protection to both species.

The Fish and Wildlife Service is of the view that, although the rulemaking process for migratory bird hunting must, by its nature, operate under severe time constraints, every attempt should be made to give the public the greatest possible opportunity to comment on the regulations; thus, when the above-mentioned proposed rulemaking was published, the Service established what it believed was the longest period possible for public comment. In doing this, the Service recognized that at the period's close, time would be of the essence. That is, if there were a delay in the effective date of these regulations after this final rulemaking, the Service is of the opinion that the governments of Puerto Rico and the Virgin Islands would have insufficient time to select their season dates, shooting hours, and bag limits, to communicate those selections to the Service, and finally to establish and publicize the necessary regulations and procedures to implement their decisions. The Service therefore finds that "good cause" exists, within the terms of 5 U.S.C. 553(d)(3) of the Administrative Procedure Act; and these regulations will, therefore, take effect immediately upon publication.

After due consideration of the comments received, the U.S. Fish and Wildlife Service, under authority of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S.C. 703–711), prescribes the final frameworks, setting forth the species to be hunted, the daily bag and possession limits, the shooting hours, the season lengths, the earliest opening and latest closing season dates, and special closures, from which the Puerto Rico Department of Natural Resources and the Virgin Islands Department of Conservation and Cultural Affairs may select open season dates, as follows:

FINAL FRAMEWORKS FOR SELECTING OPEN SEASON DATES FOR HUNTING CERTAIN MIGRATORY GAME BIRDS IN PUERTO RICO, 1975–76 (ALL DATES INCLUSIVE)

DOVES AND PIGEONS

An open season of sixty (60) days between August 15, 1975, and January 15, 1976, may be selected for hunting Zenaida, mourning, and white-winged doves, and scaly-naped and white-crowned pigeons in Puerto Rico.

Shooting hours may extend from one-half hour before sunrise until sunset daily.

The daily bag and possession limit for doves of the species named herein is ten (10) singly or in the aggregate.

The daily bag and possession limit for pigeons of the species named herein is five (5) singly or in the aggregate.

No open season is prescribed for pigeons on Mona Island in order to give the rapidly declining white-crowned pigeon (*Columba leucocephala*) population there a chance to recover.

No open season is prescribed for doves and pigeons on Culebra Island and in those areas of the municipalities of Rio Grande and Loiza delineated as follows: (1) All lands lying east of Route 186 (from the town of El Verde in the north to the southernmost extent of Route 186) to the boundary of the Luquillo Experimental Forest; (2) all lands between Route 186 and Route 956 extending from an east-west line through the town of El Verde, south; (3) all lands lying west of Route 186 for one (1) kilometer from the juncture of Routes 186 and 956 south to the southernmost point on Route 186; and (4) all lands within the Caribbean National Forest property line whether private or public lands.

SPECIAL CLOSURE FOR PROTECTION OF THE PLAIN PIGEON

The hunting of doves and pigeons of any species is prohibited in the Municipality of Cidra, Puerto Rico, said Municipality being composed of the following Wards: Bayamon, Arenas, Monte Llano, Sud, Beatriz, Ceiba, Rio Abajo, Rincon, Toita, Honduras, Rabanel, and Salto. The purpose of this closure is to protect the Puerto Rican plain pigeon (*Columba inornata*), locally known as Paloma Sabanero, which is known to be present in the Cidra area in small numbers and which is listed presently as an endangered species under the Endangered Species Act of 1973.

DUCKS, COOTS, GALLINULES, AND SNIPE

An open season of fifty-five (55) consecutive days between December 1, 1975, and January 31, 1976, may be selected for hunting ducks, coots, common gallinules, and common (Wilson's) snipe.

Shooting hours may extend from one-half hour before sunrise until sunset daily.

The limits for ducks are 4 daily and 8 in possession except that the season is closed on ruddy ducks (*Oxyura jamaicensis*), and the Bahama pintail (*Anas bahamensis*) which is protected by the Commonwealth of Puerto Rico.

The limits for coots are 6 daily and 12 in possession.

The limits for common gallinules are 6 daily and 12 in possession. The season is closed on purple gallinules (*Porphyrula martinica*).

The limits for common (Wilson's) snipe are 6 daily and 12 in possession.

No open season for ducks, coots, gallinules, and snipe is prescribed on Culebra Island.

FINAL FRAMEWORK FOR SELECTING OPEN SEASON DATES FOR HUNTING CERTAIN MIGRATORY GAME BIRDS IN THE VIRGIN ISLANDS, 1975–76 (ALL DATES INCLUSIVE)

DOVES AND PIGEONS

An open season of sixty (60) days between August 1, 1975, and January 15, 1976, may be selected for hunting Zenaida doves throughout the Virgin Islands and scaly-naped pigeons on the island of St. Thomas only.

Shooting hours may extend from one-half hour before sunrise until sunset daily.

The daily bag and possession limits are ten (10) Zenaida doves and five (5) scaly-naped pigeons.

No open season is prescribed for waterfowl, ground or quail doves, or other pigeons in the Virgin Islands.

LOCAL NAMES FOR GAME BIRDS

Zenaida dove (*Zenaida aurita*)—mountain dove.

Bridled quail dove (*Geotrygon mystacea*)—Perdiz, Barbary dove (protected).

Ground dove (*Columbina passerina*)—stone dove, tobacco dove, rola, tortolita (protected).

Scaly-naped pigeon (*Columba squamosa*)—red-necked pigeon, scaly pigeon.

Effective date. Final rule making on the frameworks for selecting open season dates for hunting certain migratory game birds in Puerto Rico and the Virgin Islands for 1975–76 becomes effective on July 18, 1975.

Dated: July 15, 1975.

F. V. SCHMIDT,
Acting Director,
U.S. Fish and Wildlife Service.

[FR Doc.75-18695 Filed 7-17-75;8:45 am]

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Commodity Futures Trading Commission

Section 213.3379 is amended to show that one position of Special Assistant to the Vice Chairman is excepted under Schedule C.

Effective July 18, 1975. § 213.3379(j) is added as set out below:

§ 213.3379 Commodity Futures Trading Commission.

* * * * *

(j) One Special Assistant to the Vice Chairman.

(U.S.C. secs. 3301, 3302; EO 10577, 3 CFR 1954–1955 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[FR Doc.75-18882 Filed 7-17-75;8:45 am]

Title 7—Agriculture

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

[Lemon Reg. 2]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period July 20–26, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.302 Lemon Regulation 2.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons is fairly strong this week but that poor fruit condition continues to be a problem. Average f.o.b. price was $6.05 per carton the week ended July 12, 1975, compared to $6.26 per carton the previous week. Track and rolling supplies at 229 cars were down 6 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

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

aration on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 15, 1975.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period July 20, 1975, through July 26, 1975, is hereby fixed at 250,000 cartons.

(2) As used in this section, "handled", and "carton(s)" have the same meaning as when used in the said amended market agreement and order.

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

Dated: July 16, 1975.

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

[FR Doc.75–18929 Filed 7–17–75;12:15 am]

[Lime Reg. 7]

PART 911—LIMES GROWN IN FLORIDA

Limitation of Handling

This regulation fixes the quantity of Florida limes that may be shipped to fresh market during the weekly regulation period July 20–26, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1973, as amended, and Marketing Order No. 911. The quantity of limes so fixed was arrived at after consideration of the available supply of Florida limes, the quantity currently available for market, lime prices, and the relationship of season average returns to the parity price for Florida limes.

§ 911.407 Lime Regulation 7.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911; 37 F.R. 10497), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Florida Lime Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the quantity of limes that may be marketed during the ensuring week stems from the production and marketing situation confronting the Florida lime industry.

(i) The committee has submitted its recommendation with respect to the quantity of limes which it deems advisable to be handled during the succeeding week. Such recommendation results from consideration of the factory enumerated in the order. The committee further reports the fresh market demand for limes is moderate. Fresh shipments for the weeks ended July 12, 1975 and July 5, 1975, were 30,628 bushels and 13,791 bushels, respectively.

(ii) Having considered the recommendation and information submitted by the committee, and other available information the Secertary finds that the quantity of limes which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Florida limes, and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after and meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such limes; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 15, 1975.

(b) *Order.* (1) The quantity of limes grown in Florida which may be handled during the period July 20, 1975 through July 26, 1975, is hereby fixed at 27,500 bushels.

(2) As used in this section, "handled" and "limes" have the same meaning as when used in said amended marketing agreement and order, and "bushel" means 55 pounds of limes.

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

Dated: July 16, 1975.

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

[FR Doc.75–18812 Filed 7–17–75;8:45 am]

[Apricot Reg. 15]

PART 922—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Limitation of Shipments

This regulation specifies the grade, maturity and size requirements for Washington Apricots during the remainder of the 1975 season. Apricots are required to grade at least Washington No. 1, be reasonably uniform in color and measure at least 1⅝ inches in diameter, except Blenheim, Blenril and Tilton varieties, in unlidded containers, may have minimum diameter of 1¼ inches. These requirements are designed to provide consumers with an ample supply of acceptable quality apricots.

Notice was published in the FEDERAL REGISTER issue of June 18, 1975, (40 FR 25679) that the Department was giving consideration to a regulation proposed by the Apricot Marketing Committee, established under the marketing agreement, as amended, and Order No. 922, as amended, (7 CFR Part 922) regulating the handling of apricots grown in designated counties in Washington. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

This notice allowed interested persons until July 7, 1975, to submit written data, views or arguments pertaining thereto. None were submitted. After consideration of all relevant matters presented, it is hereby found that the regulation as hereinafter set forth would tend to effectuate the declared policy of the act.

This regulation is based on the Department's appraisal of the need for regulation based on the current and prospective market conditions.

Total 1975 fresh market shipments are expected to be 2,150 tons, compared with 2,000 tons in 1974. The regulation is designed to prevent the handling on and after August 1, 1975, of lower quality and smaller size apricots which do not provide consumer satisfaction and to promote orderly marketing in the interest of producers and consumers, consistent with the objectives of the act.

Apricots of the Moorpark variety shipped in open containers are required to be generally well matured. Provision is made for apricots of the Blenheim, Blenril and Tilton varieties to be of a smaller size when packed in unlidded containers. These three varieties are of a somewhat smaller size than other varieties when mature. There is a demand for fruit meeting the foregoing specifications in local markets. Due to the nearness to the source of supply, shipment of more mature fruit and fruit of the specified varieties of smaller sizes in less expensive unlidded containers is feasible and the disposition of such fruit in such markets tends to improve the overall return to growers. Individual shipments, not exceeding 500 pounds of apricots sold for home use and not for resale are exempt from regulation because such shipments would be prevented from entering regulated channels

of trade by the requirement that each container therein be stamped with the words "not for resale" in letters at least one-half inch in height.

It is hereby further found that good cause exists for not postponing the effective date of this regulation until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of such apricots will be in progress at the effective date hereof and this regulation should be applicable to all such shipments in order to effectuate the declared policy of the act; (2) notice of proposed rule-making concerning this regulation, with an effective date as hereinafter specified, was published in the FEDERAL REGISTER (40 FR 25679), and no objection to this regulation or such effective date was received; and (3) compliance with this regulation will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

§ 922.315 Apricot Regulation 15.

(a) During the period August 1, 1975, through July 31, 1976, no handler shall handle any container of apricots unless such apricots meet the following applicable requirements, or are handled in accordance with paragraph (a)(3) of this section:

(1) *Minimum grade and maturity requirements.* Such apricots grade not less than Washington No. 1 and are at least reasonably uniform in color: *Provided,* That such apricots of the Moorpark variety in open containers shall be generally well matured; and

(2) *Minimum size requirements.* Such apricots measure not less than 1⅝ inches in diameter except that apricots of the Blenheim, Blenril, and Tilton varieties when packed in unlidded containers may measure not less than 1¼ inches: *Provided,* That not more than 10 percent, by count, of such apricots may fail to meet the applicable minimum diameter requirement.

(3) Notwithstanding any other provision of this section, any individual shipment of apricots which meets each of the following requirements may be handled without regard to the provisions of this paragraph, of § 922.41 (Assessments), and of § 922.55 (Inspection and Certification):

(i) The shipment consists of apricots sold for home use and not for resale;

(ii) The shipment does not, in the aggregate, exceed 500 pounds, net weight, of apricots; and

(iii) Each container is stamped or marked with the words "not for resale" in letters at least one-half inch in height.

(b) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; "diameter" and "Washington No. 1" shall have the same meaning as when used in the State of Washington Department of Agriculture Standards for Apricots, effective May 31, 1966; "reasonably uniform in color" means that the apricots in the individual container do not show sufficient variation in color to materially affect the general appearance of the apricots; and "generally well matured" means that with respect to not less than 90 percent, by count, of the apricots in any lot of containers, and not less than 85 percent, by count, of such apricots in any container in such lot, at least 40 percent of the surface area of the fruit is at least as yellow as Shade 3 on the U.S. Department of Agriculture Standard Ground Color Chart of Apple and Pears in the Western States.

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

Dated: July 14, 1975.

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

[FR Doc.75–18657 Filed 7–17–75;8:45 am]

PART 945—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Limitations of Handling

This regulation, designed to promote orderly marketing of Idaho-Eastern Oregon potatoes, imposes minimum quality standards and requires inspection of fresh shipments to keep undesirable low quality potatoes from being shipped to consumers.

Notice of rulemaking with respect to a proposed handling regulation, to be made effective under Marketing Agreement No. 98 and Order No. 945, both as amended (7 CFR Part 945) regulating the handling of Irish potatoes grown in designated counties in Idaho and Malheur County, Oregon, was published in the FEDERAL REGISTER June 27, 1975 (40 FR 27242). This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

The notice afforded interested persons an opportunity to file written data, views, or arguments pertaining thereto not later than July 11, 1975. None was filed.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice which was recommended by the Idaho-Eastern Oregon Potato Committee, established pursuant to said marketing agreement and order, it is hereby found and determined that this handling regulation, as hereinafter set forth, will tend to effectuate the declared policy of the act.

The recommendations of the Idaho-Eastern Oregon Potato Committee reflect its appraisal of the crop and prospective market conditions and are consistent with the marketing policy it unanimously adopted. Shipments of new crop potatoes from the production area are expected to begin by August 1. However, storage potatoes from last year's crop will be shipped during July.

Total supplies in 1975–76 may be moderately less than in 1974–75. Intended planted fall acreage is forecast at 1,098.4 million acres, about 5 percent less than 1974. Prospective plantings in Idaho and Malheur County, Oregon, for 1975 are 333,500 acres, moderately less than the 352,000 acres planted last year. The amount of fall acreage actually planted this year will be influenced by the profit prospects of competing crops. Yields and timeliness of harvest also will have an important influence on potato supplies and prices.

The grade, size, quality, maturity and pack requirements provided herein are similar to those which have been issued during past seasons. They are necessary to prevent low quality potatoes from being distributed in the fresh market channels. The specific requirements hereinafter set forth would benefit producers and consumers by standardizing and improving the quality of the potatoes shipped from the production area, thereby promoting orderly marketing and effectuating the declared policy of the act.

Exceptions are provided to certain of these requirements to recognize special situations in which such requirements would be inappropriate or unreasonable.

A specified quantity of potatoes may be handled without regard to maturity requirements (1) in order to permit growers to make test diggings without loss of the potatoes so harvested or (2) in order to allow a lot to be shipped which, after regrading, meets the grade and size requirements but then fails to meet the maturity requirements, possibly due to further "skinning" as a result of running the potatoes over the grader again.

Shipments may be made to certain special purpose outlets without regard to minimum grade, size; cleanliness and maturity requirements, provided that safeguards are used to prevent such potatoes from reaching unauthorized outlets. Since no purpose would be served by regulating potatoes used for charity purposes such shipments are exempt. Certified seed and seed pieces cut from stock eligible for certification as certified seed are so exempted because requirements for this outlet differ greatly from those for fresh market. Potatoes used for experimentation have special requirements and do not normally enter commercial channels of trade. Potatoes for most processing uses are exempt under the legislative authority for this part.

Requirements for export shipments differ from those for domestic markets; while the standard quality requirements are desired in foreign outlets, smaller sizes are more acceptable. In commercial prepeeling, operators can use potatoes with surface defects which would be undesirable for the tablestock market, and smaller sizes are acceptable. For these reasons potatoes for export and prepeeling are provided with different requirements.

It is hereby found that good cause exists for not postponing the effective

date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that shipments of 1975–76 crop potatoes grown in the production area will shortly be made and the regulation should become effective at the time herein provided to maximize the benefits to producers. The Idaho-Eastern Oregon Potato Committee held an open meeting on June 13, 1975, to consider recommendations for a handling regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; information regarding the provisions of the recommendation by the committee has been disseminated among the growers and handlers of potatoes in the production area; notice of the proposed regulation was published in the FEDERAL REGISTER of June 27, 1975, and compliance with this section will not require any special preparation of potato sorting and packing equipment on the part of handlers subject thereto which cannot be completed on or before the effective time hereof.

§ 945.334 Handling regulation.

During the period July 22, 1975, through July 31, 1976, no person shall handle any lot of potatoes unless such potatoes meet the requirements of paragraphs (a), (b), (c) and (d) of this section, or unless such potatoes are handled in accordance with paragraphs (e), (f), or (g) of this section.

(a) *Minimum quality requirements*—(1) *Grade. All varieties.* U.S. No. 2 or better grade.

(2) *Size*—(i) *Round red varieties.* 1⅞ inches minimum diameter.

(ii) *All other varieties.* 2 inches minimum diameter, or 4 ounces minimum weight.

(iii) *All varieties*—Size B if U.S. No. 1 or better graded.

(3) *Cleanliness. All varieties.* "Fairly clean."

(b) *Minimum maturity requirements*—(1) *White Rose and red skin varieties.* Beginning the effective date hereof through December 31, 1975, "moderately skinned"; thereafter, no maturity requirements.

(2) *All other varieties.* "Slightly skinned."

(3) *Exceptions.* (i) Subject to compliance with subdivision (iii) of this subparagraph, any lot of potatoes not exceeding a total of 50 hundredweight of each variety may be handled for any producer without regard to the foregoing maturity requirements.

(ii) If an official inspected lot of potatoes meets the foregoing maturity requirements, but fails to meet the grade and size requirements, the lot may be regraded. If, after regrading, such lot then meets the grade and size requirements but fails to meet the maturity requirements, as indicated by the applicable Federal-State inspection certificate, such lot if not exceeding 100 hundredweight shall be exempt from the foregoing maturity requirements: *Provided,* That the handler complies with subdivision (iii) of this subparagraph.

(iii) Prior to each shipment of potatoes exempt from the foregoing maturity requirements, the handler thereof shall report to the committee the name and address of the producer of such potatoes, and each such shipment shall be handled as an identifiable entity.

(c) *Pack.* (1) When 50 pound containers (except master containers) of long varieties of potatoes are marked with a count, size or similar designation they must meet the count, average count and weight ranges for the count designation listed below.

Larger than 50 count	Range		
	Count	Average count [1]	Weight
	10 percent over or under	5 percent over or under	15 oz. or larger
50 count	45 to 55	48 to 53	12 to 19.
60 count	54 to 66	57 to 63	10 to 16.
70 count	63 to 77	67 to 74	9 to 15.
80 count	72 to 88	76 to 84	8 to 13.
90 count	81 to 99	86 to 95	7 to 12.
100 count	90 to 110	95 to 105	6 to 10.
110 count	99 to 121	105 to 116	5 to 9.
120 count	108 to 132	114 to 126	4 to 8.
130 count	117 to 143	124 to 137	4 to 8.
140 count	126 to 154	133 to 147	4 to 8.
Smaller than 140 count	10 percent over or under	5 percent over or under	4 to 8.

[1] Applicable to lots.

The following tolerances by weight are provided for potatoes in any lot which fail to meet the weight range for the designated count:

(a) Not to exceed 5 percent for undersize; and

(b) Not to exceed 10 percent for oversize.

(2) Potatoes packed in 50-pound cartons shall be U.S. No. 1 or better grade.

(d) *Inspection.* (1) No handler shall handle potatoes unless such potatoes are inspected by either the Idaho Federal-State Inspection Service or Oregon Federal-State Inspection Service and are covered by a valid inspection certificate except when relieved of such requirement pursuant to paragraphs (e), (f), or (g) of this section.

(2) Each lot moving by truck shall be accompanied by a copy of a valid inspection certificate.

(e) *Special purpose shipments.* (1) The minimum grade, size, cleanliness, maturity and pack requirements set forth in paragraphs (a), (b), and (c) of this section shall not be applicable to shipments of potatoes for any of the following purposes:

(i) Charity;

(ii) Certified seed;

(iii) Seed pieces cut from stock eligible for certification as certified seed;

(iv) Experimentation; and

(v) Canning, freezing and "other processing" as hereinafter defined: *Provided,* That shipments of potatoes for the purpose specified in this subdivision shall be exempt from inspection requirements specified in § 945.65 and paragraph (d) of this section and from assessment requirements specified in § 945.42.

(2) The minimum grade, size, cleanliness, maturity and pack requirements set forth in paragraphs (a), (b), and (c) of this section shall be applicable to shipments of potatoes for each of the following purposes:

(i) *Export: Provided,* That potatoes of a size not smaller than 1½ inches in diameter may be shipped if the potatoes grade not less than U.S. No. 2; and

(ii) *Prepeeling: Provided,* That potatoes of a size not smaller than 1½ inches in diameter may be shipped if the potatoes grade not less than Idaho Utility or Oregon Utility grade.

(f) *Safeguards.* (1) Each handler making shipments of potatoes for charity, seed pieces cut from stock eligible for certification, experimentation, export, or for prepeeling pursuant to paragraph (e) of this section shall:

(i) First, apply to the committee for and obtain a Certificate of Privilege to make shipments for each purpose;

(ii) Upon request by the committee, furnish reports of each shipment pursuant to the applicable Certificate of Privilege;

(iii) At the time of applying to the committee for a Certificate of Privilege, or promptly thereafter furnish the committee with a receiver's or buyer's certification that the potatoes so handled are to be used only for the purpose stated in the application and that such receiver will complete and return to the committee such periodic receiver's reports that the committee may require.

(iv) Mail to the office of the committee a copy of the bill of lading for each Certificate of Privilege shipment promptly after the date of shipment;

(v) Bill each shipment directly to the applicable receiver.

(2) Each handler making shipments of potatoes for canning, freezing, or "other processing" pursuant to paragraph (e) of this section shall:

(i) First apply to the committee for and obtain a Certificate of Privilege to make shipments for processing;

(ii) Make shipments only to those firms whose names appear on the committee's current list of manufacturers of potato products;

(iii) Upon request by the committee, furnish reports of each shipment pursuant to the applicable Certificate of Privilege;

(iv) Mail to the committee's office a copy of the bill of lading for each Certificate of Privilege shipment promptly after the date of shipment;

(v) Bill each shipment directly to the applicable processor.

(3) Each receiver of potatoes for processing pursuant to paragraph (e) of this section shall:

(i) Complete and return an application form for listing as a manufacturer of potato products;

(ii) Certify to the committee and to the Secretary that potatoes received from the production area for processing will be used for such purpose and will not be placed in fresh market channels;

(iii) Report on shipments received as the committee may require and the Secretary approve.

(g) *Minimum quantity exception.* Each handler may ship up to, but not to exceed, five hundredweight of potatoes any day without regard to the inspection and assessment requirements of this part, but this exception shall not apply to any shipment that exceeds five hundredweight of potatoes.

(h) *Definitions.* The terms "U.S. No. 1," "U.S. No. 2," "Size B," "fairly clean," "moderately skinned," and "slightly skinned," shall have the same meaning as when used in the United States Standards for Potatoes (§§ 51.1540–51.1566 of this title), including the tolerances set forth therein. The term "prepeeling" means potatoes which are clean, sound, fresh tubers prepared commercially in a prepeeling plant by washing, removing the outer skin or peel, trimming, and sorting preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 (United States Standards for Grades of Peeled Potatoes §§ 52.2421–52.2433 of this title). The term "other processing" has the same meaning as the term appearing in the act and includes, but is not restricted to, potatoes for dehydration, chips, shoestrings, starch, and flour. It includes only that preparation of potatoes for market which involves the application of heat or cold to such an extent that the natural form or stability of the commodity undergoes a substantial change. The act of peeling, cooling, slicing, dicing, or applying material to prevent oxidation does not constitute "other processing." The terms "Idaho Utility grade" and "Oregon Utility grade" shall have the same meaning as when used in the respective standards for potatoes for the respective States. Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 98 and Order No. 945, both as amended.

(i) *Applicability to imports.* Pursuant to section 8e of the act and § 980.1 "Import regulations" (7 CFR 980.1), Irish potatoes of the long varieties imported during the effective period of this section shall meet the grade, size, cleanliness and maturity requirements specified in paragraphs (a) and (b) of this section.

Effective date and termination of previous regulation. This regulation will become effective July 22, 1975, and will supersede § 945.333 which is hereby terminated upon such effective date.

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

It is hereby certified that the economic and inflationary impacts of this proposed regulation have been carefully evaluated in accordance with OMB Circular A–107.

Dated: July 15, 1975.

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

[FR Doc.75–18704 Filed 7–17–75;8:45 am]

proposed rules

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 722]

COTTON

Proposed Determinations Regarding 1976 Crop Loan Programs

CROSS REFERENCE: For a document concerning proposed determinations regarding 1976 cotton crop loan programs, filed jointly by the Agricultural Stabilization and Conservation Service and the Commodity Credit Corporation, *see* FR Doc. 75-18661.

[7 CFR Part 722]

1976 UPLAND COTTON PROGRAM

Proposed Determinations Regarding National Production Goal, National Allotment, and Set-Aside for Upland Cotton and Other Related Provisions for 1976

Notice is hereby given that the Secretary of Agriculture proposes to make the following determinations with respect to the 1976 crop of upland cotton (referred to as "cotton"):

a. Amount of the national production goal.

b. Amount of the national base acreage allotment.

c. Apportionment of the national base acreage allotment to States and counties.

d. Established (target) price.

e. Whether there should be a set aside requirement and, if so, the extent of such requirement.

f. Whether there should be a provision for additional diversion and, if so, the extent of such diversion and payment rate therefor.

g. Other related provisions necessary to carry out the set aside program.

The first three determinations listed above are to be made pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, 7 U.S.C. 1281):

(a) *National production goal.*—Section 342a requires the Secretary to proclaim a national production goal for the 1976 crop by November 15, 1975. Such production goal (in terms of standard bales of four hundred and eighty pounds net weight) shall be the number of bales of cotton equal to the estimated domestic consumption and estimated exports for the 1976–77 marketing year, which begins August 1, 1976, plus an allowance of not less than 5 percent of such estimated consumption and estimated exports for market expansion. Section 342a further provides that the Secretary shall make such adjustments in the amount of the production goal as he determines necessary after taking into consideration the estimated stocks of cotton in the United States (including the qualities of such stocks) and stocks in foreign countries, which would be available for the 1976–77 marketing year, to assure the maintenance of adequate but not excessive carryover stocks in the United States (not less than 50 percent of the average off-take for the three preceding marketing years) to provide a continuous and stable supply of the different qualities of cotton needed in the United States and in foreign cotton consuming countries and, in addition, to provide an adequate reserve for purposes of national security.

(b) *National base acreage allotment.*—Section 350(a) requires the Secretary to establish and announce a national base acreage allotment for the 1976 crop of cotton by November 15, 1975. Section 350 (a) provides that the national base acreage allotment for any crop of cotton shall be the number of acres which the Secretary determines on the basis of the expected national yield will produce an amount of cotton equal to the estimated domestic consumption of cotton (standard bales of four hundred and eighty pounds net weight) for the marketing year beginning in the year in which the crop is to be produced, plus not to exceed 25 per centum thereof if the Secretary, taking into consideration other actions he may take under the Agricultural Act of 1970, as amended, determines that such additional amount is necessary to provide for a production which will equal the national cotton production goal, except that the national base acreage allotment for the 1974 through 1977 crops shall be in such amount as the Secretary determines necessary to maintain adequate supplies. The national base acreage allotment for the 1974 through 1977 crops shall not be less than eleven million acres.

(c) *Apportionment of the national base acreage allotment to States and counties.*—Sections 350 (b) and (c) provide that the national base acreage allotment for 1976 shall be apportioned to States and counties on the basis of the acreage planted (including acreage regarded as having been planted) to cotton within the farm acreage allotment during 1970, and the farm base acreage allotment during 1971, 1972, 1973, and 1974, adjusted for abnormal weather conditions or other natural disasters during such period. Section 350(c) further provides that the State committee may reserve not to exceed two percent of its State acreage allotment to adjust county allotments for trends in acreage, for counties adversely affected by abnormal conditions affecting plantings, or for small or new farms, or to correct inequities in farm allotments and to prevent hardships.

The following determinations are to be made pursuant to the Agricultural Act of 1949, as amended (63 Stat. 1051, 7 U.S.C. 1421):

(d) *Established (target) price for upland cotton.*—Section 103(e)(2) provides that the established price in the case of the 1976 crop shall be 38 cents per pound adjusted to reflect any change during the calendar year 1975 in the index of prices paid by farmers for production items, interest, taxes, and wage rates. Any increase that would otherwise be made in the established price to reflect a change in the index of prices paid by farmers shall be further adjusted to reflect any change in the national average yield per acre of cotton for the three calendar years 1973–75 over the national average yield for the three calendar years 1972–74. The 1976 target price will be determined as soon as possible after December 31, 1975.

(e) *Whether there should be a set-aside requirement and, if so, the extent of such requirement.*—Section 103(e)(4)(A) requires the Secretary to provide for a set-aside of cropland if he determines that the total supply of agricultural commodities will, in the absence of such a set-aside, likely be excessive, taking into account the need for an adequate carryover to maintain reasonable and stable supplies and prices and to meet a national emergency. If a set-aside of cropland is in effect, then as a condition of eligibility for loans and payments on upland cotton, producers must set aside and devote to approved conservation uses an acreage of cropland equal to such percentage of the farm base acreage allotment as the Secretary determines (not to exceed 28 percent).

(f) *Whether there should be a provision for additional diversion and, if so, the extent of such diversion and the payment rate therefor.*—Section 103(e)(4)(B) provides that to assist in adjusting the acreage of commodities to desirable goals, the Secretary may make land diversion payments, in addition to the payments authorized in subsection (e)(2), to producers on a farm who, to the extent prescribed by the Secretary, devote to approved conservation uses an acreage of cropland on the farm in addition to that required to be so devoted under subsection (e)(4)(A). The land diversion payments for a farm shall be at such a rate or rates as the Secretary determines to be fair and reasonable taking into consideration the diversion undertaken by the producers and the productivity of the acreage diverted. The Secretary is required to limit the total acreage to be diverted under agreements in any county or local community so as not to adversely

affect the economy of the county or local community.

(g) *Other related provisions necessary to carry out the set-aside program for 1976* including but not limited to determinations such as (1) whether to permit haying and grazing and/or alternate crops on set-aside acreage if it is determined that set aside is needed, (2) the terms and conditions under which haying and grazing and/or alternate crops will be allowed, and (3) such other provisions as may be necessary to carry out the program.

Prior to making any of the foregoing determinations, consideration will be given to any data, views, and recommendations relative to these determinations which are submitted in writing to the Director, Grains, Oilseeds and Cotton Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be received by the Director not later than August 14, 1975. All written submissions pursuant to this notice will be made available for public inspection at the Office of the Director during regular business hours (8:15 a.m. to 4:45 p.m.).

Signed at Washington, D.C., on July 14, 1975.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.75-18659 Filed 7-17-75;8:45 am]

[7 CFR Part 722]

1976 EXTRA LONG STAPLE COTTON PROGRAM

Proposed Determinations Regarding National Marketing Quota, National Acreage Allotment, and Other Related Operating Provisions for 1976

Notice is hereby given that the Secretary of Agriculture proposes to make the following determinations with respect to the 1976 crop of extra long staple cotton (referred to as "ELS cotton"):

a. National marketing quota.

b. National acreage allotment.

c. Apportionment of the national acreage allotment to States and counties.

d. Date or period for conducting the national marketing quota referendum.

The following determinations are to be made pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, 7 U.S.C. 1281):

(a) *National marketing quota.* Section 347(b)(1) of the act requires the Secretary to proclaim the amount of the national marketing quota for the 1976 crop of ELS cotton by October 15, 1975. Such marketing quota shall be the number of standard bales of ELS cotton equal to the sum of the estimated domestic consumption and estimated exports, less estimated imports, for the 1976–77 marketing year, which begins August 1, 1976, plus such additional number of bales, if any, as the Secretary determines necessary to assure adequate working stocks in trade channels until ELS cotton from the 1977 crop becomes readily available without resort to Commodity Credit Corporation stocks. The Secretary may reduce the quota so determined for the purpose of reducing surplus stocks, but not below the minimum quota of 82,481 standard bales prescribed under Section 347(b)(2) of the act.

(b) *National acreage allotment.* Pursuant to Section 344(a), the national acreage allotment for the 1976 crop of ELS cotton shall be that acreage determined by multiplying the national marketing quota in bales by four hundred and eighty pounds (net weight of a standard bale) and dividing the result by the national average yield per acre of ELS cotton for the four calendar years 1971, 1972, 1973, and 1974.

(c) *Apportionment of the national acreage allotment to States and counties.* Sections 344 (b) and (e) provide that the national acreage allotment for the 1976 crop of ELS cotton shall be apportioned to States and counties on the basis of the acreage planted to ELS cotton (including acreage regarded as having been planted) during the five calendar years 1970, 1971, 1972, 1973, and 1974, adjusted for abnormal weather conditions during such period. Section 344(e) further provides that the State committee may reserve not to exceed 10 percent of its State allotment to adjust county allotments for trends in acreage, for counties adversely affected by abnormal conditions, affecting plantings, or for small or new farms, or to correct inequities in farm allotments and to prevent hardship.

(d) *Date or period for conducting the national marketing quota referendum.* Section 343 requires the Secretary to conduct a referendum by secret ballot of the farmers engaged in the production of ELS cotton during 1975, by December 15, 1975, to determine whether such farmers are in favor of or opposed to the quota. If more than one-third of the farmers voting in the referendum oppose the national marketing quota, such quota shall become ineffective upon proclamation of the results of the referendum. Section 343 further requires the Secretary to proclaim the results of the results of the referendum within 30 days after the date of such referendum.

Prior to making any of the foregoing determinations, consideration will be given to any data, views, and recommendations relative to these determinations which are submitted in writing to the Director, Grains, Oilseeds and Cotton Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be received by the Director not later than August 14, 1975. All written submissions pursuant to this notice will be made available for public inspection at the Office of the Director during regular business hours (8:15 a.m. to 4:45 p.m.).

Signed at Washington, D.C. on July 14, 1975.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.75-18660 Filed 7-17-75;8:45 am]

Agricultural Marketing Service

[7 CFR Part 932]

OLIVES GROWN IN CALIFORNIA

Proposed Limitation of Handling

This notice invites written comment with respect to a proposed amendment to the rules and regulations (Subpart—Rules and Regulations; 7 CFR 932.108–932.161) currently effective pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 932, as amended (7 CFR Part 932), regulating the handling of olives grown in 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 to said rules and regulations was unanimously proposed by the Olive Administrative Committee, established under the said marketing agreement and order as the agency to administer the terms and provisions thereof.

The current provisions of § 932.109 contain a definition of "canned ripe olives of tree-ripened type," in terms of the color characteristics of the advanced maturity olives in their natural condition from which such olives are made. Currently each lot of natural condition olives for use in canned ripe olives of the tree-ripened type and packaged olives of such type is exempt from incoming and outgoing regulations under the order if such olives are handled in accordance with the procedures specified by the order. Such procedures are specified principally in § 932.51(b) which provides that when a handler receives a lot of natural condition olives or makes a separation resulting in a sublot of such olives, for use in the production of canned ripe olives of the tree-ripened type, he may handle such olives exempt from incoming and outgoing requirements of the order providing the specified safeguard requirements are met. The committee has indicated that § 932.109 is not consistent with § 932.51(b) which contains the safeguard requirements in that it refers to "lot" instead of both "lot and sublot" and it implies that the determination as to maturity of the tree-ripened natural condition olives is to be made at the time of delivery to the handler rather than when the handler "receives a lot of natural condition olives, or makes a separation resulting in a sublot • • • " as specified in § 932.51(b). The proposed amendment would revise § 932.109 to remove the conflict by including "sublot" and deleting the phrase "at the time of delivery to the handler."

Under the proposal the provisions of paragraph (a) preceding subparagraph (1) thereof in § 932.109 would be amended to read as follows (subparagraph (1) and (2) are repeated for purposes of clarity):

§ 932.109 Canned ripe olives of the tree-ripened type.

(a) "Canned ripe olives of the tree-ripened type" means packaged olives, not oxidized in processing, that are prepared from a lot or sublot of natural condition olives of advanced maturity which:

(1) Range in color from pinkish red, with some greenish cast, to black; and

(2) Have not more than 10 percent, by count, of "off-color" olives ("off-color" means those olives whose greenish cast covers more than 50 percent of the surface of the individual olives).

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposal may file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than August 1, 1975. 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)).

Dated: July 15, 1975.

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

[FR Doc.75-18642 Filed 7-17-75;8:45 am]

[7 CFR Part 948]

IRISH POTATOES GROWN IN COLORADO, AREA NO. 3

Proposed Limitation of Handling

This proposal, designed to promote orderly marketing of Colorado Area No. 3 potatoes, would impose minimum quality standards and would require inspection of fresh shipments to keep low quality potatoes from being shipped to consumers.

Consideration is being given to the issuance of a handling regulation, hereinafter set forth, which was recommended by the Area Committee for Area No. 3, Colorado, established pursuant to Marketing Agreement No. 97 and Order No. 948, both as amended (7 CFR Part 948). This marketing order program regulates the handling of Irish potatoes grown in the State of Colorado and is effective 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 1975 crop in Area No. 3 and of the marketing prospects for this season. Harvesting is expected to begin in early August so the regulation should become effective at that time. The grade, size, and maturity requirements proposed herein would be necessary to prevent potatoes of lesser maturities, less desirable sizes, or low quality from being distributed in fresh market channels. They would also provide consumers with good quality potatoes consistent with the overall quality of the crop.

Exceptions would be provided to certain of these requirements to recognize special situations in which such requirements would be inappropriate or unreasonable.

Shipments would be permitted to certain special purpose outlets without regard to the grade, size, maturity and inspection requirements, provided that safeguards were met to prevent such potatoes from reaching unauthorized outlets. Certified seed would be exempt because requirements for this outlet differ greatly from those for fresh market. Shipments for use as livestock feed would likewise be exempt. Since no purpose would be served by regulating potatoes used for charity purposes, such shipments would be exempt. Also potatoes for most processing uses are exempt under the legislative authority for this part.

Potatoes for prepeeling would be handled without regard to maturity requirements since skinning of such potatoes would be of no consequence.

All persons who desire to submit written data, views, or arguments in connection with this proposal may file the same, in duplicate, with the Hearing Clerk, Room 112–A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than August 6, 1975. 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:

§ 948.373 Handling regulation.

During the period August 18, 1975, through June 30, 1976, no person shall handle any lot of potatoes grown in Area No. 3 unless such potatoes meet the requirements of paragraphs (a), (b) and (c) of this section, or unless such potatoes are handled in accordance with paragraphs (d), (e), or (f) of this section.

(a) *Grade and size requirements—All varieties.* U.S. No. 2, or better grade, 1⅞ inches minimum diameter or 4 ounces minimum weight. However, Size B may be handled if U.S. No. 1 or better grade.

(b) *Maturity (skinning) requirements—All varieties.* For U.S. No. 2 grade, not more than "moderately skinned," and for all other grades, not more than "slightly skinned."

(c) *Inspection.* (1) No handler shall handle any potatoes for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto and the certificate is valid at the time of shipment. For purpose of operation under this part it is hereby determined pursuant to paragraph (d) of § 948.40, that each inspection certificate shall be valid for a period not to exceed five days following the date of inspection as shown on the inspection certificate.

(2) No handler may transport or cause the transportation by motor vehicle of any shipment of potatoes for which an inspection certificate is required unless each shipment is accompanied by a copy of the inspection certificate applicable thereto and the copy is made available for examination at any time upon request.

(d) *Special purpose shipments.* (1) The grade, size, maturity and inspection requirements of paragraphs (a), (b) and (c) of this section shall not be applicable to shipments of potatoes for:

(i) Livestock feed;

(ii) Charity;

(iii) Canning, freezing, and "other processing" as hereinafter defined; and

(iv) Certified seed potatoes (§ 948.6).

(2) The maturity requirements set forth in paragraph (b) of this section shall not be applicable to shipments of potatoes for prepeeling.

(e) *Safeguards.* Each handler making shipments of potatoes pursuant to paragraph (d) of this section shall,

(1) Prior to shipment, apply for and obtain a Certificate of Privilege from the committee.

(2) Furnish the committee such reports and documents as required, including certification by the buyer or receiver on the use of such potatoes, and

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

(f) *Minimum quantity.* For purposes of regulation under this part, each person may handle up to but not to exceed 1,000 pounds of potatoes per day without regard to the requirements of paragraphs (a) and (b) of this section, but this exception shall not apply to any shipment of over 1,000 pounds of potatoes.

(g) *Definitions.* The terms "U.S. No. 1," "U.S. No. 2," "Size B," "moderately skinned" and "slightly skinned," shall have the same meaning as when used in the United States Standards for Grades of Potatoes (§§ 51.1540–51.1566 of this title) including the tolerances set forth therein. The term "prepeeling" means potatoes which are clean, sound, fresh tubers prepared commercially in a prepeeling plant by washing, removing the outer skin or peel, trimming, and sorting preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 (United States Standards for Grades of Peeled Potatoes, §§ 52.2421–52.2433 of this title). The term "other processing" has the same meaning as the term appearing in the act and includes, but is not restricted to, potatoes for dehydration, chips, shoestrings, starch, and flour. It includes only that preparation of potatoes for market which involves the application of heat or cold to such an extent that the natural form or stability of the commodity undergoes a substantial change. The act of peeling, cooling, slicing, dicing, or applying material to prevent oxidation does not constitute "other processing."

(h) *Applicability to imports.* Pursuant to § 8e of the act and § 980.1, "Import regulations" (7 CFR 980.1), round white varieties of Irish potatoes, except certified seed potatoes, imported into the United States during the period August

1–17, 1975, shall meet the U.S. No. 2 or better grade and 1½ inches minimum diameter requirements specified in § 948.-126 General Cull Regulation (7 CFR Part 948) and during the period August 18, 1975, through June 4, 1976, shall meet the minimum grade, size, quality, and maturity requirements specified in paragraphs (a) and (b) of this section.

Dated: July 15, 1975.

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

[FR Doc.75–18705 Filed 7–17–75;8:45 am]

[7 CFR Part 958]

ONIONS GROWN IN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Proposed Expenses and Rate of Assessment

Consideration is being given to authorizing the Idaho-Eastern Oregon Onion Committee to spend not more than $196,781 for its operations during the fiscal period ending June 30, 1976, and to collect four and one-half cents per hundredweight on assessable onions handled by first handlers under the program.

The committee is the administrative agency established under Marketing Agreement No. 130 and Order No. 958, both as amended (7 CFR Part 958), regulating the handling of onions grown in designated counties in Idaho and Malheur County, Oregon. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals shall file the same, in duplicate, with the Hearing Clerk, Room 112–A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than August 4, 1975. All written comments will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposals are as follows:

§ 958.219 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period ending June 30, 1976, by the Idaho-Eastern Oregon Onion Committee for its maintenance and functioning, and for such purpose as the Secretary determines to be appropriate will amount to $196,781.

(b) The rate of assessment to be paid by each handler in accordance with this part shall be $0.045 per hundredweight or equivalent quantity of assessable onions handled by him as the first handler during the fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period may be carried over as a reserve to the extent authorized in § 958.44.

(d) Terms used in this section have the same meaning as when used in the marketing agreement and this part.

Dated: July 14, 1975.

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

[FR Doc.75–18658 Filed 7–17–75;8:45 am]

[7 CFR Part 982]

[Docket No. AO–205–A4]

FILBERTS GROWN IN OREGON AND WASHINGTON

Recommended Decision and Opportunity To File Written Exceptions to Proposed Further Amendment of Marketing Agreement and Order

Notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed further amendment 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.

Interested persons may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250, by August 18, 1975. The exceptions should be filed in quadruplicate. 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 above notice of filing of the decision and of opportunity to file exceptions thereto 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 applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900).

Preliminary statement. This proposed amendment of the marketing agreement, as amended, and order, as amended, was formulated on the record of a public hearing held at Portland, Oregon, April 29, 1975. Notice of the hearing was published in the April 15, 1975, issue of the FEDERAL REGISTER (40 FR 16852). The proposals contained in the notice of hearing were submitted by the Filbert Control Board and the Fruit and Vegetable Division, Agricultural Marketing Service.

Material issues. The material issues of record are as follows:

(1) Provide for a "marketing policy year" for purposes of volume regulation under the order;

(2) Change references to "fiscal year" in the order to "marketing policy year" where applicable;

(3) Provide flexibility in estimating merchantable production and in recommending inshell carryover when recommending marketing policy;

(4) Provide for establishment of a preliminary free percentage early in the marketing policy year;

(5) Provide for establishment of free and restricted percentages on a "marketing policy year" basis and that such percentages established in one year remain in effect until percentages for the subsequent year are established;

(6) Require shelled filberts which are to be credited in satisfaction of a restricted obligation to be inspected and certified by the Federal-State inspection service;

(7) Permit handlers to withhold shelled filberts to satisfy restricted obligations, and require that any filberts to be so withheld be inspected and certified as meeting the requirements of Oregon No. 1 grade for shelled filberts;

(8) Provide for an equivalent weight basis for shelled filberts to be credited in satisfaction of a restricted obligation;

(9) Change the latest date to which handlers may temporarily defer under bond, the withholding of filberts in satisfaction of restricted obligations;

(10) Require handlers to report their inventory of inshell and shelled filberts as of the first day of the marketing policy year; and

(11) Make such changes in the order as may be necessary to bring the entire order, as amended, into conformity with the amendatory action resulting from the hearing.

Findings and conclusions. The following findings and conclusions on the material issues are based on the record of the hearing;

(1) Section 982.17 of the marketing agreement and order (hereinafter, in this text of the findings and conclusions, collectively referred to as the "order") should be amended to provide for a marketing policy year. That section currently defines the term "fiscal year" to mean the 12 months from August 1 to the following July 31, both inclusive. The operation and administration of the marketing order is geared to this period. However, this period does not correspond closely with the actual production and marketing cycle of filberts. Delivery to handlers of new crop filberts normally begins about October 1. The heavy shipment of new crop filberts by handlers begins as soon as these nuts can be processed and packaged.

Establishment of a marketing policy year corresponding with filbert production and marketing would enable the Filbert Control Board (hereinafter, in this text of the findings and conclusions, referred to as the "Board") to make its marketing policy estimates and recommendations as close to the actual production and marketing cycle as is practicable.

Currently, annual volume regulation is established for a fiscal year and is based upon data kept on a fiscal year basis. Thus, annual marketing decisions which usually are made by the Board in mid-September do not ordinarily take into account any changes that may have occurred since the end of the previous fiscal year. If the marketing policy year were set from new crop to new crop, it would not be necessary to estimate re-

quirements from August 1 to July 31 and then estimate additional requirements from August 1 to October 1 of the following year. In other words, the proposal would enable the Board to recommend a one-year supply to fill a one-year demand.

The proposed marketing policy year would be used only for purposes of volume regulation. The Board would continue to maintain statistical data, administrative activities, and the financial operation of the order on a fiscal year basis.

At the hearing, there was some uncertainty on the part of the proponents as to the exact dates which should be established for the proposed marketing policy year. Some handlers customarily ship carryover inshell filberts into export outlets, or shell the carryover, in August and September, to accumulate restricted credits. These credits are then applied to the restricted obligations incurred when these handlers begin to ship merchantable filberts (of the new crop) to the domestic market in October. The proponents testified that further review of this matter should be made by the Board before establishing a marketing policy year that would cover a period of time different from the fiscal year. Furthermore, the marketing policy year should not be changed indiscriminately, but only when experience proves that there should be an adjustment, or when it becomes obvious that the established dates are not functional from the standpoint of industry operational practices. Therefore, the dates of the present fiscal year (i.e., August 1 through July 31) should be used for the marketing policy year and authority be included in § 982.17 to change that year to such other period of time as may be recommended by the Board and established by the Secretary through rulemaking.

(2) Material issue (1), as proposed, regarding establishment of a marketing policy year for purposes of volume regulation, would necessitate conforming changes in other sections of the order. Accordingly, all references to "fiscal year" should be changed to "marketing policy year" in §§ 982.16; 982.50 (c) and (d); 982.52 (a) and (d); 982.54 (a), (c), and (e); 982.71; and 982.86(b)(3). It would also be necessary to change references to "fiscal year" to "marketing policy year" in certain other provisions. These changes will be recommended in the discussion of the particular material issue of this recommended decision wherever applicable.

(3) Section 982.40 of the order contains the estimates and recommendations which must be made by the Board in recommending its annual marketing policy to the Secretary. Among these are: An estimate of merchantable production; and a recommendation for handler carryover of inshell filberts at the end of a year.

The estimate of merchantable production of filberts made by the Board at its marketing policy meeting is based upon an estimate of field-run filbert production by the Statistical Reporting Service, USDA. The first SRS estimate of this production is released early in September. From this estimate, the Board deducts a quantity of filberts for small sizes, culls and blows, and farm and miscellaneous use, to arrive at its estimate of merchantable production. Whenever volume regulations are made effective for a year, a quantity of inshell filberts is made available for the domestic market by means of a free percentage to meet the estimated inshell trade demand. The volume regulation also includes a restricted percentage, which prescribes the portion that must be withheld from handling as inshell filberts. Restricted filberts may be disposed of by handlers as inshell filberts into the export market, or as shelled filberts into either the domestic or export market. These percentages are recommended by the Board and established by the Secretary. The free and restricted percentages should be established as early in the year as is practicable so that handlers will be aware of their restricted obligations and can plan their operations accordingly. When a handler makes a shipment of inshell filberts into the domestic market, he is required by the order to withhold a specific quantity of filberts as restricted filberts.

It was proposed in the notice of hearing that the first sentence of § 982.40(a) be amended to read, "Each marketing policy year, prior to the time the new crop filberts are available for handling, the Board shall hold a meeting for the purpose of recommending to the Secretary a marketing policy for that year". The proposal would require a Board meeting after the beginning of a marketing policy year to make marketing policy recommendations for that year. This could cause difficulty for the industry if the marketing policy year begins October 1, especially when coupled with an early crop or development of new varieties of filberts which may be harvested earlier than current varieties. Furthermore, since the first estimate of production upon which marketing policy is based is released in September and new crop filberts are ordinarily available early in October, the Board generally has held its marketing policy meeting in September, and there is no indication that the Board will change its practice in the future. Therefore, the first sentence of § 982.40(a) should be amended to read, "For each marketing policy year, the Board shall hold a meeting for the purpose of recommending to the Secretary a marketing policy for that year."

In some years, the production estimate used by the Board in estimating merchantable production of filberts has been less than actual production. Once the free and restricted percentages are established, the free percentage cannot be lowered. Thus, if the free percentage is established on the basis of a production estimate released in September and the production estimate is subsequently increased, an over-supply of inshell filberts is made available for the domestic market. To correct this problem, § 982.40 (a)(1)(i) should be amended to provide that the Board may include in its estimate of the quantity of merchantable filberts to be produced during a marketing policy year an adjustment to protect against any error in estimation of that production. The order should not prescribe an exact amount which should be used for the adjustment. The Board should take into consideration the amount of any errors in production estimates in previous years. The adjustment should be reasonable and should not be such as might materially short the supply of inshell filberts to be made available for the domestic market early in the year. When the estimate of production is released in November, the Board should meet to determine if any change in the free percentages is necessary.

In the notice of hearing it was proposed that provision to permit the Board to include an adjustment to protect against any error in estimation of production should be included in § 982.40(a)(1)(v). However, at the hearing, the proponents testified that this provision should be contained in § 982.40(a)(1)(i) because this subdivision deals with the Board's estimate of merchantable production and any adjustment would be made in this estimate. Subdivision (v) of § 982.40 (a)(1) deals with the Board's recommended free and restricted percentages for a marketing policy year. Therefore, it is more appropriate that this provision for adjustment be included in § 982.40 (a)(1)(i).

The Board should not be required to include an adjustment for any error in estimation of production, but rather should be permitted to use such an adjustment if it deems this necessary.

Section 982.40(a)(1)(iii) of the order provides for a Board recommendation for handler carryover of inshell filberts at the end of a year which may be available for handling as inshell filberts in the subsequent year. The purpose of this provision is to make available inshell filberts for shipment after July 31 of a year before new crop filberts become available (early October). In practice, the industry views this as requiring the Board to recommend a specific quantity as carryover, and the Board has acted accordingly. That is, the industry does not interpret this provision as permitting the Board to recommend a "zero" carryover. However, there is no requirement that handlers actually carry over the recommended quantity of inshell filberts. In fact, marketing conditions determine the size of any carryover. Thus, the recommended carryover at the end of a year merely makes a quantity of inshell filberts available to the domestic market which is in excess of the quantity needed for shipment as inshell filberts during the year. In many instances, this recommended carryover has been exported or shelled, and thus was not available as inshell filberts for the domestic market in the succeeding year. The marketing policy year discussed in material issue (1) of this recommended decision, when fully implemented, could result in the Board's recommendations on marketing policy being based upon a time period that more closely coincides

with production and marketing cycles. Such a time period as a basis for marketing policy recommendations lessens the need for any carryover.

It is possible that circumstances, trade conditions, or industry practices may change in the future and make it advisable for the Board to again include in its marketing policy a recommendation for inshell handler carryover. Therefore, § 982.40(a)(1)(iii) should make it clear that the Board is permitted, not required, to recommend a carryover of inshell filberts in its marketing policy determinations.

Material issue (1) of this recommended decision recommends establishment of a marketing policy year for purposes of volume regulation. Section 982.40 sets forth the Board estimates and recommendations upon which volume regulation is based. Therefore, all references in § 982.40 to "fiscal year" should be changed to "marketing policy year", with the following exception: Paragraph (b) of this section currently provides for revisions of marketing policy. Such revisions may be recommended by the Board, or by handlers who handled at least 10 percent of all filberts in the preceding fiscal year. The reference to "fiscal year" must be retained in this paragraph. The reason is that the first year the marketing policy year is used, there will be no preceding marketing policy year. If a reference to fiscal year is not retained, handlers would be precluded from recommending revisions in marketing policy during the first marketing policy year.

(4) Proposal No. 4 contained in the notice of hearing would have amended § 982.40 of the order to provide for establishment of a preliminary free percentage (early in the marketing policy year) which would release 90 percent of the estimated trade demand for inshell filberts. Then, no later than November 15, the Board would have been required to recommend a free percentage which would tend to release a quantity equal to the estimated trade demand for inshell filberts for that year.

This proposal was abandoned by the proponents and no testimony in support of it was presented at the hearing.

(5) Section 982.41 contains authority for establishment of free and restricted percentages. The proposed amendment of this section is primarily to bring it into conformity with proposed §§ 982.17 and 982.40 by changing references to "fiscal year" to "marketing policy year". In addition, some minor changes should be made in § 982.41 for clarity and to delete repetition. In the notice of hearing, it was proposed that the ratio to be considered by the Secretary when establishing free and restricted percentages be changed by deleting reference to "the inshell handler carryover at the end of the year" in the second sentence of § 982.41. The recommended amendment of § 982.40(a)(1)(iii) included in the discussion of material issue (3) of this recommended decision would permit the Board to recommend or not recommend a handler carryover of inshell filberts at the end of a marketing policy year. To conform with the recommended amendment of § 982.40(a)(1)(iii), the reference to "the inshell handler carryover at the end of a year" should be retained in the second sentence of § 982.41, with the addition of a modifying phrase "when applicable" inserted after the first "and". Thus, the reference to inshell carryover should read, "and, when applicable, the inshell handler carryover at the end of the year."

In the notice of hearing, it was also proposed that the last sentence of § 982.41 be deleted. That sentence reads, "Until free and restricted percentages are established by the Secretary for a fiscal year, the percentages in effect at the end of the previous year shall be applicable". At the hearing, the proponents testified that this sentence should not be deleted. Shipments of merchantable filberts into the domestic market may be made by handlers after the beginning of a marketing policy year but prior to the time the free and restricted percentages for the new year are established. In order for handlers to make their plans for early season shipments, they should have to meet a definite withholding obligation. Thus, the last sentence of § 982.41, which provides that until free and restricted percentages for a year are established, the percentages in effect at the end of the previous year shall be applicable, should be retained.

(6) Section 982.46(a) should be amended to provide that shelled filberts which are to be credited in satisfaction of a restricted obligation shall be inspected and certified by the Federal-State Inspection Service. This arises from the recommended amendment of § 982.50 which is discussed in material issue (7) of this recommended decision. The recommended amendment of § 982.50 will provide that shelled filberts may be credited in satisfaction of a handler's restricted obligation, and it is therefore appropriate that these shelled filberts should be inspected and certified and the quality be comparable to that of merchantable filberts. The proponent testimony indicates that the services of the Federal-State Inspection Service should be utilized for this inspection and certification since this agency is currently providing inspection service under the order and there should be no problem in providing this additional service.

(7) Section 982.50(a) should be amended to permit handlers to withhold shelled filberts (in lieu of inshell filberts) to satisfy restricted obligations. Under the current marketing order provisions, when a handler ships a quantity of merchantable filberts (i.e., inshell filberts that meet grade and size regulations under the order) into the domestic market, he incurs an obligation to withhold a specified quantity (weight) of merchantable filberts. This obligation may be satisfied by withholding from handling a specified quantity of merchantable filberts, or in lieu of merchantable filberts, by withholding from handling an equivalent quantity of creditable ungraded inshell filberts. The domestic demand for inshell filberts is highly seasonal, and is the greatest during the fall and winter holiday season. Therefore, the largest quantities of inshell filberts are shipped during the last quarter of the calendar year. Under the current order, the handler must withhold the largest quantity of inshell filberts during that part of the year in which he has the greatest need for availability of inshell nuts. At the same time handlers are making shipments of inshell filberts, many of them are active in the shelled filbert market, thereby making it desirable and necessary for them to have quantities of shelled filberts in inventory.

Permitting handlers to satisfy their restricted obligations by setting aside shelled filberts in lieu of merchantable filberts would afford handlers the maximum flexibility in responding to their individual needs for both inshell and shelled filberts.

Since merchantable filberts withheld by handlers must be inspected and certified as meeting the requirements of Oregon No. 1 grade and medium size (as defined in the Oregon Grade Standards Filberts In Shell), any shelled filberts for which a handler wishes to receive credit in satisfaction of his restricted obligation should meet some grade requirement. The evidence of record is that a satisfactory requirement for these shelled filberts would be a requirement that they be inspected and certified as meeting the standard in effect for Oregon No. 1 grade for shelled filberts (as contained in Oregon Grade Standards for Filbert (Hazelnut) Kernels) or such other standards as may be recommended by the Board and established by the Secretary. However, this requirement should not be considered as the minimum standard for shelled filberts authorized in § 982.45(a) of the order.

At present, filberts withheld from handling as inshell filberts may be disposed of by handlers by: Shelling the filberts; exporting them (inshell or shelled); or disposing of them in outlets which the Board determines are noncompetitive with normal market outlets for inshell filberts. Most filberts which are withheld in satisfaction of restricted obligations are ultimately shelled and sold as filbert kernels. Thus, permitting handlers to withhold shelled filberts affords them maximum flexibility in their operations.

A revision in wording of § 982.50(a) from that contained in the notice of hearing is included in the recommended amendment of that section. This would require any handler who intends to withhold shelled filberts in order to satisfy a restricted obligation to declare this intention to the Board before the filberts are shelled. The reason for this revision is to make it clear that a handler could not tender a quantity of certified merchantable filberts, or a quantity of creditable ungraded inshell filberts, to satisfy a withholding obligation, and then at a later time, shell these nuts and tender the kernels obtained from that lot to again satisfy withholding obligations, thus obtaining a double withholding credit from the same filberts.

(8) Section 982.51 of the order should be amended to provide that the Board may recommend, and the Secretary establish, any terms and conditions applicable to the withholding, in lieu of merchantable filberts, by handlers, of shelled filberts in satisfaction of restricted obligations. Section 982.51 should also contain a conversion factor for determining the inshell equivalent of shelled filberts and the authority to change such factor. This amendment is needed to implement the amendment discussed in material issue (7) of this recommended decision.

It is difficult to foresee every requirement which may need to be established and included in the administrative rules and regulations to control the withholding of shelled filberts, in lieu of merchantable filberts, to satisfy restricted obligations. The Board may need to prescribe: A time period during which handlers would be permitted to use this authority; adequate identification procedures; requirements governing transfer of restricted credits derived from shelled filberts; and maintenance of lot identification.

Section 982.51 should also be amended to establish a weight ratio, or equivalent weight basis, upon which shelled filberts may be withheld, in lieu of merchantable filberts, in satisfaction of restricted obligations. Proponent testimony indicated that it takes approximately 2½ pounds of inshell filberts to yield 1 pound of filbert kernels, or in other words, multiplying the weight of a quantity of filbert kernels by 250 percent results in approximately the equivalent of that quantity as inshell nuts. This ratio is generally supported by industry experience, although some small variances may occur from one season to the next and from one lot to another. It is possible that this ratio may change in the future because of such things as: New filbert varieties; improved cultural practices; or improved processing techniques. Therefore, the order should provide that the equivalent weight basis may be changed upon recommendation of the Board with the approval of the Secretary.

(9) Section 982.54(a) should be amended to change the latest date to which handlers may defer, under bond, withholding of filberts in satisfaction of a restricted obligation. Currently, the latest date permitted is January 31. This date should be changed to April 30.

In years when a large crop of filberts is produced, handlers generally have large quantities of field-run filberts, which they intend to process, in storage containers on their premises in January. With January 31 as the latest date to which handlers may defer withholding, handlers must either process these filberts and have them inspected and certified as merchantable filberts, or have the creditable weight of the ungraded inshell filberts determined by the Federal-State Inspection Service, in order to meet their restricted obligations after that date.

The evidence of record is that the January 31 deadline date is impracticable because it requires handlers to speed up processing and inspecting which ordinarily would be completed by April 30. The proponents testified that the latest date for deferment should be extended to April 30. Except in unusual circumstances, most filbert handlers tend to complete their processing and shipping operations for the year shortly before April 30. Extending the deferment date to April 30 would be consistent with the intent of the bonding provision which is to give handlers flexibility in their operations with respect to shipping merchantable filberts. Therefore, § 982.54(a) should be amended to provide this later date.

The notice of hearing with respect to the proposed amendment of § 982.54(a) included only the change in the date of bonding from January 31 to April 30. However, at the hearing, the proponents offered testimony to support revising paragraph (c) of § 982.54 to provide that the bonding rate established for a marketing policy year should remain in effect until a rate is established for the subsequent marketing policy year.

Section 982.54(c) of the order does not provide that the bonding rates for the preceding year should continue in effect until the new rates are fixed. Therefore, a sentence should be added to § 982.54(c) reading, "Until bonding rates for a marketing policy year are fixed, the rates in effect for the preceding marketing policy year shall continue in effect and when such new rates are fixed, necessary adjustments should be made".

(10) Section 982.65 should be amended to require each handler to report to the Board, within 10 days following the end of a marketing policy year, his inventory of inshell and shelled filberts as of the first day of the new marketing policy year.

The need for this amendment is created by the establishment of the marketing policy year as discussed in material issue (1) of this recommended decision.

The purpose of this amendment is to enable the Board to collect and assemble information on the amount of filberts which handlers have in inventory at the beginning of a marketing policy year. This information is needed, in conjunction with other data, by the Board in order to make the necessary estimates and recommendations for the annual marketing policy required under § 982.40 of the order.

Currently, § 982.65 requires handlers to report their inventory of inshell filberts and shelled filberts as of January 1 and August 1. Thus, two inventory reports per year are required. Establishment of a marketing policy year which is a different period of time from the fiscal year (August 1–July 31) contained in current § 982.17 would require a third inventory report. It is not intended that establishment of a marketing policy year which is identical to the present fiscal year would require a third inventory report.

(11) Some of the amendatory actions included in this recommended decision cause the need to make certain conforming changes so that the order, as amended, will be in conformity with those actions. Any such changes are discussed with the issues to which they are pertinent. All such changes should be incorporated in the recommended amendment of the order.

Rulings on briefs of interested persons. At the conclusion of the hearing, the Administrative Law Judge fixed May 28, 1975, as the final date for interested persons to file proposed findings and conclusions, and written arguments or briefs, based upon the evidence received at the hearing. No briefs were filed.

General findings. Upon the basis of the record, it is found that:

(1) The findings hereinafter set forth are supplementary, and in addition, to the previous findings and determinations which were made in connection with the issuance of the marketing agreement and order and each previously issued amendment thereto. Except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein, all of said prior findings and determinations are hereby ratified and affirmed. (For prior findings and determinations see 14 FR 5964; 19 FR 1163; 24 FR 6185; 37 FR 588);

(2) The marketing agreement and order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(3) The marketing agreement and order, as amended, and as hereby proposed to be further amended, regulate the handling of filberts grown in the production area in the same manner as, and are applicable only to persons in the respective classes of commercial and industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(4) The marketing agreement and order, as amended, and as hereby proposed to be further amended, are limited in their application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(5) There are no differences in the production and marketing of filberts grown in the production area which make necessary different terms and provisions applicable to different parts of such area; and

(6) All handling of filberts grown in the production area as defined in the marketing agreement and order, as amended, and as hereby proposed to be further amended, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

Recommended amendment of the marketing agreement and order. The following amendment of the marketing agreement and order, as amended, is recommended as the detailed means by which the foregoing conclusions may be carried out:

1. Amend § 982.16 to read:

§ 982.16 Inshell trade demand.

"Inshell trade demand" means the quantity of inshell filberts acquired by the trade from all handlers during a marketing policy year for distribution in the continental United States.

2. Amend § 982.17 to read:

§ 982.17 Fiscal year and marketing policy year.

(a) "Fiscal year" means the 12 months from August 1 to the following July 31, both inclusive.

(b) "Marketing policy year" means the 12 months from August 1 to the following July 31, both inclusive, or such other period of time as may be recommended by the Board and established by the Secretary.

3. Amend § 982.40 to read as follows:

§ 982.40 Board's estimates and recommendations.

(a) For each marketing policy year, the Board shall hold a meeting for the purpose of recommending to the Secretary a marketing policy for that year. The recommendation shall include the following:

(1) *Inshell allocation.* (i) The Board's estimate of the quantity of merchantable filberts or available supply expected to be produced that year, taking into consideration an adjustment to protect against any error in estimation of that production. As soon as practicable after the official estimate of production is released in November, the Board shall, if necessary, meet to determine if a change should be made in the Board's estimate of the quantity of merchantable filberts or available supply expected to be produced.

(ii) The Board's estimate of the inshell handler carryover on the first day of the marketing policy year, segregated as to the quantity subject to regulation and not subject to regulation.

(iii) The Board's recommendation, if any, for handler carryover of inshell filberts on the last day of the marketing policy year, which may be available for handling as inshell filberts thereafter.

(iv) The Board's estimate of the trade demand for inshell filberts for that year, taking into consideration trade carryover at the beginning and end of the year, imports, prices, prospective shelled filbert market conditions and other factors affecting trade demand for inshell filberts during the year.

(v) The Board's recommendation as to a free percentage and a restricted percentage to be established for that year.

(2) *Grade and size regulations.* The Board shall review the grade and size regulations in effect and may recommend modifications thereof.

(b) *Revisions.* At any time prior to February 15 of any year, the Board, or two or more handlers who during the preceding marketing policy year (or fiscal year, when appropriate) handled at least 10 percent of all filberts handled, may recommend to the Secretary revision in the marketing policy for that year.

4. Amend § 982.41 to read:

§ 982.41 Free and restricted percentages.

Whenever the Secretary finds, on the basis of the Board's recommendation or other information, that limiting the quantity of merchantable filberts which may be handled during a marketing policy year would tend to effectuate the declared policy of the act, he shall establish a free percentage or increase the free percentage, as applicable, to prescribe the portion of those filberts which may be handled as inshell filberts and a restricted percentage to prescribe the portion that must be withheld from such handling. In establishing such percentages the Secretary shall consider the ratio of (a) the sum of the estimated inshell trade demand and, when applicable, the inshell handler carryover at the end of the year, less that portion of the inshell handler carryover at the beginning of the marketing policy year not subject to regulation to (b) the estimated supply of merchantable filberts subject to regulation and other relevant factors. Until free and restricted percentages are established by the Secretary for a marketing policy year, the percentages in effect at the end of the previous year shall be applicable.

5. Amend § 982.46 to read:

§ 982.46 Inspection and certification.

(a) Before or upon handling any filberts, or before any inshell or shelled filberts are credited (under §§ 982.50 or 982.51) in satisfaction of a restricted obligation, each handler shall, at his own expense, cause such filberts to be inspected and certified by the Federal-State Inspection Service as meeting the then effective grade and size regulations or, if inshell or shelled filberts are withheld under § 982.51, the applicable requirements specified in that section. The handler obtaining such inspection of filberts shall cause a copy of the certificate issued by such inspection service applicable to such filberts to be furnished to the Board.

(b) All filberts so inspected and certified shall be identified by seals, stamps, tags, or other identification prescribed by the Board. Such identification shall be affixed to the filbert containers by the handler under direction and supervision of the Board or the Federal-State Inspection Service, and shall not be removed or altered by any person except as directed by the Board.

(c) Whenever the Board determines that the length of time in storage and conditions of storage of any lot of certified merchantable filberts have been or are such as to normally cause deterioration, it may require that such lot of filberts be reinspected at the handler's expense prior to handling.

6. Amend § 982.50 to read:

§ 982.50 Restricted obligation.

(a) No handler shall handle inshell filberts unless prior to or upon shipment thereof, he: (1) Has withheld from handling a quantity, by weight, of certified merchantable filberts determined by dividing the quantity handled, or to be handled, by the free percentage and multiplying the quotient by the restricted percentage; (2) has withheld from handling an equivalent quantity of creditable ungraded inshell filberts under § 982.51 (a); or (3) has under § 982.51(b), declared in lieu of a quantity of certified merchantable filberts, under subparagraph (1) of this paragraph, the equivalent quantity, by weight as determined under that section, of shelled filberts certified as meeting the standards in effect for Oregon No. 1 grade for shelled filberts as contained in Oregon Grade Standards for Filbert (Hazelnut) Kernels or such other standards as may be recommended by the Board and established by the Secretary. Any handler who intends to withhold shelled filberts in satisfaction of a restricted obligation must make such declaration to the Board prior to shelling any such filberts. Withholding may be temporarily deferred under the bonding provisions in § 982.54. The quantity of filberts required to be withheld shall be the restricted obligation. Certified merchantable filberts handled in accordance with this subpart shall be deemed to be the handler's quota fixed by the Secretary within the meaning of section 8a(5) of the Act.

(b) Inshell filberts withheld by a handler in satisfaction of his restricted obligation shall not be handled and shall be held by him subject to examination by and accounting control of, the Board until disposed of pursuant to this part.

(c) A handler having certified merchantable filberts which have not been handled at the end of a marketing policy year may elect to have those filberts bear the restricted and assessment obligations of that year or of the marketing policy year in which handled. The Board shall establish such procedures as are necessary to facilitate the administration of this option among handlers.

(d) Whenever the restricted percentage for a marketing policy year is reduced, each handler's restricted obligation shall be reduced to conform with the new restricted percentage. Any handler who, upon such reduction, is withholding restricted filberts in excess of his new restricted obligation may have the excess freed from withholding by complying with such procedures as the Board may require to insure identification of the remaining filberts withheld.

7. Amend § 982.51 to read:

§ 982.51 Restricted credit for ungraded inshell filberts and for shelled filberts.

(a) A handler may withhold ungraded inshell filberts in lieu of certified merchantable filberts in satisfaction of his restricted obligation, and the weight on which credit may be received shall be the total weight less the cumulative total percentage, by weight, of (1) all internal defects, (2) all external defects in excess of 10 percent and (3) all small-sized filberts in excess of 5 percent (as defined in the Oregon Grade Standards Filberts In Shell). Any lot of ungraded filberts having a creditable weight of less than 50 percent of its total weight, or not meeting the moisture requirements for certi-

fied merchantable filberts shall not be eligible for credit. All determination as to defects and small-sized filberts shall be made by the Federal-State Inspection Service at the handler's expense. Filberts so withheld shall be subject to the applicable requirements of § 982.50. The provisions of this section may be modified by the Secretary on the basis of a recommendation of the Board or other information.

(b) A handler may withhold, in accordance with § 982.50(a) shelled filberts in lieu of merchantable filberts in satisfaction of his restricted obligation subject to such terms and conditions as are recommended by the Board and established by the Secretary. The inshell equivalent of any such filberts shall be determined by multiplying the weight of the shelled filberts by 250 percent. This percent may be changed upon recommendation of the Board and approval of the Secretary.

8. Amend § 982.52 to read:

§ 982.52 Disposition of restricted filberts.

Filberts withheld from handling as inshell filberts pursuant to §§ 982.50 and 982.51 may be disposed of as follows:

(a) *Shelling.* Any handler may dispose of such filberts by shelling them under the direction or supervision of the Board or by delivering them to an authorized sheller. Any person who desires to become an authorized sheller in any marketing policy year may submit written application during such year to the Board. Such application shall be granted only upon condition that the applicant agrees:

(1) To use such restricted filberts as he may receive for no purpose other than shelling;

(2) To dispose of or deliver such restricted filberts, as inshell filberts, to no one other than another authorized sheller;

(3) To comply fully with all laws and regulations applicable to shelling of filberts; and

(4) To make such reports, certified to the Board and to the Secretary as to their correctness, as the Board may require.

(b) *Export.* Sales of certified merchantable restricted filberts for shipment or export to destinations outside the continental United States shall be made only by the Board. Any handler desiring to export any part or all of his certified merchantable restricted filberts shall deliver to the Board the certified merchantable restricted filberts to be exported, but the Board shall be obligated to sell in export only such quantities for which it may be able to find satisfactory export outlets. Any filberts so delivered for export which the Board is unable to export shall be returned to the handler delivering them. Sales for export shall be made by the Board only on execution of an agreement to prevent reimportation into the continental United States. A handler may be permitted to act as agent of the Board, upon such terms and conditions as the Board may specify, in negotiating export sales, and when so acting shall be entitled to receive a selling commission of five percent of the export sales price, f.o.b. area of production. The proceeds of all export sales after deducting all expenses actually and necessarily incurred, shall be paid to the handler whose certified merchantable restricted filberts are so sold by the Board.

(c) *Other outlets.* In addition to the dispositions authorized in paragraphs (a) and (b) of this section, the Board may designate such other outlets into which such filberts may be disposed which it determines are noncompetitive with normal market outlets for inshell filberts. Such dispositions shall be made under the direction or supervision of the Board.

(d) *Restricted credits.* During any marketing policy year, handlers who dispose of a quantity of certified merchantable filberts, in restricted outlets, in excess of their restricted obligation, may transfer such excess credits to another handler or handlers. Upon a handler's written request to the Board during a marketing policy year, the Board shall transfer any or all of such excess restricted credits to such other handler or handlers as he may designate. The Board, with the approval of the Secretary, shall establish rules and regulations for the transfer of excess restricted credits.

9. Amend § 982.54 to read:

§ 982.54 Deferment of restricted obligation.

(a) *Bonding.* Compliance by any handler with the requirements of § 982.50 as to the time when restricted filberts shall be withheld shall be temporarily deferred to any date desired by the handler, but not later than April 30 of the marketing policy year, upon the voluntary execution and delivery by such handler to the Board, before he handles any merchantable filberts of such marketing policy year, of a written undertaking, secured by a bond or bonds with a surety or sureties acceptable to the Board, that on or prior to such date he will have fully satisfied his restricted obligation required by § 982.50.

(b) *Bonding requirement.* Such bond or bonds shall, at all times during their effective period, be in such amounts that the aggregate thereof shall be no less than the total bonding value of the handler's deferred restricted obligation. The bonding value shall be the deferred restricted obligation poundage bearing the lowest bonding rate or rates, which could have been selected from the packs handled or certified for handling, multiplied by the applicable bonding rate. The cost of such bond or bonds shall be borne by the handler filing same.

(c) *Bonding rate.* Said bonding rate for each pack shall be an amount per pound representing the season's domestic price for such pack net to handler f.o.b. shipping point which shall be computed at the opening price for such pack announced by the handler or handlers who during the preceding marketing policy year handled more than 50 percent of the merchantable filberts handled by all handlers. Such handler or handlers shall be selected in the order of volume handled in the preceding marketing policy year (or fiscal year, if applicable) using the minimum number of handlers to represent a volume of more than 50 percent of the total volume handled. If such opening prices involve different prices announced by two or more handlers for respective packs, the price so announced shall be averaged on the basis of the quantity of such packs handled during the preceding marketing policy year (or fiscal year, if applicable) by each such handler. Until bonding rates for a marketing policy year are fixed, the rates in effect for the preceding marketing policy year (or fiscal year, if applicable) shall continue in effect and when such new rates are fixed, necessary adjustments should be made.

(d) *Filbert purchases.* Any sums collected through default of a handler on his bond shall be used by the Board to purchase from handlers, as provided in this paragraph, a quantity of certified merchantable filberts on which the restricted obligation has been met, not to exceed the total quantity represented by the sums collected. The Board shall at all times purchase the lowest priced packs offered, and the purchases shall be made from the various handlers as nearly as practicable in proportion to the quantity of their respective offerings of the pack or packs to be purchased.

(e) *Unexpended sums.* Any unexpended sums, which have been collected by the Board through default of a handler on his bond, remaining in the possession of the Board at the end of a marketing policy year shall be used to reimburse the Board for its expenses, including administrative and other costs incurred in the collection of such sums, and in the purchase of filberts as provided in paragraph (d) of this section. Any balance remaining after reimbursement of such expenses shall be distributed among all handlers in proportion to the quantity of certified merchantable filberts handled by them during the marketing policy year in which the default occurred.

(f) *Transfer of filbert purchases.* Filberts purchased as provided in this section shall be turned over to those handlers who have defaulted on their bonds for disposal by them as restricted filberts. The quantity delivered to each handler shall be that quantity represented by the sums collected through default, and the different grades, if any, shall be apportioned among the various handlers on the basis of the ratio of the quantity of filberts to be delivered to each handler to the total quantity purchased by the Board with bonding funds.

(g) *Collection upon bonds.* Collection upon any defaulted bond shall be deemed a satisfaction of the restricted obligation represented by the collection.

10. Amend § 982.65 to read:

§ 982.65 Carryover reports.

On or before January 15 and August 5, of each year and within 10 days following

the end of a marketing policy year, respectively, each handler shall report to the Board his inventory of inshell and shelled filberts as of January 1, August 1, and the first day of the marketing policy year, respectively. Such reports shall be certified to the Board and the Secretary as to their accuracy and completeness and shall show, among other items, the following: (a) Certified merchantable filberts on which the restricted obligation has been met; (b) merchantable filberts on which the restricted obligation has not been met; (c) the merchantable equivalent of any filberts intended for handling as inshell filberts; and (d) restricted filberts withheld.

11. Amend § 982.71 to read:

§ 982.71 Records.

Each handler shall maintain such records of filberts received, held and disposed of by him as may be prescribed by the Board in order to perform its function under this part. Such records shall be retained and be available for examination by authorized representatives of the Board or the Secretary for a period of two years after the end of the marketing policy year in which the transactions occurred.

12. Amend subparagraph (3) of § 982.80(b) to read:

§ 982.80 Effective time, termination or suspension.

* * * * *

(b) * * *

(3) The Secretary shall terminate the provisions of this subpart at the end of any marketing policy year whenever he finds that such termination is favored by a majority of the producers of filberts who during the preceding marketing policy year (or fiscal year, if applicable) have been engaged in the production for marketing of filberts in the States of Oregon and Washington: *Provided,* That, such majority have during such period produced for market more than 50 percent of the volume of such filberts produced for market within said States; but such termination shall be effected only if announced 30 days or more before the end of the then current marketing policy year.

* * * * *

Dated: July 15, 1975.

JOHN C. BLUM,
Acting Administrator.

[FR Doc.75-18706 Filed 7-17-75;8:45 am]

Commodity Credit Corporation

[7 CFR Part 1472]

COTTON

Cotton—USDA Proposed Determinations of 1976 Crop Loan Programs

Notice is hereby given that the Secretary of Agriculture proposes to make the following determinations with respect to the 1976 crop of upland cotton, extra long staple cotton (ELS), and seed cotton:

a. Loan level for upland lint cotton.

b. Loan level and payment rate for ELS lint cotton.

c. Whether a seed cotton loan program should be offered.

d. Loan levels for seed cotton if program offered.

The first two determinations are to be made pursuant to the Agricultural Act of 1949, as amended (63 Stat. 1051, 7 U.S.C. 1421):

(a) *Loan level for upland lint cotton.* Section 103(e)(1) of the act requires the Secretary to determine and announce the loan level for the 1976 crop by November 1, 1975. Such loan level must reflect—for Middling 1-inch upland cotton, micronaire 3.5 through 4.9, at average location in the United States—90 percent of the average price of American cotton in world markets for the 3-year period August 1, 1972, through July 31, 1975, except that, if the calculated loan rate is higher than the then current level of average world prices for American cotton of the same quality, the Secretary is authorized to adjust the current calculated loan rate for cotton to 90 percent of the then current average world price. Section 103(e)(1) further requires the Secretary to determine the 3-year average price of American cotton in world markets annually pursuant to a published regulation specifying the procedures and factors to be used in making the world price determination. Such regulation was published in the FEDERAL REGISTER on August 22, 1973 (38 FR 22543).

(b) *Loan level and payment rate for ELS lint cotton.* Section 101(f) of the act (7 U.S.C. 1441(f)) requires that price support shall be made available to cooperators for the 1968 and each subsequent crop of ELS cotton, if producers have not disapproved marketing quotas therefor, through loans at a level which is not less than 50 percent or more than 100 percent in excess of the loan level established for Middling 1-inch upland cotton of such crop at average location in the United States (except that such loan level for ELS cotton shall in no event be less than 35 cents per pound). Section 101(f) also provides for price support payments at a rate which, together with the loan level established for such crop, shall be not less than 65 percent or more than 90 percent of the parity price for ELS cotton as of the month in which the payment rate provided for is announced. Section 401 of the act (7 U.S.C. 1421) requires that, in determining the level of support in excess of the minimum level prescribed for ELS cotton, consideration shall be given to the supply of the commodity in relation to the demand therefor, the price levels at which other commodities are being supported, the availability of funds, the perishability of the commodity, the importance of the commodity to agriculture, and the national economy, the ability to dispose of stocks acquired through a price support operation, the need for offsetting temporary losses of export markets, and the ability and willingness of producers to keep supplies in line with demand.

The following determinations are to be made pursuant to Section 5(a) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c):

(c) *Whether a seed cotton loan program should be offered.* The Department is not required to offer a seed cotton loan program. However, such a program was instituted by Commodity Credit Corporation for 1971-crop seed cotton and has been renewed each crop year since. The National Cotton Marketing Study Committee—joint industry-government committee established October 22, 1974, by the Secretary of Agriculture to make recommendations for improving the cotton marketing system—included in a recent preliminary report a recommendation that CCC continue to make seed cotton loans available, and that the Department and the cotton industry should emphasize the availability and merits of the program. The program is being reviewed to determine whether it should be continued for 1976 and maintained on a continuing basis for subsequent crops.

(d) *Loan levels for seed cotton if program offered.* Consideration is being given to the levels at which loans should be made available for seed cotton under the 1976 program.

Prior to making any of the foregoing determinations, consideration will be given to any data, views, and recommendations relative to these determinations which are submitted in writing to the Director, Grains, Oilseeds and Cotton Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be received by the Director not later than August 14, 1975. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Director during regular business hours (8:15 a.m. to 4:45 p.m.).

Signed at Washington, D.C., on July 14, 1975.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.75-18661 Filed 7-17-75;8:45 am]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 310a, 385]

[PDR-39; ODR-11; Docket 28083]

PRIVACY ACT OF 1974

Proposed Regulations and Authority Delegations

JULY 15, 1975.

Notice is hereby given that, for purposes of implementing the Privacy Act of 1974, the Civil Aeronautics Board has under consideration the issuance of notices of the existence and character of various systems of records which it maintains which contain information about

individuals, and the adoption of a proposed new Part 310a of the Procedural Regulations and proposed amendments to Part 385 of the Procedural Regulations governing or advising of access and procedures relating to these systems of records and to the systems of personnel records which it maintains which are covered by proposed notices issued by the Civil Service Commission of government-wide systems of personnel records.

The principal features of the proposals are described in the Explanatory Statement. The proposed new notices are set forth in the proposed Notices of System of Records [1] and the proposed new Part 310a and amendments to Part 385 are set forth in the proposed rules. The notices and rules are proposed under the authority of section 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 49 U.S.C. 1324, and sections 552a (e)(4) and (f) of the Privacy Act of 1974, 88 Stat. 1899, 5 U.S.C. 552a (e)(4) and (f).

Interested persons and individuals may participate in the proposed rule making through submission of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant material and comments received on or before August 18, 1975, will be considered by the Board before taking final action on the proposed rules. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C. upon their receipt.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

EXPLANATORY STATEMENT

The proposed notices, proposed Part 310a of the Procedural Regulations and proposed amendments to Part 385 of the Procedural Regulations are designed to implement the Privacy Act of 1974, Pub. L. 93–579, 5 U.S.C. 552a et seq.

The Privacy Act is intended to assist in protecting personal privacy through, among other things, permitting an individual to determine whether information which is personal to him, and to which access may be had by use of his name or some identifying number or symbol, is collected, maintained, used or disseminated by a Federal agency, and by imposing certain safeguards and restraints upon any such activity. To that end, agencies are required to publish notices of any "systems of records" which fall within the coverage of the Privacy Act and to establish procedures by which an individual may: (1) Ascertain whether there is a record pertaining to him in the system; (2) gain access to that record for purposes of correction or dispute; (3) obtain knowledge of its use within the agency and its possible or actual dissemination elsewhere.[2]

The Civil Service Commission has issued proposed notices of government-wide systems of personnel records on behalf of all agencies maintaining such records, and regulations specifying the manner in which the agencies shall permit access to them and take other actions required by the Privacy Act. Only a few of the remaining groups of records maintained by the Board are believed to comprise "systems of records" within the meaning of the Privacy Act. That Act is directed to individuals and personal information concerning them. The Board's activities relate primarily to the regulation of the air transportation system and the business enterprises which comprise that system. Its records contain information required for regulatory purposes and the records are maintained primarily in terms of the air carrier or other business entity to which they relate. While it is possible that an occasional such business may be a sole proprietorship, that fact neither affects the Board's regulatory jurisdiction nor results in record-keeping practices different from those followed with respect to corporations or other business organizations engaged in the same activity.[3] Further, access to the business information contained in the Board's records is gained for the most part through the name of the business entity rather than through individuals associated with that entity, even though some carrier reports may concern individuals or the carrier-indexed files may contain reports by individuals. The Board concludes in light of the guidelines issued by the Office of Management and Budget (Circular A–108, 40 FR 28949) that it is not expected or required to publish notices or promulgate new regulations under the Privacy Act concerning groups of records other than those which contain information which is personal in character and to which access is gained through the use of the name of the individual.

Other than for those systems of personnel records of which notice will be published by the Civil Service Commission, the attached proposed notices embrace all groups of records maintained by the Board to which access may be had through the name of an individual as opposed to a business entity.[4] While some of the information contained in these systems may not be personal in character, the proposed new Part 310a will permit the Board to deny any requests which might unduly complicate the Board's records if the information involved is not of a personal nature within the scope of the Act.

The Board has tentatively determined that it should exempt investigatory material compiled for law enforcement purposes from the provisions of sections 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f) of the Act as permitted by section 552a(k)(2). Those sections would otherwise require the Board to notify an individual of investigatory materials contained in a record pertaining to him, permit access to such record, permit requests for its correction (sections 552a (d), (e)(4) (G), (H), and (f)); make available to him any required accounting of disclosures made of the record (section 552a(c)(3)); publish the sources of the records in the system (section 552a(e)(4)(I)); and screen records to insure that there is maintained only such information about an individual as is relevant to accomplish a required purpose of the Board (section 552a(e)(1)).

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[1] CAB's notices pursuant to the Privacy Act will be published in the FEDERAL REGISTER for public comment at a later date. Time and place for submission of comments will be specified at that time. The text of the notices is available for public inspection at the Office of the Federal Register, 1100 St., NW., Rm. 8401, Washington, D.C.

[2] A "system of records" is a "group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual." Section 552a(a)(5).

[3] The applicability of the regulatory provisions of the Federal Aviation Act is determined by the activities of the "person" subject to regulation, and "person" is defined to encompass all forms of business entities including individuals. Section 101(27), 49 U.S.C. 1301(27).

[4] The records contained in the Board system of records covered by the proposed notice entitled "Employee payroll and leave and attendance records and files" consist of forms and information concerning Board employees required for payroll purposes and are of the nature of those which are believed to be customarily used throughout the government. Most of these records may be included within the government-wide systems of personnel records for which the Civil Service Commission has proposed to give notice, and the Board is proposing to issue its notice to avoid any possible failure to comply with the Privacy Act.

Because of the overlapping notices, the nature of the records involved, and the fact that proposed Civil Service Commission notices and regulations (Part 297) will require procedures different from those proposed by the Board for the other systems of records for which it proposes to give notice, the Board has determined that requests and actions concerning its "Employee payroll and leave and attendance records and files" should, to the extent possible, be processed and disposed of in the same manner and by the same persons who will process and dispose of requests relating to personnel records subject to the Commission's requirements. Consequently, the Board proposes to designate the Director, Office of Personnel, as the responsible official to make initial determinations concerning requests involving payroll and leave and attendance records, and to provide that such requests shall be governed to the extent feasible by the same requirements which are applicable to requests relating to records contained in the systems of records governed by Civil Service Commission requirements. While appeals from initial adverse determinations involving Commission-prescribed personnel records are to be taken to the Commission and those from initial adverse determination involving Board-prescribed personnel records are to be taken within the Board, the Director of Personnel will advise the individual of the proper channel of appeal at the time of any appealable adverse action by him.

The investigatory materials compiled for law enforcement purposes contain unsolicited information from sources outside the Board as well as materials obtained by Board investigators, and this latter material in turn may include unverified information. The use of investigatory material is subject to due process and statutory procedural requirements,[5] and disclosure of the existence and identity of sources of information would hamper law enforcement by prematurely disclosing the knowledge of illegal activity and the evidentiary bases for possible enforcement actions. Access to an accounting of disclosures of such records would have a similar detrimental effect on law enforcement. In addition, screening for relevancy to Board purposes, and correction or attempted correction of such materials could require excessive amounts of time and effort on the part of all concerned. Accordingly, the Board tentatively finds that the public interest and public policy in maintaining an effective enforcement program requires exemption from the stated sections of the Act with respect to investigatory materials compiled for law enforcement purposes and from the requirements of Part 310a.

PROPOSED RULES

The Board proposes to adopt the notices of systems of records (to be published at a later date) containing information about individuals. The Board also proposes to adopt a new Part 310a of the Procedural Regulations and to attend Part 385 of the Organization Regulations as hereinafter set forth.

1. Add a new Part 310a of the Procedural Regulations to read as follows:

PART 310a—ACCESS TO SYSTEMS OF RECORDS—REGULATIONS AND EXEMPTIONS IMPLEMENTING THE PRIVACY ACT OF 1974

Sec.

AUTHORITY: Pub. L. 93-579, secs. 552a (f) and (k); 5 U.S.C. 552a (f) and (k).

§ 310a.1 Purpose and scope.

(a) This regulation is published pursuant to the Privacy Act of 1974, Pub. L. 93-579, sections 552a (f) and (k), 5 U.S.C. 552a (f) and (k) (hereinafter the "Privacy Act"). It (1) establishes or advises of procedures whereby an individual can (i) request notification of whether the Board maintains or has disclosed a record pertaining to him in any nonexempt system of records, (ii) request a copy or other access to such a record or to an accounting of its disclosure, (iii) request that the record be amended and (iv) appeal any initial adverse determination of any such request; and (2) Specifies those systems of records which the Board has determined to exempt from the procedures established by this regulation and from certain provisions of the Privacy Act.

(b) The procedures specified by this Part 310a apply only to a request by an individual. Except as otherwise provided, they govern only records containing personal information maintained in (1) systems of records of which notice has been published by the Board in the FEDERAL REGISTER pursuant to section 552a(e)(4) of the Privacy Act of 1974 and which have not been exempted from the provisions of this regulation, and (2) those records contained in such systems of records which are not contained in government-wide systems of personnel records of which notice has been published in the FEDERAL REGISTER by the Civil Service Commission.[1a] Requests for notification, access and amendment of personnel records maintained by the Board which are contained in systems of records of which notice has been given by the Civil Service Commission are governed by the Commission's notices, Part 297 of the Commission's regulations (5 CFR Part 297), and internal Board directives established pursuant to the Commission's regulations, and information concerning these procedures may be obtained from the Director, Office of Personnel, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428.[2] Access to records maintained by the Board which are not subject to the requirements of the Privacy Act is governed by Part 310 of this chapter (14 CFR Part 310).[3]

§ 310a.2 Definitions.

As used in this part:

"Individual" means a natural person who is a citizen of the United States or an alien lawfully admitted for permanent residence.

"Record" means any item of personal information relating to an individual as opposed to information concerning a business entity or activity.

"System of records" means a grouping of records maintained by the Board of which notice has been published by the Board in the FEDERAL REGISTER pursuant to section 552a(e)(4) of the Privacy Act of 1974.

§ 310a.3 Procedures for requests pertaining to individual records in a record system.

(a) For records in a system of records of which notice has been given by the Board other than the system entitled "Employee payroll and leave and attendance records and files—CAB," an individual wanting to (1) obtain notification of whether the Board maintains a record pertaining to him in such a system, (2) obtain notification of whether and to whom the Board has disclosed a record for which an accounting of dis-

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[5] These include the proviso of section 552a (k)(2) that when exemption is provided for investigatory materials, "• • • if any individual is denied any right, privilege, or benefit that he would otherwise be entitled by Federal law, or for which he would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence."

[1a] Notwithstanding these limitations, any individual who believes himself to be entitled to notice or access to Board records or action concerning them which is not provided by this regulation may obtain a determination as to such entitlement by a request conforming to the requirements of this part.

[2] Most, if not all, of the records in the Board system "Employee payroll and leave and attendance records and files—CAB" appear to be included in the government-wide systems of personnel records for which the Civil Service Commission has given notice. In view of this overlap, this regulation provides that the Civil Service requirements and procedures for notification and access to records maintained in the government-wide systems of personnel records shall apply to records within the system "Employee payroll and leave and attendance records and files—CAB" and establishes other requirements and procedures relating to this system of records, including ones relating to requests for correction or amendment of records in the system, which accord with those applicable to records maintained in government-wide systems.

[3] The Board requires reports from air carriers and other persons which contain information concerning individuals but which are not maintained in "systems of records" within the meaning of the Privacy Act since such records are neither maintained in nor is access gained to them by the name of an individual or by some identifying particular or number assigned to an individual. Rather, their maintenance and access is by name of the air carrier or other business entity to which the information relates. They include the following public records: Reports filed pursuant to 14 CFR Part 241 of the names and adresses of persons holding more than 5% of the issued and outstanding capital stock of certificated air carriers, reports of compensation and expenses of air carrier general officers, directors, and management personnel receiving $20,000 or more per year for personal services, and reports of compensation and expenses of other persons receiving $5,000 or more per year; reports filed pursuant to 14 CFR 245 and 246 of ownership of stock by officers, directors and affiliates of air carriers; and reports filed pursuant to 14 CFR 374 with respect to extensions of credit by air carriers for transportation provided to political candidates or persons acting on behalf of candidates.

closure is required to be kept and made available to him, (3) obtain a copy of a record pertaining to him or the accounting of its disclosure, (4) review a record pertaining to him or the accounting of its disclosure with or without a person of his own choosing to accompany him, shall mail or deliver a request therefor to the Office of the Secretary, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, D.C. 20428. Such request shall be in writing, shall ocntain the printed or typewritten name of the individual to whom the records pertains, and if filed by the parents of any minor or the legal guardian of any incompetent person, the printed or typewritten name of the parent or legal guardian and a statement of the relationship between such person and the individual to whom the record pertains, and the signature of the individual making the request and the address to which a reply should be sent. Each request shall state the nature of the information or action desired, and shall identify to the extent feasible the record and system of records which are the subject of the request.

(b) For records in the system of records entitled "Employee payroll and leave and attendance records and files—CAB," an individual wanting to (1) obtain notification of whether the Board maintains a record pertaining to him in system of records, (2) obtain notification of whether and to whom the Board has disclosed a record for which an accounting of disclosure is required to be kept and made available to him, (3) obtain a copy of a record pertaining to him or the accounting of its disclosure, (4) review a record pertaining to him or the accounting of its disclosure with or without a person of his own choosing to accompany him, shall make a request therefor to the Director, Office of Personnel, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, DC 20428. Such request may be made orally or in writing, shall state the nature of the information or action desired, and shall identify the record which is the subject of the request. If the request is in writing, it shall contain the printed or typewritten name of the individual to whom the record pertains, and, if filed by the parent of any minor or the legal guardian of any incompetent person, the printed or typewritten name of the parent or legal guardian and a statement of the relationship between such person and the individual to whom the record pertains, and the signature of the individual making the request and the address to which a reply should be sent. The Director, Office of Personnel, shall determine such requests and take action concerning them in accordance with the requirements and procedures specified by Part 297 of the regulations of the Civil Service Commission (5 CFR Part 297) and Board directives thereunder for the determination and action upon requests pertaining to records maintained by the Board which are contained in government-wide systems of personnel records of which the Civil Service Commission has given notice, and shall advise the individual whether an appeal of any adverse determination by him may be appealed within the Board as specified in § 310a.9.[4]

§ 310a.4 Times, places, and requirements for identification of individuals making requests.

Verification of identity of persons making written requests to the Secretary ordinarily will not be required. The signature upon such requests shall be deemed to be a certification by the person signing that he is the individual to whom the record pertains or the parent of a minor or the duly appointed legal guardian of the individual to whom the record pertains. The Secretary may, however, require additional verification of identity as specified by him in any instance in which he deems it advisable.

§ 310a.5 Disclosure of requested information to individuals.

(a) Responses to requests pursuant to § 310a.3(a) will be made by the Secretary with reasonable dispatch. An acknowledgment of the request will normally be sent within 10 days (excluding Saturdays, Sundays and legal public holidays) of its receipt and will indicate when the requested notification or disclosure will be sent, when and where the records will be available for personal inspection, and if a copy of a record has been requested, the number of pages the Board will copy to comply with the individual's request and that the copy will be mailed to the individual or held at the Board for the individual upon receipt of a check or money order payable to the Board for the sum due for copying these documents.

(b) The Secretary shall notify the individual in writing with respect to any adverse determination of a request pursuant to § 310a.3(a), shall specify the reasons therefor, and shall advise of the procedure for appealing such adverse determination to the Managing Director as specified in § 310a.9.

§ 310a.6 [Reserved]

§ 310a.7 Request for correction or amendment to record.

(a) An individual may request amendment of a record pertaining to him in a system of records subject to this part by mailing or delivering to Director, Office of Personnel, a written request concerning "Employee payroll and leave and attendance records and files—CAB" and to the Secretary a written request concerning all other systems of records maintained by the Board. Such written request shall conform to the requirements of § 310a.3 and shall also state the nature of the information in the record the individual believes to be unnecessary, inaccurate, irrelevant, untimely, or incomplete and the amendment desired, and shall state concisely the reasons therefor.

§ 310a.8 Agency review of request for correction or amendment to record.

(a) Not later than 10 days (excluding Saturdays, Sundays and legal public holidays) after the date of receipt of a request to amend a record, the Secretary or the Director, Office of Personnel, shall acknowledge in writing such receipt and, if a determination has not been made, inform the individual when he may expect to be advised of action taken on the request.

(b) If the Secretary or the Director, Office of Personnel, determines not to grant all or any portion of the request to amend a record, he shall notify the individual in writing and shall specify the reasons therefor, and shall advise of the procedure for appealing such adverse determination to the Managing Director, as specified in § 310a.9, or to the appropriate Civil Service Commission official.

§ 310a.9 Appeal of initial adverse agency determination on correction, or amendment or other request.

(a) Not more than 10 days (excluding Saturdays, Sundays and legal public holidays) after receipt by an individual (1) of an adverse determination by the Secretary concerning any request made under this part, or (2) of an adverse determination by the Director, Office of Personnel, which is subject to appeal within the Board, the individual may appeal to the Managing Director who has been delegated authority by the Chairman to make determinations on such appeals. The appeal shall be by letter, mailed or delivered to the Office of the Managing Director, Civil Aeronautics Board, 1825 Connecticut Avenue, NW., Washington, DC 20428. The letter shall identify the records involved in the same manner as they were identified to the Secretary or the Director, Office of Personnel, shall indicate the dates of the request and adverse determination, and shall indicate the expressed basis for that determination. In addition, the letter of appeal shall state briefly and succinctly the reasons why the adverse determination should be reversed.

(b) The Managing Director shall either determine the appeal or, at his discretion, pass the matter to the Board for its determination. Such determination shall be made not later than 30 days (excluding Saturdays, Sundays and legal public holidays) from the date the individual's letter of appeal is received, unless the Chairman, for good cause shown, extends such 30-day period. If the 30-day period is so extended, the individual shall be notified of the reasons for the extension and the date on which a final determination may be expected.

(c) If the Managing Director or the Board determines that the adverse determination should be reversed, appropriate action shall be taken and the individual shall be notified in writing of that action. If the Managing Director or the

[4] Requirements for requests or actions concerning personnel records of which notice has been given by the Civil Service Commission and which have been made applicable by this regulation to "Employee payroll and leave and attendance records and files—CAB" are specified in applicable Civil Service Regulations and Board directives and information concerning them may be obtained from the Director, Office of Personnel.

Board determines that the adverse determination will not be reversed, the individual shall be notified in writing of that determination, the reasons therefor, and of his right to seek judicial review of the decision pursuant to section 552a(g) of the Privacy Act, 5 U.S.C. 552a(g). If the adverse determination sustained by the Managing Director or the Board denies a request to amend a record, the individual shall also be advised of his right to file a concise statement of his reasons for disagreeing with the refusal to amend which may contain information which the individual believes should be substituted. Such statements shall ordinarily not exceed one page and the Board reserves the right to reject statements of excessive length. Such statements shall be filed with the Secretary within 30 days (excluding Saturdays, Sundays and legal public holidays) of notification of the refusal to amend a record.

(d) A decision by either the Managing Director or the Board pursuant to paragraph (c) of this section is final and will not be subject to petition for reconsideration. It is subject to judicial review in the district court of the United States in which the complainant resides, or has his principal place of business, or in which the Board records are situated, or in the District of Columbia.

§ 310a.10 Disclosure of record to person other than the individual to whom it pertains.

(a) Except as provided by section 552a (b) of the Privacy Act, 5 U.S.C. 552a(b), the written request or prior written consent of the individual to whom a record pertains, or of his parent if a minor, or legal guardian if incompetent, shall be required before such record is disclosed.

(b) If the individual elects to inspect a record in person and desires to be accompanied by another person, the individual shall present to the Secretary or Director, Office of Personnel, a signed statement by him authorizing his record to be disclosed in the presence of the accompanying named person.

§ 310a.11 Fees.

No fees will be charged for the first copy of a record contained in the system of records entitled "Employee payroll and leave and attendance records and files—CAB". The appropriate fees for additional copies of records contained in such system, and for copies or records contained in other systems of records of which notice has been given by the Board, are set forth in Part 389 of this chapter.

§ 310a.12 Penalties.

Title 18 U.S.C. Sec. 1001, Crimes and Criminal Procedures, makes it a criminal offense, subject to a maximum fine of $10,000 or imprisonment for not more than 5 years or both, to knowingly and willfully make or cause to be made any false or fraudulent statements or representations in any matter within the jurisdiction of any agency of the United States. Section 552a(i)(3) of the Privacy Act, 5 U.S.C. 552a(i)(3) makes it a misdemeanor, subject to a maximum fine of $5,000, to knowingly and willfully request or obtain any record concerning an individual under false pretenses. Section 552a(i)(1) and (2) of the Privacy Act, 5 U.S.C. 552a(i)(1) and (2) provide penalties for violations by agency employees of the Privacy Act or regulations established thereunder.

§ 310a.13 [Reserved]

§ 310a.14 Specific exemptions.

Pursuant to subsection (k) of the Privacy Act (5 U.S.C. 552a(k)), the following system of records is exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of section 552a of that Act, and from the provisions of this part:

(a) Investigatory material compiled for law enforcement purposes—CAB.

PART 385—DELEGATIONS AND REVIEW OF ACTION UNDER DELEGATION—NONHEARING MATTERS

2. Amend § 385.12 by adding a new paragraph (e), to read as follows:

§ 385.12 Delegation to the Managing Director.

* * * * *

(e) Receive and determine appeals from adverse determinations by the Secretary or the Director, Office of Personnel, of requests under the Privacy Act of 1974, Pub. L. 93-579, section 552a, 5 U.S.C. 552a, and Part 310a of the Board's Procedural Regulations.

3. Add a new § 385.24 to read as follows:

§ 385.24 Delegation to the Secretary.

The Board hereby delegates to the Secretary the authority to:

(a) Receive and determine pursuant to the Privacy Act of 1974, Pub. L. 93-579, section 552a, 5 U.S.C. 552a and Part 310a of the Board's Procedural Regulations, requests for notification, accounting of disclosure, inspection and amendment of records contained in a system of records of which the Board has published notice other than the system of records entitled "Employee payroll and leave and attendance records and files—CAB".

4. Add a new § 385.25 to read as follows:

§ 385.25 Delegation to the Director, Office of Personnel.

The Board hereby delegates to the Director, Office of Personnel, the authority to:

(a) Receive and determine pursuant to the Privacy Act of 1974, Pub. L. 93-579, section 552a, 5 U.S.C. 552a, and Part 310a of the Board's Procedural Regulations, requests for notification, accounting of disclosure, inspection and amendment of records contained in the system of records entitled "Employee payroll and leave and attendance records and files—CAB".

(b) Receive and determine pursuant to the Privacy Act of 1974, Pub. L. 93-579, section 552a, 5 U.S.C. 552a and Part 297 of the Civil Service Commission Regulations, 5 CFR Part 297, requests for notification, accounting of disclosure, inspection and amendment of records contained in government-wide systems of personnel records maintained by the Board of which the Civil Service Commission has given notice.

[FR Doc.75-18697 Filed 7-17-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 402-4]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Iowa: Approval of Compliance Schedules

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved portions of State plans for implementation of the national ambient air quality standards. The State of Iowa submitted to the Environmental Protection Agency compliance schedules to be considered as proposed revisions to the approved plans pursuant to 40 CFR 51.6. 40 CFR 51.8 requires the Administrator to approve or disapprove compliance schedules submitted by the states. Therefore, the Administrator proposes the approval of the compliance schedules listed below.

The approvable schedules were adopted by the State and submitted to the Environmental Protection Agency after notice and public hearings in accordance with the procedural requirements of 40 CFR 51.4 and 51.6 and the substantive requirements of 40 CFR 51.15 pertaining to compliance schedules. The compliance schedules have been reviewed and determined to be consistent with the approved control strategies of Iowa. Each approved revision establishes a new date by which the individual source must comply with the applicable emission limitation in the federally-approved State Implementation Plan. This date is indicated in the table below, under the heading "Final Compliance Date." In all cases, the schedules include incremental steps toward compliance with the applicable emission limitations. While the tables below do not include these interim dates, the actual compliance schedules do.

Under Iowa law, the compliance schedule is not enforceable after the date on which the associated variance expires and variances cannot extend for more than one year. Therefore, to the extent that the schedules extend past the variance expiration date, they are not legally enforceable at this time. For this reason, EPA's approval of each compliance schedule will be unconditional only as to that part of the schedule covered by the initial variance. Approval of the remainder of the schedule will be conditioned upon the State's renewal of the variance in identical form

and substance to that included in the schedule submitted to the Environmental Protection Agency and approved herein. If the variance is renewed in this manner, the condition precedent will be satisfied and the approval of the next segment of the schedule would not require further action by the State or this Agency. If the variance is not renewed, or is modified from the version that had been federally-approved, the condition will not be fulfilled, the approval of the remainder of the schedule would not be effective, and the State's immediately-effective regulation would again become federally enforceable.

Provisional approval of final compliance dates and extensions of variances is justifiable only because of the one-year variance limitation in the law of Iowa. Since there will be no substantive changes in the schedules set forth below and public hearings were held on the complete schedule, there is no reason to require compliance with 40 CFR 51.6 procedures at the time Iowa renews each variance. The schedules were immediately effective on the date of adoption. An "Effective Date" is not indicated on the table. The "Variance Expiration Date" is included instead.

The following schedules are new proposals; the remainder have been revised and are being reproposed. The new schedules are: Judd Brown Construction Company, Forest City; and Marquette Cement Mfg. Company, Des Moines.

In the indication of proposed approval of individual compliance schedules, the individual schedules are included by reference only. In addition, since the large number of compliance schedules preclude setting forth detailed reasons for approval of individual schedules in the FEDERAL REGISTER, an evaluation report has been prepared for each individual compliance schedule. Copies of these evaluation reports are available for public inspection at the Environmental Protection Agency Regional Office, 1735 Baltimore, Kansas City, Missouri. The compliance schedules and the State Implementation Plans are available for public inspection at the Environmental Protection Agency Regional Office; Environmental Protection Agency, Division of Stationary Source Enforcement, 401 M Street, SW., Washington, D.C.; and the Iowa Department of Environmental Quality, 3920 Delaware, Des Moines, Iowa.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the Region VII office at the above address. All comments submitted on or before August 18, 1975, will be considered. Receipt of comments will be acknowledged but substantive responses will not be provided. All comments received, as well as copies of the applicable implementation plans, will be available for inspection during normal business hours at the Regional Office.

The proposed rulemaking is issued under authority of section 110(a) of the Clean Air Act, as amended, 42 U.S.C. 1857c-5.

Dated: July 10, 1975.

CHARLES V. WRIGHT,
Acting Regional Administrator.

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

Subpart O—Iowa

1. In § 52.825, the table in paragraph (c) is amended as follows:

§ 52.825 Compliance schedules.

* * * * * * *

(c) * * *

(1) * * *

IOWA

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance date
* * * * * * *					
Grain Processing Corp.: Second stage flash dryers Nos. 83 and 84.	Muscatine	4.4(6)	June 12, 1975	July 31, 1975	July 31, 1975
Judd Brown Construction Co.: Turbulent mass asphalt plant.	Forest City	4.4(2)	do	June 30, 1975	June 30, 1975
Marquette Cement Manufacturing Co.:	Des Moines				
Clinker cooler discharge		4.3(2)a	do	May 30, 1975	May 30, 1975
Storage silo vents		4.3(2)a	do	do	Do.
Clinton Corn Processing: Nos. 3 and 4 coal-fired Raymond feed dryers.	Clinton	4.4(7)	do	July 31, 1975	July 31, 1975
Duke Ready-Mix, Inc.: Concrete batching plant.	Des Moines	4.4(11)	do	June 1, 1975	June 1, 1975
Gra-Iron Foundry Corp.: Foundry cupola.	Marshalltown	4.4(4)	do	June 30, 1975	June 30, 1975
Hawkeye Chemical Co.: Prill tower and prill tower evaporator.	Clinton	4.3(2) a and d.	do	July 31, 1975	July 31, 1975
Inland Mills Co. (Division of ADM Milling Co.):	Des Moines.				
System C		4.4(7)	do	June 15, 1975	June 15, 1975
Systems A and B		4.4(7)	do	May 1, 1975	May 1, 1975
Muscatine Power and Water:	Muscatine.				
Boilers Nos. 5 and 6		4.3(2)b	do	June 15, 1975	June 15, 1975
Boiler No. 7		4.3(2)b	do	May 15, 1975	May 15, 1975
The Pillsbury Co. (Grain Division): Cyclones.	Council Bluffs	4.4(7)	do	do	Do.
Scoular-Welsh Grain Co.: Cyclone and grain handling.	do	4.4(7)	do	May 30, 1975	May 30, 1975
Slyver Steel Castnig Co.: Shakeout area for furnaces.	Bettendorf	4.3(2) a and d.	do	Mar. 31, 1975	Mar. 31, 1975
Talbot-Carlson, Inc	Audobon	4.4(6)	do	May 1, 1975	May 1, 1975
Avoca Alfalfa Milling Co.: Alfalfa dehydrating.	Avoca	4.3(2)a	do	May 15, 1975	May 15, 1975
Katelman Foundry, Inc.: Foundry cupola.	Council Bluffs	4.3(2) a and d.	do	July 31, 1975	July 31, 1975
Farmers Cooperative Co.: Grain storage silo vents.	Hinton	4.4(6)	do	do	Do.
Wertz Feed Products, Inc.: Feed mill cyclones.	Sioux City	4.4(6)	do	do	Do.
Iowa Southern Utilities Co. (Bridgeport Station):	Eddyville				
Boiler No. 2		4.3(2)b	do	June 1, 1975	June 1, 1975
Boiler No. 3		4.3(2)b	do	June 15, 1975	June 15, 1975
The Dexter Co.: Foundry cupola	Fairfield	4.4(4)	do	July 1, 1975	July 1, 1975
Norris Construction Co.: Asphalt Plant No. 261.	Mount Pleasant	4.4(2)	do	May 15, 1975	May 15, 1975
The Greyhound Corp. (Division of Armour & Co.): Boilers 1, 3, 4, and 5.	Mason City	4.3(2)b	do	July 31, 1975	July 31, 1975

[FR Doc.75-18611 Filed 7-17-75;8:45 am]

[40 CFR Part 52]

[FRL 402-5]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Kansas: Approval and Disapproval of Compliance Schedules

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved portions of State plans for implementation of the national ambient air quality standards, and on September 22, 1972, in the FEDERAL REGISTER (37 FR 19809), the Administrator promulgated § 52.876 Compliance Schedules as a part of the Kansas Implementation Plan.

The State of Kansas submitted to the Environmental Protection Agency compliance schedules as variances and enforcement orders to be considered as proposed revisions to the approved plans pursuant to 40 CFR 51.6 and 40 CFR 51.7 (d) (2). 40 CFR 51.8 requires the Administrator to approve or disapprove compliance schedules submitted by the States. Therefore, the Administrator proposes the approval and disapproval of the compliance schedules listed below.

The approvable schedules were adopted by the States and submitted to the Environmental Protection Agency after notice and public hearings in accordance with the procedural requirements of 40 CFR 51.4, 51.6, and 51.7(d) (2), and the substantive requirements of 40 CFR 51.15 pertaining to compliance schedules. The compliance schedules have been reviewed and determined to be consistent with the approved control strategies of Kansas.

Each approved revision establishes a new date by which the individual source must comply with the applicable emission limitation in the federally approved

State Implementation Plan. This date is indicated in the table below, under the heading "Final Compliance Date."

The schedules proposed to be disapproved in this notice fail to meet the requirements of 40 CFR 51.15(b)(1), in that the compliance schedules extend beyond the attainment date in the State Implementation Plan.

In the indication of proposed approval and disapproval of individual compliance schedules, the individual schedules are included by reference only. In addition, since the large number of compliance schedules preclude setting forth detailed reasons for approval or disapproval of individual schedules in the FEDERAL REGISTER, an evaluation report has been prepared for each individual compliance schedule. Copies of these evaluation reports are available for public inspection at the Environmental Protection Agency Regional Office, 1735 Baltimore, Kansas City, Missouri. The compliance schedules proposed to be approved or disapproved, and the State Implementation Plans are available for public inspection at the Environmental Protection Agency Regional Office; the Environmental Protection Agency, Division of Stationary Source Enforcement, 401 M Street, SW., Washington, D.C.; and the Kansas State Department of Health and Environment, Forbes Air Force Base, Building 740, Topeka, Kansas.

Interested persons may participate in this rulemaking by submitting written comments in triplicate to the Region VII Office at the above address. All comments submitted on or before August 18, 1975, will be considered. All comments received, as well as copies of the applicable implementation plans, will be available for inspection during normal business hours at the Regional Office.

This proposed rulemaking is issued under the authority of section 110(a) of the Clean Air Act, as amended, 42 U.S.C. 1857c-5.

Dated: July 10, 1975.

CHARLES V. WRIGHT,
Acting Regional Administrator.

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

Subpart R—Kansas

1. In § 52.876, the table in paragraph (c)(1) is amended by adding the following:

§ 52.876 Compliance schedules.

(c) * * *
(1) * * *

KANSAS

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
*	*	*	*	*	*
Deitz-Hill Development: Primary and secondary crusher.	Olathe	28-19-20	May 23, 1975	Immediately	July 31, 1975
Jay-Tee Construction Co.: Rock crusher.	Ottawa	28-19-20	do	do	Do.
Northern Natural Gas: Gas processing facility.	Holcomb	28-19-45	do	do	Do.
U.S.D. No. 387: Altoona Elementary incinerator.	Buffalo	28-19-40	do	do	Do.
Cross Alfalfa Products: Hammermill	Lewis	28-19-50A	do	do	Do.
Farmer's Union Cooperative Association: Hammermill.	Clay Center	28-19-50A	do	do	June 15, 1975
Hi-Plains Cooperative Association: Grain elevator.	Colby	28-19-50A	do	do	June 1, 1975

2. In § 52.876, the table in paragraph (c)(2) is amended by adding the following:

§ 52.876 Compliance schedules.

(c) * * *
(2) * * *

Source	Location	Regulation involved	Date adopted
*	*	*	*
Empire Dist. Electric Co.: Boilers Nos. 7 and 8	Riverton	28-19-31C	May 23, 1975
Gulf Oil Chemicals Co.: Coal-fired boiler	Pittsburg	28-19-31	Do.
Kansas City Power & Light: Main boiler	La Cygne	28-19-31B	Do.
Mid-America Dairymen: Spray dryers Nos. 1 and 2	Sabetha	28-19-20	Do.
Tower Metal Products: Reverberatory furnace C	Fort Scott	28-19-50A	Do.
U.S. Steel—Universal Atlas Cement:	Independence.		
Clay storage bin		28-19-50A	Do.
Stone storage bin		28-19-50A	Do.
Krupp Ball Mill No. 2		28-19-50A	Do.
Krupp Ball Mill No. 3		28-19-50A	Do.

[FR Doc.75-18610 Filed 7-17-75;8:45 am]

[40 CFR Part 180]

[FRL 401-7; OPP-300005]

CERTAIN INERT INGREDIENTS IN PESTICIDE FORMULATIONS

Proposed Exemptions from Requirement of a Tolerance

In accordance with the provisions of section 408(e) of the Federal Food, Drug, and Cosmetic Act, the Administrator, Environmental Protection Agency (EPA), is upon his own initiative proposing to establish a regulation to exempt certain additional inert (or occasionally active) ingredients in pesticide formulations from tolerance requirements. Based on available information on the chemistry and toxicity of these substances, as well as a review of the history of use, it has been found that when used in accordance with good agricultural practice these substances are useful as adjuvants and do not pose a hazard. The amendment to the regulation (40 CFR 180.1001) will protect the public health.

Any person who has registered or submitted an application for the registration of a pesticide under the Federal Insecticide, Fungicide, and Rodenticide Act which contains any of the ingredients listed herein may request, on or before August 18, 1975, that this proposal be referred to an advisory committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Interested persons are invited to submit written comments on the proposed regulation to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, Room 401, East Tower, 401 M Street, SW, Washington DC 20460. Three copies of the comments should be submitted to facilitate the work of the Agency and others interested in inspecting them. The comments must be received on or before August 18, 1975, and should bear a notation indicating the subject (OPP-300005). All written comments filed pursuant to this notice will be available for public inspection in the Office of the Federal Register Section from 8:30 a.m. to 4 p.m. Monday through Friday.

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

Dated: July 11, 1975.

JOHN B. RITCH, Jr.,
Director, Registration Division.

It is proposed that Part 180, § 180.1001, be amended by (1) revising the item "Castor oil * * *" in paragraphs (c) and

(e), the item "Dodecylphenol * * *" in paragraph (d), and the item "Sodium monoalkyl * * *" in paragraph (c); (2) deleting the items "Calcium chloride * * *" and "Octyl and decyl * * *" from paragraph (d); (3) alphabetically inserting new items in paragraphs (c), (d), and (e); and (4) making the consequent editorial changes, as follows:

* * * * *

§ 180.1001 Exemptions from the requirement of a tolerance.

(c) * * *

Inert ingredients	Limits	Uses
* * * * * * *		
Calcium chloride		Stabilizer.
Calcium citrate		Solid diluent, carrier.
* * * * * * *		
Castor oil, polyoxyethylated; the poly(oxyethylene) content averages 5-54 moles.		Surfactants, related adjuvants of surfactants.
* * * * * * *		
Dodecylbenzenesulfonic acid, amine salts		Surfactants, related adjuvants of surfactants.
* * * * * * *		
Hexamethylenetetramine	For use in citrus washing solutions only at not more than 1 percent.	Preservative.
* * * * * * *		
Octyl and decyl glucosides mixture with a mixture of octyl and decyl oligosaccharides and related reaction products (primarily n-decanol) produced as an aqueous-based liquid (68-72 percent solids) from the reaction of straight chain alcohols (C_8(45 percent), C_{10}(55 percent)) with anhydrous glucose.		Surfactants, related adjuvants of surfactants.
* * * * * * *		
Polyglycerol esters of fatty acids conforming to title 21, sec. 121.1120.		Surfactants, related adjuvants of surfactants.
* * * * * * *		
Poly(vinylpyrrolidone); molecular weight 40,000 or over		Surfactants, related adjuvants of surfactants.
* * * * * * *		
Sodium monoalkyl and dialkyl (C_8-C_{18}) phenoxybenzene disulfonate mixtures containing not less than 70 percent of monoalkylated product.		Surfactants, related adjuvants of surfactants.
Sodium mono- and dimethyl naphthalene sulfonates, molecular weight 245-260.		Surfactants, related adjuvants of surfactants.
* * * * * * *		
Zinc sulfate (basic and monohydrate)		Solid diluent, carrier.

(d) * * *

Inert ingredients	Limits	Uses
* * * * * * *		
Acrylamide-acrylic acid resins		Thickeners.
Acrylamide-sodium acrylate resins		Do.
* * * * * * *		
Barium sulfate		Carrier.
* * * * * * *		
Coffee		Attractant.
* * * * * * *		
Dodecylphenol		Coupling agent in emulsifier.
* * * * * * *		
Isobutylene-butene copolymers	For soil application only	Binder.
* * * * * * *		

(e) * * *

Inert ingredients	Limits	Uses
Acetylated lanolin alcohol		Moisturizer.
* * * * * * *		
Calcium chloride		Stabilizer.
* * * * * * *		
Castor oil, polyoxyethylated; the poly(oxyethylene) content averages 5-54 moles.		Surfactants, related adjuvants of surfactants.
Dodecylbenzenesulfonic acid, amine salts		Do.
* * * * * * *		
Octyl and decyl glucosides mixture with a mixture of octyl and decyl oligosaccharides and related reaction products (primarily n-decanol) produced as an aqueous-based liquid (68-72 percent solids) from the reaction of straight chain alcohols (C_8(45 percent), C_{10}(55 percent)) with anhydrous glucose.		Surfactants, related adjuvants of surfactants.
* * * * * * *		

[FR Doc.75-18612 Filed 7-17-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 20544; RM-2478]

FM BROADCAST STATIONS

Table of Assignments; Billings, Montana

1. *Petitioner, Proposal and Comments.* (a) Petition for rule making, filed July 16, 1974, by Mattco Inc., licensee of AM Station KOOK, Billings, Montana, proposing the assignment of Channel 275 to Billings as a fourth FM assignment.

(b) The channel may be assigned without affecting any existing FM assignments.

2. *Demographic Data.* (a) *Location*—Billings, the seat of Yellowstone County, is located approximately 220 miles south of the Canadian-United States border and approximately 175 miles southeast of Great Falls, Montana.

(b) *Population* (1970 U.S. Census)—Billings—61,581; Yellowstone County—87,367. Billings is included in the Billings Urbanized Area (pop. 71,197) and the Billings SMSA (made up of Yellowstone County) (pop. 87,367).

(c) *Present aural services*—Local service is provided by 5 AM stations—KBMY (Class IV, unlimited-time); KGHL (Class III, unlimited-time); KOOK (Class III, unlimited-time), licensed to petitioner; KOYN (Class III, daytime-only); KURL (Class II, daytime-only) and 3 FM stations—KOYN-FM (Channel 227); KURL-FM (Channel 246) and KBMS (Channel 253).

(d) *Economic considerations*—Petitioner has submitted a local economic study for Billings, Montana which states that Billings is the largest city in Montana and the major trade center for southeastern Montana and northern Wyoming. We are also told that coal mining and related power development has had a significant impact in southeastern Montana recently and will, in the future, serve as an economic catalyst for the entire area. In addition, petitioner notes that Billings has experienced a 16.5 percent growth in population between 1960 and 1970 according to the 1970 United States Census. These factors could justify the assignment of an additional FM channel to Billings.

3. *Preclusion considerations.* Preclusion will occur on Channels 272A, 273, 277 and 278 covering a radius of 65 miles. There are no cities in this precluded area with populations over 5,000 persons. Additional preclusion would occur on Channels 274, 275 and 276A affecting areas which include 5 cities with populations greater than 10,000 persons. All 5 cities in these areas have adequate local FM service according to our population criteria for assignment of FM channels.[1]

[1] See Further Notice of Proposed Rule Making in Docket No. 14185, 27 FR 7797 (1962), and incorporated by reference in paragraph 25 of the Third Report, Memorandum Opinion and Order (40 F.C.C. 747, 758 (1963)); Melbourne and Satellite Beach, Florida, 47 F.C.C. 2d 717 (1974).

We note that should any cities in the above precluded areas express an interest in additional FM channels for their communities, a number of assignments could be made.

4. Since Billings is within 250 miles of the Canada-United States border, this proposal is subject to Canadian approval under the provisions contained in the Working Agreement of the Canada-United States FM Agreement of 1947.

5. In view of the above, the Commission proposes to amend the FM Table of Assignments, § 73.202(b) of the Commission's rules and regulations with regard to Billings, Montana, as follows:

City	Channel No.	
	Present	Proposed
Billings, Mont.....	227, 246, 253	227, 246, 253, 275

6. The Commission's authority to institute rule making proceedings; showings required; cut-off procedures; and filing requirements are contained in the attached Appendix and are incorporated herein.

7. Interested parties may file comments on or before September 2, 1975, and reply comments on or before September 22, 1975.

Adopted: July 9, 1975.

Released: July 14, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

APPENDIX

1. Pursuant to authority found in sections 4(i), 5(d)(1), 303 (g) and (r), and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's rules, it is proposed to amend the FM Table of Assignments, § 73.202(b) of the Commission's rules and regulations, as set forth in the notice of proposed rule making to which this Appendix is attached.

2. *Showings required.* Comments are invited on the proposal discussed in the notice of proposed rule making to which this Appendix is attached. In initial comments, proponent(s) will be expected to answer whatever questions are presented in the Notice. The proponent(s) of the proposed assignment(s) is expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is assigned, and, if authorized, to build the station promptly. Failure to file may lead to denial of the request.

3. *Cut-off procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered, if advanced in reply comments. (See § 1.420(d) of Commission rules.)

(b) With respect to petitions for rule making which conflict with the proposal in this notice, they will be considered as comments in the proceeding, and public notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If filed later than that, they will not be considered in connection with the decision in this docket.

4. *Comments and reply comments; service.* Pursuant to applicabl eprocedures set out in §§ 1.415 and 1.420 of the Commission's rules and regulations, interested parties may file comments and reply comments on or before the dates set forth in the notice of proposed rule making to which this Appendix is attached. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (see § 1.420 (a), (b) and (c) of the Commission rules.)

5. *Number of copies.* In accordance with the provisions of Section 1.419 of the Commission's rules and regulations, an original and fourteen copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public inspection of filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, NW., Washington, D.C.

[FR Doc.75-18663 Filed 7-17-75;8:45 am]

[47 CFR Parts 73, 76]

[Docket No. 20520; RM 2169 etc.]

MULTIPLE OWNERSHIP OF STANDARD, FM, TELEVISION BROADCAST STATIONS AND CROSS-OWNERSHIP OF CABLE TELEVISION SYSTEMS

Notice of Proposed Rule Making; Correction

1. In paragraph 53 of the notice of proposed rule making (FCC 75-709, 40 FR 26551, June 24, 1975; adopted on June 11, 1975), "Note 5" should read "Note 6".

2. In the notice of proposed rule making, certain language was inadvertently omitted from Note 6 to §§ 73.35, 73.240, and 73.636. Note 6 to each of these sections, as corrected, reads as follows:

NOTE 6: In calculating the percentage of ownership of voting stock under the provisions of Notes 4 and 5, if an investment company, bank or insurance company, directly or indirectly owns voting stock in a company which in turn directly or indirectly owns 50 percent or more of the voting stock of a corporate broadcast licensee or corporate daily newspaper, the investment company, bank or insurance company shall be considered to own the same percentage of outstanding shares of the corporate broadcast station licensee or corporate daily newspaper as it owns of outstanding voting shares of the company standing between it and the licensee corporation or corporate daily newspaper. If the intermediate company owns less than 50 percent of the voting stock of a corporate broadcast station licensee or corporate daily newspaper, the holding of the investment company, bank or insurance company, need not be considered under the 5-percent rule, but, officers or directors of the licensee corporation or of the corporate daily newspaper who are representatives of the intermediate company shall be deemed to be representatives of the investment company, bank or insurance company.

Released: July 14, 1975.

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

[FR Doc.75-18664 Filed 7-17-75;8:45 am]

NATIONAL CREDIT UNION ADMINISTRATION

[12 CFR Part 701]

CASHING CHECKS AND MONEY ORDERS

Fee Charge; Option

Notice is hereby given that the Administrator of the National Credit Union Administration, pursuant to the authority conferred by section 120, 73 Stat. 635, 12 U.S.C. 1766, and section 209, 84 Stat. 1014, 12 U.S.C. 1789, proposes to amend Part 701 (12 CFR Part 701) by revising § 701.23(d) as set forth below.

The purpose of the proposed amendment is to give to each Federal credit union the option of charging a fee when the cashing of a check or money order is not applied in its entirety for payment of a loan, payment of interest, payment of any obligation to the credit union, or the purchase of shares.

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed amendment to the Administrator, National Credit Union Administration, 2025 M Street, NW., Washington, DC 20456. Comments received prior to August 11, 1975, will be considered before final action is taken on this proposal. Copies of all written comments received will be available for public inspection during normal business hours at the foregoing address.

AUTHORITY: Sec. 120, 73 Stat. 635 12 U.S.C. 1766) and Sec. 209, 84 Stat. 1014 (12 U.S.C. 1789).

HERMAN NICKERSON, Jr.,
Administrator.

JULY 10, 1975.

§ 701.23 Cashing checks and money orders.

* * * * *

(d) No fee shall be charged by a Federal credit union to a member for the cashing of a check or money order when such check or money order is applied in its entirety for payment of a loan, payment of interest, payment of any obligation to the credit union, or the purchase of shares. Nor shall any fee be charged

to the member for the cashing of a check or money order drawn by the Federal credit union on its own bank account and issued to the member in connection with a withdrawal by the member from a share account or in connection with the disbursement of a loan.

[FR Doc.75-18685 Filed 7-17-75;8:45 am]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 121]

SMALL BUSINESS SIZE STANDARDS

Definition for Purpose of Bidding on Government Procurements for Products Classified in SIC 2026, Fluid Milk

The Administrator of the Small Business Administration proposes to amend the definition of a small business for the purpose of bidding on Government procurements for fluid milk to provide that a concern is small if it has 500 employees or less exclusive of routemen making home deliveries.

On May 1, 1974, SBA decreased the procurement size standard for fluid milk from 625 employees or less to 500 employees. Information available to SBA indicates that the trend toward fewer and larger dairies is continuing and that increasingly the competitive picture for fluid milk is being set by large supermarket chains. In certain parts of the country there has been a disappearance of most small dairies due to acquisition and mergers, failures, etc. The present 500 employees size standard works to the detriment of firms that are not highly automated and which have many employees engaged in home delivery routes, but not production. Such a size standard allows concerns to qualify as small which have far greater receipts than concerns which do not qualify as small due to home deliveries. In some areas of the country, the concerns with numerous home delivery routes are vitally needed to assure adequate competition to national dairies, large food chains, and large dairy cooperatives, although their total employment may exceed 500 employees. Therefore, SBA proposes to adopt a size procurement standard of 500 employees or less (exclusive of home delivery routemen). However, since some concerns in SIC 2026, *Fluid Milk*, have affiliates in other industries, SBA finds it is also necessary to have a dollar volume criterion. Available data show that most firms in SIC 2026 that have approximately 500 employees have annual receipts ranging from $20 to $25 million.

Accordingly, it is proposed to amend Part 121 of Chapter I of Title 13 of the Code of Federal Regulations by adding subparagraph (7) to § 121.3-8(b) of the size regulation to read as follows:

§ 121.3-8 Definition of small business for Government procurement.

(a) * * *

(b) *Manufacturing.* * * *

(7) As small if it is bidding on a contract for produce classified in SIC Code 2026, *Fluid Milk*, and its number of employees does not exceed 500 (exclusive of home-delivery routemen) and its average annual receipts for its preceding 3 fiscal years do not exceed $25 million.

Interested parties may file with the Small Business Administration on or before August 18, 1975, written statements of facts, opinions, or arguments concerning the proposal. All correspondence shall be addressed to:

William L. Pellington, Director, Size Standards Division, Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416.

(Catalog of Federal Domestic Assistance Program No. 59.009, Procurement Assistance)

Dated: July 9, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-18623 Filed 7-17-75;8:45 am]

notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF STATE

Office of the Secretary

[CM-5/67]

STUDY GROUP 5 OF THE U.S. NATIONAL COMMITTEE FOR THE INTERNATIONAL TELEGRAPH AND TELEPHONE CONSULTATIVE COMMITTEE (CCITT)

Meeting

The Department of State announces that Study Group 5 of the U.S. CCITT National Committee will meet on August 8, 1975 at 10:30 a.m. in Room 283 of the Office of Telecommunications, U.S. Department of Commerce, 1325 G Street, N.W., Washington, D.C. This Study Group deals with matters in telecommunications relating to the development of the international digital data transmission services.

The agenda for the August 8 meeting will include consideration of the following:

1. Review of the May/June 1975 meetings of CCITT Study Groups Special A and VII.

2. Planning of contributions for the February/March 1976 meetings of CCITT Study Groups Special A and VII.

3. Other business.

Members of the general public can attend the meeting and join in the discussions subject to instructions of the Chairman. Admittance of public members will be limited to the seating available.

Dated: July 11, 1975.

ARTHUR L. FREEMAN,
Vice Chairman,
U.S. National Committee.

[FR Doc.75-18690 Filed 7-17-75;8:45 am]

[Public Notice 456; Delegation of Authority No. 132]

DEPUTY DIRECTOR GENERAL OF THE FOREIGN SERVICE

Delegation of Authority

Correction

In FR Doc. 75-17654 appearing on page 28646 in the issue of Tuesday, July 8, 1975, the signature date "June 24, 1975" was inadvertently omitted. This date "June 24, 1975" should be inserted immediately before the signature.

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 75-168]

PORT OF NEW YORK TO TEMPO TRUCKING AND TRANSFER CORP.

Revocation of Customhouse Cartman's License

JULY 10, 1975.

Notice is hereby given that on July 9, 1975, pursuant to the provisions of section 565, Tariff Act of 1930, as amended, and section 112.30 of the Customs Regulations (19 CFR 112.30), it was decided that Customhouse Cartman's License No. 1711 issued at the Port of New York on June 29, 1964, to Tempo Trucking and Transfer Corporation, Jamaica, New York, be revoked. This revocation is effective on July 31, 1975.

[SEAL] G. R. DICKERSON,
Acting Commissioner of Customs.

[FR Doc.75-18638 Filed 7-17-75;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Navy

COMMANDANT OF THE MARINE CORPS' ADVISORY COMMITTEE OF THE HISTORICAL PROGRAM OF THE MARINE CORPS

Meeting

Notice is hereby given, pursuant to the Federal Advisory Committee Act (5 U.S.C. App. I), that the Commandant's Advisory Committee on Marine Corps History will hold an open meeting on August 5 through August 8, 1975, in room 2206, Arlington Annex, Columbia Pike, Arlington, Virginia. The sessions will commence at 9 a.m. and terminate at 4:30 p.m., daily. Limited seating is available. The agenda will include development of priorities for major historical projects, actions to encourage the study of Marine Corps history and revision of the scope and content of current programs.

Any person desiring information about the Commandant's Advisory Committee on Marine Corps History may write to the Commandant of the Marine Corps (Code HD), Headquarters, U.S. Marine Corps, Washington, D.C. 20380.

Dated: July 14, 1975.

H. B. ROBERTSON, Jr.,
Rear Admiral, JAGC, U.S. Navy,
Judge Advocate General.

[FR Doc.75-18625 Filed 7-17-75;8:45 am]

Office of the Secretary

DEFENSE SCIENCE BOARD TASK FORCE ON EXPORT OF U.S. TECHNOLOGY: IMPLICATIONS TO U.S. DEFENSE

Task Force Meeting

A task force of the Defense Science Board on "Export of U.S. Technology: Implications to U.S. Defense" will meet in closed session on 6 August 1975 at the Pentagon, Washington, D.C.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense. The task force will provide an assessment of the implications to U.S. defense of current and impending exports of U.S. technology to serve as a basis for determination of Defense policy.

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

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

JULY 14, 1975.

[FR Doc.75-18653 Filed 7-17-75;8:45 am]

DEFENSE SCIENCE BOARD TASK FORCE ON IDENTIFICATION FRIEND, FOE OR NEUTRAL

Advisory Committee Meeting

The Defense Science Board Task Force on Identification Friend, Foe or Neutral will meet in closed session on 25 August 1975 at the Institute for Defense Analyses, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide long-range guidance in these areas to the Department of Defense.

The Task Force will provide an analysis of technology and systems applicable to the identification function and indicate promising solutions to the problem area for possible implementation within the Department of Defense.

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

Dated: July 15, 1975.

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

[FR Doc.75-18693 Filed 7-17-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Mines

[INT DES 75-37]

AVAILABILITY OF DRAFT ENVIRONMENTAL STATEMENT

Surface Subsidence Control in Mining Regions

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Bureau of Mines, Department of the Interior, has prepared a draft environmental statement concerning the Bureau's ongoing surface subsidence control program to protect heavily-populated urban areas which have been undetermined by past mining operations. Written comments are invited for a period of 60 days after publication of this notice.

Single copies of the draft statement are available for inspection at the following offices:

Bureau of Mines, Special Assistant for Environmental Activities, Columbia Plaza, 2401 E Stret, N.W., Room 1011, Washington, D.C. 20241.

Mr. Donald L. Donner, Mining Engineer, Building #20, Denver Federal Center, Denver, Colorado 80225.

Mr. C. S. Kuebler, Chief, Environmental Affairs Field Office, Bureau of Mines, 19 N. Main Street, Wilkes-Barre, Pennsylvania 18701.

Mr. Malcolm O. Magnuson, Supervisory Mining Engineer, Pittsburgh Mining and Safety Research Center, 4800 Forbes Avenue, Pittsburgh, Pennsylvania 15213.

In requesting this document, please refer to the statement number above.

Dated: July 14, 1975.

STANLEY D. DOREMUS,
Deputy Assistant Secretary of the Interior.

[FR Doc.75-18682 Filed 7-17-75;8:45 am]

National Park Service

[Order No. 1]

CUMBERLAND ISLAND NATIONAL SEASHORE

Delegation of Authority; Administrative Officer, Et Al.

Section 1. *Administrative Officer.* The Administrative Officer may execute, approve, and administer contracts not in excess of $25,000 for supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds.

(National Park Service Order No. 77 (38 FR 7478), as amended; Southeast Region Order No. 5 (37 FR 7721), as amended)

Dated: February 11, 1975.

BERT C. ROBERTS,
Superintendent, Cumberland Island National Seashore.

[FR Doc.75-18637 Filed 7-17-75;8:45 am]

[Order No. 1]

CURECANTI NATIONAL RECREATION AREA, COLORADO

Delegation of Authority; Administrative Officer, Et Al.

Section 1. *Administrative Officer.* The Administrative Officer may issue purchase orders not in excess of $2,000 for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

Section 2. *Revocation.* This order supersedes Order No. 4, dated May 15, 1972, and published in 37 FR 12734 on June 28, 1972.

(National Park Service Order No. 77 (38 FR 7478), as amended; Rocky Mountain Regional Order No. 1 (39 FR 12369))

JAMES W. PACKARD,
Superintendent, Curecanti National Recreation Area.

[FR Doc.75-18634 Filed 7-17-75;8:45 am]

FIRE ISLAND NATIONAL SEASHORE

Public Workshops

A series of public workshops will be held beginning on August 9 in nearby communities as well as in the national seashore to elicit further public response to proposals contained in the draft master plan for Fire Island National Seashore.

The purpose of these workshops is to provide the widest possible public involvement from individuals and organizations on the concepts and composition of the draft Master Plan for Fire Island National Seashore, and to follow-up on comments received during the earlier formal public meetings which were held in May.

Workshops will be held in:

Sayville, N.Y., from 3-10 p.m., August 9.

Fire Island, N.Y., from 9 a.m.-4 p.m. August 10.

Bayshore, N.Y., from 7-11 p.m., August 11 and 12.

Patchogue, N.Y., from 7-11 p.m., August 14 and 15.

As soon as the specific locations are firmly established, they will be widely publicized in advance through announcements in the news media and through direct contacts with interested individuals and organizations.

Anyone wanting additional information on the workshops and/or the status of the planning process should contact the Superintendent, Fire Island National Seashore, Box 229, Patchogue, New York 11772.

Dated: July 10, 1975.

DAVID A. RICHIE,
Acting Regional Director, North Atlantic Region.

[FR Doc.75-18630 Filed 7-17-75;8:45 am]

[Order No. 3]

GUILFORD COURTHOUSE NATIONAL MILITARY PARK

Delegation of Authority; Administrative Services Assistant

Section 1. Administrative Services Assistant. The Administrative Services Assistant may execute and approve contracts not in excess of $2,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised by the Administrative Services Assistant in behalf of any area administered by the Superintendent, Guilford Courthouse National Military Park.

Section 2. Re-Delegation. The authority delegated in this Order Number may not be re-delegated.

Section 3. Revocation. This order supersedes Order No. 2 dated December 3, 1973 and published in 39 F.R. 16910.

(National Park Service Order No. 77 (38 FR 7478), as amended; Southeast Region Order No. 5 (37 FR 7721) as amended)

Dated: May 12, 1975.

WILLARD W. DANIELSON,
Superintendent.

[FR Doc.75-18636 Filed 7-17-75;8:45 am]

[Order No. 4]

LAKE MEREDITH RECREATION AREA, TEXAS

Delegation of Authority Regarding Purchasing Authority; Administrative Officer

Section 1. *Administrative Officer.* The Administrative Officer is authorized to execute, approve, and administer contracts not in excess of $50,000 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

Section 2. *Revocation.* This order supersedes Order No. 3, Sanford Recreation Area, dated May 18, 1972, and published July 25, 1972, 37 FR 14823.

(National Park Service Order No. 77, 38 FR 7478, as amended; Southwest Region Order No. 5, 37 FR 7722 as amended)

Dated: June 10, 1975.

WILLIAM E. DYER,
Superintendent.

[FR Doc.75-18631 Filed 7-17-75;8:45 am]

[Order No. 1]

GREAT SAND DUNES NATIONAL MONUMENT

Delegation of Authority; Administrative Assistant

Section 1. *Administrative Assistant.* The Administrative Assistant may issue purchase orders not in excess of $2,000

for supplies or equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

(National Park Service Order No. 77, (38 FR 7478) as amended; Rocky Mountain Regional Order No. 1 (39 FR 12369))

Dated: June 2, 1975.

JAMES W. CARRICO,
Superintendent, Great Sand Dunes National Monument.

[FR Doc.75-18633 Filed 7-17-75;8:45 am]

[Order No. 1]

WESTERN PENNSYLVANIA GROUP

Delegation of Authority; Administrative Assistant

Section 1. *Administrative Assistant.* The Administrative Assistant may issue purchase orders not in excess of $1,000 for supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriated funds. This authority may be exercised by the Administrative Assistant in behalf of any area administered by the Western Pennsylvania Group.

(National Park Service Order No. 77 (38FR-7478) as amended; Mid-Atlantic Region Order No. 1 (39FR3694) as amended)

Dated: May 30, 1975.

JAMES R. ZINCK,
General Superintendent, Western Pennsylvania Group.

[FR Doc.75-18635 Filed 7-17-75;8:45 am]

[Order No. 1]

ZION NATIONAL PARK, UTAH

Delegation of Authority; Administrative Officer, Et Al.

Section 1. *Administrative Officer.* The Administrative Officer may execute and approve contracts and/or purchase orders not in excess of $50,000 for construction, supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

Section 2. *Procurement Assistant.* The Procurement Assistant may execute and approve contracts and/or purchase orders not in excess of $20,000 for construction, supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

Section 3. *Revocation.* This order supersedes Order No. 3, dated August 14, 1972, and published in 37 FR 18761 on September 15, 1972.

(National Park Service Order No. 77, (38 FR 7478) as amended; Rocky Mountain Regional Order No. 1 (39 FR 12369))

Dated: May 30, 1975.

ROBERT C. HEYDER,
Superintendent Zion National Park.

[FR Doc.75-18032 Filed 7-17-75;8:45 am]

[Order 6]

GREAT SMOKY MOUNTAINS NATIONAL PARK; CERTAIN OFFICIALS

Delegation of Authority

Section 1. *Assistant Superintendent.* The Assistant Superintendent may execute, approve, and administer contracts not in excess of $100,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised by the Assistant Superintendent in behalf of any office or area administered by the Great Smoky Mountains National Park.

Section 2. *Administrative Officer.* The Administrative Officer may execute, approve, and administer contracts not in excess of $100,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised by the Administrative Officer in behalf of any office or area administered by the Great Smoky Mountains National Park.

Section 3. *General Supply Officer.* The General Supply Officer may execute, approve, and administer contracts not in excess of $10,000 for construction, supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds. This authority may be exercised by the General Supply Officer in behalf of any office or area administered by the Great Smoky Mountains National Park.

Section 4. *General Supply Specialist.* The General Supply Specialist may issue purchase orders not in excess of $500 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

Section 5. *Supply Clerk.* The Supply Clerk may issue purchase orders not in excess of $500 for supplies and equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

Section 6. *Oconaluftee Job Corps Conservation Center Director and Administrative Officer.* Oconaluftee Job Corps Conservation Center Director and Administrative Officer may issue purchase orders not in excess of $5,000 for supplies, materials, and equipment in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

Section 7. *Revocation.* This order supersedes Order No. 5 issued June 13, 1972, and published in 37 F.R. 17500.

(National Park Service Order No. 77 (38 F.R. 7478), as amended, Southeast Region Order No. 5, (37 F.R. 7721) as amended)

Dated: March 10, 1975.

VINCENT ELLIS,
Superintendent, Great Smoky Mountains National Park.

[FR Doc.75-18816 Filed 7-17-75;8:45 am]

[Order No. 1, Amdt. 2]

MID-ATLANTIC REGION; SUPERINTENDENTS, ET AL.

Delegation of Authority

Order No. 1, approved January 6, 1974, and published in the Federal Register of January 29, 1974 (39 F.R. 3694), and Amendment No. 1, approved November 4, 1974, and published in the Federal Register of February 13, 1975 (40 F.R. 6694), set forth in Section 2 certain authority to officers and employees. This amendment changes paragraphs (c), (d), and (f), and adds paragraph (g) to read as follows:

Section 2. Delegation— * * *

(c) Regional Contract Specialist. The Regional Contract Specialist may execute, approve and administer contracts not in excess of $50,000 for supplies, equipment or services, including construction. This authority may be exercised by the Regional Contract Specialist in behalf of any office or area for which the Mid-Atlantic Regional Office serves as the field finance office.

(d) Regional Procurement Agent. The Regional Procurement Agent may execute, approve and administer contracts not in excess of $10,000 for supplies, equipment or services, including construction. This authority may be exercised by the Regional Procurement Agent in behalf of any office or area for which the Mid-Atlantic Regional Office serves as a field finance office.

(f) Field Land Acquisition Officers. The Field Land Acquisition Officers are authorized to execute their land acquisition program, including contracting for acquisition of lands and related property, and acceptance of offers to sell real property related thereto when the amount does not exceed $150,000.

(g) Realty Specialists. Realty Specialists in charge and assigned to the Opportunity Inholding Programs at field offices are authorized to execute their land acquisition program, including contracting for acquisition of lands and related property, and acceptance of offers to sell real property related thereto when the amount does not exceed $150,000.

(National Park Service Order No. 77, 38 FR 7478, as amended).

Dated: June 9, 1975.

CHESTER L. BROOKS,
Regional Director, Mid-Atlantic Region.

[FR Doc.75-18817 Filed 7-17-75;8:45 am]

[Order No. 5, Amendment 4]

MIDWEST REGION; SUPERINTENDENTS ET AL.

Delegation of Authority

Midwest Region Order No. 5, approved March 1, 1972 and published in the FR of March 28, 1972, (37 FR 6324) and Amendment No. 1, approved October 12, 1972, and published in the FR of November 3, 1972 (37 FR 23464) and Amendment No. 2, approved May 3, 1973, and published in the FR of June 4, 1973 (38

FR 14697) and Amendment No. 3, approved May 15, 1974, and published in the FR of June 17, 1974 (39 FR 21000), is amended as follows:

Section 2, paragraph (d) is amended and paragraph (g) is added to read as follows:

(d) Chief, Division of Land Acquisition.

The Chief, Division of Land Acquisition is authorized to:

(1) Approve and accept offers to sell to or exchange with the United States, lands or interests in lands, and to execute all necessary agreements and conveyances incident thereto.

(2) Accept deeds conveying to the United States lands or interests in lands.

(3) Approve on behalf of the National Park Service offers of settlement in condemnation cases.

(4) Approve claims for reimbursement under Public Law 91–646.

(g) Field Land Acquisition Officers. All Field Land Acquisition Officers are authorized to exercise authority with respect to the following:

(1) Approve and accept offers to sell to or exchange with the United States lands or interests in lands when the amount involved does not exceed $100,000.

(2) Accept deeds conveying to the United States lands or interests in lands.

(3) Approve claims for reimbursement under Public Law 91–646 when the amount involved does not exceed $5,000.

(National Park Service Order No. 77, 38 FR 7478 published March 22, 1973 as amended)

Dated: May 22, 1975.

ROBERT L. GILES,
Acting Regional Director.

[FR Doc.75–18818 Filed 7–17–75;8:45 am]

[Order No. 5, Amdt. 4]

SOUTHEAST REGION; SUPERINTENDENTS, ET AL.

Delegation of Authority

Order No. 5, published in 37 FR 7721 on April 19, 1972, Amendment No. 1, published in 37 FR 17771 on August 31, 1972, Amendment No. 2, published in 38 FR 17749 on July 3, 1973, and Amendment No. 3, published in 40 FR 6380 on February 11, 1975, are hereby amended to add the following paragraph.

Section 2. *Delegations.* • • • (h) The Field Land Acquisition Officer, Big Cypress National Preserve, may execute, approve, and administer contracts not in excess of $2,500 for supplies, equipment, and services in conformity with applicable regulations and statutory authority and subject to availability of appropriated funds.

(National Park Service Order No. 77, 38 FR 7478, published March 22, 1973, as amended)

DAVID D. THOMPSON, Jr.,
Regional Director,
Southeast Region.

[FR Doc.75–18815 Filed 7–17–75;8:45 am]

GOLDEN GATE NATIONAL RECREATION AREA CITIZENS' ADVISORY COMMISSION

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Golden Gate National Recreation Area Advisory Commission will be held at 7:30 p.m. on Tuesday, August 12, 1975, at the Saint Francis Yacht Club, Marina Green San Francisco, CA.

The purpose of the Golden Gate National Recreation Area Advisory Commission is to provide for the free exchange of ideas between the National Park Service and the public and to facilitate the solicitation of advice or other counsel from members of the public on problems and programs pertinent to the National Park Service system in Marin and San Francisco counties.

Members of the Advisory Commission are as follows:

Mr. Frank Boerger, Chairman
Mrs. Amy Meyer, Secretary
Mr. Ernest Ayala
Mr. Richard Bartke
Mr. Fred Blumberg
Mr. Joseph Caverly
Mr. Lambert Lee Choy
Mrs. Daphne Greene
Mr. Peter Haas, Sr.
Mr. Joseph Mendoza
Mr. John Mitchell
Mr. Merritt Robinson
Mr. William Thomas
Mr. Gene Washington
Dr. Edgar Wayburn

The major items on the agenda will be a report by the GGNRA staff on Fort Mason interim pier uses, a discussion of the proposed management statement for GGNRA, and a discussion on the various wilderness proposals for the Point Reyes National Seashore.

This meeting will be open to the public. Any member of the public may file with the Commission a written statement concerning the matters to be discussed.

Persons wishing further information concerning this meeting or who wish to submit written statements may contact William J. Whalen, General Superintendent, Golden Gate/Point Reyes, Fort Mason, San Francisco, California 94123, telephone 415–556–2920.

Minutes of the meeting will be available for public inspection by September 15, 1975 in the Office of the General Superintendent, Golden Gate National Recreation Area, Fort Mason, San Francisco, CA.

Dated: July 3, 1975.

W. J. WHALEN,
General Superintendent,
Golden Gate/Point Reyes.

[FR Doc.75–18694 Filed 7–17–75;8:45 am]

Office of the Secretary

NATIONAL PETROLEUM COUNCIL

Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92–463, 86 Stat. 770), notice is hereby given of the following meeting:

The National Petroleum Council will meet at 9:00 a.m. on August 6, 1975 in the Department of the Interior Auditorium, 18th and C streets, N.W., Washington, D.C. The agenda will include consideration of reports concerning:

1. Petroleum Storage for National Security.

2. The Potential for Energy Conservation in the United States: 1979–1985.

The meeting will be open to the public to the extent that space and facilities permit. Any member of the public may file a written statement with the Council either before or after the meeting. Interested persons who wish to speak at the meeting must apply to the Council and obtain approval in accordance with its established procedure.

The purpose of the National Petroleum Council is to provide advice, information and recommendations to the Secretary of the Interior, upon request, on any matter relating to petroleum or the petroleum industry.

Further information with respect to this meeting may be obtained from Ben Tafoya, Office of the Assistant Secretary—Energy and Minerals, Department of the Interior, Washington, D.C., telephone number (202) 343–6226.

Dated: July 15, 1975.

WILLIAM L. FISHER,
Deputy Assistant
Secretary of the Interior.

[FR Doc.75–18676 Filed 7–17–75;8:45 am]

COMMITTEE ON ENERGY CONSERVATION NATIONAL PETROLEUM COUNCIL

Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92–463 86 Stat 770) notice is hereby given for the following meeting:

The Committee on Energy Conservation of the National Petroleum Council will meet on Tuesday, August 5, 1975, in the Dolley Madison Room, Madison Hotel, 15th & M Streets, N.W., Washington, D.C., starting at 9 a.m.

The agenda includes the following items:

1. Review and discuss draft report, Potential for Energy Conservation in the United States: 1979–1985, in response to a request of the Secretary of the Interior to the National Petroleum Council for a study analyzing the possibilities for energy conservation in the United States and the impact of such measures on the future energy posture of the Nation.

2. Discuss any other matters pertinent to the overall assignment of the Committee.

The purpose of the National Petroleum Council is to provide advice, information and recommendations to the Secretary of the Interior, upon request, on any matter relating to petroleum or the petroleum industry.

The meeting will be open to the public to the extent that space and facilities

permit. Any member of the public may file a written statement with the Council either before or after the meeting. Interested persons who wish to speak at the meeting must apply to the Council and obtain approval in accordance with its established procedures.

Further information with respect to this meeting may be obtained from Ben Tafoya, Office of the Assistant Secretary—Energy and Minerals, Department of the Interior, Washington, D.C., telephone number 343–6226.

Dated: July 14, 1975.

JACK W. CARLSON,
Assistant Secretary of the Interior.

[FR Doc.75–18675 Filed 7–17–75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

[File No. 28(74)–1]

INFORMATION MAGENTICS, INC. ET AL.

Extending Denial of Export Privileges

By Order dated December 2, 1974, (39 F.R. 42935) the export privileges of the above-titled firms were temporarily denied for a period of 60 days. On January 30, 1975, (40 F.R. 6383) March 17, 1975, (40 F.R. 13015) and again on May 14, 1975, (40 F.R. 21505) that period was extended to July 15, 1975. Pending final disposition of the proceedings, the period of temporary denial, as set forth in Paragraph IV of the Order dated December 2, 1974, is continued for an additional 60 days to September 12, 1975. All other terms and conditions of the Order, the interpretations thereof, and the exceptions thereto, remain in full force and effect.

Dated: July 11, 1975.

RAUER H. MEYER,
Director, Office of Export Administration.

[FR Doc.75–18677 Filed 7–17–75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

COOPERATIVE EDUCATION PROGRAM

Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in Part D of Title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a), applications are being accepted from institutions of higher education for cooperative education project grants.

Applications must be received by the U.S. Office of Education Application Control Center on or before October 15, 1975.

A. *Application sent by mail.*

An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: 13:510. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than October 10, 1975, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail room in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

B. *Hand delivered applications.* An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Street SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

C. *Program information and forms.* Information and application forms may be obtained from the Bureau of Postsecondary education, Division of Training and Facilities, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. 20202.

D. *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Part 100a) and the Cooperative Education regulations published in the FEDERAL REGISTER on May 9, 1975 at 20273.

(Catalog of Federal Domestic Assistance Number 13:510; Cooperative Education Program)

(20 U.S.C. 1087a–1087c)

Dated: July 11, 1975.

DUANE J. MATTHEIS,
Acting U.S. Commissioner of Education.

[FR Doc.75–18672 Filed 7–17–75;8:45 am]

EXEMPLARY PROGRAMS AND PROJECTS IN VOCATIONAL EDUCATION

Tentative Priorities for Fiscal Year 1976

Notice is hereby given of the following tentative program priority plans for grants and contracts under the Vocational Education Act of 1963 as amended, Part D (20 U.S.C. 1281–1283, 1301–1305, and 1391), in the Vocational Education Exemplary Program of the Office of Education for fiscal year 1976. The Program is set forth in the Catalog of Federal Domestic Assistance (CFDA) under number 13.502.

Subject to possible changes in legislation, subject to appropriations for fiscal year 1976 by the Congress, and subject to possible changes in program plans, this announcement gives advance notice of intended priorities. While the plans set forth below are tentative and do not restrict or bind the Office of Education or the Department of Health, Education, and Welfare in any way from redefining or reordering plans for fiscal year 1976, this advance notice is being provided for the purpose of permitting interested parties to begin investigating the priority areas and their appropriateness to the needs of their own agencies and institutions.

It is presently planned that grants and contracts (under Department policy only contracts are made with profitmaking organizations) will be awarded in the priority areas set forth below in response to competitions to be announced at a later date in the FEDERAL REGISTER.

Applications for projects not in the proposed priority areas, but appropriate for consideration under Part D of the Vocational Education Act and regulations will also be eligible for consideration after the closing date and selection criteria have been announced in the FEDERAL REGISTER.

The emphasis under Part D will be placed on the Demonstration of the following priority areas in a single operational setting. (A "single operational setting" may be defined as a school, a group of schools, a community or several communities in close enough proximity to permit effective project management and supervision as well as to insure that maximum impact on and visibility within the defined geographic area will result from the activities being undertaken.)

I. While applicants under Part D, Section 142(c) may be asked to select from one of the following three priority areas, indicating on their application the priority area to which the application has been addressed, the U.S. Office of Education may give priority to the funding of a minimum of one project in each of the ten Department of Health, Education and Welfare/U.S. Office of Education Regions which is designed to demonstrate the National Institute of Education's Experience-Based Career Education Program. A focus on the demonstration of this program is deemed appropriate in the light that the National Institute of Education has been able to submit adequate evidence of the effectiveness of the Experience-Based Career Education Program to receive the endorsement of the U.S. Office of Education/National Institute of Education Joint Dissemination Review Panel.

A. *Demonstration of the National Institute of Education's Experience-Based Career Education Program.* The National Institute of Education's Experience-Based Career Education Program is characterized by the following significant elements.

1. It represents a comprehensive alternative to regular high school, offering courses which either fulfill or supplement all requirements for graduation.

2. It is experientially oriented in that students are permitted to perform nonpaid work tasks as well as to observe adults in their work environment. It entails the opportunity for exposure to

more than one community site, and requires learning more than one type of work-related skill. The activities in the work place are organized to yield academic, career and interpersonal skills as well as occupational skills; and

3. It possesses an organizational structure made up of school and/or community representatives whose sole purpose is to render advisory, policymaking, or operational assistance to the program.

Experience-based programs designed for career exploration other than that developed by the National Institute of Education may be submitted for funding under this priority area, provided that such programs are able to demonstrate equal evidence of effectiveness.

B. *The further development and demonstration of the instructional strategies, methods and techniques of the National Institute of Education's Experience-Based Career Education Program in conjunction with an in-school cluster structure designed for occupational exploration and beginning preparation.* The cluster structure selected should be characterized by:

1. Its delivery of skills and knowledges which are common to many occupations;

2. Its provision of an obvious ladder of jobs from the skilled through the professional levels and its promise for eliminating the visages of a "tracking system" from the demonstration project;

3. Its provision of obvious linkages between the instructional program and the related units of business, industry, the professions and government; and

4. Its provision for each person leaving the cluster program with an entry-level job skill, thereby permitting its participants to exercise the option of either getting a job or pursuing a further education.

Applicants under this priority area may be asked to phase in clusters over the life of the project which will insure comprehensive opportunities for exploration and/or preparation. Initially, those clusters selected should range from those dealing with public service and human service occupations as well as those dealing with such areas as the manufacturing and construction occupations.

Aspects of the National Institute of Education's Experience-Based Career Education Program which appear particularly promising for implementation in conjunction with an in-school cluster structure are deemed, among others, to be the learning site analysis techniques, the student learning packages with behaviorally-stated objectives, and the employer recruitment and orientation process.

Applicants may propose the use of instructional strategies, methods, and techniques developed with other experience-based programs such as those developed under Parts B, C, D, G, and H of the Vocational Education Act when such programs can demonstrate equal evidence of effectiveness.

C. *The further development and demonstration of the instructional strategies, methods and techniques of the National Institute of Education's Experience-Based Career Education Program in expanded, improved, or newly developed cooperative vocational education and work experience programs, excluding Work Study Programs funded under Part H, P.L. 90–576.*

Aspects of the Experience-Based Career Education Program which appear particularly promising for expanding and improving cooperative education programs and work experience programs are, among others, the learning site analysis techniques, the student learning packages with behaviorally-stated objectives, and the employer recruitment and orientation process.

Within this priority area, preference may be given to diversified cooperative vocational education programs designed to serve more than one occupational area or to new programs designed to expand into occupational areas not currently served by vocational education.

Applications may propose the use of instructional strategies, methods, and techniques developed within other experience-based programs such as those developed under Parts B, C, D, G, and H of the Vocational Education Act when such programs can demonstrate equal evidence of effectiveness.

II. In addition to selecting from the above three priority areas, applicants may be asked to include in the single operational setting defined for the project all of the following program features.

A. Concerted efforts to eliminate sex bias and sex-role stereotyping from the activities undertaken with respect to the demonstration project.

B. A third-party, objective evaluation, the design of which should attempt to measure student outcomes against the stated objectives of the project as well as gather such process and treatment information as will show reason why the project was or was not successful in achieving the desired outcomes for the designated population of student participants.

C. A strong emphasis on guidance, counseling, placement, and followup services.

III. In addition to the above emphasis for new grant awards in fiscal year 1976, continuation costs may be provided for the second or third years of demonstration projects started in fiscal year 1974 and fiscal year 1975 under this program (CFDA No. 13.502) when it is deemed that such projects are making satisfactory progress toward achieving their objectives.

No applications or proposals should be submitted to the U.S. Office of Education in response to this Notice. A more definitive statement of priorities and selection criteria for the program will be published at a later date in the FEDERAL REGISTER under notice of proposed rulemaking with opportunity for public comment. Notice of Closing Dates for applications for grants will also be published in the FEDERAL REGISTER. Applicable regulations may be found at Parts 100a and 103 of Title 45, Code of Federal Regulations.

The Part D Program is administered by the Division of Research and Demonstration, Bureau of Occupational and Adult Education, Room 5042, Regional Office Building No. 3, U.S. Office of Education, Washington, D.C. 20202. Inquiries concerning this announcement should be addressed to the appropriate Assistant Regional Commissioner for Occupational and Adult Education shown below.

Region	States served	Assistant regional commissioner for occupational and adult education
I	Connecticut, Maine, Massachusetts, Rhode Island, and Vermont.	Mr. Nicholas Hondrogen, U.S. Office of Education, J. F. Kennedy Federal Bldg., Boston, Mass. 02203.
II	New York, New Jersey, Puerto Rico, and Virgin Islands.	Mr. Charles A. O'Connor, Jr., U.S. Office of Education, 26 Federal Plaza, New York City, N.Y. 10007.
III	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia.	Mr. Robert Smallwood, U.S. Office of Education, P.O. Box 13716, Philadelphia, Pa. 19101.
IV	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.	Mr. Donald Snodgrass, U.S. Office of Education, 50 7th St. NE., room 550, Atlanta, Ga. 30323.
V	Illinois, Indiana, Minnesota, Michigan, Ohio, and Wisconsin.	Mr. William L. Lewis, U.S. Office of Education, 300 South Wacker Dr., Chicago, Ill. 60606.
VI	Texas, Arkansas, Louisiana, Oklahoma, and New Mexico.	Dr. Arthur Lee Hardwick, U.S. Office of Education, 1114 Commerce St., Dallas, Tex. 75202.
VII	Iowa, Kansas, Missouri, and Nebraska	Mr. Thaine D. McCormick, U.S. Office of Education, 601 East 12th St., Kansas City, Mo. 64106.
VIII	Colorado, Utah, North Dakota, Montana, South Dakota, and Wyoming.	Mr. Leroy Swenson, U.S. Office of Education, 19th and Stout Sts., Denver, Colo. 80202.
IX	Arizona, California, Hawaii, Nevada, Guam, American Samoa, and Trust Territory.	Mr. C. Kent Bennion, U.S. Office of Education, 50 Fulton St., San Francisco, Calif. 94102.
X	Alaska, Idaho, Oregon, and Washington	Mr. Sam Kerr, U.S. Office of Education, 1321 2d Ave., Seattle, Wash. 98101.

(Catalog of Federal Domestic Assistance Number 13.502, Vocational Education Exemplary Projects)

Dated: July 15, 1975.

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.75-18673 Filed 7-17-75;8:45 am]

TEACHER CORPS PROJECTS

Closing Dates for Receipt of Preapplications and Applications

Pursuant to the authority contained in Part B-1 of the Education Professions Development Act (Title V of the Higher Education Act of 1965, as amended (20 USC 1101-1107a)), notice is hereby given that the U.S. Commissioner of Education has established closing dates for receipt of preapplications and appli-

cations from institutions of higher education (IHE) and local education agencies (LEA) for Teacher Corps projects to begin July 1, 1976.

A. *Dates of Receipt of Preapplication and Application:*

(1) Preapplications must be received by the U.S. Office of Education Application Control Center on or before September 15, 1975.

(2) Applications must be received by the U.S. Office of Education Application Control Center on or before December 15, 1975.

(3) *Preapplications and/or Applications Sent by Mail:* A preapplication or application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: 13.489. An application sent by mail will be considered to be received on time by the Application Control Center if:

(a) The preapplication or application was sent by registered or certified mail not later than September 11, 1975 for preapplications and December 11, 1975 for applications, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(b) The preapplication or application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

(4) *Hand Delivered Preapplications or Applications:* A preapplication or application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand delivered preapplications or applications will be accepted daily between the hours of 8 a.m. and 4 p.m., Washington, D.C. time except Saturdays, Sundays, or Federal Holidays. Applications will not be accepted after 4 p.m. on the closing date.

B. *Preapplication Procedures*: The preapplication procedure has been developed to encourage a broad involvement in Teacher Corps; to elicit from the field a wide range of ideas for the improvement of teacher training; and to reduce the investment of time and funds normally necessary for Teacher Corps applications under previous procedures. Potential applicants should be aware that the program size for Teacher Corps will remain at the same level as in previous years. Therefore, while Teacher Corps is encouraging a broader interest, the number of projects finally approved will remain at approximately the same level. Potential grantees are required to submit a preapplication document as described below. No application will be accepted unless a preapplication has been processed and the application is based on the concepts developed in the preapplication.

The preapplication must include a concept paper, a cover page, a preliminary estimate of costs, evidence of collaborative planning, and assurances from the State educational agency as described below. No other materials or appendices are to be forwarded with the preapplication.

(1) *Project Concept Paper:* The major purpose of the preapplication is to provide potential grantees an opportunity to focus on significant educational problems and issues and to develop strategies for dealing with these problems through the demonstration of training and retraining of educational personnel. Problems and strategies for their solution are of interest to Teacher Corps when they indicate potntial for improving the indicate potential for improving the centration of low-income families, contain some potential for institutional change (organization, program, or staffing) in either the IHE or LEA, emphasize the demonstration of creative programs and approaches to training and retraining, and promote collaborative decision-making. The preapplication concept paper should be developed within the context of the funding criteria and other program documentation but need not explicitly discuss the points enumerated thereby. The final application, or proposal, however, will require a thorough discussion of compliance with Teacher Corps funding criteria and regulations.

The project concept paper will be limited to 20 double-spaced, typed pages, describing the proposed project in relation to the following outline for development of the problem and strategy statements:

(a) *The Major Problem to be Addressed by the Project:* This statement should indicate that the project will be directed to a specific, delimited issue or problem of interest which is substantiated as important to the potential grantees and which is amenable to solution through the development of a demonstration strategy of training and retraining based on one of the five thrusts promulgated by Teacher Corps. These are: (1) Competency Based Teacher Education, (2) Interdisciplinary Training Approaches, (3) The Training Complex, (4) Training for Implementing Alternative School Designs, and (5) Training for the Systematic Adaptation of Research Findings. (A large amount of research and development has been sponsored by the National Institute of Education through its Educational Laboratories and Centers for Research and Development. Through these efforts a wide range of curriculum products and training materials have emerged. An applicant interested in the adaptation of research may choose to implement NIE developed products—e.g., curriculum programs having specific content goals, materials for meeting those goals and teacher training for the implementation of the curriculum. Selection of this course, however, is in no way limited to NIE sponsored research.) In order to facilitate an emphasis on possible alternative statements of the problem situation, the concept paper should indicate the perceived areas of need and an indication of probable objectives for the project. The concept paper, however, need not be based on specific evidence of a formal needs analysis or include specific operational objectives. Both of these areas must be developed for the final application as means of further sophistication of the initial problem statement and the basis of project activities and management.

(b) *The Major Strategy by Which the Problem will be Addressed:* Within the context of the demonstration strategy and thrusts developed in the funding criteria, this section should contain a succinct explanation and description of the major program thrust to be developed within the project and how it relates to the unique or special situation of the applicant. It should stress how the concept of demonstration will contribute to resolving problems/issues/needs within the unique operational realities of the environment where the project will take place.

(c) *The Major Process of Undertaking the Strategy:* This section should describe the essential process for the development of a project structure, process, and operation of the concepts described in the preceding section. Specific management plans or step-by-step procedures are not required in the concept paper; rather, an indication of how strategies can be operationalized should be emphasized.

(d) *The Major Outcomes of the Project:* This statement, not necessarily in measurable form, should indicate what resolution the project will bring to the problem, e.g., improved educational opportunities for low-income children, broadened programs of teacher education, including integration of preservice and inservice elements, institutional changes, improved teaching effectiveness, demonstration of effective training-retraining programs, etc.

(e) *Special Considerations Affecting the Project:* Such special considerations as the distance between the IHE and LEAs, special social, political, cultural, community, or other considerations; changes in IHE programs and/or LEA structures, programs, staff organization, etc.; or other special considerations should be discussed in this section. The intention is to indicate those potential features of the project which would make the demonstration of a training/retraining strategy especially noteworthy.

(2) *Other Contents of the Preapplication:* The preapplication must also contain the following information:

(a) *Cover Page.* A cover page, indicating the following information:

(i) Title of Proposed Project.

(ii) Name and Address of the Applicant IHE and LEA.

(iii) Name, address, and telephone number of person(s) to be contacted about the preapplication.

(iv) Type of Strategy Proposed.

(v) Probable Funds Required (see (b) below).

(b) *Preliminary Estimate.* A preliminary estimate of proposed costs. This is not a request for a formal budget but rather a considered reflection of the proposed dimensions of the project from the standpoint of major cost items. Cost estimates must include expenditures, if any, for intern retraining and demonstration and expenditures for all other major activities.

(c) *Collaborative Planning.* Evidence of collaborative planning by an institution of higher education and a local school district, as indicated by the signatures of appropriate officials within these agencies who can commit their institutions to the proposed activity. The involvement of the community, teacher organizations, and other groups which should be included in the initial collaborative planning efforts can be indicated through reference to the agencies and/or organizations involved in the development of the preapplication.

(3) *Evaluation of the Preapplication:* Preapplications will be evaluated on the basis of the applicant's proposed project's prospects for competing successfully with similar applications in terms of the funding criteria to be published subsequently in the FEDERAL REGISTER.

(4) Each applicant who submits a preapplication will be notified as to whether the Teacher Corps recommends the development of a full application. Failure to recommend the development of an application, however, does not preclude a potential applicant from doing so. A recommendation to develop an application is not a commitment for funding.

C. *State Educational Agency Role:* The State Educational Agency will certify the eligibility of the applicants to apply for a Teacher Corps project and their capability of developing and delivering the demonstration described in the concept paper.

D. *Program Information and Forms:* No special preapplication form is necessary. Information on the preapplication, including funding criteria, may be obtained from the Teacher Corps, Office of Education, Room 4031, 400 Maryland Avenue, S.W., Washington, D.C. 20202. Potential applicants are encouraged to request the information materials prior to development of the concept paper, and/or to attend one of a series of regional information meetings explaining Teacher Corps activities and the preapplication/application procedures, which will be held prior to the submission date. A specific announcement of time and place will be published in the FEDERAL REGISTER. Preapplicants will receive application forms and procedures in response to their preapplication.

E. *Applicable regulations:* The Regulations applicable to this program include the U.S. Office of Education General Provisions Regulations (45 CFR Part 100a). Applicable funding criteria for these preapplications and applications will be published in the FEDERAL REGISTER. It is expected that the funding criteria will be similar to the criteria published in final in the FEDERAL REGISTER on May 29, 1975 at 40 FR 23345.

(Catalogue of Federal Domestic Assistance Number 13.489; Teacher Corps Operations and Training)

Dated: July 15, 1975.

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.75-18674 Filed 7-17-75;8:45 am]

ENVIRONMENTAL EDUCATION ACT

Statement of Organization, Functions, and Delegations of Authority

Part 2 (Office of Education) Section 2-B, Organization and Functions, of the Statement of Organization, Functions and Delegations of Authority for the Department of Health, Education, and Welfare is hereby amended to attain the purposes of the Environmental Education Act by establishing an Office of Environmental Education. Also, a Division of Library Programs and a Division of Educational Technology are established. Therefore, previously published statements in the FEDERAL REGISTER are hereby amended as follows:

The statement published in the FEDERAL REGISTER on April 26, 1974 at 39 FR 14738 is amended by deletion, under the heading "Bureau of School Systems", of the heading "Division of Technology and Environmental Education" and the statement following immediately thereafter. The statement published at 39 FR 14738 is also amended by addition of the following new statement immediately after the statement following the heading "Bureau of School Systems".

OFFICE OF ENVIRONMENTAL EDUCATION

The Office of Environmental Education is responsible for carrying out a program of making grants to, and contracts with, institutions of higher education, State and local educational agencies, regional educational research organizations, and other public and private agencies, organizations, and institutions (including libraries and museums) to support research, demonstration, and pilot projects designed to educate the public on the problems of environmental quality and ecological balance. It is also responsible for the assessment of all OE activities to determine which ones impact on the environment and for the development of environmental impact statements when appropriate.

The statement published in the FEDERAL REGISTER on January 13, 1975 at 40 FR 2459 is amended by addition of the following new statements immediately after the statement following the heading "Bureau of School Systems", "Office of Libraries and Learning Resources".

Division of Library Programs: Administers programs to improve public library services and library personnel, and acquisition of equipment to improve instructional programs. Also responsible for programs to support acquisition of school library resources and instructional equipment and support research and demonstration in library and information science.

Division of Educational Technology: Responsible for a program of financial support for activation, expansion, and improvement of noncommercial radio and television stations. Administers program designed to improve the learning environment and the delivery of educational program resources and services by financial support of systematic applications of advanced educational technology.

Dated: July 9, 1975.

JOHN OTTINA,
Assistant Secretary for Administration and Management.

[FR Doc.75-18692 Filed 7-17-75;8:45 am]

Food and Drug Administration

ADVISORY COMMITTEES

Meetings

This notice announces forthcoming meetings of the public advisory committees of the Food and Drug Administration. It also sets out a summary of the procedures governing the committee meetings and the methods by which interested persons may participate in the open public hearings conducted by the committees. The notice is issued under section 10(a) (1) and (2) of the Federal Advisory Committee Act (Pub. L. 92-463) and § 2.305 (21 CFR 2.305) of the regulations governing FDA administrative practices and procedures in Subpart D of Part 2 of Title 21 of the Code of Federal Regulations, published in the FEDERAL REGISTER of May 27, 1975 (40 FR 22950). The following advisory committee meetings are announced:

Committee name	Date, time, place	Type of meeting and contact person
1. Panel on Review of Skin Test Antigens.	Aug. 1 and 2, 9 a.m., room 121, Building 29, National Institutes of Health, 8800 Rockville Pike, Bethesda, Md.	Open public hearing, Aug. 1, 9 a.m. to 10 a.m., closed committee deliberations, 10 a.m.; closed committee deliberations, Aug. 2, 9 a.m.; Clay Sisk, HFB-5, 8800 Rockville Pike, Bethesda, Md. 20014, 301-496-4545.

General Function of the Committee. Reviews and evaluates available data concerning the safety and effectiveness of biological products.

Agenda—Open public hearing. During this portion, any interested person may present data, information, or views, orally or in writing, on the issues pending before the committee.

Closed committee deliberations. Review of the draft final report to the Commissioner and formulation of final recommendations for all skin test antigens as-

signed to the panel. This meeting is closed because it is the deliberative session in which the panel will formulate and vote on their final recommendations.

Committee name	Date, time, place	Type of meeting and contact person
2. Clinical Chemistry Subcommittee of the Diagnostic Products Advisory Committee.	Aug. 4 and 5, 9 a.m., room 1409, FB 8, 200 C St. SW., Washington, D.C.	Closed committee deliberations, Aug. 4, 9 a.m. to 5 p.m.; open public hearing, Aug. 5, 9 a.m. to 10 a.m., open committee discussion Aug. 5, 10 a.m. to 12 noon, closed committee deliberations Aug. 5, after 12 noon; Charles S. Furfine, Ph. D., HFK-200, 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4943.

General Function of the Committee. Reviews and evaluates information pertaining to performance standards for selected diagnostic products, evaluates and recommends appropriate reference methodologies and standards of precision and accuracy for measuring such products, and recommends priorities on presently marketed products for standard setting by the Food and Drug Administration.

Agenda—Closed committee deliberations. Review specific performance requirements pertaining to revising the proposed glucose product class standard. Evaluate the revised proposal for a draft of the calibrator product class standard. The session is closed for the following reasons: Portions of the meeting will be devoted to interagency memoranda (CDC); and to permit the free exchange of views of committee members and representatives (CDC and NBS).

Open public hearing. Interested parties are encouraged to present data pertinent to the development of product class standards and classification of clinical chemistry products. Those desiring to make formal presentations should notify Charles S. Furfine, Ph. D., Executive Secretary, (address noted above), in writing by July 25, 1975.

Open committee discussion. Report on the scope and format of a proposal for a draft of a calibrator product class standard. Discuss the use of methodological principles in a calibrator product class standard, and the approaches under consideration for the reorganization of the proposed glucose product class standard, including the section on interfering substances.

Committee name	Date, time, place	Type of meeting and contact person
3. Implants Subcommittee of the Panel on Review of Cardiovascular Devices.	Aug. 5, 9:30 a.m., room 4173, 11EW North, 330 Independence Ave. SW., Washington, D.C.	Open public hearing, Aug. 5, 9:30 a.m. to 10:30 a.m., closed committee deliberations 10:30 a.m.; Glenn A. Rahmoeller, HFK-400, 5600 Fishers Lane, Rockville, Md. 20852, 301-443-2376.

General Function of the Committee. Reviews and evaluates available data concerning safety, effectiveness, and reliability of cardiovascular devices currently in use.

Agenda—Open public hearing. The purpose of this meeting is to develop a product development protocol guideline for prosthetic heart valves. The first hour will be open to allow industry and the public an opportunity to present data to the subcommittee.

Closed committee deliberations. The remainder of the meeting will be closed in order to allow the subcommittee members an opportunity to discuss the recommendations. Material presented to the subcommittee at its February 3 meeting will be reviewed along with additional material received.

Committee name	Date, time, place	Type of meeting and contact person
4. Panel on Review of Allergenic Extracts.	Aug. 8 and 9, 9 a.m., room 121, Building 29, National Institutes of Health, 8800 Rockville Pike, Bethesda, Md.	Open public hearing, Aug. 8, 9 a.m. to 10 a.m., closed committee deliberations 10 a.m.; closed committee deliberations Aug. 9, 9 a.m.; Clay Sisk, HFB-5, 8800 Rockville Pike, Bethesda, Md. 20014, 301-496-4545.

General Function of the Committee. Reviews and evaluates available data concerning the safety and effectiveness of biological products.

Agenda—Open public hearing. During this portion, any interested person may present data, information, or views, orally or in writing, on the issues pending before the committee.

Closed committee deliberations. Review of data submissions from allergenic extract producers for: Poison ivy extracts; poison oak extracts; poison sumac extracts; ragweed extracts; dust extracts; food extracts. This meeting will be closed because it involves the review of data considered to be confidential trade secrets and subsequent panel deliberations on its validity to lead to panel recommendations to the Commissioner.

Committee name	Date, time, place	Type of meeting and contact person
5. Microbiology Subcommittee of the Diagnostic Products Advisory Committee.	Aug. 11 and 12, 9 a.m., room 1409, FB-8, 200 C St. SW., Washington, D.C.	Closed committee deliberations, Aug. 11, 9 a.m. to 5 p.m.; open public hearing, Aug. 12, 9 a.m. to 10 a.m., open committee discussion Aug. 12, 10 a.m. to 12 noon, closed committee deliberations Aug. 12, 1 p.m. to 5 p.m.; Bobbi Dresser, HFK-200, 5600 Fishers Lane, Rockville, Md. 20852, 301-443-4943.

General Function of the Committee. Reviews and evaluates information pertaining to performance standards for selected diagnostic products, evaluates and recommends appropriate reference methodologies and standards of precision and accuracy for measuring such products and recommends priorities on presently marketed products for standard setting by the Food and Drug Administration.

Agenda—Closed committee deliberations on August 11. Deliberation on recommendations regarding standards development activity for: Product class standard for nontroponemal tests for syphilis; product class standard for antirubella antibody tests; product class standard for fluorescent antibody tests for rabies. This session will be closed because the subcommittee will be formulating recommendations concerning details of regulatory standards.

Open public hearing on August 12. Interested parties are encouraged to present information pertinent to the classification of microbiology diagnostic products to Thomas M. Tsakeris, Head of Classification. Food and Drug Administration (HKF-400), 5600 Fishers Lane, Rockville, MD 20852.

Open committee discussion on August 12. Classification goals of the Microbiology Subcommittee for fiscal year 1976 will be identified. The product list will be discussed.

Closed committee deliberations on August 12. The subcommittee will be attempting to ensure a consensus interpretation of a revised logic scheme for the classification of microbiology diagnostic products. These deliberations will be in the nature of an orientation to a new system for classification and it is therefore necessary to close the meeting to ensure a candid exchange of views.

Committee name	Date, time, place	Type of meeting and contact person
6. FDA/NIDA Drug Abuse Research Advisory Committee.	Aug. 12, 8:30 a.m., Conference Room G, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open public hearing, 8:30 a.m. to 9:30 a.m., open committee discussion 9:30 a.m. to 12:30 p.m., closed committee deliberations, 1:30 p.m.; John A. Scigliano, Ph. D., HFD-120, 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3504.

General Function of the Committee. Advises the Food and Drug Administration on action to be taken with respect to investigational use of substances with abuse potential. Advises the National Institute of Drug Abuse on supplies of substances for clinical studies and on quantities of substances for animal and in vitro studies. Advises FDA and NIDA on development of broad outlines for studies of substances with abuse potential; advises on new methods and tests in animals and man by which the dependence liability of investigational drugs may be estimated.

Agenda—Open public hearing. During this portion, any interested person may present data, information, or views, orally or in writing, on the issues pending before the committee.

Open committee discussion. Charter of the committee; policies and procedures applying to advisory committees; the clinical review of IND application; safety and scientific merit of schedule I protocols; a guide for review of a progress report; criteria for admission to cocaine studies; report of SUNY meeting on opiates.

Closed committee deliberations. Review of IND's, amendments, and progress reports. This session of the meeting is closed to protect the free exchange of internal views of members; to permit deliberations and formulation of recommendations; and to protect the confidentiality of proposed research, changes, and unpublished data from the studies.

Committee name	Date, time, place	Type of meeting and contact person
7. Diathermy Subcommittee of the Panel on Review of Physical Medicine (Physiatry) Devices.	Aug. 14 and 15, 9 a.m., conference room, 8th floor, University Hospital, Seattle, Wash.	Open public hearing, Aug. 14, 9 a.m. to 10 a.m.; open committee discussion 10 a.m.; open committee discussion Aug. 15, 9 a.m. to 5 p.m.; Ms. Johnsie W. Bailey, HFK-400, 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3550.

General Function of the Committee. Reviews and evaluates available data concerning the safety, effectiveness, and reliability of diathermy devices currently in use.

Agenda—Open public hearing. Interested parties are encouraged to present information pertinent to the classification of diathermy devices listed in this announcement to Ms. Johnsie W. Bailey, Executive Secretary (address noted above). Submission of data relative to tentative classification findings is also invited.

Open committee discussion. Dr. Arthur Guy, Director, Bioelectromagnetic Research Laboratory, will discuss microwave and shortwave diathermy and electromagnetic interference. Proposed draft standards for microwave and ultrasound diathermy from the Bureau of Radiological Health will be discussed. A site visit will be made of research facilities at the University of Washington Medical School. Standard priorities and special device problems for the following energy producing devices will be discussed: full body diathermy unit; infrared lamp; microwave diathermy; pulsed shortwave therapy; shortwave diathermy; UV lamp; ultrasonic diathermy; ultrasound and muscle stimulator machine.

Committee name	Date, time, place	Type of meeting and contact person
8. Panel on Review of Blood and Blood Derivatives.	Aug. 22 and 23, 9 a.m., room 121, Building 29, National Institutes of Health, 8800 Rockville Pike, Bethesda, Md.	Closed committee deliberations, Aug. 22, 9 a.m. to 11 a.m., open public hearing Aug. 22, 11 a.m.; closed committee deliberations, Aug. 23, 9 a.m.; Clay Sisk, HFB-5, 8800 Rockville Pike, Bethesda, Md. 20014, 301-496-4545.

General Function of the Committee. Reviews and evaluates available data concerning the safety and effectiveness of biological products.

Agenda—Closed committee deliberations. Safety and effectiveness of whole blood (Human) and red blood cells (Human). These sessions are closed to permit the panel members free exchange of internal views.

Open public hearing. During this portion, any interested person may present data, information, or views, orally or in writing, on the issues pending before the committee.

Committee name	Date, time, place	Type of meeting and contact person
9. Controlled Substances Advisory Committee.	Aug. 28 and 29, 9 a.m., Conference Room A, Parklawn Bldg., 5600 Fishers Lane, Rockville, Md.	Open public hearing, Aug. 28, 9 a.m. to 11 a.m., open committee discussion, 11 a.m.; open committee discussion, Aug. 29, 9 a.m. to 11 a.m., closed committee deliberations, 11 a.m.; James S. Kennedy, Ph. D., HFD-120, 5600 Fishers Lane, Rockville, Md. 20852, 301-443-3504.

General Function of the Committee. Advises the Commissioner regarding the scientific and medical evaluation of all information gathered by the Department of Justice and the Department of Health, Education, and Welfare with regard to safety, effectiveness, and abuse potential of drugs or other substances classified as stimulants, sedatives, hypnotics, or analgesics, and recommends actions to be taken with regard to control of such substances.

Agenda—Open public hearing. During this portion, any interested person may present data, information, or views, orally or in writing, on issues pending before the committee.

Open committee discussion. Scheduling of: Loperamide; difenoxine; halazepam; dextrophan; oxycodone-naloxome drug products; safety and effectiveness of atropine in diphenoxylate and difenoxine; criteria for evaluation of dependence liability and abuse potential and scheduling of drugs.

Closed committee deliberations. This session is closed for formulation of committee recommendations and voting on each specific agenda item listed above.

NOTE.—Less than 15 days' notice may be given for the first meeting listed above by the date of publication, due to the development and implementation of this revised format.

The public advisory committee meetings listed above are conducted pursuant to Subpart D of Part 2 (21 CFR Part 2). Each meeting may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. The dates and times reserved for the separate portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairman determines will facilitate the committee's work.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this FEDERAL REGISTER notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting, as provided in § 2.307 (21 CFR 2.307).

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting in accordance with § 2.312 (21 CFR 2.312). Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairman's discretion.

Under § 2.311 (21 CFR 2.311), written submissions may be made to an advisory committee at any time. Such submissions, the minutes of the meetings (including minutes and summaries of closed portions) and the remainder of the administrative record shall be available for public disclosure under § 2.316 (21 CFR 2.316).

The Commissioner, with the concurrence of the Chief Counsel and in accordance with § 2.318 (21 CFR 2.318), has determined for the reasons stated that those portions of the advisory committee meetings so designated in this notice shall be closed. Both the Federal Advisory Committee Act and 5 U.S.C. 552 (b) permit such closed advisory committee meetings in certain circumstances. Those portions of a meeting designated as closed shall, however, be closed for the shortest time possible consistent with the intent of the cited statutes and the policy established in §§ 2.304 and 2.318 (21 CFR 2.304 and 2.318).

Generally, FDA advisory committees will be closed because the subject matter is exempt from public disclosure under 5 U.S.C. 552(b) (4), (5), (6), or (7), although on occasion the other exemptions listed in 5 U.S.C. 552(b) may also apply. Thus, a portion of a meeting may be closed where the matter involves a trade secret; commercial or financial information that is privileged or confidential; personnel, medical, and similar files disclosure of which could be an unwarranted invasion of personal privacy; and investigatory files compiled for law enforcement purposes. A portion of a meeting may also be closed if the Commissioner determines: (1) That it involves inter-agency or intra-agency memoranda or discussion and deliberations of matters that, if in writing would constitute such memoranda, and which would, therefore, be exempt from public disclosure; and (2) that it is essential to close such portion of a meeting to protect the free exchange of internal views and to avoid undue interference with agency or committee operations.

Examples of matters to be considered at closed portions are those related to the review, discussion, evaluation or ranking of grant applications; the review, discussion, and evaluation of specific drugs or devices; the deliberation and voting relative to the formation of specific regulatory recommendations (general discussion, however, will generally be done during the open committee discussion portion of the meeting); reviews of trade secrets or confidential data; consideration of matters involving FDA investigatory files; and review of medical records of individuals.

Examples of matters that ordinarily will be considered at open meetings are those related to the review, discussion, and evaluation of general preclinical and clinical test protocols and procedures for a class of drugs or devices, consideration of labeling requirements for a class of marketed drugs and devices, review of data and information on specific investigational or marketed drugs and devices that have previously been made public, and presentation of any other data or information that is not exempt from public disclosure.

Any person who alleges noncompliance by the Commissioner or by an advisory committee with any provision of Subpart D of Part 2 of Title 21 of the Code of Federal Regulations (relating to the functions of FDA public advisory committees) or the Federal Advisory Committee Act may pursue the administrative remedies provided by § 2.319 (21 CFR 2.319.

Dated: July 14, 1975.

A. M. SCHMIDT,
Commissioner of Food and Drugs.

[FR Doc.75-18369 Filed 7-17-75;8:45 am]

National Institutes of Health

ADVISORY COMMITTEE

Renewals

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Public Law 92–463, 86 Stat. 770–776), the National Institutes of Health announces the renewal by the Secretary, DHEW, with the concurrence of the office of Management and Budget Committee Management Secretariat, of the following committees:

Arteriosclerosis and Hypertension Advisory Committee
Blood Diseases and Resources Advisory Committee
Board of Scientific Counselors, National Institute of Allergy and Infectious Diseases
Board of Scientific Counselors, National Eye Institute
Board of Scientific Counselors, National Heart and Lung Institute
Cardiology Advisory Committee
Cardiovascular and Pulmonary Study Section
Clinical Applications and Prevention Advisory Committee
Communicative Sciences Study Section
Experimental Psychology Study Section
Immunobiology Study Section
Neurology A Study Section
Physiological Chemistry Study Section
Pulmonary Young Investigator Grant Committee
Radiation Study Section
Sickle Cell Disease Advisory Committee
Surgery A Study Section
Toxicology Study Section

Authority for these committees will expire on June 30, 1977, unless the Secretary formally determines that continuances in the public interest.

Dated: July 14, 1975.

DONALD S. FREDRICKSON, M.D.,
Director,
National Institutes of Health.

[FR Doc.75–18668 Filed 7–17–75;8:45 am]

DIVISION OF RESEARCH GRANTS

Meetings

Pursuant to Public Law 92–463, notice is hereby given of the meetings of the following study sections for September 1975 and the individuals from whom summaries of meetings and rosters of committee members may be obtained.

These meetings will be open to the public to discuss administrative details relating to Study Section business for approximately one hour at the beginning of the first session of the first day of the meeting. Attendance by the public will be limited to space available. These meetings will be closed thereafter in accordance with the provisions set forth in Sections 552(b)(4), 552(b)(5) and 552(b)(6), Title 5 U.S. Code and Section 10(d) of P.L. 92–463, for the review, discussion and evaluation of individual initial pending, supplemental and renewal grant applications. The closed portions of the meetings involve solely the internal expression of views and judgments of study section members on individual applications which contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. Richard Turlington, Chief, Grants Inquiries Office of the Division of Research Grants, Westwood Building, National Institutes of Health, Bethesda, Maryland 20014, telephone area code 301–496–7441 will furnish summaries of the meetings and rosters of committee members. Substantive program information may be obtained from each Executive Secretary whose name, room number, and telephone number are listed below each study section. Anyone planning to attend a meeting should contact the Executive Secretary to confirm the exact meeting time.

Study section	September 1975 meetings	Time	Location
Allergy and Immunology, Dr. Mischa E. Friedman, room 320, telephone 301–496–7380.	25–27	8:45	Holiday Inn, Chevy Chase, Md.
Applied Physiology and Bioengineering, Mrs. Ileen E. Stewart, room 318, telephone 301–496–7581.	25–27	9:00	Bldg. 31, Bethesda, Md.
Bacteriology and Mycology, Dr. Milton Gordon, room A–27, telephone 301–496–7340.	18–20	8:30	Holiday Inn, Chevy Chase, Md.
Biochemistry, Dr. Adolphus P. Toliver, room 350, telephone 301–496–7516.	24–27	Noon	Kenwood Country Club, Bethesda, Md.
Biomedical Communications, Mrs. Ileen E. Stewart, room 318, telephone 301–496–7581.	19	9:00	Bldg. 31, Bethesda, Md.
Biophysics and Biophysical Chemistry A, Dr. Irvin Fuhr, room 4A–09, telephone 301–496–7060.	19–20	9:00	Mayflower Hotel, Washington, D.C.
Biophysics and Biophysical Chemistry B, Dr. John B. Wolff, room 4A–07, telephone 301–496–7070.	11–13	8:30	Bldg. 31, Bethesda, Md.
Cardiovascular and Pulmonary, Dr. Berton J. Leach, room 339, telephone 301–496–7901.	10–13	8:30	Holiday Inn, Bethesda, Md.
Cardiovascular and Renal, Dr. Floyd O. Atchley, room 339, telephone 301–496–7901.	17–20	8:30	Do.
Cell Biology, Dr. Evelyn A. Horenstein, room 4A–04, telephone 301–496–7020.	25–27	9:00	Bldg. 31, Bethesda, Md
Communicative Sciences, Mr. Frederick J. Gutter, room 321, telephone 301–496–7550.	10–13	8:30	Do.
Computer and Biomathematical Sciences, Dr. Bernice S. Lipkin, room 310, telephone 301–496–7568.	17–19	9:00	Linden Hill Hotel, Bethesda, Md.
Developmental Behavioral Sciences, Dr. Bertie H. R. Woolf, room 4A–10, telephone 301–496–7471.	18–20	8:30	Mayflower Hotel, Washington, D.C.
Epidemiology and Disease Control, Mr. Glenn G. Lawson, Jr., room 4A–11, telephone 301–496–7080.	17–19	8:30	Bldg. 31, Bethesda, Md.
Experimental Psychology, Dr. A. Keith Murray, room 220, telephone 301–496–7004.	10–12	9:30	Kenwood Country Club, Bethesda, Md.
Experimental Therapeutics, Dr. Anne R. Bourke, room 319, telephone 301–496–7839.	17–20	2:00 p.m.	Bldg. 31, Bethesda, Md.
Experimental Virology, Dr. Eugene Zebovitz, room 206, telephone 301–496–7474.	22–24	8:30	Do.
General Medicine A, Dr. Harold M. Davidson, room 354, telephone 301–496–7797.	22–24	9:00	Do.
General Medicine B, Dr. William F. Davis, Jr., room 322, telephone 301–496–7730.	18–20	1:00 p.m.	Embassy Row Hotel, Washington, D.C.
Genetics, Dr. Katherine S. Wilson, room 349, telephone 301–496–7271 ..	18–20	9:00	Bldg. 31, Bethesda, Md
Hematology, Dr. Joseph E. Hayes, Jr., room 355, telephone 301–496–7508.	24–27	9:00	Holiday Inn, Chevy Chase, Md.
Human Embryology and Development, Dr. Samuel Moss, room 221, telephone 301–496–7597.	11–13	9:00	Kenwood Country Club, Bethesda, Md.
Immunobiology, Dr. James H. Turner, room A–25, telephone 301–496–7780.	17–19	9:00	Sheraton Inn, Silver Spring, Md.
Immunological Sciences, Dr. Lottie Kornfeld, room A–26, telephone 301–496–7179.	10–12	9:00	Do.
Medicinal Chemistry A, Dr. Asher A. Hyatt, room 222, telephone 301–496–7286.	12–14	9:00	Bldg. 31, Bethesda, Md.
Metabolism, Dr. Robert M. Leonard, room 218, telephone 301–496–7091.	25–27	8:30	Do.
Microbial Chemistry, Dr. Gustave Silber, room 357, telephone 301–496–7130.	18–20	8:30	Holiday Inn, Bethesda, Md.
Molecular Biology, Dr. Donald T. Disque, room 328, telephone 301–496–7830.	18–20	8:30	Shoreham-Americana, Washington, D.C.
Molecular Cytology, Dr. Wendell H. Kyle, room 2A–07, telephone 301–496–7149.	18–20	8:30	Holiday Inn, Chevy Chase, Md.
Neurology A, Dr. William E. Morris, room 326, telephone 301–496–7095.	17–20	9:00	Bldg. 31, Bethesda, Md.
Neurology B, Dr. Willard L. McFarland, room 2A–10, telephone 301–496–7422.	18–20	8:30	Embassy Row Hotel, Washington, D.C.
Nutrition, Dr. John R. Schubert, room 204, telephone 301–496–7178....	10–12	8:30	Holiday Inn, Bethesda, Md.
Oral Biology and Medicine, Dr. Thomas M. Tarpley, Jr., room 4A–03, telephone 301–496–7818.	23–26	9:00	Bldg. 31, Bethesda, Md.
Pathobiological Chemistry, Dr. J. Sri Ram, room 206, telephone 301–496–7432.	17–20	9:00	Holiday Inn, Chevy Chase, Md.
Pathology A, Dr. William B. Savchuck, room 337, telephone 301–496–337.	10–12	9:00	Sheraton Inn, Silver Spring, Md.
Pathology B, Dr. James K. MacNamee, room 352, telephone 301–496–7244.	18–20	8:30	Kenwood Country Club, Bethesda, Md.
Pharmacology, Dr. Joseph A. Kaiser, room 334, telephone 301–496–7408.	23–25	9:00	Holiday Inn, Bethesda, Md.
Physiological Chemistry, Dr. Robert L. Ingram, room 338, telephone 301–496–7837.	18–20	9:00	Ramada Inn, Bethesda, Md.
Physiology, Dr. Clara E. Hamilton, room 219, telephone 301–496–7878.	25–27	9:00	Bldg. 31, Bethesda, Md.
Population Research, Miss Carol A. Campbell, room 210, telephone 301–496–7140.	25–27	9:00	Embassy Row Hotel, Washington, D.C.
Radiation, Dr. Robert L. Straube, room 309, telephone 301–496–7510...	22–25	8:30	Kenwood Country Club, Bethesda, Md.
Reproductive Biology, Dr. Dharam S. Dhindsa, room 307, telephone 301–496–7318.	17–19	9:00	Holiday Inn, Bethesda, Md.
Surgery A, Dr. Raymond J. Helvig, room 336, telephone 301–496–7771.	19–20	8:30	Bldg. 31, Bethesda, Md.
Surgery B, Dr. Joe W. Atkinson, room 348, telephone 301–496–7506.....	19–20	8:30	Holiday Inn, Bethesda, Md.

Study section	September 1975 meetings	Time	Location
Toxicology, Dr. Rob S. McCutcheon, room 226, telephone 301-496-7570.	18-20	8:00	Do.
Tropical Medicine and Parasitology, Dr. George W. Luttermoser, room 319, telephone 301-496-7494.	6-8	8:30	Landow Bldg., Bethesda, Md.
Virology, Dr. Claire H. Winestock, room 340, telephone 301-496-7128.	25-27	8:30	Bldg. 31, Bethesda, Md.
Visual Sciences A, Dr. Orvil E. A. Belduan, room 2A-05, telephone 301-496-7180.	10-12	9:00	Embassy Row Hotel, Washington, D.C.
Visual Sciences B, Dr. Marie A. Jakus, room 353, telephone 301-496-7251.	10-13	9:00	Holiday Inn, Bethesda, Md.

(Catalog of Federal Domestic Assistance Program Nos. 13.333, 13.349, 13.393-13.396, 13.836-13.844, 13.846-13.871, 13.876, National Institutes of Health, DHEW)

Dated: July 14, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-18670 Filed 7-17-75;8:45 am]

NATIONAL HEART AND LUNG INSTITUTE

Meeting

Notice is hereby given of the Workshop Group on Extracorporeal Treatment of Blood meeting, sponsored by the National Heart and Lung Institute, September 4-5, 1975, Building 31, Conference Room 4-A, National Institutes of Health Campus, Bethesda, Maryland.

This meeting will be open to the public on September 4 and 5 from 9 a.m. to adjournment. The purpose of the meeting is to discuss mechanisms for extracorporeal treatment of blood in sickle cell disease. Attendance by the public will be limited to space available.

Dr. John I. Hercules, Health Scientist Administrator, Sickle Cell Disease Branch, National Heart and Lung Institute, National Institutes of Health, Building 31, Room 5A03, Bethesda, Maryland 20014, (301) 496-6932, will provide additional information.

(Catalog of Federal Domestic Assistance Program No. 13.839, National Institutes of Health)

Dated: July 14, 1975.

SUZANNE L. FREMEAU,
Committee Management Officer,
National Institutes of Health.

[FR Doc.75-18669 Filed 7-17-75;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

[FDAA-475-DR; N-75-389]

NORTH DAKOTA

Major Disaster and Related Determinations

Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11795 of July 11, 1974, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285; and by virtue of the Act of May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on July 11, 1975, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of North Dakota resulting from severe storms and flooding beginning about June 27, 1975, is of sufficient severity and magnitude to warrant a major disaster declaration under Pub. L. 93-288. I therefore declare that such a major disaster exists in the State of North Dakota.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11795, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285, I hereby appoint Mr. Donald G. Eddy, HUD Region VIII, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following areas of the State of North Dakota to have been adversely affected by this declared major disaster:

The Counties of:

Barnes	Ransom
Cass	Richland
Dickey	Sargent
La Moure	Stutsman

Dated: July 11, 1975.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance)

WILLIAM E. CROCKETT,
Acting Administrator, Federal Disaster Assistance Administration.

[FR Doc.75-18711 Filed 7-17-75;8:45 am]

Office of Interstate Land Sales Registration

[Docket No. N-75-391]

OLYMPIC HEIGHTS

Hearing

In the matter of Olympic Heights, OILSR No. 0-2248-04-452 Docket No. Y-1168-IS.

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d) Notice is hereby given that:

1. Calprop Corporation, Victor Zoccaglin, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full Disclosure Act (Pub. L. 90-448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing issued May 15, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Olympic Heights, located in Nevada County, California, contain untrue statements of material fact or omit to state material facts required to be stated therein or necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received June 16, 1975, in response to the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d), *It is hereby ordered,* That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street, SW., Washington, D.C., on September 9, 1975, at 10 a.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before September 2, 1975.

6. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an ORDER Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: July 10, 1975.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.75-18712 Filed 7-17-75;8:45 am]

[Docket No. N-75-390]

PORT MARDI GRAS

Hearing

In the matter of Port Mardi Gras, OILSR No. 0-3597-29-178 Docket No. 75-82-IS.

Pursuant to 15 U.S.C. 1706(d) and 24 CFR 1720.160(d), notice is hereby given that:

1. Port Mardi Gras, Inc., Donald Schrum, President, its officers and agents, hereinafter referred to as "Respondent," being subject to the provisions of the Interstate Land Sales Full

Disclosure Act (Pub. L. 90–448) (15 U.S.C. 1701 et seq.), received a Notice of Proceedings and Opportunity for Hearing issued June 16, 1975, which was sent to the developer pursuant to 15 U.S.C. 1706(d), 24 CFR 1710.45(b)(1) and 1720.125 informing the developer of information obtained by the Office of Interstate Land Sales Registration alleging that the Statement of Record and Property Report for Port Mardi Gras, located in Gasconade County, Missouri, contain untrue statements of material fact or omit to state material facts required to be stated therein or necessary to make the statements therein not misleading.

2. The Respondent filed an Answer received July 3, 1975, in response to the Notice of Proceedings and Opportunity for Hearing.

3. In said Answer the Respondent requested a hearing on the allegations contained in the Notice of Proceedings and Opportunity for Hearing.

4. Therefore, pursuant to the provisions of 15 U.S.C. 1706(d) and 24 CFR 1720.160(d): *It is hereby ordered*, That a public hearing for the purpose of taking evidence on the questions set forth in the Notice of Proceedings and Opportunity for Hearing will be held before Judge James W. Mast, in Room 7146, Department of HUD, 451 7th Street SW., Washington, D.C., on July 31, 1975, at 2 p.m.

The following time and procedure is applicable to such hearing: All affidavits and a list of all witnesses are requested to be filed with the Hearing Clerk, HUD Building, Room 10150, Washington, D.C., 20410 on or before July 24, 1975.

6. The Respondent is hereby notified that failure to appear at the above scheduled hearing shall be deemed a default and the proceedings shall be determined against Respondent, the allegations of which shall be deemed to be true, and an order Suspending the Statement of Record, herein identified, shall be issued pursuant to 24 CFR 1710.45(b)(1).

This Notice shall be served upon the Respondent forthwith pursuant to 24 CFR 1720.440.

Dated: July 10, 1975.

By the Secretary.

JAMES W. MAST,
Administrative Law Judge.

[FR Doc.75-18713 Filed 7-17-75;8:45 am]

Office of the Secretary

[Docket No. D-75-354]

ASSISTANT SECRETARY FOR POLICY DEVELOPMENT AND RESEARCH AND THE ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT

Delegation of Authority

Title I of the Housing and Community Development Act of 1974 establishes the Community Development Block Grant Program. Section 107(a) of the Act provides that funds shall be reserved and set aside in a special discretionary fund for use by the Secretary in making grants for the purposes set forth in the subsection. The power and authority of the Secretary with respect to discretionary grants under section 107(a)(4) for innovative community development projects is being delegated to the Assistant Secretary for Policy Development and Research and the Assistant Secretary for Community Planning and Development.

Section A. *Authority Delegated.* The Assistant Secretary for Policy Development and Research is authorized to exercise the power and authority of the Secretary of Housing and Urban Development with respect to discretionary grants for the purpose of demonstrating innovative community development projects under section 107(a)(4) of the Housing and Community Development Act of 1974, with the concurrence of the Assistant Secretary for Community Planning and Development in final approval action.

Sec. B. *Authority Excepted.* There is excepted from the authority delegated under Section A:

1. The power to issue obligations for purchase by the Secretary of the Treasury under Section 108(d) of the Housing and Community Development Act of 1974. (42 U.S.C. 5308)

2. The power to sue and be sued.

3. The power and authority of the Secretary with respect to nondiscrimination under section 109 of the Housing and Community Development Act of 1974 (42 U.S.C. 5309), with respect to the powers to make audits and reviews under section 104(d) (42 U.S.C. 5304), and with respect to remedies for noncompliance under section 111 (42 U.S.C. 5311), except that initial proposed and final regulations with respect to such sections shall be issued by the Assistant Secretary for Community Planning and Development, subject, however, to revision at such time as the power and authority under these sections may be delegated by the Secretary.

Sec. C. *Authority to Redelegate.* The Assistant Secretary for Policy Development and Research and the Assistant Secretary for Community Planning and Development, are authorized to redelegate to the employees of the Department any of the authority delegated under section A, and not excepted under section B.

(Sec. 7(d), Department of HUD Act, 42 U.S.C. 3535(d))

Effective Date. This delegation of authority is effective as of August 22, 1974.

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

[FR Doc.75-18655 Filed 7-17-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Order 75-7-64; Docket 25659]

INVESTIGATION OF THE LOCAL SERVICE CLASS SUBSIDY RATE

Class Rate VII

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 14th day of July, 1975.

On January 24, 1974, the Board adopted Order 74-1-123, which established Class Rate VII as the fair and reasonable final subsidy rate for the local service industry on and after July 1, 1973.[1] Section IV. C. of the Rate Formula, set forth in Order 74-1-123, provides for review and updating of the provisions for offset of excess earnings from ineligible services on a recurrent six-month basis for annual periods ending in September and March of each year. Effective January 1, 1975, the Board amended Class Rate VII to provide for downward or upward adjustment of the subsidy level for eligible services.[2] Such adjustment is to be based upon a review, as provided in Section VIII B. of the Rate Formula set forth in Order 74-12-120, which is similar to and concurrent with the review of ineligible operations.[3]

The carriers have now submitted the data required for the review of both eligible and ineligible services covering the year ended March 31, 1975, in the form and detail specified in Section IV C. 7 and Section VIII B. 10. Such data have been reviewed in detail and adjustments have been made in accordance with established subsidy ratemaking principles.

Adjusted operating results, adjusted investment, plus calculations of ineligible profits and eligible need changes to be shared are contained in the attached appendices.

All carriers except Piedmont and Southern achieved excess profits on ineligible services.[4] However, the levels of excess profits were lower than in the previous review. Only Frontier has shown an improvement in eligible need relative to its adjusted base ceiling while other carriers experienced increases in eligible need. The net results are that the subsidy rates for four of the seven carriers will be set at maximum levels, effective July 1, 1975.

Based on adjusted operating results and investment for the year ended March

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[1] In Order 73-10-1, October 1, 1973, the Board determined an adjusted subsidy level for each carrier, and proposed a formula for equitable distribution of the subsidy payments among the local service carriers. Except as modified therein, Order 74-1-123 reaffirmed and made final all of the findings and conclusions set forth in Order 73-10-1.

[2] Orders 74-12-120, December 30, 1974, and 75-3-22, March 7, 1975.

[3] The initial review, based on the year ended September 30, 1973, Order 74-2-59, February 14, 1974, established the fair and reasonable subsidy rates for each carrier from January 1, 1974 through June 30, 1974. The second review period, covering the 12 months ended March 31, 1974, Order 74-7-76, July 18, 1974, established the fair and reasonable subsidy rate for each carrier from July 1, 1974 through December 31, 1974. The third review period covering the 12 months ended September 30, 1974, Orders 74-12-119, December 30, 1974, 74-12-120, December 30, 1974, and 75-3-22, March 7, 1975, established the fair and reasonable subsidy rates for each carrier from January 1, 1975 through June 30, 1975.

[4] Although Texas International was in a full strike status from December 5, 1974 through March 31, 1975 of the review period, its operations were normalized to remove many of the abnormalities.

31, 1975, we find that the fair and reasonable annual subsidy due and payable to the seven carriers in Class Rate VII, on and after July 1, 1975, is $65.0 million. This is $8.3 million greater than the rate established in the third review by Orders 74–12–119, 74–12–120, and 75–3–22 and reflects the effects of the current economic recession on airline operations.

In addition, it is necessary to provide that the subsidy due and payable to each carrier on and after July 1, 1975, shall be computed on the basis of the daily subsidy rate set forth for each carrier in amended Appendix L (Third Revised) attached to this order:

Accordingly, it is ordered that:[5]

1. Effective on and after July 1, 1975, attached Appendices[6] A, B, C, F–1, and M–1 supersede the corresponding appendices attached to Order 74–12–119, dated December 30, 1974; and attached appendices[6] A, I, I–B, I–C, and L supersede appendices I–A, I, I–B, I–C, and L attached to Order 74–12–120, dated December 30, 1974;

2. The subsidy due and payable to each carrier on and after July 1, 1975,[7] shall be computed on the basis of the daily subsidy rate set forth for each carrier in Appendix L (Third Revised) to this order;

3. This order shall become effective on the seventh day after service hereof, unless prior to that date exceptions, together with supporting reasons, shall have been filed with the Board by any party to this proceeding. If exceptions and supporting reasons are filed by any party within the prescribed time, the effective date of this order shall be stayed only for the party or parties filing exceptions pending further action by the Board; and

4. This order shall be served upon all parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75–18702 Filed 7–17–75;8:45 am]

HAWAIIAN AIRLINES, INC.

[Docket 27612]

Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on August 12, 1975, at 9 a.m. (local time) in Court Room No. 1, United States Court House in Honolulu, Hawaii before Administrative Law Judge Burton S. Kolko.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on June 2, 1975, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., July 14, 1975.

[SEAL] BURTON S. KOLKO,
Administrative Law Judge.

[FR Doc.75–18698 Filed 7–17–75;8:45 am]

MARYLAND DEPARTMENT OF TRANSPORTATION

Meeting

Notice is hereby given that a briefing will be made by the Maryland Department of Transportation on July 31, 1975, at 10:00 a.m., in Room 1027, Universal Building, 1825 Connecticut Avenue, N.W., Washington, D.C., on the development of the Baltimore-Washington International Airport since its dedication five years ago.

Dated at Washington, D.C., July 15, 1975.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75–18699 Filed 7–17–75;8:45 am]

[Order 75–7–62; Docket 28873]

ALLEGHENY AIRLINES, INC.

Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 30th day of June, 1975.

By tariff revisions[1] marked to become effective July 1, 1975, Allegheny Airlines, Inc. (Allegheny) proposes to extend its individual inclusive tour excursion fares (IT) in 22 trans-border markets (all over 200 miles in distance) from the current expiration date of July 15, 1975 to July 15, 1976. The fares which became effective December 15, 1974, offer a discount of 20 percent from normal jet custom and propeller class fares, are restricted to round-trip travel, and are available only between midnight Friday and midnight Sunday.

Allegheny has justified extension of its trans-border fares simultaneously with similar domestic IT fares, and it is not clear whether the data provided in that justification included the results in its trans-border service.[2] In any event, it concedes that only a small number of passengers used the trans-border fares. The carrier concedes a disappointingly low level of traffic generation, which it alleges resulted from the fact that promotional travel brochures had already been printed by travel wholesalers and retailers for last year's peak summer and fall travel periods and that the program was therefore unknown to many potential passengers. Because of the low level of usage, there are allegedly "no meaningful data upon which to reach definitive conclusions regarding the economics of the program;" a December, 1974 inflight survey indicated less than one percent of the sample represented IT passengers. It is contended that an additional year's extension is necessary to determine the "ultimate value" of the program, although no estimate as to its expected financial effect has been provided.

Complaints have been filed by American Airlines, Inc. (American), Northwest Airlines, Inc. (Northwest) and Trans World Airlines, Inc. (TWA). All three carriers argue that the lack of traffic response to the fare is sufficient to call for suspension, and allege that Allegheny's attempt to refile a promotional fare which has failed to generate traffic flies in the face of the Board's attempt to eliminate useless promotional fares. TWA characterizes the tariff as "junk" fares that "clutter" the tariff pages. It is contended that Allegheny's fares have clearly been a failure in generating additional traffic and that Allegheny's stated reason for this failure is "absurd." TWA also argues, in addition, that the existence of more promotional fares in the markets involved at this time makes it likely that there would be even less response to the IT fare this year than last.

Allegheny has answered the complaints, largely reiterating its previous support for continuation of the fares and contending that the complainants have provided no reasonable basis for terminating the experiment at this time. It stresses the insufficient data base upon which to reach any meaningful judgment concerning the economic merits of the program as the primary reason for continuing it for another year. Finally, Allegheny notes that tour-basing fares are not unique to its system and that, in view of the relatively low usage, it is reasonably certain that the fares have not had a significant diversionary impact on other carriers.

Upon consideration of all relevant matters, the Board has concluded that extension of the proposed fares may be unjust, or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be investigated. The Board further concludes that these fares should be suspended pending investigation.

When these transborder IT fares were previously before the Board, it was argued by dissenting members Minetti and West that they should not be suspended in any of the markets in which they were proposed—a position subsequently upheld by the President on foreign policy grounds (See Order 74–12–94 and attachments thereto). The present situation, however, is quite different. The Board has always held the view that a carrier seeking to renew discount fares should furnish a detailed justification

[5] This order is not intended to disturb the service mail rates established pursuant to other orders of the Board.

[6] Appendices were filed as part of the original document.

[7] The profit offset from ineligible services and the eligible improvement or deficiency as determined herein are effective from July 1, 1975, through December 31, 1975.

[1] Revisions to Airline Tariff Publishers Company, Inc., Agent, Tariff C.A.B. No. 249.

[2] Allegheny reported that through March 1975, 2,319 passengers used the IT fares, which resulted in a net positive profit impact of $7,056, based on an assumed generation of 40 percent.

based on its experience with them, and this Allegheny has not done. Indeed, from the data Allegheny has provided, it would appear that this particular fare experiment has not been successful. It has not been shown to have lowered the cost of air transportation between the United States and Canada, and no persuasive reason is offered why it should be continued.

Since these fares were first proposed a number of discount fares have been introduced which offer the air traveller various options for low cost travel in the markets involved. Thus, the suspension of these fares should have little adverse impact on the consumer. In view of this, it does not appear necessary in the public interest that unproductive discount fares should continue to clutter up the tariffs indefinitely. In fact, with the new promotional fares now available on Allegheny's system, generation from the IT fare would very likely be even less in the future that it has been in the past year. The carrier's pleadings do not disclose that the carrier or tour operators have any plans to develop IT traffic, or that the carrier has made any study or survey of traffic potential.[3] Moreover, due to the extremely limited volume of traffic involved, and with alternative discount fares now available, we foresee little if any adverse inflationary impact as a result of suspension.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204, 403, 404, and 1002 thereof,

It is ordered that:

1. An investigation be instituted to determine whether the provisions of Reference Marks "e", insofar as they apply to the SWE5 and YWE5 class fares from or to points in Canada, on 2nd Revised Page 54, 9th and 10th Revised Pages 128, 4th Revised Page 231, 7th and 8th Revised Pages 299 and 6th and 7th Revised Pages 646 to C.A.B. No. 249 issued by Airline Tariff Publishing Company, Agent, and practices affecting such provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to take appropriate action to prevent the use of such provisions or rules, regulations, or practices;

2. Pending hearing and decision by the Board, the provisions on the tariff pages specified in paragraph 1 above are suspended and their use deferred to and including July 14, 1976 unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. This order shall be submitted to the President[4] and shall become effective July 11, 1975;

4. The investigation ordered herein be assigned for hearing before an Administrative Law Judge of the Board at a time and place hereafter to be designated; and

5. Copies of this order be served upon Allegheny Airlines, Inc., American Airlines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., Northwest Airlines, Inc., Trans World Airlines, Inc., and United Air Lines, Inc., which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-18700 Filed 7-17-75;8:45 am]

[Order 75-7-61, Dockets 27959, 27993, 27701]

KOREAN AIR LINES CO., LTD.

Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 14th day of July, 1975.

Korean Air Lines Co., Ltd. (KAL) has filed tariff revisions, effective July 11, 1975, proposing new 14/90-day group excursion fares from points in the U.S. to Seoul.[1] The fares, proposed pursuant to instruction from the Government of the Republic of Korea, are intended to enable Koreans residing in the United States and Korean War veterans to visit Korea on the occasion of the 30th anniversary of Korean Independence and the 25th anniversary of the Korean War; to permit KAL to compete with similar fares in effect from the United States to Manila and Taipei; and to aid in the general promotion and development of Korean tourism. The initial tariff filing has since been revised to increase the minimum stay period to 30 days.

By telegraphic complaint filed June 17, 1975, Northwest Airlines, Inc. (Northwest) requests that the proposed fares be suspended and investigated on the ground that the 14-day minimum-stay period is unduly liberal and poses a serious potential for diversion from normal-fare traffic. In a late complaint filed June 23, 1975, Pan American World Airways, Inc. (Pan American) likewise requests suspension or at the very least investigation of the proposed fares. The carrier contends the Korean fares undercut every fare in the U.S.-Korea market except the IATA GIT and affinity group (70) fares; that revenue from the proposed fares would not cover the cost of carriage at anticipated load factors in the U.S.-Korea market; and that the fares cannot be expected to generate new traffic.

Northwest's complaint has been effectively mooted by KAL's increase in the minimum stay period from 14 to 30 days. Thus, the proposed fares are identical to the government-ordered group fares presently available to destinations in the Philippine Islands and the Republic of China.[2] The only remaining issue raised by the complaints, therefore, is Pan American's contention that the group fares are uneconomic. The Board has determined to dismiss the complaint insofar as it seeks suspension on the basis that the proposed U.S.-Seoul fares, which produce a yield averaging 12 percent more than that derived from the similar group fares to Manila and Taipei, represent a legitimate competitive response on the part of KAL. However, the same potential for significant yield erosion exists here and, for this reason, we are ordering their investigation and consolidation with that instituted by Orders 75-5-61 and 75-5-114.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, and particularly sections 204(a), 403, and 1002(j) thereof,

It is ordered that:

1. An investigation be instituted to determine whether the fares and provisions set forth in the tariff pages in the Appendix hereto, and all subsequent revisions thereto, and rules, regulations and practices affecting such fares and provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to take appropriate action to prevent the use of such fares and provisions or rules, regulations, or practices;

2. The investigation ordered herein be and hereby is consolidated into that instituted by Order 75-5-61 in Docket 27701 which is designated *Pacific Group Fares Investigation;*

3. Except to the extent granted herein, the complaints of Northwest Airlines, Inc. and Pan American World Airways, Inc., in Dockets 27959 and 27993 be and hereby are dismissed; and

4. Copies of this order be served upon Korean Air Lines Co., Ltd., which is hereby made a party to Docket 27701, and upon Northwest Airlines, Inc., and Pan American World Airways, Inc.

This order will be published in the Federal Register.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

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[3] We do not find persuasive the fact that other carriers maintain tour-basing fares. These fares are generally successful in markets which are heavily vacation oriented. Allegheny's system is not of this character, a fact which in our judgment explains the lack of success of the fare.

[4] This order was transmitted to the President on July 2, 1975.

[1] Air Tariffs Corporation, Agent, Tariff C.A.B. No. 44, 22nd Revised Page 309 and Rule No. 297.

[2] The U.S.-Philippines fares, which have been available since 1973, were recently extended by government order through February 29, 1976. The Board adopted an order suspending the extension, but the Board's action was disapproved by the President and the Board subsequently ordered an investigation of the fares. Order 75-5-61 (May 16, 1975). The U.S.-Republic of China fares have been available since May 23, 1975 and were set for investigation by Order 75-5-114 (May 28, 1975).

APPENDIX

Passenger Fares Tariff No. PF–4, C.A.B. No. 44
Issued by Air Tariffs Corporation, Agent
On 8th Revised Page 82–G, Rule 297
On 22nd Revised Page 309, Table 121

[FR Doc.75–18701 Filed 7–17–75;8:45 am]

COMMISSION ON CIVIL RIGHTS

COLORADO STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Colorado State Advisory Committee (SAC) to this Commission will convene at 8 a.m. on August 23, 1975, at the Quality Inn Motel, 1840 Sherman Street, Denver, Colorado 80203.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Mountain States Regional Office of the Commission, Room 216, 1726 Champa Street, Denver, Colorado 80202.

The purpose of this meeting is to review and discuss the legal section of the Medical/Legal Access Project Report.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., July 14, 1975.

ISAIAH T. CRESWELL, JR.,
Advisory Committee Management Officer.

[FR Doc.75–18707 Filed 7–17–75;8:45 am]

MARYLAND STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Maryland State Advisory Committee (SAC) to this Commission will convene at 8 p.m. on August 4, 1975, Johns Hopkins University, Baltimore, Maryland.

Persons wishing to attend this meeting should contact the Commission Chairperson, or the Mid-Atlantic Regional Office of the Commission, Room 510, 2120 L Street, NW., Washington, D.C. 20037.

The purpose of this meeting is to: (1) Review data for Maryland S&L's institutions, (2) Review draft project proposal, (3) Identify potential interviews for Maryland S&L hearing.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., July 15, 1975.

ISAIAH T. CRESWELL, JR.,
Advisory Committee Management Officer.

[FR Doc.75–18708 Filed 7–17–75;8:45 am]

MICHIGAN STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Michigan State Advisory Committee (SAC) to this Commission will convene at 1:30 p.m. on August 8, 1975, at Bergstein Room, Main Building, Delta College, University Center, Michigan 48710.

Persons wishing to attend this meeting should contact the Committee Chairperson or the Midwestern Regional Office of the Commission, Room 1428, 230 South Dearborn Street, 32nd Floor, Chicago, Illinois 60604.

The purpose of this meeting is to: (1) Review material for inclusion in report of the committee's June hearing on Model Cities phase-outs, (2) Continue plans for the committee's third community development hearing, (3) Other old and new business.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., July 15, 1975.

ISAIAH T. CRESWELL, JR.,
Advisory Committee Management Officer.

[FR Doc.75–18709 Filed 7–17–75;8:45 am]

NEW MEXICO STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a press conference of the New Mexico State Advisory Committee (SAC) to this Commission will convene at 10 a.m. on August 13, 1975 at the Airport Marina Hotel 2910 Yale Blvd. SE, Albuquerque, New Mexico 87119.

Persons wishing to attend this meeting should contact the Committee Chairman, or the Southwestern Regional Office of the Commission, Room 231, New Moore Building, 106 Broadway, San Antonio, Texas 78205.

The purpose of this press conference is to release Farmington Report.

This meeting will be conducted pursuant to the rules and regulations of the Commission.

Dated at Washington, D.C., July 15, 1975.

ISAIAH T. CRESWELL, JR.,
Advisory Committee Management Officer.

[FR Doc.75–18710 Filed 7–17–75;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

DRAFT ENVIRONMENTAL IMPACT STATEMENTS

Availability

Environmental impact statements received by the Council on Environmental Quality from July 7th through July 11, 1975. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the *minimum* period for public review and comment on draft environmental impact statements in forty-five (45) days from this FEDERAL REGISTER notice of availability. (September 1, 1975) The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies will also be available at cost from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fowden G. Maxwell, Coordinator of Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 359–A, Washington, D.C. 20250, 202–447–3965.

FOREST SERVICE

Draft

Willamette N.F., Land Use and Timber Management, Oregon and Washington, July 10: The statement considers five alternatives for the land use and timber management plans for the 1,700,000 acre Willamette National Forest. Each of the plans emphasizes development of one or more aspects of the land. Adverse impacts depend entirely upon the alternative(s) chosen. (ELR Order No. 50992.)

Shoshone N.F. Timber Management Plan, several counties in Wyoming, July 10: The statement concerns the revision of the 1963 Timber Plan for the Shoshone National Forest. It recommends forest management of 2,160 acres of land annually. Less than one percent of the Forest will be treated in the ten years. Timber management will change the appearance of the landscape, and road construction would result. (ELR Order No. 50991.)

Final

Kelly-Bullion Unit, Nezperce N.F., Idaho County, Idaho, July 10: Proposed is the implementation of management guidance for the 39,100 acre Kelly-Bullion Planning Unit of the Nezperce National Forest. Management on the various management units will be directed towards wildlife, backcounty, recreational mining, timber or forage values; 20,057 acres will be placed under intensive timber management. The roadless and scenic qualities of the Salmon River Breaks and the Wind River Area will be protected under the plan. There will be adverse impact to soil and wildlife habitat. Comments made by: EPA and DOI. (ELR Order No. 50989.)

Final

Deschutes, Fremont, Ochoco, Winema N.F.'s, Herbicide, several counties in Oregon, July 8: The statement concerns the use of amitrole, atrazine, dalapon, dicamba, 2,4, 5-T, 2,4-D, silvex, and picloram on the following National Forests: Deschutes, Fremont, Ochoco, and Winema. The use of these chemicals will put herbicide residues into the environment in varying amounts, depending upon the chemical used. The killing of some non-target species and the hazard of an altered habitat to wildlife are among the adverse impacts of vegetation management. Comments made by: HEW, DOI, and state agencies. (ELR Order No. 50984.)

Huckleberry Planning Unit, Mt. Hood N.F., Clackamas County, Oreg., July 8: The statement analyzes a proposed land use management plan for the 30,000 acre Huckleberry Planning Unit, Zigzag Ranger District, Mt. Hood National Forest. The unit contains 20,800 acres of roadless areas. The unit would be divided into 4 management areas for such uses as timber and water production, recreation, grazing, and wildlife habitat; Unit D would be managed for backcountry and road-

less recreation, and would remain in an essentially unchanged natural condition. There will be adverse impact to air, water, and soil qualities from timber harvest and road construction, and increased recreational use (91 pages). Comments made by: AMP, USDA, COE, HUD, DOI, FPC, EPA, USCG, state agencies, other organizations and individuals. (ELR Order No. 50985.)

RURAL ELECTRIFICATION ADMINISTRATION

Draft

Big Cajun No. 2 Power Station, Pointe Coupee County, La., July 7: This project involves the construction of a new 1080-megawatt coal-fired generating station on the Mississippi River near New Roads, Louisiana. The station will consist two 540 megawatt steam generating units and switching yards for related transmission. Adverse impacts include the release of some sulfur and nitrogen oxides and particulate matter into the atmosphere, removal of 1,714 acres of pasture land from agricultural productivity, increased noise levels, slightly increased incidence of fogging, increased large traffic on the river, the discharge of liquid wastes into the river, increased coal mining, and temporary construction disruption (43 pages). (ELR Order No. 50978.)

SOIL CONSERVATION SERVICE

Final

East Franklin Watershed, Franklin, Catahoula, and Richland Counties, July 7: The statement refers to the construction of the East Franklin Watershed Project. The project is for watershed protection, flood prevention, and drainage in Franklin, Catahoula, and Richland Parishes, Louisiana. Approximately 186 miles of channel work with appurtenant measures, construction of 28 structures for water control, and measures to minimize adverse effects to fish and wildlife will be installed. Adverse impacts are loss of wildlife habitat, sedimentation and turbidity during construction, and increased temperatures on ponded areas. Comments made by: DOT, EPA, AHP, HEW, DOI, USCG, and COE. (ELR Order No. 50971.)

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Mr. Francis X. Kelly, Director, Office of Public Affairs, Attn: DAEN-PAP, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue SW., Washington, D.C. 20314, 202-693-6861.

Draft

Brunswick Harbor Improvement, Glynn County, Ga., July 7: The project provides for improvements to Brunswick Harbor, Georgia including deepening East River and associated entrance channels, enlarging the existing turning basin and maneuver area, and constructing two channels and a turning basin. Adverse impacts associated with this project are loss of plankton and benthic organisms during dredging and temporary increases in turbidity and suspended solids (Savannah District). (ELR Order No. 50973.)

Altamaha, Oconee and Ocmulgee Rivers, Snagging, several counties in Georgia, July 11: The proposed action is the maintenance of the channels in the Altamaha, Ocomee, and Ocumulgee Rivers. The project will consist of selective clearing and snagging by snagging vessels within the 60 to 100 foot wide channel along a total stream length of 474 miles for purposes of continued recreation and navigation. Adverse impacts include the reduction in potential fish habitat and encouragement of continued use by power boats (Savannah District). (ELR Order No. 51002.)

Kings Bay Military Ocean Terminal, Permit, Camden County, Ga., July 11: Proposed is the granting of a permit for maintenance dredging of the turning basin and entrance channel serving Kings Bay Military Ocean Terminal in Kings Bay, Cumberland Sound, for the purpose of facilitating safe access to regular deep-water channels, thereby sustaining the standby mobilization status of the ocean terminal. Dredging will cause an increase in suspended solids and turbidity. Disposal operations will alter present habitats existing on disposal sites, cause some displacement of animal and bird species utilizing disposal sites, and produce adverse impact upon the visual aesthetics and/or scenic value of Cumberland Island (National Seashore designation) (Savannah District). (ELR Order No. 51003.)

Elk Creek Lake, several counties in Oregon, July 8: Proposed is the construction and operation of Elk Creek Lake, a component of the Rogue River Basin Project, for purposes of flood control, fish and wildlife enhancement, municipal and industrial water supply, irrigation, recreation, area redevelopment, and water quality control. Construction of the dam and reservoir would have the following adverse effects: inundation of about 1,200 acres of land; destruction of vegetation and wildlife populations currently inhabiting the reservoir site; and the alteration of the natural environment by the addition of a man-made earth and rock embankment, landscaped visitor facilities, and a large body of water (Portland District). (ELR Order No. 50980.)

Final

Keneenaw Waterway, Houghton County, Michigan, July 10: The proposed action is the continued operation and maintenance of the Kenweenay Waterway. This activity includes breakwater and revetment repair, dredging, and dredge material disposal. Adverse impacts include increased turbidity, disruptions and covering of benthic dwelling organisms during dredging operation, and the effects of open-lake disposal into Lake Superior (St. Paul District). Comments made by: EPA, USDA, COE, HEW, DOI, and USCG. (ELR Order No. 50990.)

Chartiers Creek Local Flood Protection Project, Washington and Allegheny Counties, Pa., July 9: The statement refers to the continuation and completion of a flood protection project consisting of two independent projects involving the widening, deepening, and realignment of Chartiers Creek through 4.8 miles in the Canonsburg-Houston area of Washington County and 11.2 miles in the Carnegie-Bridgeville area of Allegheny County. Adverse impacts are long-term loss of wildlife habitat, and increased noise, air, and water pollution (Pittsburgh District). Comments made by: DOC, USDA, EPA, DOI, state, and local agencies. (ELR Order No. 50986.)

GENERAL SERVICES ADMINISTRATION

Contact: Mr. Andrew E. Kauders, Executive Director of Environmental Affairs, General Services Administration, 18th and F Streets NW., Washington, D.C. 20405, 202-343-4161.

Draft

Fort Holabird Disposal, Baltimore County, Md., July 10: The action consists of the disposal of 226.85 acres of Fort Holabird, Baltimore City as follows: approximately 179.20 acres through negotiated sale with the City of Baltimore, approximately 37 acres by assignment to the Bureau of Outdoor Recreation for conveyance to the City of Baltimore for park and recreation purposes, approximately 4 acres by assignment to BOR for conveyance to Baltimore County, and approximately 6.65 acres through Sealed Bid Sale. Adverse effects to the environment would result from increase in noise, emission pollutants due to increased traffic, increase in sewage, water, and other utilities including solid waste disposal. (ELR Order No. 50988.)

Federal Youth Center, Bastrop County, Texas, July 7: The project consists of construction of 145,000 square feet of space for a Federal Youth Center to be operated by the Bureau of Prisons near the city of Bastrop, Texas. Adverse impacts include minor increases in traffic volume and noise at the site, slight degradation of air quality due to the increased traffic, and temporary construction disruption (167 pages). (ELR Order No. 50977.)

Final

Border Patrol Sector Headquarters, Marfa, Presido County, Tex., July 7: Proposed is the construction of a 4-building, 29,000 square foot complex to house the operation of the Border Patrol, a branch of the Immigration and Naturalization Service. The complex will include facilities for vehicle repair and storage and a parking lot for 35 vehicles. The existing buildings on the 8.2-acre site will be used until completion of the new facility, and then removed. Construction disruption will result. Comments made by: DOT, AHP, COE, HEW, EPA, DOI, and USDA. (ELR Order No. 50974.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Room 7258, 451 7th Street SW., Washington, D.C. 20410, 202-755-6308.

Draft

Osceola Water Treatment Plant Improvements, Mississippi County, Ark., July 7: The proposed project is the renovation of existing facilities to double the capacity of the present 1.5 MCD Osceola water treatment plant. Project construction will cause temporary community disruption. Operation of the plant will result in the possbility of surface water quality degradation from sewage sludge lagoon overflow and of ground water quality degradation from sewage sludge lagoon seepage. (ELR Order No. 50976.)

Final

Seminola NDP Area (No. 1), Dade County, Fla., July 10: The statement is the first of eight statements concerning the Dade County Neighborhood Development Program. The program is currently in its fifth year of execution proposing urban renewal in eight areas. Relocation of families and individuals is largely accomplished. There will be construction disruption. (ELR Order No. 50994.)

Edison Park NDP Area (No. 2), Dade County, Fla., July 10. (ELR Order No. 50995.)

Central NDP Area (No. 3), Dade County, Fla., July 10. (ELR Order No. 50996.)

Coconut Grove NDP Area (No. 4), Dade County, Fla., July 10. (ELR Order No. 50997.)

South Miami NDP Area (No. 6), Dade County, Fla., July 10. (ELR Order No. 50998.)

Perrine NDP Area (No. 7), Dade County, Fla., July 10. (ELR Order No. 50999.)

Goulds NDP Area (No. 8), Dade County, Fla., July 10. (ELR Order No. 51000.)

The Model City Area (Area No. 9), Dade County, Fla., July 10, (ELR Order No. 51001).

The following are Community Development Block Grant statements prepared and circulated directly by applicants pursuant to section 104(h) of the 1974 Housing and Community Development Act. Copies may be obtained from the office of the appropriate local chief executive. (Copies are not available from HUD).

SECTION 104(H)

Draft

Williamson Creek Sewer Line, Texas, July 8: Proposed is the installation of a sewer trunk line to serve northeastern Temple, including a presently undeveloped area proposed for residential development. The project will encourage development in northeast Temple. Construction disruption will result. (ELR Order No. 50981.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director, Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, 202-343-3891.

BUREAU OF LAND MANAGEMENT

Draft

Increased Leasing, 10 Million Acres, OCS, July 11: Proposed is the acceleration of Outer Continental Shelf oil and gas leasing in the years 1975 through 1978 by conducting six lease sales each year, including lease sales in some or all frontier areas by 1978. Many of these areas have little or no history of OCS oil and gas development. The possible environmental impacts of such an increase are examined and several scenarios are presented by which this proposal could be affected (3 volumes). (ELR Order No. 51004.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, 400 7th Street SW., Washington, D.C. 20590, 202-426-4357.

FEDERAL AVIATION ADMINISTRATION

Draft

Detroit-Wayne Co. Airport, Runway (Supplement), Wayne County, Mich., July 9: The statement is to supplement an eis filed with CEQ 10 April 1974. The specific issues addressed consist of those in the opinion of the US District Court, Eastern District of Michigan, Southern Division. Data is included to rectify the omission of information in the statement which the court found misleading. The minimum review period of this draft supplement shall be thirty days from July 9, 1975 (August 8, 1975). (ELR Order No. 50987.)

FEDERAL HIGHWAY ADMINISTRATION

Draft

U.S. 56, Kauai Belt Road, Hanalei to Kalihiwai, Kauai County, Hawaii, July 8: The project entails the realignment and widening to 2 lanes of a 3.5 mile segment of Kuhio Highway (FAP 56) located in the Hanalei District, Island of Kauai. Adverse environmental impacts include the displacement of 0 to 4 homes, increased noise along the route, increased nitrogen oxide emissions, the removal of as many as 6 large trees and several smaller trees, and temporary construction disruption (106 pages). (ELR Order No. 50979.)

KY 80 (Somerset-London Road), Pulaski and Laurel Counties, Ky., July 7: The proposed construction of KY 80, 1 4-lane highway, begins near Rockcastle River (Pulaski County) and terminates 4.3 miles eastward near existing KY 80 and Bernstadt (Laurel County). Adverse effects include increased noise levels along the new route, loss of 140 acres of wildlife habitat and some vegetation, displacement of 1 to 4 homes, limited erosion and sedimentation during construction, and temporary construction disruption. (ELR Order No. 50975.)

Draft

U.S. 31-E, Allen County, Ky., July 8: Proposed is the relocation of a portion of U.S. 31-E from 2.2 miles North of the Tennessee State line to the point of intersection with U.S. 231 near the West City Limits of Scottsville. Negative impacts of the reconstruction of the 6.42 mile segment include the disruption and relocation of homes and businesses, grave relocations, hampered traffic movements during construction, and disruption of sanitary facilities. The project may also cause an increase in air and noise pollution. (ELR Order No. 50982.)

Salem-Peabody Connector Road and Bridge, Essex County, Mass., July 10: Proposed is the construction of a new arterial roadway through Peabody and Salem paralleling Lowell, Main, Boston, and Bridge Streets and directly linking the Northshore communities in the area with Route 128. Two alternatives are considered. The project will displace 5 to 8 houses and 19 to 21 businesses. Construction disruption and noise and air pollution will result. (ELR Order No. 50993.)

Appalachian Corridor "H", Lorentz to Elkins, Upshur, Barhour, and Randolph Counties, W. Va., July 9: The statement concerns three consecutive west to east segments of Corridor "H" of the Appalachian Development Highway System. The entire project will run for 25.4 miles and will be divided with two lanes in each direction. The project will displace 19 businesses and 48 families and will require several stream relocations and adjustments. The improvement in accessibility to this area which the proposed projects will provide should attract new industry to the area and stimulate the growth of existing industries and businesses. (ELR Order No. 50983.)

Final

Poughkeepsie East-West Arterial and SH 549, Dutchess County, N.Y., July 7: The proposed project is the construction of the Poughkeepsie East-West Arterial and Poughkeepsie-Pleasant Valley, S.H. 549 to complete the arterial. Arterial length is 5.75 miles. The project will displace 38 businesses and 271 families. A 4(f) review has been filed to obtain land from five public/private owned park/recreation areas. An increase in air, noise and water pollution will occur (101 pages). Comments made by: USDA, DOC, HEW, FPC, EPA, COE, DOT, DOI, state, county, regional, and local agencies (ELR Order No. 50972.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.75-18654 Filed 7-17-75;8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

TRESPASSING ON ADMINISTRATION PROPERTY

Burlington Plant; Revocation of Notices

The notice with respect to the Burlington Plant dated October 12, 1965 appearing at pages 13276 and 13277 of the Federal Register of October 19, 1965 (F.R. Doc. 65-11090) and the notice with respect to the Security Communications Systems (SECOM) Site dated November 30, 1972 appearing at page 26053 of the Federal Register of December 7, 1972 (F.R. Doc. 72-20970) are revoked as of June 28, 1975.

Dated at Washington, D.C. this 30th day of June, 1975.

ALFRED D. STARBIRD,
Assistant Administrator for National Security.

[FR Doc.75-18832 Filed 7-17-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 396-2]

CALIFORNIA STATE MOTOR VEHICLE POLLUTION CONTROL STANDARDS

Waiver of Federal Preemption

I. *Introduction.* On May 8, 1975, the Environmental Protection Agency, by notice published in the FEDERAL REGISTER (40 FR 20130), announced a public hearing pursuant to section 209(b) of the Clean Air Act (the "Act") as amended (42 U.S.C. 1857f-6a(a), 81 Stat. 501, Pub. L. 91-604). That hearing was called to consider a request by the State of California that the Administrator waive application of section 209(a) of the Act with respect to the California evaporative hydrocarbon emission standard and accompanying SHED (Sealed Housing for Evaporative Determinations) test procedure applicable to 1977 and subsequent model year light duty motor vehicles. Section 209(b) of the Act requires the Administrator to grant such waiver, after public hearing, unless he finds that the State of California does not require standards more stringent than applicable Federal standards to meet compelling and extraordinary conditions, or that such State standards and accompanying enforcement procedures are not consistent with section 202(a) of the Act. State standards and enforcement procedures are deemed to be consistent with section 202(a) if adequate technology exists with which to meet them, if adequate lead time is available in which to implement that technology, and if the accompanying enforcement procedures are consistent with the Federal procedures.

The public hearing was held in Los Angeles, California, on May 28, 1975. The record was kept open until June 6, 1975, for the submission of written material, data or arguments by interested persons.

I have determined that the statutory criteria of section 209(b) of the Act have not been met, and therefore that I must deny the requested waiver of Federal preemption. The record of the hearing and the other evidence available to me clearly establish that although compelling and extraordinary conditions exist in the State of California, adequate technology exists with which to meet the standard and the accompanying enforcement procedures are consistent with Federal procedures, there is insufficient lead time available in which to apply that technology to the 1977 model year California vehicles. However, I have also determined that sufficient lead time does exist in which to apply that technology to the 1978 model year, and therefore I am today granting a waiver of Federal preemption to California for its evaporative emission standard and SHED test procedure for the 1978 and subsequent model years, to the extent that a Federal standard of equal or greater stringency is not subsequently established for any such model year.

In addition, the hearing record clearly reveals a high probability that the auto industry could meet an evaporative emission standard based on the SHED test not just in California, but nation-wide, by the 1978 model year. Accordingly, in view of the very substantial emission control benefits that would be realized by such an approach, and the desirability of a uniform national standard, I am pledging EPA's best efforts to establish such a standard at the Federal level for 1978, rather than for 1979 as I had previously announced.

II. *Background.* In order to place the decision I am rendering today in proper perspective, I believe that it is appropriate to briefly recall the past history of evaporative emission control.

The State of California took an early interest in the evaporative hydrocarbon emission problem. In November of 1966, the California Motor Vehicle Pollution Control Board (MVPCB) proposed interim standards to achieve an 80% reduction of baseline evaporative emissions from uncontrolled vehicles. The proposed test procedure involved a "carbon trap" approach whereby the vapors from specific sources on the vehicle would be collected by attaching charcoal canisters to those points. This proposal never took effect, for three months later in February of 1967 the Department of Health, Education, and Welfare (HEW) issued proposed evaporative emission standards. The Federal proposal included a "SHED" test procedure which involved placing the vehicle inside a sealed enclosure to measure the total diurnal and hot soak emissions from all sources.[1] However, that procedure had not been substantiated by quantitative data at that time, and was replaced by essentially the same procedure as had been proposed earlier by the MVPCB. That procedure, as revised after comments, was published as a Federal regulation on June 4, 1968 (33 FR 8304). A 6 g/test standard was made applicable to the 1971 model year nationwide, while the MVPCB adopted it for the 1970 model year. Subsequently, the standard was lowered to 2 g/test for 1972 vehicles nationwide, and the Federal evaporative regulations have remained unchanged since that time.

However, work on the use of a sealed enclosure to measure evaporative emissions continued even after a different approach had been chosen for regulatory purposes. The refinements in the procedure which resulted from this work led to the publishing in July of 1972 by the Society of Automotive Engineers (SAE) of a formal recommended test procedure, SAE J171(a), entitled, "Measurement of Fuel Evaporative Emissions Using the Enclosure Technique."

[1] "Diurnal" emissions are defined as those caused by the daily temperature variations to which the fuel system is exposed. "Hot soak" emissions are those which occur following hot vehicle operation, and are the result of the increase in carburetor and induction system temperatures, which causes fuel boiling and the expulsion of fuel vapors.

During 1972, the effectiveness of the carbon trap procedure for determining evaporative emissions became suspect. Concern on this point was triggered by the questionable (i.e., unrealistically low [1]) evaporative measurements which were being recorded by the carbon trap procedure during EPA certification tests. These results led to the adoption by EPA of the SAE J171(a) procedure for use in a program to measure the actual evaporative emissions from vehicles in use.[2] In that program comparative tests were conducted on both controlled and uncontrolled vehicles (1957–1971 model years). From the results of that and the next two years' surveillance programs, it became clear the carbon trap procedure is inadequate for measuring the actual evaporative emissions of a vehicle, for the data revealed only a marginal improvement in evaporative emissions (particularly hot soak losses) between the uncontrolled and the controlled vehicles. Yet those same "uncontrolled" vehicles had been certified to extremely low levels of evaporative emissions. Clearly, neither the control systems to reduce evaporative emissions nor the test procedure employed to measure that reduction is adequate for the task assigned to it.

Based on these EPA test results, the California Air Resources Board (ARB) initiated its own surveillance program in early 1975. The results of their testing of both controlled and uncontrolled vehicles (model years 1964 through 1975), were consistent with the findings of the earlier EPA studies. The ARB on April 16, 1975, therefore adopted an evaporative emission standard of 6 g/test of hydrocarbons applicable to the 1977 and subsequent model years, as measured by the SHED technique (SAE J171(a), with modifications), and on April 23, 1975, requested a waiver of Federal preemption for this standard and test procedure. It is that waiver request which is the subject of this decision.

III. *Discussion*—1. *The Merits of the SHED Test.* No manufacturer denied that the SHED test is technically superior to the present (carbon trap) method of measuring evaporative emissions. A table setting forth the Los Angeles area results of the surveillance programs described above will show just how great that superiority is.

[1] For the 1971–74 Federal Vehicle certification, the evaporative emission test results always averaged less than 1.0 g/test, with 30% or more of the tests measuring less than 0.1 g/test. Of the values less than 0.1 g/test, roughly 60% were 0.0 g/test, a reading which almost invariably meant that the test netted a negative canister weight change.

[2] "Automotive Exhaust Emission Surveillance—A Summary," by Calspan Corporation, APTD 1544, May 1973.

Model year	Shed results					Canister results	
	Diurnal (grams per phase)	Hot soak (grams per phase)	Total (grams per test)	Grams per mile equivalent	Percent improvement	Certification standard (grams per test)	Average level (grams per test)
1957 to 1969	26	15	41	2.8	0	None	
1970 to 1971	18	12	30	2.1	25	6	
1972	14	12	26	2.0	28	2	
1973	16	15	31	2.5	11	2	0.5
1978 (Calif.)	[1] 1	[1] 5	[2] 6	.7	75		

[1] Estimated.
[2] Standard.

The table shows that the "controlled" vehicles tested gave results of from 26 to 31 g/test, although they had been certified to either a 6 or a 2 g/test standard, as measured by the canister method. Furthermore, the results for 1973, the only year in which comparison canister tests were performed on the in-use vehicles, show that those vehicles gave an average evaporative emission level of only .5 g/test, well within the 2 g/test standard, when tested by the canister method, even though the SHED test results averaged 31 g/test.

The table also illustrates how ineffective the current control systems are in reducing evaporative emissions. Through the use of a formula [1] for relating g/test to g/mi, these data indicate that only an 11–28 percent improvement in emissions has been achieved by the vehicles with those systems, while an improvement of more than 90–95 percent was sought. In addition, it can be estimated that the potential hydrocarbon emission levels achievable by the imposition of a 6 gram SHED test standard would be about 0.7 g/mi, which represents a reduction in the range of 1.3–1.8 g/mi—substantially greater than the difference between the current Federal exhaust emission standard of 1.5 g/mi and the ultimate statutory goal of a .41 g/mi standard.

2. *Objections to granting the waiver.* Witnesses at the hearing raised two arguments of a legal nature as to why the waiver should not be granted.

The Motor Vehicle Manufacturers Association and others contended that since the California approach to measuring evaporative emissions was procedurally quite different from the Federal carbon trap test method, the "enforcement procedures" for the California standard failed to meet the statutory requirement that they be "con-

[1] g/mi equivalent=[diurnal + 4.7 (hot soak)]/35 miles. The 4.7 hot soaks per day is based on the following study: D. H. Kearin and R. L. Lamoureaux, "A Survey of Average Driving Patterns in the Los Angeles Urban Area." TM-(L)-4119/000/01, System Development Corp., Santa Monica, California, February 28, 1969.

sistent with section 202(a)" of the Clean Air Act.

This argument misses an important distinction. No emission standard has meaning unless it is stated in terms of a test procedure by which the numbers in the standard itself is expressed) are peatable way. Yet, as I stated in my decision allowing California to establish its own 1977 exhaust emission standards, the basic purpose of section 209(b) is to allow California to have its own emission standards when it thinks it needs them.

The argument can be made, then, that since test procedures are necessarily part of the definition of any standard, California is free to state its standards in terms of any test procedure it wishes, as long as the various procedures for enforcing that standard and test procedure are consistent with those Federally adopted. On such a reading, California would clearly be entitled to the waiver, since the main enforcement mechanism it has chosen—certification—is identical in concept to a Federal enforcement mechanism, and the particular certification procedures to be used in 1977 (other than those in which the standard itself is expressed) are very close to and fully compatible with those EPA itself plans to use for future years. This would include, for example, vehicle selection, mileage accumulation, and maintenance procedures.

It might also be argued, however, that the Congressional concern for consistency extends to the test procedure in which the standard itself is expressed, and that this dictates a denial of California's application since the use of a SHED is concededly quite different from use of the carbon canister method.

Assuming the legal premise without conceding it, I do not believe the argument drawn from it is valid in this particular context. It would have force if the question concerned exhaust emission controls, where there has never been any reason why California could not express the more stringent standard it wanted in terms of the Federal test procedure. Here, by contrast, there is no way in which California can move to the more stringent evaporative controls which it has concluded are required except through a change in the test procedure by which the standard itself is established. Since the basic purpose of Section 209 is to allow California to have more stringent standards at its own option, to reject California's application for "inconsistency" in these circumstances would be to make "the tail wag the dog."

A separate kind of problem with "consistency" might develop if the test procedure by which the California emission standard was expressed was so different from the Federal procedure as to call for a technical effort of a different nature, along different lines. In those circumstances each vehicle would have to be tested by both procedures, since they would measure different things, and there would be at least a substantial probability that the two test results would have little or no correlation with one another. There would be no assurance that a vehicle which passes one of the tests would also pass the other, nor would there be any method of effiectively measuring the relative stringency of the two requirements. This is not the case here. Virtually all witnesses conceded that what the SHED test would require is a more intense effort to perfect the technology that is currently required. probability that the two test results The proof of that is in the technical judgment expressed by several witnesses, with which EPA concurs, that a car which passes the California SHED test will almost certainly pass the Federal canister test as well. In consequence, EPA will accept a vehicle's passing the California SHED test in certification as valid evidence that the Federal evaporative standard has been complied with for certification purposes. However, since the record reveals and it is reasonable to expect that exhaust emissions may be influenced by the evaporative emission control system (i.e., hydrocarbons introduced due to purging of the storage canister to the engine or exhaust system during the exhaust emission test), especially as exhaust emission levels are further reduced and evaporative emissions more effectively controlled, the present regulations will be amended to provide that in all cases the diurnal heat build portion of the evaporative test procedure will continue to be required as a portion of the preconditioning for the exhaust emission test.

The only situation, then, in which a manufacturer might be faced with the prospect of testing a given vehicle both by the SHED test and by the carbon canister method due solely to the lack of identity of test procedures is where that vehicle had failed the California evaporative test but would have passed the Federal test, and he wished to withdraw the vehicle from the California market and qualify it without modification for sale in the other 49 states. To state this sequence of events is enough to show that the likelihood of its occurring is low, and even in those rare instances where these events might come to pass, surely the impact on the manufacturer of running an additional test, after he has already expended an 18 month effort of technology application and production facility preparation (see 4. Lead Time, below), is comparatively a trivial matter. In light of these practical considerations, I believe this argument should be relegated to a *de minimis* status, and should not override the reasons which have been stated above for finding the "consistency" requirement satisfied.

The second argument was that the particular test procedure adopted by California was originally designed as a research tool and is both too cumbersome and too imprecise to be legally acceptable as a method of determining compliance. However, the J171(a) procedure is commonly conceded to be technically accurate, and many of the witnesses testified as to its superiority over the canister technique. Merely because it may be subject to improvement is no reason to reject it. Although my decision does not rest on this basis, we note that California is still refining the details of its approach and that it is likely many of the present objections of the auto companies can be resolved. Indeed, the ARB representatives testified that they plan to work closely with the manufacturers to refine the outstanding details of the procedure and they solicited the cooperation of the industry in this matter. I am confident that a satisfactory and mutually acceptable procedure can result from this process, particularly since under by decision no SHED test will be implemented until the 1978 model year.

3. *Technology.* Consistency with section 202(a) requires that there be technology available to meet the proposed standards. The manufacturers have maintained that that technology is still in the development stage and thus is not available. However, for the reasons stated below, I have concluded that such technology is available, within the meaning of section 202(a) of the Act.

Section 202(a)(2) requires that I must allow a sufficient period "• • • to permit the development and application of the requisite technology • • •" before a regulation prescribed under that subsection shall take effect. From all the information available to me, I have determined that the state of the art of the control of evaporative emissions is such that the additional engineering required to provide effective systems for a wide range of vehicle sizes and models must be characterized as the "application" of existing technology, rather than the "development" of new technology.

This conclusion is based upon two major factors. First, the test results presented at the hearing demonstrated that the systems needed for many vehicles are either presently available or nearly fully developed. As both the ARB and General Motors data indicated, the present production version of the GM Vega utilizes an evaporative system which effectively controls emissions to levels well below the 6 g/test standard (less than 2.0 g/test, according to the ARB). The Vega system consists primarily of a carbon canister to store the evaporative emissions from the fuel tank and the engine's fuel induction system, and includes the venting of the carburetor float bowl to the carbon canister. In addition, GM submitted data for two other production and nine experimental vehicles which passed a 6 gram SHED test. While it is understood that many of the experimental approaches involved were not intended to be representative of systems sufficiently refined at this point for application to production vehicles, nevertheless, the data do indicate that the basic design concept needed to achieve the required level of control is understood and that many of the design parameters which must be tailored to individual applications are at advanced stages of development. Like-

wise, the Volkswagen data indicated that many of their vehicles can either presently meet the 6 g/test standard, or will be able to meet it with the application of present knowledge associated with the control systems.

Second, based on tests conducted at the EPA laboratory facilities at Ann Arbor, Michigan, it appears that diurnal emissions can be limited to less than .5 g/test when a leak-tight control system vented through a carbon canister of sufficient capacity is utilized.

The major problem therefore seems to involve the control of hot soak emissions. In the opinion of my technical staff, control of those emissions depends primarily on (1) venting the carburetor bowl and air cleaner to the charcoal canister, (2) properly modifying the internal configuration of the carburetor to insure that the hot soak vapors are in fact routed into the storage canister, and (3) when the engine is in operation, properly routing the stored fuel vapors to the engine or exhaust system for subsequent oxidation.

Therefore, I believe it is proper to find that technology is available, in that a valid design concept is here now, and there is reason to conclude that it can readily be applied to a wide range of production vehicles. The engineering which may still be needed to adopt that concept, such as carburetor and "plumbing" changes or increased canister capacity, are sufficiently minor in nature that they should more properly be described as the "application," rather than the "development" of that concept.

4. *Lead Time.* Although I have determined that the technology does exist, the statute also requires a finding that there is sufficient lead time to apply it before a waiver may be granted. As is the case with all of the other findings required by section 209, the manufacturers have the burden of demonstrating that this condition is not met. As to this point, I conclude they have discharged that burden.

(i) The lead time involved must be spent in both translating the available technology into a form satisfactory for mass-production, and tooling and setting up the facilities to actually produce the vehicles. The record indicates that the two companies which have done the most SHED testing and appear to be furthest advanced—Ford and General Motors—could meet the proposed standard on about half their models by January 1, 1977, or in GM's case perhaps somewhat before. Both companies, however, argued that several more months of engineering work to apply the technology—perhaps as many as six—followed by a year or more of lead time for setting up production facilities would be needed to meet the standard on the rest of their vehicles. Although the possibility exists that these estimates may be unduly pessimistic, plausible reasons for them were given by the witnesses for these two companies and no concrete reasons for not accepting them were advanced by ARB or anyone else.

(ii) Almost all other manufacturers have done considerably less of the basic application testing than Ford or GM. Many foreign manufacturers do not yet have SHEDs. It is reasonable to conclude that the late start of these manufacturers relative to Ford and GM will result in a corresponding inability to produce vehicles meeting the standards as early as those two could.

(iii) Against this background, I conclude that the industry has met its burden of proof that the technology to meet the California standard, though available in one sense, simply cannot be applied to production vehicles in time for the 1977 model year.

IV. *Commitment to Federal effort.* Although, for the reasons given above, I believe the record reveals that the California standard cannot be met in 1977, the record is equally clear that that standard could be met not just in California, but nationwide, in 1978. Indeed, Ford took the initiative in suggesting that, in the interest of achieving uniform national standards the target date for a Federal standard be accelerated to 1978, and stated that "the probability is high" that such a target date could be met. Toyota, Subaru and Volkswagen each stated affirmatively that a 1978 target date for a national standard was reasonable. Although General Motors declined to make the same statement, a development flow chart included in their testimony which they said represented a "reasonable and economical" development schedule shows all necessary steps completed in time for a normal 1978 introduction date.

In these circumstances, considering the very significant hydrocarbon emission reductions which can be attained by adopting the SHED technique, and considering the desirability of a uniform national standard, I believe I would be remiss if I did not pledge EPA's best efforts to establish a Federal SHED standard for the 1978 model year.

The question may be raised as to why I am not today proposing specific Federal regulations to more effectively control evaporative emissions. Although in light of this decision such an action may appear appropriate, several practical concerns prevent me from taking it at this time. These concerns include the following: (1) There remain several important test procedure details which require resolution, (2) required Environmental and Inflationary Impact Statements have yet to be prepared, and (3) the review process for Federal regulations is more lengthy and comprehensive than the California process.

Several witnesses at the hearing expressed concern that the final California test procedure and any eventual Federal procedure be sufficiently alike so as not to hinder the progress of evaporative emission control by adopting a later procedure which requires major changes in the approach to the problem. I wholeheartedly agree with this position. It is the current judgment of my technical staff that any modifications or refinements which EPA may need to make with respect to SAE J171(a) will not require new design approaches or major test equipment changes on the part of the manufacturers.

V. *Decision.* A decision to take future steps toward establishing a Federal 1978 SHED standard, however, does not dispose of the California waiver application currently pending before me. For the reasons given above, I feel I must deny this application for the 1977 model year. However, California made clear to us that they are interested in obtaining a waiver for 1978 if they cannot have it for 1977. Therefore, I hereby waive the application of section 209(a) to the State of California with respect to section 1976, Title 13, California Administrative Code, as adopted on April 16, 1975, and amended on May 14, 1975, entitled "Standards and Test Procedures for Fuel Evaporative Emissions," insofar as it applies to the 1978 and subsequent model years. Upon the promulgation of the Federal standard and accompanying test procedure, the waiver will be reviewed with regard to the issues of the relative stringency and the consistency of the Federal and the California requirements, and any appropriate action will be taken at that time.

As noted earlier, inasmuch as the 6 g/test SHED standard is obviously more stringent than the 2 g/test Federal standard, in the event that no Federal SHED standard is established for 1978, EPA will accept the California SHED test results as valid evidence that the Federal evaporative emission standard has been met. However, the diurnal heat build portion of the SHED test procedure, since it may influence exhaust emission results, will be required as a portion of the preconditioning for the exhaust emission test.

Dated: July 11, 1975.

RUSSELL E. TRAIN,
Administrator.

[FR Doc.75-18613 Filed 7-17-75;8:45 am]

[FRL 402-2; PF 12]

PESTICIDE PETITIONS

Filing

Petitions proposing the establishment of pesticide tolerances in or on certain raw agricultural commodities have been filed with the Environmental Protection Agency. Notice is given pursuant to the provisions of section 408(d)(1) of the Federal Food, Drug, and Cosmetic Act.

The petitions and proposals are:

PP5F1637. Uniroyal Chemical, Bethany CT 06525, proposes to amend 40 CFR 180.301 to establish tolerances for the combined residues of the fungicide carboxin (5,6-dihydro-2-methyl-1,4-oxathiin-3-carboxanilide) and its metabolite 5,6-dihydro-3-carboxanilide-2-methyl-1,4-oxathiin-4-oxide (calculated as carboxin) in or on the raw agricultural commodity soybeans at 0.2 part per million (ppm). Proposed analytical method is a procedure in which caustic digestion cleaves aniline from the fungicide. The aniline is then removed by steam distillation and analyzed with a gas chromatograph using a microcoulometric nitrogen detector. PM21

PP5F1638. Uniroyal Chemical, Bethany CT 06525, proposes to amend 40 CFR 180.301 to establish a tolerance for combined residues of the fungicide carboxin (5,6-dihydro-2-methyl-1,4-oxathiin-3-carboxanilide) and its metabolite 5,6-dihydro-3-carboxanilide-2-methyl-1,4-oxathiin-4-oxide (calculated as carboxin) in or on the raw agricultural commodities sorghum grain, fodder and forage at 0.2 ppm. Proposed analytical method is same as above. PM21

Interested persons are invited to submit written comments on these petitions to the Federal Register Section, Technical Service Division (WH–569), Office of Pesticide Programs, Environmental Protection Agency, Room 401, East Tower, 401 M Street, SW, Washington, D.C. 20460. Three copies of the comments should be submitted to facilitate the work of the Agency and others interested in inspecting them. The comments must be received on or before August 18, 1975, and should bear a notation indicating the subject and petition number. All written comments filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m.

Dated: July 11, 1975.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.75–18615 Filed 7–17–75;8:45 am]

[FRL 402–1; OPP–33000/286]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (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 each applicant will be available for examination at the Environmental Protection Agency, Room EB–31, East Tower, 401 M Street, SW, Washington, DC 20460.

On or before September 16, 1975, 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 September 16, 1975.

Dated: July 11, 1975.

JOHN B. RITCH, Jr.,
Director, Registration Division.

APPLICATIONS RECEIVED (OPP–33000/286)

EPA Reg. No. 264–2. Amchem Products, Inc., Brookside Ave., Ambler PA 19002. WEEDAR 64 BROAD LEAF HERBICIDE. Active Ingredients: Dimethylamine salt of 2,4-dichlorophenoxyacetic acid 49.3%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Added use. PM23

EPA Reg. No. 264–20. Amchem Products, Inc. WEEDONE LV–4. Active Ingredients: 2,4-Dichlorophenoxyacetic acid, butoxyethanol ester 64.0%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Added use. PM23

EPA Reg. No. 264–109. Amchem Products, Inc. AQUA-KLEEN, THE GRANULAR 2,4–D WEED KILLER. Active Ingredients: 2,4-Dichlorophenoxyacetic acid, butoxyethanol ester 29.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM23

EPA File Symbol 264–EAL. Amchem Products, Inc., AMCHEM WEED ONE-NO CRAB GRANULAR PREEMERGENCE CRABGRASS CONTROL HERBICIDE WITH AMEX 820. Active Ingredients: Butralin [4 - (1,1 - dimethylethyl) - N - (1-methylpropyl) - 2,6 - dinitrobenzenamine] 2.3%. Method of Support: Application proceeds under 2(b) of interim policy. PM23

EPA Reg. No. 264–284. Amchem Products, Inc. ANCHEM 2,4,5-T WOODY PLANT HERBICIDE. Active Ingredients: 2,4,5-Trichlorophenoxyacetic acid, butoxypropyl esters 66.5%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Added use. PM23

EPA Reg. No. 264–286. Amchem Products, Inc. AMCHEM 2,4,5–T WOODY PLANT HERBICIDE ODOR INHIBITED. Active Ingredients: 2,4,5-Trichlorophenoxyacetic acid, butoxypropyl esters 66.5%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added use. PM23

EPA Reg. No. 264–289. Amchem Products, Inc. AMCHEM 2,4,5–TP WEED AND WOODY PLANT HERBICIDE. Active Ingredients: Butoxypropyl ester of silvex [2-(2,4,5-Trichlorophenoxy) propionic acid] 66.6%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added use. PM23

EPA File Symbol 35909–I. Associated Water Conditioners, Inc., Route 202, Mt. Kemble Ave., Morristown NJ 07960. BIOCIDE 476. Active Ingredients: N-Alkyl Trimethylene Diamine 15%; Isopropyl Alcohol 15%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA File Symbol 3612–OR. B & G Co., PO Box 20372, Dallas TX 75220. BCG–4 EMULSIFIABLE CONCENTRATE. Active Ingredients: Technical Chlordane 45.3%; Petroleum Distillate 49.7%. Method of Support: Application proceeds under 2(c) of interim policy. PM15

EPA File Symbol 10595–L. Capital Chemical Co., 1607 High Point Ave., Richmond VA 23230. CAPCIDE–1. Active Ingredients: Poly [oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylene dichloride] 10.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM34

EPA File Symbol 10595–A. Capital Chemical Co., 1607 High Point Ave., Richmond VA 23230. CAPCIDE–2. Active Ingredients: Poly [oxyethylene(dimethyliminio)ethylene(dimethyliminio)ethylene dichloride] 15.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM34

EPA File Symbol 12610–G. Columbia Organic Chemicals Co., Inc., 912 Drake St., Cedar Terrace, Columbia SC 29290. SEIDEMAN'S SPECIAL ROACH KILLER. Active Ingredients: O,O-Diethyl O-(2-isopropyl-4-methyl-4-pyrimidinyl) phosphorothioate 0.5%; Pyrethrins 0.052%; Piperonyl Butoxide 0.260%; Petroleum Solvent 99.112%. Method of Support: Application proceeds under 2(c) of interim policy. PM15

EPA File Symbol 35968–R. Consumer Ecology Products, Inc., 101 SW 5th Ct., Pompano Beach FL 33060. WATER GUARD MODEL 333 VGC. Active Ingredients: Tank I Iodine 5%; Activated CArbon 95%; Tank II Oligodynamic silver (primarily silver oxide with trace amounts of Silver Chloride, Silver carbonate and metallic silver) 0.7%; Activated Carbon 99.3%; Tank III Activated Carbon 100%. Method of Support: Application proceeds under 2(c) of interim policy. PM34

EPA File Symbol 11524–I. Control Chemical Corp., 2090 Route 110, Farmingdale NY 11735. ROACH–GO II. Active Ingredients: Pyrethrins 0.052%; Piperonyl Butoxide, Technical 0.260%; Chlorpyrifos [O,O-diethyl O-(3, 5, 6-trichloro-2-pyridyl) phosphorothioate] 0.500%; Petroleum Distillate 98.736%. Method of Support: Application proceeds under 2(c) of interim policy. PM12

EPA Reg. No. 677–166. Diamond Shamrock Corp., Agricultural Chemicals Div., 1100 Superior Ave., Cleveland OH 44114. DACTHAL W–75 HERBICIDE. Active Ingredients: Dimethyl ester of tetrachloroterephthalic acid 75.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM23

EPA Reg. No. 352–342. E. I. du Pont De Nemours & Co., Inc., Biochemicals Dept., 7056 Dupont Bldg., Wilmington DE 19898. LANNATE METHOMYL INSECTICIDE. Active Ingredients: S-methyl N-[(methyl carbamoyl)oxy] thioacetimidate 90%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Added use. PM12

EPA Reg. No. 352–372. E. I. du Pont De Nemours & Co., Inc., Biochemical Dept., 7056 Dupont Bldg., Wilmington DE 19898. DUPONT VYDATE L OXAMY' INSECTICIDE/NEMATICIDE. Active Ingredients: Methyl *N'N'* - dimethyl - *N* - [(methylcarbamoyl) oxy]-1-thiooxamimidate 24%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Added use. PM12

EPA File Symbol 6621–AU. Eagle Chemical Co., 2819 W Lake St., Chicago IL 60612. HI QUAT. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 2.25%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 2.25%; Sodium Carbonate 3.00%; Tetrasodium ethylenediamine tetraacetate 1.00%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 6621–AT. Eagle Chemical Co., 2819 W Lake St., Chicago IL 60612. SPRAY CLEAN. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides .1%; n-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chloride 0.1%; Isopropanol 53.0%; Essential oils 0.5%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA Reg. No. 2342–742. Kerr-McGee Chemical Corp., DBA Florida Agricultural Supply Co., PO Box 4459, Jacksonville FL 32201. FASCO TOXAPHENE LIQUID–8. Active Ingredients: Toxaphene (chlorinated camphene) (chlorine content 67% to 69%) 72.0%; Aliphatic petroleum derivative solvents 21.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM12

EPA File Symbol 35964–R. Medical Products Lab., 1010 Arch St., Philadelphia PA 19107. BENZYLIDE CONCENTRATED INSTRUMENT DISINFECTANT. Active Ingredients: n-Alkyl (50% C14, 40% C12, 10% C16) dimethyl benzyl ammonium chloride 14%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA File Symbol 1769–ETI. National Chemsearch, Div. of USACHEM, Inc., 2727 Chemsearch Blvd., Irving TX 75062. NATIONAL CHEMSEARCH GERMENE. Active Ingredients: Isopropanol 6.875%; Ortho-Benzyl-Parachlorophenol 5.625%; Essential Oils 0.460%; Tetrapotassium 0.456%. Method of Support: Application proceeds under 2(c) of interim policy. PM32

EPA File Symbol 1769–ETT. National Chemsearch, Div. of USACHEM, Inc., 2727 Chemsearch Blvd., Irving TX 75062. NATIONAL CHEMSEARCH SAN-5-PINE. Active Ingredients: Steam Distilled Pine Oil 4.00%; Isopropyl Alcohol 12.25%; Tetrasodium ethylenediamine tetraacetate 0.04%; Ortho-benzyl para-chlorophenol 6.75%. Method of Support: Application proceeds under 2(c) of interim policy. PM32

EPA File Symbol 3339–RO. Parke-Hill Chemical Corp., 29 Bertel Ave., Mount Vernon NY 10550. SANOMINT. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chlorides 1.6%; N-Alkyl (68% C12, 32% C14) dimethyl ethylbenzyl ammonium chlorides 1.6%; Sodium Carbonate 3.0%; Tetrasodium ethylenediamine tetraacetate 1.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 9610–0. Poolmaster Inc., 160 Jefferson Dr., Menlo Park CA 94025. POOL-A-CIDE "SUPER" GRANULAR. Active Ingredients: Trichloro - s - triazinetrione 99.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM34

EPA Reg. No. 11273–2. Sandoz, Inc., Crop Protection, PO Box 1489, Homestead FL 33030. THURICIDE-HPC. Active Ingredients: Bacillus thuringiensis Berliner, potency of 4,000 International Units (at least 6 million viable spores) per milligram 0.8%; Petroleum hydro carbon solvent 3.0%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added uses. PM17

EPA File Symbol 2155–OR. I. Schneid, Inc., PO Box 93188, Martech Station, Atlanta GA 30318. A C P ANTI–CLOG UNIT. Active Ingredients: n-Alkyl (98% C12, 2% C14) Dimethyl 1-naphthylmethyl ammonium chloride monohydrate 50%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA File Symbol 1270–ROT. Zep Mfg. Co., PO Box 2015, Atlanta GA 30301. ZEPTOX II. Active Ingredients: Pyrethrins 0.10%; Piperonyl Butoxide, Technical 0.20%; N-octyl bicycloheptene dicarboximide 0.33%; o - Isopropoxyphenyl methylcarbamate 0.50%; Petroleum distillate 0.84%. Method of Support: Application proceeds under 2(c) of interim policy. PM12

CORRECTIONS

The following are corrections to the list of Applications Received previously published in the FEDERAL REGISTER.

EPA File Symbol 557–ROER. Swift Chemical Co., 111 W Jackson Blvd., Chicago IL 60604. GOLDEN VIGORO WEED & FEED FOR SOUTHERN LAWNS. Active Ingredients: Dimethylamine Salt of 2,4-dichlorophenoxyacetic acid 0.06%; Dimethylamine Salt of 2-(2-methyl-4-chlorophenoxy) propionic acid 0.20%; Dimethylamine Salt of Dicamba (3,6-dichloro-o-anisic acid) 0.02% (originally published without the word "acid"). Method of Support: Application proceeds under 2(c) of interim policy. PM23 (40 FR 26307)

EPA File Symbol 11656–LL. Western Farm Service, c/o Shell Chemical Co., Suite 200, 1025 Conn. Ave., NW, Washington DC 20460. DORMANT 79 SPRAY. Active Ingredients: Sodium Pentachlorophenate 79.0% (originally published as "Pentachlorophn"); Sodium Salts of Other Chlorophenols 11.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM24 (40 FR 26307)

[FR Doc.75-18616 Filed 7-17-75;8:45 am]

[FRL 401-8; OPP-180040]

SOUTH DAKOTA STATE UNIVERSITY

Issuance of a Specific Exemption To Control Cutworms in South Dakota

Pursuant to the provisions of section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 973; 7 U.S.C. 136), notice is hereby given that the Environmental Protection Agency (EPA) has granted a specific exemption to South Dakota State University (hereafter referred to as the "Applicant") to use a toxaphene formulation for the control of cutworms which are destroying the commercial sunflower crop in 23 counties in South Dakota. This exemption was granted in accordance with, and is subject to, the provisions of CFR Part 166, issued December 3, 1973 (38 FR 33303), which prescribes requirements for exemption of Federal and State agencies for use of pesticides under emergency conditions.

This notice contains a summary of certain information set forth in the application. For more detailed information, interested parties are referred to the application on file in the Office of the Director, Registration Division (WH–567), Office of Pesticide Programs, EPA, 401 M St., SW., Room E–347, Washington, D.C. 20460.

On June 1, 1975, the State of South Dakota requested permission from EPA to treat 50,000 acres of the commercial sunflower crop with toxaphene to suppress cutworm populations which are significantly reducing stand density of the young plants. The cutworm problem occurs yearly on sunflowers and is particularly severe this year because of the late cool spring. The cutworms cut off emerging plants above and below the soil level. These pests will feed for the next four weeks in South Dakota. There appear to be no viable alternative efficacious registered pesticides, nor alternative methods of control available to control this pest.

Most of the pesticide will be applied in the following counties: Brown, Clark, Codington, Day, Faulk, Grant, Marshall, and Roberts. However, some treatment may be required in these counties: Beadle, Brookings, Campbell, Deuel, Edmunds, Hamlin, Hand, Hughes, Hyde, Kingsbury, McPherson, Potter, Spink, Sully, and Walworth. The pesticide is to be applied by air and ground equipment by spray operators licensed by the State. The spray application will occur under the direction of South Dakota State University Extension Service personnel. Economic analyses based on projected figures from the U.S. Department of Agriculture indicate that, without the exemption, damage by cutworms would constitute a complete crop failure on the affected 50,000 acres.

The proposed use of toxaphene, with the restriction against applications on or near water reservoirs, rivers, streams, or wetland areas, should not cause any irreversible short term or long term adverse effects on the environment; the Office of Endangered Species, U.S. Department of the Interior (USDI), reports that no endangered species are known to be present in the proposed pesticide treatment area. However, it should be noted that, according to the Fish and Wildlife Service, USDI, the proposed treatment area does contain 700,000 acres of wetlands which comprise a major breeding area for migratory waterfowl. Therefore, some members of avian species residing there are at risk. Consultations with the Applicant have indicated that the restriction against spraying in or near wetland areas will be likely to reduce, but cannot completely eliminate, possible adverse impact on these waterfowl.

After reviewing the application and other available information, EPA has determined that (a) a pest outbreak of cutworms on sunflowers has occurred; (b) there is no pesticide presently registered and available for use to control the cutworm populations in South Dakota; (c) there are no alternative means of control, taking into account the efficacy and hazard; (d) significant economic loss to the commercial sunflower crop is likely to occur if the cutworms are not controlled, and (e) the time available for action to mitigate the problem posed is insufficient for a pesticide to be registered for this use. Accordingly, the Applicant has been granted a specific exemption to use the pesticide noted above until July 15, 1975, to the extent and in the manner set forth in

the application. The specific exemption is also subject to the following restrictions:

1. The dosage rate shall not exceed 2.0 pounds per acre actual toxaphene;

2. Treated acreage shall not exceed 50,000 acres;

3. The counties to be treated are limited to those listed in this notice;

4. Leaves and stalks of the treated sunflower crops are not to be used for livestock feed;

5. The Applicant must supervise any aerial application to avoid or minimize drift to non-target areas;

6. The Applicant is to collect data on efficacy, residues, and environmental impact of the toxaphene spray program. The pesticide personnel of EPA Region VIII shall be informed of the times and places of toxaphene applications so that monitoring activities of EPA can be coordinated with those of the Applicant; and

7. A residue level not to exceed 7.0 ppm in or on sunflower seeds has been determined to be adequate to protect the public health. The Food and Drug Administration, U.S. Department of Health, Education and Welfare, has been advised of this action. Sunflower seeds not exceeding this level may be offered in interstate commerce. However, it should be emphasized that sunflower seeds harvested from acreages treated with toxaphene must be used for oil and are excluded from use for confectionaries, bird seed, or any non-oil use.

It should be noted that if the Administrator determines that the Applicant is not complying with the requirements set forth or if such action is necessary to protect man or the environment, the exemption shall be immediately withdrawn.

Dated: July 10, 1975.

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

[FR Doc.75-18614 Filed 7-17-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20290]

INTERNATIONAL TELECOMMUNICATION UNION WORLD ADMINISTRATIVE RADIO CONFERENCE

Order Extending Time for Filing Comments

In the Matter of preparation for a proposed International Telecommunication Union World Administrative Radio Conference on the Aeronautical Mobile (R) Service to renew and revise Appendix 27 of the International Radio Regulations pertaining to the Aeronautical Mobile (R) Service, as necessary, to provide for the possibility of adopting single sideband techniques.

By the Chief, Safety and Special Radio Services Bureau:

1. The Chief, Safety and Special Radio Services Bureau, acting under delegated authority, has under consideration a motion filed by Aeronautical Radio, Inc. (ARINC) for extension of time for filing comments in the above-entitled proceeding. The prescribed time for filing comments expired on July 3, 1975, with reply comments due by July 13, 1975. ARINC has requested that the prescribed time for filing comments be extended until July 28, 1975.

2. In support of its request, ARINC states that the additional time is needed to assure broad industry participation in the formulation and preparation of a suitable response to the Commission's inquiries in this proceeding.

3. It appears that the additional time requested by ARINC will not unduly delay the U.S. preparation for the 1977 Aeronautical World Administrative Radio Conference and the comments filed by ARINC would be useful to the Commission in resolving the issues in this proceeding.

4. In view of the foregoing, It is ordered, pursuant to Section 0.331 of the Commission's rules, that the time for filing comments in the above-captioned proceeding is extended from July 3, 1975, to July 28, 1975, and the time for filing reply comments is extended from July 13, 1975, to August 7, 1975.

Adopted: July 10, 1975.

Released: July 14, 1975.

[SEAL] CHARLES A. HIGGINBOTHAM,
Chief, Safety and Special Radio Services Bureau.

[FR Doc.75-18665 Filed 7-17-75;8:45 am]

[Docket No. 19813, File No. BPH-7946; Docket No. 19814, File No. BPH-8030; Docket No. 19815, File No. BPH-8032]

HENDERSON BROADCASTING CO., INC. ET AL.

Construction Permits Memorandum Opinion and Order

By the Review Board: 1. Before the Review Board for consideration is a third further motion to enlarge issues, filed January 17, 1975, by Bloomington Media Corporation (Bloomington), directed against the competing application of Indiana Communications, Inc. (Indiana).[1] Petitioner seeks the addition of an issue inquiring into the significance of a civil judgment involving one of Indiana's principals, as well as Rule 1.65 and concealment issues relating to that applicant's allegedly untimely disclosure of the judgment.

2. The relevant facts, upon which Bloomington's motion is based, are as follows. By letter dated January 2, 1975, Indiana informed the Presiding Judge in this proceeding that Bill C. Brown, a director and 20% stockholder in the applicant, had failed to disclose that prior to his association with the applicant, he had been president, director and 50% owner of the Bill C. Brown Agency, Inc., a Bloomington, Indiana, corporation, engaged in selling insurance. Indiana further revealed that on November 26, 1974, the Monroe (County) Circuit Court, affirming a July 27, 1973, Opinion and Order of the Bloomington Human Rights Commission, found that the Brown agency had discriminated in its employment practices. Specifically, the Court concluded that the agency's conduct with respect to a complainant employee was "arbitrary and without *bona fide* occupational qualification or business necessity" and "constituted a denial of equal employment on the basis of sex within the meaning of the [Bloomington City] ordinance."[2]

3. The Review Board will reopen the record and enlarge the issues in order to determine the significance of the civil judgment. The Commission has long held that certain violations of law are appropriate considerations in determining whether an applicant possesses the requisite qualifications to be a licensee.[3] Although the question of whether the violation is of sufficient significance to reflect on an applicant's qualifications depends upon various circumstances, violations of certain laws, such as anti-trust violations, have been singled out as being so directly related to an applicant's fitness that such violations ordinarily must be considered. Similarly, violations of civil rights legislation have been held to demand like scrutiny. See, for example, *Chapman Radio and Television Co.*, 24 FCC 2d 282, 19 RR 2d 589 (1970), in which the Commission declared that "the refusal by a principal of an applicant for a broadcast facility to permit burial of an individual [in a privately-owned cemetery] solely because of the color of the individual's skin raises serious questions as to that applicant's qualifications. * * *" And, in a related action in *Chapman Radio and Television Co.*, 34 FCC 2d 159, 24 RR 2d 51 (1972), the Review Board specified an issue similar to that requested here in light of a civil suit against two of an applicant's principals, alleging discrimination in the rental of housing. Here, however, the violation assumes added significance, since it involves employment discrimination.[4] Thus, aside from the concern generally

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[1] Other related pleadings before the Board are: (a) opposition, filed February 27, 1975, by Indiana; (b) Broadcast Bureau's opposition, filed February 27, 1975; (c) errata, filed March 27, 1975, by Indiana; and (d) reply, filed March 31, 1975, by Bloomington.

[2] The Bloomington Human Rights Commission was created pursuant to the Indiana Civil Rights Law and effectuates the civil rights public policy of Indiana.

[3] See *Report on Uniform Policy as to Violations by Applicants of Laws of the United States*, 1 RR 2d Part 3, 91:495 (1961).

[4] In this connection, the Commission stated in *Notice of Proposed Rulemaking to Require Broadcast Licensees to Show Non-discrimination in Their Employment Practices*, FCC 68-702, 13 FCC 2d 766, 13 RR 2d 1645, that its concern with such violations is twofold. One aspect is its concern with the national policy against discrimination in hiring. The other consideration is that since broadcasting is an important mass media form which makes use of airwaves belonging to the public, an applicant must obtain a federal license under a public interest standard and must operate in the public interest.

associated with civil rights violations—namely, that such conduct may serve to impede or foreclose an applicant's ability to communicate with and relate to its entire community of license—the judgment, on its face, raises a substantial question of whether the applicant may be relied upon to comply with the Commission's equal employment opportunity requirements.[5] While an adjudication of past discriminatory conduct of a participating principal is not necessarily dispositive of an applicant's willingness to pursue a non-discriminatory employment policy or to operate in the public interest, we believe that such conduct constitutes sufficient cause for exploration by the Commission in the form of a more searching scrutiny of the applicant in this important respect.[6] Moreover, unlike the situation in *Chapman Radio and Television Co., supra,* where it was uncontroverted that the principals complained of played only a passive role in the discrimination, Brown was apparently an active participant in the discriminatory conduct. Accordingly, the issue will be added.

4. The Board will not add the requested Rule 1.65 or concealment issues, however. There appears to be no basis for an issue inquiring into the applicant's alleged concealment of the initial decision of the Bloomington Human Rights Commission since the matter was voluntarily, albeit unseasonably, brought to the attention of the Commission by Indiana. Additionally, we see no reason to doubt Brown's sworn statement that his failure to timely report his interest in the Brown Agency and his consequent failure to report the judgment were inadvertent. In this regard, we note that the assets of the Brown Agency were sold approximately one year before Brown became a party to the Indiana application and in Indiana's amendment including Brown in the application, he listed his current insurance business which also bears his name. Under these circumstances, the allegation of inadvertent oversight is plausible, petitioner has presented no showing to the contrary, and since the business interest and judgment were voluntarily reported, a Rule 1.65 issue does not appear warranted. See *Gilroy Broadcasting Co., Inc.,* 42 FCC 730, 28 RR 2d 428 (1973).

5. Accordingly, it is ordered, That the third further motion to enlarge issues, filed January 17, 1975, by Bloomington Media Corporation, is granted to the extent indicated herein, and is denied in all other respects; and

6. It is further ordered, That the issues in this proceeding are enlarged to include the following issue:

To determine the facts and circumstances with respect to the decision of the Monroe Circuit Court finding Indiana Communications, Inc. principal Bill C. Brown, guilty of sex discrimination in employment and whether the matters so adduced should adversely affect the basic or comparative qualifications of Indiana Communications, Inc.

7. It is further ordered, That the burden of proceeding with the introduction of evidence under the issue added herein SHALL BE on Bloomington Media Corporation and the burden of proof under this issue SHALL BE on Indiana Communications, Inc.

8. It is further ordered, That the record in this proceeding is reopened.

Adopted: July 10, 1975.

Released: July 16, 1975.

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

[FR Doc.75-18666 Filed 7-17-75;8:45 am]

[5] See Notice, FCC 68-702, *supra,* and *In the Matter of Petition for Rulemaking to Require Broadcasters to Show Nondiscrimination in Their Employment Practices,* 18 FCC 2d 240, 16 RR 2d 1561 (1969). Also see *Chapman Radio and Television Co., supra.*

[6] In this connection, we note that the allegations relate to a charge of discriminatory conduct which has been proven, as opposed to mere complaints of discrimination. Compare *Regents of the University of California,* 44 FCC 2d 857, 29 RR 2d 228 (1974); *McClatchy Newspapers,* 33 FCC 2d 928, 23 RR 2d 1073 (1972); and *Belo Broadcasting Corp. (WFAA-TV),* 47 FCC 2d 766, 30 RR 2d 1169 (1974), relied upon by the applicant, involving unsettled or unsubstantiated complaints of discrimination.

BRCT-241]

NEW MEXICO BROADCASTING CO., INC. ET AL.

Designating Application for Hearing on Stated Issues

By the Commission: Commissioners Wiley, Chairman; Reid and Quello concurring in the result.

1. The Commission has before it for consideration: (i) the above-captioned license renewal application for Station KGGM-TV, San Antonio, Texas, filed July 2, 1971, and an amendment thereto, filed October 15, 1971, by New Mexico Broadcasting Co., Inc. (licensee or KGGM-TV); (ii) a petition to deny the application, filed jointly on August 17, 1971, by the Alianza Federal de Pueblos Libres and William L. Higgs (Alianza); (iii) a petition to deny the application filed, September 1, 1971, by the Coalition for the Enforcement of Equality in Television and Radio Utilization of Time and Hours (CEETRUTH); (iv) an opposition to the petitions to deny filed by the licensee of Station KGGM-TV; and (v) reply of Alianza and CEETRUTH, filed October 29, 1971 and December 2, 1971, respectively.[1]

2. Alianza's standing as a party in interest is predicated on the grounds that it "* * * is the largest organized expression in New Mexico of the poor Mexican-American in regard to issues of racial discrimination and denial of property and civil rights." Specifically, petitioners say that they represent some 30,000 persons, 99% of whom are Mexican Americans, and about 70% of whom reside in KGGM-TV's service area. The pleadings also indicate that William Higgs is a resident of Albuquerque. CEETRUTH states that it is "* * * an umbrella organization composed of community groups in the Albuquerque area * * * (whose) purpose is the protection of and furthering of the interests of Mexican-Americans, Blacks, and Indians, as well as of the entire community in the broadcast media." The licensee does not challenge petitioner's standing and we find that all petitioners are parties in interest under the provisions of Section 309(d)(1) of the Communications Act, 47 U.S.C. § 309(d)(1).

3. The petitions to deny, which will be considered jointly in this Order, allege deficiencies in KGGM-TV's past programming, employment, ascertainment of community problems and proposed programming. After a careful review of the pleadings, KGGM-TV's renewal application and amendments filed thus far, we believe that serious questions have been raised regarding the responsiveness of KGGM-TV's programming during the license period under consideration, i.e., October 1968 through September 1971, and the employment practices of the station. Consequently, we believe that an evidentiary hearing is necessary to resolve these questions. All of the allegations will be considered under the appropriate headings.

PAST PROGRAMMING

4. With respect to KGGM-TV's overall programming during the license period 1968-1971, Alianza alleges that the station has failed adequately to serve the community and, as a result, has fostered and encouraged racial prejudice and discrimination and, in fact, "* * * created the conditions that led to the Albuquerque riots of June 13-16, 1971 * * *" A number of local newspaper reports about these riots are included in Alianza's petition. Alianza points to important local issues in the community, specifically, racial discrimination and a dispute over certain lands located in New Mexico and elsewhere,[2] and argues that neither of these have been dealt with in KGGM-TV's programming during the 1968-1971 license period, with the single possible

[1] Also before the Commission are the following: (a) a letter, dated September 16, 1972, from Tracy A. Westen as counsel for La Escuela del Norte de Nuevo Mejico, stating that this organization wishes to support the pending petitions to deny the license renewal application of KGGM-TV, and be considered a co-party if the application should be designated for hearing; and (b) an opposition by the licensee, dated September 21, 1972. The request will be discussed in paragraph 44, *infra.*

[2] Petitioners allege that despite the Treaty of Guadalupe-Hidalgo, which ceded the Southwest to the United States and guaranteed civil and property rights to former Mexican citizens and their descendants, over the years and land holdings of Mexican Americans were taken by violence, fraud and forgery, and approximately 35,000,000 acres of land were taken from Mexican Americans. Petitioners further allege that many authorities trace the present day poverty and discrimination suffered by Mexican Americans directly to this land loss and that the drive by Mexican Americans to recover their lost land has been a major factor in the history of the Mexican American in New Mexico since 1848. Alianza has drafted and introduced legislation in the Congress of the United States to settle this land problem.

exception of a public service announcement, "Equal Employment" found in Exhibit XVI of the KGGM–TV renewal application. Alianza says that its request to the station of May 22, 1971, for an announcement on behalf of Alianza has never been carried, nor the letter acknowledged, although the station states in Exhibit XVI of its application that "(a)ll requests for Public Service Announcements and/or programs are given due consideration." Alianza notes the low level of public affairs programming stated in the application, one hour and 25 minutes, or 1.06% of the programming of the composite week, and argues that the station has failed to operate in the public interest.

5. The petition to deny filed by CEE TRUTH consists of a detailed analysis of the renewal application of the station, and its performance during the past license period. Regarding news programming, KGGM–TV is charged by petitioners with a consistent failure to carry the news of and about Mexican Americans, Blacks or Indians, even when specifically requested. In this regard, CEETRUTH submits affidavits from Ms. Isabelle Tellez and Mr. Harry Summers which state that they have made such specific requests for news coverage and have been refused. It is further alleged that there is, on the other hand, extensive coverage of crimes, allegedly committed by a member of a minority. CEETRUTH further says that a search of the renewal application in its entirety reveals a substantial portion of network programming but very little in the way of identifiable local programming by KGGM–TV. The sum total of local programming presented by the station, as set forth in the composite week logs, is said to consist of the "Captain Billy" program, a daily half-hour children's program, and the local news. An affidavit is also attached from Dr. Ralph Jennings, presently with the Office of Communications United Church of Christ, wherein he states that he analyzed the "Captain Billy" program on April 25, 1971, and that only six minutes and thirteen seconds of this program consisted of the live character, the balance being cartoons and advertising time.

6. In its analysis of the station's public affairs programming, CEETRUTH notes that no programming of a specifically local, public interest nature appears in the composite week logs. According to CEETRUTH, Exhibit IX–A of the KGGM–TV application, listing 90 public affairs programs broadcast in 1969, discloses that only four programs concern specifically local problems—"Urban Renewal," "New Mexico Constitutional Convention," "Con Con Report," and "Con Con Pro & Cons." CEETRUTH also alleges that examination of a further Exhibit IX–A, listing additional public affairs programs not reported in the composite week, reveals that the programs are ". . . all derived from recorded or network sources," CEETRUTH notes the stated policy of KGGM–TV, in its renewal application, that:

. . . time will be made available as requested and deemed essential for discussion of public affairs issues . . . Some public affairs issues will be covered in newscasts, with both sides represented, supplemented by man-on-the-street interviews to get a cross-section opinion from the general public. Other public affairs issues deemed of greater importance will be given separate programs, such as our "Spotlight on Now" series, which allows greater in-depth consideration.[3]

Moreover, note petitioners, in Exhibit XI of the application, the station says that its policy regarding public affairs includes the "(a)iring of minority problem areas by minority groups" and "(f)orums composed of city officials and minority groups." Petitioners state that an examination of the renewal application fails to disclose a single program which provides this promised access. Contrary to these assertions of the station, CEE TRUTH says that Mexican Americans, Blacks and Indians ". . . have found it impossible to obtain coverage of their needs and viewpoints." Affidavits to this effect are also included in the petition to deny.

7. CEETRUTH takes further issue with the programming included in the "other" category of the renewal application. Specifically, argues CEETRUTH, the two agricultural programs included in the composite week logs, "All American Horse" and "Stories of Success," are both pre-recorded and commercially supplied films, which do not in any way deal with the locally important agricultural industry or with the needs of the migrant worker. According to an affidavit executed by Mr. Gerald T. Kenna, Administrative Director of the Home Education Livelihood Program, an organization concerned with the needs of the migrant worker, these needs are of vital importance in the Albuquerque area, and that to his knowledge, KGGM–TV "fails to focus public attention on the desperate conditions of our own New Mexico farm worker problem." CEETRUTH says, further, that the instructional programming included in the composite logs under the "other" category, "Captain Kangaroo" and "Camera Three," are both network derived, and that there is no local instructional programming, nor any bicultural instructional programming. In an affidavit, Dr. Frederick Reyes Norwood, a staff member of the Chicano Studies program of the University of New Mexico, states that there is a great need for programming about Chicano accomplishments and contributions in Albuquerque and that KGGM–TV has never done anything in this regard. A similar affidavit of Mr. Ralph Rivera, Assistant Director of the Child Development Program of the University of New Mexico is also included. Additionally, in an affidavit, Mr. Jose Alfredo Maestas states that during his state gubernatorial campaign in 1968, KGGM–TV never mentioned him as a serious candidate or covered his campaign efforts. Additionally, it is Mr. Maestas' opinion that KGGM–TV does not provide adequate or appropriate attention to American Indians (Mr. Maestas is an American Indian) in its programming.

8. Further complaint is made by CEE-TRUTH about the religious programming broadcast by KGGM–TV, which allegedly is all recorded ("Davy and Goliath," "Akron Baptist Temple," "Cathedral of Tomorrow," and "Oral Roberts Presents"). Petitioners argue that such programming is entirely fundamentalist and Protestant and that there is no religious programming for Catholics or Jews. In an affidavit, Mr. Harry Summers, a publicity director for thirteen Protestant and Catholic groups in Albuquerque, states that, "KGGM–TV has refused to present such local [religious] programs on the grounds that religious programs fail to attract sufficient audience." Finally, says CEE-TRUTH, the station does not carry two ecumenically motivated programs from the CBS Television Network, "Look Up and Live," and "Lamp Unto My Feet." In conclusion, CEETRUTH says that of the 127 public service announcements claimed, only 76 actually appear in the logs, but that network announcements are not included. Of the listed announcements, however, only three deal directly with New Mexico topics, the balance being filmed material supplied by national agencies.

9. In its joint opposition to the petitions to deny, KGGM–TV first argues that the problems of racial discrimination and the land grant question, cited by Alianza, were not, in fact, significant issues. According to the licensee, a random sample telephone survey was made of 140 Spanish surnamed individuals selected from the telephone directory.[4] Of the 70 responses, the top-ranked problem was drugs, and six of the top ten problems were identical to the overall survey of the general public conducted for the amended renewal application. KGGM–TV points out that none of the interviewees mentioned the land question as being a significant problem, although discrimination did receive two responses. The station concludes that ". . . Spanish-surnamed persons have, at the present time, substantially the same concerns as the Anglo majority, and KGGM–TV has pledged to cover these in its future programming." KGGM–TV argues that the station's renewal application, as amended, reflects that ". . . KGGM–TV has carried a significant amount of programming devoted to pressing international, national, state and local problems and events . . ." In this regard, KGGM–TV does not directly respond to the CEETRUTH allegation that the public affairs programming contained in the composite week consists entirely of the network programs "60 Minutes" and "Face the Nation." The station does, however, in the amended application, indicate that it has amended its program logs so that four "George Morrison Commentaries" are included in the

[3] In the renewal application, KGGM–TV refers to its proposed public affairs programming policy, from which this quotation is taken, as being identical to the policy for the past license period.

public affairs category. These commentaries were made in the course of one of the two daily local news broadcast by KGGM–TV by the news anchorman and concerned topics of current events and "other timely topics of general interest." The commentaries relogged by the station were approximately two and one-half minutes in length and dealt with a Senate resolution to limit the Presidential power to send troops overseas, FCC views on the advisability of television editorials and commentary, the postal system, and the conviction of two persons for burglary in Socorro, New Mexico. Further, in exhibit IX–A of the amended application, containing a list of public affairs programming during January–February 1971, licensee notes 37 additional "George Morrison Commentary" segments, which appeared on one of the two daily newscasts of KGGM–TV. According to the licensee, many of these commentaries dealt with minority matters. Other "George Morrison Commentaries" in 1969 and 1970 are mentioned elsewhere in the original and amended exhibits. Another program, "Spotlight on Now," an irregularly scheduled, locally produced half-hour discussion program, is said by KGGM–TV to have included a debate on January 12, 1971 between representatives of the city and minority representatives.

10. No direct response is made by KGGM–TV to the charges of Alianza regarding its alleged unsuccessful attempts to obtain carriage of a public service announcement by the station, and no response is made to the assertions by Alianza as to the discrimination and riots alleged to have been a product of KGGM–TV's programming. With respect to the affidavits of Isabelle Tellez regarding the lack of coverage by the station of Mexican American news events, Harry Summers concerning the religious news question, and Jose Maestas regarding coverage of his gubanatorial campaign, the station denies all allegations that the news or any other programming of KGGM–TV either demeans or portrays unfairly any group or individual. The station also states that "* * * in the absence of specific and detailed allegations representing something more than mere personal opinion, we believe that no further comment is warranted." Moreover, the station insists that programming and news judgment are matters left to the broad discretion of the licensee. The CEETRUTH assertion that the sum total of regularly scheduled local programming consists of "Captain Billy" and the local news is not responded to in the opposition filed by the station.

11. The amended renewal application does, however, state in Exhibit XI: "In an effort to provide news of its entire coverage area, KGGM–TV continues to send its reporters to Eastern Arizona, Southern Colorado, and to all areas within New Mexico for on-the-scene reports." The listings of public affairs programming not included in the composite week, Exhibit IX–A of the original and amended application, show the programs mentioned by CEETRUTH in paragraph 6, *supra*, and, in addition, the following: (a) "George Morrison Commentaries;" (b) eleven commentaries by ex-Governor Cargo on the activities of the state legislature; (c) three "Spotlight on Now" program featuring a discussion between city and minority representatives, an interview with Governor Cargo when he was in office, and a program dealing with veterans problems, racial policies in South Africa and the Albuquerque garbage situation; (d) panel discussion programs ("Crime Prevention" and "Law Day"); and, (e) two election return programs. Approximately 113 remaining programs, series and non-series, are listed in the amended application which are network or recorded public affairs programs from non-local sources. In addition, KGGM–TV has amended its statement as to the station policy in connection with public affairs programming to read as follows:

Public affairs programming was accomplished by news interviews, station commentaries, local interview and discussion programs, and numerous network public affairs programs. Subjects and participants were dependent upon problems existent at the time and the availability of competent spokesmen. Positive efforts were made to broadcast contrasting viewpoints on controversial issues.

12. In the "other" programming category, KGGM–TV has re-logged "Captain Billy" as instructional, and disputes CEETRUTH's statements about the nature and quality of the program. An affidavit of Mr. Stretch Sherer, now deceased, who portrayed the character Captain Billy, is included in the opposition. Mr. Scherer says that the program "* * * is designed for entertainment and instructional (sic) in a manner not to talk down to children." He goes on to say that the program is made up of two cartoons, and at times another short film segment dealing with animals, all of which totals from thirteen to sixteen minutes, and that "* * * the live portion of the show averages ten to thirteen minutes in length." While there are commercials, says Scherer, "[t]he majority of the 'live' time, Captain Billy stresses the importance of honesty, humane treatment of the shipmates' pets, the joy of helping one another such as urging their participation in March of Dimes, Muscular Dystrophy carnivals, 'Fill the Heart with Dimes' for the Heart Fund, etc."

13. In reply, Alianza restates its basic position that the station has failed to meet the specific needs of the Mexican American community. In its reply, CEETRUTH says that the bulk of its allegations remain unopposed and unanswered by KGGM–TV. The position of the station that "* * * the renewal amendment renders moot most of the Petitioner's allegations * * *" is untenable, according to CEETRUTH, because the amendments themselves cast doubt upon the accuracy of all of licensee's representations to the Commission, and a character issue is thus also raised. CEETRUTH says that no response is made to the Jennings study of the "Captain Billy" program, (see paragraph 5, *supra*) and, in fact, the affidavit from Stretch Scherer, who portrayed "Captain Billy", verifies Dr. Jennings' conclusions (see paragraph 12, *supra*). According to CEETRUTH, the affidavit also indicates that the program does consist of approximately 13–16 minutes of cartoons. Petitioners also disagree with the recharacterization of this program as instructional in the composite week program logs.

14. CEETRUTH says that the amendments to the public affairs programming part of the renewal application continue to show the lack of attention to local public affairs questions, and that, contrary to the statement in the renewal application that it is the station's policy to cover local problems, there is inadequate attention to local needs. The point is reiterated that Mexican American and Indian interests have found it ". . . impossible to obtain coverage of their news and viewpoints." In sum, argues CEETRUTH, the allegation that the public affairs programming presented on KGGM–TV is unresponsive to local concerns, remains unrebutted. According to CEETRUTH, the response of the station to the allegations concerning "Other" programming, was to amend the composite week logs, relogging "Captain Kangaroo" from "entertainment" to "instructional", and doing the same for "Captain Billy". These and other corrections are said to be unresponsive to petitioners' allegations that there are no local instructional, agricultural or religious programs. Finally, CEETRUTH attaches to its reply further affidavits, petitions and letters to the effect that KGGM–TV is not adequately serving the problems and needs of the Mexican American or Indian communities.

15. It must be recognized at the outset that ". . . programming is of the essence . . ." of a licensee's service in the public interest. See *Report and Statement of Policy Re: En Banc Programming Inquiry*, 25 Fed. Reg. 7291, 7294 (1960). Furthermore, the "principal ingredient" of a licensee's obligation of service in the public interest is the ". . . diligent, positive and continuing effort by the licensee to discover and fulfill . . ." the problems and needs of the area served. *Ibid.* In proving the adequacy of the past programming performance, a license renewal applicant must "run on his record" to demonstrate that the past programming has been responsive to the problems and needs which have been found to exist in the service area. *Columbus Broadcasting Coalition* v. *FCC*, 505 F. 2d 320 (D.C. Cir.

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[4] Although the licensee does not specify when the survey of Spanish surnamed persons was conducted, on the basis of the material contained in KGGM–TV's amendment of October 15, 1971, it appears that the survey was conducted between the filing of the original application, July 2, 1971, and the filing of the October 15 amendment.

1974) and *Office of Communications, United Church of Christ* v. *FCC*, 359 F. 2d 994 (D.C. Cir. 1966). The licensee, however, has considerable discretion in the determination of which problems and needs are to be treated, and the manner in which the programming of the station will respond to the selected problems and needs. *Primer on Ascertainment of Community Problems by Broadcast Applicants*, 27 FCC 2d 650 (1971).

16. With these considerations in mind, we find an initial problem in the record before us in that upon examination of the pleadings filed by KGGM–TV thus far, the 1971 renewal application, as amended, and the 1968 renewal application—the latter two having been filed with an obligation to "(d)escribe . . . the significant needs and interests of the public which the applicant believes his station will serve during the coming license period . . ." (Section IV–B, Q 1.B.) —we are unable to identify what the problems and needs of the service area were for the 1968–1971 license period. Thus, we are unable to determine what efforts the licensee has made to meet the problems and needs of Albuquerque during the past license period, and, therefore, to make the necessary determination that this licensee has provided service in the public interest. The long lists of programs contained in Exhibits IX–A of the original and amended application are not helpful in this regard, as we have no way of relating them to any community problem or need which may have existed in the past license period. Furthermore, even assuming that the problems were known to the licensee, there is no way of judging whether the programming contained in these lists was responsive to any particular problems, as this information has likewise not been included in any of the material before us.

17. Even more significant is the failure of KGGM–TV to rebut the allegations of petitioners, particularly Alianza, that there are significant problems and needs of the community as a whole, and of the Mexican American community, which have not been dealt with in any of the programming of KGGM–TV. These problems, as set forth by petitioners, include race relations, the land question, the need for bilingual programming and the local farm worker problem.[5] The station's attempt to respond with conclusions drawn from a random telephone survey of members of the Mexican American community to the effect that the problems and needs of this particular group are identical to those of the "Anglo" majority is inadequate. To the extent that this survey has been made in the context of its 1971 ascertainment efforts, it is prospective, and tells us nothing about what the problems and needs of any particular group or of the community as a whole have been during the 1968–1971 license term. Once a petitioner has raised questions about the adequacy or responsiveness of a station's past programming, as is the case here, the burden is upon the licensee to demonstrate the responsiveness of its past programming to the service area. This, KGGM–TV has failed to do.

18. Finally, regarding the allegation of CEETRUTH that KGGM–TV has carried inadequate amounts of programming of a specifically local nature, the Commission has said that "[t]he key is the responsiveness to [community] needs and not necessarily the original source of the broadcast matter." *WHEC, Inc.*, FCC 75–481, released April 25, 1975. See *Westinghouse Broadcasting Company, Inc. (KPIX–TV)*, 31 RR 2d 1299 (1974). Thus, the significance of a station's local programming will vary depending upon the particular needs of any given community. Our difficulty here, however, is that we are unable to make a determination as to whether *any* of the programming, network or locally originated, broadcast by KGGM–TV was responsive to community problems and needs. To the extent that there may have been insufficient local programming, this is a matter to be included in the inquiry into the overall responsiveness of KGGM–TV's programming, the adequacy of which may depend, to some extent, upon the sufficiency of the station's local programming.

19. Turning to petitioners' charges regarding KGGM–TV's news coverage and alleged bias toward Mexican Americans, the Commission has emphasized that it will not involve itself in the sensitive area of a licensee's news judgment absent significant extrinsic evidence of deliberate distortion staging or bias. *The Evening News Association*, 35 FCC 2d 366 (1972); *National Citizens Committee for Broadcasting*, 29 FCC 2d 386 (1971), rehearing denied, 32 FCC 2d 824 (1971); *Selling of the Pentagon*, 20 FCC 2d 150 (1969); *Letter to Mrs. J. R. Paul*, 26 FCC 2d 591 (1969); *Hunger in America*, 20 FCC 2d 143 (1969). There is no such extrinsic evidence of deliberate distortion or bias presented by either petitioner, and, thus, petitioners' allegations of bias must be rejected. Furthermore, the Commission is without authority, and in fact is prohibited by the First Amendment and Section 326 of the Communications Act from interferring with the exercise of journalistic judgment by a licensee. *Hunger in America, supra.*

20. In sum, we believe that serious questions have been raised concerning the responsiveness and adequacy of KGGM–TV's programming during the 1968–1971 renewal period. These questions cannot be answered on the record before us, and, therefore, require further exploration at an evidentiary hearing. Thus, an appropriate issue will be specified, *infra.*

PROGRAMMING REPRESENTATIONS

21. In its discussion of the past programming of KGGM–TV, CEETRUTH makes an analysis of the non-entertainment programming reported in Part II of the original renewal application and the program logs for the composite week.[6]

[6] The breakdown of the figures for the original application, the amended application, and the findings of CEETRUTH regarding the non-entertainment programming of KGGM–TV during the composite week is as follows:

	Original application			Amended application			CEETRUTH		
	Hours	Minutes	Percent	Hours	Minutes	Percent	Hours	Minutes	Percent
News	12	50	9.66	12	41	9.55	11	51	8.8
Public affairs	1	25	1.06	1	33	1.17	1	20	1.0
Other	10	56	8.22	10	56	8.22	11	13	8.5
Total	25	11	18.94	25	10	18.94	24	24	18.39

In responding to the allegation of CEETRUTH as to the inaccuracy of the past non-entertainment programming figures in the original renewal application, KGGM–TV provides amended logs and figures, and explains that the variation between the original and renewal application figures is the result of erroneous inclusion of four "George Morrison Commentaries" in the news category, which properly should have been logged and counted as public affairs. No direect response is made to the allegations that the composite week figures are incorrectly stated, other than a statement in the station's opposition that it has rechecked its figures for the "other" category and found them to be correct, and those of CEETRUTH incorrect.

22. We find that the discrepancies between the past programming figures presented in response to Part II of the original renewal application, the September, 1971 amendment, and those shown in the CEETRUTH analysis of the original program logs, are not so unreasonably large as to raise a misrepresentation question. No disparity between any figures in any category is greater than one hour, or 10% of the total programming in any category. This leads us to the conclusion that if there is error on the part of the station, the error does not improve or "boost" its non-entertainment figures in any significant or meaningful degree. Under the circumstances and in the absence of any information that licensee intended to mislead the Commission, it is

[5] Perception and selection of issues is, of course, a matter of the licensee's reasonable, good faith judgment. *Fairness Report*, 48 FCC 2d 1, 11 (1974); *Ascertainment Primer*, 27 FCC 2d 650, 665 (1971). While community issues may have been treated in "Con Con Report," "Spotlight on Now," and ex-Governor Cargo's commentaries, the record here simply does not establish responsiveness to community problems.

difficult to conclude that there has been any intentional or wrongful misrepresentation of these figures.

23. However, CEETRUTH also alleges that the percentage of past news programming dealing with local and regional matters, represented by KGGM–TV in Exhibit XI of the original application as 80% of the total news programming of the station, is incorrect and, in fact, impossible. Petitioners say that one-third of the daily news programming is network news, and at least some of the locally originated news programming is from network sources which treat national and international matters. Petitioners state that the true figure must be closer to 39%. In response, KGGM–TV amended its Exhibit XI from 80% to 35.48% for the total amount of news programming dealing with local and regional events during the past license period. In reply, CEETRUTH notes the failure of the station to answer the allegation concerning this erroneous figure, other than to amend the application. We find that the disparity here, 80% versus 35.48% is significant enough to raise a question as to why the station claimed the 80% figure in its original application. Further, KGGM–TV has offered no explanation as to why the figure was changed, or why the disparity is so great, and we cannot reach any informed conclusions on the record thus far. Finally, this figure may be of decisional significance, as it is a representation of the amount of local and regional programming broadcast by the station, and thus may be relevant to the question of the responsiveness of KGGM–TV's service to its community of license. (See paragraphs 18 and 19, *supra*). Thus, further inquiry at a hearing is necessary to determine what, in fact, the correct figure is, why the station initially claimed the 80% figure, and whether there has been a misrepresentation or lack of candor on the part of KGGM–TV.

EMPLOYMENT

24. Initially, Alianza raises a specific complaint concerning the employment practices at KGGM–TV. Petitioners include an affidavit of Gregorio R. Romero who says that in June or July of 1969 he had an employment interview with Mr. Bruce Hebenstreit, president and general manager of KGGM–TV, at which time Mr. Hebenstreit said, "I don't hire Mexicans, Niggers or anybody with long hair." Mr. Romero notes further that he was not hired. Alianza points out that this is in contrast with the equal employment policy of the station as contained in Exhibit XVII of the renewal application.

25. The CEETRUTH petition to deny notes Exhibit XIII of the renewal application where KGGM–TV states that it employed 61 persons as of September 4, 1971. Of these, seven were Spanish surnamed, which constituted 18.6% of KGGM–TV's total employees while Mexican Americans constituted 34% of the total population at Albuquerque. It is further stated that the station employs no Blacks or American Indians, which make up 1% and 2% of the population, respectively. CEETRUTH concludes that ". . . such fact is in and of itself presumptive evidence of discrimination." Further, CEETRUTH says that an examination of the Spanish surnamed employees' positions reveals that they are in the lower positions at the station, none being employed in either the newsroom or in management level positions. It is further alleged that two are part-time night receptionists, one a traffic clerk, one a traffic manager, two assistant bookkeepers, and one a Telecini operator. It is also alleged that KGGM–TV does not have any Mexican American newscasters in a community which is more than one-third Mexican Americans, and it is not only not serving the community, but is discriminating in its employment. Specifically, petitioners state that "such an omission should not be presumed to stem from anything except blatant prejudice." Finally, the Gregorio Romero incident (see paragraph 24, *supra*) is raised in CEETRUTH's petition to deny as well.

26. KGGM–TV, in its opposition to the petitions to deny, says that it ". . . has adopted and implemented an equal employment opportunity program that conforms to all Commission requirements," and that the "result of licensee's efforts speaks for itself." It is noted by KGGM–TV, that as of September 4, 1971, two of the eight department heads were Spanish surnamed—Stella Gallegos, Traffic Director and Office Manager, and Lorenzo Jamarillo, the building maintenance supervisor. According to licensee, Mrs. Gallegos is one of the three station executives with the function of hiring and firing, and Mr. Jamarillo supervises the large station facility and directs the company maintenance personnel as well as outside service contractors. Based upon figures supplied by the Bureau of Business Research at the University of New Mexico, licensee argues that the percentage of Spanish surnamed persons in Albuquerque is 21.8%, and 25.9% in Bernalillo County.[7] KGGM–TV says that its figures are based on 1960 Census data, but that ". . . historically the percentage of Spanish surnamed has declined." The station goes on to make a comparison of the Forms 395 filed by all New Mexico Television stations and reaches the conclusion that KGGM–TV is far ahead of the other stations.

27. The licensee responds to the affidavit of Gregorio Romero by submitting an affidavit executed by Bruce Hebenstreit who denies that he made any remark of this type. The station also says that "[w]hile it is impossible to prove a negative in these pleadings, we can point out that the alleged remark would have been inane in view of the station's employment record of Spanish surnamed persons. According to licensee, "we can also ask why Mr. Romero did not go to the New Mexico Human Rights Commission, the Equal Employment Opportunities Commission, or the FCC at that time, why he has waited some two years to come forward with his complaint?" The station notes that this affidavit is inadequate as a matter of law to require further action, citing *Non Discrimination Employment Practices of Broadcast Licensees*, 18 FCC 2d 240, 241–242 (1969).

28. KGGM–TV also provides amended employment sections, showing past and present staffing (as of 1971) for both KGGM–TV and for New Mexico Broadcasting Co., Inc.[8] Six payroll dates from January 8, 1966 to September 4, 1971, were selected and, according to KGGM–TV, the figures show that the station has kept its employment percentages of Mexican Americans up. These range from 12.7% (January 6, 1968), to 19.0% (February 20, 1971), to the 18.6% figure for September 4, 1971.[9] A new equal employment opportunity program is set forth in revised Exhibit XVII, and an Exhibit XVII–A, in which the station says that it is and always has been an equal employment opportunity employer. Licensee argues that most of the station's full time positions are filled from within, and that part time employees are taken from schools in the surrounding area.

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[7] Official 1970 U.S. Census data indicates the following for the Albuquerque Standard Metropolitan Statistical Area: population—315,774; Spanish heritage—123,783 (39.2%); other minorities—14,841 (4.7%); women—161,992 (51.3%). The same source shows the following data for the city of Albuquerque: population—243,751; Spanish heritage—85,069 (34.9%); other minorities—10,481 (4.3%); women—126,506 (51.9%). In addition, the work force totals for the Albuquerque SMSA are 120,578, of which 49,316 (40.9%) are women, 40,590 (33.7%) are Spanish surnamed and 2,410 (2.0%) are Black. The figures for other minority persons are not available.

[8] New Mexico Broadcasting Company is also the licensee of Station KVSF, Santa Fe, New Mexico.

[9] The dates and employment totals for KGGM–TV and for New Mexico Broadcasting Company, Inc. set forth in the amended renewal application (Exhibit XIII) are as follows:

KGGM television employees only

	Total employees	Spanish heritage	Percentage	
January 8, 1966	58	8	13.8	
July 2, 1966	70	10	14.3	
January 6, 1968	55	7	12.7	
July 11, 1970	55	10	18.2	1 black.
February 20, 1971	63	12	19.0	
September 4, 1971	59	11	18.6	

Television and other than television employees

	Total employees	Spanish heritage	Percentage	
January 8, 1966	78	16	20.5	
July 2, 1966	95	19	20.0	1 black.
January 6, 1968	81	11	13.6	
July 11, 1970	79	17	21.5	Do.
February 20, 1971	95	18	18.9	
September 4, 1971	91	18	19.8	Do.

29. Other materials submitted by KGGM–TV include two complaints filed against the station before the Equal Employment Opportunity Commission, one of which was resolved in favor of the station, and the other of which was resolved by conciliation. Licensee also notes a complaint before the Human Rights Commission of New Mexico which was resolved in the station's favor. The station also filed, on September 3, 1974, a further revised Exhibit XIII, "EQUAL EMPLOYMENT OPPORTUNITY PROGRAM." On October 10, 1974, the station filed an agreement between KGGM–TV and the League of United Latin American Citizens (LULAC) one of the member organizations of CEETRUTH—which included employment, as well as certain programming provisions.

30. An analysis of the Forms 395 filed for 1971–1974 for KGGM–TV reveals the following: [10]

	Full-time employees	Spanish-surnamed	Percentage
1971	44	7	15.9
1972	44	7	15.9
1973	47	8	17.0
1974	52	8	15.4
	Part-time employees	Spanish-surnamed	Percentage
1971	13	3	13.1
1972	12	6	50.0
1973	10	2	20.0
1974	12	4	33.3

Employment figures for the top two categories of officials-and-managers and professionals, show that in 1971 there were no minority persons in either category; in 1972 two Spanish surnamed Americans were officials or managers, and one was a professional; in 1973, two Spanish surnamed Americans were officials or managers and three were professionals, as well as one part-time American Indian who was a professional. It is not known whether the same individuals have continued in these categories.

31. Commission and court precedent relating to nondiscrimination in employment clearly does not require that the percentage of minority employees at broadcast stations, generally or in specific job categories, must approximate the percentage of minorities in the service area of a broadcast station. See, e.g., *Westinghouse Broadcasting Co., Inc. (KPIX–TV)*, 48 FCC 2d 1123 (1974); *Columbus Broadcasting Coalition* v. *FCC*, 505 F. 2d 320 (D.C. Cir. 1974); and *Bi Lingual Bi Cultural Coalition on Mass Media* v. *FCC*, 492 F. 2d 656 (D.C. Cir. 1974). This does not mean that "* * * statistical evidence of an extremely low rate of minority employment will never constitute a *prima facie* showing of discrimination or 'pattern of substantial failure to accord equal employment opportunities.' " *Chuck Stone, et al.* v. *FCC*, 466 F. 2d 316, rehearing denied, 466 F. 2d 331, 332 (D.C. Cir. 1972). While the disparity between the percentage of employees of KGGM–TV who were Mexican Americans (approximately 18%) and the percentage of Mexican Americans in the Albuquerque SMSA (39.2% according to the most recent U.S. Census data) was apparently within a "zone of reasonableness" for the license period in question, see *Chuck Stone, et al.* v. *FCC, supra*, a problem exists in that there has been little variation in the numbers of full-time employees at the station who are Mexican Americans from 1971 to the present. In this regard, while there has been fluctuation in the overall number of Mexican American employees, there has been no readily apparent increase or improvement from 1971 through 1974. (See paragraph 30, *supra*.) In addition, between 1973 and 1974, the total number of full time employees at the station increased from 47 to 52, while the total number of Mexican American employees remained the same (eight), thus amounting to a decrease in the percentage of Mexican American employees from 17% to 15.4%. These facts raise questions about the operation and effectiveness of the equal employment opportunity program in effect at KGGM–TV since 1971. In this regard, we note that by letter, dated August 18, 1971, the Commission's staff raised questions regarding the adequacy and completeness of KGGM–TV's EEO program (Section VI of KGGM–TV's renewal application).

32. Concerning the alleged statement by Mr. Bruce Hebenstreit of KGGM–TV to Mr. Gregorio Romero, we do not believe that a substantial or material question of fact has been raised which warrants exploration at a hearing. In this regard, the available employment data for KGGM–TV indicates that the station does, in fact, employ Mexican Americans, Blacks and women, thus belying the allegation that the station does not hire any persons within the excepted categories allegedly mentioned by Mr. Hebenstreit. As noted above, however, there are questions about the effectiveness of KGGM–TV's equal employment opportunity program during the period from 1968 to the present which do require further inquiry.

33. Although the equal employment question set forth in paragraph 31, above, would ordinarily be grounds for further administrative inquiry, see, e.g., *Scott Broadcasting Corporation*, FCC 75–510, released May 8, 1975, we believe that in this particular case the questions should be resolved in the context of an evidentiary hearing. We are influenced in our decision by the fact that we have already determined that substantial questions regarding the responsiveness of KGGM–TV's past programming have been raised which clearly warrant a full evidentiary exploration. Thus, specification of an equal employment opportunity issue in the same proceeding will provide a vehicle for a full and in depth exploration of the station's employment practices and policies.

ASCERTAINMENT

34. The ascertainment effort set forth in the original application for renewal of the license of KGGM-TV is challenged by Alianza on the grounds that there are a number of violations of the *Primer on Ascertainment of Community Problems by Broadcast Applicants*, 27 FCC 2d 650 (1971). First, says Alianza, the station limited its efforts strictly to the city of Albuquerque and omitted all of the outlying areas, in violation of the *Primer*, Q. & A. 6. Alianza also says that there was little or no contact with the Mexican American community within Albuquerque, in that no Mexican American leaders were regularly or continuously contacted, as were other community leaders, and only a few of the leaders listed as being contacted by the licensee were Mexican Americans. Alianza alleges that in its general public survey, only eleven of 67 persons (17%) contacted by KGGM-TV were Mexican Americans, in a community with a large

[10] Licensees were not required to file Forms 395 prior to 1971. Protected minorities other than Spanish surnamed are 4.7% of the SMSA population KGGM–TV's 1973 Form 395 showed one full-time black employee, while the 1974 report showed two full-time blacks and one Oriental, all female. The 1974 report also showed that 22 of the 52 full-time employees (42.3%) were women. Our principal focus here, of course, is on the dominant Spanish surnamed minority. See *KRMD, Inc.*, FCC 75–731, released June 27, 1975.

Mexican American population. The method of the general public survey is also alleged to have been inadequate in that all of the interviews were "man on the street" contacts at two shopping centers in Albuquerque. As a result, says Alianza, there was no contact with the unemployed, the poor, or the large Pueblo Indian population north of the city.

35. CEETRUTH also faults KGGM–TV's ascertainment efforts for failing to make significant contacts with minorities. According to petitioners, of the eighteen leaders contacted, only four were from the Mexican American community, and none were Blacks or Indians. In the general public survey, says CEETRUTH, only 13% of those contacted were Mexican Americans, and the survey was conducted at two shopping centers. CEETRUTH also says that only four of the 24 problems identified related to minorities, and none of these were translated into any specific programming proposals.

36. As noted in paragraph 1, *supra*, KGGM–TV filed an amended application, which included an amended Part I, Section IV dealing with KGGM–TV's ascertainment of community problems. Sixty-four additional community leaders were contacted, including at least 21 Mexican American or Indian community leaders. In addition, the survey of the general public included a random sample telephone survey of 287 members of the general public (which included Mexican Americans, as well as the special survey of Mexican Americans noted in Paragraph 9, *supra.*). In its opposition, the station argues that its amended survey, together with the original, is more than adequate and goes well beyond what is required by the *Primer*. KGGM–TV notes, further, that as a result of its ascertainment efforts, it proposes to present three regularly scheduled discussion programs, as well as news programs and programming from network and other national sources, all intended to deal with these ascertained community problems.

37. In reply, Alianza asserts that the problems and needs of the Mexican American community are not, as claimed by the station, the same as the rest of the community. Petitioners say that the methodology followed by KGGM–TV is incomprehensible, and say also that no Spanish-speaking interviewers were used in the surveys, to the prejudice of the Mexican American community. Finally, Alianza notes that there was a 50% nonresponse rate to the special telephone survey of Mexican Americans, and, as a result, this amended ascertainment is "worthless." According to CEETRUTH, the conclusion drawn by KGGM–TV that the problems and needs of the Mexican American community are identical to the rest of the community shows the inadequacy of the total ascertainment effort by the station. Moreover, the survey is made upon the mistaken belief that only 21.8% of the population of Albuquerque is Mexican American, whereas, in actuality, the figure is higher. The charge is made that no Spanish speaking canvassers were used, and that the telephone is inadequate for Mexican Americans because few of them either speak English or have telephones. In sum, the general public survey was unsound in design and execution and the results were prejudiced as a result. Finally, petitioners argue that the station's community leader survey is inadequate because there is no indication of the duration or conditions of the interview, or whether the person interviewed understood the nature of the interview.

38. The Commission is of the view that the allegations regarding the inadequacy of the ascertainment efforts of KGGM–TV are without merit. In this regard, KGGM–TV's amended ascertainment showing, together with the original application, demonstrate that KGGM–TV's ascertainment efforts comply fully with the *Primer's* requirements. Specifically, we find that an adequate number of representatives of the Mexican American community and leaders residing outside Albuquerque have been contacted in the leader survey, and a sufficient effort was made in the general public survey to assure a representative sampling of the community. We have never required that the numbers of persons contacted be in direct proportion to the percentage of minority persons in the population. See, e.g., *Westinghouse Broadcasting Co., Inc. (KPIX–TV)*, 48 FCC 2d 1123 (1974). The test has always been one of representativeness, and we believe that this has been adequately demonstrated by KGGM–TV. Additionally, the Commission has never required that interviewers be the same race or ethnic origin as minority persons contacted, see *Kaiser Broadcasting Corp.*, 46 FCC 2d 589 (1974), and the telephone is specifically permitted as an appropriate means of contacting members of the general public. See *Primer, supra*, at 667. The fact that the station may have been mistaken as to the actual percentage of Mexican Americans in the population is, in our view, of no decisional significance since there is no need for mathematical precision, and a cross-section of the leadership and membership of the Mexican American community has been contacted. In sum, we find nothing in either petition to deny which raises a *prima facie* case of inadequacy of the ascertainment efforts of KGGM–TV.

PROPOSED PROGRAMMING

39. In its petition to deny, Alianza says initially that there is no adequate statement in the renewal application as to what KGGM–TV intends to do in regard to future programming. According to Alianza, the station "* * * fails to follow the Commission's directions on the program form (Question 1(c)) in that licensee simply lists programs * * * thus completely failing to give any relating of program to area of specific community problems and needs." Further Alianza claims that the statement of the licensee that "* * * as in the past time will be made available as requested and deemed essential for the discussion of public affairs issues" is meaningless in light of the fact that the station has failed to do this in the past. Specifically, Alianza charges that the race relations and land grant issues have received no air time to date. In conclusion, Alianza says that the station apparently intends to continue its present low rate of public affairs programming.

40. CEETRUTH, in its petition to deny, calls attention to Exhibit VI of the renewal application of KGGM–TV, and notes that there are thirteen program items intended to be typical and illustrative of what applicant proposes to broadcast in the coming license period. Nine of these, says CEETRUTH, are to be taken from the CBS Television Network, and only four program items are proposed for local production, despite the deficiency of local programming to date. According to petitioners, one particular program, "On the Scene" is projected, but no scheduling information is offered, so there is no way of determining the time of presentation or frequency. Other deficiencies noted by petitioner are the lack of specific proposals for agricultural, instructional, religious or other types of programming, despite the need within the community for such diversified programming. In addition, says CEETRUTH, in spite of the lack of such programming to date (as contained in the composite week) only a single, half-hour, bi-weekly public affairs program is proposed, which is to minority groups. There is likewise no proposal for any bilingual or bi-cultural programming, nor any children's programming. In sum, petitioners argue that the renewal application indicates that KGGM–TV intends to continue its present inadequate programming.

41. In its amendment KGGM–TV proposed the following programs to respond to the problems uncovered in its ascertainment of community problems: "The Inside Story", a five-minute interview program, to be broadcast Monday through Friday, featuring persons involved in "* * * combatting the major problems discovered in the surveys"; "Spotlight on Now" a thirty-minute interview and discussion program, to be broadcast at least twice monthly, focussing on the major problems in the survey list; and "On the Scene" a thirty-minute interview program to be broadcast twice a month with important visitors and local and state organizations. Other proposals include extensive coverage of all state and election campaigns and returns; local news broadcasts with emphasis on matters discovered in the stations ascertainment; four hours each week of religious programming; and public affairs programs from the CBS Television Network including "Face the Nation," "Sixty Minutes," "CBS Reports," "CBS Special Reports," etc. Children's programs proposed include "Captain Billy" which is characterized as "* * * a thirty-minute station-produced instructional program, Monday through Friday, representing Albuquerque's only local children's program . . ."; "Chil-

dren's Film Festival," an hour-long weekly program of motion pictures; "In the News," eight three-minute instructional vignettes presented every half-hour on Saturday mornings; National Geographic specials, and New York Philharmonic Young People's Concerts. The station submits that these proposals compare favorably with those of the other New Mexico stations, and lists comparative figures for each.

42. In reply, Alianza claims that the faulty ascertainment surveys of KGGM–TV led it to the conclusion that the problems and needs of the Mexican-American community are identical to those of the rest of the overall Albuquerque community, and that if the station continues to operate on this mistaken basis, it will not adequately serve the Mexican-American community and any proposals are, therefore, faulty. CEETRUTH asserts that the promises of KGGM–TV in the amended application must be read in light of the failure of station to meet past promises regarding programming, as well as the "questionable nature" of the representations made throughout the renewal application. Caution is also suggested in assessing the representations of the amended application, as these are made after the allegations presented in the petition to deny have been made known to the station, and should, therefore, be considered to be self-serving and defensive. Petitioners note that in the amended application, there is no statement (as contained in the original application) that the station will make time available for the discussion of local public affairs issues, and that also omitted from the amended application are references to equal time policies, "man on the street" interviews, and the "Spotlight on Now" series, all mentioned in the original application. There is also said to be less "vigorous" commitment in the application to news interviews and discussion programs of local interest. In sum, CEETRUTH says that the station has broken prior promises, and now makes even more promises, while failing to respond to the specific allegations of the petition to deny. CEETRUTH also points out, as did Alianza, that the program proposals, such as they are, extend from biased and inadequate ascertainment surveys which cause KGGM–TV to conclude that the problems and needs of the Mexican American community are identical to the Anglo community, and from this, no programming which will adequately meet the problems and needs of the Mexican American community can be expected.

43. As noted above, we have determined that KGGM–TV's survey efforts comply fully with the requirements of the *Primer*, and that petitioners' allegations to the contrary are inadequate and without merit. Thus, KGGM–TV's proposed programming was not based on faulty survey efforts as alleged by petitioners. In addition, we find that the proposals themselves are reasonably attuned to the findings of the ascertainment survey so as to meet the problems and needs of the service area. (See Exhibit VI to KGGM–TV's amended renewal application). Finally, because of the fact that the license period for which the proposals were to have gone into effect (1971–1974) has lapsed, and a supplemental application filed for this period, we are able to make a determination based upon an examination of the past programming in this supplemental application, that the station has in fact provided most of the programming promised in the 1971 renewal application, although not necessarily under the same titles, nor in the precise form as had been represented. Indeed, the programming proposed in the 1971 application to deal with community problems and needs is exceeded, according to the past programming set forth in the 1974 supplemental application. Accordingly, no further action on these allegations is warranted.

44. One final matter requiring our attention is the letter on behalf of La Escuela del Norte de Nuevo Mejico referred to in note 1, *supra*. The organization states that it wishes to support the pending petitions to deny, and requests that it be considered a co-party should the application be designated for hearing. As noted by KGGM–TV, the letter is premature in that the proceeding was not in hearing when the letter was filed and, in any event, is not in conformity with Section 1.223 of the Rules which states that any person who qualifies as a party in interest may become a party to the proceeding by filing a petition for intervention within 30 days of the publication of the hearing issues in the Federal Register. Accordingly, the request must be rejected at this time. In doing so, however, we do not intend to prejudice the right of this organization to file a proper petition to intervene in conformity with Section 1.223 within 30 days of the publication of this Order in the Federal Register properly supported as required by Section 1.223(d).

45. Accordingly, IT IS ORDERED, That pursuant to Section 309(e) of the Communications Act of 1934, as amended, the above-captioned license renewal application, IS DESIGNATED FOR HEARING at a time and place to be specified in a subsequent Order, upon the following issues:

(1) To determine whether, during the license term 1968–1971, KGGM–TV broadcast programming which was reasonably responsive to the problems and needs of its service area, including programming of relevance to the Mexican American community in its service area.

(2) To determine whether KGGM–TV made misrepresentations or was lacking in candor in the statement in its 1971 renewal application regarding the percentage of local and regional news broadcast during the past license period.

(3) To determine whether KGGM–TV has met the requirements of the Commission's equal employment opportunity rules and policies in the formulation and implementation of its nondiscrimination and affirmative action programs.

(4) To determine whether, in the light of the evidence adduced pursuant to the foregoing issues, a grant of the subject license renewal application would serve the public interest, convenience, and necessity.

46. IT IS FURTHER ORDERED, That the petition to deny the above-captioned license renewal application, filed by Alianza Federal de Pueblos Libres and William L. Higgs, individually, IS GRANTED to the extent indicated above, and IS DENIED in all other respects.

47. IT IS FURTHER ORDERED, That the petition to deny the above-captioned license renewal application, filed by the Coalition for the Enforcement of Equality in Television and Radio Utilization of Time and Hours (CEETRUTH), IS GRANTED to the extent indicated above, and IS DENIED in all other respects.

48. IT IS FURTHER ORDERED, That the request on behalf of La Escuela del Norte de Nuevo Mejico to be considered a co-party to the hearing, IS DENIED, without prejudice to the filing of a petition to intervene pursuant to Section 1.223 of the Commission's Rules.

49. IT IS FURTHER ORDERED, That the following are made parties to the hearing ordered herein: Alianza Federal de Pueblos Libres, William L. Higgs, and Coalition for the Enforcement of Equality in Television and Radio Utilization of Time and Hours (CEETRUTH).

50. IT IS FURTHER ORDERED, That in accordance with Section 309(e) of the Communications Act of 1934, as amended, the burden of proceeding with the introduction of evidence upon issues (1)–(3) shall be upon the petitioners, Alianza, Higgs and CEETRUTH, and the burden of proof shall be on the applicant, KGGM–TV, with respect to all issues herein.

51. IT IS FURTHER ORDERED, That to avail themselves of the opportunity to be heard, applicant and petitioners shall, pursuant to Section 1.221(c) of the Commission's Rules, in person or by attorney, within twenty (20) days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in the Order.

52. IT IS FURTHER ORDERED, That KGGM–TV shall, pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, and Section 1.594 of the Commission's Rules, give notice of the hearing within the time and in the manner prescribed in such rules, and shall advise the Commission of the publication of such notice as required by Section 1.594(g) of the Rules.

Adopted: July 2, 1975.

Released: July 14, 1975.

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

[FR Doc.75–18667 Filed 7–17–75;8:45 am]

FEDERAL MARITIME COMMISSION

PACIFIC STRAITS CONFERENCE

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California and Old San Juan, Puerto Rico. Comments on such agreements including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within *20* days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

H. R. Rollins, Secretary, Pacific Straits Conference, 635 Sacramento Street, San Francisco, California 94111.

Agreement No. 5680–17, entered into by the member lines of the Pacific Straits Conference (1) amends Article 8(a) of the conference agreement to provide a basis for obtaining affirmative decisions at meetings where there is a quorum but less than the full membership present; (2) changes the designation of Articles 8(e) and 8(f) of said agreement to Articles 8(f) and 8(g), respectively, and adds a new Article 8(e) thereto which prohibits member lines from divulging information on matters considered or adopted at meetings, subject to a fine of $1,000.00; and (3) deletes paragraph 7 of Appendix No. 1 in its entirety and adds a new paragraph 7 naming rules under which member lines may disclose actions taken in connection with rate changes.

By Order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

Dated: July 15, 1975.

[FR Doc.75–18703 Filed 7–17–75;8:45 am]

FEDERAL RESERVE SYSTEM

ALLIED BANCSHARES, INC.

Order Approving Acquisition of Allied Life Insurance Company of Texas

Allied Bancshares, Inc., Houston, Texas, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under § 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y, to acquire all of the voting shares of Allied Life Insurance Company of Texas ("Allied Life"), Houston, Texas, a company that would engage *de novo* in the activity of underwriting credit life and credit accident and health insurance directly related to extensions of credit by Applicant's credit-granting subsidiaries. Such activity has been determined by the Board to be closely related to banking (12 CFR § 225.4(a)(10)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (40 Federal Register 20138). The time for filing comments and views has expired, and the Board has considered the application and all comments received in the light of the public interest factors set forth in § 4(c)(8) of the Act (12 U.S.C. § 1843(c)(8)).

Applicant, the ninth largest banking organization in Texas, controls 13 subsidiary banks with aggregate deposits of approximately $810 million, representing approximately 2 per cent of the total deposits in commercial banks in the State.[1] Applicant does not presently have any nonbank credit-granting subsidiaries.

Allied Life will engage *de novo* in the activity of underwriting credit life and credit accident and health insurance directly related to extensions of credit by Applicant's subsidiary banks. Since this proposal represents a *de novo* acquisition, it does not appear that consummation of the transaction would have any adverse effects on existing or potential competition in any relevant market.

Credit life and credit accident and health insurance is generally made available by banks and other lenders and is designed to assure repayment of a loan in the event of death or disability of the borrower. In connection with the addition of underwriting of such insurance to the list of permissible activities for bank holding companies, the Board has stated:

To assure that engaging in the underwriting of credit life and credit accident and health insurance can reasonably be expected to be in the public interest, the Board will only approve applications in which the applicant demonstrates that approval will benefit the consumer or result in other public benefits. Normally, such a showing would be made by projected reductions in rates or increase in policy benefits due to bank holding company performance of this service.

Applicant has stated that it would provide reducing term credit life insurance at premiums which are 3.4 per cent below the maximum permitted by State regulations and level term credit life insurance on single payment loans at premiums which are 3.7 per cent below the permissible maximum. Credit accident and health insurance would be provided at rates which will be 3.4 per cent below the maximum that could be charged under Texas insurance regulations. The Board views the proposed reductions in premiums charged for such insurance as a consideration favorable to the public interest. The Board concludes, therefore, that Applicant's proposal is procompetitive and in the public interest.

Based upon the foregoing and other considerations reflected in the record, the Board has determined, in accordance with the provisions of § 4(c)(8), that consummation of this proposal can reasonably be expected to produce benefits to the public that outweigh possible adverse effects. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Dallas, pursuant to authority hereby delegated.

By order of the Board of Governors,[2] effective July 9, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75–18678 Filed 7–17–75;8:45 am]

[1] Banking data are as of December 31, 1974.

DOWNS BANCSHARES, INC.

Formation of Bank Holding Company

Downs Bancshares, Inc., Downs, Kansas, has applied for the Board's approval under § 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 97.5 per cent or more of the voting shares of Downs National Bank, Downs, Kansas. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. 1842(c)).

[2] Voting for this action: Vice Chairman Mitchell and Governors Bucher, Holland, Wallich and Coldwell. Absent and not voting: Chairman Burns.

Downs Bancshares, Inc. has also applied, pursuant to § 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 acquire the assets of Cushing Insurance Agency, Downs, Kansas. Notice of the application was published on May 1, 1975 in The Downs News and Times a newspaper circulated in Downs, Kansas. Applicant states that it would engage in the activities of a general insurance agency in a town of less than 5,000 population. 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). 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, not later than August 12, 1975.

Board of Governors of the Federal Reserve System, July 10, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-18679 Filed 7-17-75;8:45 am]

TEXAS COMMERCE BANCSHARES, INC.

Acquisition of Bank

Texas Commerce Bancshares, Inc., Houston, Texas, has applied for the Board's approval under § 3(a)(5) of the Bank Holding Company Act (12 U.S.C. 1842(a)(5)) to acquire 100 per cent of the voting shares of First Texas Bancshares Corporation, Houston, Texas, a registered bank holding company, by virtue of its ownership of 100 per cent of the voting shares (less directors' qualifying shares) of Longview National Bank, Longview, Texas. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than August 12, 1975.

Board of Governors of the Federal Reserve System, July 10, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-18680 Filed 7-17-75;8:45 am]

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt of Report Proposal

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO, on July 10, 1975. See 44 U.S.C. 3512 (c) and (d). The purpose of publishing this notice in the Federal Register is to inform the public of such receipt.

The notice includes the title of the request received; the name of the agency sponsoring the proposed collection of information; the agency form number; and the frequency with which the information is proposed to be collected.

Written comments on the proposed FPC form are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed form, comments (in triplicate) must be received on or before August 5, 1975, and should be addressed to Mr. Carl F. Bogar, Assistant Director, Office of Special Programs, United States General Accounting Office, Room 5216, 425 I Street, N.W., Washington, D.C. 20548.

Further information may be obtained from the Regulatory Reports Review Officer, 202-376-5425.

FEDERAL POWER COMMISSION

The Federal Power Commission (FPC) proposes to discontinue the present monthly Form No. 23 and consolidate data from this form, and from the present quarterly Form No. 23A into a revised quarterly report designated as Form No. 23B, Quarterly Electric Utility Generation and Fuel Planning Report. Collection of certain data no longer needed is being eliminated. Form 23B meets the current data requirements of both the Federal Energy Administration and the Federal Power Commission relating to projected electric utility generation and fuel requirements. There will be approximately 900 to 1,000 respondents and it is estimated that an average of 12 manhours will be required per response.

NORMAN F. HEYL,
Regulatory Reports, Review Officer.

[FR Doc.75-18681 Filed 7-17-75;8:45 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 75-46]

ATMOSPHERIC SCIENCES ADVISORY COMMITTEE

Meeting

The Atmospheric Sciences Advisory Committee will meet at NASA Headquarters, 400 Maryland Avenue, SW, Washington, DC on July 31 and August 1, 1975. The meeting will be held in Room 6004 from 9:00 a.m. to 3:30 p.m. on both days. The meeting must be held at this time because of the NASA requirement to programmatically initiate stratospheric research with cognizance of advice from the Committee. Other activities of the members preclude holding a later meeting any sooner than late September.

On July 31, the Committee will be briefed on the current NASA Stratospheric Research Program. On the morning of August 1, there will be a round table discussion of the contents and direction of the overall NASA Stratospheric Research Program. In the afternoon, the members will formulate the schedule and future activities of the Committee.

DUWARD L. CROW,
Assistant Administrator for DOD and Interagency Affairs, National Aeronautics and Space Administration.

[FR Doc.75-18845 Filed 7-17-75;8:45 am]

NATIONAL SCIENCE FOUNDATION

NATIONAL SCIENCE BOARD

Nominations for Membership

The National Science Board is the policy-making body of the National Science Foundation. The Board consists of the following 24 Members appointed by the President, by and with the advice and consent of the Senate, and of the Director, National Science Foundation, ex officio:

TERMS EXPIRE MAY 10, 1976

Dr. H. E. Carter, Coordinator of Interdisciplinary Programs, 512C Administration Building, University of Arizona, Tucson, Arizona 85721.

Dr. Robert A. Charpie, President, Cabot Corporation, 125 High Street, Boston, Massachusetts 02110.

Dr. Lloyd M. Cooke, Director of Urban Affairs and University Relations, Union Carbide Corporation, 270 Park Avenue, New York, New York 10017.

Dr. Robert H. Dicke, Albert Einstein Professor of Science, Department of Physics, Princeton University, Princeton, New Jersey 08540.

Dr. David M. Gates, Professor of Botany and Director, Biological Station, Department of Botany, University of Michigan, Ann Arbor, Michigan 48104.

Dr. Roger W. Heyns, President, American Council on Education, One Dupont Circle, N.W., Washington, D.C. 20036.

Dr. Frank Press, Chairman, Department of Earth and Planetary Sciences, Massachusetts Institute of Technology, Cambridge, Massachusetts 02139.

Dr. F. P. Thieme, Professor of Anthropology, 1006 JILA Tower, University of Colorado, Boulder, Colorado 80302.

TERMS EXPIRE MAY 10, 1978

Dr. W. Glenn Campbell, Director, Hoover Institution on War, Revolution, and Peace, Stanford University, Stanford, California 94305.

Dr. T. Marshall Hahn, Jr., Executive Vice President, Georgia-Pacific Corporation, 900 S.W. Fifth Avenue, Portland, Oregon 97204.

Dr. Anna J. Harrison, Professor of Chemistry, Mount Holyoke College, South Hadley, Massachusetts 01075.

Mr. Willian H. Meckling, Dean, The Graduate School of Management, The University of Rochester, Rochester, New York 14627.

Dr. William A. Nierenberg, Director, Scripps Institution of Oceanography, University of California at San Diego, La Jolla, California 92037.

Dr. Russell D. O'Neal, (Vice Chairman, National Science Board), Chairman of the Board and Chief Executive Officer, KMS Industries, Inc., and KMS Fusion, Inc., Ann Arbor, Michigan 48106.

Dr. Joseph M. Reynolds, Boyd Professor of Physics and Vice President for Instruction and Research, Louisiana State University, P.O. Box 16070, University Station, Baton Rouge, Louisiana 70803.

(One Vacancy.)

TERMS EXPIRE MAY 10, 1980

Dr. Jewel Plummer Cobb, Dean and Professor of Zoology, Connecticut College, New London, Connecticut 06320.

Dr. Norman Hackerman (Chairman, National Science Board), President, Rice University, P.O. Box 1892, Houston, Texas 77001.

Dr. W. N. Hubbard, Jr., President, The Upjohn Company, Kalamazoo, Michigan 49001.

Dr. Saunders Mac Lane, Max Mason Distinguished Service Professor of Mathematics, University of Chicago, Chicago, Illinois 60637.

Dr. Grover E. Murray, President, Texas Tech University and Texas Tech University School of Medicine, P.O. Box 4349, Lubbock, Texas 79409.

Dr. Donald B. Rice, Jr., President, The Rand Corporation, 1700 Main Street, Santa Monica, California 90406.

Dr. L. Donald Shields, President, California State University at Fullerton, Fullerton, California 92634.

Dr. James H. Zumberge, Chancellor, University of Nebraska at Lincoln, Lincoln, Nebraska 68508.

MEMBER EX OFFICIO

Dr. H. Guyford Stever, Director, National Science Foundation, Washington, D.C. 20550.

The National Science Foundation Act of 1950 states that: "The persons nominated for appointment as members of the Board (1) shall be eminent in the fields of the basic, medical, or social sciences, engineering, agriculture, education, research management or public affairs; (2) shall be selected solely on the basis of established records of distinguished service, and (3) shall be so selected as to provide representation of the views of scientific leaders in all areas of the Nation."

The terms of eight Members of the National Science Board will expire on May 10, 1976. The Director solicits and evaluates nominations for submission to the President. Nominations accompanied by biographical information may be forwarded to the Director, National Science Foundation, Washington, D.C. 20550, no later than August 15, 1975.

H. GUYFORD STEVER,
Director,
National Science Foundation.

JULY 11, 1975.

[FR Doc.75-18683 Filed 7-17-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Dockets Nos. 50-250, 50-251]

FLORIDA POWER AND LIGHT CO.

Issuance of Amendments to Facility Operating Licenses

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 8 and 7, respectively, to Facility Operating Licenses Nos. DPR-31 and DPR-41 issued to Florida Power and Light Company for operation of the Turkey Point Nuclear Generating Units 3 and 4, located in Dade County, Florida. The amendments are effective as of the date of issuance.

The amendments change the Facility Licenses and the Technical Specifications to permit generalized provisions for the receipt, possession, and use of byproduct, source, and special nuclear material. The license amendments do not authorize the licensee to receive, use or possess reactor fuel in an amount or type significantly different from that currently described in the Final Safety Analysis Report for Turkey Point Nuclear Generating Units 3 and 4.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendments. Prior public notice of these amendments is not required since the amendments do not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendments dated September 19, 1974, and supplemental letters dated September 19 and December 23, 1974, (2) Amendment No. 8 to License No. DPR-31 and Amendment No. 7 to License No. DPR-41, with Change No. 20, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Environmental & Urban Affairs Library, Florida International University, Miami, Florida.

A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 10th day of July, 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch #3, Division of Reactor Licensing.

[FR Doc.75-18621 Filed 7-17-75;8:45 am]

[Docket No. 50-171; Amdt. 6]

PHILADELPHIA ELECTRIC CO.; PEACH BOTTOM ATOMIC POWER STATION, UNIT 1

Provisional Operating License; Negative Declaration

The U.S. Nuclear Regulatory Commission (the Commission) has considered, pursuant to 10 CFR Part 51, the issuance of Amendment No. 6 to Provisional Operating License DPR-12, and the issuance of a Part 50, Possession Only License, to implement the decommissioning of PBAPS, Unit 1, according to a plan submitted by Philadelphia Electric Company.

The Commission's Division of Reactor Licensing has prepared an environmental impact appraisal of the proposed decommissioning operations. On the basis of this appraisal, we have concluded that a detailed environmental impact statement for the proposed actions is not warranted, because there will be no significant evironmental impact attributable to the proposed actions and the environmental effects will be within the scope of those resulting from the operation of the Station. The environmental impact appraisal is available for public inspection at the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. 20555, and the Martin Memorial Library, 159 E. Market Street, York, Pennsylvania 17601.

Dated at Bethesda, Md., this 14th day of July 1975.

For the Nuclear Regulatory Commission.

B. J. YOUNGBLOOD,
Chief, Environmental Projects Branch #3, Division of Reactor Licensing.

[FR Doc.75-18620 Filed 7-17-75;8:45 am]

[Docket No. 50-171]

PHILADELPHIA ELECTRIC CO.

Issuance of Amendment to Provisional Operating License

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 6 to Provisional Operating License No. DPR-12 issued to Philadelphia Electric Company (the licensee) for the Peach Bottom Atomic Power Station (the facility), located in York County, Pennsylvania. The amendment is effective as of its date of issuance.

The amendment authorizes the licensee to possess, but not operate the facility, and incorporates revised Technical Specifications which provide for the maintenance of the retired facility.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Ch. I, which are set forth in the license amendment. Notice of Proposed Issuance of Amendment to Provisional Operating License in connection with this action was published in the FEDERAL REGISTER on March 12, 1975 (40 FR 11651). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

For further details with respect to this action, see (1) the application for amendment dated August 29, 1974 and amendment dated May 15, 1975, (2) Amendment No. 6 to License No. DPR-12, with Change No. 19, (3) the Commission's related Safety Evaluation, and (4) the Commission's Negative Declaration dated July 14, 1975 (which is also being published in the FEDERAL REGISTER) and associated Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Martin Memorial Library, 159 E. Market Street, York, Pennsylvania.

A copy of items (2), (3) and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 14th day of July 1975.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch #3, Division of Reactor Licensing.

[FR Doc.75-18619 Filed 7-17-75;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Meeting

In accordance with the purposes of Sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards Subcommittee on Washington Public Power Supply Systems, Nuclear Projects 3 and 5, will hold a meeting on August 4, 1975 at the Oaks Ridge Country Club, Elma, Washington 98541. The purpose of the meeting will be to develop information for consideration by the ACRS in its review of the application of the Washington Public Power Supply Systems, et al., for a permit to construct Nuclear Projects 3 and 5. The plant is approximately three miles south of Satsop, Grays Harbor County, which is about 26 miles southwest of Olympia, Washington.

The agenda for the subject meeting shall be as follows: Monday, August 4, 1975. 1:30 p.m. until the conclusion of business. The Subcommittee will hear presentations by representatives of the NRC Staff and the Washington Public Power Supply Systems and will hold discussions with these groups pertinent to its review of the application of Washington Public Power Supply Systems, et al., for a permit to construct the Nuclear Projects 3 and 5.

In connection with the above agenda item, the Subcommittee will hold Executive Sessions, not open to the public, at 1:00 p.m. and at the end of the day to consider matters relating to the above application. These sessions will involve an exchange of opinions and discussion of preliminary views and recommendations of Subcommittee Members and internal deliberations for the purpose of formulating recommendations to the ACRS.

In addition to the Executive Sessions, the Subcommittee may hold closed sessions with representatives of the NRC Staff and Applicant for the purpose of discussing privileged information concerning plant physical security and other matters related to plant design, construction, and operation, if necessary.

I have determined, in accordance with Subsection 10(d) of Public Law 92-463, that the above-noted Executive Sessions will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552 (b) and that a closed session may be held, if necessary, to discuss certain documents and information which are privileged and fall within exemption (4) of 5 U.S.C. 552(b). Further, any nonexempt material that will be discussed during the above closed sessions will be inextricably intertwined with exempt material, and no further separation of this material is considered practical. It is essential to close such portions of the meeting to protect the free interchange of internal views, to avoid undue interference with agency or Subcommittee operation, and to avoid public disclosure of proprietary information.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that, in his judgment, will facilitate the orderly conduct of business, including provisions to carry over an incompleted upon session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda items may do so by mailing a readily reproducible copy thereof, postmarked no later than July 28, 1975, to the Executive Secretary, Advisory Committee on Reactor Safeguards, Nuclear Regulatory Commission, Washington, D.C. 20555, ATTN: Mr. G. R. Quittschreiber. Background information concerning items to be discussed at the meeting can be found in the Preliminary Safety Analysis Report for this facility and related documents on file and available for public inspection at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555 and at the Richland Public Library, Swift and Northgate Streets, Richland, Washington 99352. Comments which fail to meet the specified mailing date noted above will be considered to the extent practicable.

(b) Those persons submitting a written statement in accordance with paragraph (a) above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement so that appropriate arrangements can be made. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements at an appropriate time chosen by the Chairman of the Subcommittee.

(c) Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for opportunity to present oral statements, and the time allotted can be obtained by a prepaid telephone call on August 1, 1975 to the Office of the Executive Secretary of the Committee (telephone 202/634-1374, Attn: Mr. G. R. Quittschreiber) between 8:15 a.m. and 5:00 p.m., Eastern Daylight Time.

(d) Questions may be propounded only by members of the Subcommittee and its consultants.

(e) Seating for the public will be available on a first-come, first-served basis.

(f) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

(g) Persons desiring to attend portions of the meeting where proprietary information, other than plant security information, is to be discussed may do so by providing to the Executive Secretary, Advisory Committee on Reactor Safeguards, 1717 H Street, N.W., Washington, D.C. 20555, seven days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information to safeguard this material.

(h) A copy of the transcript of the open portion of the meeting will be available for inspection on or after August 11, 1975 at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555 and within approximately nine days at the Richland Public Library, Swift and Northgate Streets, Richland, Washington 99352. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street, N.E., Washington, D.C. 20002 (telephone 202/547-6222) upon payment of appropriate charges.

(i) On request, copies of the minutes of the meeting will be made available for inspection at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555 after November 4, 1975. Copies may be obtained upon payment of appropriate charges.

Dated: July 16, 1975.

SAMUEL J. CHILK,
Advisory Committee Management Officer.

[FR Doc.75-18873 Filed 7-17-75;9:17 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

BBI, INC.

Suspension of Trading

JULY 11, 1975.

The common stock of BBI, Inc., being traded on the American, and the Philadelphia-Baltimore Washington Stock Exchanges pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of BBI, Inc. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchanges and otherwise than on a national securities exchange is suspended, for the period from July 13, 1975 through July 22, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-18626 Filed 7-17-75;8:45 am]

ROYAL PROPERTIES INC.

[File No. 500-1]

Suspension of Trading

JULY 11, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Royal Properties Incorporated being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from July 12, 1975 through July 21, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-18627 Filed 7-17-75;8:45 am]

[File Nos. 2-14108 (22-2361), 2-39535 (22-6542)]

OWENS-ILLINOIS, INC.

Application and Opportunity for Hearing

JULY 11, 1975.

Notice is hereby given that Owens-Illinois, Inc. (the "Company") has filed an application under clause (ii) of Section 310(b)(1) of the Trust Indenture Act of 1939 (the "Act") for a finding that the trusteeship of The Chase Manhattan Bank (National Association) ("Chase") under two indentures heretofore qualified under the Act, is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Chase from acting as Trustee under any such indenture.

Section 310(b) of the Act provides in part that if a trustee under an indenture qualified under the Act has or shall acquire any conflicting interest it shall within ninety days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of such Section provides, in effect, with certain exceptions that a trustee under a qualified indenture shall be deemed to have a conflicting interest if such trustee is trustee under another indenture under which any other securities of the same issuer are outstanding. However, under clause (ii) of subsection (1), there may be excluded from the operation of this provision another indenture under which other securities of the issuer are outstanding, if the issuer shall have sustained the burden of proving, on application to the Commission and after opportunity for hearing thereon, that trusteeship under such qualified indenture and such other indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under either of such indentures.

The Company alleges that:

(1) The Company entered into an Indenture (the "1958 Indenture") dated as of June 1, 1958 with Chase, as trustee. There is currently outstanding under the 1958 Indenture $33,616,000 principal amount of 3¾% Sinking Fund Debentures due June 1, 1988.

The Company entered into an Indenture (the "1971 Indenture") dated as of April 1, 1971 with First National City Bank ("Citibank"), as trustee. There is currently outstanding under the 1971 Indenture $100,000,000 principal amount of 7⅝% Debentures due April 1, 2001. Citibank has resigned as Trustee under the 1971 Indenture and the Company has appointed Chase to act as Successor Trustee under the 1971 Indenture.

(2) The 1958 Indenture and the 1971 Indenture were qualified under the Trust Indenture Act.

(3) The obligations under the 1958 Indenture and the 1971 Indenture are wholly unsecured and each obligation ranks equally with the other. There is no default under the Indentures.

(4) No differences exist between the 1958 Indenture and the 1971 Indenture which are likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Chase from acting as Trustee under one of the Indentures.

The Company has waived notice of hearing and waives hearing in connection with matters referred to in this application, and also waives any and all rights to specify procedures under the Rules of Practice of the Commission in connection with this matter.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application, which is a public document on file in the Commission's Public Reference Section at 1100 L Street, N.W., Washington, D.C. 20549.

Notice is further given that any interested person may, not later than August 5, 1975, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. 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.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-18628 Filed 7-17-75;8:45 am]

[Rel. No. 34-11500]

NOTICE OF AMENDMENT TO SECTION 15(b) OF THE SECURITIES EXCHANGE ACT OF 1934 AND ORDER INVITING BRIEFS

On June 27, 1975, the Securities and Exchange Commission issued the following order, which acknowledges an amendment to Section 15(b) of the Securities Exchange Act of 1934, 15 U.S.C. 78o(b), and invites briefs from any interested person on the implications of this amendment. As stated in the Order, all briefs are to be submitted to the Secretary of the Commission on or before August 4, 1975.

Securities Exchange Act of 1934, Rel. No. 11500, June 27, 1975; Admin. Proc. File Nos. 3-3719, 3-3916, 3-4403, 3-4424, 3-4466, 3-4506, 3-4547.

In the matter of A. P. Montgomery & Co., Inc., (8-10397), Sequoia Partners, Sierra Associates, Clyde W. Engle, Roger Weston, Eugene Phelan, Taurus, Inc., Taurus Management Corp.

In the matter of Milton J. Wallace and Joshua L. Becker.

In the matter of Laidlaw & Co., Inc. (8–15798), Leo E. Bromberg.

In the matter of Albert Heglund, Jr.

In the matter of William Norton & Co., Inc. (8–11821), Norman Poltorack, Irene Morgan.

In the matter of Park Securities, Inc. (8–16656), N. Carroll Mallow.

In the matter of Associated Underwriters, Inc. (8–15906), Carl Wesley Martin, David Rex Yeaman, Michael William Strand.

ORDER INVITING BRIEFS

Each of these cases is a remedial administrative proceeding under Section 15(b) of the Securities Exchange Act. The cases are wholly unrelated to each other. But they have one thing in common.

Each involves a respondent or respondents who is not alleged to have been a broker, or a dealer, or a person associated with a broker or a dealer, or a person seeking to become so associated.[1] When the cases were initiated, that was of no moment. At that time Section 15(b)(7) of the Exchange Act[2] authorized proceedings of this character against "any person."[3]

However, the statute has now been modified. The words *"any person"* have been replaced by the phrase *"any person associated, or seeking to become associated, with a broker or dealer."*[4] That recent change in the Act has led to motions in three of these cases in which the movants pray for dismissal on the ground that they are now immune from further proceedings.[5]

Those motions raise significant questions. And quite apart from the pending motions, we have no wish to proceed with steps that we have no power to take. Hence the impact, if any, of the new statute on the instant cases calls for careful study. To assist us in that study, we hereby invite briefs from the interested respondents (including those who have made the pending motions, for they may wish to supplement the papers that they have thus far filed), from our Division of Enforcement, and from others who wish to state views on the questions presented.

Such briefs may avert to any considerations that their authors deem pertinent. But comments on the questions listed below would be especially appreciated:

(1) In view of new Section 19(h)(3) of the Exchange Act, does the repeal of old Section 15(b)(7) have any real effect on these proceedings? Note that Senate Report 94–175 says of this new section (at page 134): "Paragraph (3) would authorize the Commission to suspend or bar *any person* (emphasis added) from being associated with a member of a national securities exchange or registered securities association for a specified violation."

(2) Is there any reason to believe that any of the respondents in these cases were or are either:

(a) "Dealers" in securities within the meaning of that term as defined in Section 3(a)(5) of the Exchange Act?; or

(b) Persons associated with such "dealers"?

(3) Is there any respondent in any of these matters who is seeking or who has sought to become associated with a broker or a dealer? And if there is, what is the legal significance of that?

(In this regard counsel in the *Heglund* proceeding should address themselves to the implications, if any, of Mr. Heglund's former affiliation with Scholarship Investment Corporation of Seattle, Washington. And in the *Norton* proceeding it may be well for counsel to consider the import for present purposes of the allegation in the order for proceedings that respondent Irene Morgan was once a registered representative for the broker-dealer firm there involved but that she had ceased to be such some years before the date on which the allegedly violative conduct in which she is claimed to have participated began.)

(4) Assume that the 1975 amendments to Section 15(b) of the Exchange Act preclude the initiation of new proceedings thereunder against persons who were never in the securities business and who have no present intention of going into it. Does it follow that the instant proceedings which were validly instituted prior to June 4, 1975 must now abort? Note in this regard that evidentiary records have been made in some of these cases and that they remain to be made in others. Does that affect the answer to the question?

(5) Are provisions of the securities statutes other than Sections 15(b) and 19(h)(3) of the Exchange Act pertinent to the questions propounded in the preceding paragraph? Consider the effect, if any, of:

(i) Section 21(a) of the Exchange Act, which authorizes "The Commission * * * in its discretion * * * to publish information * * * concerning violations";

(ii) Section 9(b) of the Investment Company Act, which continues to authorize the Commission to prohibit *"any person"* from serving registered investment companies in specified capacities and which does not require that the person so sanctioned have any link of any sort to the investment company business; and

(iii) The applicability to this situation of *Massachusetts Trustees of Eastern Gas & Fuel Associates* v. *United States*, 377 U.S. 235 (1964) where a unanimous Supreme Court held that when an administrative agency has power to act it may validly do so and that the agency's "failure to indicate explicitly or implicitly * * * the source of its power is without legal significance."[6]

(6) Assume that the Commission is precluded as a matter of law from entering orders against the moving respondents and other similarly situated persons or in the alternative that even if not so precluded, the Commission should in the exercise of its administrative discretion refrain from censuring such persons or from acting at once to affect their capacity to associate themselves with brokers or dealers. Does it follow that the Commission should deem itself precluded from making *findings* in:

(a) cases in which records have already been made?[7]

(b) cases instituted before June 4, 1975, in which no evidentiary hearings have yet been held?

Accordingly, it is ordered that:

(A) Any person who wishes to do so may file a memorandum stating his views on the questions hereinabove posed and on other considerations that he deems pertinent to the proper resolution of the issues involved in this group of cases.

(B) All such memoranda must be served on the Commission's Division of Enforcement and filed with its Secretary on or before August 4, 1975.

(C) If such a memorandum is filed by a respondent in a specific proceeding, it should bear the caption of that proceeding.

(D) If the person filing the memorandum is not a respondent in a pending proceeding, he may caption his memorandum "In the Matter of A. P. Montgomery & Co., Inc., et al., Administrative Proceeding File No. 3–4424."

(E) The Division of Enforcement is directed to file a memorandum setting forth its views on the questions presented. Such memorandum shall be served on all affected respondents and filed with the Secretary of the Commission on or before August 4, 1975.

(F) Although the Division may file separate memoranda in each of the seven cases enumerated in the caption hereof, it need not do so. It may in its discretion file a single, consolidated memorandum.

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[1] These persons' names appear in the caption of this document.

[2] Added to the Act by Public Law No. 88–467, approved August 20, 1964, 78 Stat. 565.

[3] See *Milton J. Wallace*, Securities Exchange Act Release No. 11252 (February 14, 1975), 6 SEC Docket 300; *Norman Pollisky*, 43 S.E.C. 852, 854 (1968); *R. Baruch & Company*, 43 S.E.C. 13, 20–21 (1966).

[4] That change was effected by the Securities Amendments Act of 1975. Public Law No. 94–29, approved June 4, 1975. Section 11 of that statute repealed former § 15(b)(7) and replaced it by present § 15(b)(6).

[5] Irene Morgan has made such a motion in the *Norton* proceeding. A similar motion has been made in the *Montgomery* proceeding by Sequoia Partners, Sierra Associates, Clyde W. Engle and Roger Weston. And Milton J. Wallace and Joshua L. Becker have made such motions in their proceeding.

[6] 377 U.S. at 248.

[7] Compare *R. Baruch & Company*, 43 S.E.C. 13, 20–21 (1966): "[W]e *find*, [emphasis added] as did the hearing examiner that Hammet's activities played an important part in such unlawful distribution * * * There is no indication that Hammet has any present intention to engage in the securities business and under the circumstances these proceedings may be discontinued as to him. Should he, however, seek to engage in such business in the future, proceedings may be instituted against him pursuant to Section 15(b) * * * on the basis of the conduct we have found in the instant case."

(G) Reply memoranda with proof of service on the Commission's Division of Enforcement may be filed on or before September 5, 1975.

By the Commission.

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

[FR Doc.75-18629 Filed 7-17-75;8:45 am]

[Release No. 11521, File No. S7-543]

RULES OF NATIONAL SECURITIES EXCHANGES

Request for Public Comment

On June 4, 1975, the Securities Acts Amendments of 1975 (the "1975 Amendments"),[1] amending the Securities Exchange Act of 1934 (the "Act"), were signed into law. Section 11A(c)(4)(A) of the Act, as added by the 1975 Amendments, directs the Commission to review any and all rules[2] of national securities exchanges which limit or condition the ability of members to effect transactions in securities otherwise than on such exchanges.[3] The legislative history of Section 11A(c)(4)(A)[4] indicates that the Commission must review such rules de novo and must evaluate them in light of the purposes of the Act and in consideration of certain competitive standards made explicit by the 1975 Amendments. Section 11A(c)(4) provides that the results of this review must be reported to the Congress not later than 90 days following enactment of the 1975 Amendments (i.e., by September 2, 1975). The Section also provides that the Commission must "commence a proceeding in accordance with Section 19(c) of this title to amend any such rule imposing a burden on competition which does not appear necessary or appropriate in furtherance of the purposes of this title,"[5] and must complete any such proceeding within 90 days after publication of notice of its commencement.

In order to assist the Commission in its study and evaluation, the Commission has determined to solicit the comments of interested persons as to those rules of national securities exchanges which are considered by commentators to limit or condition a member's ability to effect transactions otherwise than on such exchanges. Commentators are requested to give particular attention to whether such rules impose or have the effect of imposing burdens on competition, and whether any such rule is necessary or appropriate in furtherance of the purposes of the Act.

Finally, commentators should analyze[6] whether any exchange rule which limits or otherwise conditions the ability of an exchange member to effect transactions otherwise than on that exchange is necessary or appropriate to assure:

(1) the protection of investors;[7]

(2) the maintenance of fair and orderly markets;[8]

(3) the removal of impediments to, and the perfection of the mechanism of, a national market system for securities;[9]

(4) fair competition among brokers and dealers, among exchange markets, and between exchange markets and markets other than exchange markets;[10]

(5) the practicability of brokers executing investors' orders in the best market;[11]

(6) economically efficient execution of securities transactions;[12] and

(7) an opportunity, consistent with the standards indicated in subparagraphs (5) and (6) above, for investors' orders to be executed without the participation of a dealer.[13]

The Commission has determined not to hold oral hearings at the present time in connection with its study and evaluation; however, should a review of public comments indicate that such hearings would assist the Commission in its study, the Commission may order that oral hearings be instituted.

Three copies of any written submission should be submitted to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, no later than July 31, 1975. Reference should be made to File No. S7-543. All Comments received will be subject to public inspection.

By the Commission.

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

JULY 2, 1975.

[FR Doc.75-18928 Filed 7-17-75;11:57 am]

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[1] Pub. L. No. 94-29 (June 4, 1975).

[2] As defined by Section 3(a)(27), the term "rules of an exchange" includes the constitution, articles of incorporation, bylaws and rules of such exchange ". . . and such of the stated polices, practices, and interpretations of such exchange, . . . as the Commission, by rule, may determine to be necessary or appropriate in the public interest or for the protection of investors to be deemed to be rules of such exchange. . . ." Commentators are urged to address the stated policies, practices, and interpretations of exchanges to the extent they limit or condition the ability of members to effect transactions in securities otherwise than on such exchanges.

[3] For example, Rules 107, 394, 395, 396, and 438 of the New York Stock Exchange, Inc., and Article XIV, Section 8 of its Constitution, Rule 5 of the American Stock Exchange, Inc., and Article V, Section 4 of its Constitution, and Rule 6.49 of the Chicago Board Options Exchange, Inc., may be considered to have such an effect.

[4] *Committee on Conference, Conference Report to Accompany S. 249*, H.R. Rep. No. 94-229, 94th Cong., 1st Sess. 95 (1975).

[5] Section 11A(c)(4)(A) of the Act.

[6] Commentators are encouraged to support their analysis with reference to factual evidence relating to execution of orders and the operation of exchange markets and non-exchange markets for securities listed or traded upon exchanges, and, where appropriate, with citations to legal or other authorities. Set forth below is a list of some of the source material relating to the subject matter of the Commission's review. While the list should not be assumed to be complete or exhaustive, it may prove useful to interested persons who wish to submit written comments to consider these materials in connection with their comments:

Committee on Conference, Conference Report to Accompany S.249, H.R. Rep. No. 94-229, 94th Cong., 1st Sess. (1975); *Senate Comm. on Banking, Housing and Urban Affairs, Report to Accompany S.249*, S. Rep. No. 94-75, 94th Cong., 1st Sess. (1975); *House Comm. on Interstate and Foreign Commerce, Report to Accompany H.R. 4111*, H.R. Rep. No. 94-122, 94th Cong., 1st Sess. (1975); *Hearings Before the Subcomm. on Securities of the Senate Comm. on Banking, Housing and Urban Affairs on S.2519*, 93d Cong., 1st Sess. (1973); *Subcomm. on Securities of the Senate Comm., on Banking, Housing and Urban Affairs, Report on the Securities Industry Study*, S. Doc. No. 93-13, 93d Cong., 1st Sess. (1973); *Staff of the Subcomm. on Commerce and Finance of the House Comm. on Interstate and Foreign Commerce*, 92d Cong., 2d Sess., *Report on the Securities Industry Study* (Subcomm. Print 1972); Securities and Exchange Commission Staff Study, *Report: Rule 394* (September 14, 1965), in *Study of the Securities Industry, pt. 6, Hearings Before the Subcomm. on Commerce and Finance of the House Comm. on Interstate and Foreign Commerce*, H.R. Serial No. 92-37e, 92nd Cong., 2d Sess. 3293 (1972); Securities and Exchange Commission, *Policy Statement on the Structure of a Central Market System* (March 29, 1973); Securities and Exchange Commission, *Statement on the Future Structure of the Securities Markets* (February 2, 1972); Securities Exchange Act Release No. 11151 (December 24, 1974); Securities Exchange Act Release No. 7954 (September 16, 1966); New York Stock Exchange, *Incentives to Exchange Membership in a Central Market System* (November 12, 1973); New York Stock Exchange, *A Staff Analysis of Issues Affecting the Structure of a Central Exchange Market for Listed Securities* (July, 1973); *In re Rules of the New York Stock Exchange*, 10 SEC 270 (1941); *In re Edison Elec. Illuminating Co. of Boston*, 1 SEC 909 (1936).

[7] Sections 6(b)(5) and 11A(a)(1)(C) of the Act.

[8] Sections 2 and 11A(a)(1)(C) of the Act.

[9] Sections 2, 6(b)(5) and 11A(a)(2) of the Act.

[10] Section 11A(a)(1)(C)(ii) of the Act.

[11] Section 11A(a)(1)(C)(iv) of the Act.

[12] Section 11A(a)(1)(C)(i) of the Act.

[13] Section 11A(a)(1)(C)(v) of the Act.

[License Application No. 09/09-5185]

SMALL BUSINESS ADMINISTRATION

CONSTRUCTA INVESTMENT INC.

Application for License

An application for a license to operate as a small business investment company under the provisions of Section 301(d) of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 *et seq.*), has been filed by Constructa Investment Inc. (applicant), with the Small Business Administration (SBA) pursuant to 13 C.F.R. 107.102 (1975).

The officers, directors and stockholders of the applicant are as follows:

Roberto Iglesias, 1712 North Kingsley Drive, Los Angeles, Calif. 90029, President, Treasurer, and Director.

Howard A. Novak, 4471 Ventura Canyon Avenue, Sherman Oaks, Calif. 91403, Secretary and Director, 9.5% Stockholder.

Ten additional stockholders, 90.5%.

The applicant, a California corporation, with its principal place of business located at 6430 Sunset Boulevard, Hollywood, California 90028, will begin oper-

ations with $606,000 of paid-in capital and paid-in surplus, derived from the sale of 60,600 shares of common stock to eleven shareholders, none of whom owns 10 percent of Applicant's stock.

As a small business investment company under Section 301(d) of the Act, the applicant has been organized and chartered solely for the purpose of performing the functions and conducting the activities contemplated under the Small Business Investment Act of 1958, as amended from time to time, and will provide assistance solely to small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the applicant include the general business reputation and character of the proposed management, and the probability of successful operation of the applicant under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act and SBA Rules and Regulations.

Any person may, not later than 15 days from the date of publication of this notice, submit to SBA written comments on the proposed applicant. Any such communication should be addressed to the Deputy Associate Administrator for Investment, Small Business Administration, 1441 L Street, N.W., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Hollywood, California.

Dated: July 10, 1975.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.75-18688 Filed 7-17-75;8:45 am]

ATLANTA DISTRICT ADVISORY COUNCIL

Retraction of Public Meeting

Notice of the Small Business Administration Atlanta District Advisory Council Meeting on July 23, 1975 at Fort McPherson, Georgia, as contained in 40 FR 29137, published July 10, 1975, is in error. The Atlanta District Advisory Council is not scheduled to meet on that date.

Dated: July 14, 1975.

ANTHONY S. STASIO,
Chief Counsel for Advocacy, Small Business Administration.

[FR Doc.75-18622 Filed 7-17-75;8:45 am]

DEPARTMENT OF LABOR

Manpower Administration

EMPLOYMENT TRANSFER AND BUSINESS COMPETITION DETERMINATIONS UNDER THE RURAL DEVELOPMENT ACT

Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 USC 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75, published January 29, 1975 (40 FR 4393). In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.

4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice to: Deputy Assistant Secretary for Manpower, 601 D Street, NW, Washington, D.C. 20213.

Signed at Washington, D.C. this 14th day of July, 1975.

BEN BURDETSKY,
Deputy Assistant Secretary for Manpower.

APPLICATIONS RECEIVED DURING THE WEEK ENDING JULY 11, 1975

Name of applicant	Location of enterprise	Principal product or activity
National Footwear Corp	Epping, N.H	Manufacture of children's shoes.
Western Ocean Resources, Inc	New Bedford, Mass	Deep sea lobster and crab fishing.
Tasco Industries, Inc	Abbeville, S.C	Textured woven fabrics.
Seth Lumber Co., Inc	Lincolnton, N.C	Manufacture of single- and multi-family housing.
Superior Peat and Soil Co., Inc	Sebring, Fla	Mining and soil.
Picayune Memorial Funeral Chapel, Inc	Picayune, Miss	Funeral arrangements and services.

[FR Doc.75-19982 Filed 7-17-75;8:45 am]

Office of the Secretary

[TA-W-77]

BORG-WARNER CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 30, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the United Automobile, Aerospace and Agricultural Implement Workers of America on behalf of the workers and former workers of Marvel-Scheibler Tillotson Division of Borg-Warner Corporation, Toledo, Ohio (TA-W-77). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with carburetors for chain saws produced by Borg-Warner Corporation, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of

the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before July 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 8th day of July 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-18640 Filed 7-17-75;8:45 am]

[TA-W-79]

ELECTRO-MOTIVE CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On July 9, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Electro-Motive Corporation, Willimantic, Connecticut (TA-W-79). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 9012.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with variable mica capacitors produced by Electro-Motive Corporation, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before July 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 10th day of July 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-18641 Filed 7-17-75;8:45 am]

[TA-W-72]

HARLEY-DAVIDSON, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On July 3, 1975 the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Union Allied Industrial Workers, AFL-CIO, on behalf of the workers and former workers of Harley-Davidson Incorporated Milwaukee, Wisconsin, a subsidiary of AMF Corporation, White Plains, N.Y. (TA-W-72). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with motorcycles and snowmobiles, produced by Harley-Davidson, Incorporated, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before July 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 8th day of July 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-18643 Filed 7-17-75;8:45 am]

[TA-W-73]

ION CAPACITOR CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On July 3, 1975 the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Ion Capacitor Corportation, Columbia City, Indiana (TA-W-73). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with aluminum electrolytic capacitors produced by Ion Corporation or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before July 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 8th day of July 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-18644 Filed 7-17-75;8:45 am]

[TA-W-78]

MARTIN MARIETTA AEROSPACE

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 30, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Martin Marietta Aerospace, Denver, Colorado (TA-W-78). Ac-

cordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with space hardware produced by Martin Marietta Aerospace, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before July 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assstance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 8th day of July 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-18645 Filed 7-17-75;8:45 am]

ROSIA SHOE CORP., PORTAGE, PENNSYLVANIA

Determination Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-31; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on May 28, 1975 in response to a worker petition received on May 27, 1975 which was filed by the Boot and Shoe Workers' Union on behalf of workers formerly producing footwear for women at Rosia Shoe Corporation, Portage, Pennsylvania.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 24069) on June 4, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Rosia Shoe Corporation, its customers, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separation. A significant number or proportion of the hourly, piecework, and salaried workers of Rosia Shoe Corporation became totally or partially separated in the fourth quarter of 1974 when employment declined 37 percent. All employment was terminated at the plant by the end of May 1975.

Sales or Production, or Both, Have Decreased Absolutely. Sales and production at Rosia Shoe Corporation declined steadily throughout 1974. All production of footwear was ceased at the company in March 1975.

Increased Imports Contributed Importantly. Imports of articles like or directly competitive with women's footwear produced by Rosia Shoe increased both absolutely and relatively in recent years. Imports of women's non-rubber footwear increased from 165 million pairs comprising 39 percent of the domestic market in 1970 to 216 million pairs comprising 52 percent of the domestic market in 1973. Imports increased their share of domestic consumption and production fractionally in 1974.

The evidence developed in the Department's investigation indicates that increased import competition contributed importantly to the closing of Rosia Shoe Corporation. In recent years imports of women's footwear in the price range of footwear sold by Rosia Shoe have steadily increased their share of the domestic market. As a result, several of Rosia's major customers increasingly reduced their purchases from Rosia Shoe and increased their purchases of lower-priced imported footwear. The co-owners of Rosia Shoe, who also won a company in Mt. Union which produces women's footwear, decided that the continued operation of two footwear plants with significant excess capacity was not economically feasible. Company officials decided to cease all production of footwear at Rosia Shoe.

Conclusion. After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with women's footwear produced by Rosia Shoe Corporation contributed importantly to the total or partial separation of the workers of that firm. Section 223(b)(2) of the Trade Act of 1974 provides that a certification of eligibility to apply for worker adjustment assistance may not apply to any worker last separated from the firm or subdivision more than six months before April 3, 1975, the effective date of the new program. In accordance with this provision of the Act I make the following certification:

All hourly, piecework, and salaried employees of Rosia Shoe Corporation, Portage, Pennsylvania, who became totally or partially separated from employment on or after October 3, 1974 and before June 9, 1975, are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C. this 10th day of July 1975.

HERBERT N. BLACKMAN,
Associate Deputy Under Secretary for Trade and Adjustment Policy.

[FR Doc.75-18650 Filed 7-17-75;8:45 am]

[TA-W-70]

SINGER CO.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 30, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the International Union of Electrical Radio and Machine Workers, AFL-CIO, on behalf of the workers and former workers of the Friden Business Machines Division, San Leandro, California of the Singer Company, New York, New York (TA-W-70). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221 (a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with cable assemblies produced by the Singer Company, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for

adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before July 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 8th day of July 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-18646 Filed 7-17-75;8:45 am]

[TA-W-75]

SKF INDUSTRIES, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On July 3, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") by the United Steelworkers of America on behalf of the workers and former workers of SKF Industries, Inc., Altoona, Pennsylvania (TA-W-75). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with ball and roller bearing components produced by SKF Industries, Inc., or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before July 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 8th day of July 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-18647 Filed 7-17-75;8:45 am]

[TA-W-74]

WARWICK ELECTRONIC, INC.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On July 2, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of Warwick Electronics, Inc., Covington, Tennessee (TA-W-74). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with color television receivers produced by Warwick Electronics, Inc., or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before July 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C. this 8th day of July 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-18648 Filed 7-17-75;8:45 am]

[TA-W-71]

V-M CORP.

Investigation Regarding Certification of Eligibility To Apply for Worker Adjustment Assistance

On June 30, 1975, the Department of Labor received a petition filed under Section 221(a) of the Trade Act of 1974 ("the Act") on behalf of the workers and former workers of V-M Corporation, Benton Harbor, Michigan (TA-W-71). Accordingly, the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, has instituted an investigation as provided in Section 221(a) of the Act and 29 CFR 90.12.

The purpose of the investigation is to determine whether absolute or relative increases of imports of articles like or directly competitive with record changers, tape recorders, and phonographs produced by V-M Corporation, or an appropriate subdivision thereof have contributed importantly to an absolute decline in sales or production, or both, of such firm or subdivision and to the actual or threatened total or partial separation of a significant number or proportion of the workers of such firm or subdivision. The investigation will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved. A group meeting the eligibility requirements of Section 222 of the Act will be certified as eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act in accordance with the provisions of Subpart B of 29 CFR Part 90.

Pursuant to 29 CFR 90.13, the petitioner or any other person showing a substantial interest in the subject matter of the investigation may request a public hearing, provided such request is filed in writing with the Acting Director, Office of Trade Adjustment Assistance, at the address shown below, on or before July 28, 1975.

The petition filed in this case is available for inspection at the Office of the Acting Director, Office of Trade Adjustment Assistance, Bureau of International Labor Affairs, U.S. Department of Labor, 3rd St. and Constitution Ave., N.W., Washington, D.C. 20210.

Signed at Washington, D.C., this 8th day of July 1975.

MARVIN M. FOOKS,
Acting Director, Office of Trade Adjustment Assistance.

[FR Doc.75-18649 Filed 7-17-75;8:45 am]

Wage and Hour Division

ACME GARMENT CO., ET AL.

Certificates Authorizing the Employment of Learners at Special Minimum Wages

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 621 (39 F.R. 12819) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. For each certificate, the effective and expiration dates, number or proportion of learners and the principal product manufactured by the establishment are as indicated. Conditions on occupations, wage rates, and learning periods which are provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations; such conditions in certificates not issued under the supplemental industry regulations are as listed.

The following certificates were issued under the apparel industry learner regulations (29 CFR 522.1 to 522.9, as amended and 522.20 to 522.25, as amended). The following normal labor turnover certificates authorize 10 percent of the total number of factory production workers except as otherwise indicated.

Acme Garment Co., Wentzville, MO; 4-16-75 to 4-15-76; 10 learners (women's and misses' shifts, tops and pants).

Pass Christian Industries, Inc., Pass Christian, MS; 5-1-75 to 4-30-76. (ladies' shirts and jeans).

College Casuals Co., Sheppton, PA; 4-23-75 to 4-22-76; 10 learners (ladies' slacks).

Covington Industries, Inc., Florala, AL; 6-2-75 to 6-1-76; 10 learners (men's and women's jeans).

Covington Industries, Inc., Samson, AL; 5-19-75 to 5-18-76; 10 learners (men's and women's jeans).

Crane Manufacturing Co., Republic, MO; 6-5-75 to 6-4-76; 10 learners (men's and boys' pants).

Dixie Apparel, Inc., St. George, UT; 6-3-75 to 6-2-76; 10 learners (boys', men's and toddlers' shirts).

Freeland Sportswear Co., Inc., Freeland, PA; 5-27-75 to 5-26-76; 10 learners (men's jackets).

Greenway Manufacturing Co., Waynesburg, PA; 5-28-75 to 5-27-76 (boys' and infants' shirts).

Jonbil Manufacturing Co., Inc., Chase City, VA; 6-16-75 to 6-15-76 (men's and boys' pants).

Juniata Garment Co., Inc., Mifflin, PA; 6-25-75 to 6-24-76 (women's dresses).

Marcus Manufacturing Co., Nowata, OK; 5-26-75 to 5-25-76; 10 learners (men's pants).

Middleburg Sportswear, Inc., Middleburg, PA; 6-25-75 to 6-24-76; 10 learners (women's, misses' and juniors' dresses).

Middleburg Sportswear, Inc., New Berlin, PA; 5-19-75 to 5-18-76; 10 learners (women's dresses).

Middleburg Sportswear, Inc., Richfield, PA; 5-19-75 to 5-18-76; 10 learners (women's dresses).

Mount Airy Pants Factory, Mount Airy, MD; 5-27-75 to 5-26-76; 10 learners (men's pants).

Petersburg Manufacturing Corp., Petersburg, TN; 6-2-75 to 6-1-76 (ladies' and girls' pants).

Rappahannock Sportswear Co., Inc., Fredericksburg, VA; 6-16-75 to 6-15-76 (men's pants).

Richfield Manufacturing Co., Richfield, PA; 5-1-75 to 4-30-76 (men's and boys' shirts).

J. H. Rutter Rex Manufacturing Co., Inc., Franklinton, LA; 4-24-75 to 4-23-76 (men's and boys' work pants).

J. H. Rutter Rex Manufacturing Co., Inc., Columbia, MS; 3-30-75 to 3-29-76 (men's and boys' shirts and pants).

Salant & Salant, Obion, TN; 4-2-75 to 4-1-76 (men's and boys' pants).

Salant & Salant, Union City, TN; 4-13-75 to 4-12-76 (men's and boys' pants).

Sancar Corporation, Harrisonburg, VA; 4-22-75 to 4-21-75 (ladies' underwear).

Stitchcraft, Inc., Athens, GA; 6-10-75 to 6-9-76; 10 learners (women's dresses).

Wilcox Garment Co., Inc., Rochelle, GA; 5-26-75 to 5-25-76 (men's and boys' shirts).

The following certificates were issued under the glove industry learner regulations (29 CFR 522.1 to 522.9, as amended and 522.60 to 522.65, as amended.)

Brookville Glove Mfg. Co., Inc., Brookville, PA; 4-26-75 to 4-25-76; 10 learners for normal labor turnover purposes (work gloves).

Galena Glove & Mitten Co., Dubuque, IA; 4-7-75 to 4-6-76; 10 learners for normal labor turnover purposes (work gloves).

The following certificates were issued under the knitted wear industry learner regulations (29 CFR 522.1 to 522.9, as amended and 522.30 to 522.35, as amended.)

Ellwood Knitting Mills, Inc., Ellwood City, PA; 4-21-75 to 4-20-76; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' shirts and sweater shirts).

Louis Gallet, Inc., Uniontown, PA; 6-13-75 to 6-12-76; 5 learners for normal labor turnover purposes (men's sweaters).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the numbers of learners authorized to be employed, are indicated.

Ciales Mfg. Corp., Ciales, PR; 4-16-75 to 4-15-76; 10 learners for normal labor turnover purposes in the occupation of sewing machine operator, for a learning period of 320 hours at the rate of $1.54 an hour ($1.69 after 4-30-75) ,women's underwear)

General Cigar de Utuado, S.A., Utuado, PR; 6-6-75 to 6-5-76; 20 learners for normal labor turnover purposes in the occupation of cigar making machine operator, for a learning period of 320 hours at the rates of $1.77 an hour for the first 160 hours and $1.87 an hour for the remaining 160 hours (tobacco).

Surtex-Division Stretch Wear Mfg. Co., Inc., Coamo, PR; 3-31-75 to 3-30-76; 10 learners for normal labor turnover purposes in the occupation of sewing machine operator, for a learning period of 480 hours at the rates of $1.43 an hour ($1.58 after 4-30-75) for the first 240 hours and $1.56 an hour ($1.71 after 4-30-75) for the remaining 240 hours (ladies' nylon gloves).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificate may be annulled or withdrawn as indicated therein, in the manner provided in 29 CFR, Part 528. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof on or before August 4, 1975.

Signed at Washington, D.C. this 10th day of July 1975.

ARTHUR H. KORN,
Authorized Representative of the Administrator.

[FR Doc.75-18651 Filed 7-17-75;8:45 am]

UNIVERSITY OF ALABAMA, ET AL.

Certificates Authorizing Institutions of Higher Education To Employ Their Full-Time Students at Subminimum Wages

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended, the regulation on employment of full-time students at subminimum wages (29 CFR 519), and Administrative Order No. 621 (36 FR 12819), the institutions of higher education listed in this notice have been granted authority to employ their full-time students outside of the individual student's regularly scheduled hours of instruction at hourly rates not less than 85 percent of the applicable statutory minimum rate specified under section 6 of the Act.

The regulation provides for the authority to be effective on the date a properly completed application is forwarded to the Wage and Hour Division provided applicable conditions of the regulation are met. After review by the Division, the authority may be continued in effect for up to one year from the date the application was forwarded to the Division. Since there was insufficient time before the effective date of the Fair Labor Standards Amendments of 1974 for application forms to be distributed, completed, and acted on, a grace period through August 31, 1974, permitted authority to be effective May 1, 1974, provided the specific conditions of the grace period were met and a proper application was made to the Division before the end of the grace period. The expiration date of the authority granted to a particular institution of higher education listed in this notice occurs between May 30, 1975 and August 31, 1975.

The terms and conditions of the regulation further limit the authority to employ full-time students at subminimum wages to not more than 20 hours per week when school is in session, prohibit subminimum wage employment in unrelated trades or businesses such as apartment houses, stores, or other businesses not primarily catering to the students of the institution, and prohibit the hiring of full-time students at subminimum wages for work in a unit or units of the campus where abnormal labor conditions, such as a strike or lock-

out exist. The authority does not excuse noncompliance with higher standards applicable to full-time students under any other Federal law, State law, local ordinance, or union or other agreement.

Alabama, The University of, University, AL.
Alabama Christian College, Montgomery, AL.
Alabama in Birmingham, University of, Birmingham, AL.
Alabama Lutheran Academy & College, Selma, AL.
Alabama State University, Montgomery, AL.
Alexander City State Junior College, Alexander City, AL.
American International College, Springfield, MA.
Amherst College, Amherst, MA.
Andrews University, Berrien Springs, MI.
Anna Maria College, Paxton, MA.
Annhurst College, Woodstock, CT.
Aquinas College, Grand Rapids, MI.
Aquinas Junior College, Nashville, TN.
Asbury College, Wilmore, KY.
Asbury Theological Seminary, Wilmore, KY.
Athens College, Athens, AL.
Aurora College, Aurora, IL.
Austin Peay State University, Clarksville, TN.
Bates College, Lewiston, ME.
Belhaven College, Jackson, MS.
Belleville Area College, Belleville, IL.
Belmont College, Nashville, TN.
Berea College, Berea, KY.
Bethel College & Seminary, St. Paul, MN.
Birmingham-Southern College, Birmingham, AL.
Blue Mountain College, Blue Mountain, MS.
Bob Jones University, Greenville, SC.
Bradford College, Bradford, MA.
Bradley University, Peoria, IL.
Brandeis University, Waltham, MA.
Brescia College, Owensboro, KY.
Brewer State Junior College, Fayette, AL.
Bryant College, Smithfield, RI.
Calvin College, Grand Rapids, MI.
Campbellsville College, Inc., Campbellsville, KY.
Carleton College, Northfield, MN.
Carson-Newman College, Jefferson City, TN.
Castleton State College, Castleton, VT.
Centre College of Kentucky, Danville, KY.
Chamberlayne School & Chamberlayne Junior College, Boston, MA.
Christian Brothers College, Memphis, TN.
Clarion State College, Oil City, PA.
Clarke College, Newton, MS.
Cleary College, Ypsilanti, MI.
Cleveland State Community College, Cleveland, TN.
Coahoma Junior College, Clarksdale, MS.
Colby College: Waterville, ME; New London, NH.
College of St. Benedict, St. Joseph, MN.
College of St. Francis, Joliet, IL.
College of St. Scholastica, Duluth, MN.
College of St. Teresa, Winona, MN.
College of St. Thomas, St. Paul, MN.
Columbia Christian College, Portland, OR.
Columbia State Community College, Columbia, TN.
Concordia College, Moorhead, MN.
Concordia Lutheran Junior College, Ann Arbor, MI.
Concordia Teachers College, River Forest, IL.
Copiah-Lincoln Junior College: Natchez, MS; Wesson, MS.
Crosier Seminary Junior College, Onamia, MN.
Cullman College, Cullman, AL.
Cumberland College: Williamsburg, KY; Lebanon, TN.
Davenport College of Business, Grand Rapids, MI.
David Lipscomb College, Nashville, TN.
Delta State University, Cleveland, MS.
DePaul University, Chicago, IL.
DePauw University, Greencastle, IN.
Detroit, University of, Detroit, MI.
Dr. Martin Luther College, New Ulm, MN.
Dyersburg State Community College, Dyersburg, TN.
Earlham College, Richmond, IN.
East Central Junior College, Decatur, MS.
Eastern Kentucky University, Richmond, KY.
Eastern Nazarene College, Quincy, MA.
East Tennessee State University: Johnson City, TN; Kingsport, TN.
Emmanuel College, Franklin Springs, GA.
Endicott Junior College, Beverly, MA.
Enterprise State Junior College, Enterprise, AL.
Eureka College, Eureka, IL.
Evansville, University of, Evansville, IN.
Evergreen State College, Olympia, WA.
The Experiment in International Living and its School for International Training, Brattleboro, VT.
Ferris State College, Big Rapids, MI.
Florida Keys Community College, Key West, FL.
Franklin College of Indiana, Franklin, IN.
Freed-Hardeman College, Henderson, TN.
Friendship Junior College, Rock Hill, SC.
George Fox College, Newberg, OR.
Georgetown College, Georgetown, KY.
George Williams College, Downers Grove, IL.
Gordon College, Wenham, MA.
Grand Rapids Baptist College & Seminary, Grand Rapids, MI.
Greenville College, Greenville, IL.
Gustavus Adolphus College, St. Peter, MN.
Hamline University, St. Paul, MN.
Hanover College, Hanover, IN.
Harding Graduate School of Religion, Memphis, TN.
Harding School of Bible and Religion, Memphis, TN.
Hartford, University of, West Hartford, CT.
Henry Ford Community College, Dearborn, MI.
Hillsdale College, Hillsdale, MI.
Hinds Junior College: Jackson, MS; Raymond, MS.
Hiwassee College, Madisonville, TN.
Holmes Junior College, Goodman, MS.
Hope College, Holland, MI.
Huntingdon College, Montgomery, AL.
Illinois College, Jacksonville, IL.
Illinois Institute of Technology, Chicago, IL.
Illinois Wesleyan University, Bloomington, IL.
Indiana State University, Evansville, IN.
Itawamba Junior College, Fulton, MS.
Jackson Community College, Jackson, MI.
Jackson State Community College, Jackson, TN.
Jacksonville State University, Jacksonville, AL.
Jefferson State Junior College, Birmingham, AL.
John M. Patterson State Technical College, Montgomery, AL.
Johnson and Wales College, Providence, RI.
Johnson State College, Johnson, VT.
John Wesley College, Owosso, MI.
Jones County Junior College, Ellisville, MS.
Judson College, Marion, AL.
Kalamazoo College, Kalamazoo, MI.
Kaskaskia College, Centralia, IL.
Katherine Gibbs School: Boston, MA; Montclair, NJ; Melville, NY; New York, NY.
Kentucky, University of, Lexington, KY.
Kentucky Christian College, Grayson, KY.
Kentucky Wesleyan College, Owensboro, KY.
King College, Bristol, TN.
Knox College, Galesburg, IL.
Knoxville Business College, Knoxville, TN.
Lambuth College, Jackson, TN.
Lasell Junior College, Auborndale, MA.
Lawson State Community College: Academic Division and Technical Division, Birmingham, AL.
Lee College, Cleveland, TN.
Lewis & Clark Community College, Godfrey, IL.
Lewis University, Lockport, IL.
Lincoln Christian College, Lincoln, IL.
Lincoln Memorial University, Harrogate, TN.
Lindsey Wilson College, Columbia, KY.
Louisville, University of, Louisville, KY.
Macalester College, St. Paul, MN.
MacMurray College, Jacksonville, IL.
Macon Junior College, Robins Air Force Base, GA.
Madonna College, Livonia, MI.
Maine Maritime Academy, Castine, ME.
Manchester College, North Manchester, IN.
Marian College, Indianapolis, IN.
Marion College, Marion, IN.
Martin College, Pulaski, TN.
Maryville College, Maryville, TN.
Massachusetts, University of, Amherst, MA.
Memphis State University, Memphis, TN.
Mercy College of Detroit, Detroit, MI.
Meridian Junior College, Meridian, MS.
Michigan Christian Junior College, Rochester, MI.
Middlebury College: Middlebury, VT; Ripton, VT.
Middle Tennessee State University, Murfreesboro, TN.
Mid-South Bible College, Memphis, TN.
Midway College, Midway, KY.
Millikin University, Decatur, IL.
Millsaps College, Jackson, MS.
Minnesota, University of, Minneapolis, MN.
Mississippi, University of, University, MS.
Mississippi College, Clinton, MS.
Mississippi Delta Junior College, Moorhead, MS.
Mississippi Gulf Coast Junior College: Jackson County Campus, Gautier, MS; Jefferson Davis Campus, Gulfport, MS; Perkinston Campus, Perkinston, MS.
Mississippi University for Women, Columbus, MS.
Mobile College, Mobile, AL.
Monmouth College, Monmouth, IL.
Montevallo, University of, Montevallo, AL.
Moorhead State College, Moorhead, MN.
Morehead State University, Morehead, KY.
Mount Holyoke College, South Hadley, MA.
Mundelein College, Chicago, IL.
Murray State University, Murray, KY.
Muskegon Community College, Muskegon, MI.
Nathaniel Hawthorne College, Antrim, NH.
New Hampshire, University of: Durham, NH; Manchester, NH.
New Hampshire College, Manchester, NH.
Nichols College, Dudley, MA.
North Alabama, University of, Florence, AL.
North Alabama College of Commerce, Huntsville, AL.
North Central Michigan College, Petoskey, MI.
North Dakota, University of, Williston, ND.
Northeast Alabama State Junior College, Rainsville, AL.
The Northeast Mississippi Junior College, Booneville, MS.
Northern Illinois University, DeKalb, IL.
Northwestern College, Roseville, MN.
Northwood Institute, Midland, MI.
Norwich University, Northfield, VT.
Oak Hills Fellowship, Inc., Bemidji, MN.
Oakton Community College, Morton Grove, IL.
Olivet College, Olivet, MI.
Olivet Nazarene College, Kankakee, IL.
Parkland College, Champaign, IL.
Pearl River Junior College, Poplarville, MS.
Pikeville College, Pikeville, KY.
Prentiss Normal and Industrial Institute, Prentiss, MS.
Principia College, Elsah, IL.
Providence College, Providence, RI.
Quincy College, Quincy, IL.
Regis College, Weston, MA.

Rockford College, Rockford, IL.
Roosevelt University, Chicago, IL.
Rosary College, River Forest, IL.
Rust College, Holly Springs, MS.
St. Bernard College, St. Bernard, AL.
St. Catherine College, St. Catherine, KY.
St. Francis College, Biddeford, ME.
St. John's University, Collegeville, MN.
St. Joseph's College, Rensselaer, IN.
St. Mary-of-the-Woods College, St. Mary-of-the-Woods, IN.
St. Mary's College, Notre Dame, IN.
St. Mary's College, Orchard Lake, MI.
St. Meinrad School of Theology, St. Meinrad, IN.
St. Paul Bible College, Bible College, MN.
St. Xavier College, Chicago, IL.
Samford University, Birmingham, AL.
Scarritt College for Christian Workers, Nashville, TN.
Shimer College, Mount Carroll, IL.
Shippensburg State College, Shippensburg, PA.
Smith College, Northampton, MA.
South, University of the, Sewanee, TN.
South Alabama, University of, Mobile, AL.
South Carolina, University of: Aiken Regional Campus, Aiken, SC; Salkehatchie Regional Campus, Allendale, SC; Beaufort Regional Campus, Beaufort, SC; Main Campus, Columbia, SC; Coastal Carolina Regional Campus, Conway, SC; Lancaster Regional Campus, Lancaster, SC; Spartanburg Regional Campus, Spartanburg, SC; Sumter Regional Campus, Sumter, SC; Un-Regional Campus, Union, SC.
Southeastern Christian College, Winchester, KY.
Southern Baptist Theological Seminary, Louisville, KY.
Southern Mississippi, University of: Hattiesburg, MS; Gulf Park Branch, Long Beach, MS; Natchez Branch, Natchez, MS.
Southwestern Michigan College, Dowagiac, MI.
Southwest Minnesota State College, Marshall, MN.
Southwest Mississippi Junior College, Summit, MS.
Southwest State Technical College, Mobile, AL.
Spencerian College, Louisville, KY.
Springfield College, Springfield, MA.
State University College at Cortland, Cortland, NY.
Stillman College, Tuscaloosa, AL.
Sue Bennett College, London, KY.
Sullivan College, Louisville, KY.
Talladega College, Talladega, AL.
Taylor University, Upland, IN.
Tennessee, University of: Chattanooga, TN; Knoxville, TN; Martin, TN; Memphis, TN; Nashville, TN; Tullahoma, TN.
Tennessee Technological University, Cookeville, TN.
Tennessee Wesleyan College, Athens, TN.
Tougaloo College, Tougaloo, MS.
Transylvania University, Inc., Lexington, KY.
Trevecca Nazarene College, Nashville, TN.
Trinity Christian College, Palos Heights, IL.
Tri-State College of Angola, Indiana, Angola, IN.
Troy State University, Troy, AL.
Tuskegee Institute, Tuskegee, AL.
Union College, Barbourville, KY.
Union University, Jackson, TN.
Utica Junior College, Utica, MS.
Valparaiso University, Valparaiso, IN.
Vanderbilt University, Nashville, TN.
Vermont College, Northfield, VT.
Vermont Technical College, Randolph Center, VT.
Vincennes University, Vincennes, IN.
Walker College, Jasper, AL.
Walters State Community College, Morristown, TN.
Westbrook College, Portland, ME.
Western Kentucky University, Bowling Green, KY.
Western New England College, Springfield, MA.
Westminster College, Florence, MS.
West Shore Community College, Scottville, MI.
Wheaton College: Wheaton, IL; Norton, MA.
Wheelock College, Boston, MA.
White Pines College, Chester, NH.
Whitworth College, Brookhaven, MS.
William Carey College, Hattiesburfi, MS.
Williams College, Williamstown, MS.
Windham College, Putney, VT.
Winona State College, Winona, MN.
Wood Junior College, Mathiston, MS.

The authority has been granted to each institution of higher education upon the representations of the institution which, among other things, were that employment of full-time students at subminimum wages is necessary to prevent curtailment of opportunities for employment, the hiring of full-time students at subminimum wages will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under the authority, and such authority will not result in a reduction of the wage rate paid to a current employee. The authority may be annulled or withdrawn in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the granting of the authority to any of the institutions listed may seek a review or reconsideration thereof on or before September 1, 1975.

Signed at Washington, D.C. this 8th day of July 1975.

ARTHUR H. KORN,
Authorized Representative of the Administrator.

[FR Doc.75-18652 Filed 7-17-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[AB 1 (Sub-No. 45)]

CHICAGO AND NORTH WESTERN TRANSPORTATION CO.

Abandonment Between Minerva Junction and Roland, In Story and Marshall Counties, Iowa

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, that no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmetal Policy Act of 1969, 42 U.S.C. 4321, et seq., and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Story and Marshall Counties, Iowa, on or before July 31, 1975 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 9th day of July, 1975.

By the Commission, Commissioner Deason.

[SEAL] JOSEPH M. HARRINGTON,
Acting Secretary.

[AB 1 (Sub-No. 45)]

CHICAGO AND NORTH WESTERN TRANSPORTATION CO.

ABANDONMENT BETWEEN MINERVA JUNCTION AND ROLAND, IN STORY AND MARSHALL COUNTIES, IOWA

The Interstate Commerce Commission hereby gives notice that by order dated July 9, 1975, it has been determined that the proposed abandonment by the Chicago and North Western Transportation Company of its branch line between Minerva Junction and Roland in Story and Marshall Counties, Iowa, a distance of 29.6 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded among other things, that the environmental impacts of the proposed action are considered insignificant because the line has been embargoed since December 1974. Prior to the embargo, substantial use was made of motor carrier transport, because of substandard track conditions and, to some extent, the shortage of rail cars. As a result, the amount of traffic permanently diverted to motor carrier would be insignificant compared to the existing use of motor carrier transport in the area.

In addition, grain and other commodity movements in the region should not be inhibited due to the availability of alternate transportation. Permanent diversion of traffic to motor carrier would produce increases in energy consumption as well as a degradation of ambient air quality, but these effects are expected to be minimal based on air quality data and fuel consumption for the State and the region. Other areas of environmental concern, such as noise, water, and wildlife would be affected minimally.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-2086.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before August 15, 1975.

This negative environmental determination shall become final unless good

and sufficient reason demonstrating why an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[FR Doc.75-18724 Filed 7-17-75;8:45 am]

[Rule 19; Ex Parte No. 241; Exemption No. 93, Amdt. 2]

EXEMPTION UNDER PROVISION OF MANDATORY CAR SERVICE RULES

Upon further consideration of Exemption No. 93 issued January 15, 1975.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Exemption No. 93 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby amended to expire October 15, 1975.

This amendment shall become effective July 15, 1975.

Issued at Washington, D.C., July 10, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.75-18719 Filed 7-17-75;8:45 am]

[Rule 19; Ex Parte No. 241; Exemption No. 94, Amdt. 2]

EXEMPTION UNDER PROVISION OF MANDATORY CAR SERVICE RULES

Upon further consideration of Exemption No. 94 issued February 5, 1975.

It is ordered, That, under the authority vested in me by Car Service Rule 19, Exemption No. 94 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby amended to expire October 15, 1975.

This amendment shall become effective July 15, 1975.

Issued at Washington, D.C., July 10, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.75-18720 Filed 7-17-75;8:45 am]

[Rev. I.C.C. Order 126, Amdt. 4; Rev. Ser. Order 994]

PENN CENTRAL

Rerouting or Diversion of Traffic

Upon further consideration of Revised I.C.C. Order No. 126 (Penn Central, Robert W. Blanchette, Richard C. Bond, and John H. McArthur, Trustees) and good cause appearing therefor:

It is ordered, That: Revised I.C.C. Order No. 126 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., January 15, 1976, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., July 15, 1975, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., July 11, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.75-18721 Filed 7-17-75;8:45 am]

[I.C.C. Order 145, Amdt. 1; Rev. S. Order 994]

ROCK ISLAND AND FORT WORTH AND DENVER RAILWAY CO.

Rerouting or Diversion of Traffic

Upon further consideration of I.C.C. Order No. 145 (RI and FWD), and good cause appearing therefor:

It is ordered, That: I.C.C. Order No. 145 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., October 15, 1975, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., July 15, 1975, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., July 9, 1975.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[FR Doc.75-18722 Filed 7-17-75;8:45 am]

[AB 26 (Sub-No. 9)]

SOUTHERN RAILWAY CO.

Abandonment of Operations Between Atlanta Junction, Ga., and Piedmont, Ala.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available to the public upon request; and

It appearing, that no environmental impact statement need be issued in this proceeding because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Floyd and Polk Counties, Ga., and Cherokee and Calhoun Counties, Ala., on or before July 31, 1975 and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 9th day of July, 1975.

By the Commission, Commissioner Deason.

[SEAL] ROBERT L. OSWALD,
Secretary.

[AB 26 (Sub-No. 9)]

SOUTHERN RAILWAY CO.

ABANDONMENT OF OPERATIONS BETWEEN ATLANTA JUNCTION, GA., AND PIEDMONT, ALA.

The Interstate Commerce Commission hereby gives notice that by order dated July 9, 1975, it has been determined that the abandonment by the Southern Railway Company of line operations between Atlanta Junction, Ga. and Piedmont, Ala., a distance of some 35.8 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq., and that preparation of a detailed environmental impact statement will not be required under section 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental impacts of the proposed action are considered insignificant because no existing developmental plans are dependent on the continuation of service over the line; and no major environmental impacts are involved. The trackage will be left intact on the subject right-of-way for possible use in the future, should economic conditions warrant such use. In addition to the abandonment of operations, the applicant intends to reclassify from main track to industrial switching track approximately 3 miles of the subject line south of Atlanta Jct., Ga. and approximately 1.8 miles of said line north of Piedmont, Ala., to continue serving industries located therein.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available on request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone 202-343-2086.

Interested persons may comment on this matter by filing their statements in writing with the Interstate Commerce Commission, Washington, D.C. 20423, on or before August 15, 1975.

This negative environmental determination shall become final unless good and sufficient reason demonstrating why

an environmental impact statement should be prepared for this action is submitted to the Commission by the above-specified date.

[FR Doc.75-18723 Filed 7-17-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

JULY 15, 1975.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's *Gateway Elimination* Rules (49 CFR 1065), 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 July 28, 1975. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will *not* operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC 61231 (Sub-No. E18), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except commodities in bulk and those requiring special equipment), from Omaha, Nebr., and points within ten miles thereof, to points in that part of Texas on and south of a line beginning at El Paso, Tex., thence along U.S. Highway 80, to junction U.S. Highway 290, thence along U.S. Highway 290 to junction U.S. Highway 75, thence along U.S. Highway 75 to Galveston, Tex. The purpose of this filing is to eliminate the gateways of Council Bluffs and Des Moines, Iowa.

No. MC 61231 (Sub-No. E20), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except commodities in bulk and those requiring special equipment), from points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone and points in St. Louis County, Mo., to points in Colorado on and north of a line beginning at the Kansas-Colorado State line, thence along U.S. Highway 40 to junction Colorado Highway 94, thence along Colorado Highway 94 to U.S. Highway 24, thence along U.S. Highway 24 to junction Colorado Highway 82, thence along Colorado Highway 82 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Colorado-Utah State line. The purpose of this filing is to eliminate the gateways of East St. Louis, Ill., and Des Moines, Iowa.

No. MC 61231 (Sub-No. E21), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except commodities in bulk and those requiring special equipment), from points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone and points in St. Louis County, Mo., to points in Montana and Wyoming. The purpose of this filing is to eliminate the gateways of East St. Louis, Ill., and Des Moines, Iowa.

No. MC 61231 (Sub-No. E22), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Building materials* (except in bulk and commodities requiring special equipment), from points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone and points in St. Louis County, Mo., to points in South Dakota (East St. Louis, Ill., and Ft. Dodge, Iowa) *; (2) *Building materials* (except in bulk and except iron and steel articles), from points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone and points in St. Louis County, Mo., to points in Nebraska (St. Louis and Kansas City, Mo.) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 61231 (Sub-No. E23), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except commodities in bulk), from points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone and points in St. Louis County, Mo., to points in La Crosse, Vernon, Crawford, Richland, Sauk, Columbia, Dodge, Washington, Ozaukee, Grant, Iowa, Dane, Jefferson, Lafayette, and Green Counties, Wis. The purpose of this filing is to eliminate the gateways of the plantsite of the U.S. Gypsum Co., located approximately two miles southwest of Mediapolis, Iowa, and East St. Louis, Ill.

No. MC 61231 (Sub-No. E24), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except commodities in bulk and those requiring special equipment), from St. Louis, Mo.-East St. Louis, Ill., commercial zone and points in St. Louis County, Mo., to points in Nebraska on and north of Interstate Highway 80. The purpose of this filing is to eliminate the gateways of East St. Louis, Ill., and Ft. Dodge, Iowa.

No. MC 61231 (Sub-No. E25), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products, composition boards, insulating material, roofing and roofing materials, and urethane and urethane products* (except commodities in bulk and those requiring special equipment), from points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone and points in St. Louis County, Mo., to points in Wisconsin (except points in that part of Wisconsin south and east of a line beginning at Beloit Wis., thence along Interstate Highway 90 to junction Wisconsin Highway 26, thence along Wisconsin Highway 26 to junction Wisconsin Highway 33, thence along Wisconsin Highway 33 to Lake Michigan). The purpose of this filing is to eliminate the gateway of the plantsite of the Celotex Corp., at Dubuque, Iowa, and East St. Louis, Ill.

No. MC 61231 (Sub-No. E26), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank,, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, conduit*, and *tubing* (except oilfield pipe and tubing, as described in *Mercer Extension-Oil Field Commodities*, 74 M.C.C. 459, and except commodities which because of size or weight require the use of special equipment), from points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone and points in St. Louis County, Mo., and from points in that portion of Illinois on and south of a line beginning at U.S. Highway 67 at Alton, Ill., thence to junction Illinois Highway 16, thence along Illinois Highway 16 to junction U.S. Highway 150 near Paris, Ill., thence along U.S. Highway 15 to the Illinois-Indiana State line, to points in Wisconsin. The purpose of this filing is to eliminate the gateways of East St. Louis, Ill., and Fairbury, Ill.

No. MC 61231 (Sub-No. E34), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from points in that part of Iowa on and east of U.S. Highway 71, and on and north of U.S. Highway 20 to points in Nebraska. The

purpose of this filing is to eliminate the gateway of Ft. Dodge, Iowa.

No. MC 61231 (Sub-No. E35), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from points in Winneshiek, Allamakee, Fayette, Clayton, Buchanan, Delaware, Dubuque, Benton, Linn, Jones, Jackson, Clinton, Cedar, Johnson, Iowa, Scott, Muscatine, Louisa, and Des Moines Counties, Iowa, to points in Missouri. The purpose of this filing is to eliminate the gateways of the plantsite of the U.S. Gypsum Co., located approximately two miles southwest of Mediapolis, Iowa.

No. MC 61231 (Sub-No. E36), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), from points in Kossuth, Winnebago, Worth, Mitchell, Howard, Chickasaw, Floyd, Cerro Gordo, Hancock, Humboldt, Wright, Franklin, Butler, Bremer, Black Hawk, Grundy, Hardin, Hamilton, Webster, Boone, Story, Marshall, Tama, Poweshiek, Jasper, Polk, and Dallas Counties, Iowa, to points in Missouri. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC 61231 (Sub-No. E38), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from points in that part of Iowa on and west of a line beginning at Lineville, Iowa, thence along U.S. Highway 65 to junction Iowa Highway 2, thence along Iowa Highway 2 to junction Iowa Highway 14, thence along Iowa Highway 14 to junction U.S. Highway 218, thence along U.S. Highway 218 to the Iowa-Minnesota State line to points in Indiana. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC 61231 (Sub-No. E39), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from points in that part of Iowa on and south of U.S. Highway 34 to points in La Crosse, Vernon, Crawford, Richland, Sauk, Columbia, Dodge, Washington, Ozaukee, Grant, Iowa, Dane, Jefferson, Waukesha, Milwaukee, Lafayette, Green, Rock, Walworth, Racine, and Kenosha Counties, Wis. The purpose of this filing is to eliminate the gateway of the U.S. Gypsum Co., located approximately two miles southwest of Mediapolis, Iowa.

No. MC 61231 (Sub-No. E40), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products, composition boards, insulating materials, roofing* and *roofing materials*, and *urethane* and *urethane products*, from points in Iowa on and south of U.S. Highway 30 to points in that part of Wisconsin on and east of Wisconsin Highway 13 from Ashland, Wis., to junction U.S. Highway 12, thence along U.S. Highway 12 to junction Wisconsin Highway 60, thence along Wisconsin Highway 60 to the Wisconsin-Iowa State line. The purpose of this filing is to eliminate the gateway of the plantsite of the Celotex Corp., at Dubuque, Iowa.

No. MC 61231 (Sub-No. E41), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from that part of Iowa on and east of U.S. Highway 71 to points in Colorado. The purpose of this filing is to eliminate the gateway of Des Moines or Ft. Dodge, Iowa.

No. MC 61231 (Sub-No. E42), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), from points in Lyon, Osceola, Dickinson, Emmet, Sioux, O'Brien, Clay, Palo Alto, Plymouth, Cherokee, Buena Vista, Pocahontas, Woodbury, Ida, Sac, Calhoun, Monona, Crawford, Carroll, and Greene Counties, Iowa, to points in Missouri (except those points in Missouri east of U.S. Highway 69). The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC 61231 (Sub-No. E43), filed May 15, 1974. Applicant: ACE LINES, INC., 4143 E. 43rd St., Des Moines, Iowa 50317. Applicant's representative: William L. Fairbank, 900 Hubbell Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials* (except cement and commodities in bulk), from points in Harrison, Shelby, Audubon, Guthrie, Pottawattamie, Cass, Adair, Mills, Montgomery, Adams, Union, Fremont, Page, Taylor, and Ringgold Counties, Iowa, to points in Missouri on and east of U.S. Highway 63. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC 113843 (Sub-No. E789), filed May 19, 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 berries, and frozen fruit and berry concentrates*, (1) from those points in Pennsylvania bounded by a line beginning at the Pennsylvania-New York State line and extending along New York Highway 249 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 414, thence along Pennsylvania Highway 414 to junction Pennsylvania Highway 44, thence along Pennsylvania Highway 44 to junction Pennsylvania Highway 664, thence along Pennsylvania Highway 664 to Lock Haven, thence along U.S. Highway 220 to junction U.S. Highway 15, thence along U.S. Highway 15 to the Pennsylvania-New York State line, to those points in Pennsylvania on and west of a line beginning at the Mississippi River and extending along U.S. Highway 54 to junction Missouri Highway 19, thence along Missouri Highway 19 to junction Missouri Highway 8, thence along Missouri Highway 8 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Missouri Highway 72, thence along Missouri Highway 72 to junction U.S. Highway 61, thence along U.S. Highway 61 to junction Missouri Highway 146, thence along Missouri Highway 146 to the Mississippi River; (2) from points in Tioga County, Pa., to points in Missouri; and (3) from those points in Pennsylvania bounded by a line beginning at the Pennsylvania-New York State line and extending along Pennsylvania Highway 249 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 414, thence along Pennsylvania Highway 414 to junction Pennsylvania Highway 44, thence along Pennsylvania Highway 44 to junction Pennsylvania Highway 664, thence along Pennsylvania Highway 664 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 144, thence along Pennsylvania Highway 144 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Pennsylvania Highway 34, thence along Pennsylvania Highway 34 to junction U.S. Highway 15, thence along U.S. Highway 15 to the Pennsylvania-New York State line, to St. Joseph, Mo. The purpose of this filing is to eliminate the gateway of Penn Yann, N.Y.

No. MC 113843 (Sub-No. E790), filed May 19, 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, transport-

ing: *Frozen fruits and berries, and frozen fruit and berry concentrates,* (1) from those points in Pennsylvania bounded by a line beginning at the Pennsylvania-New York State line and extending along Pennsylvania Highway 249 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction Pennsylvania Highway 414, thence along Pennsylvania Highway 414 to junction Pennsylvania Highway 44, thence along Pennslyvania Highway 44 to junction Pennsylvania Highway 664, thence along Pennsylvania Highway 664 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 144, thence along Pennsylvania Highway 144 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Pennsylvania Highway 34, thence along Pennsylvania Highway 34 to junction U.S. Highway 15, thence along U.S. Highway 15 to the Pennsylvania-New York State line to Nebraska; and (2) from those points in Pennsylvania on and west of U.S. Highway 15 and on and east of a line beginning at the Pennsylvania-Maryland State line and extending along U.S. Highway 522 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Pennsylvania Highway 144, thence along Pennsylvania Highway 144 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction Pennsylvania Highway 664, thence along Pennsylvania Highway 664 to junction Pennsylvania Highway 44, thence along Pennsylvania Highway 44 to junction Pennsylvania Highway 144, thence along Pennsylvania Highway 144 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Pennsylvania Highway 449, thence along Pennsylvania Highway 449 to the Pennsylvania-New York State line, to those points in Nebraska on and west of a line beginning at the Missouri River and extending along U.S. Highway 81 to junction Nebraska Highway 92, thence along Nebraska Highway 92 to junction U.S. Highway 77, thence along U.S. Highway 77 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Nebraska Highway 14, thence along Nebraska Highway 14 to the Nebraska-Kansas State line. The purpose of this filing is to eliminate the gateway of Penn Yann, N.Y.

No. MC 113843 (Sub-No. E791), filed May 19, 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 berries, and frozen fruit and berry concentrates,* (1) from those points in Pennsylvania on and west of U.S. Highway 15 and east of a line begnining at the Pennsylvania-Maryland State line and extending along U.S. Highway 522 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction Pennsylvania Highway 144, thence along Pennsylvania Highway 144 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Pennsylvania Highway 449, thence along Pennsylvania Highway 449 to the Pennsylvania-New York State line, to those points in Oklahoma on and west of a line beginning at the Oklahoma-Texas State line and extending along U.S. Highway 283 to junction Oklahoma Highway 34, thence along Oklahoma Highway 34 to the Oklahoma-Kansas State line; (2) from points in Tioga County, Pa., to points in Oklahoma; (3) from those points in Pennsylvania on and west of U.S. Highway 15 and east of a line beginning at the Pennsylvania-New York State line and extending along U.S. Highway 449 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Pennsylvania Highway 144, thence along Pennsylvania Highway 144 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction U.S. Highway 15 to points in Oklahoma; and (4) from points in Adams County, Pa., to those points in Oklahoma on and west of U.S. Highway 77. The purpose of this filing is to eliminate the gateway of Penn Yan, N.Y.

No. MC 113843 (Sub-No. E1025), filed December 2, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer St., 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 Vineland, N.J., to those points in Indiana on, west, and north of a line beginning at the Indiana-Ohio State line and extending along Indiana Highway 14 to junction U.S. Highway 31, thence along U.S. Highway 31 to Kokomo, thence along Indiana Highway 22 to junction Indiana Highway 29, thence along Indiana Highway 29 to junction Indiana Highway 28, thence along Indiana Highway 28 to junction U.S. Highway 231, thence along U.S. Highway 231 to Crawfordsville, thence along Indiana Highway 47 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction Indiana Highway 163, thence along Indiana Highway 163 to the Indiana-Illinois State line, and those on and west of U.S. Highway 41. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E1026), filed December 2, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer St., 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 Hanover, Pa., to those points in Nebraska on, south, and west of a line beginning at the Missouri River and extending along U.S. Highway 30 to Grand Island, thence along U.S. Highway 281 to the Nebraska-South Dakota State line. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC 113843 (Sub-No. E1027), filed December 2, 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 Moosic, Pa., to those points in Pennsylvania on and north of a line beginning at the Pennsylvania-Ohio State line and extending along Pennsylvania Highway 226 to junction U.S. Highway 6N, thence along U.S. Highway 6N to junction U.S. Highway 6, thence along U.S. Highway 6 to junction U.S. Highway 15, thence along U.S. Highway 15 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-E1028), filed December 2, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Massachusetts 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 Moosic, Pa., to those points in New York on and south of a line beginning at Lake Erie and extending along unnumbered highway to Westfield, thence along New York Highway 17 to junction U.S. Highway 15, thence along U.S. Highway 15 to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E1032), filed December 2, 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 Green Bay and Milwaukee, Wis., to Lock Haven, Pa., and those points in Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line and extending along Pennsylvania Highway 249 to junction Pennsylvania Highway 287, thence along Pennsylvania Highway 287 to junction U.S. Highway 220, thence along U.S. Highway 220 to Williamsport, thence along U.S. Highway 15 to junction Interstate Highway 83, thence along Interstate Highway 83 to the Pennsylvania-Maryland State line. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E1036), filed December 2, 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 Hanover, Pa., to those points in New Hampshire on and north of a line beginning at the New Hampshire-Vermont State line and extending along U.S. Highway 4 to junction New Hampshire Highway 104, thence along New Hampshire Highway 104 to junction U.S. Highway 3, thence along U.S. Highway 3 to junction New Hampshire Highway 25, thence along New Hampshire Highway 25 to the New Hampshire-Maine State line. The pur-

pose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E1037), filed December 2, 1974. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer St., 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 Hanover, Pa., to those points in New Hampshire on and north of a line beginning at the New Hampshire-Vermont State line and extending along U.S. Highway 4 to junction New Hampshire Highway 104, thence along New Hampshire Highway 104 to junction U.S. Highway 3, thence along U.S. Highway 3 to junction New Hampshire Highway 25, thence along New Hampshire Highway 25 to the New Hampshire-Maine State line. The purpose of this filing is to eliminate the gateway of Syracuse, N.Y.

No. MC 113843 (Sub-No. E1038), filed December 2, 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 Moosic, Pa., to points in Ohio (except that portion on and east of a line beginning at the Pennsylvania-West Virginia State line and extending along Ohio Highway 213 to junction Ohio Highway 152, thence along Ohio Highway 152 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction Ohio Highway 800, thence along Ohio Highway 800 to junction Ohio Highway 148, thence along Ohio Highway 148 to the Ohio River). The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E1064), filed December 2, 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 Hanover, Pa., to those points in Vermont on and north of U.S. Highway 2. The purpose of this filing is to eliminate the gateway of Syracuse, N.Y.

No. MC 113843 (Sub-No. E1065), filed December 2, 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 Hanover, Pa., to those points in Vermont on and north of U.S. Highway 2. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E1066), filed December 2, 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*, over irregular routes, transporting: *Frozen foods*, from Hanover, Pa., to Grand Forks, N. Dak. The purpose of this filing is to eliminate the gateway of Dundee, N.Y.

No. MC 113843 (Sub-No. E1067), filed December 2, 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 Hanover, Pa., to Calais and points in Aroostock County, Me. The purpose of this filing is to eliminate the gateway of Elmira, N.Y.

No. MC 113843 (Sub-No. E1069), filed January 17, 1975. 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 Rhode Island to points in Iowa. The purpose of this filing is to eliminate the gateway of LeRoy, N.Y.

No. MC 113843 (Sub-No. E1070), filed January 17, 1975. 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 Massachusetts to points in Nebraska. The purpose of this filing is to eliminate the gateway of LeRoy, N.Y.

No. MC 113843 (Sub-No. E1071), filed January 17, 1975. 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 Massachusetts to points in Iowa. The purpose of this filing is to eliminate the gateway of LeRoy, N.Y.

No. MC 114211 (Sub-No. E517) (Correction), filed June 4, 1974 published in the FEDERAL REGISTER February 4, 1975. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pressure pipe* (except pipe 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 fittings and accessories therefor when moving with such pipe, the transportation of which, because of size or weight, requires special equipment from points in that part of Iowa on and west of a line beginning at the Minnesota-Iowa State line, thence along Iowa Highway 4 to junction Iowa Highway 3, thence along Iowa Highway 3 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Iowa Highway 4, thence along Iowa Highway 4 to junction Iowa Highway 175, thence along Iowa Highway 175 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Iowa Highway 48, thence along Iowa Highway 48 to junction U.S. Highway 59, thence along U.S. Highway 59 to the Iowa-Missouri State line, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Council Bluffs, Iowa. The purpose of this correction is to extend the territorial destination.

No. MC 114552 (Sub-No. E50), filed May 9, 1974. Applicant: SENN TRUCKING COMPANY, P.O. Box 220, Newberry, S.C. 29108. Applicant's representative: William P. Jackson, Jr., 919 Eighteenth St., N.W., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber* (except plywood and veneer), (1) from points in Pennsylvania to points in Florida; (2) from points in Pennsylvania on and east of a line beginning at the Pennsylvania-West Virginia State line, thence extending along U.S. Highway 119 to its junction with Interstate Highway 76, thence along Interstate Highway 76 to its junction with Pennsylvania Highway 8, thence along Pennsylvania Highway 8 to its junction with Pennsylvania Highway 68, thence along Pennsylvania Highway 68 to its junction with U.S. Highway 322, thence along U.S. Highway 322 to its junction with Pennsylvania Highway 66, thence along Pennsylvania Highway 66 to its junction Pennsylvania Highway 984, thence along Pennsylvania Highway 984 to its junction with U.S. Highway 6, thence along U.S. Highway 6 to its junction with U.S. Highway 62, thence along U.S. Highway 62 to the Pennsylvania-New York State line, to points in Texas on and south of a line beginning at the Texas-New Mexico State line, thence extending along U.S. Highway 84 to its junction with U.S. Highway 82, thence along U.S. Highway 82 to its junction with U.S. Highway 183, thence along U.S. Highway 183 to the Texas-Oklahoma State line.

(3) From points in Pennsylvania on and east of a line beginning at the Pennsylvania-Maryland State line, thence extending along U.S. Highway 15 to its junction with U.S. Highway 11, thence along U.S. Highway 11 to the Pennsylvania-New York State line, to points in Arkansas on and south of a line beginning at the Arkansas-Tennessee State line, thence extending along Arkansas Highway 118 to its junction with U.S. Highway 63, thence along U.S. Highway 63 to its junction with Arkansas High-

way 14, thence along Arkansas Highway 14 to its junction with Arkansas Highway 69, thence along Arkansas Highway 69 to its junction with Arkansas Highway 25, thence along Arkansas Highway 25 to its junction with Arkansas Highway 92, thence along Arkansas Highway 92 to its junction with Arkansas Highway 16, thence along Arkansas Highway 16 to the Arkansas-Oklahoma State line; (4) from points in Pennsylvania to points in Alabama; (5) from points in Rhode Island to points in Florida and Arkansas; (6) from points in Rhode Island to points in Oklahoma and Texas; (7) from points in Rhode Island to points in Alabama; (8) from points in Rhode Island to points in Tennessee; (9) from points in Rhode Island to points in Kentucky on and south of a line beginning at the Kentucky-West Virginia State line, thence extending along U.S. Highway 23 to its junction with U.S. Highway 460, thence along U.S. Highway 460 to its junction with U.S. Highway 27, thence along U.S. Highway 27 to the Kentucky-Ohio State line; (10) from points in Rhode Island to points in Illinois on and south of U.S. Highway 50; (11) from points in Rhode Island to points in West Virginia on and southwest of Interstate Highway 64.

(12) From points in Rhode Island to points in Virginia on and south of U.S. Highway 460; and (13) from points in Rhode Island to points in Indiana on and south of a line beginning at the Indiana-Kentucky State line, thence extending along Interstate Highway 264 to its junction with Indiana Highway 64, thence along Indiana Highway 64 to the Indiana-Illinois State line. The purpose of this filing is to eliminate the gateways of Greenwood Co., S.C., in (1), (2), (3), (5), and (6); Tennessee in (4); Georgia in (7); points in North Carolina, (except points in Buncombe, Chatham, Cherokee, Columbus, Cumberland, Franklin, Guilford, Harnett, Henderson, Lee, Macon, Orange, Rockingham, Transylvania, and Union Counties, N.C.) in (8); points in Buncombe, Chatham, Cherokee, Columbus, Cumberland, Franklin, Guilford, Harnett, Henderson, Lee, Macon, Orange, Rockingham, Transylvania, and Union Counties, N.C., or North Carolina (except points in Buncombe, Chatham, Cherokee, Columbus, Cumberland, Franklin, Guilford, Harnett, Henderson, Lee, Macon, Orange, Rockingham, Transylvania, Union, Beaufort, Hyde, Martin, Washington, Pitt, Craven, Pamlico, Jones, and Onslow Counties, points in Halifax County and on east of U.S. Highway 301, points in Edgecombe and Lohoir Counties on and east of U.S. Highway 258, points in Pender County on and east of U.S. Highway 117, and points in North Carolina within 50 miles of Sanford, N.C., not already included in the above described Counties), and Tennessee in (9) and (13); North Carolina and Tennessee in (10); and points in Buncombe, Chatham, Cherokee, Columbus, Cumberland, Franklin, Guilford, Harnett, Henderson, Lee, Macon, Orange, Rockingham, Transylvania, and Union Counties, N.C., in (11) and (12).

No. MC 115257 (Sub-E2), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (A) between points in Oregon on the one hand and, on the other, points in North Dakota; (B) between points in Oregon west and north of U.S. Highway 395 from California border to Burns, U.S. Highway 20 from Burns to Ontario on the one hand and, on the other, points in Colorado east of U.S. Highway 287 from the Wyoming border to Denver, Interstate Highway 25 from Denver to New Mexico border; (C) between points in Oregon west of U.S. Highway 97 on the one hand and, on the other, points in Wyoming east of Interstate Highway 25. The purpose of this filing is to eliminate the gateway of any point in Montana west of U.S. Highway 89.

No. MC 115257 (Sub-E3), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (A) between points in Washington on the one hand and, on the other, points in North Dakota; (B) between points in Washington west of Interstate Highway 5 from the Oregon border at Kelso to the intersection with U.S. Highway 97 from Yakima to Ellensburg, north of Interstate 90 from Ellensburg to the Idaho boundary on the one hand and, on the other, points in Wyoming east and north of U.S. Highway 287; (C) between points in Washington west of Interstate Highway 5 from the Oregon border at Kelso to the intersection with U.S. Highway 12, north of U.S. Highway 12 from intersection to Yakima, west of U.S. Highway 97 from Yakima to Ellensburg, north of Interstate 90 from Ellensburg to the Idaho boundary on the one hand and, on the other, points in Colorado east of Colorado Highway 13 from the Wyoming border to Craig, U.S. Highway 40 from Craig to Denver, east of U.S. Highway 285 from Denver to the New Mexico boundary; (D) between points in Washington counties of Whatcom, Okanogan, Ferry, Stevens, Pend Oreille, Spokane, Lincoln, Grant, Douglas, Chelan, Skagit, Snohomish, King, Pierce, Kittitas, Thurston, Mason, Jefferson, and Clallam on the one hand and, on the other, points in Arizona east of U.S. Highway 89 from the Utah boundary south to Surprise, following State Farm Road south from Surprise to U.S. Highway 80, U.S. Highway 80 to Interstate Highway 8 to Interstate Highway 10 to Tucson, U.S. Highway 89 from Tucson to Nogales; (E) between points in Washington counties of Whatcom, Okanogan, Ferry, Stevens, Pend Oreille, Spokane, Lincoln, Grant, Douglas, Chelan, Skagit, Snohomish, King, Pierce, Kittitas, Thurston, Mason, Jefferson, and Clallam on the one hand and, on the other, points in Utah. The purpose of this filing is to eliminate the gateway of any point in Montana west of U.S. Highway 89.

No. MC 115257 (Sub-E4), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (A) between points in Nevada on the one hand and, on the other, points in North Dakota. The purpose of this filing is to eliminate the gateway of any point in Montana west of U.S. Highway 89.

No. MC 115257 (Sub-E5), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (A) between Idaho on the one hand and, on the other, points in North Dakota; (B) between points in Idaho west of U.S. Highway 93 on the one hand and, on the other, points in Wyoming north of U.S. Highway 26; (C) between points in Idaho west of Idaho Highway 51 from the Nevada boundary to Mountain Home, U.S. Highway 68 from Mountain Home to intersection with U.S. Highway 93, U.S. Highway 93 from intersection to northeastern Idaho-Montana border on the one hand and, on the other, points in Colorado south and east of U.S. Highway 36 from the Kansas border to Denver, Interstate Highway 25 from Denver to the New Mexico border. The purpose of this filing is to eliminate the gateway of any point in Montana west of U.S. Highway 89.

No. MC 115257 (Sub-E6), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (A) between points in Colorado on the one hand and, on the other, points in Louisiana; (B) between points in Colorado west of Interstate Highway 25 from the Wyoming border south to the New Mexico boundary on the one hand and, on the other, points in Arkansas south and east of U.S. Highway 270 from Oklahoma-Arkansas to Hot Springs, U.S. Highway 70 to the intersection of Arkansas Highway 75, Arkansas Highway 75 north to Arkansas Highway 140, Arkansas Highway 140 north to Arkansas Highway 77, Arkansas Highway 77 north to the Missouri boundary; (C) between points in Colorado east of Interstate Highway 25 from the Wyoming boundary to Pueblo, and north of U.S. Highway 50 from Pueblo

to the Kansas boundary on the one hand and, on the other, points in Texas east of U.S. Highway 277 from Del Rio north to the Texas-Oklahoma boundary. The purpose of this filing is to eliminate the gateway of any point in Young County, Texas.

No. MC 115257 (Sub.-E7), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (A) between points in New Mexico on the one hand and, on the other, points in Louisiana; (B) between points in New Mexico on and south of Interstate Highway 40 on the one hand and, on the other, points in Arkansas south of U.S. Highway 66 from Fort Smith to Little Rock and east of U.S. Highway 67 from Little Rock to the Arkansas-Missouri boundary; (C) between points in New Mexico west of U.S. Highway 285 from the southern boundary to intersection with Interstate Highway 40, south of Interstate Highway 40 from this intersection to the New Mexico-Arizona boundary on the one hand and, on the other, points in Missouri south of Interstate Highway 44. The purpose of this filing is to eliminate the gateway of any point in Young County, Texas.

No. MC 115257 (Sub-E9), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (A) between points in Kansas west of Interstate Highway 35W from the Oklahoma-Kansas border to Salina, and south of Interstate Highway 70 from Salina to the Kansas-Colorado border on the one hand and, on the other, points in Alabama south of U.S. Highway 80; (B) between points in Kansas west of Interstate Highway 35W from the Oklahoma-Kansas border to Salina and south of Interstate Highway 70 from Salina to the Kansas-Colorado border on the one hand and, on the other, points in Georgia south of U.S. Highway 80. The purpose of this filing is to eliminate the gateways of (A) any point in Archer, Clay, Montague, Wichita, Wilbarger, and Young Counties, Texas; and (B) any point in Arkansas.

No. MC 115257 (Sub-E10), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Household Goods, as defined by the Commission, (A) between points in Texas on the one hand and, on the other, points in Illinois; (B) between points in Texas on the one hand and, on the other, points in Indiana; (C) between points in Michigan; (D) between points in Texas on the one hand and, on the other, points in Kentucky; (D) between points in Texas on the one hand and, on the other, points in Kenthucky; (E) between points in Texas on the one hand and, on the other, points in Ohio; (F) between points in Texas on the one hand, and, on the other, points in Tennessee; (G) between points in Texas on the one hand and, on the other, points in North Carolina; (H) between points in Texas on the one hand and, on the other, points in South Carolina; (I) between points in Texas on the one hand and, on the other, points in Georgia north of U.S. Highway 80; (J) between points in Texas west of U.S. Highway 75 on the one hand and, on the other, points in Alabama north of U.S. Highway 80; (K) between points in Texas on the one hand and, on the other, points in Missouri south of U.S. Highway 54; (L) between points in Texas west of U.S. Highway 77 from the Texas-Oklahoma border to Victoria, Texas Highway 185 from Victoria to the Gulf of Mexico on the one hand and, on the other, points in Mississippi north of Interstate Highway 20. The purpose of this filing is to eliminate the gateway of any point in Arkansas.

No. MC 115257 (Sub-E11), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, (A) between points in Nebraska on the one hand and, on the other, points in Mississippi; (B) between points in Nebraska on the one hand and, on the other, points in Tennessee counties of Tipton, Shelby, Fayette, Haywood, Madison, Hardeman, McNairy, Chester, Henderson. Decatur, Hardin, Wayne, Perry, Lewis, Lawrence, Maury, Giles, Lincoln, Marshall, Bedford, Moore, Cannon, Coffee, Sequatchie, Bledsoe, Grundy, Warren, Van Buren, White, Cumberland, Morgan, Roane, Loudon, Blount, Sevier, Knox and Anderson. The purpose of this filing is to eliminate the gateway of any point in Saline County, Arkansas.

No. MC 115257 (E12), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Household Goods, as defined by the Commission. (A) between points in Oklahoma on the one hand and, on the other, points in Mississippi; (B) between points in Oklahoma on the one hand and, on the other points in Alabama; (C) between points in Oklahoma on the one hand and, on the other, points in Georgia; (D) between points in Oklahoma on the one hand and, on the other, points in South Carolina; (E) between points in Oklahoma on the one hand and, on the other, points in North Carolina; (F) between points in Oklahoma on the one hand and, on the other, points in Kentucky; (H) between points in Oklahoma on the one hand and, on the other, points in Ohio; (I) between points in Oklahoma east of Oklahoma Highway 23 on the one hand and, on the other, points in Michigan; (J) between points in Oklahoma on the one hand and, on the other, points in Illinois; (K) between points in Oklahoma on the one hand and, on the other, points in Indiana; (L) between points in Oklahoma south of U.S. Highway 62 from the Texas-Oklahoma border to Lawton, Bailey Turnpike from Lawton to Oklahoma City, south of Interstate Highway 40 from Oklahoma City to the Arkansas-Oklahoma border on the one hand and, on the other, points in Missouri south of U.S. Highway 24. The purpose of this filing is to eliminate the gateway of any point in Arkansas.

No. MC 115257 (Sub-E14), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, (A) between points in Missouri north of Interstate Highway 44 on the one hand and, on the other, points in Mississippi south of U.S. Highway 82 from the Arkansas/Mississippi border to the intersection with U.S. Highway 49W, west of U.S. Highway 49W and 49 to Hattiesburg and south of U.S. Highway 98 from Hattiesburg to the Alabama/Mississippi border; (B) between points in Kansas on the one hhand, and, on the other, points in Mississippi. The purpose of this filing is to eliminate the gateway of any point in Saline County, Arkansas.

No. MC 115257 (Sub-E15), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, (A) between points in Missouri on the one hand and, on the other, points in New York; (B) between points in Missouri on the one hand and, on the other, points in Pennsylvania; (C) between points in Missouri on the one hand and, on the other, points in Ohio east of U.S. Highway 250 from the northern boundary of Sandusky to the Ohio-West Virginia boundary. The purpose of this filing is to eliminate the gateway of any point in Cuyahoga County, Ohio.

No. MC 115257 (Sub-E16), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household* Goods, as defined by the Commission, (A) between points in Arkansas

on the one hand and, on the other, points in Pennsylvania; (B) between points in Arkansas on the one hand and, on the other, points in New York; (C) between points in Arkansas on the one hand and, on the other, points in Maine; (D) between points in Arkansas on the one hand and, on the other, points in Massachusetts; (E) between points in Arkansas on the one hand and, on the other points in Connecticut; (F) between points in Arkansas on the one hand and, on the other points in Rhode Island; (G) between points in Arkansas on the one hand and, on the other, points in New Jersey; (H) between points in Arkansas on the one hand and, on the other, points in Delaware; (I) between points in Arkansas on the one hand and, on the other, points in Maryland; (J) between points in Arkansas on the one hand and, on the other, points in District of Columbia. The purpose of this filing is to eliminate the gateway of any point in Cuyahoga County, Ohio.

No. MC 115257 (Sub-E17), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, (A) between points in Arkansas on the one hand and, on the other, points in Virginia. The purpose of this filing is to eliminate any point in North Carolina.

No. MC 115257 (Sub-E18), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, (A) between points in Tennessee west of Interstate Highway 65 on the one hand and, on the other, points in New York; (B) between points in Tennessee west of Interstate Highway 65 on the one hand and, on the other, points in Ohio, Counties of Ashtabula, Trumbull, Mahoning, Columbiana, Jefferson, Harrison, Tuscarawas, Stark, Portage, Summit, Geauga, Lake, Medina and Lorain; (C) between points in Tennessee west of Interstate Highway 65 on the one hand and, on the other, points in Pennsylvania north of U.S. Highway 22 from the Ohio-Pennsylvania border to Harrisburg and north and east of U.S. Highway 83 from Harrisburg to the Maryland-Pennsylvania border. The purpose of this filing is to eliminate the gateway of any point in Cuyahoga County, Ohio.

No. MC 115257 (Sub-E19), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, (A) between points in Kentucky west of Interstate Highway 75 on the one hand and, on the other, points in New York; (B) between points in Kentucky west of Interstate Highway 65 on the one hand and, on the other, points in Pennsylvania north of U.S. Highway 22 from the Ohio-Pennsylvania border to Harrisburg and north and east of U.S. Highway 83 from Harrisburg to the Maryland-Pennsylvania border. The purpose of this filing is to eliminate the gateway of any point in Cuyahoga County, Ohio.

No. MC 115257 (Sub-E20), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, (A) between points in Indiana on the one hand and, on the other, points in New York; (B) between points in Indiana north and west of U.S. Highway 224 from the Ohio-Indiana border to Interstate Highway 69, west of Interstate Highway 69 to Indianapolis, west of Indiana Highway 67 to U.S. Highway 231 and west of U.S. Highway 31 from intersection to the Kentucky-Indiana border on the one hand and, on the other, points in Pennsylvania north of U.S. Highway 22 from the Ohio-Pennsylvania border to Harrisburg and east of U.S. Highway 83 from Harrisburg to the Maryland-Pennsylvania border. The purpose of this filing is to eliminate the gateway of any point in Cuyahoga County, Ohio.

No. MC 115257 (Sub-E21), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, (A) between points in Wisconsin on the one hand and, on the other, points in New York; (B) between points in Wisconsin on the one hand and, on the other, points in Pennsylvania. The purpose of this filing is to eliminate the gateway of any point in Cuyahoga County, Ohio.

No. MC 115257 (Sub-E22), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, (A) between points in Illinois on the one hand and, on the other, points in New York; (B) between points in Illinois on the one hand and, on the other, points in Pennsylvania. The purpose of this filing is to eliminate the gateway of any points in Cuyahoga County, Ohio.

No. MC 115257 (Sub-E23), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household Goods*, as defined by the Commission, (A) between points in Ohio west of Interstate Highway 71 on the one hand, and, on the other, points in New York; (B) between points in Ohio on the one hand, and, on the other, points in Maine; (C) between points in Ohio on the one hand, and, on the other, points in Masachusetts; (D) between points in Ohio on the one hand, and, on the other, points in Connecticut; (E) between points in Ohio on the one hand, and, on the other points in Rhode Island; (F) between points in Ohio west of Interstate Highway 71 on the one hand, and, on the other, points in Delaware; (G) between points in Ohio west of Interstate Highway 71 on the one hand, and, on the other, points in New Jersey. The purpose of this filing is to eliminate the gateway of any point in Cuyahoga County, Ohio.

No. MC 115257 (Sub-E24), filed May 12, 1974. Applicant: SHAMROCK VAN LINES, INC., P.O. Box 53443, Oklahoma City, Okla. 73105. Applicant's representative: Williams E. Bentley (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (A) between points in Michigan on the one hand and, on the other, points in New York; (B) between points in Michigan on the one hand and, on the other, points in Pennsylvania. The purpose of this filing is to eliminate the gateway of any point in Cuyahoga County, Ohio.

No. MC 115332 (Sub-E157), filed January 27, 1975. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fl. 32809. Applicant's representative: James Wilson, 13th and Pennsylvania Ave. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits*, from Winchester, Va., to points in Duval and Dade County, Fla. The purpose of this filing is to eliminate the gateway of points in Jefferson County, W. Va.

No. MC 116915 (Sub-No. E5) (Correction), filed May 28, 1974, published in the FEDERAL REGISTER May 16, 1975. Applicant: ECK MILLER TRANSPORTATION CORP., Owensboro, Ky. Applicant's representative: William P. Sullivan, 1819 H. Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (3) between points in West Virginia on and north of the line described in (2) above, on the one hand, and, on the other, points in Illinois on and south of U.S. Highway 50 and points in Indiana on and south of U.S. Highway 150 extending west to junction U.S. Highway 50 and U.S. Highway 150 to the Indiana-Illinois State line. The purpose of this filing is to

eliminate the gateways of points within 35 miles of Owensboro, Ky. The purpose of this partial correction is to correct the highway description. The remainder of this letter-notice will remain as previously published.

No. MC 116915 (Sub-No. E11) (Correction), filed June 4, 1974. Published in the FEDERAL REGISTER March 11, 1975. Applicant: ECK MILLER TRANSPORTATION CORPORATION, Owensboro, Ky. Applicant's representative: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carier*, by motor vehicle, over irregular routes, transporting: *Aluminum and aluminum products* (other than motor vehicles), and equipment, materials, and supplies (except in bulk), used in the manufacture and processing of aluminum and aluminum products which require the use of special equipment by reason of size or weight (1) from points in Indiana and the Lower Peninsula of Michigan to points in Florida; (2) from points in Illinois to points in North Carolina and Florida and from points in Missouri to points in Florida; (3) from points in Tennessee on and west of Interstate Highway 65 to points in Connecticut, Pennsylvania, New Jersey, and New York, and from points in Missouri to points in Connecticut and New Jersey; and (4) from (a) points in Ohio, Virginia, and West Virginia to points in Arkansas and Texas, (b) from points in Indiana east of Porter, Jasper, Benton, Tippecanoe, Montgomery, Putnam, Owen, Greene, Martin, Dubois, and Perry Counties, to points in Texas, and (c) from points in Indiana in and west of the counties named in (a) to points in Texas on and south of U.S. Highway 60. The purpose of this filing is to eliminate the gateway of Hawesville, Ky. The purpose of this correction is to correct the territorial destination.

No. MC 116915 (Sub-No. E13), (Correction), filed February 24, 1975, published in the FEDERAL REGISTER May 6, 1975. Applicant: ECK MILLER TRANSPORTATION CORP., Owensboro, Ky. Applicant's representative: William P. Sullivan, Federal Bar Bldg. W., 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Aluminum oil well and mine machiney, aluminum pipe and supplies and equipment, materials, and supplies used in the manufacture and processing of the foregoing commodities, between points in Georgia on and west of U.S. Highway 441, on the hand and, on the other, points in Pennsylvania and New York on, north, and west of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 6 to junction Pennsylvania Highway 957, thence along Pennsylvania Highway 957 to Sugargrove, Pa., thence along unnumbered highway to Jamestown, N.Y., thence along New York Highway 17 to junction New York Highway 219, thence along New York Highway 219 to Great Valley, N.Y., thence along New York Highway 98 to Carlton, N.Y., and points in New York on and north of a line beginnihg at Morristown, N.Y., and extending along New York Highway 58 to Gouverneur, N.Y., and thence along U.S. Highway 11 to Rouses Point, N.Y. The purpose of this filing is to eliminate the gateway of Hawesville, Ky. The purpose of this correction is to correct the territorial description.

No. MC 116915 (Sub-No. E21), filed May 28, 1974. Applicant: ECK MILLER TRANSPORTATION CORP., Owensboro, Ky. Applicant's representative: William P. Sullivan, 1819 H St. NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum* and *aluminum products* (other than motor vehicles) and equipment, materials, and supplies (except in bulk) used in the manufacture and processing of aluminum and aluminum products which require the use of special equipment by reason of size or weight; (1) (a) from points in Ohio in and west of Adams, Pike, Ross, Hocking, Perry, Licking, Coshocton, Holmes, Wayne, Medina, Cuyahoga, Geauga, and Ashtabula Counties, to points in Florida, (b) from points in Trumbull, Portage, Summit, Stark, Mahoning, Columbiana, Carroll, Tuscarawas, and Muskingum Counties, Ohio, to points in Florida on, west, and south of a line beginning at the Georgia-Florida State line and extending along U.S. Highway 441 to junction Florida Highway 100 and thence along Florida Highway 100 to Flagler Beach, and (c) from points in Scioto, Lawrence, Jackson, Gallia, Venton, Meigs, Athens, Washington, Morgan, Noble, Monroe, Guernsey, Belmont, Harrison, and Jefferson Counties, Ohio, to points in Florida in and west of Jackson, Calhoun, and Gulf Counties; (2) from points in Missouri (except those in Dunklin, New Madrid, and Pemiscot Counties), and those points in Indiana located on and west of a line beginning at Lake Michigan and extending along Indiana Highway 49 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 35, thence along U.S. Highway 35 to junction Indiana Highway 37, thence along Indiana Highway 37 to the Indiana-Kentucky State line to points in North Carolina.

(3) (a) From points in Atchison, Holt, Nodaway, Andrew, Worth, Gentry, DeKalb, Harrison, Daviess, Mercer, Grundy, Sullivan, Linn, Adair, Macon, Shelby, Monroe, Ralls, Pike, and Lincoln Counties, Mo., to points in Pennsylvania on and east of a line beginning at the Ohio-Pennsylvania State line and extending along U.S. Highway 22 to junction U.S. Highway 119, and thence along U.S. Highway 119 to junction U.S. Highway 219 and thence along U.S. Highway 219 to the Pennsylvania-New York State line, and points in New York in and east of Allegany, Livingston, Ontario, and Wayne Counties, (b) from points in Missouri in and south of Buchanan, Clinton, Caldwell, Livingston, Chariton, Randolph, Audrain, Montgomery, Warren, and St. Charles Counties to points in Pennsylvania and New York, and (c) from points in Missouri to points in Pennsylvania on and south of a line beginning at the Maryland-Pennsylvania State line and extending along Interstate Highway 81 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Pennsylvania Highway 652, thence along Pennsylvania Highway 652 to the Pennsylvania-New York State line, points in New York in and south of Sullivan, Ulster, and Dutchess Counties, and points in New Jersey and Connecticut; (4) (a) from points in the Lower Peninsula of Michigan and those in Indiana east of Porter, Jasper, Benton, Tippecanoe, Montgomery, Putnam, Owen, Greene, Martin, DuBois, and Perry Counties to points in Texas, and (b) from Chicago, Ill., and points in Indiana in and west of the counties named in (a) above, to points in Texas on and south of U.S. Highway 60; and (5) (a) from points in the Lower Peninsula of Michigan and those in Indiana in and east of LaPorte, Jasper, Benton, Tippecanoe, Montgomery, Putnam, Owen, Greene, Martin, DuBois, and Perry Counties, to points in Arkansas, (b) from points in Lake, Kane, Cook, DuPage, and Will Counties, Ill., to points in Arkansas on and south of U.S. Highway 70, and (c) from points in Indiana west of the counties specified in (a) above, to points in Arkansas in and south of Sebastian, Logan, Pope, Van Buren, Cleburne, Independence, Jackson, Poinsett, and Crittenden Counties. The purpose of this filing is to eliminate the gateway of the facilities of National Aluminum Corporation at or near Hawesville, Ky.

No. MC 119493 (Sub-No. E18), (Correction), filed May 17, 1974, published in the FEDERAL REGISTER June 30, 1975. Applicant: MONKEM CO., INC., P.O. Box 1196, Joplin, Mo. 64801. Applicant's representative: J. J. Knotts, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Peanut meal*, in bulk and in bags, from points in Texas to points in Missouri on and north of U.S. Highway 44. The purpose of this filing is to eliminate the gateway of Kansas. The purpose of this correction is to correct the "E" number, previously published as E1.

No. MC 121060 (Sub-No. E47), filed April 24, 1975. Applicant: ARROW TRUCK LINES, INC., 1220 W. 3rd St., Birmingham, Ala. 35201. 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: *Ceiling systems, paint, plastic light diffusers, adhesives, furring, fasteners, lighting systems, moldings, steel shapes, steel rods, steel channels, steel ceiling beams, applicators and roofing caps, and materials and supplies* used in the installation of any commodity named above (except in bulk), from points in Alabama (except points in Washington, Mobile, Baldwin, Escambia, Covington, Coffee, Geneva, Dale, Henry, and Houston Counties) to points in Minnesota, Wisconsin, Michigan, Maine, Pennsylvania, New Jersey,

Delaware, New Hampshire, Vermont, Connecticut, New York, Ohio, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateway of the facilities of Litecraft-Luminous Ceilings, Division of Celotex Corp., located at or near Scottsboro, Ala.

No. MC 121060 (Sub-No. E48), filed April 24, 1975. Applicant: ARROW TRUCK LINES, INC., 1220 W. 3rd St., Birmingham, Alabama 35201. 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: *Ceiling systems, paint, plastic light diffusers, adhesives, furring, fasteners, lighting systems, moldings, steel shapes, steel rods, steel channels, steel ceiling beams, applicators and roofing caps, and materials and supplies* used in the installation of any commodity named above (except in bulk), from points in Alabama (except points in Washington, Mobile, Baldwin, Escambia, Covington, Coffee, Geneva, Dale, Henry, and Houston Counties) to points in that part of Maryland on, north, and west of a line beginning at the Maryland-Delaware State line extending along Maryland Highway 318 to junction Maryland Highway 331, thence along Maryland Highway 331 to junction U.S. Highway 50, thence along U.S. Highway 50 to the Choptank River. The purpose of this filing is to eliminate the gateway of the facilities of Litecraft-Luminous Ceilings, Division of Celotex Corp., at or near Scottsboro, Ala.

No. MC 121060 (Sub-No. E49), filed April 24, 1975. Applicant: ARROW TRUCK LINES, INC., 1220 W. 3rd St., Birmingham, Alabama 35201. 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: *Ceiling systems, paint, plastic light diffusers, adhesives, furring, fasteners, lighting systems, moldings, steel shapes, steel rods, steel channels, steel ceiling beams, applicators and roofing caps, and materials and supplies* used in the installation of any commodity named above (except in bulk), from points in Alabama east of a line beginning at the Alabama-Georgia State line extending along U.S. Highway 29 to junction Alabama Highway 239, thence along Alabama Highway 239 to junction Alabama Highway 53, thence along Alabama Highway 53 to junction Alabama Highway 68, thence along Alabama Highway 68 to junction Alabama Highway 105, thence along Alabama Highway 105 to junction Alabama Highway 27, thence along Alabama Highway 27 to the Alabama-Florida State line (except points in Washington, Mobile, Baldwin, Escambia, Covington, Coffee, Geneva, Dale, Henry, and Houston Counties), to points in Maryland. The purpose of this filing is to eliminate the gateway of the facilities of Litecraft-Luminous Ceilings, Division of the Celotex Corp., at or near Scottsboro, Ala.

No. MC 121060 (Sub-No. E50), filed April 24, 1975. Applicant: ARROW TRUCK LINES, INC., 1220 W. 3rd St., Birmingham, Ala. 35201. 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: *Ceiling systems, paint, plastic light diffusers, adhesives, furring, fasteners, lighting systems, moldings, steel shapes, steel rods, steel channels, steel ceiling beams, applicators, and roofing caps, and materials and supplies* used in the installation of any commodity named above (except in bulk), from points in Alabama east of a line beginning at the Alabama-Georgia State line extending along Alabama Highway 26 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction Alabama Highway 35, thence along Alabama Highway 35 to junction Alabama Highway 14, thence along Alabama Highway 14 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction Alabama Highway 93, thence along Alabama Highway 93 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction with Coffee County, and points in Alabama west of a line beginning at the Alabama-Tennessee State line extending along Alabama Highway 65 to junction U.S. Highway 72, thence along U.S. Highway 72 to junction Alabama Highway 63, thence along Alabama Highway 63 to junction Alabama Highway 79, thence along Alabama Highway 79 to junction U.S. Highway 278, thence along U.S. Highway 278 to junction Alabama Highway 75, thence along Alabama Highway 75 to junction Alabama Highway 53, thence along Alabama Highway 53 to junction Alabama Highway 145, thence along Alabama Highway 145 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction U.S. Highway 331, thence along U.S. Highway 331 to junction with Covington County, Ala. (except points in Washington, Mobile, Baldwin, Escambia, Covington, Coffee, Geneva, Dale, Henry, and Houston Counties), to points in Kentucky. The purpose of this filing is to eliminate the gateway of the facilities of Litecraft-Luminous Ceilings, Division of the Celotex Corp., at or near Scottsboro, Ala.

No. MC 121060 (Sub-No. E51), filed April 24, 1975. Applicant: ARROW TRUCK LINES, INC., 1220 W. 3rd St., Birmingham, Ala. 35201. 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: *Ceiling systems, paint, plastic light diffusers, adhesives, furring, fasteners, lighting systems, moldings, steel shapes, steel rods, steel channels, steel ceiling beams, applicators and roofing caps, and materials and supplies* used in the installation of any commodity named above (except in bulk), from points in Alabama (except points in Washington, Mobile, Baldwin, Escambia, Covington, Coffee, Geneva, Dale, Henry, and Houston Counties), and points west of a line beginning at the Tennessee-Alabama State line extending along Alabama Highway 65 to junction U.S. Highway 72, thence along U.S. Highway 72 to junction Alabama Highway 63, thence along Alabama Highway 63 to junction Alabama Highway 79, thence along Alabama Highway 79 to junction Alabama Highway 26, thence along Alabama Highway 26 to junction U.S. Highway 31, thence along U.S. Highway 31 to junction Alabama Highway 91, thence along Alabama Highway 91 to junction Alabama Highway 9, thence along Alabama Highway 9 to junction U.S. Highway 78, thence along U.S. Highway 78 to junction Alabama Highway 69, thence along Alabama Highway 69 to junction U.S. Highway 82, thence along U.S. Highway 82 to the Alabama-Mississippi State line, and east of a line beginning at the Alabama-Georgia State line extending along Alabama Highway 26 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction Alabama Highway 35, thence along Alabama Highway 35 to junction Alabama Highway 14, thence along Alabama Highway 14 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction Alabama Highway 93, thence along Alabama Highway 93 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Coffee County, Ala., to points in Kentucky on and east of a line beginning at the Kentucky-Tennessee State line extending along U.S. Alternate Highway 41 to junction Kentucky Highway 91, thence along Kentucky Highway 91 to the Kentucky-Indiana State line. The purpose of this filing is to eliminate the gateway of facilities of Litecraft-Luminous Ceilings, Division of the Celotex Corp., at or near Scottsboro, Ala.

No. MC 121060 (Sub-No. E52), filed April 24, 1975. Applicant: ARROW TRUCK LINES, INC., 1220 W. 3rd St., Birmingham, Ala. 35201. 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: *Ceiling systems, paint, plastic light diffusers, adhesives, furring, fasteners, lighting systems, moldings, steel shapes, steel rods, steel channels, steel ceiling beams, applicators and roofing caps, and materials and supplies* used in the installation of any commodity named above (except in bulk), from points in Morgan and Cullman Counties, Ala., to points in that part of Kentucky on and east of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 127 to junction Kentucky Highway 90, thence along Kentucky Highway 90 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction Kentucky Highway 88, thence along Kentucky Highway 88 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction Kentucky Highway 259,

thence along Kentucky Highway 259 to the Kentucky-Indiana State line. The purpose of this filing is to eliminate the gateway of the facilities of Litecraft-Luminous Ceilings, Division of the Celotex Corp., at or near Scottsboro, Ala.

No. MC 121060 (Sub-No. E53), filed April 24, 1975. Applicant: ARROW TRUCK LINES, INC., 1220 W. 3rd St., Birmingham, Ala. 35201. 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: *Ceiling systems, paint, plastic light diffusers, adhesives, furring, fasteners, lighting systems, moldings, steel shapes, steel rods, steel channels, steel ceiling beams, applicators and roofing caps, and materials and supplies* used in the installation of any commodity named above (except in bulk), from points in that part of Alabama on and east of a line beginning at the Alabama-Georgia State line extending along Alabama Highway 26 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction U.S. Highway 29, thence along U.S. Highway 29 to junction Alabama Highway 93, thence along Alabama Highway 93 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Alabama Highway 125, thence along Alabama Highway 125 to junction Alabama Highway 87, thence along Alabama Highway 87 to the Alabama-Florida State line (except points in Coffee, Dade, Henry, Geneva, and Houston Counties), to points in Kentucky on and north of a line beginning at U.S. Highway 27 extending along Kentucky Highway 90 to junction U.S. Highway 25W, thence along U.S. Highway 25W to junction U.S. Highway 25, thence along U.S. Highway 25 to junction Kentucky Highway 80, thence along Kentucky Highway 80 to junction Kentucky Highway 699, thence along Kentucky Highway 699 to junction Kentucky Highway 463, thence along Kentucky Highway 463 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction Kentucky Highway 160, thence along Kentucky Highway 160 to the Kentucky-Virginia State line. The purpose of this filing is to eliminate the gateway of the facilities of Litecraft-Luminous Ceilings, Division of the Celotex Corp., at or near Scottsboro, Ala.

No. MC 121060 (Sub-No. E54), filed April 24, 1975. Applicant: ARROW TRUCK LINES, INC., 1220 W. 3rd St., Birmingham, Ala. 35201. 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: *Ceiling systems, paint, plastic light diffusers, adhesives, furring, fasteners, lighting systems, moldings, steel shapes, steel rods, steel channels, steel ceiling beams, applicators and roofing caps*, and *materials and supplies* used in the installation of any commodity named above (except in bulk), from points in Colbert, Lawrence, Lauderdale, Limestone, and Franklin Counties, Ala., to points in Kentucky on and east of U.S. Highway 127. The purpose of this filing is to eliminate the gateway of the facilities of Litecraft-Luminous Ceilings, Division of the Celotex Corp., at or near Scottsboro, Ala.

No. MC 121060 (Sub-No. E55), filed April 24, 1975. Applicant: ARROW TRUCK LINES, INC., 1220 W. 3rd St. Birmingham, Ala. 35201. 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: *Ceiling systems, paint, plastic light diffusers, adhesives, furring, fasteners, lighting systems, moldings, steel shapes, steel rods, steel channels, steel ceiling beams, applicators and roofing caps*, and *materials and supplies* used in the installation of any commodity named above (except in bulk), from points in Madison, Marshall, and Jackson Counties, Ala., to points in Kentucky on and east of a line beginning at the Kentucky-Tennessee State line extending along Kentucky Highway 163 to junction Kentucky Highway 80, thence along Kentucky Highway 80 to junction Kentucky Highway 90, thence along Kentucky Highway 90 to junction Kentucky Highway 70, thence along Kentucky Highway 70 to junction U.S. Highway 231, thence along U.S. Highway 231 to junction Kentucky Highway 136, thence along Kentucky Highway 136 to junction U.S. Highway 41, thence along U.S. Highway 41 to the Kentucky-Indiana State line. The purpose of this filing is to eliminate the gateway of the facilities of Litecraft-Luminous Ceilings, Division of the Celotex Corp., at or near Scottsboro, Ala.

No. MC 121060 (Sub-No. E91), filed November 20, 1974. Applicant: ARROW TRUCK LINES, INC., 1220 West 3rd St., Birmingham, Ala. 35201. 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: *Roofing and roofing materials, gypsum and gypsum products, composition boards, insulation materials, and urethane and urethane products* (except in bulk), from the plant site and warehouse facilities of The Celotex Corporation located at Marrero, La., to points in New Jersey and those in Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line at U.S. Highway 219 extending along U.S. Highway 219 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction Pennsylvania Highway 56, thence along Pennsylvania Highway 56 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line. The purpose of this filing is to eliminate the gateway of the plant site and warehouse facilities of The Celotex Corp., in Wayne County, N.C.

No. MC 123048 (Sub-E170), filed May 16, 1975. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine, Wis. 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors) from Savannah, Ga., to points in California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington and Wyoming restricted against shipments moving in foreign commerce to points in Canada. The purpose of this filing is to eliminate the gateway of Burlington, Iowa.

No. MC 123048 (Sub-E170), filed May 16, 1975. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine, Wis. 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting *Tractors* (except truck tractors) from Savannah, Ga., to points in California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, restricted against shipments moving in foreign commerce to points in Canada. The purpose of this filing is to eliminate the gateway of Burlington, Iowa.

No. MC 123048 (Sub-E171), filed May 16, 1975. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine, Wis. 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors and farm tractors) from Savannah, Ga., to points in North Dakota and South Dakota restricted against the transportation of tractors to points in Alaska and Canada. The purpose of this filing is to eliminate the gateway of Racine, Wis.

No. MC 123048 (Sub-E172), filed May 16, 1975. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine, Wis. 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors* from Savannah, Ga., to points in North Dakota and South Dakota. The purpose of this filing is to eliminate the gateway of Racine, Wis.

No. MC 123048 (Sub-E173), filed May 16, 1975. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine, Wis. 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors) and parts thereof, from Savannah, Ga., to points in the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Fond du Lac, Wis.

No. MC 123048 (Sub-E174), filed May 16, 1975. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine, Wis. 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors) and parts thereof, from points in Minnesota and Nebraska. The purpose of this filing is to eliminate the gateway of Charlen City, Iowa.

No. MC 123048 (Sub-E175), filed May 16, 1975. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine Wisc., 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors) from Jacksonville, Fla., to points in California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, restricted against shipments moving in foreign commerce to points in Canada. The purpose of this filing is to eliminate the gateway of Burlington, Iowa.

No. MC 123048 (Sub-E176), filed May 16, 1975. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine Wisc., 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors and farm tractors and except those which, because of size or weight, require the use of special equipment) from Jacksonville, Fla., to points in North Dakota and South Dakota, restricted against the transportation of tractors destined to points in Canada or Alaska. The purpose of this filing is to eliminate the gateway of Racine, Wisc.

No. MC 123048 (Sub-E177), filed May 16, 1975. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine Wisc., 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors* (except truck tractors) from Jacksonville, Fla., to points in North Dakota and South Dakota, with no transportation for compensation on return except as otherwise authorized. The purpose of this filing is to eliminate the gateway of Racine, Wisc.

No. MC 123048 (Sub-E178), filed May 16, 1975. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine Wisc., 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors) and parts thereof from Jacksonville, Fla., to points in the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of Fond du Lac, Wisc.

No. MC 123048 (Sub-E179), filed May 16, 1975. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., P.O. Box A, Racine, Wisc. 53401. Applicant's representative: Paul L. Martinson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except truck tractors), and parts thereof, from Jacksonville, Fla., to points in Minnesota and Nebraska. The purpose of this filing is to eliminate the gateway of Charles City, Iowa.

No. MC 129872 (Sub-No. E8), filed May 24, 1974. Applicant: SCHUSTER TRANSPORT, INC., Knapp, Wis. 54749. Applicant's representative: Bradford E. Kistler, P.O. Box 80288, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, between points in Nebraska located within an area bounded by a line beginning at the Kansas-Nebraska State line and extending along Nebraska Highway 14 to Central City, Nebr., thence along U.S. Highway 30 to Schuyler, Nebr., thence along Nebraska Highway 15 to Pilger, Nebr., thence along U.S. Highway 275 to junction Nebraska Highway 51, thence along Nebraska Highway 51 to the Nebraska-Iowa State line, thence along the Nebraska-Iowa State line to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Nebraska-Kansas State line, thence along the Nebraska-Kansas State line to junction Nebraska Highway 14, on the one hand, and, on the other, points in Illinois located on and north of U.S. Highway 20. The purpose of this filing is to eliminate the gateway of points within 25 miles of LeMars, Iowa.

No. MC 129872 (Sub-No. E9), filed May 24, 1974. Applicant: SCHUSTER TRANSPORT, INC., Knapp, Wis. 54749. Applicant's representative: Bradford E. Kistler, P.O. Box 80288, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, between Joplin, Mo., and points in Missouri located within an area bounded by a line beginning at the Missouri-Arkansas State line and extending along U.S. Highway 71 to junction Interstate Highway 44, thence along Interstate Highway 44 to the Missouri-Oklahoma State line, thence along the Missouri-Oklahoma State line to the Missouri-Arkansas State line, thence along the Missouri-Arkansas State line to U.S. Highway 71, including points located on the indicated portions of the highways specified, on the one hand, and, on the other, points in Minnesota located within an area bounded by a line beginning at the Minnesota-Wisconsin State line and extending along the Minnesota-Wisconsin State line to Winona, Minn., thence along U.S. Highway 52 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Minnesota-Wisconsin State line, including points located on the indicated portions of the highways specified. The purpose of this filing is to eliminate the gateway of points within 25 miles of LeMars, Iowa.

No. MC 129872 (Sub-No. E10), filed May 24, 1974. Applicant: SCHUSTER TRANSPORT, INC., Knapp, Wis. 54749. Applicant's representative: Bradford E. Kistler, P.O. Box 80288, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, between points in Minnesota bounded by a line beginning at St. Peter, Minn., and extending along U.S. Highway 169 to junction U.S. Highway 12, thence along U.S. Highway 12 to the Minnesota-Wisconsin State line, thence along the Minnesota-Wisconsin State line to Duluth, Minn., thence along U.S. Highway 61 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to Brainerd, Minn., thence along Minnesota Highway 371 to Little Falls, Minn., thence along U.S. Highway 10 to St. Cloud, Minn., thence along Minnesota Highway 15 to junction Minnesota Highway 22, thence along Minnesota Highway 22 to St. Peter, Minn., including points on the specified portions of the highways indicated, on the one hand and, on the other, points in Missouri located on and west of a line beginning at the Missouri-Arkansas State line and extending along U.S. Highway 65 to Springfield, Mo., thence along Missouri Highway 13 to junction Missouri Highway 32, thence along Missouri Highway 32 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 71, thence along U.S. Highway 71 to the Iowa-Missouri State line. The purpose of this filing is to eliminate the gateway of points within 25 miles of LeMars, Iowa.

No. MC 129872 (Sub-No. E11), filed May 24, 1974. Applicant: SCHUSTER TRANSPORT, INC., Knapp, Wis. 54749. Applicant's representative: Bradford E. Kistler, P.O. Box 80288, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, between points in Minnesota located within an area bounded by a line beginning at junction U.S. Highway 71 and Minnesota Highway 60 and extending along Minnesota Highway 60 to junction U.S. Highway 169, thence along U.S. Highway 169 to junction Minnesota Highway 22, thence along Minnesota Highway 22 to Hutchinson, Minn., thence along Minnesota Highway 15 to St. Cloud, Minn., thence along U.S. Highway 10 to Little Falls, Minn., thence along Minnesota Highway 371 to Brainerd, Minn., thence along Minnesota Highway 210 to junction U.S. Highway 61, thence along U.S. Highway 61 to Duluth, Minn., thence along Lake Superior to the United States-Canada International Boundary line, thence along the United States-Canada International Boundary line to U.S. Highway 71, thence along U.S. Highway 71 to junction Minnesota Highway 60, including points on the indicated portions of the highways specified, on the one hand and, on the other, points in Missouri located on and west of a line beginning at the Missouri-Arkansas State line and extending along U.S. Highway 63 to

Cabool, Mo., thence along U.S. Highway 60 to junction Missouri Highway 5, thence along Missouri Highway 5 to Lebanon, Mo., thence along Missouri Highway 32 to junction Missouri Highway 13, thence along Missouri Highway 13 to Warrensburg, Mo., thence along U.S. Highway 50 to junction Missouri Highway 291, thence along Missouri Highway 291 to junction U.S. Highway 169, thence along U.S. Highway 169 to St. Joseph, Mo., thence along U.S. Highway 71 to the Iowa-Missouri State line. The purpose of this filing is to eliminate the gateway of points within 25 miles of LeMars, Iowa.

No. MC 129872 (Sub-No. E12), filed May 24, 1974. Applicant: SCHUSTER TRANSPORT, INC., Knapp, Wis. 54749. Applicant's representative: Bradford E. Kistler, P.O. Box 80288, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, between points in Minnesota located on and west of U.S. Highway 71, on the one hand and, on the other, points in that part of Missouri located on, south, and west of a line beginning at St. Louis, Mo., and extending along Interstate Highway 70 to junction U.S. Highway 54, thence along U.S. Highway 54 to Mexico, Mo., thence along Missouri Highway 22 to junction U.S. Highway 63, thence along U.S. Highway 63 to Moberley, Mo., thence along U.S. Highway 24 to junction U.S. Highway 65, thence along U.S. Highway 65 to Chillicothe, Mo., thence along U.S. Highway 36 to the Caldwell-De Kalb County line, thence along the Caldwell-De Kalb County line to the De Kalb-Daviess County line, thence along the De Kalb-Daviess County line to the Daviess-Gentry County line, thence along the Daviess-Gentry County line to the Gentry-Harrison County line, thence along the Gentry-Harrison County line to the Harrison-Worth County line, thence along the Harrison-Worth County line to the Iowa-Missouri State line. The purpose of this filing is to eliminate the gateway of points within 25 miles of LeMars, Iowa.

No. MC 129872 (Sub-No. E13), filed May 24, 1974. Applicant: SCHUSTER TRANSPORT, INC., Knapp, Wis. 54749. Applicant's representative: Bradford E. Kistler, P.O. Box 80288, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, between points in that part of Minnesota located on and west of a line beginning at the Iowa-Minnesota State line and extending along U.S. Highway 59 to Thief River Falls, Minn., thence along Minnesota Highway 32 to junction Minnesota Highway 11, thence along Minnesota Highway 11 to junction Minnesota Highway 89, thence along Minnesota Highway 89 to the United States-Canada International Boundary line, on the one hand and, on the other, points in that part of Missouri on and north of a line beginning at St. Louis, Mo., and extending along Interstate Highway 70 to junction U.S. Highway 54, thence along U.S. Highway 54 to Mexico, Mo., thence along Missouri Highway 22 to junction U.S. Highway 63, thence along U.S. Highway 63 to Moberley, Mo., thence along U.S. Highway 24 to junction U.S. Highway 65, thence along U.S. Highway 65 to Chillicothe, Mo., thence along U.S. Highway 36 to the Caldwell-De Kalb County line, thence along the Caldwell-De Kalb County line to the De Kalb-Daviess County line, thence along the De Kalb-Daviess County line to the Daviess-Gentry County line, thence along the Daviess-Gentry County line to the Gentry-Harrison County line, thence along the Gentry-Harrison County line to the Harrison-Worth County line, thence along the Harrison-Worth County line to the Iowa-Missouri State line. The purpose of this filing is to eliminate the gateway of points within 25 miles of LeMars, Iowa.

No. MC 129872 (Sub-No. E14), filed May 24, 1974. Applicant: SCHUSTER TRANSPORT, INC., Knapp, Wis. 54749. Applicant's representative: Bradford E. Kistler, P.O. Box 80288, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, between points in Wisconsin located on and north of a line beginning at the Wisconsin-Minnesota State line and extending along Wisconsin Highway 25 to Durand, Wis., thence along Wisconsin Highway 85 to Eau Claire, Wis., thence along U.S. Highway 53 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to junction Wisconsin Highway 73, thence along Wisconsin Highway 73 to junction U.S. Highway 8, thence along U.S. Highway 8 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to Fifield, Wis., thence along Wisconsin Highway 70 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Wisconsin-Michigan State line, on the one hand, and, on the other, points in South Dakota located on and south of a line beginning at the Wyoming-South Dakota State line and extending along U.S. Highway 212 to Belle Fourche, S. Dak., thence along U.S. Highway 85 to junction South Dakota Highway 34, thence along South Dakota Highway 34 to junction U.S. Highway 14, thence along U.S. Highway 14 to Rapid City, S. Dak., thence along U.S. Highway 16 to junction South Dakota Highway 45, thence along South Dakota Highway 45 to junction South Dakota Highway 44, thence along South Dakota Highway 44 to junction South Dakota Highway 50, thence along South Dakota Highway 50 to the South Dakota-Iowa State line. The purpose of this filing is to eliminate the gateway of points within 25 miles of LeMars, Iowa.

No. MC 129872 (Sub-No. E15), filed May 24, 1974. Applicant: SCHUSTER TRANSPORT, INC., Knapp, Wis. 54749. Applicant's representative: Bradford E. Kistler, P.O. Box 80288, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, between points in Wisconsin located on and south of a line beginning at the Wisconsin-Minnesota State line and extending along Wisconsin Highway 25 to Durand, Wis., thence along Wisconsin Highway 85 to Eau Claire, Wis., thence along U.S. Highway 53 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to junction Wisconsin Highway 73, thence along Wisconsin Highway 73 to junction U.S. Highway 8, thence along U.S. Highway 8 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to Fifield, Wis., thence along Wisconsin Highway 70 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Wisconsin-Michigan State line, and on and north of a line beginning at La Crosse, Wis., and extending along U.S. Highway 16 to Wisconsin Dells, thence along Wisconsin Highway 23 to Fond du Lac, Wis., thence along U.S. Highway 151 to Manitowoc, Wis., on the one hand and, on the other, points in South Dakota located on and south of a line beginning at the South Dakota-Iowa State line and extending along South Dakota Highway 46 to junction South Dakota Highway 37, thence along South Dakota Highway 37 to Mitchell, S. Dak., thence along U.S. Highway 16 to junction South Dakota Highway 73, thence along South Dakota Highway 73 to junction South Dakota Highway 34, thence along South Dakota Highway 34 to junction South Dakota Highway 79, thence along South Dakota Highway 79 to junction U.S. Highway 212, thence along U.S. Highway 212 to the South Dakota-Wyoming State line. The purpose of this filing is to eliminate the gateway of points within 25 miles of LeMars, Iowa.

No. MC 129872 (Sub-No. E16), filed May 24, 1974. Applicant: SCHUSTER TRANSPORT, INC., Knapp, Wis. 54749. Applicant's representative: Bradford E. Kistler, P.O. Box 80288, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, between Gettysburg, S. Dak., and points in South Dakota located on, west, and south of a line beginning at the South Dakota-Iowa State line and extending along South Dakota Highway 38 to Sioux Falls, S. Dak., thence along U.S. Highway 16 to junction South Dakota Highway 45, thence along South Dakota Highway 45 to Miller, S. Dak., thence along U.S. Highway 14 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction U.S. Highway 212, thence along U.S. Highway 212 to junction South Dakota Highway 73, thence along South Dakota Highway 73 to junction U.S. Highway 12, thence along U.S. Highway 12 to the North Dakota-South Dakota State line, on the one hand, and, on the other, points in Wisconsin located north of a line beginning at the Wisconsin-Minnesota State line and extending along U.S. Highway 18 to Madison, Wis., thence along U.S. Highway 151 to junction Interstate Highway 94, thence along Interstate Highway 94 to Milwaukee, Wis., and on and south of a line beginning at La Crosse, Wis., and extending

along U.S. Highway 16 to Wisconsin Dells, Wis., thence along Wisconsin Highway 23 to Fond du Lac, Wis., thence along U.S. Highway 151 to Manitowoc, Wis. The purpose of this filing is to eliminate the gateway of points within 25 miles of Le Mars, Iowa.

No. MC 129872 (Sub-No. E17), filed May 24, 1974. Applicant: SCHUSTER TRANSPORT, INC., Knapp, Wis. 54749. Applicant's representative: Bradford E. Kistler, P.O. Box 80288, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, between points in Wisconsin located on and south of a line beginning at Prairie du Chien, Wis., and extending along U.S. Highway 18 to Madison, Wis., thence along U.S. Highway 151 to junction Interstate Highway 94, thence along Interstate Highway 94 to Milwaukee, Wis., on the one hand, and, on the other, points in South Dakota located on, south, and west of a line beginning at the South Dakota-Minnesota State line and extending along U.S. Highway 14 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 212, thence along U.S. Highway 212 to junction U.S. Highway 281, thence along U.S. Highway 281 to the North Dakota-South Dakota State line. The purpose of this filing is to eliminate the gateway of points within 25 miles of Le Mars, Iowa.

No. MC 136553 (Sub-No. E34), filed June 3, 1974. Applicant: ART PAPE TRANSFER, INC., 1080 East 12th Street, Dubuque, Iowa 52001. Applicant's representative: Arthur Pape (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from points in Illinois on and west of a line beginning at the Wisconsin-Illinois State line and extending along Illinois Highway 78 to junction U.S. Highway 67, thence along U.S. Highway 67 to Alton, Ill. (except in bulk, from points in Illinois within the St. Louis, Mo.-East St. Louis, Ill., Commercial Zones), to points in Minnesota and points in Wisconsin on and north of a line beginning at the Illinois-Wisconsin State line and extending along U.S. Highway 151 to its junction with Wisconsin Highway 78, thence along Wisconsin Highway 78 to its junction with U.S. Highway 51, thence along U.S. Highway 51 to its junction with Wisconsin Highway 23, thence along Wisconsin Highway 23 to Sheboygan, Wis. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 136553 (Sub-E35), filed June 3, 1974. Applicant: ART PAPE TRANSFER, INC., 1080 East 12th Street, Dubuque, Iowa 52001. Applicant's representative: Arthur Pape (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from those points in Missouri (except those points in Mo. within the Kansas City, Mo.-Kansas commercial zones) within an area bordered by a line starting at the Ia.-Mo. border and continuing south along U.S. Highway 61 to its junction with Mo. Highway 19, then south along Mo. Highway 19 to its junction with U.S. Highway 66, then west along U.S. Highway 66 to its junction with U.S. Highway 63, then south along U.S. Highway 63 to its junction with Mo. Highway 17, then south along Mo. Highway 17 to its junction with U.S. Highway 63, then south along U.S. Highway 63 to the Mo.-Ark. border to the Mo.-Okla. border, then north along the Mo.-Okla. and Mo.-Kansas border to St. Joseph, Mo., then east along U.S. Highway 36 to its junction with Mo. Highway 11, then north along Mo. Highway 11 to its junction with U.S. Highway 63, then north along U.S. Highway 63 to the Mo.-Ia. border, then east along the Mo.-Ia. border ending at its junction with U.S. Highway 61 to points in Wisconsin on and east of a line starting at the Ia.-Wis. border and continuing north along the Mississippi River to LaCrosse, Wis., then north along Wis. Highway 35 to its junction with Wis. Highway 25, then north along Wis. Highway 25 to its junction with U.S. Highway 8, then east along U.S. Highway 8 to its junction with U.S. Highway 53, then north along U.S. Highway 53 ending at Superior, Wisconsin; and points in Minnesota on and east of a line starting at Duluth, Minn. and continuing along U.S. Highway 53 ending at International Falls, Minnesota. The purpose of this filing is to eliminate the gateway of Dubuque, Iowa.

No. MC 136553 (Sub-No. E37), filed June 3, 1974. Applicant: ART PAPE TRANSFER, INC., 1080 East 12th Street, Dubuque, Iowa 52001. Applicant's representative: Arthur Pape (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from those points in Iowa within an area bordered by a line starting at Sioux City, Iowa and continuing east along U.S. Hwy. 20 to its junction with U.S. Hwy. 63, then north along U.S. Hwy. 63 to its junction with U.S. Hwy. 18, then west along U.S. Hwy. 18 to the Ia.-S. Dakota line, then south along the Ia.-S. Dakota line ending at Sioux City, Iowa, to points in that part of Wisconsin on and east of a line starting at the Ill.-Wis. border and continuing north along U.S. Hwy. 151 to its junction with U.S. Hwy. 45, then north along U.S. Hwy. 45 to its junction with Wis. Hwy. 22, then east along Wis. Hwy. 22 to its junction with U.S. Hwy. 41, then north along U.S. Hwy. 41 ending at the Wis.-Michigan border.

No. MC 136786 (Sub-No. E2), filed May 31, 1974. Applicant: ROBCO TRANSPORTATION, INC., 309 5th Avenue, N.W., New Brighton, Minn. 55112. 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: *Frozen fruits, frozen berries, and frozen vegetables*, from points in California in and north of Monterey, Kings, Tulare, and Inyo Counties, to points in Georgia and those in Florida in and east of Walton County, Fla. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-18714 Filed 7-17-75;8:45 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 15, 1975.

An application, as summarized below, has been filed requesting relief from the requirements of Section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

FSA No. 43019—*Beet or Cane Sugar to Points in Iowa and Illinois.* Filed by Trans-Continental Freight Bureau, Agent, (No. 494), for interested rail carriers. Rates on sugar, beet or cane, dry, in bulk, in carloads, as described in the application, from points in Montana, trans-continental, and western trunk-line territories, to Oskaloosa, Iowa, also Robinson and Steeleville, Illinois.

Grounds for relief—Returned shipments and rate relationship.

Tariffs—Supplement 172 to Western Trunk Line Committee, Agent, tariff 159-0, I.C.C. No. A-4481, and 4 other schedules named in the application. Rates are published to become effective on August 15, 1975.

FSA No. 43020—*Single Empty Freight Trailers Between Points in Southwestern and Southern Territories and Points in Illinois, Southwestern and WTL Territories.* Filed by Southwestern Freight Bureau, Agent, (No. B-539), for interested rail carriers. Rates on single empty freight trailers, as described in the application, between points in southwestern territory, also Natchez, Mississippi and Memphis, Tennessee, on the one hand, and points in Illinois, southwestern, and western trunk-line territories, on the other.

Grounds for relief—Rate relationship, short-line distance formula and grouping.

Tariffs—Supplement 140 to Southwestern Freight Bureau, Agent, tariff 77-G, I.C.C. No. 5030, and 3 other schedules named in the application. Rates are published to become effective on August 16, 1975.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-18716 Filed 7-17-75;8:45 am]

[Notice No. 78]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 16, 1975.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 C.F.R. § 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the Federal Register publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the Federal Register. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

No. MC 6741 (Sub-No. 7TA), filed June 27, 1975. Applicant: F. S. WILLEY COMPANY INC., doing business as WILLEY'S EXPRESS, 28 Center Street, Laconia, N.H. 03246. Applicant's representative: Frank J. Weiner, 15 Court Square, Boston, Mass. 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving Avon, Braintree, Brockton, Canton, Framingham, Holbrook, Marlboro, Milford, Seekonk, Shresbury, Southboro, South Easton, Whiteman, and Worcester, Mass., as off-route points in connection with carrier's authorized regular routes, restricted to traffic interchanged with motor common carriers, for 180 days. Supporting shippers: There are approximately 14 statements of support attached to the application, which may be examined at the Interstate Commerce Commission, in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 22254 (Sub-No. 81TA), filed July 2, 1975. Applicant: Trans-American Van Service, Inc., P.O. Box 12608, Fort Worth, Texas 76116. Applicant's representative: Theodore A. Coulter (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fuel cells and fuel cell parts and accessories* from Magnolia, in Columbia County, Ark., to McConnell AFB, Wichita in Sedgwick County, Kans. and Tinker AFB, Oklahoma City, Oklahoma County, Okla. (For 180 days.) Supporting shippers: The Boeing Company, 3801 S. Oliver, Wichita, Kansas 67210. Send protests to: Dist. Supv. H. C. Morrison, Sr., Rm. 9A27, Federal Building, 819 Taylor St., Fort Worth, TX 76102.

No. MC 30844 (Sub-No. 545TA), filed July 2, 1975. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial St., P.O. Box 5000, Waterloo, Iowa 50704. Applicant's representative: Paul Rhodes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles* distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of, or utilized by, Farmland Foods, Inc., located at or near Crete, Nebr., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennyslvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to the transportation of traffic originating at the above origin and destined to the above-named destinations, for 180 days. Supporting shipper: Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 52460 (Sub-No. 175TA), filed July 7, 1975. Applicant: ELLEX TRANSPORTATION, INC., 1420 West 35th St., P.O. Box 9637, Tulsa, Okla. 74107. Applicant's representative: Steve B. McCommas (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles* distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, Texas, and Wisconsin, for 180 days. Supporting shipper: Wayne E. Lemke, Mgr., Packinghouse Products, Traffic, Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Marie Spillars, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, Room 240 Old P.O. Bldg., Oklahoma City, Okla. 73102.

No. MC 59367 (Sub-No. 99TA), filed July 2, 1975. Applicant: DECKER TRUCK LINE, INC., P.O. Box 915, Fort Dodge, Iowa 50501. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles* distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, North Dakota, Ohio, South Dakota, and Wisconsin, restricted to the transportation of traffic originating at the above specified origin and destined to the named destinations, for 180 days. Supporting shipper: Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 69833 (Sub-No. 112TA), filed July 7, 1975. Applicant: ASSOCIATED TRUCK LINES, INC., Vandenberg Center, Grand Rapids, Mich. 49502. Applicant's representative: Harry Pohlad (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except articles of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plantsite of Essex International, Inc., at Topeka, Ind., as an off-route point in connection with its authorized regular route operations, to and from Fort Wayne, Ind., and Angola, Mich., applicant intends to interline at all common points under its existing authority, for 180 days. Supporting shipper: Essex International, Inc., P.O. Box 1216, 1601 Wall St., Fort Wayne, Ind. 46804. Send protests to: C. R. Fleming, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 225 Federal Bldg., Lansing, Mich. 48933.

No. MC 98154 (Sub-No. 15TA), filed July 3, 1975. Applicant: BRUCE CARTAGE, INCORPORATION, 3460 East Washington Road, Saginaw, Mich. 48601. Applicant's representative: Karl L. Gotting, 1200 Bank of Lansing Bldg., Lansing, Mich. 48933. Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt with by retail department stores, between Flint, Mich., on the one hand and, on the other, J. C. Penney Company, Inc., stores and warehouses, located at points in Michigan south of a line beginning at Lake Michigan and extending east along the north boundary of Manistee, Wexford, and Missaukee Counties, thence south along the east boundary of Missaukee County to the north boundary of Clare County, thence east along the north boundary of Clare County and the north boundary of Gladwin County to the east boundary of Gladwin County, thence south along the east boundary of Gladwin and Midland Counties to a point due west of Kawkawlin, Mich., thence east along an imaginary line drawn east and west through Kawkawlin, Mich., to Saginaw Bay., for 180 days. Supporting shipper: J. C. Penney Company, Inc., 1301 Avenue of the Americas, New York, N.Y. 10019. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 225 Federal Bldg., Lansing, Mich. 48933.

No. MC 107515 (Sub-No. 984TA), filed July 7, 1975. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Rd. NE., Atlanta, Ga. 30026. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles* as distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee, restricted to the transportation of traffic originating at the above origin and destined to the above destinations, for 180 days. Supporting shipper: Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: William L. Scroggs, District Supervisor, 1252 W. Peachtree St. NW., Room 546, Atlanta, Ga. 30309.

No. MC 107567 (Sub-No. 25TA), filed July 7, 1975. Applicant: SILVER WHEEL FREIGHTLINES, INC., 1321 S.E. Water Ave., Portland, Oreg. 97214. Applicant's representative: Ronald D. Browning (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural herbicides, insecticides, pesticides, and fungicides* and (2) *related commodities of adhesives, adjuvants, and spreaders* when used in connection with commodities in (1) above, between Yakima County, Wash., on the one hand and, on the other, points in Hood River, Wasco, Sherman, Gilliam, Morrow, and Umatilla Counties, Oreg., for 180 days. Supporting shippers: FMC Corp., Ag., Chem., Div., P.O. Box 1669, Fresno, Calif. 93717. Thompson-Hayward Chemical Company, P.O. Box 701, Yakima, Wash. 98907. Wilbur-Ellis Company, 7 E. Washington Ave., Yakima, Wash. 98903. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oreg. 97204. Applicant intends to tack the instant application with its regular route authority at Goldendale, Wash., embraced within its Sub-18 authority, and at Pasco, Wash., embraced within its Sub authority, for service to the States of Oregon and Idaho restricted against traffic moving west of Hood River, Oreg.

No. MC 110410 (Sub-No. 16TA), filed July 1, 1975. Applicant: BENTON BROTHERS FILM EXPRESS, INC., 168 Baker St. NW., Atlanta, Ga. 30313. Applicant's representative: Warren Goff, 2008 Clarke Tower, Memphis, Tenn. 38137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motion picture theatre supplies and advertising material*, between Atlanta, Ga., and Charlotte, N.C., for 180 days. Supporting shippers: There are approximately 7 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: William L. Scroggs, District Supervisor, Room 546, 1252 Peachtree St. NW., Atlanta, Ga. 30309.

NOTE.—Applicant intends to tack its existing authority with MC 110410, either/or Atlanta, Ga., or Charlotte, N.C.

No. MC 112989 (Sub-No. 43TA), filed July 7, 1975. Applicant: West Coast Truck Lines, Inc., Route 4, Box 194–R, Eugene, Oregon 97405. Applicant's representative: Jerry R. Woods, 100 S.W. Market, 620 Blue Cross Building, Portland, Oregon 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *bark products, including bark flour, bark cork, and bark wax* from the plant site of Bohemia, Inc. near Coburg, Oreg. to points in Washington, California, Montana, Idaho, Nevada, New Mexico, Arizona, and Utah. (For 180 days) Supporting shippers: Bohemia, Inc., 2280 Oakmont Way, Eugene, OR 97401. Send protests to: District Supervisor A. E. Odoms, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oregon 97204.

No. MC 119791 (Sub-No. 1TA), filed June 30, 1975. Applicant: Robert J. Eichelberger, 1220 Roosevelt Avenue, York, Pa. 17404. Applicant's representative: None. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used scrap cardboard and waste paper*, from the distribution center of Giant Foods in Landover, Md., to the storage facilities of Gordon Waste in Hungerford, Pa., for 180 days. Supporting shippers: Gordon Waste Co., Inc., Box 301, Columbia, Pa. 17512. Send protests to: Robert P. Amerine, Dist. Supv., Bureau of Operations, Interstate Commerce Commission, 278 Federal Building, Post Office Box 869, Harrisburg, Pa. 17108.

No. MC 119974 (Sub-No. 50TA), filed July 3, 1975. Applicant: L. C. L. TRANSIT COMPANY, 949 Advance St., Green Bay, Wis. 54304. Applicant's representative: L. F. Abel, P.O. Box 949, Green Bay, Wis. 54305. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles* distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, North Dakota, Ohio, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: John E. Ryden, Interstate Commerce Commission, Bureau of Operations, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 123389 (Sub-No. 22TA), filed July 3, 1975. Applicant: Crouse Cartage Company, P.O. Box 151, Carroll, Iowa 51401. Applicant's representative: James E. Ballenthin, 630 Osborn Building, St. Paul, MN 55102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles* distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk) from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, and Wisconsin, restricted to the transportation of traffic originating at the above origin and destined to the above named destinations (for 180 days). Supporting shippers: Wayne E. Lemke, Manager-Packinghouse Product Traffic, Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Missouri 64116. Send protests to: Carroll Russell, District Supervisor, Suite 620, Union Pacific Plaza, 110 North 14th Street, Omaha, Nebraska 68102.

No. MC 133534 (Sub-No. 11TA), filed July 3, 1975. Applicant: ROBERT V. MARKT, P.O. Box 85, Station A, St. Joseph, Mo. 64503. Applicant's representative: Lucy Kennard Bell, Suite 910 Fairfac Bldg., 101 West 11th St., Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products,*

and articles distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arkansas, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, New Mexico, Oklahoma, South Dakota, Texas, Wisconsin, restricted to the transportation of traffic originating at the above origin and destined to the above-named destinations for 180 days. Supporting shipper: Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 134134 (Sub-No. 18TA), filed July 7, 1975. Applicant: Mainliner Motor Express, Inc., 2002 Madison Street, Omaha, Nebraska 68107. Applicant's representative: Jack H. Blanshan, 29 South La Salle Street, Chicago, Illinois 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *meat, meat products, meat by-products, and articles* distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebraska, to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia. Restricted to the transportation of traffic originating at the above origin and destined to the above-named destinations (for 180 days). Supporting shippers: Wayne E. Lemke, Manager-Packinghouse Product Traffic, Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Missouri 64116. Send protests to: District Supervisor Carroll Russell, Suite 620, Union Pacific Plaza, 110 North 14th Street, Omaha, Nebraska 68102.

No. MC 134755 (Sub-No. 55TA), filed July 2, 1975. Applicant: CHARTER EXPRESS, INC., 1959 E. Turner Street, P.O. Box 3772, Springfield, Mo. 65804. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Lime juices, Bloody Mary mixes, and grenadine syrups* (except in bulk), from Warwick, R.I., to points in Texas, Oklahoma, Nebraska, Colorado, Illinois, Missouri, Kansas, Iowa, Indiana, Arkansas, Mississippi, North Carolina, Georgia, Alabama, Ohio, Wisconsin, California, Washington, Oregon, New Mexico, and Arizona, for 180 days. Supporting shipper: Cadbury-Schweppes U.S.A., Traffic Distribution Manager, 1200 High Ridge Road, Stamford, Conn. 06905. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 600 Federal Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 135116 (Sub-No. 2TA), filed July 7, 1975. Applicant: Reliable Transfer Company, 1911 Gillespie Avenue, Knoxville, TN 37917. Applicant's representative: Paul M. Daniell, P.O. Box 872, Atlanta, Ga. 30301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except dangerous explosives, and commodities in bulk), restricted to shipments having a prior or subsequent movement by air, between the McGhee-Tyson Airport, at or near Knoxville, Tenn., on the one hand, and, on the other, Oak Ridge, Tenn. (for 180 days). Supporting shippers: U.S. Energy Research and Development Administration, Oak Ridge, Tennessee (U.S. Government). Send protests to: Mr. Joe J. Tate, District Supervisor, Bureau of Operations, ICC Suite A–422, U.S. Court House, Nashville, TN 37203.

No. MC 136816 (Sub-No. 4TA), filed July 7, 1975. Applicant: THE UNIVERSE COMPANY, INC., 3523 "L" Street, Omaha, Nebr. 68107. Applicant's representative: Jack H. Blanshan, 29 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, restricted to the transportation of traffic originating at the above origin and destined to the above-named destinations, for 180 days. Supporting shipper: Wayne E. Lemke, Manager-Packinghouse Product Traffic, Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Carroll Russell, District Supervisor, Suite 620, Union Pacific Plaza, 110 North 14th Street, Omaha, Nebr. 68102.

No. MC 138018 (Sub-No. 22TA), filed July 1, 1975. Applicant: REFRIGERATED FOODS, INC., 1420 33rd Street, Denver, Colo. 80205. Applicant's representative: Joseph W. Harvey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles* distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, restricted to traffic originating at the above origin and destined to the above-named destination states, for 180 days. Supporting shipper: Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, 1961 Stout St., 2022 Federal Bldg., Denver, Colo. 80202.

No. MC 139973 (Sub-No. 4TA), filed July 3, 1975. Applicant: J. H. WARE TRUCKING, INC., 909 Brown Street, P.O. Box 398, Fulton, Mo. 65251. Applicant's representative: Larry D. Knox, 900 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime juice, Bloody Mary mixes, and grenadine syrups* (except in bulk), from Warwick, R.I., to points in Nebraska, Colorado, Missouri, Kansas, Texas, Oklahoma, New Mexico, Arizona, California, Oregon, Illinois, Arkansas, Indiana, and Virginia, for 180 days. Supporting shipper: Cadbury-Schweppes U.S.A., 1200 High Ridge Road, Stamford, Conn. 06905. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, 600 Federal Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 140706 (Sub-No. 1TA), filed July 3, 1975. Applicant: Harnett Transfer, Inc., Route 4, Dunn, North Carolina 28334. Applicant's representative: W. Glenn Johnson, Atty. at Law, 31 East Harnett St., Lillington, NC 27546. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery products*, From plant site of Allied Bakers, Inc., of Westbury, N.Y., to points in South Carolina (for 180 days). Supporting shippers: Allied Bakers Co., Inc., 437 Railroad Ave., Westbury, NY. 11590. Send protests to: Archie W. Andrews, Dist. Supvr., Bureau of Operations, ICC P.O. Box 26896, Raleigh, NC 27611.

No. MC 140844 (Sub-No. 1TA) (Correction), filed April 29, 1975, published in the FEDERAL REGISTER issue of May 28, 1975, and republished as corrected this issue. Applicant: TERRY L. PRIEST, Box 188, New Florence, Pa. 15944. Applicant's representative: John A. Pillar, 1122 Frick Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages* (except in bulk), *and related advertising material*, (1) from Cleveland, Ohio, to the Boroughs of Clymer and Indiana, Indiana County, Pa., the Boroughs of East Vandergrift and Bolivar, Westmoreland County, Pa., and the Township of Somerset, Somerset County, Pa., *and empty malt beverage containers* on return, under a continuing contract or contracts with (1) Paul and Dominic LaMantia, t/a LaManita Beer Distribu-

tors; (2) George J. Paytash and Elsie Paytash, t/d/b/a Clymer Beverage Company; (3) Bertha T. Dellafiora, d/b/a National Beer Sales; (4) Chester Rukas and Irene Rukas, d/b/a Rukas Beverage Distributing Company; and (5) Joseph and Josephine Picadio, d/b/a Picadio Beer Distributors; for 180 days. Supporting shippers: There are approximately 6 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: James C. Donaldson, District Supervisor, Interstate Commerce Commission, 2111 Federal Bldg., 1000 Liberty Ave., Pittsburgh, Pa. 15222. The purpose of this republication is to omit part (2).

No. MC 141092 (Sub-No. 1TA), filed July 3, 1975. Applicant: ELMER R. HOPKINS AND NORMA K. HOPKINS, doing business as HOPKINS TRUCK LINE, Route 1, Garden City, Mo. 64747. Applicant's representative: Frank W. Taylor, Jr., 1221 Baltimore Avenue, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and bone meal, feather meal, blood meal, corn screenings, millfeed, hominy feed, soymeal, alfalfa dehydrated and various feed ingredients*, between points in Nebraska, Kansas, Iowa, Missouri, Arkansas, and Oklahoma, for 180 days. Supporting shipper: The Pillsbury Co., 6405 Metcalf, Suite 508, Shawnee Mission, Kans. 66202. Send protests to: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Bldg., 911 Walnut St., Kansas City, Mo. 64106.

No. MC 141097TA, filed July 2, 1975. Applicant: CAL-TEX, INC., 3051 Capri Lane, Costa Mesa, Calif. 92626. Applicant's representative: Eric Meierhoefer, 915 Pennsylvania Bldg., 425 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Synthetic yarn, and synthetic fiber*, from Decatur and Muscle Shoals, Ala., Seaford, Del., Pensacola, Fla., Milledgeville and Rome, Ga., Charlotte, Enka, Fayetteville, High Shoals, Moncure, Salisbury, and Shelby, N.C., Camden, Central, Clemson, Columbia, Darlington, Greenville, and Greenwood, S.C., Chattanooga, Elizabethton, Etowah, Kingsport, and Lowland, Tenn.; Hopewell, Martinsville and Richmond, Va., to the facilities of Pharr Yarns, located at or near McAdenville, Gastonia, Belmont, and Spencer Mt., N.C., Clover, S.C., Rome, Ga., and Costa Mesa, Calif.; (2) *Synthetic yarn, and synthetic fiber*, (a) between the facilities of Pharr Yarns, Inc., located at or near McAdenville, Gastonia, Belmont, and Spencer Mt., N.C., Clover, S.C., Rome, Ga., and Costa Mesa, Calif., on the one hand, and, on the other, Dallas, Marlin, El Paso, Hillsboro, and Houston, Tex., Lake Charles, La., Las Cruces and Albuquerque, N. Mex., Phoenix, Ariz., and points in Oklahoma and California; and (b) from the facilities of Pharr Yarns, located at or near Costa Mesa, Calif., to points in Georgia, Tennessee, Alabama, North Carolina, South Carolina, and Pennsylvania; (3) *Synthetic yarn, and synthetic fiber*, between the facilities of Pharr Yarns, located at or near McAdenville, Gastonia, Belmont, and Spencer Mt., N.C., Clover, S.C., and Rome, Ga. Restriction: the above described service to be restricted to transportation to be performed under a continuing contract or contracts, with Pharr Yarns, Inc., of McAdenville, N.C., for 180 days. Supporting shipper: Pharr Yarns, Inc., McAdenville, N.C. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321, Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 141102 (Sub-No. TA), filed July 7, 1975. Applicant: RAY EILLIAMS, doing business as EMRAY TRUCKING COMPANY, 97 Wegman Parkway, Jersey City, N.J. 07305. Applicant's representative: John Gero, 610 Belgrove Drive, Kearny, N.J. 07032. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Used transformers*, in shipper-owned equipment, from Long Island City, West Nyack, Spring Valley, Montoe, Middletown, Yonkers, Eastview, N.Y.; Greenwich, Norwalk, Stamford, New Milford, Bethel, Waterbury, Meriden, New Britain, Bristol, Torrington, Madison, Willimantic, Mystic, Danielson, Conn., to Kearny, N.J., under continuing contract or contracts with G & S Motor Equipment Corp., Inc., for 180 days. Supporting shipper: G & S Motor Equipment Corp., Inc., 1800 Harrison Ave., Kearny, N.J. 07023. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

WATER CARRIER APPLICATION

No. WC 1293 (Sub-No 1TA), filed July 3, 1975. Applicant: PRUDENTIAL LINES, INC., One California Street, San Francisco, Calif. 94106. Applicant's representative: John A. Traina, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by water, as follows: *Passengers and baggage*, between Tacoma, Wash., Portland, Oreg., San Francisco, Calif., Long Beach, Calif., and San Diego, Calif., by self-propelled vessels, for 180 days. Supporting shipper: MBF Travel Services, 2695 Middlefield Road, Palo Alto, Calif. 94306. Send protests to: Claud W. Reeves, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Ave., Box 36004, San Francisco, Calif. 49102.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-18717 Filed 7-17-75;8:45 am]

[Notice No. 77]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 11, 1975.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 C.F.R. § 1131.3. These rules provide than an original and six (6) copies of protests to an application may be filed with the field official named in the Federal Register publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the Federal Register. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the MC docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

No. MC 531 (Sub-No. 319TA), filed July 3, 1975. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors*, in bulk, in tank vehicles, from New Orleans, La.; Bardstown, Ky.; Newark, N.J.; Lake Alfred, Fla.; and Weston, Mo., to Portland, Oreg., for 180 days. Supporting shipper: Potter Distilleries, Inc., P.O. Box 3010, Langley, C. C., Canada. Send protests to: John Mensing, District Supervisor, Interstate Commerce Commission, Room 8610, Federal Bldg., 515 Rusk, Houston, Tex. 77002.

No. MC 43165 (Sub-No. 13TA), filed July 3, 1975. Applicant: LOUDOUN TRANSFER, INC., P.O. Box 703, Leesburg, Va. 22075. Applicant's representative: Thomas G. Jewell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone dust*, from Millville, W. Va., to Herndon, Va., for 180 days. Supporting shipper: Cherrydale Cement Block Co., Inc., 220

Spring St., Herndon, Va. 22070. Send protests to: W. C. Hersman, District Supervisor, Interstate Commerce Commission, 12th & Constitution Ave., N.W., Room 317, Washington, D.C. 20423. Applicant intends to tack with its existing authority in MC 43165.

No. MC 48221 (Sub-No. 5TA), filed July 2, 1975. Applicant: W. N. MOREHOUSE TRUCK LINE, INC., 1410 Dahlman Ave., Omaha, Nebr. 68107. Applicant's representative: Donald L. Stern, 530 Univac Bldg., 7100 West Center Road, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles*, distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, for 180 days. Supporting shipper: Wayne E. Lemke, Manager, Packinghouse Product Traffic, Farmland Foods, Inc., 3315 North Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Carroll Russell, District Supervisor, Suite 620 Union Pacific Plaza, 110 North 14th St., Omaha, Nebr. 68102.

No. MC 53965 (Sub-No. 110TA), filed July 2, 1975. Applicant: GRAVES TRUCK LINE, INC., 2130 South Ohio, Salina, Kans. 67401. Applicant's representative: John E. Jandera, 641 Harrison St., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles*, distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arkansas plus Memphis Commercial Zone, Colorado, Iowa, Kansas, Louisiana, Missouri plus St. Louis Commercial Zone, New Mexico, North Dakota, Oklahoma, South Dakota, and Texas, restricted to transportation of traffic originating at the above origin and destined to the above-named destinations, for 180 days. Supporting shipper: Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Thomas P. O'Hara, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 234 Federal Bldg., Topeka, Kans. 66603.

No. MC 95920 (Sub-No. 39TA), filed June 30, 1975. Applicant: SANTRY TRUCKING COMPANY, 11552 S.W. Pacific Highway, Portland, Oreg. 97223. Applicant's representative: George R. LaBissoniere, 1100 Norton Bldg., Seattle, Wash. 98104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Diatomaceous earth*, from Clark and Colado, Nev., to the U.S.-Canada Boundary line at or near Blaine, Wash., for 180 days. Supporting shipper: Van Waters and Rogers, Ltd., 980 VanHorn Way, Richmond, B. C., Canada. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 107734 (Sub-No. 35TA), filed July 2, 1975. Applicant: SYSTEM TRANSPORT, INC., 11707 E. Montgomery, P.O. Box 3456TA, Spokane, Wash. 99220. Applicant's representative: S. J. Cully, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, wood-products, and millwork*, from points in Oregon and Washington, to points in Montana, for 180 days. Supporting shippers: Sirco Manufacturing Inc., 1919 N. Ave., West, Missoula, Mont. 59801. U.S. Plywood Corp., 515 N. Havana, Spokane, Wash. 99202. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174.

No. MC 100517 (Sub-No. 3TA) (Correction), filed June 16, 1975, published in the FEDERAL REGISTER issue of July 8, 1975, and republished as corrected this issue. Applicant: REDDING TRANS., INC., 133 Elm Street, North Uxbridge, Mass. 01538. Applicant's representative: Arthur A. Wentzell, P.O. Box 764, Worcester, Mass. 01613. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cotton piece goods; yarn, mohair, orlon, rayon and wool; bobbins; thread, cotton, rayon, and wool; printed matter; knitting needles*, between Uxbridge, Mass., on the one hand, and, on the other, Boston, Mass., including Logan International Airport, East Boston and Worcester, Mass., restricted to traffic moving in interstate commerce, from the plant of Emile Bernat & Sons Co., for 180 days. Emile Bernat & Sons, Inc., Mendon St., Uxbridge, Mass. 05138. Send protests to: Gerald H. Curry, District Supervisor, 187 Westminster St., Providence, R.I. 02903. The purpose of this republication is to correct the docket number which was previously published in error as MC 103993 (Sub-No. 857TA).

No. MC 111812 (Sub-No. 516TA), filed July 2, 1975. Applicant: MIDWEST COAST TRANSPORT, INC., 900 West Delaware, P.O. Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representative: Ralph H. Jinks (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles*, distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, restricted to the transportation of traffic originating at the above origin and destined to the above-named destinations, for 180 days. Supporting shipper: Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 369, Federal Bldg., Pierre, S. Dak. 57501.

No. MC 114632 (Sub-No. 83TA), filed July 2, 1975. Applicant: APPLE LINES, INC., 212 S.W. Second, Madison, S. Dak. 57042. Applicant's representative: Robert A. Applewick (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products, and articles*, distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Iowa, Kansas, Minnesota, North Dakota, Oklahoma, South Dakota, Texas, and Wisconsin, restricted to the transportation of traffic originating at the above origin and destined to the above-named destinations, for 180 days. Supporting shipper: Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 369, Federal Bldg., Pierre, S. Dak. 57501.

No. MC 115931 (Sub-No. 30TA), filed July 1, 1975. Applicant: BEE LINE TRANSPORTATION, INC., P.O. Box 925, Baker, Mont. 59313. Applicant's representative: William Grimshaw (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, packaged in bags and/or boxes, *and materials* relevant to the protection, handling, and sale of this product, from Casper and Sheridan, Wyo., to points in Arizona, Colorado, California, Nevada, Oregon, Washington, Utah, Idaho, Montana, Missouri, Illinois, Iowa, Minnesota, and New Mexico, for 180 days. Supporting shipper: Fireplace Fuels, Inc., P.O. Box 3744, Casper, Wyo. 82601. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Room 222, U.S. P.O. Bldg., Billings, Mont. 59101.

No. MC 117815 (Sub-No. 246TA), filed July 3, 1975. Applicant: PULLEY FREIGHT LINES, INC., 405 S.E. 20th Street, Des Moines, Iowa 50317. Applicant's representative: Larry D. Knox, 900 Hubbell Bldg., Des Moines, Iowa

50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles* distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., located at or near Crete, Nebr., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin, restricted to the transportation of traffic originating at the above origin and destined to the above-named destinations, for 180 days. Supporting shipper: Farmland Foods, Inc., 3315 North Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 124211 (Sub-No. 266TA), filed July 1, 1975. Applicant: HILT TRUCK LINE, INC., P.O. Box 988 DTS, Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *meats, meat products, meat by-products, and articles* distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Food, Inc., located at or near Crete, Nebr., to points in Arizona, Colorado, California, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, for 180 days. Supporting shipper: Wayne E. Lemke, Manager, Packinghouse Product Traffic, Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Carroll Russell, District Supervisor, Suite 620 Union Pacific Plaza, 110 North 14th St., Omaha, Nebr. 68102.

NOTE.—The above commodities are restricted to the transportation of traffic originating at the above origin and destined to the above-named destinations.

No. MC 124656 (Sub-No. 9TA), filed July 2, 1975. Applicant: JOHN LONG TRUCKING, INC., 1030 Denton Street, Sapulpa, Okla. 74066. Applicant's representative: Dean Williamson, 280 National Foundation Life Bldg., 3535 N.W. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Glass*, for recycling purposes, from Lewistown, Mont., to Sapulpa, Okla., for 180 days. Supporting shipper: Liberty Glass Company, Keith Kelley, T.M., P.O. Box 520, Sapulpa, Okla. Send protests to: Marie Spillars, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, Room 240 Old P.O. Bldg., 215 N.W. Third, Oklahoma City, Okla. 73102.

No. MC 125996 (Sub-No. 51TA), filed July 3, 1975. Applicant: ROAD RUNNER TRUCKING, INC., P.O. Box 37491, Omaha, Nebr. 68137. Applicant's representative: Donald Stern, 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, meat by-products and articles* distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of Farmland Foods, Inc., located at or near Crete, Nebr., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming, restricted to the transportation of traffic originating at the above origin and destined to the above-named destinations, for 180 days. Supporting shipper: Wayne E. Lemke, Manager, Packinghouse Product Traffic, Farmland Foods, Inc., 3315 N. Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Carroll Russell, District Supervisor, Suite 620 Union Pacific Plaza, 110 North 14th St., Omaha, Nebr. 68102.

No. MC 126276 (Sub-No. 124TA) (Correction), filed June 11, 1975, published in the FEDERAL REGISTER issue of June 24, and republished as correct this issue. Applicant: FASTMMOTOR SERVICE, INC. 9100 Plainfield Road, Brookfield, Ill. 60513. Applicant's representative: Albert A. Andrin, 127 N. Dearborn St., Chicago, Ill. 60602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Containers and container ends*, from the warehouse site of National Can Corp., at St. Louis, Mo., to points in Belleville, Ill., for 180 days. Supporting shipper: Floyd C. Stone, District Traffic Manager, National Can Corporation, 8101 W. Higgins, Chicago, Ill. 60631. Send protests to: Robert G. Anderson, District Supervisor, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604. The purpose of this republication is to correct the applicant's name.

No. MC 133920 (Sub-No. 9TA), filed July 3, 1975. Applicant: HOWARD SHEPPARD, INC., P.O. Box 755, Sandersville, Ga. 31082. Applicant's representative: Virgil H. Smith, Suite 12, 1587 Phoenix Blvd., Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand, gravel and crushed stone*, in bags (restricted against shipments in bulk, in tank vehicles), from the plantsite of Dawes Silica Mining Company, Inc., located at Eden, Effingham County, and at or near Thomasville, Thomas County, Ga., to points in Alabama, Florida, Mississippi, North Carolina, South Carolina, Tennessee, and Richmond, Va., for 180 days. Supporting shipper: Dawes Silica Mining Company Incorporated, 2480 Windy Hill Road, Suite 308, Marietta, Ga. 30062. Send protests to: William L. Scroggs, District Supervisor, Room 546, 1252 W. Peachtree St., N.W., Atlanta, Ga. 30309.

No. MC 134335 (Sub-No. 3TA), filed July 1, 1975. Applicant: ALL FREIGHT, INC., 3600 Lakeside Avenue, Cleveland, Ohio 44103. Applicant's representative: James Keck (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum, viz, bars, billets, ingots, pigs, slabs, and sows*, from the plant of Alumax, Ind., Frederick, Md., to its plants at Atlanta, Ga., Bloomsburg, Pa., Carrollton, Ky., Chicago, Ill., Chicotha, Okla., Cleveland, Ohio, Decatur, Ala., Franklin, Ind., Harrisburg, Va., Hernando, Miss., Morris, Ill., Plant City, Fla., and St. Louis, Mo., for 180 days. Supporting shipper: Alumax, Ind., 211 West Washington St., South Bend, Ind. Send protests to: James Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Bldg., 1240 East Ninth St., Cleveland, Ohio 44199.

No. MC 135364 (Sub-No. 24 TA) (Correction), filed June 13, 1975, published in the FEDERAL REGISTER issue of June 30, 1975, and republished as corrected this issue. Applicant: MORWALL TRUCKING, INC., R.D. #3, Box 76–C, Moscow, Pa. 18444. Applicant's representative: Kenneth R. Davis, 121 S. Main Street, Taylor, Pa. 18517. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trading stamps having exchange value, and related advertising material*, from Jessup, Pa., to Los Angeles and Richmond, Calif.; Denver, Colo.; Norcross, Ga.; Chicago, Ill.; Indianapolis, Ind.; Natick, Mass.; Detroit, Mich.; Minneapolis, Minn.; St. Louis, Mo.; Nashua, N.H.; Metuchen, N.J.; New York Piers and Wharves, N.Y.; Sparks, Nev.; Cincinnati, Cleveland, Columbus, and Dayton, Ohio; Charleston, S.C.; Memphis, Tenn.; Corpus Christi, Dallas, Fort Worth, Houston, and Waco, Tex. Restriction: All shipments to be accompanied by a security guard furnished by the carrier; (2) *Materials and supplies*, used in the manufacture of the above commodities, from New Jersey, Massachusetts, Michigan, Maine, New Hampshire, and New York, to Jessup, Pa., for 180 days. Supporting shipper: Eureka Security Printing Company, Inc., 101 Church St., Jessup, Pa. 18434. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 314 U.S. P.O. Bldg., Scranton, Pa. 18503. The purpose of this republication is to correct the territorial description.

No. MC 136212 (Sub-No. 16TA), filed July 2, 1975. Applicant: JENSEN TRUCKING COMPANY, INC., P.O. Box 349, Gothenburg, Nebr. 69138. Applicant's representative: Frederick J. Coffman,

P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles*, distributed by meat packinghouses as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities of or utilized by Farmland Foods, Inc., at or near Crete, Nebr., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, North Dakota, Ohio, South Dakota, and Wisconsin. Restriction: Restricted to transportation of traffic originating at the named origin and destined to the named destinations, for 180 days. Supporting shipper: Wayne E. Lemke, Manager, Packinghouse Product Traffic, Farmland Foods, Inc., 3315 North Oak Trafficway, Kansas City, Mo. 64116. Send protests to: Max H. Johnston, District Supervisor, 320 Federal Bldg. and Court House, Lincoln, Nebr. 68508.

No. MC 138328 (Sub-No. 22TA), filed July 2, 1975. Applicant: CLARENCE L. WERNER, doing business as WERNER ENTERPRISES, P.O. Box 831, Council Bluffs, Iowa 51501. Applicant's representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cookies*, from the facilities of Ripon Foods, Inc., at Ripon, Wis., to points in Arizona (except Tucson and Phoenix), Colorado (except Denver), Idaho (except Pocatello), Montana, Nevada, New Mexico, Oklahoma, Texas, and Utah (except Salt Lake City), for 180 days. Supporting shipper: J. R. Clark, Executive Vice President, Ripon Foods, Inc., 420 Oshkosh, Ripon, Wis. 54971. Send protests to: Carroll Russell, District Supervisor, Suite 620 Union Pacific Plaza, 110 North 14th St., Omaha, Nebr. 68102.

No. MC 139080 (Sub-No. 1TA), filed July 2, 1975. Applicant: CENTRAL DELIVERY SERVICES, INC., Route 3, North Brady St., Rd., Davenport, Iowa 52804. Applicant's representative: Robert R. Rydell, 900 Savings and Loan Bldg., Des Moines, Iowa 50309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Home, laundry, toilet care preparations, cosmetics, cookware, cutlery, and food supplements* (except commodities in bulk), from Davenport, Iowa, to points in Iowa, service is limited to shipments having a prior out-of-state movement, for 180 days. Supporting shipper: Amway Corporation, 7575 East Fulton Road, Ada, Mich. 49355. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 139743 (Sub-No. 3TA), filed July 2, 1975. Applicant: GEORGIA CARPET EXPRESS, INC., P.O. Box 1680 (Tibbs Road), Dalton, Ga. 30720. Applicant's representative: Archie B. Culbreth, Suite 246, 1252 Peachtree St., N.W., Atlanta, Ga. 30309. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carpets, carpeting and yarn*, from points in Walker, Whitfield, Bartow, Gordon, Murray, Pickens, Chattooga, Hall, Gilmer, and Colquitt Counties, Ga., to points in Washington, Oregon, Nevada, California, Idaho, Wyoming, Utah, Arizona, Montana, and points in Colorado, New Mexico, North Dakota, and South Dakota on and west of U.S. Highway 85, for 180 days. Supporting shippers: E. T. Barwick Industries, Inc., P.O. Box 441, Lafayette, Ga. 30728. Galaxy Carpet Mills, Inc., P.O. Box 800, Chatsworth, Ga. 30705. Talston Corporation, 3960 Peachtree Rd., N.E., Atlanta, Ga. 30319. C. H. Robinson Company, 214 Administration Bldg., State Farmers Market, Forest Park, Ga. 30050. Send protests to: William L. Scroggs, District Supervisor, Room 546, 1252 W. Peachtree St., N.W., Atlanta, Ga. 30309.

No. MC 139923 (Sub-No. 5TA), filed July 2, 1975. Applicant: MILLER TRUCKING CO., INC., P.O. Drawer "D," Stroud, Okla. 74079. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 N.W. 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing and roofing materials* (except commodities in bulk, in tank vehicles), from Stroud, Okla., to points in Kansas and Missouri, for 180 days. Supporting shipper: Allied Materials Corporation, Glen C. Bateman, T.M., 5101 N. Pennsylvania, Oklahoma City, Okla. 73112. Send protests to: Marie Spillars, Transportation Assistant, Interstate Commerce Commission, Bureau of Operations, Room 240, Old P.O. Bldg., 215 Third, Oklahoma City, Okla. 73102.

No. MC 140025 (Sub-No. 1TA), filed July 2, 1975. Applicant: L & T, INC., 2650 Beaver Street, Jacksonville, Fla. 32205. Applicant's representative: McCarthy Crenshaw, 1205 Universal Marion Bldg., 21 West Church Street, Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in containers or trailers having an immediate prior or subsequent movement by water carrier engaged in transportation not regulated by Part III of the Interstate Commerce Act, between the steamship piers in the City of Jacksonville, Fla., on the one hand, and, on the other, all points within the City of Jacksonville, Fla., for 180 days. Supporting shippers: Puerto Rico Marine Management, Inc., P.O. Box 26483, New Orleans, La. 70186. Sea-Land Services, Inc., P.O. Box 3281, Jacksonville, Fla. 32206. Send protests to: G. H. Fauss, Jr., District Supervisor, Interstate Commerce Commission, Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

No. MC 140146 (Sub-No. 2TA) (Correction), filed June 3, 1975, published in the FEDERAL REGISTER issue of June 13, 1975, and republished as corrected this issue. Applicant: JEFFREY P. JENKS, doing business as JENKS CARTAGE COMPANY, 9944 Old Johnnycake Ridge Rd., Mentor, Ohio 44060. Applicant's representative: Jeffrey P. Jenks (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Racks, pallet storage or warehouse iron and/or steel*, on flat and low boy type trailers only, from 1361 Chardon Road, Cleveland, Ohio, on the one hand and, on the other, points in Alabama, Connecticut, Florida, Georgia, Illinois, Indiana, Kentucky, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, Wisconsin, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Nebraska, New Hampshire, New Jersey, New York, Delaware, Minnesota, Rhode Island, Vermont, West Virginia, and Washington, D.C., for 180 days. Supporting shipper: The Trix Company, 1361 Chardon Road, Cleveland, Ohio, 44117. Send protests to: James Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 181 Federal Office Bldg., 1240 East Ninth St., Cleveland, Ohio 44199. The purpose of this republication is to add West Virginia as a destination point.

No. MC 140245 (Sub-No. 1TA), filed July 1, 1975. Applicant: PROFESSIONAL DRIVER SERVICES, INC., 1631 Lebanon Road, Nashville, Tenn. 37210. Applicant's representative: Robert L. Estes, 14th Floor, Third National Bank Bldg., Nashville, Tenn. 37219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles and motor vehicle chassis* (except automobiles, in initial and secondary driveaway and truckaway service), *and bodies, cabs, and parts of and accessories* for such vehicles, between Birmingham, Ala., Bryan and Columbus, Ohio, Hickory and Wilson, N.C., Mitchell, Ind., Buffalo, N.Y., Hayward, Calif., Allentown and Macungie, Pa., Milwaukee, Wis., and Knoxville, Memphis, and Nashville, Tenn. Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract or contracts with Knoxville Mack Truck Sales, Inc., Knoxville, Tenn., Tri-State Mack Sales, Inc., Memphis, Tenn., and Neely Coble Company, Nashville, Tenn., for 180 days. Supporting shipper: Neely Coble Company, Nashville, Tenn. Knoxville Mack Truck Sales, Inc., Knoxville, Tenn. Tri-State Mac Distributors, Inc., Memphis, Tenn. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite A–422, U.S. Court House, Nashville, Tenn. 37203.

No. MC 141025 (Sub-No. 1TA), filed July 1, 1975. Applicant: AIR CREW TRANSIT, INC., doing business as GREAT AMERICAN STAGELINE, One West Thousand Oaks Blvd., Suite 14, Thousand Oaks, Calif. 91360. Applicant's representative: James S. Hebert (same

address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, freight all kinds*, in packages having prior or subsequent movement by air, between Agoura, Westlake, Thousand Oaks, and Newbury Park, Calif., on the one hand and, Los Angeles International Airport, Calif., on the other, for 180 days. Supporting shippers: It Is Written Telecast, 1100 Rancho Conejo Blvd., Newbury Park, Calif. 91320. Vitatron Medical, Inc., 1405 Whitehall Pl., Westlake Village, Calif. 91361. X-Tel, Inc., 2421 W. Hillcrest Drive, Newbury Park, Calif. 91320. Northrup Corporation Ventura Division, 1515 Rancho Conejo Blvd, Newbury Park, Calif. 91320. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 North Los Angeles St., Los Angeles, Calif. 90012.

No. MC 141043 (Sub-No. 1TA), filed June 20, 1975. Applicant: A. C. CRANE SERVICE, INC., P.O. Box 576, Midlothian, Ill. 60442. Applicant's representative: Philip A. Lee, 120 W. Madison St., Suite 618, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cryogenic tanks and vessels, with miscellaneous parts and accessories thereto such as electrical controls, pumps, piping, and coiled vaporizers* to be transported on specialized rigging equipment with not less than ten (10) ton crane mounted on truck bed, between points in Illinois, Indiana, Michigan, Wisconsin, Ohio, Iowa, Missouri, Kentucky, Pennsylvania, and Minnesota, for 180 days. Supporting shippers: Airco Industrial Gases, 12000 S. Doty Ave., Chicago, Ill. Chemetron Corp., Industrial Gas Div., N.C.G., 6201 S. East Ave., Countryside, Ill. Chemetron Corp., Cardox Prod., Div., 111 E. Wacker Drive, Chicago, Ill. 60601. Send protests to: Robert G. Anderson, District Supervisor, Interstate Commerce Commision, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 141089 (Sub-No. 1TA), filed July 3, 1975. Applicant: FLOYD WILD, INC., P.O. Box 91, Marshall, Minn. 56258. Applicant's representative: Samuel Rubenstein, 301 North Fifth St., Minneapolis, Minn. 55403. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cabinets and vanity sets*, from Cottonwood, Minn., to points in Illinois, Iowa, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Midcontinent Millwork, Cottonwood, Minn. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 414, Federal Bldg. and U.S. Courthouse, 110 South Fourth St., Minneapolis, Minn. 55401.

No. MC 141096 TA, filed July 2, 1975. Applicant: SAM NEILSEN, P.O. Box 316, Battle Mountain, Nev. 89820. Applicant's representative: Sam Neilsen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Barite ore*, in bulk, in dump trucks, from Crescent Valley, Nev., to Beowawe, Nev., via Nevada Highway 21, for 180 days. Supporting shipper: Imco Services, Box 1586 Battle Mountain, Nev. 89820. Send protests to: Robert G. Harrison, District Supervisor, 203 Federal Bldg., 705 North Plaza St., Carson City, Nev. 89701.

No. MC 141098 TA, filed July 3, 1975. Applicant: ALFORD CORPORATION, doing business as ALCO DELIVERY SERVICE, 6006 Harvey Wilson, Houston, Tex. 77020. Applicant's representative: Hugh L. McCulley, 3000 One Shell Plaza, Houston, Tex. 77002. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* to consist of the products of Avon Products, Inc., (a) between points in that part of Texas on and east of a line beginning at Waco and extending along Interstate Highway 35 to its junction with Texas Highway 95, thence along Texas Highway 95 to its junction with Texas Highway 71, thence along Texas Highway 71 to its junction with Texas Highway 21, thence along Texas Highway 21 to its junction with Texas Highway 123, thence along Texas Highway 123 to its junction with U.S. Highway 181, thence along U.S. Highway 181 to Portland; (b) between points in that part of Texas on and north of a line beginning at Portland and extending along U.S. Highway 181 to its junction with Texas Highway 35, thence along Texas Highway 35 to Aransas Pass, thence along the Gulf of Mexico to Sabine Pass; (c) between points in that part of Texas on and west of a line beginning at Sabine Pass and extending along the Sabine River to its junction with Texas Highway 149, thence along Texas Highway 149 to its junction with Interstate Highway 20; (d) between points in that part of Texas on and south of a line beginning at the intersection of Texas Highway 149 and Interstate Highway 20 and extending along Interstate 20 to its intersection with U.S. Highway 259, thence along U.S. Highway 259 to its intersection with Texas Highway 31, thence along Texas Highway 31 to its intersection with Interstate Highway 35, for 180 days. Supporting shipper: Avon Products, Inc., 83rd & College, Kansas City, Mo. 64141. Send protests to: District Supervisor, Mensing, Interstate Commerce Commission, Room 8610 Federal Bldg., 515 Rusk, Houston, Tex. 77002.

No. MC 141099 TA, filed July 3, 1975. Applicant: RICHARD L. BURTCH AND JANET K. BURTCH, P.O. Box 68, Dixon, Mont. 59831. Applicant's representative: Richard L. Burtch (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *House logs and building materials*, from Dixon, Mont., to points in Idaho, Colorado, North Dakota, South Dakota, Wyoming, Washington, Utah, Nebraska, Texas, and New Mexico and (2) *fertilizer*, from all states named in (1) above to Montana, for 180 days. Supporting shipper: Rocky Mountain Timber & Log, Inc., Dixon, Mont. 59831. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Room 222, U.S. P.O. Bldg., Billings, Mont. 59101.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-18718 Filed 7-17-75;8:45 am]

[Notice No. 810]

ASSIGNMENT OF HEARINGS

JULY 15, 1975.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 138141 Sub 3, Louis Santora, Jr., DBA AAA—United Limousine Service and MC 139886 Sub 2, A-ABC Sky View Taxi Cab, Inc., now assigned October 13, 1975 at Somerville, New Jersey are postponed to October 14, 1975 (4 days) at Somerville, New Jersey; in a hearing room to be designated later.

MC 106485 Sub 16, Lewis Truck Lines, Inc., now assigned September 29, 1975 at *Bismarck*, North Dakota, is canceled and reassigned September 29, 1975 (1 week) at *Wahpeton*, North Dakota; in a hearing room to be designated later. MC-C 8667, Don Swart Trucking, Inc., Investigation and Revocation of Certificates, now being assigned September 23, 1975 (1 day), at Charleston, W. Va., in a hearing room to be later designated.

MC 41064 Sub 4, Kent Express, Inc., now being assigned September 29, 1975 (1 week) at Indianapolis, Indiana; in a hearing room to be designated later.

MC 71459 (Sub No. 48), O. N. C. Freight System, now being assigned November 3, 1975, (1 week), at Santa Fe, N. Mex., in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-18715 Filed 7-17-75;8:45 am]